International Commission of Jurists
KENYAN SECTION | Since 1959

THE KUALA LUMPUR DECLARATION 2026

Beyond 1948: Forging a Global South Compact for Dignity, Sovereignty and Shared Prosperity

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PREAMBLE

We, the jurists, legal practitioners, judges, academics, human rights defenders, civil society representatives, youth leaders, and stakeholders, with broad and rich geographic representation from Kenya, Malaysia, India, Nepal and Sri Lanka, drawn from State and non-state institutions and sectors convened at the 2026 Annual Jurists Conference in Kuala Lumpur, Malaysia, under the theme "Beyond 1948: Forging a Global South Compact for Dignity, Sovereignty and Shared Prosperity," adopt this declaration as a reflection of the intensive interactive dialogues, panel presentations, and plenary discussions that revealed a series of insights and opportunities for action.

We recognise that nearly eight decades after the adoption of the Universal Declaration of Human Rights in 1948, humanity confronts a profound contradiction: an extensive body of international law exists, yet violations of human dignity continue on an immense scale. The rules intended to constrain power are too often disregarded by those who wield it, while the institutions entrusted with their protection face growing political pressure and challenges to their legitimacy.

Renewing Global Justice: Overcoming the Crisis of the Rules-Based Order

We recognise that the post-1948 international rules-based order faces a critical systemic crisis driven by geopolitical rivalries, unilateral power, and powerful actors who disregard international law to normalize impunity.

We acknowledge that the international architecture established after 1948 was built during an era of colonial domination, leaving the peoples of Africa, Asia, Latin America, and the Caribbean—who constitute the Global Majority—historically excluded and facing ongoing challenges like unfair financial arrangements, unsustainable debt, and climate vulnerability. Resolving these systemic failures requires fulfilling the promise of 1948 consistently and equitably, ensuring that fundamental human rights are never subordinated to national security or economic expediency. Rather than remaining peripheral participants, the Global Majority must exercise collective agency and leadership to transform this unequal order.

We opine that transforming this vision into a just international order requires three concrete structural reforms:

- **Multilateral institution reform:** restructuring global bodies to ensure equitable representation and a meaningful voice for historically underrepresented nations.
- **Global majority leadership:** fostering exemplary leadership from the Global Majority that is deeply rooted in consistency, inclusivity, and shared responsibility.
- **Judicial independence:** rigorously safeguarding the independence, impartiality, and operational effectiveness of international and regional judicial institutions.

We hereby affirm the following principles, commitments and priorities for collective action.

PRINCIPLES OF JUSTICE, SOVEREIGNTY, AND ECONOMIC EQUITY

Solidarity and True Sovereignty

We recognise that the Global Majority is not a homogeneous political bloc, and solidarity does not imply unquestioning support for governments or leaders. Its strength lies in its diversity, commitment to equality, and potential to build a representative, accountable international system.

We affirm that true justice requires confronting both global inequalities and domestic failures, including corruption, authoritarianism, and the abuse of state power. We cannot demand accountability from powerful states while tolerating impunity at home. Sovereignty derives its legitimacy strictly from the people. It must be understood as a responsibility to protect human dignity, uphold constitutionalism, and advance the common good, rather than as a shield against scrutiny, corruption, or repression.

We note that a just global order cannot be built through the dominance of the powerful, the silence of the marginalized, or the selective application of universal law. It must be founded on the equal dignity of every human being, the accountability of all who exercise power, and the shared responsibility of humanity to secure freedom, justice, and prosperity for all.

Sovereignty as a Responsibility to Protect Human Dignity

We acknowledge that sovereignty is inseparable from responsibility; it must serve the people and protect their rights. We reject the invocation of sovereignty to shield perpetrators of atrocity crimes, serious human rights violations, corruption, or economic crimes from independent investigation.

To give effect to this principle, we call for:

- **Strengthening domestic capacity:** states must empower independent judiciaries, prosecutorial authorities, national human rights institutions, and civilian oversight mechanisms.
- **Universal jurisdiction:** states should robustly enhance domestic legal frameworks to exercise universal jurisdiction over serious international crimes, improving cross-border cooperation, evidence-sharing, and mutual legal assistance.
- **Learning from Global South precedents:** we recognize vital accountability experiences across the Global Majority, such as the prosecution of former Chadian President Hissène Habré in Senegal, pioneering jurisprudence on international crimes in South Africa, and the landmark contributions of Latin American courts to transitional justice and accountability for enforced disappearances.
- **Dismantling enabling networks:** we urge intense scrutiny of the financial, commercial, technological, and political networks that enable atrocities, including illicit financial flows, unlawful arms transfers, and corporate complicity.

