

**ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION**



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**REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE  
ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION**

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## **REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION**

### **I. INTRODUCTION**

1. In accordance with Rule 20 (7) of the Statutory Rules of the Asian-African Legal Consultative Organization (AALCO), it is my honour and privilege to present a Report to the Member States on the administrative, organizational and substantive matters since the conclusion of the AALCO's Forty-Ninth Annual Session held at Dar es Salaam, United Republic of Tanzania, from 5 to 8 August 2010. This Report covers activities until 25 May 2011. I shall present an update for the remaining period at the forthcoming Colombo Session.
2. To begin with, I wish to express my sincere gratitude to the current President of AALCO, Her Excellency Ms. Celina Ompeshi Kombani, Minister for Constitutional Affairs and Justice of the United Republic of Tanzania for her guidance and support to the AALCO Secretariat in all its activities. I would also like to express profound thanks to His Excellency Mr. Priyasath DEP, P.C., Solicitor General, Sri Lanka, for discharging the duties as Vice-President of the Forty-Ninth Annual Session of AALCO.
3. I also take this opportunity to express my gratitude to all Member Governments, their Ambassadors/High Commissioners and the Liaison Officers, for their valuable inputs in dealing with the substantive and organizational matters and for the kind support, which has helped me in discharging my duties and functions in a smooth manner.
4. The year 2011 marks another milestone in the journey of AALCO. This year the Organization is holding its Fiftieth Annual Session. It may be recalled that the First Annual Session of AALCO was held, in New Delhi, India, from 18 to 27 April 1957. Thus, the Fiftieth Annual Session is an important occasion to reflect upon the past achievements and also the present day challenges. It would also provide an opportunity to carve out the path for the next phase of development for the Organization. I profoundly thank the Government of the Democratic Socialist Republic of Sri Lanka for agreeing to organize this commemorative Annual Session in view of its great importance and significance for reaffirming the Bandung spirit of Afro-Asian solidarity, as also for the institutional development of AALCO.
5. At the invitation of the Government of the Democratic Socialist Republic of Sri Lanka the Fiftieth Annual Session of the Organization is being held in Colombo from 27 June to 1 July 2011. It may be recalled that Sri Lanka is one of the founding Member States of AALCO; joined the Organization in 1956, and takes significant interest in promoting the work of AALCO. It is for the fourth time in the annals of AALCO that the Government of the Democratic Socialist Republic of Sri Lanka is hosting the Annual Session of AALCO. It had hosted the Third, Twelfth and Twenty-Second, Annual Sessions in Colombo, in 1960, 1971 and 1981 respectively. In this regard, I take this

opportunity to express my gratitude to the Government of Sri Lanka for responding to my request for hosting the Fiftieth Annual Session with utmost speed and efficiency. As it was the turn of the Asian continent to host the Annual Session, I had been in correspondence with the Member States of Asia. On 15 July 2010, the Secretariat received a communication from H.E. Amb. Prasad Kariyawasam, the High Commissioner for the Democratic Socialist Republic of Sri Lanka, in India stating that the Government of Sri Lanka had accepted to host the Fiftieth Annual Session of AALCO in Colombo in 2011, and that this announcement could be made at the Forty-Ninth Annual Session, in Dar es Salaam, United Republic of Tanzania. It may also be recalled that at the Forty-Ninth Annual Session a resolution to the same effect was adopted, AALCO/ RES/ 49/ORG 5, dated 8 August 2010.

6. The Report is divided into seven sections, and apart from a brief Introduction and Concluding Remarks, it contains Implementation of the Putrajaya Declaration on Revitalizing and Strengthening of the Asian-African Legal Consultative Organization; Consideration of Work Programme of AALCO at the Fiftieth Annual Session of AALCO; Activities undertaken since the Forty-Ninth Annual Session of AALCO; Strengthening the Cooperation with the United Nations, its Specialized Agencies and other International Organizations; and Plan of Action for the Coming Year.

