



MEDIA RELEASE

INAUGURAL COUNCIL OF ASEAN CHIEF JUSTICES (CACJ) RETREAT HELD TO REFLECT MILESTONES AND ACHIEVEMENTS, AND CHART STRATEGIC AGENDA

1. The inaugural Council of ASEAN Chief Justices' (CACJ) Retreat was held on 20 October, alongside the 14th ALA General Assembly and ASEAN Law Conference in Kuala Lumpur, Malaysia. Hosted by the Malaysian Judiciary, the inaugural CACJ Retreat provided the forum for the Chief Justices (CJs) to reaffirm the ASEAN Judiciaries' strategic and cohesive approach towards deepening judicial cooperation and upholding the Rule of Law in ASEAN.
2. At the 10th CACJ meeting in November 2022, the CACJ agreed to convene a *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 10 years. The CACJ continues to mature as a forum for judicial cooperation in ASEAN.
3. The CACJ traces its origins to the inaugural ASEAN Chief Justices Meeting (ACJM), hosted by Chief Justice Sundaresh Menon on 23 August 2013, which was held annually thereafter and subsequently renamed the CACJ. The CACJ provides a regular forum for the Chief Justices to discuss and exchange views on common issues facing their judiciaries. It also serves as a platform upon which to build mutual trust and understanding among the ASEAN Judiciaries and facilitates judicial collaboration to enhance economic growth and development within the ASEAN region. The CACJ was accredited as an entity associated with ASEAN in January 2017.
4. The CACJ has made significant strides since its conception in 2013. To facilitate collaboration within ASEAN, the CACJ endorsed frameworks such as the *Draft Model Rule on Service of Civil Processes* and the *Enhanced Common Procedure*, which establishes a non-binding protocol for arranging mediation in cross-border disputes involving children. Similarly, the CACJ endorsed codes and standards such as the *Model Principles of Judicial Conduct*, and acknowledged the *International Framework for Court Excellence*, a self-assessment tool that the ASEAN Judiciaries can voluntarily adopt to identify areas of strength and areas for improvement. These have strengthened the Rule of Law in the ASEAN region by facilitating cooperation and capacity building. The CJs and the Heads of Delegation who attended the CACJ Retreat can be found at **Annex A**. For more information on the CACJ, please refer to **Annex B**.

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Enclosed:

- Photographs of the CACJ Retreat on 20 October 2023

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ASEAN Chief Justices at the inaugural CACJ Retreat on 20 October 2023

Left to right – H.E. Nguyen Tri Tue (Standing Deputy Chief Justice of the Supreme People's Court of the Socialist Republic of Viet Nam); H.E. Khoun Phasouk (Vice President of the People's Supreme Court of Lao PDR); The Hon. Dato Seri Paduka Steven Chong Wan Oon (Chief Justice of the Supreme Court of Brunei Darussalam); 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. Tun Tengku Maimun binti Tuan Mat (Chief Justice of the Federal Court of Malaysia and CACJ Chair); The Hon. Anocha Chevitsophon (President of the Supreme Court of the Kingdom of Thailand); The Hon. Chief Justice Muhammad Syarifuddin (Chief Justice of the Supreme Court of the Republic of Indonesia); H.E. Justice You Ottara (Vice-President of the Supreme Court of the Kingdom of Cambodia); and The Hon. Thar Htay (Chief Justice of the Supreme Court of the Union of Myanmar).



The Hon. Tun Tengku Maimun binti Tuan Mat (Chief Justice of the Federal Court of Malaysia and CACJ Chair) addressing the ASEAN Chief Justices at the inaugural CACJ Retreat on 20 October 2023



Annex A

Chief Justices and Heads of Delegation in Attendance

The Hon. Tun Tengku Maimun binti Tuan Mat (Chief Justice of the Federal Court of Malaysia and CACJ Chair)

The Hon. Dato Seri Paduka Steven Chong Wan Oon (Chief Justice of the Supreme Court of Brunei Darussalam)

H.E. Justice You Ottara (Vice-President of the Supreme Court of the Kingdom of Cambodia)

The Hon. Chief Justice Muhammad Syarifuddin (Chief Justice of the Supreme Court of the Republic of Indonesia)

H.E. Khoun Phasouk (Vice President of the People's Supreme Court of Lao PDR)

The Hon. Thar Htay (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. Anocha Chevitsophon (President of the Supreme Court of the Kingdom of Thailand)

H.E. Nguyen Tri Tue (Standing Deputy Chief Justice of the Supreme People's Court of the Socialist Republic of Viet Nam)



Annex B

Fact Sheet: Establishment and Meetings of the Council of ASEAN Chief Justices

1st ASEAN Chief Justices' Meeting; Singapore

1. The Hon. Chief Justice of Singapore Sundaresh Menon proposed a lunch meeting of all the Chief Justices (CJs) at the sidelines of the 35th ALA General Council meeting in Singapore as he had noticed the increasing participation of the CJs as the Heads of Delegations of their respective ALA Chapters.

