

**SINGAPORE DECLARATION  
AT THE 6<sup>th</sup> COUNCIL OF ASEAN CHIEF JUSTICES MEETING**

**WE**, the Chief Justices of the Republic of Indonesia, Malaysia, the Republic of the Union of Myanmar, the Republic of Singapore, the Socialist Republic of Viet Nam, and the Acting Chief Justice of Brunei Darussalam, Acting Chief Justice of the Republic of the Philippines, Representative of the Chief Justice of the Kingdom of Cambodia, Representative of the Chief Justice of the Lao People's Democratic Republic and Representative of the Chief Justice of the Kingdom of Thailand at the 6<sup>th</sup> Council of ASEAN Chief Justices ("CACJ") Meeting in Singapore:

**DO HEREBY DECLARE:**

1. **THE ACKNOWLEDGEMENT** and appreciation to Singapore for coordinating the efforts of the ASEAN Judiciaries towards the successful launch of the CACJ's website, the ASEAN Judiciaries Portal ("AJP"), prior to the commencement of the 6<sup>th</sup> CACJ Meeting on 27 July 2018.
2. **THE ACKNOWLEDGEMENT** and appreciation to Singapore for hosting a second AJP training on 25 July 2018 for representatives of all CACJ member countries in order to give them a full and comprehensive briefing of the AJP website, in particular on the use of the AJP Members Only section.
3. **THE AGREEMENT** to give the mandate to the CACJ Secretariat to continue to assist the ASEAN Judiciaries for the provision and uploading of content for the AJP.
4. **THE AGREEMENT** to also give the mandate to the CACJ Secretariat to explore funding options with the ASEAN Secretariat and donor countries for the continued maintenance of the AJP when the current funding is exhausted in 2020.
5. **THE AGREEMENT** to extend the deadline for the execution of a Memorandum of Understanding ("MOU") among the ASEAN Judiciaries, 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 AJP from 31 December 2017 to the next CACJ meeting.
6. **THE AGREEMENT** for the Council to approve the draft model rule on service of civil processes within ASEAN and commend it for adoption by each jurisdiction subject to and in accordance with its laws and legal processes and with such modifications as each jurisdiction deems fit.
7. **THE AGREEMENT** for the Working Group on Facilitating Service of Civil Processes within ASEAN to identify new areas in civil proceedings (for example, taking of evidence for foreign proceedings and assisting in the service of

subpoenas within ASEAN) to work on, and for it to submit a short report on the viability of undertaking further work in any such area.

8. **THE AGREEMENT** that the Working Group on Case Management and Court Technology submit a final report on best practices in case management and court technology to be considered by the Council at the next CACJ meeting and for all reports that have already been submitted to be made available on the members-only section of the AJP.
9. **THE AGREEMENT** that the Working Group on Case Management and Court Technology be mandated to assist any of the ASEAN Judiciaries in the implementation of best practices in court technology and case management.
10. **THE AGREEMENT** that the Terms of Reference of the Working Group on Case Management and Court Technology be expanded to look into new and potentially disruptive areas such as Artificial Intelligence and big data as well as on emerging legal-technology areas arising from blockchain technology (for example, bitcoins, decentralised autonomous organisation, smart contracts, crypto-currency) and to report to the Council at its next meeting.
11. **THE AGREEMENT** to adopt the Strategic Plan 2018-2025 as proposed by the Working Group on Judicial Education and Training and:
  - (i) for all Heads of organisations overseeing judicial education and training in each ASEAN Judiciary to be given the said Strategic Plan 2018-2025 so that they can meet, propose and/or develop work plans, and mobilise the resources and support needed to implement the Strategic Plan;
  - (ii) for all training courses to be consolidated and made available to all ASEAN Judiciaries by posting these courses on the AJP; and
  - (iii) for the continued commitment of all ASEAN Judiciaries to send participants for these training courses.
12. **THE ACKNOWLEDGEMENT** of the proposal by the International Council for Commercial Arbitration ("ICCA"), in collaboration with the Singapore Judicial College, to provide training to ASEAN Judges on international arbitration and the New York Convention.
13. **THE AGREEMENT** to authorise Singapore to work with the International Council for Commercial Arbitration and the Singapore Judicial College to implement this proposal and to update the ASEAN Judiciaries where necessary.
14. **THE ACKNOWLEDGMENT** of the continued progress of the Working Group on Cross-Border Disputes Involving Children:
  - (i) in agreeing to a common procedure for dealing with cases where there is a cross-border dispute involving children within ASEAN;
  - (ii) in further agreeing to work on a non-binding Code of Conduct and Protocol to deal with cross-border disputes involving children within ASEAN;

- (iii) in adopting a Country Profile template and flow-chart to be filled in by each ASEAN Judiciary; and
- (iv) in agreeing to hold the 2<sup>nd</sup> ASEAN Family Judges Forum (“AFJF”) in Singapore on 28 March 2019, which is the day before The Hague Conference which Singapore will be hosting jointly with The Hague Conference on Private International Law (HCCH).

