



## **WORLD JUDICIAL INTEGRITY FORUM (WJIF) 2026**

*“Justice, Reform, and Resilience: Towards a Global Legal Future”*

Wednesday, 13th May 2026 | Rangsit University, Bangkok, Thailand

# **SUMMARY REPORT**

## WELCOMING KEYNOTE ADDRESS

Dato' Setia Haji Nik Suhaimi bin Nik Sulaiman

*Organising Chairman & Legal Advisor to the International Strategy Institute (ISI)*

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The **Welcoming Keynote Address** by Dato' Setia Haji Nik Suhaimi bin Nik Sulaiman, Organising Chairman and Legal Advisor to the International Strategy Institute (ISI), set the tone for the World Judicial Integrity Forum 2026 by emphasising regional cooperation, judicial integrity, and the evolving challenges facing modern legal systems.

The speech opened with a formal welcome to distinguished judges, legal experts, diplomats, and academic leaders from across Asia, highlighting the strong representation of key judicial and institutional figures from Malaysia, Thailand, and the wider region. The presence of these VIPs underscored the Forum's importance and its shared commitment to strengthening judicial integrity and institutional resilience. He reaffirmed ISI's appreciation for its partnership with Rangsit University as co-host, noting that the collaboration has been instrumental in bringing together a diverse and influential legal community.

The keynote highlighted the Forum's central theme, "**Justice, Reform, and Resilience: Towards a Global Legal Future,**" which reflects the evolving realities of judicial systems today—particularly the growing complexity of cases, the increasing number of cross-border legal matters, and rising expectations for efficiency and accessibility.

A key focus of the address was the impact of **digital transformation and technology in the judiciary**, including differing national approaches to reform. While acknowledging diversity in legal systems, he emphasised that this variation is a strength that enables meaningful dialogue, shared learning, and collaborative problem-solving across jurisdictions.

The speech strongly reinforced the foundational legal principle that "**justice must not only be done, but must also be seen to be done,**" stressing that public confidence is essential to the legitimacy of the justice system. In the modern context, he noted that while transparency is increasingly shaped by social media and rapid information flow, courts must carefully balance openness with confidentiality in sensitive cases, ensuring trust is preserved without compromising justice or security.

The address also outlined key discussion areas of the Forum, including judicial independence, accountability, digitalisation of courts, commercial and insolvency frameworks, and cross-border judicial cooperation.

In conclusion, the speaker emphasised that judicial integrity is an ongoing process that extends beyond the Forum itself. Its success will be measured not only by the discussions held during the event, but by how those ideas are carried forward and implemented within respective jurisdictions. Overall, the speech framed WJIF 2026 as a platform for meaningful regional dialogue, reinforcing a shared commitment to strengthening judicial systems, promoting integrity, and adapting to future legal challenges.

## SPECIAL KEYNOTE ADDRESS

Dr. Arthit Ourairat

*Founding President of Rangsit University*

*Former Vice President of the Parliament of Thailand*

*Former Speaker of the House of Representatives of Thailand*

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Dr. Arthit Ourairat, President of Rangsit University, warmly welcomed delegates to the World Judicial Integrity Forum 2026, underscoring the University's role as a global platform for dialogue on justice and legal development. He highlighted that in an era of rapid transformation, judicial integrity must remain anchored in transparency, accountability, and public trust, while evolving to meet contemporary global challenges.

In his address, he emphasised the Forum's theme, "**Justice, Reform, and Resilience: Towards a Global Legal Future,**" as a timely reflection of the pressures and changes facing judicial systems worldwide. He noted that courts today must navigate increasing complexity, digital disruption, and rising expectations for accessibility and efficiency.

He further outlined three guiding principles for the future of justice. **Justice** was described as the cornerstone of peace and equality, ensuring that the judiciary continues to safeguard fairness and the vulnerable. **Reform** was highlighted as essential for keeping legal systems relevant, particularly through technological advancement, AI integration, and enhanced cross-border legal cooperation. **Resilience** was defined as the judiciary's ability to withstand political, economic, and technological pressures while maintaining independence and core values.

Dr. Arthit also stressed the importance of international collaboration, noting the partnership between Rangsit University and the International Strategy Institute (ISI) as a strong example of bridging academic expertise and policy dialogue to strengthen judicial integrity across the region.

In closing, he encouraged participants to use the Forum as a platform for shaping a forward-looking global legal framework grounded in bold ideas, meaningful reform, and unwavering integrity. He then officially declared the World Judicial Integrity Forum 2026 open, wishing all participants a productive and inspiring exchange.

## **OPENING KEYNOTE ADDRESS**

The Honourable Justice Dato' Nordin bin Hassan

*Federal Court Judge of Malaysia*

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The Opening Keynote Address by The Honourable Justice Dato' Nordin bin Hassan, Federal Court Judge of Malaysia, highlighted the enduring importance of the rule of law as a foundation for justice, accountability, and public trust. He emphasised that while the rule of law is widely invoked across political and legal discourse, its true strength lies in its faithful application through independent and impartial judicial institutions.

The speech underscored that the judiciary and legal profession play a central role in safeguarding justice, particularly in times of rapid societal, political, and technological change. He stressed that judicial independence and accountability are mutually reinforcing pillars essential to maintaining legitimacy and public confidence in the legal system.

