

13 December 2020

The Right Honorable Lord Mance, Honorable former President Dr. Ward, distinguished members of the International Law Association and its Branches, Honorable Director General Okano, distinguished participants, Ladies and Gentlemen,

I would like to thank Mr. Okano for conveying the congratulatory message of His Excellency Mr. MOTEGI Toshimitsu, Foreign Minister of Japan, to the 79th Biennial Conference of the ILA and to the Japan Branch on its centenary. It is a great honor and pleasure for all members of the Japan Branch to be celebrating the 100th anniversary of its foundation on this very day, December 13th, at the Closing Plenary Session of the 2020 Kyoto Conference. We are delighted to reach this landmark in the presence of many members of the ILA Headquarters, its Branches, and participants in the Conference. I wish to thank Lord Mance for having given us additional information about the background and activities of Dr. Thomas Baty, who helped found the Japan Branch. In 2004, we held a commemorative seminar entitled “Contributions of Dr. Thomas Baty and Their Reappraisal” at the University of Tokyo. The Japan Branch has steadily expanded its activities in public and private international law and has grown to more than three hundred members.

This year, when the decision was made not to hold the Kyoto Conference in August as originally planned, I was really concerned. I was not sure if the meetings of the Plenary and committees could be held smoothly online, and even if they could, I was afraid the event would turn out to be quite modest. So, I am glad to report to you that everything turned out fine. 488 participants registered and, over the past two weeks, 14 committees and five study groups were held very successfully. This was made possible only with considerable help from the Headquarters and the Branches concerned. I thank Lord Mance, Professor Bodeau-Livinec, Professor Tzanakopoulos, Ms. Martin, Ms. Tridgel and other officers of the Headquarters for their extraordinary efforts to overcome difficulties presented by the online format. I also wish to recognize the contributions of

Mr. Kunzelmann and other hard-working reporters. My thanks also go to Professor Asada, who chaired the Organizing Committee of the Japan Branch, Professors Furuya, Shibata, Teraya and Ko as well as to other members of the Japan Branch for their thorough preparations and efficient conference management.

At the Full Executive Council meeting this week, I heard that Lord Mance would retire from the Chair of the ILA by November next year and that the 2020 Kyoto Conference would be his last Biennial Conference. Since 2009, I have had the pleasure of working under his able leadership at Executive Council meetings and Biennial Conferences. I always admire not only his legal mind, but also his administrative skills with which he resolves the most difficult issues. Moreover, he does so in a gentle manner. I take this opportunity to once again thank him for having rescued the Japan Branch not once but twice. Once Lord Mance helped us out when our Branch had to postpone the holding of a Biennial Conference in the aftermath of the earthquake and tsunami disaster of 2011. He rescued us for a second time this year under the most difficult pandemic situation. I can hardly imagine the ILA without Lord Mance as its Chair, but I hope that he will continue to help us with his wisdom.

In addition, I would recognize the tireless efforts made by the chairpersons and members of the Committees and Study Groups to achieve their mandates and decide on future programs of work. Just a few minutes ago, the Plenary adopted seven resolutions endorsing the reports of six Committees and one Study Group. These resolutions constitute the main outcome of this Biennial Conference. The topics of these resolutions are: “Procedure of International Courts and Tribunals”, “Global Health Law”, “Implementation of the Rights of Indigenous Peoples”, “The Role of International Law in Sustainable Natural Resources Management for Development”, “Nuclear Weapons, Non-Proliferation and Contemporary International Law”, “Intellectual Property and Private International Law”, and “Content and Evolution of the Rules of Interpretation”.

