



**KUALA LUMPUR DECLARATION
AT THE 10TH COUNCIL OF ASEAN CHIEF JUSTICES MEETING**

WE, the Chief Justices of the Lao People's Democratic Republic, Malaysia, the Republic of the Union of Myanmar, the Republic of the Philippines, the Republic of Singapore, the Kingdom of Thailand, and the Socialist Republic of Viet Nam; the Representatives of the Chief Justices of Brunei Darussalam, the Kingdom of Cambodia, and the Republic of Indonesia; at the 10th Council of ASEAN Chief Justices ("CACJ") Meeting in Malaysia;

DO HEREBY DECLARE:

1. **THE ACKNOWLEDGEMENT** and the appreciation of the CACJ to Malaysia for successfully hosting the 10th CACJ Meeting in 2022.
2. **THE AGREEMENT** for all ASEAN Judiciaries to work towards providing and regularly updating content and announcements on the ASEAN Judiciaries Portal, including pages relating to their COVID-19 related measures, judicial, legal and business environments, the Training Marketplace, and the Case Repository.
3. **THE ACKNOWLEDGEMENT** and appreciation to the Working Group on the ASEAN Judiciaries Portal for working with the Singapore Academy of Law ("SAL") to prepare the various reports in conclusion of the Norway-ASEAN Regional Initiatives Fund ("NARIF") grant agreement and obtaining from Norway a positive assessment and recognition of the accomplishments and results achieved by the ASEAN Judiciaries Portal during the support period of the NARIF grant agreement.
4. **THE ACKNOWLEDGEMENT** and appreciation to Singapore for coordinating efforts in the execution of a memorandum of understanding between the CACJ and SAL, which secures a sponsorship sum from the SAL for the ASEAN Judiciaries Portal project of up to S\$5,000.00 a year from 2022 to 2024.
5. **THE AGREEMENT** that a social media taskforce be established based on the approved constitution and terms of reference, and for the said

taskforce to report on its progress and recommendations at the next CACJ meeting.

6. **THE AGREEMENT** to approve the finalised draft of the Model Rule on the Taking of Evidence for Foreign Proceedings in Civil or Commercial Matters which was presented at the 10th CACJ Meeting and to recommend it for adoption subject to and in accordance with the respective ASEAN Member State's laws, regulations, and legal framework with such modifications as each jurisdiction deems fit.
7. **THE AGREEMENT** for the Working Group on Facilitating Service of Civil Processes within ASEAN to publish in the ASEAN Judiciaries Portal the Model Rule on the Taking of Evidence for Foreign Proceedings in Civil or Commercial Matters, which was sanctioned and recommended for adoption at the 10th CACJ Meeting, to facilitate the public's access to the same.
8. **THE AGREEMENT** for the Working Group on Facilitating Service of Civil Processes within ASEAN to consider and deliberate on publishing an ASEAN Memorandum of Guidance on Enforcement of Money Judgments and to submit a recommendation for the CACJ's consideration at the next CACJ meeting.
9. **THE AGREEMENT** for the Working Group on Facilitating Service of Civil Processes within ASEAN to consider and deliberate on a protocol for Court-to-Court Communications in Civil Proceedings and to submit a recommendation for the CACJ's consideration at the next CACJ meeting.
10. **THE AGREEMENT** for the Working Group on Facilitating Service of Civil Processes within ASEAN to consider and deliberate on being renamed as the Working Group on Civil Proceedings within ASEAN.
11. **THE AGREEMENT** to approve the finalised draft AI Governance Framework on the Use of Artificial Intelligence for the ASEAN Judiciaries ("AI Governance Framework") presented at the 10th CACJ Meeting and to recommend it for adoption subject to and in accordance with the respective ASEAN Member State's laws, regulations, and legal framework with such modifications as each jurisdiction deems fit.
12. **THE AGREEMENT** for the Working Group on Case Management and Court Technology to publish in the ASEAN Judiciaries Portal the AI Governance Framework, which was sanctioned and recommended for

adoption at the 10th CACJ Meeting, to facilitate the public's access to the same.

13. **THE ACKNOWLEDGEMENT** that the Working Group on Cross-border Disputes Involving Children has:
 - (i) adopted a common set of values, aspirations and principles for ASEAN Judiciaries in cases of cross-border child disputes within ASEAN;
 - (ii) agreed to explore the possibility of making available a list of mediators and organisations that provide mediation for cross-border disputes involving children; and
 - (iii) agreed to hold the 3rd ASEAN Family Judges Forum in conjunction with the Hague Conference on Private International Law 2023 Judicial Roundtable on the 1980 Hague Convention on the 1980 Hague Convention on the Civil Aspects of International Child Abduction and the 1996 Hague Convention on Parental Responsibility and Protection of Children.
14. **THE ACKNOWLEDGEMENT** of the approach by the ASEAN-Australia Counter Trafficking (ASEAN-ACT) with the intention to support the implementation of a Judicial Education and Training program according to the priority of the Work Plan 2020 – 2025, and **THE AGREEMENT** for the Working Group on Judicial Education and Training to explore the suitability according to the Working Group's priority and to submit its recommendations to the CACJ for approval prior to implementation.
15. **THE AGREEMENT** to authorize the Working Group on Judicial Education and Training to work with the Asian Development Bank (“ADB”) in the development and operation of the new online Learning Management System as a platform for future online self-learning content for ASEAN judges.
16. **THE ACKNOWLEDGEMENT** of the offer by Malaysia to host or assist in organising training programs / workshops on implementation of Case Management System and Online Hearing of Trials and Appeals for ASEAN Judiciaries.