Justice Dato' Nordin further outlined Malaysia's ongoing judicial reforms, including the expansion of specialised courts, digitalisation of court processes, improved case management, and efforts to enhance the quality and consistency of judicial decision-making. These reforms aim to ensure a more efficient, accessible, and globally relevant justice system.

A key focus of the address was the impact of technology and Artificial Intelligence in the judiciary. While acknowledging its benefits in efficiency and accessibility, he cautioned against over-reliance, emphasising that judicial reasoning and responsibility cannot be automated and must remain firmly within human judgment.

He also highlighted the increasing pressures on modern courts, including public scrutiny, media narratives, and technological disruption, stressing the need for continuous judicial education, resilience, and well-being to sustain effective decision-making.

In conclusion, he reaffirmed that judicial authority is built on trust, not force, and that integrity remains the cornerstone of the judiciary. He called for judges to remain steadfast in principle, ensuring that justice is applied consistently, fairly, and without fear or favour, before officially declaring the Forum open.

## LUNCHEON KEYNOTE ADDRESS

Mr. Pongdej Wanichkittikul

*Presiding Justice of the Supreme Court of Thailand*

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During the Luncheon Keynote Address, Mr. Pongdej Wanichkittikul emphasised that judicial integrity serves as the fundamental pillar of public trust, democratic stability, and the legitimacy of the rule of law. He highlighted that courts rely not on force or political power, but on public confidence that judges will act independently, fairly, impartially, and with courage, particularly during periods of political or economic pressure.

He stressed that strong judicial integrity contributes to stable societies and credible institutions, while weakened integrity risks eroding public trust and undermining the legal system. Mr. Pongdej also underscored the importance of procedural reform and judicial efficiency, noting that delayed justice weakens confidence in the judiciary and fails the public's expectation of fair legal protection.

In addressing the evolving legal landscape, he noted that modern judges must possess not only ethical integrity but also strong legal expertise to manage increasingly complex matters, including environmental disputes, class actions, and transnational legal issues. He further highlighted the judiciary's responsibility to ensure access to justice for vulnerable and marginalised communities.

The keynote additionally focused on the growing digital transformation of courts, including the adoption of e-filing systems, virtual hearings, AI tools, and digital case management. While acknowledging the benefits of technology in improving efficiency and accessibility, he cautioned against risks such as cybersecurity threats, data privacy concerns, algorithmic bias, and digital inequality. He stressed that technology should enhance — not replace — judicial reasoning, human conscience, and moral judgment.

Mr. Pongdej further called for stronger international judicial cooperation and the development of a "Global Culture of Integrity," encouraging legal institutions worldwide to exchange not only legal frameworks but also shared values and ethical standards. He reaffirmed Thailand's commitment to supporting regional and international legal collaboration aligned with global best practices.

He concluded by encouraging participants to uphold truth, integrity, and professionalism in shaping the future judiciary of the 21st century.

## **CLOSING KEYNOTE ADDRESS**

Professor Vicha Mahakun

*Dean, School of Law, Rangsit University*

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In the Closing Keynote Address, Professor Vicha Mahakun reflected on the successful conclusion of the World Judicial Integrity Forum 2026 and emphasised that although justice is administered locally, judicial integrity remains a universal standard. He highlighted the importance of international dialogue and cooperation in strengthening judicial systems and promoting ethical legal governance worldwide.

Professor Vicha expressed appreciation to key leaders and contributors who played significant roles in the success of the forum, including Dato' Setia Haji Nik Suhaimi bin Nik Sulaiman for his commitment to advancing international legal cooperation, Dr. Arthit Ourairat for his long-standing vision of education in service of justice and humanity, The Hon. Justice Dato' Nordin bin Hassan for representing judicial excellence in the region, and Mr. Pongdej Wanichkittikul for delivering meaningful insights connecting judicial policy and practical implementation.

He further highlighted the strong role of Asian leadership in judicial reform, noting that legal experts and panellists from Malaysia, China, Thailand, and across ASEAN demonstrated how Asian legal systems are actively contributing to and shaping global judicial developments. Discussions throughout the forum addressed key issues, including transnational litigation, judicial ethics, legal administration, and the importance of balancing international standards with regional realities.

Professor Vicha reaffirmed the School of Law, Rangsit University's commitment to serving as a centre for legal excellence and to continuing to promote integrity as a core principle of the legal profession. He also encouraged legal practitioners and students to apply the knowledge and perspectives shared during the forum in their future professional journeys.

He concluded by expressing appreciation to the International Strategy Institute (ISI) and the organising committee for successfully delivering the international forum, before officially declaring the World Judicial Integrity Forum 2026 closed. He called upon participants to continue upholding truth, integrity, unity, and justice within their respective legal institutions and communities.

## TOPIC DISCUSSION 1

### JUDICIAL INDEPENDENCE, ACCOUNTABILITY, AND PUBLIC CONFIDENCE ACROSS ASIA

**Mr Mohamad Izahar bin Mohamad Izham**

***Partner and Head of the Government Advisory Practice, Zaid Ibrahim & Co, Malaysia***

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The panel session continued with a presentation by Mohamad Izahar bin Mohamad Izham, who shared his perspectives on judicial reform and governance from a law reform and public policy standpoint. Drawing on his experience advising governments on legislative drafting and policy implementation, he explained that his work focuses on shaping legal and regulatory frameworks rather than on traditional courtroom litigation.