Towards an Equitable and Accountable International Economic Order

We note that the existing international financial and economic architecture continues to reflect historical inequalities, constraining the capacity of developing countries to fulfill human rights and achieve sustainable development. Economic policy must explicitly serve human dignity and public welfare.

We demand:

- **Global financial reforms:** there is need for meaningful reform of international financial institutions, sovereign debt governance, and global trade arrangements to ensure equitable participation by the Global Majority.
- **Rights-respecting fiscal policy:** public debt management, fiscal policy, and international lending must safeguard essential public services, including healthcare, education, housing, and social protection.
- **Debt transparency and restructuring:** citizens must have access to timely, accurate information regarding public debt. We call for fair, transparent mechanisms for sovereign debt restructuring, including the scrutiny of debt incurred through corruption or processes lacking public accountability.
- **Domestic responsibility:** international economic reform must be matched by domestic integrity. Governments must confront corruption, wasteful public expenditure, and the capture of public institutions by private interests, while deepening South-South cooperation in development financing, trade, and technology transfer.

DEMOCRATIC ACCOUNTABILITY, YOUTH AND TECHNOLOGICAL JUSTICE

Civil Society, Moral Clarity, and Democratic Accountability

We recognise that independent civil society organizations, human rights defenders, legal practitioners, journalists, academics, and social movements are indispensable pillars of democratic governance and guardians of the public conscience. When political institutions depart from human rights values, civil society has a unique and distinct responsibility to provide moral clarity by calling out injustice, speaking truth to power, and defending universal principles against political expediency.

We affirm that this duty transcends national boundaries. Violations must be condemned consistently, whether committed by allies or adversaries, dominant global powers or lesser-influencing nations. We condemn the global shrinking of civic space, arbitrary arrests, harassment, surveillance, and the misuse of regulatory laws to suppress dissent. States must protect the freedoms of expression, association, and peaceful assembly in strict alignment with constitutional guarantees and international human rights standards.

Youth-Led Democratic Renewal and the Protection of Civic Freedoms

We recognise youth movements across the Global Majority express a justified frustration with political exclusion, economic inequality, and institutional failure. This signals an urgent need to treat young people as active rights-holders rather than passive, future beneficiaries. To translate this momentum into sustainable democratic reform, states must institutionalize youth participation in legislative processes, public budgeting, and policy development. Crucially, this requires deliberate building beyond reactive mobilisation and protests toward continuous engagement in governance, while strictly preserving the independence and autonomy of these youth movements.

Achieving this generational shift requires the robust safeguarding of both physical and digital civic spaces. As such, we call on duty-bearers to ensure the:

- **Protection of the rights of assembly and expression:** guaranteeing the absolute right of young people to engage in public affairs through peaceful demonstration, civic organizing, and uncensored digital platforms.
- **Policing accountability:** by mandating that law enforcement strictly uphold legality, necessity, and proportionality, while guaranteeing prompt, independent investigations into excessive force, arbitrary detentions, or unlawful killings.
- **Safeguarding digital spaces:** by preventing unlawful surveillance and censorship on digital platforms, while simultaneously protecting these vital arenas from manipulation, misinformation, and electoral interference.
- **Strengthening oversight institutions:** by shielding judiciaries, electoral management bodies, and human rights institutions from political interference so they can continuously investigate violations and enforce public accountability beyond election cycles.

And for the like-minded professionals and citizens to collaborate in:

- **Fostering intergenerational solidarity:** by encouraging established civil society, jurists, and professional associations to provide youth movements with practical support—such as legal representation, medical aid, and evidence documentation—without undermining youth leadership.

Human Rights, Artificial Intelligence, and Technological Justice

We affirm that technological innovation must remain subordinate to human dignity, human rights, and the public interest. While artificial intelligence (AI) and digital public infrastructure offer immense potential, their development

must not be dictated by concentrated corporate power, opaque decision-making, or extractive practices that threaten democracy, privacy, and autonomy.

