Investing in the Rule of Law for a Better Future Thailand Institute of Justice (TIJ) and Harvard Law School joined hands to enhance the rule of law and sustainable development through innovation and technology

Bangkok, 11 January 2019 – In the ever-changing world, the rule of law, which aims to ensure matters such as human rights, social justice, inclusion and equality, has become more pertinent than ever. For that reason, The Thailand Institute of Justice (TIJ), in collaboration with Institute for Global Law and Policy – IGLP at Harvard Law School, conducted its seventh international public forum on rule of law and sustainable development under the title "Innovation and Technology for Justice". The forum invited leading scholars and emerging leaders to exchange knowledge and provide a policy framework that would allow innovation and technology to further eradicate the problem of social inequality.

The United Nations has decreed a 17-point Sustainable Development Goals (SDGs), number 16 on the list is the rule of law, which is considered of utmost importance in engineering changes and social stability, as well as all elements of social sustainability.

Executive Director of TIJ Dr. Kittipong Kittayarak said, "We live in a time where society is at risks of cybercrime, corruption, inequality and matters regarding the justice system. We can't simply rely on lawmakers and enforcers. Everyone from every sector must come together. We must innovate ways and means to enhance the integrity of the rule of law. The driving forces of the 21st century entail the right policy in place together with the technologies available in helping to improve rule of law and sustainable development. If we use them effectively, our social development will be made easier, faster and more sustainable.

Delivering a keynote speech at the event, Chief Justice Cheep Jullamon, President of the Supreme Court of Thailand, said, "Because criminals are a network, we must use our own network to deal with them. And because criminals work by using technology, we need to use technology to tackle technology-driven criminal activities. We must reform the justice system in the digital age and deliver justice to citizens promptly and in the most effective manner, with the standard of justice that is transparent and up-to-date. This will be the direction for the people in the justice system network in Thailand and internationally. We also must have cooperation to enhance potentials in policy-making and in practice, in order to improve people's quality of life."

According to Professor Sheila Jasanoff of the Kennedy School of Government at Harvard University, law and technology are different by nature. She said, "The most common understanding of the way that law and technology relate is that technology has to brush aside everything that law has been doing."

Professor Jasanoff argued that, "The law does not lag behind technology. It actually co-produces socio-technical order." According to her, the law's primary responsibility is to define and protect human values in the context of change, for example human dignity, while technology tests and refines preexisting social norms, which for example brings about the issue of privacy.

"All of us need to think of the creative potential that exists inside the law in parallel with the developments that we see in technology," said Professor Jasanoff.

It was these notions of the three keynote speeches that set the tone for TIJ's international forum on "The Rule of Law and Sustainable Development: Innovation and Technology for Justice".

The forum featured three panel-discussions to make sense of the five-day workshops where some

140 lawmakers, policymakers, technocrats and scholars from over 40 counties met under the program “TIJ-IGLP Workshop for Emerging Leaders on the Rule of Law and Policy 2019”.
The first panel discussed under the title “Regional Experiences on the Rule of Law and Policy”. Here, representatives from the ASEAN region, including Indonesia, Malaysia, The Philippines and Thailand exchanged thought-provoking stories about the challenges each face to bring about social inclusion, whether on the issue of environmental rights, gender equality or corruption.
Torplus Yomnak, Founder and Advisor at Hand Social Enterprise, cited up to 30 organizations in Thailand that empower people to use social media platforms to inform on alleged corruption activities. “We must empower the people,” he said. “This can be done by creating an anti-corruption ecosystem.”
The discussion from the second panel “Improving Equality and Justice Through Innovation Technology” centered around the issue of who’s controlling the technology. The panel warned of the danger of concentration of power and economic gains in the hands of “authoritative governments” and “businesses”. All panelists agreed however, that the issue of human rights goes hand-in-hand with using technology for equality and justice.
Lucie White, Professor of Law, Harvard Law School, compared the healthcare system in the United States and in Thailand. She said, “The poor in the US have bad healthcare. The poor in Thailand have healthcare that is innovative and multi-facet,” and further explained that this is because healthcare in Thailand puts the interests of human rights before financial gains.
The last panel took on the issue of “Using Technology to Respond to Criminal Challenges in a Borderless World.” Worldwide cybercrime costs an estimated 600 billion US dollars per year. This is perhaps the toughest challenge in a world still defined by borders, but where criminals do not recognize those borders.
Panachit Kittipanya-ngam, CEO AccRevo, explained that fighting cybercrime is “difficult, time consuming and expensive” and that many of those responsible for fighting cybercrime do not have the technological know-how or understanding of issues such as electronic evidences.
Nonetheless, all panelists agreed that cooperation is needed across the globe to provide policy and regulatory frameworks, as well as the very act of enforcing the laws. Judge Dennis Davis, High Court of Cape Town, said that fighting cybercrime would require “intergovernmental cooperation and sharing of information.”

For those interested, the forum can be viewed on FB Live at www.facebook.com/tijthailand.org

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