



**STATEMENT ON BEHALF OF THE  
ASSOCIATION OF SOUTHEAST ASIAN  
NATIONS AGENDA ITEM 83: THE RULE OF  
LAW AT THE NATIONAL AND  
INTERNATIONAL LEVELS 16 OCTOBER 2023**

---

Thank you, Mr. Chair,

1. I have the honor to deliver this statement on behalf of the ten member states of the Association of Southeast Asian Nations (ASEAN): Brunei Darussalam, Cambodia, Indonesia, Lao People's Democratic Republic, Malaysia, Myanmar, the Philippines, Singapore, Thailand, and Viet Nam.
2. We reaffirm our unwavering commitment to upholding multilateralism, as well as the rule of law and a rules-based international order in responding to increasingly complex global challenges.
3. ASEAN takes note of the Secretary-General's report on "Strengthening and coordinating United Nations rule of law activities," contained in document A/78/184. The report highlights the work of the UN in terms of strengthening and coordinating rule of law activities at national and international levels, as well as the UN's support to its Member States in promoting rule of law activities globally.
4. It also highlights the Secretary General's 'New Vision for the rule of law' and concludes that "Upholding the rule of law is essential to addressing the complex crises of our time and to building peaceful societies with equal opportunities and with full respect for the rights and freedoms of all. It is an arduous undertaking that requires perseverance and political will. United Nations support to Member States in this regard must be able to meet this challenge."
5. In this context, ASEAN wishes to express its concern regarding the report under this agenda item which puts forth a viewpoint that is not directly related to the rule of law and lacks basis in international law. Member States have the sovereign right to develop their legal systems as they see fit. ASEAN wishes to underscore the request of the General Assembly, in resolution 77/110 and other previous resolutions, that reports under this agenda item are to address the national and international dimensions of the rule of law in "a balanced manner". ASEAN kindly requests that future reports be presented in an objective, neutral, and non-partisan manner, adhering to these principles in all respects.

Mr. Chair

6. Our world today is facing increasingly complex and cross-cutting challenges, including challenges to the rule of law among nations, on almost all fronts. The need to uphold the rule of law has never been as urgent as now.
7. Recovering from the pandemic that has also created new legal challenges in many parts of the world and impelled us to think of ways in responding to this crisis, ASEAN has embraced and continues to promote the rule of law in all its aspects, and affirms its commitment to peace and security, good governance, and the promotion and protection of human rights, enshrined as fundamental principles and purposes of the ASEAN Charter.

Mr. Chair,

8. As a rules-based inter-governmental organization, ASEAN has long been committed to stability and security in the region. Important treaties, declarations and instruments have paved the way for our success, including ASEAN's founding document – the ASEAN Declaration (Bangkok Declaration) of 1967, the ASEAN Charter, which entered into force since 2008, the Treaty of Amity and Cooperation in Southeast Asia of 1976, the Treaty on Southeast Asia Nuclear-Weapon- Free Zone of 1995, the Declaration on Conduct of Parties in the South China Sea of 2002, the Declaration of the East Asia Summit on the Principles for Mutually Beneficial Relations of 2011, and the ASEAN Human Rights Declaration of 2012 together with the Phnom Penh Statement on its adoption. Moreover, ASEAN Member States continue to work with China towards the early conclusion of an effective and substantive Code of Conduct in the South China Sea consistent with international law, including the 1982 UNCLOS, within a mutually-agreed timeline.

Mr. Chair,

9. Corruption is a complicated issue that hinders social and economic growth, impairs the efficiency of democratic institutions, and hampers future generations' progress. In this regard, ASEAN's commitment has been demonstrated through the ratification of the United Nations Convention against Corruption (UNCAC) by all ASEAN Member States. ASEAN has been actively engaged in anti-corruption efforts with partners in the region, and these joint actions have resulted in the establishment of the South East Asia Parties against Corruption (SEA-PAC) in 2004.
10. ASEAN reaffirms its expanded focus on good governance, as well as its commitment to sustaining the culture of integrity and anti-corruption at all levels of our governmental interaction. ASEAN strongly believes that transparent and accountable civil service is the foundation of good governance and its open engagement with the private sector and community-based organizations can further promote respect for the rule of law in our region and beyond.
11. ASEAN encourages further cooperation through existing bilateral and multilateral mechanisms, including UNCAC, to promote the rule of law at the national and international levels. Such efforts must adhere to the principles of sovereign equality and non-interference in the internal affairs of states

enshrined in the United Nations Charter.

Mr. Chair,

12. ASEAN takes note of the Secretary-General's suggestion to consider a sub-topic on "using technology to advance access to justice for all" for discussion at the 78th session of the General Assembly.
13. ASEAN is of the view that capacity-building, including through the delivery of technical assistance and using digital technologies, remains critical for the promotion of the rule of law and strengthening capacities of member states, as well as for the purpose of ensuring effective, inclusive, and accountable justice institutions. In this connection, we welcome and look forward to the continued support of the United Nations in carrying out activities under the United Nations Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.
14. Before I conclude, I would like to highlight that ASEAN Political-Security Community Blueprint 2025 seeks to promote a rules-based, people-oriented, and people-centred community and the rule of law at the national and international levels by nurturing the culture of integrity and anti-corruption among the people in our region. By instilling these principles into the policies and practices of the ASEAN Community, ASEAN strives to promote these objectives through the implementation of relevant instruments as appropriate, such as the 2030 Agenda for Sustainable Development, notably Goal 16 on peace, justice, and strong institutions.
15. ASEAN would like to reaffirm its commitment to good governance, accessible institutions, transparency and accountability. ASEAN strongly believes that this approach will further promote respect for the rule of law at the national and international levels, which will contribute to greater socio-economic development, peace, justice, and prosperity for all.

Thank you, Mr. Chair.