

**MANILA DECLARATION
AT THE COUNCIL OF ASEAN CHIEF JUSTICES
SPECIAL MEETING**

(27th October 2017, Manila, Philippines)

WE, the Chief Justices of Brunei Darussalam, the Kingdom of Cambodia, the Republic of Indonesia, Malaysia, the Lao People's Democratic Republic, the Republic of the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, and the Socialist Republic of Vietnam, at the Council of ASEAN Chief Justices ("CACJ") Special Meeting in Manila, Philippines:

RECALLING the significant insights and gains generated by the previous five meetings of the Chief Justices of the ASEAN Member States as a suitable venue to address high-level policy matters affecting our legal systems, share best practices, and assess legal trends among the ASEAN Member States;

REAFFIRMING the consensus of the ASEAN Chief Justices in the pursuit of the objectives of the CACJ to strengthen the partnerships among the Judiciaries of the ASEAN Member States as noted in the Boracay Accord of 2015;

REITERATING the pledge by the ASEAN Chief Justices to exert their best efforts to achieve the objectives approved in previous meetings of the ASEAN Chief Justices as noted in the Ho Chi Minh City Declaration of 2016;

REITERATING the pledges by the ASEAN Chief Justices to remain vigilant and focused on their mission of judicial cooperation and the administration of justice in their respective jurisdictions and to exert their best efforts to achieve the objectives of the CACJ and its Working Groups as noted in the Bandar Seri Begawan Declaration of 2017; and

REAFFIRMING the commitment of the ASEAN Chief Justices to the CACJ's role in ensuring comprehensive cooperation in the establishment of the ASEAN Community;

DO HEREBY DECLARE:

1. **THE ACKNOWLEDGMENT** and appreciation of the CACJ for the hosting of the CACJ Special Meeting by the Chief Justice of the Supreme Court of the Philippines, in Makati City, Philippines, on the occasion of the Chairmanship of the Republic of the Philippines regarding ASEAN's 50th Anniversary with the theme "Partnering for Change, Engaging the World".

2. **THE ACKNOWLEDGMENT** and appreciation of the CACJ for the attendance on behalf of the CACJ by the Chair of the CACJ, the Honourable Dato Seri Paduka Haji Kifrawi bin Dato Paduka Haji Kifli, Chief Justice of the Supreme Court of Brunei Darussalam, at ASEAN events where the CACJ was invited as an entity accredited with ASEAN.

3. **THE AGREEMENT** to extend the deadline for the execution of a Memorandum of Understanding (“MOU”) among the ASEAN Member States, as represented by their respective Chief Justices, setting out the roles, responsibilities and obligations of the ASEAN Judiciaries in relation to the development and provision of content for the ASEAN Judiciaries Portal (“AJP”) from 31 October 2017 to 31 December 2017.

4. **THE AGREEMENT** to adopt the CACJ logo number S2 as submitted by Singapore and for this logo to be uploaded onto the AJP.

5. **THE AGREEMENT** to adopt a CACJ Mission Statement by consensus via email circulation to be uploaded onto the AJP by 31 December 2017.

6. **THE ACKNOWLEDGEMENT** and appreciation by the CACJ of the efforts of Singapore in developing the AJP and for Singapore hosting a meeting in November 2017 for all AJP Working Group members in order to give them a full and comprehensive briefing of the AJP website to assist them in their preparations for their individual country contents; and that the CACJ looks forward to the soft launch of the AJP targeted for March 2018 and its official launch at the 6th CACJ Meeting to be held in July 2018 in Singapore.

7. **THE AGREEMENT** for all ASEAN Judiciaries who have not yet responded to the letter of request dated 22 August 2017 from the Chairman of the Working Group on the Service of Civil Processes within ASEAN to do so by 31 December 2017.

8. **THE AGREEMENT** for the Chairman of the Working Group on the Service of Civil Processes within ASEAN to proceed to draft and circulate a model rule to permit service of civil processes between ASEAN Member States on the basis of reciprocity to all Working Group members for consideration by each ASEAN Member State and for the Working Group members to submit their comments within three (3) months of the receipt of this draft model rule so that the Chairman can update the CACJ at its next meeting in July 2018.

9. **THE AGREEMENT** for the Chairman of the Working Group on Case Management and Court Technology to proceed to draft and circulate a report on best practices in case management techniques to all Working Group members for consideration by each ASEAN Judiciary and for the Working Group members to submit their comments within three (3) months of the receipt of this draft report so that the Chairman can update the CACJ at its next meeting in July 2018.

10. **THE AGREEMENT** for the Working Group on Case Management and Court Technology, using the reports submitted to the Working Committee, to prepare a report on best practices in the use of Court Technology for the Chairman of the Working Group to update the CACJ at its next meeting in July 2018.

11. **THE ACKNOWLEDGMENT** of the four (4) training workshops offered by the Singapore Judicial College on the areas of priority identified and approved at the 5th CACJ meeting being Intellectual Property Rights Enforcement, Bankruptcy and Insolvency, Convergence and Harmonisation of ASEAN commercial laws and the Environment, and the commitment of the ASEAN Judiciaries to send participants for these training workshops which will be incorporated into the annual calendar of the CACJ Joint Judicial Training.

