

The 14th Red Cross International Humanitarian Law Moot

12 March 2016 (Sat)

Speech by the Honourable Mr Justice Tang PJ

(Greetings)

1. Thank you for inviting me in to take part in the final round and prize presentation ceremony of the 14th Red Cross International Humanitarian Law Moot.

2. Hong Kong has played host to these mooted competitions for over a decade and I am proud to be associated with it. Regrettably, the Chief Justice is not in Hong Kong and cannot attend.

3. In Hong Kong we have little direct experience of international humanitarian law. But we live with issues of human rights every day. Human rights are important to Hong Kong and our respect for human rights defines us. Human rights and their effective enforcement in Hong Kong are of the essence of our system.

4. It is easy to pay lip service to human rights. Many repressive states are signatories to international human rights conventions. Human rights mean nothing without effective enforcement. There are many

impediments to effective human rights protections. The very case, *Prosecutor v A. Owen*, the subject of this mooting competition, shows how sovereign powers can and do ignore human rights. Unfortunately, repressive states are normally only taken to account when they are the losing side in an international conflict or after a regime change. Another impediment is disagreement over the contents or meanings of human rights, for example, freedom of expression may be understood differently in different countries. But the fact that we could conduct a mooting competition shows that at the core there are common understanding and shared values.

5. So, this competition not only provides an opportunity for law students to hone their advocacy skill, give them an opportunity to meet their counterparts from other parts of the world where human rights are enjoyed to a greater or lessen extent, it also helps to demonstrate the universality of human rights and promote better understanding.

6. So thank you again for making me a part of this important event.