2. At the inaugural meeting, an informal lunchtime meeting held on 23 August 2013 in Singapore, all 10 ASEAN Member States (AMS) were represented by seven CJs and three Heads of Delegation (Cambodia, Myanmar & Viet Nam). The Meeting resolved to:

- i. Promote close relations and mutual understanding amongst the ASEAN Judiciaries;
- ii. Provide a regular forum for the ASEAN CJs to discuss and exchange views on common issues facing the ASEAN Judiciaries; and
- iii. Facilitate judicial cooperation and collaboration among ASEAN Judiciaries with a view to accelerate the economic growth and development of the ASEAN region.

3. The Meeting also resolved to hold future ASEAN CJs meetings in conjunction with meetings of the ALA. Thus, the ASEAN Chief Justices Meeting (ACJM) was born.

4. At this 1st ACJM, three Working Groups were set up for:

- i. Enhancing the Rule of Law to promote greater economic cooperation and to develop an internet portal to improve the flow of information among the ASEAN Judiciaries to be chaired by Singapore;
- ii. Promoting Judicial Education and Training to be chaired by Indonesia; and
- iii. Harnessing Judicial Cooperation through the use of court technology, case management techniques and facilitating the service of civil processes within ASEAN to be chaired by Malaysia.

2nd ASEAN Chief Justices' Meeting; Kuala Lumpur, Malaysia

5. At the 2nd ACJM held in Kuala Lumpur, Malaysia on 19 September 2014, nine ASEAN CJs attended. The 2nd ACJM was a formal meeting and the reports of the three Working Groups were considered and directions were given for the way forward. At this meeting, the Working Group on Enhancing the Rule of Law was reconfigured as the Working Group on the ASEAN Judiciaries Portal and the CJs agreed for Singapore to continue to take the lead in this project. The Philippines was tasked to co-chair the Working Group on Judicial Education and Training with Indonesia. The Working Group on Harnessing Judicial Cooperation was also reconfigured as two separate Working Groups, being (a) Working Group on Case Management and Court Technology and (b) Working Group on Service of Civil Process within ASEAN. Both were to be chaired by Malaysia.



3rd ASEAN Chief Justices' Meeting; Boracay, Aklan, Philippines

6. At the 3rd ACJM which was held on 2 March 2015 in the Philippines, all 10 ASEAN Member States were again represented by seven CJs with three Heads of Delegation (Cambodia, Laos & Thailand). At this meeting, the CJs issued their first declaration, the *Boracay Accord 2015*, and affirmed their commitment to strengthen the regional solidarity of the judiciaries of the ASEAN Member States, uphold the Rule of Law within and across the ASEAN region and enhance judicial cooperation in the region. They also agreed to work towards strengthening strategic partnerships with one another, focusing on training needs and capacities, the ASEAN Judiciaries Portal, case management and court technology, child cross border disputes and civil processes. The CJs agreed at this meeting to set up the Working Group on Cross Border Child Disputes.

4th ASEAN Chief Justices' Meeting; Ho Chi Minh City, Viet Nam

7. At the 4th ACJM held on 1 April 2016 in Ho Chi Minh City, Viet Nam, there were eight CJs present with Cambodia and Thailand being represented by Heads of Delegation. The then ASEAN Secretary-General, H.E. Le Luong Minh was invited and expressed his full support for the activities of the ACJM, which he said were consistent with the ASEAN Community Vision 2025 declared by the ASEAN Leaders in 2015. At the 4th ACJM, Singapore presented a paper seeking approval for the accreditation of the ACJM as an entity associated with ASEAN in conjunction with Singapore's role as Chair of the Working Group on the ASEAN Judiciaries Portal project. The CJs agreed to this proposal.

8. It was also at the 4th ACJM that the CJs decided to rename the meeting from ACJM to the Council of ASEAN Chief Justices and this was reflected in the *Ho Chi Minh City Declaration 2016*. The Working Group on Cross Border Child Disputes was also renamed as the Working on Cross-Border Disputes Involving Children. The CJs also decided to set up a Working to study the future work of the CACJ.

9. In January 2017, the CACJ was accredited under Annex 2 of the ASEAN Charter as an entity associated with ASEAN under the category "Parliamentarians and Judiciary".