17. **THE ACKNOWLEDGEMENT** and appreciation of the CACJ to the Working Group on ASEAN+ Meetings for the successful engagement with the Judiciaries of the People's Republic of China, Japan and the Republic of Korea towards the Inaugural ASEAN+3 Meeting with the Chief Justices of the respective jurisdictions on the side-lines of the 10th CACJ Meeting.
18. **THE AGREEMENT** for the Working Group on ASEAN+ Meetings to build on the success of the Inaugural ASEAN+3 Meeting and to continue engaging the Judiciaries of the People's Republic of China, Japan, and the Republic of Korea to explore further areas of collaboration with a view to strengthening the judicial cooperation relationship between the CACJ and the said three Judiciaries.
19. **THE AGREEMENT** for the Working Group on ASEAN+ Meetings to explore opportunities with other jurisdictions for the ASEAN+ More Meetings so as to further the CACJ's objective for international cooperation with other jurisdictions on issues of mutual interest, sharing of best practices, facilitation of judicial cooperation and leveraging on the expertise and experience of other jurisdictions primarily in the area of court technology.
20. **THE ACKNOWLEDGEMENT** and appreciation of Viet Nam's proposal to establish a CACJ – ASEAN interface and **THE AGREEMENT** with the Study Group on the Future Work of the CACJ's recommendation that it is not an appropriate time to pursue the proposal.
21. **THE AGREEMENT** for the Study Group on the Future Work of the CACJ to deliberate on establishing a framework for holding Special Interest Group Meetings in conjunction with the CACJ, and **THE AGREEMENT** for the Study Group to submit its recommendations ahead of the next CACJ Meeting.
22. **THE AGREEMENT** that the CACJ convene a CACJ Retreat once every decade to reflect on CACJ's milestones and achievements over the past ten years and chart the CACJ's strategic agenda for the next ten years, and **THE AGREEMENT** that the Inaugural CACJ Retreat be held in 2023 involving the ASEAN Chief Justices.
23. **THE AGREEMENT** for the 11th CACJ Meeting to be postponed to 2024 in light of **THE AGREEMENT** for the Inaugural CACJ Retreat to be held in 2023.

24. **THE ACKNOWLEDGMENT** and the appreciation of the CACJ to the Chief Justice of Malaysia for the offer to host the Inaugural CACJ Retreat.
25. **THE ACKNOWLEDGEMENT** and appreciation of the State Courts of Singapore and the International Consortium for Court Excellence for the successful completion of the conference on “Pursuing Court Excellence in Challenging Times”, which took place on 15 – 16 March 2022.
26. **THE AGREEMENT** to include a link to the ASEAN-IFCE Resource Network Portal on the ASEAN Judiciaries Portal.
27. **THE AGREEMENT** for the CACJ Secretariat to submit a summary report of the CACJ’s activities for 2021–2022 to the Committee of Permanent Representatives to ASEAN, through the ASEAN Secretariat.
28. **THE AGREEMENT** to establish a new Working Group on the Conduct of Videoconferencing Hearings pursuant to the proposal by the Philippines, and for the said Working Group to be chaired by the Philippines.

Signed this 4th day of November 2022
at Kuala Lumpur, Malaysia



H.E. Muhammed Faisal bin PDJLD DSP Haji Kefli
Judicial Commissioner of the Supreme Court,
Representative of the 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



H.E. Takdir Rahmadi

Chairman Development Chamber Supreme Court,
Representative of the Chief Justice of the Supreme Court of the Republic of
Indonesia

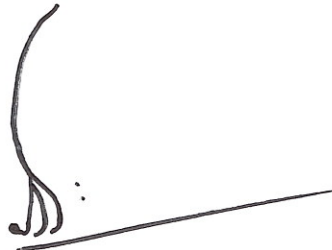


The Hon. Viengthong Siphandone

President of the People's Supreme Court of the Lao People's Democratic
Republic



The Hon. Tun Tengku Maimun binti Tuan Mat
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. Alexander G. Gesmundo

Chief Justice of the Supreme Court of the Republic of the Philippines



The Hon. Sundaresh Menon

Chief Justice of the Supreme Court of Singapore



The Hon. Chotiwat Leungprasert

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