In his presentation, Mohamad Izahar highlighted several challenges affecting the judiciary, including external interference, increasing public scrutiny of high-profile cases, and the evolving legal landscape shaped by technology and artificial intelligence. He noted that the rapid spread of information through social media and AI platforms has contributed to misinformation and uninformed public opinions regarding judicial proceedings.

A key point emphasised during the session was that judicial issues cannot be viewed in isolation, as the judiciary is closely connected to both the legislative and executive branches. He explained that outdated laws and poor implementation often create disputes that ultimately place pressure on the courts. As such, meaningful reform requires a whole-of-government, ecosystem-based approach rather than focusing solely on the judiciary.

Mohamad Izahar also highlighted several ongoing reform initiatives in Malaysia, including the Judicial Appointments Commission Act 2009, which promotes a more transparent and merit-based judicial appointment process. He further referenced broader reforms, including efforts to separate the roles of the Attorney General and the Public Prosecutor, introduce term limits for the Prime Minister, and improve regulatory efficiency through periodic law reviews and modern governance tools.

In conclusion, he stressed that judicial independence, transparency, and accountability are essential in strengthening public confidence in the legal system. Sustainable reform, he noted, can only be achieved through collective improvements across the judiciary, executive, and legislative branches.

## TOPIC DISCUSSION 1

### JUDICIAL INDEPENDENCE, ACCOUNTABILITY, AND PUBLIC CONFIDENCE ACROSS ASIA

**Dr Pratamaporn lamumpha**

***Lecturer, Faculty of Law, Rangsit University and Independent Legal Practitioner, Thailand***

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Dr Pratamaporn lamumpha contributed to the discussion by addressing several pressing issues affecting judicial systems, particularly regarding public trust, technological advancement, and regional legal cooperation. She noted that one of the key challenges faced by courts today is maintaining judicial independence while remaining accountable and transparent to the public. According to her, judicial institutions must continually uphold professionalism, ethical standards, and institutional integrity to preserve public confidence in the administration of justice.

She also highlighted the growing influence of social media on judicial proceedings, explaining that public opinion often forms rapidly from incomplete or inaccurate online information before courts can fully assess the facts of a case. This digital environment, she observed, has intensified the phenomenon of “trial by public opinion,” creating additional pressure on the judiciary and shaping public perception of legal processes.

In discussing access to justice, Dr Pratamaporn pointed out that many people still perceive court procedures as complicated, expensive, and time-consuming. While the adoption of technologies such as e-filing systems, virtual hearings, and digital legal resources has improved efficiency and accessibility, she stressed that technological tools should complement rather than replace judicial reasoning, ethics, and human judgment.

The presentation further examined the rise of transnational legal issues across Asia, including cybercrime, money laundering, digital fraud, and disputes that extend across jurisdictions. She emphasised that such challenges require stronger regional collaboration and judicial dialogue to ensure effective legal responses within an increasingly interconnected environment.

Concluding her remarks, Dr Pratamaporn underscored the importance of strengthening public understanding of judicial processes through clearer communication and legal education initiatives. She noted that improving public awareness would help foster greater trust and confidence in the judiciary and the rule of law.

## TOPIC DISCUSSION 1

### JUDICIAL INDEPENDENCE, ACCOUNTABILITY, AND PUBLIC CONFIDENCE ACROSS ASIA

**Pol. Col. (Dr.) Siriphon Kusonsinwut**

***Deputy Secretary General, Office of the Personal Data Protection Committee (PDPC), Thailand***

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The session on judicial independence and public trust in Thailand was delivered by Pol. Col. (Dr.) Siriphon Kusonsinwut, who reflected on both structural strengths and persistent challenges within the country's legal system.

Drawing on the historical evolution of Thailand's courts since the reforms under King Rama V, the speaker noted that while the Court of Justice generally performs well in routine civil and criminal matters, concerns remain in politically sensitive areas such as constitutional law, freedom of expression, and other high-impact public interest cases. These areas, he suggested, have contributed to a decline in public confidence in certain judicial institutions and have raised broader questions about legitimacy and the practical meaning of judicial independence.

The presentation highlighted the formal safeguards designed to protect judicial independence, including security of tenure, financial stability, and merit-based promotion systems. However, the speaker observed that despite these legal protections, challenges may still arise from internal dynamics and external pressures, particularly in complex or politically charged cases.

A key concern raised was the perceived gap between institutional independence and public accountability. The speaker questioned whether some judicial and constitutional bodies have become increasingly distant from public scrutiny, particularly due to limited transparency in disciplinary processes and administrative decisions. This, he argued, has contributed to a perception of reduced accountability in parts of the judicial system.

In response, the speaker called for greater transparency, improved access to information, and stronger mechanisms for public engagement in judicial ethics and oversight. He also emphasised the importance of allowing informed academic and public discourse on court decisions as part of efforts to strengthen institutional legitimacy. References were made to the importance of upholding constitutional principles and international human rights standards, including obligations under the ICCPR.

In conclusion, Pol. Col. (Dr.) Siriphon underscored that while Thailand's judiciary remains generally effective, targeted reforms—particularly in politically sensitive jurisdictions—may be necessary to rebuild public trust and reinforce confidence in judicial independence, fairness, and accountability.