5th Meeting of the Council of ASEAN Chief Justices; Bandar Sri Begawan, Brunei Darussalam

10. The ASEAN CJs met under name of the CACJ for the first time in 2017. At the 5th CACJ Meeting held on 24 March 2017 in Bandar Seri Begawan, Brunei, there were 8 CJs present. The Philippines was represented by a Head of Delegation and Lao PDR sent its Ambassador based in Bandar Sri Begawan. At this meeting, it was agreed, as proposed by Singapore, to formalise the election of the Chair of the CACJ. The CJs also agreed, as proposed by Singapore for the establishment of a Standing CACJ Secretariat, to be hosted by Singapore for the initial period of five years.

Special Meeting of the Council of ASEAN Chief Justices; Manila, Philippines

11. In 2017, a Special CACJ Meeting was also held to commemorate the 50th Anniversary of ASEAN. This Special Meeting was held on 27 October 2017 and hosted by the Philippines in Manila. At this meeting, there were eight CJs present whilst Cambodia was represented by a Head of Delegation. At this Special Meeting, the CJs agreed to adopt a CACJ Logo and to focus the training programme on four key areas namely, (a) Intellectual Property Rights



Enforcement (b) Bankruptcy and Insolvency (c) Convergence and Harmonisation of ASEAN commercial laws and (d) the Environment.

6th Meeting of the Council of ASEAN Chief Justices; Singapore

12. The 6th CACJ Meeting was held on 27 July 2018 in Singapore, alongside the 13th ASEAN Law Association General Assembly and The ASEAN Law Conference. At the meeting, the Hon. Chief Justice of Brunei Darussalam handed over chairmanship of the CACJ to the Hon. Chief Justice Sundaresh Menon of Singapore. CJ Menon highlighted the CACJ's progress from when it first started as an informal meeting five years ago to its status as an accredited entity associated with ASEAN under the ASEAN Charter. He further noted the overall progress achieved by the CACJ's six working groups, and how the CACJ has developed a distinct identity as a community of ASEAN Judiciaries and Judges.

13. The ASEAN Judiciaries Portal was launched at the 6th CACJ Meeting. The first-of-its-kind website serves a unique role in providing easily accessible information on ASEAN judicial and legal systems, leading to improved knowledge on the application of the rule of law within the ASEAN region. The ASEAN Judiciaries Portal also provides a platform for internal communications amongst ASEAN Judiciaries, allowing CACJ members to have internal discussions, share ideas and have group communications on joint projects and draft papers. The launch of the AJP was attended by about 150 guests including ASEAN Chief Justices and Judges, Minister for Foreign Affairs, Mr Vivian Balakrishnan, Minister for Social and Family Development and Second Minister for National Development, Mr Desmond Lee, Deputy Secretary-General of ASEAN, Dr AKP Mochtan and ASEAN Ambassadors.

14. At the close of the 6th CACJ Meeting, the ASEAN Chief Justices and Heads of Delegation signed the *Singapore Declaration 2018*, adopting various resolutions on service of civil processes within ASEAN, judicial education and training, cross-border disputes involving children, and the future work of the CACJ.

7th Meeting of the Council of ASEAN Chief Justices; Phuket and Bangkok, Thailand

15. The Supreme Court of Thailand successfully hosted the 7th CACJ Meeting in November 2019. The ASEAN CJs met in Phuket on 22 November 2019 and they signed the *Bangkok Declaration 2019* in a ceremony at the Supreme Court of Thailand in Bangkok on 23 November 2019.

16. At the meeting, the Hon. Chief Justice Slaikate Wattanapan, President of the Supreme Court of Thailand, was elected as the new Chair of the CACJ. The meeting witnessed the CACJ Charter coming into force when all ASEAN Judiciaries signed the CACJ Charter. The CACJ also strengthened regional judicial cooperation by acknowledging and approving various activities reported and proposed by the respective CACJ Study and Working Groups, including engaging with the judiciaries of China, Japan and South Korea and establishing Model Principles of Judicial Conduct.

8th Meeting of the Council of ASEAN Chief Justices; Hanoi, Viet Nam (Virtual)

17. The Supreme People's Court of Viet Nam successfully hosted the 8th CACJ Meeting on 5 November 2020 in Hanoi. This was an historic meeting as this was the first ever CACJ



Meeting conducted virtually. The CACJ was originally scheduled to meet in Hanoi in September but the meeting was rescheduled and held online as a result of the COVID-19 pandemic.

18. At the meeting, the Hon. Nguyen Hoa Binh, President of the Supreme People's Court of Viet Nam, was elected as Chair of the CACJ. The Council discussed at length the challenges posed by the COVID-19 pandemic on the ASEAN Judiciaries and identified possible solutions to cope with the effects of the pandemic while ensuring the continued administration of justice. The CACJ agreed to strengthen regional judicial cooperation by sharing and showcasing in the ASEAN Judiciaries Portal the responses of the ASEAN Judiciaries to the COVID-19 pandemic. The Council also deliberated and agreed on the work agenda and events for the forthcoming year. This included judicial training, court excellence, development of regional legal frameworks, and strengthening engagements with regional partners. At the end of the meeting, the ASEAN Chief Justices and Heads of Delegation signed the *Hanoi Declaration 2020*.