12. **THE ACKNOWLEDGMENT** that the Co-Chairs of the Working Group on Judicial Education and Training are continuing to develop training in other topics, including by working with partner organisations, in developing an expanded curriculum that could include additional areas of priority on security issues identified at the CACJ Special meeting being counter-terrorism, human trafficking and money laundering for training workshops.

13. **THE ACKNOWLEDGMENT** of the offer by the Philippines to host or assist in organising training programs/workshops which may be conducted in the Philippine Judicial Academy Training Center in Tagaytay City, Philippines.

14. **THE ACKNOWLEDGMENT** of the continued positive developments and steps taken by the Working Group on Cross-Border Disputes Involving Children, in finalising the Points of Liaison contact list which will be uploaded onto the AJP members-only section; in agreeing to a common procedure to help in the administration of cross-border cases where countries are able to do; in having the first ASEAN Family Judges Forum (“AFJF”) on mediation training at the sidelines of this Special meeting on 25 and 26 October 2017 in Manila which included Syariah Court judges; and in agreeing to have the next Working Group meeting on 26 July 2018 in Singapore.

15. **THE AGREEMENT**, as a follow-up to Declaration 17 of the Bandar Seri Begawan Declaration of 2017, for the Study Group on the Future Work of the CACJ to meet in March 2018 in Singapore:

- i. to finalise the report on the Future Work of the CACJ within three (3) months thereafter, by June 2018 for consideration of the report by the CACJ; and
- ii. to finalise a CACJ Charter so that the Charter can be signed by the ten (10) ASEAN Chief Justices at the 6th CACJ Meeting to be held on 27 July 2018 in Singapore.

16. **THE ACKNOWLEDGEMENT** that a Standing CACJ Secretariat has been established pursuant to Declaration 18 of the Bandar Seri Begawan Declaration of 2017, and that Singapore will be hosting the Standing CACJ Secretariat in the first instance for an initial period of 5 years at which point it should be rotated unless the Chief Justices agree that Singapore should continue.

17. **THE AGREEMENT** to accept, in principle, the invitation by the United States (“US”) for the CACJ to meet with officials from the US Government, academia and non-governmental organisations subject to the US Government’s agreement to meet the programme and requirements suggested by the Chief Justices at the CACJ Special Meeting and within the agreed dates for this visit being from 9 to 14 May 2018.

18. **THE AGREEMENT** to explore collaboration between the ASEAN Legal Information Portal (“LIP”) and the AJP based on the understanding that they would complement each other.

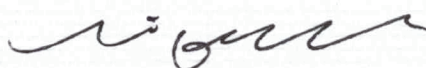
19. **THE ACKNOWLEDGEMENT** and support by the ASEAN Chief Justices for the 6th CACJ meeting which will be held on 27 July 2018 in Singapore.

20. **THE COMMITMENT** to take all necessary steps required by the Working Groups for the completion of any reports, proposal papers, studies, and/or any other material pursuant to the respective Working Groups’ objectives as agreed.

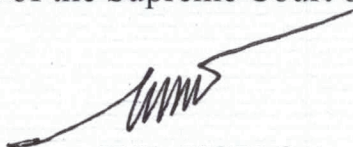
21. **THE CONTINUED PLEDGE** of the ASEAN Chief Justices to remain vigilant and focused on our mission of judicial cooperation and the administration of justice in our respective jurisdictions.

22. **THE FURTHER PLEDGE**, within our powers and mandates, to exert our best efforts to achieve the objectives of the CACJ and its Working Groups.

Signed this 27th day of October 2017
at Manila, Philippines



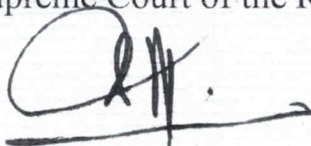
The Hon. Dato Seri Paduka Haji Kifrawi bin Dato Paduka Haji Kifli
Chief Justice of the Supreme Court of Brunei Darussalam



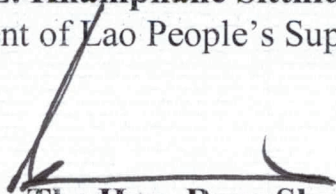
H.E. YOU Ottara
Vice-President of the Supreme Court,
Representative of the President of the Supreme Court
of the Kingdom of Cambodia



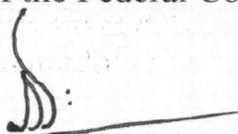
The Hon. Prof. Dr. H. Muhammad Hatta Ali
Chief Justice of the Supreme Court of the Republic of Indonesia



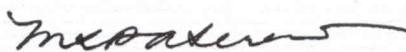
H.E. Khamphane Sitthidampha
President of Lao People's Supreme Court



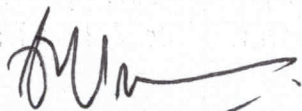
The Hon. Raus Sharif
Chief Justice of the Federal Court of Malaysia



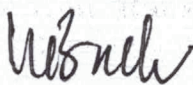
The Hon. Htun Htun Oo
Chief Justice of the Supreme Court of the Union of Myanmar



The Hon. Maria Lourdes P. A. Sereno
Chief Justice of the Supreme Court of Philippines



The Hon. Sundaresh Menon
Chief Justice of the Supreme Court of Singapore



The Hon. Nguyen Hoa Binh
Chief Justice of the Supreme People's Court of the Socialist Republic of Vietnam