## TOPIC DISCUSSION 1

### JUDICIAL INDEPENDENCE, ACCOUNTABILITY, AND PUBLIC CONFIDENCE ACROSS ASIA

**Professor Dr Prasit Eakabut**

*Expert in International Law and Senior Professor of LLB Program, Faculty of Law, Rangsit University, Thailand*

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The keynote presentation by Professor Dr Prasit Eakabut focused on the importance of judicial independence and the urgent need for judicial reform across jurisdictions worldwide. He began by stressing that judicial independence is a foundational requirement of democratic governance, warning that in many countries it is frequently undermined by external interference from political leaders, state actors, and, in some cases, other powerful interests seeking to influence court decisions. He highlighted that such interference may take both direct and indirect forms, including political pressure, media influence, and the shaping of public opinion. According to him, these pressures can compromise judges' ability to make impartial decisions based solely on law and justice, ultimately threatening the integrity of the judicial system.

The speaker outlined the core elements of judicial independence, including freedom from external interference, impartiality, and financial security. He emphasised that judges must be able to decide cases without fear or favour, supported by adequate remuneration and protection from undue influence. At the same time, he noted the importance of accountability mechanisms such as judicial codes of conduct, disciplinary frameworks, and strict sanctions against corruption to ensure integrity within the judiciary.

Professor Prasit further underscored the judiciary's responsibility as a guardian of the rule of law, human rights, and justice. He expressed concern that in some jurisdictions, judicial decision-making may not fully reflect international human rights standards, particularly regarding issues such as provisional release and bail in criminal cases.

Turning to reform, he argued that judicial quality depends heavily on competence and legal expertise. He cautioned against appointing judges without sufficient legal background or practical experience, particularly in complex constitutional courts, as this may affect the quality and consistency of rulings. He called for stronger judicial education systems, including structured magistrate schools and continuous training programmes for judges.

He also stressed the importance of merit-based selection, requiring strong academic qualifications in law, bar admission, and substantial professional experience before appointment to the bench. In his view, judicial maturity and practical exposure are essential to ensuring sound judicial reasoning and avoiding errors in judgment.

In conclusion, Professor Prasit emphasised that judicial reform must go beyond structural changes and focus equally on integrity, professionalism, and ethical standards. He called for a globally

strengthened judiciary system supported by all sectors of society, reinforcing the idea that true justice requires not only legal authority but also moral responsibility and institutional independence.

## TOPIC DISCUSSION 2

### DIGITAL TRANSFORMATION OF COURTS: INNOVATION, CYBERSECURITY, AND ACCESS TO JUSTICE

**Mr. Harangu Shanaka Roshan Gunasekara**

*Partner, Head of Data Protection and Privacy, FJ&G de Saram, Sri Lanka*

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The session on Digital Transformation of Courts: Innovation, Cybersecurity, and Access to Justice was delivered by Mr Harangu Shanaka Roshan Gunasekara, who outlined the growing need for courts to modernise in response to technological advances and rising public expectations. He began by stressing that judicial systems worldwide often struggle to keep pace with innovation, particularly in the era of artificial intelligence and digital transformation. While acknowledging the principle that “justice delayed is justice denied,” he noted that slow and paper-based court processes continue to undermine public trust in many jurisdictions. He emphasised that integrating technology into the justice system is essential to improving efficiency and maintaining confidence in legal institutions.

A key focus of his presentation was cybersecurity. He explained that digital transformation must be accompanied by strong information security safeguards to protect sensitive judicial data. Drawing on internationally recognised frameworks such as ISO 27001, he highlighted the importance of the CIA triad—confidentiality, integrity, and availability—as the foundation of secure judicial information systems. He further explained that cybersecurity should follow a structured cycle comprising risk assessment, risk treatment, control implementation, continuous monitoring, and continual improvement, supported by certification and compliance mechanisms.

He also emphasised the importance of global standards, such as ISO and SOC frameworks, in ensuring interoperability and trust among judicial systems, particularly as courts move towards cross-border digital cooperation and electronic mutual legal assistance. Standardisation, he noted, helps establish credibility, facilitates secure integration, and reduces barriers when linking different judicial platforms.

Another major theme discussed was access to justice and the digital divide. While digital courts and e-justice systems can significantly improve efficiency, he cautioned that unequal internet access, limited digital literacy, and infrastructure gaps—particularly in rural areas—can exclude vulnerable communities. He also noted that even when infrastructure exists, usability challenges and lack of familiarity with digital tools can create additional barriers for legal practitioners and the public alike.

To address these challenges, he supported hybrid court systems, mobile court services, and assisted digital access points such as kiosks to ensure inclusivity. He also highlighted real-world examples of digital transformation efforts in countries such as Sri Lanka, India, the Philippines, and Brunei, noting that while progress is being made, implementation remains an evolving process.

In conclusion, he emphasised that digital transformation of the judiciary must balance innovation, cybersecurity, and inclusivity. Courts, he noted, must adopt secure, standardised, and continuously

updated systems while ensuring that access to justice is not compromised by technological advancement, particularly for those in underserved communities.