## **II. IMPLEMENTATION OF THE PUTRAJAYA DECLARATION ON REVITALIZING AND STRENGTHENING THE ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION**

7. It may be recalled that the Heads of Delegations of the Member States of AALCO at the Forty-Eighth Annual Session of AALCO had adopted the “Putrajaya Declaration on Revitalizing and Strengthening the Asian-African Legal Consultative Organization”, on 20 August 2009.<sup>1</sup> By virtue of this Declaration, Member States had *inter alia* reaffirmed their commitment to the Organization and recognized its significant contribution towards strengthening Asian-African solidarity, particularly in the progressive development and codification of international law. They had envisioned revitalizing and strengthening AALCO so as to ensure that it remains the “main centre for harmonizing the actions of Asian-African States in international legal matters”. Based upon this long-term policy objective laid down by the Putrajaya Declaration, in the following part, I seek to place for the kind consideration of Member States the measures that have so far been initiated, as also a few new proposals.

### **A. Measures Initiated**

8. Various activities to make AALCO the main centre for harmonizing the action of Asian-African States in international legal matters have been initiated. These include: Capacity Building Programmes; initiation of AALCO Lecture Series, and AALCO-Eminent Persons Group (EPG).

#### **1. Capacity Building Programmes**

9. In my Report to the Member States, at Dar es Salaam, I had outlined a scheme to initiate a process in which the Secretariat of AALCO in cooperation with the Inter-governmental Organizations with whom it had signed Co-operation Agreements/Memorandum of Understanding to conduct regular capacity-building programmes, particularly in the area of international law-making and diplomacy.<sup>2</sup> Such programmes could be undertaken either at the seat of AALCO in New Delhi or in collaboration with any Member State in its capital.

10. To give effect to this scheme during the reporting period, a Training Programme on International Humanitarian Law from 17 to 21 January 2011; and a Training Workshop on the World Trade Organization (WTO) from 28 March to 1 April 2011 was organised at the AALCO Headquarters. A Regional Training on Treaty Law and Practice and the Drafting of International Legal Instruments was also held in Indonesia from 13 to 15 October 2010. Efforts are also on to hold such programmes in other areas of interest to the Member States.

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<sup>1</sup> AALCO/RES/48/DEC.

<sup>2</sup> For the details of these programmes refer to section IV of this report.

## **2. Initiation of AALCO Lecture Series**

11. With the objective of making the seat of AALCO, in New Delhi, a vibrant centre for exchange of ideas in the discipline of international relations and law, an “AALCO Lecture Series” was initiated. It is hoped that this would also be conducive in strengthening the Asian-African solidarity of cooperation in international legal matters, as well as enhance AALCO’s profile in the diplomatic and academic community based in New Delhi.<sup>3</sup>

### **B. Proposed Measures**

12. Some of the measures that I propose to initiate in the coming years, include, the constitution of Group of Eminent Persons; publication of Digest of National Legislations on identified areas; strengthening the Secretariat; convening of Young Jurist Conference on the sidelines of AALCO’s Annual Sessions and creating an AALCO Foundation.

#### **1. AALCO Eminent Persons Group (EPG)**

13. It may be recalled that at the Forty-Ninth Annual Session, I had suggested that an AALCO Eminent Persons Group drawn from Member Governments, international organizations, academia and civil society, to address key issues of concern to the AALCO Member States could be constituted. Subsequently, I received the mandate to invite personalities internationally renowned for their expertise on international law issues, to be part of the AALCO Eminent Persons Group.

14. As the first concrete step, the Secretariat prepared a Background Paper on the AALCO-EPG,<sup>4</sup> which enlisted *inter alia* the Aims and Objectives of the EPG; Criteria for Selection and Appointment to the EPG; Functions of the EPG; Methodology of the Meeting of the EPG; and Finances of the EPG.

15. A Preliminary Meeting of the EPG was scheduled to be held at the AALCO Headquarters in April 2011, due to the earthquake and tsunami in Japan it was postponed. However, as it is an important mandate, after consultations with some of the members of the EPG, the Preliminary Meeting is now scheduled to be held in Colombo, Sri Lanka, on 26 June 2011, one day before the Fiftieth Annual Session of AALCO.

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<sup>3</sup> So far the lectures delivered were in 2009 and 2010, the details of the same can be found in document AALCO/49/DAR ES SALAAM/2010/ORG 1, presented at the Forty-Ninth Annual Session, [www.aalco.int](http://www.aalco.int).

<sup>4</sup> The background Paper is Annexed herewith.