Another highlight of this Biennial Conference has been the active participation of young scholars. We exempted the scholarship students from

the registration fee to encourage participation. I am happy to tell you that 26 scholarship students registered. At the business part of the Closing Plenary, we heard excellent presentations by three young scholars, Ms. Julia Emtseva, Dr. Constantinos Yiallourides, and Ms. Aylin Yildiz. I welcome them to the 2020 Kyoto Conference and congratulate on their successful work. I would like to thank Mr. Mauleverer, Patron of the ILA, for his initiative to promote participation of young scholars in the work of the ILA and for his strong support of the program for them. In this connection, I would like to recall that December 9th was designated as “Young Scholars Day”. I also wish to stress the importance of this program, as young scholars are the ones who will carry the future of the ILA on their shoulders. They are indeed bridging for the future.

As I said at the Opening Plenary Session, the unavoidable switch to the online format of the Conference made many of the preparations for the originally planned August Kyoto Conference moot and created additional difficulties, especially in finance and conference organization. I would like to thank, once again, the ILA Headquarters, Professor Hofmann, Treasurer of the ILA, and many Branches for kindly offering various forms of help. I am especially grateful to the Headquarters as well as to the American, Australian, British, Dutch, French, German and Portuguese Branches for having given the Japan Branch generous financial assistance which allowed it to go forward with the 2020 Kyoto Conference and into the future.

My thanks go as well to the Kyoto International Conference Center for waiving the cancellation fee for the conference rooms. We also are grateful to a number of Japanese institutions that made financial contributions to support the Conference in the online format. These include: the Egusa Foundation for International Cooperation in the Social Sciences, the Tokyo Club, the Suenobu Foundation, the 21st Century Public Policy Institute, the Soka Gakkai International and the Nippon Foundation. Additionally, we thank the Polaris Secretaries Company for providing us with excellent conference services at the preparatory stage and for the meetings of the Plenary and committees during the past two weeks.

We in the Japan Branch are particularly happy that the next 80th ILA

Biennial Conference will be held in Lisbon, Portugal, because Portugal is the first European country that Japan encountered almost five centuries ago. The first contact occurred in 1543, when a Portuguese ship became stranded at Tanegashima, a small Japanese island South of Kyushu. The local people rescued the crew and saw new things from Europe, including muskets. This later changed the balance of power among feudal lords in Japan. Japan has enjoyed friendly relations with Portugal ever since those times.

As for me, it is a great honor to serve as President of the ILA until the 80th Biennial Conference in Lisbon in 2022. I see daunting task ahead, but my predecessor, Dr. Ward, had given me a fine example to follow. After the Kyoto Conference, I would like to share my experience with the biennial conference with Professor Manuel de Almeida Ribeiro. He will begin making arrangements for the Lisbon Conference right after the closure of the Kyoto Conference. I earnestly hope that the Portuguese Branch will be able to host the event in the normal in-person format. Nevertheless, our experience with the online meetings might be useful in the early stages of preparations. I would like to be optimistic, but covid-19 seems determined to continue at least through much of next year. My mid-term goal is to strengthen the worthwhile program for young scholars. Looking long term, one of my main goals for the ILA is strengthening the structure by encouraging more private international law scholars and practitioners to join us. And I certainly welcome the role of the Standing Steering Committee on Studies in support of the Committees and Study Groups that are the main engines of the substantive work of the ILA.

The 2020 Kyoto Conference is coming to an end. In my view, the substantive work has been done quite successfully. For that, we have all the participants to thank. Your full cooperation allowed us to persevere, despite constraints of the online format. Nevertheless, I do have a few regrets. I am sorry we were not able to give any lunches, dinners, receptions, cultural performances, and excursions. And I have a confession to make: I started singing opera lessons about 15 years ago when I was 68, and had been looking forward to singing a few Italian arias to entertain you at the closing reception. I very much regret the loss of that opportunity. But perhaps you

may not.

In closing, on behalf of the Japan Branch, I would, once again, like to thank all the members of the ILA and its Branches as well as all participants for their kind understanding and strong support. Without that, the 2020 Kyoto Conference could not have been a success. I also extend my best wishes to Professor Manuel de Almeida Ribeiro, President of the Portuguese Branch, for what I am sure will be a splendid Conference in 2022.

Shunji Yanai

President, Japan Branch