## **TOPIC DISCUSSION 2**

### **DIGITAL TRANSFORMATION OF COURTS: INNOVATION, CYBERSECURITY, AND ACCESS TO JUSTICE**

**Atty. Leland R. Villadolid, Jr.**

***Co-Managing Partner & Senior Partner, Angara Abello Concepcion Regala & Cruz Law Offices (ACCRALAW), Philippines***

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The presentation by Atty. Leland R. Villadolid, Jr. focused on the Philippines' experience in advancing digital transformation within the judiciary under the broader theme of improving access to justice, cybersecurity, and institutional connectivity.

He began by explaining the concept of *"Ugnayan"*—a Filipino term meaning connection between people and institutions—which serves as a guiding principle for the Philippine Supreme Court's digital reform agenda. He noted that despite high internet and social media usage in the Philippines, regional infrastructure disparities continue to limit meaningful access to justice, particularly in rural and remote areas.

The speaker highlighted key drivers of reform, including cybersecurity incidents and system breaches affecting government institutions. In response, the Supreme Court developed its Strategic Plan for Judicial Innovation (SPJI) 2022–2027, anchored on timely and fair justice, transparency, equal access, and technology-enabled governance.

Under this framework, several reforms were introduced, including the eCourt system for digital filing and summons, remote hearings supported by mobile court facilities, and digital payment systems. He also explained the integration of AI tools, particularly voice-to-text transcription systems used nationwide to improve efficiency in court documentation.

On cybersecurity, he described the adoption of cloud migration, secure judicial platforms, and continuous staff training. He also highlighted the use of red, blue, and purple team models for ongoing penetration testing and system defence, ensuring continuous monitoring and resilience against cyber threats.

He further emphasised the importance of structured cybersecurity principles such as zero-trust architecture, least-privilege access, and layered security (defence-in-depth), noting that judicial systems must remain adaptive as cyber threats evolve.

In conclusion, he stressed that digital transformation in the judiciary must be supported by broader ecosystem coordination, including telecommunications providers, the executive branch, legal professionals, and judicial training institutions. He added that success ultimately depends not only on technology adoption but also on education, stakeholder buy-in, and continuous capacity building across the justice system.

## TOPIC DISCUSSION 2

### DIGITAL TRANSFORMATION OF COURTS: INNOVATION, CYBERSECURITY, AND ACCESS TO JUSTICE

**Judge Hazarena Hurairah**

***Acting Chief Registrar/Intermediate Court Judge, Supreme Court in Brunei Darussalam***

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Judge Hazarena Hurairah shared Brunei's experience in judicial digitalisation, drawing on her dual perspective as a court administrator and a sitting judge. She explained that the transformation began in 2015 with the rollout of the Judiciary Case Management System (JCMS), which modernised court operations across civil, criminal, and administrative jurisdictions, including probate, marriage, and bankruptcy matters.

She noted that the judiciary's early investment in digital infrastructure enabled a rapid transition to online hearings and mandatory e-filing between 2015 and 2020, allowing the courts to maintain continuity during the COVID-19 pandemic. However, a 2025 cyber incident that temporarily disrupted court systems highlighted the need for greater resilience, backup arrangements, and hybrid operational models that combine digital and manual processes.

The speaker outlined three guiding pillars of Brunei's digital judiciary: resilience, cybersecurity governance, and access to justice. She explained that resilience ensures continuity of court services during system disruptions, while cybersecurity governance is supported by government-managed cloud infrastructure, mandatory security testing, and AI governance frameworks to enable responsible digital adoption. Access to justice remains central, with flexible hearing arrangements allowing users to choose between virtual and in-person proceedings based on their digital readiness.

She also highlighted Brunei's current move towards JCMS 2.0, which will expand digital legal services, introduce automation for court documents, strengthen data-driven performance monitoring, and integrate AI tools to support judicial administration. However, she stressed that technology serves only as an enabler, not a substitute for judicial reasoning and human decision-making.

In closing, Judge Hazarena emphasised the importance of balancing innovation with inclusivity, ensuring that digital transformation strengthens efficiency and security while remaining accessible to all court users, including those with limited technological or language proficiency.

## TOPIC DISCUSSION 3

### COMMERCIAL COURTS, INSOLVENCY REFORM, AND INVESTOR CONFIDENCE IN ASIA

**Mr. Wan Kai Chee**

*Co-Head of the Financial Services Department & Partner, Rahmat Lim & Partners, Malaysia*

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Mr Wan Kai Chee focused his discussion on the importance of judicial credibility, dispute-resolution mechanisms, and the rule of law in strengthening investor confidence in Asia's commercial environment. He explained that investors do not assess investment opportunities solely based on economic incentives, taxation, or market potential, but also carefully evaluate whether a country's legal and judicial systems are reliable, transparent, and capable of protecting contractual rights and investments. According to him, investor confidence is heavily dependent on whether disputes can be resolved fairly, consistently, and efficiently.

He highlighted that cross-border investments often involve substantial financial commitments, making legal certainty and enforceability of contracts critical considerations for foreign investors. In this regard, he noted the importance of investment treaties, arbitration mechanisms, and government-to-government protections in supporting international commercial confidence and reducing investment risks.

Mr Wan also discussed the growing use of arbitration as an alternative dispute resolution mechanism, explaining that many parties perceive it as more private, flexible, and internationally enforceable than traditional court proceedings. However, he also pointed out that arbitration is not without limitations, as proceedings may sometimes become lengthy and costly. He therefore stressed that both court systems and arbitration frameworks must continue evolving to meet the growing complexity of modern commercial disputes.