15. **THE ENDORSEMENT** by the Council of the said common procedure and the encouragement that all ASEAN Judiciaries use the common procedure where appropriate in dealing with cross-border disputes involving children within ASEAN.

16. **THE AGREEMENT** to approve the Charter of the CACJ presented by the Study Group, subject to the views of the Philippines to be furnished by the end of August 2018, and subject to those views, for the Secretariat to circulate the Charter for signing with a view to it coming into force at the next CACJ Meeting.

17. **THE AGREEMENT** to approve the Rules presented by the Study Group, subject to the views of the Philippines to be furnished by the end of August 2018, and for the Rules to take effect as working Rules governing the operation and functions of the CACJ (including the CACJ Secretariat) and its activities until it is formalised by the signing of the Charter.

18. **THE AGREEMENT** to expand the terms of reference of the Study Group on the Future Work of the CACJ to include: “To develop an ASEAN vision for the ASEAN Judiciaries in the form of a judiciary model/framework which could include a code of conduct for Judges” and for the said Study Group to report on its progress and recommendations at the next CACJ Meeting.

19. **THE AGREEMENT** to form a new Working Group, to be named the “Working Group on ASEAN+ meetings” with the following terms of reference:

- (i) to identify the most suitable dialogue partners with whom the CACJ can hold ASEAN+ meetings;
- (ii) to consider the initial number of dialogue partners to invite to any such ASEAN+ meetings;
- (iii) to consider the frequency of any such ASEAN+ meetings; and
- (iv) to identify the objectives which the Council hopes to achieve in such meetings with each proposed dialogue partner,

and for the said Working Group to report on its progress and recommendations at the next CACJ Meeting.

20. **THE AGREEMENT** to give the mandate to the CACJ Secretariat together with a representative of the Indonesian Judiciary to develop a dialogue with the ASEAN Secretariat so as to explore how the CACJ can fit into the ASEAN structure, to explore possible avenues for funding and other resources to support future CACJ

endeavours and to fund jurisdictions which require assistance to participate in CACJ activities.

21. **THE AGREEMENT** to approve the initiative tabled by Singapore to develop an online repository of landmark ASEAN cases on the AJP either by uploading the English version of these cases together with a brief summary or by providing the web-links to these cases.
22. **THE AGREEMENT** to approve the initiative tabled by Singapore to encourage the holding of Working Group meetings on the sidelines of the CACJ Meetings where necessary.
23. **THE AGREEMENT** to further explore the invitation by the United States ("US") for the ASEAN Chief Justices or their Representatives to meet with officials from the US Government, academia and non-governmental organisations subject to the US Government's agreement to meet the programme requirements suggested by the Chief Justices at the 6<sup>th</sup> CACJ Meeting in Singapore and to give the mandate to the CACJ Secretariat to convey these requirements to the US Government.
24. **THE ACKNOWLEDGMENT** and appreciation of the CACJ to the Vice President of the Supreme Court of the Kingdom of Thailand for the offer to host the next CACJ Meeting in 2019.

Signed this 27<sup>th</sup> day of July 2018  
at Singapore



**The Hon. Dato Paduka Haji Hairol Arni bin Haji Abdul Majid**  
Acting 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



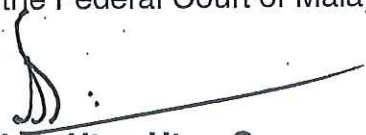
**The Hon. Prof. Dr. H. Muhammad Hatta Ali**  
Chief Justice of the Supreme Court of the Republic of Indonesia



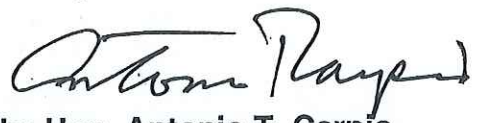
**H.E. Khampha Sengdara**  
Vice-President of Lao People's Supreme Court



**The Hon. Chief Justice Tan Sri Richard Malanjum**  
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. Antonio T. Carpio**  
Acting Chief Justice of the Supreme Court of the Philippines



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



**The Hon. Justice Slaikate Wattanapan**  
Vice-President  
Representative of the President of the Supreme Court  
of the Kingdom of Thailand



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