We call for the:

- **Reclaiming of data sovereignty:** data governance must extend beyond simple localization. It must ensure meaningful, collective control over the collection and economic benefits of data, halting exploitative extraction by multinational corporations, particularly targeted at the Global South.
- **Enforcing Big Tech accountability:** voluntary corporate self-regulation is insufficient. States must implement legally binding, human rights-based regulatory frameworks and empower independent oversight bodies to penalize algorithmic discrimination and anti-competitive practices.
- **Mandating AI safeguards and human oversight:** all AI deployments must be subject to mandatory independent auditing and human rights impact assessments. Automated tools must never displace human judgment or due process, requiring exceptional scrutiny in high-risk sectors like policing, justice, migration control, and social protection.
- **Safeguarding electoral integrity:** electoral bodies must ensure absolute transparency and independent verification in all voting and registration technologies. States must actively defend democratic processes against deepfakes, AI-driven misinformation, and unjustified internet shutdowns.
- **Advancing global governance equity:** countries of the Global Majority must have an equitable, meaningful seat in international tech standard-setting bodies. Developing nations must foster South–South cooperation and invest in local infrastructure to reduce technological dependence and resist unchecked surveillance.

CLIMATE JUSTICE AND COMMITMENTS FOR COLLECTIVE ACTION

Historical Responsibility, Climate Justice, and the Right to Development

We affirm that global climate action must prioritize historical responsibility, equitable finance, and structural reform to protect vulnerable nations and hold polluters accountable. This requires historically high-emitting countries to fund climate reparations and reform international finance to prevent debt exploitation. True climate justice demands that states protect environmental sovereignty, enforce strict corporate accountability for environmental degradation, and elevate the representation of Global South countries, Indigenous peoples, and local communities in global governance.

We call for:

- **Funding for climate reparations:** by compelling high-emitting nations to meet financial obligations and fund loss, damage, and adaptation based on historical responsibility.
- **International finance reform:** by overhauling funding mechanisms to provide accessible, unconditional climate finance that does not trap vulnerable nations in debt.
- **Protection of environmental sovereignty:** by enforcing legal safeguards on resource extraction to guarantee fair wealth distribution and meaningful local community consent.
- **Corporate accountability:** by strengthening legal frameworks to mandate environmental due diligence and force economic actors to pay for climate degradation.
- **Elevated Global South governance:** guaranteeing equitable representation and voting power for Global South nations, Indigenous peoples, and local communities in climate negotiations.

COMMITMENTS AND PRIORITIES FOR COLLECTIVE ACTION

We recognise that declarations must be accompanied by sustained engagement, practical cooperation, and measurable progress; we identify the following seven priorities for immediate and collective action:

01 **Strengthening Cross-Regional Legal Cooperation:** ICJ Kenya, participating jurists, and civil society to build and strengthen robust networks across Africa, Asia, Latin America, and the Caribbean to facilitate comparative legal research, professional exchange, and strategic litigation in digital rights, public debt, economic justice, climate justice, and international accountability.

02 **Advancing Joint Research and Policy Advocacy:** by creating targeted research, joint policy briefs, and public interest litigation to drive practical legal and policy reforms capable of implementation within existing institutional frameworks.

03 **Advancing People-Centred Technology Governance:** through fostering collaboration among jurists, regulators, academic institutions, and tech researchers to develop human rights-based approaches to AI, prioritizing public-sector procurement transparency, corporate responsibility, data protection, digital inclusion, and effective remedies for technological harm.

04 **Promoting Inter-generational Collaboration:** by building strong partnerships and mentorship pathways between established jurists, young legal practitioners, and youth-led grassroots movements to support legal empowerment, civic participation, and the protection of fundamental freedoms.

05 **Strengthening South–South and Global Majority Dialogue:** by sustaining cross-continental knowledge exchanges among legal institutions and professional networks to share institutional experiences, identify common challenges, and develop coordinated responses to systemic economic and political inequalities.

06 **Defending Civic Space and Supporting Human Rights Defenders:** by establishing practical cooperation, legal support networks, international advocacy, and rapid documentation of violations to protect human rights defenders, journalists, lawyers, and independent institutions facing state reprisals.

07 **Sustaining the Commitments of the Declaration:** ICJ Kenya, in consultation with conference participants and partners, to facilitate follow-up engagement, identify collaborative initiatives, and ensure periodic reflection on progress, including the documentation and sharing of emerging jurisprudence, policy developments, and institutional reforms.

We call upon governments, international and regional institutions, jurists, civil society, academic institutions, young people, and all those committed to justice to translate these principles into sustained, collective, and immediate action.

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