In addition, he emphasised the importance of judicial accountability and careful legal reasoning, sharing practical examples of litigation involving foreign investors and corporate governance disputes in Malaysia. He noted that judicial decisions, including those at lower court levels, can significantly affect investor perceptions, shareholder confidence, and corporate governance practices. According to him, judges at every level of the judiciary must recognise the wider commercial implications of their decisions rather than relying on higher courts to correct potential errors later.

Mr Wan further highlighted the growing need for specialised commercial courts and technically competent judges to handle increasingly complex disputes involving banking, finance, engineering, construction, maritime matters, and cross-border transactions. He explained that countries such as Malaysia and Singapore are increasingly moving towards specialised judicial systems to improve efficiency, consistency, and expertise in commercial adjudication. Overall, he stressed that transparent dispute resolution systems, specialised expertise, judicial professionalism, and strong adherence to the rule of law are essential foundations for sustaining investor confidence and supporting long-term economic growth across Asia.

## TOPIC DISCUSSION 3

### COMMERCIAL COURTS, INSOLVENCY REFORM, AND INVESTOR CONFIDENCE IN ASIA

**Mr. Nik Syahril Bin Nik Ab Rahman**

***Director of Policy and Legal Division, Malaysian Department of Insolvency (MDI), Malaysia***

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Mr. Nik Syahril Bin Nik Ab Rahman focused his discussion on insolvency reform, economic resilience, and the importance of establishing modern cross-border insolvency frameworks to strengthen investor confidence and regional economic stability. Representing the Malaysian Department of Insolvency (MDI), he emphasised that insolvency is no longer merely a domestic legal matter, but has evolved into a global issue involving multinational assets, international creditors, digital finance systems, and cross-jurisdictional legal coordination. According to him, modern insolvency systems must adapt to globalisation, digitalisation, and increasingly interconnected financial structures.

A major focus of his remarks was the shift in insolvency philosophy from traditional liquidation approaches towards corporate rescue and rehabilitation mechanisms. He explained that modern insolvency systems should prioritise preserving viable businesses, protecting employment opportunities, maintaining economic continuity, and safeguarding commercial value rather than simply dissolving companies through winding-up proceedings. He stressed that effective insolvency reform contributes not only to economic recovery but also to fairness, investor confidence, and long-term business sustainability.

Mr. Nik Syahril also highlighted the significance of Malaysia's newly introduced Cross-Border Insolvency Act 2026, developed based on the UNCITRAL Model Law on Cross-Border Insolvency. He described the legislation as a major transformation of Malaysia's insolvency governance framework, aimed at improving international judicial cooperation, the recognition of foreign insolvency proceedings, restructuring efficiency, and certainty for investors and creditors. He further emphasised that effective insolvency systems require strong legislation, competent institutions, judicial integrity, and regional cooperation, particularly within ASEAN countries, to build a resilient and harmonised insolvency ecosystem across Asia.

In addition, he addressed the growing impact of technology and digitalisation on insolvency governance, highlighting challenges involving cryptocurrency assets, artificial intelligence enterprises, decentralised finance systems, and digital asset tracing. He stressed the need for stronger judicial capacity-building, digital insolvency platforms, harmonised legal systems, and effective enforcement mechanisms that can adapt to rapidly evolving technological and financial developments. Overall, his perspective reinforced the view that insolvency reform is not merely a technical legal issue but a broader commitment to fairness, judicial modernisation, economic resilience, and sustainable governance in an increasingly interconnected global economy.

## TOPIC DISCUSSION 3

### COMMERCIAL COURTS, INSOLVENCY REFORM, AND INVESTOR CONFIDENCE IN ASIA

**Mr. Mohamad Daud Bin Ismail**

***Lawyer, Advocate & Solicitor, Daud Ismail & Company, Brunei***

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Mr. Mohamad Daud Bin Ismail presented Brunei Darussalam's perspective on the importance of commercial courts and insolvency reforms in strengthening investor confidence and supporting regional economic cooperation. He emphasised that strong and independent judicial institutions form the "bedrock of economic growth," as investors are more likely to invest when they trust that contracts will be enforced fairly and insolvency processes will be administered in a predictable and transparent manner. According to him, judicial reliability, legal certainty, and efficient dispute resolution systems are closely connected to foreign investment confidence and long-term economic stability.

He also discussed the development of Brunei's commercial court system, highlighting the establishment of specialised commercial courts in 2016 to improve expertise and efficiency in handling disputes involving banking, insurance, construction, trade, and other commercial sectors. According to him, specialised courts and technically competent judges are essential in ensuring consistent, speedy, and reliable adjudication of complex commercial disputes, thereby strengthening trust among local and international investors.

A significant part of his discussion focused on alternative dispute resolution mechanisms, particularly mediation and arbitration. Mr. Daud stressed that courts should generally remain the last resort in resolving commercial disputes, while mediation and arbitration should be encouraged to reduce delays, minimise litigation costs, preserve business relationships, and improve commercial efficiency. He highlighted the role of the Brunei Arbitration Centre in facilitating dispute resolution and noted that arbitration proceedings may also be conducted internationally depending on the parties' agreements.

