
Security and Prosperity in the Asia-Pacific: The Role of International Law

Wednesday 27 March 2019

Chatham House | 10 St James's Square | London SW1Y 4LE

Geopolitical uncertainty, including challenges to multilateralism, the growing influence of non-state actors and the implications of unprecedented technological advances, raise questions about the role of international law in global and regional governance. In the Asia-Pacific this is evident in numerous issues at the top of domestic and foreign policy agendas, including the future of the WTO, resolution of the East and South China Sea disputes and containment of North Korea's nuclear ambitions.

This conference will explore the impact of international law on security and prosperity in the Asia-Pacific region. How can governments in the region and other actors contribute to international law playing a more effective role in strengthening cooperation and reducing regional tensions? And how influential are Asia-Pacific states in the development of international law generally?

Agenda

09:30-10:00 Registration

10:00-10:10 Welcome Remarks

Adam Ward, Deputy Director, Chatham House

10:10-10:45 Keynote Discussion | The Role of International Law in the Asia-Pacific

- What has been the impact of Asia-Pacific states in the development of international law? Is there such a thing as a pan-Asian approach?
- Where is international law helping to strengthen relationships in the region and where might it be contributing to tensions?
- What are some of the broader challenges for legitimacy and effectiveness of international law as a tool of global governance?

Speakers:

Champa Patel, Head, Asia-Pacific Programme, Chatham House

Ben Saul, Associate Fellow, International Law Programme, Chatham House; Challis Chair of International Law, University of Sydney

Koji Tsuruoka, Ambassador of Japan to the United Kingdom

Chair:

Adam Ward, Deputy Director, Chatham House

10:45-12:15 **Session One | Strengthening Economic Relations**

This panel will look at opportunities and challenges for international trade and investment law in the Asia-Pacific, including regional arrangements such as TPP and RCEP, and China's Belt and Road Initiative. The panel will also discuss the evolving regimes for dispute settlement on trade and investment matters.

- What trends do we see in regional and mega regional trade agreements, including in relation to dispute settlement arrangements?
- What is China's approach to trade agreements in the region and how does this compare to the position taken by other key Asian and Pacific states?
- What are the implications of the increased use of international arbitration in the region to settle investment disputes and what new approaches may be on the horizon?

Speakers:

Yu Jie, Research Fellow, Asia-Pacific Programme, Chatham House

Qingjiang Kong, Dean, School of International Law, China University of Political Science and Law

Yorizumi Watanabe, Professor, Faculty of Policy Management, Graduate School of Media and Governance, Keio University

Romesh Weeramantry, Counsel, Clifford Chance Asia

Chair:

John Nilsson-Wright, Senior Research Fellow, Asia-Pacific Programme, Chatham House

12:15-13:30 **Lunch**

13:30-15:00 **Session Two | Maritime Security and Governance**

This panel will examine the attitudes and behaviours of states in the Asia-Pacific towards the Law of the Sea, including freedom of navigation and maritime delimitation in the South and East China seas; the evolving regulatory regime for mining of the international seabed; and disruptive actions by states aimed at tackling illicit economies, such as drugs and human trafficking.

- What are the key maritime and governance security challenges in the region?
- What has been the consequence of the Permanent Court of Arbitration (PCA) ruling in the *Philippines v. China* case on the attitudes of states in the region towards the Law of the Sea?
- How are regulatory frameworks developing in relation to the polar regions and the deep-sea bed in response to competing economic and security interests? How are states in the region engaging on these issues?

Speakers:

Bill Hayton, Associate Fellow, Asia-Pacific Programme, Chatham House

Shafiah F. Muhibat, Head, Department of International Relations, Centre for Strategic and International Studies Indonesia

Aniruddha Rajput, Member, UN International Law Commission; Consultant, Withersworldwide

Constantinos Yiallourides, Arthur Watts Research Fellow in Public International Law,
British Institute of International and Comparative Law

Chair:

Vasuki Shastry, Associate Fellow, Asia-Pacific Programme, Chatham House

15:00-15:20 [Tea/Coffee Break](#)

15:20-16:50 [Session Three | Emerging Security Challenges](#)

This panel will consider how international law regulates new threats in the Asia-Pacific region and beyond, including cyber-attacks, and evolving defence strategies. The panel will also explore prospects for regional security cooperation.

- What are the emerging security issues that are most contested in the Asia-Pacific region?
- What role does international law have in response to the increasing use by state actors of cyber tools against other states? How are key Asian states such as China and Japan engaging in this space?
- What are the implications for security strategies in the region of developments and controversies relating to the law on the use of force?

Speakers:

Lee Chen Chen, Director, Singapore Institute of International Affairs

Hitoshi Nasu, Professor of International Law, University of Exeter

Kimberley Trapp, Associate Professor, Faculty of Laws, University College London

Chair:

Harriet Moynihan, Associate Fellow, International Law Programme, Chatham House

16:50-17:00 [Closing Remarks](#)

Ruma Mandal, Head, International Law Programme, Chatham House

17:00-18:00 [Drinks Reception](#)

Neill Malcolm Room, Chatham House