9th Meeting of the Council of ASEAN Chief Justices; Jakarta, Indonesia (Virtual)

19. The 9th CACJ Meeting took place on 7 October 2021. The Supreme Court of the Republic of Indonesia hosted the meeting virtually, due to the then COVID-19 conditions, with His Excellency Dato Lim Jock Hoi, the Secretary-General of ASEAN attending the Opening Session by invitation.

20. The Hon. Muhammad Syarifuddin, Chief Justice of the Supreme Court of the Republic of Indonesia, was elected as Chair of the CACJ. The CACJ held wide-ranging discussions on the development of training in emerging technologies, the desirability of a governance framework for adoption of artificial intelligence in judicial processes, and collective engagement beyond ASEAN for judicial education and capacity-building. The CACJ also deliberated on the possibility and means of enhancing mutual legal cooperation in various aspects of civil and family proceedings. There was extensive sharing by the members on the continuing disruption to judicial processes engendered by the evolving COVID-19 situation and the measures that have been taken to successfully overcome these challenges since the 8th CACJ Meeting in 2020. The Council recognised the need for the ASEAN Judiciaries to constantly review and update COVID-19 measures as the situation develops. At the end of the meeting, the ASEAN Chief Justices and Heads of Delegation signed the *Jakarta Declaration 2021*.

10th Meeting of the Council of ASEAN Chief Justices; Kuala Lumpur, Malaysia

21. The 10th CACJ Meeting took place on 4 November 2022 with the inaugural ASEAN+3 Meeting taking place on the sidelines on 5 November 2022. The Malaysian Judiciary hosted both meetings at the Grand Hyatt Hotel, Kuala Lumpur. For the first time since the onset of the COVID-19 pandemic, the CJs, Heads of Delegations, and senior judicial officials of the ASEAN Judiciaries were able to meet in-person for the CACJ meeting where The Hon. Tun Tengku Maimun binti Tuan Mat, the Chief Justice of Malaysia, was elected as Chair.



22. The CACJ held wide-ranging discussions on various areas of judicial collaboration, such as:

- The establishment of a social media taskforce based on an approved constitution and terms of reference to consider the use social media as an additional platform for engagement with the public;
- The adoption of a common set of values and principles for ASEAN Judiciaries in cases of cross-border child disputes within ASEAN;
- Working towards the development of a new online learning management system for future online self-learning content for ASEAN judges; and
- Continuing engagement with the judiciaries of Japan, the Republic of Korea and the People's Republic of China to explore further areas of collaboration, and to explore opportunities with other jurisdictions for the ASEAN+ More Meetings.

23. In addition, the CACJ agreed to recommend the adoption of key documents such as the *Model Rule on the Taking of Evidence for Foreign Proceedings in Civil or Commercial Matters* and the *AI Governance Framework on the Use of Artificial Intelligence* by the ASEAN Judiciaries.

24. Finally, the CACJ agreed on new initiatives to be explored, such as the establishment of a framework for holding Special Interest Group Meetings, a new Working Group on the Conduct of Videoconferencing Hearings to be chaired by the Philippines, and the holding of the inaugural CACJ Retreat in 2023, involving the ASEAN CJs, to reflect on the CACJ's milestones and achievements over the past ten years and chart the CACJ's strategic agenda for the next ten years.

25. At the close of the meeting, all attending Chief Justices and Heads of Delegations signed the *Kuala Lumpur Declaration 2022*.

26. The Inaugural ASEAN+3 Meeting took place on 5 November 2022. It was a hybrid meeting, with the Chief Justices and representatives of Japan, the Republic of Korea and the People's Republic of China attending remotely to share and discuss with the CACJ on the areas of technological developments and use of technology to facilitate access to justice.

27. The Malaysian Judiciary hosted a Royal Dinner on 4 November 2022 for the ASEAN delegates. Duli Yang Maha Mulia Paduka Seri Sultan Perak Darul Ridzuan Sultan Nazrin Muizzuddin Shah Ibni Almarhum Sultan Azlan Muhibbuddin Shah Al-Maghfur-lah and Duli Yang Maha Mulia Raja Permaisuri Perak Darul Ridzuan Tuanku Zara Salim graced the Dinner with their Royal Highnesses' presence. The Malaysian Judiciary also hosted a Gala Dinner on 5 November 2022 in conjunction with the 10th Anniversary of the formation of the CACJ.

28. For more information on the Council of ASEAN Chief Justices, please refer to <https://cacj-ajp.org>.