In relation to insolvency reform, Mr. Daud explained that Brunei's insolvency framework increasingly focuses on business rescue and rehabilitation rather than immediate liquidation. He discussed mechanisms such as judicial management and Corporate Voluntary Arrangements (CVAs), which allow financially distressed companies to restructure operations and continue business activities where possible. According to him, preserving companies helps maintain employment opportunities, protect economic value, and sustain investor confidence while ensuring creditor interests remain protected within the insolvency process.

Mr. Daud further acknowledged the growing importance of cross-border insolvency frameworks, regional cooperation, and digitalisation in improving judicial efficiency and investor confidence. He stressed that balanced legal ecosystems combining efficient courts, insolvency reforms, mediation and arbitration, judicial specialisation, and regional cooperation are essential to supporting sustainable economic growth and long-term investor confidence across ASEAN and Asia.

**TOPIC DISCUSSION 4**  
**STRENGTHENING JUDICIAL COOPERATION:**  
**CROSS-BORDER LEGAL COORDINATION AND INSTITUTIONAL EXCHANGE**

**Mr. Philip Teoh**

***Partner, International Lawyer & Arbitrator, Azmi & Associates, Malaysia***

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Mr. Philip Teoh focused his discussion on the importance of legal understanding, judicial coordination, and dispute resolution mechanisms in strengthening cross-border judicial cooperation within ASEAN and the wider international legal environment. He emphasised that before achieving legal integration among countries, there must be a mutual understanding of how different legal systems, courts, and dispute-resolution mechanisms operate. According to him, countries across ASEAN and Asia possess diverse legal traditions, including common law and civil law systems, which create both opportunities and challenges in handling cross-border disputes.

He highlighted the growing role of arbitration in resolving international commercial disputes, noting that it often provides greater cross-border enforceability than court judgments. He explained that while many national court judgments are only recognised within limited jurisdictions, arbitration awards benefit from wider international enforceability under frameworks such as the New York Convention. He also stressed the importance of understanding conflict-of-law principles, particularly in disputes involving parties from different jurisdictions where governing laws, contractual clauses, and enforcement mechanisms differ significantly.

Mr. Philip further discussed Malaysia's legal system, including the establishment of specialised courts such as the Admiralty Court and the International Commercial Court (ICAD), which aim to improve expertise and efficiency in handling international commercial and maritime disputes. He emphasised that specialised courts help strengthen judicial competence, consistency, and investor confidence in cross-border legal matters. In addition, he highlighted the increasing use of digital technology and online hearings within the Malaysian judiciary, explaining that virtual hearings and digital case management systems have significantly improved procedural efficiency, reduced delays, and enhanced accessibility following the COVID-19 pandemic.

He also emphasised the importance of mediation and alternative dispute resolution within judicial systems, explaining that Malaysian courts increasingly encourage court-annexed mediation to facilitate compromise and reduce unnecessary litigation. According to him, effective judicial cooperation requires not only strong statutory frameworks and legal expertise, but also practical procedural coordination among jurisdictions. Overall, his perspective reinforced the importance of legal harmonisation, specialised expertise, arbitration, technological advancement, and mutual understanding among legal systems in strengthening judicial cooperation and cross-border dispute resolution across Asia.

**TOPIC DISCUSSION 4**  
**STRENGTHENING JUDICIAL COOPERATION:**  
**CROSS-BORDER LEGAL COORDINATION AND INSTITUTIONAL EXCHANGE**

**Pol. Capt. Amornphan Nititheeranont**

***Senior Advisor, Acting Assistant Secretary-General / Former Judge, Personal Data Protection Committee (PDPC), Thailand***

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Pol. Capt. Amornphan Nititheeranont focused his discussion on the growing challenges of cross-border judicial cooperation within an increasingly digital and interconnected world. He highlighted that many judicial systems in Asia still face significant procedural limitations in handling international legal matters, particularly in areas involving cross-border civil proceedings, legal documentation, evidence exchange, and enforcement of foreign judgments. According to him, one of the most significant obstacles remains the slow process of serving judicial documents and coordinating legal procedures across jurisdictions through diplomatic channels, which often causes substantial delays in international cases.

He strongly emphasised the importance of technology and digitalisation in improving judicial coordination and reducing delays in cross-border legal cooperation. He explained that digital communication systems, electronic document services, and secure data-sharing mechanisms can significantly enhance efficiency, evidence exchange, and procedural coordination among jurisdictions. Drawing from his role within Thailand's Personal Data Protection Committee (PDPC), he also stressed the growing importance of cybersecurity, real-time information sharing, and technological cooperation in addressing cyber-related offences, suspicious financial transactions, and transnational digital crimes.

A major part of his discussion focused on the evolving judicial cooperation between China and ASEAN countries in response to rising transnational crimes such as telecom fraud, cybercrime, human trafficking, and financial offences. He explained that judicial cooperation has evolved beyond traditional legal assistance to a broader form of regional governance that involves both state and non-state actors. He highlighted existing initiatives such as the ASEAN–China Plan of Action (2026–2030), joint law enforcement patrols along the Mekong River, and ongoing negotiations on the South China Sea Code of Conduct as examples of increasing institutional cooperation and regional coordination.

Pol. Capt. Amornphan also addressed the emerging role of private security companies in cross-border governance, particularly as Chinese overseas investments continue expanding across Southeast Asia. He warned that without proper regulatory and accountability frameworks, private security actors may raise concerns about unclear enforcement authority, legal accountability, and human rights protection. Overall, he emphasised that strengthening judicial cooperation requires deeper legal coordination, harmonised procedures, stronger institutional trust, technological integration, judicial training, and sustained regional collaboration to effectively address the increasingly complex cross-border legal and security challenges within ASEAN and China.

## TOPIC DISCUSSION 4

### STRENGTHENING JUDICIAL COOPERATION: CROSS-BORDER LEGAL COORDINATION AND INSTITUTIONAL EXCHANGE

**Pol. Lt. Col. Worakorn Nattamangkang**

***Inquiry Inspector, Investigation Subdivision, Investigation Division, Immigration Bureau, Thailand***

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Pol. Lt. Col. Worakorn Nattamangkang shared a practical law enforcement perspective on the growing complexity of cross-border crimes, immigration issues, humanitarian protection, and judicial cooperation within ASEAN. He explained that ASEAN's diverse legal systems, political structures, border ecosystems, and security priorities create major challenges in coordinating regional judicial and enforcement responses. According to him, modern cross-border crimes such as human trafficking, telecom fraud, cybercrime, scam syndicates, and transnational criminal organisations have become increasingly sophisticated and interconnected across multiple jurisdictions.

A major focus of his discussion involved the difficulty of distinguishing between victims and criminals within transnational crime networks, particularly in cases involving human trafficking, refugees, asylum seekers, and forced participation in scam operations. He explained that many individuals involved in cyber scam compounds or trafficking activities may simultaneously be victims of exploitation and participants in criminal conduct, creating significant legal and humanitarian challenges for courts, immigration authorities, and law enforcement agencies. He stressed that judicial systems must carefully assess evidence, human rights considerations, and international obligations when handling such sensitive cases.

Pol. Lt. Col. Worakorn also discussed the conflict between domestic legal systems, regional practices, and international commitments under United Nations frameworks. Using Thailand as an example, he highlighted challenges related to refugee protection, extradition requests, deportation procedures, political offences, and the gap between national laws and international expectations. He explained that ASEAN countries often rely more heavily on diplomatic negotiations and soft cooperation mechanisms rather than rigid supranational legal systems, unlike the European Union model.

In addition, he emphasised the importance of digital evidence-sharing systems, cybersecurity standards, and stronger regional communication networks to improve cross-border judicial coordination and law enforcement efficiency. He advocated for greater ASEAN cooperation, practical information-sharing systems, and stronger commitments among member states to address increasingly complex transnational security threats. Overall, his perspective highlighted the need for balanced approaches that protect both national security and human rights while strengthening judicial coordination, regional trust, and practical cross-border enforcement cooperation across ASEAN.

## TOPIC DISCUSSION 4

### STRENGTHENING JUDICIAL COOPERATION: CROSS-BORDER LEGAL COORDINATION AND INSTITUTIONAL EXCHANGE

**Ms. Li Yu Jie (Pre-recorded Video)**

***Researcher of China-ASEAN Legal Research Center, Project Officer for Malaysia, Executive Deputy Director of the Overseas Interests Protection Center of Southwest University of Political Science and Law, Resident Expert of Chongqing International Center for Policy and Legal Services of Airport Economic Zone, Foreign Legal Expert Advisor, China***

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Ms. Li Yu Jie focused her discussion on the transformation of judicial cooperation between China and ASEAN from traditional legal coordination into a broader system of regional governance addressing emerging transnational challenges. She explained that increasing economic integration, trade growth, and cross-border mobility between China and ASEAN countries have simultaneously created more complex legal and security risks, including cybercrime, telecom fraud, human trafficking, and transnational financial offences. According to her, purely domestic legal responses are no longer sufficient to manage these increasingly interconnected challenges.

She emphasised that judicial cooperation now extends beyond traditional state-centric legal assistance and increasingly involves broader forms of regional governance addressing non-traditional security threats. She highlighted initiatives such as the ASEAN–China Plan of Action (2026–2030), mutual legal assistance frameworks, prosecutorial collaboration, judicial training programmes, and regional law enforcement cooperation along the Lancang–Mekong River as examples of the growing institutionalisation of regional judicial coordination. According to her, these developments reflect a gradual shift from fragmented national responses towards more integrated and coordinated regional legal governance systems.

Ms. Li also discussed the challenges created by the diversity of legal systems across ASEAN and China, including differences in evidentiary standards, procedural norms, extradition practices, and judicial traditions. She explained that such differences often complicate effective coordination and require greater institutional trust, harmonised mechanisms, and sustained legal dialogue among jurisdictions.

A significant aspect of her discussion focused on the emerging role of private security companies operating alongside the expansion of Chinese overseas investments in Southeast Asia. She warned that without proper regulatory and accountability frameworks, private security actors may raise concerns about unclear enforcement authority, legal accountability, and potential human rights risks. As such, she stressed the importance of developing shared regulatory principles, clearer legal frameworks, and stronger supervision of non-state actors operating across borders. Overall, she emphasised that strengthening judicial cooperation requires deeper legal coordination, institutional trust, judicial training, information exchange, and inclusive regional governance mechanisms that can respond to evolving cross-border security and legal challenges within the China–ASEAN region.