## **2. Convening of Meeting of Legal Experts**

16. In line with the idea that the AALCO Secretariat must utilize AALCO Experts, the Organization needs to work as a consultative forum on a regular and continuous basis and ensure that its work remains demonstrable to the wider world. To achieve this, it is my vision to promote the seat of AALCO Secretariat in New Delhi as the focal point, for Asian-African States in international law-making, as Geneva is considered to be for the International Law Commission of the United Nations. In this regard, I propose that the AALCO should also consider establishing smaller Expert Groups that meets, keeping in view the law-making exercise taking place in the United Nations and other multilateral fora in which AALCO Member States have particular interest, during the Inter-Sessional period. The work of such Expert Group Meeting would contribute to the better understanding of respective national position and also render an opportunity to the Member States to coordinate and consolidate a broad Afro-Asian position in the multilateral forum. The recommendations/reports prepared on the basis of such meetings can then be placed for the consideration of the next Annual Session.

## **3. Publication of Digest of National Legislations**

17. It would be useful to bring out a digest of national legislations on some of the topics that are on the work programme of AALCO, such as national legislation pertaining to preventing trafficking in women and children or on international terrorism or environmental law. A digest of this kind would foster exchange of legal knowledge and sharing of experiences and in national legislative exercise Member States can benefit and draw upon from each other's experience. Such digests could also be posted on the website of the AALCO. I would be grateful for guidance from the Member States in this regard.

18. It may be recalled that AALCO and the ICRC have collaborated on many programmes. Currently, AALCO is doing a project in collaboration with the ICRC, to develop a compilation (database) of national legislations of AALCO Member States, on the 28 international humanitarian law treaties. As a first step, ICRC is planning to bring out a small publication in cooperation with AALCO comprising of the following parts:

- Ratification status of AALCO Member States on International humanitarian law treaties; and
- List of national legislations of AALCO Member States on International humanitarian law.

This publication would be released during the Fiftieth Annual Session.

## **4. Strengthening the Secretariat**

19. The Secretariat plays a crucial role in strengthening the work of the Organization. Presently, the Secretariat functions under severe constraints of human and financial and resources. Yet the final products bear no witness to these handicaps and measure up to the quality and quantity of any important international conference and their outputs held anywhere in the world. Therefore, AALCO needs to further strengthen the infrastructure and other facilities offered to the Secretariat Staff.

20. In the International Category Staff, presently, all officials are from Asian States, therefore, in order to ensure that the African character of the AALCO is also visible; I call upon the African States to second at least one senior official to the Secretariat as Deputy/Assistant Secretary-General. Likewise, I would request the Arab Member States to consider deputing one senior official to the Secretariat for managing the affairs of the Arabic Section.

21. Furthermore, to give an international character to the Professional Category of the Secretariat Staff, I feel that there is a need to ensure that the Secretariat should be in a position to attract and retain the best talent from the two regions. This entails offering remuneration and other terms and conditions of services at par with the other Inter-governmental Organization.

22. To encourage the assimilation of academic inputs into the work of AALCO, I propose a Visiting Fellowship programme for senior academic and research assistant for postgraduate students from AALCO Member States.

#### **4. Convening of Young Jurist Conference**

23. It is also essential to encourage and develop young scholarship in International Law in the Asian-African countries. To realize this objective, I had proposed at the Putrajaya Session that a “Young Jurist Conference” may be convened on the sidelines of the Annual Session. This would render an opportunity to these scholars, particularly from that country and the region, in which the Annual Session takes place to interact with the legal luminaries attending the Session and benefit from their experience and scholarship. I intend to make this proposal operationally viable in the forthcoming Annual Session.

#### **5. AALCO Foundation**

24. One of the missions of AALCO is to advance the rule of law in international affairs and increase the participation of Asian-African States in the progressive development and codification of international law and its dissemination. Realization of this Mission entails that the executive arm of the AALCO – its Secretariat becomes the centre for harmonizing the action of Asian-African States, in such matters, that range from United Nations reforms, combating corruption, sustainable development, international criminal justice, advancement of human rights, empowerment of women, and protection of children and so on and so forth. While, on the one hand, there is a vast

network of law, institutions and policy on all these areas, on the other hand, the participation of Asian-African States, particularly, the Least Developed Countries needs to be enhanced. In order to ensure that such international regime are of benefit to the vast majority of people living in Asian-African region, it is essential to find innovative ways on the one hand to involve people in the mission of AALCO, as also on the other hand find ways and means to generate financial resources to strengthen the AALCO Secretariat, that could possibly contribute to realizing the mission of AALCO.

25. Pertinent in this regard is to mention that the AALCO since its inception in 1956 has functioned only on the basis of financial contribution made by the Member States, and is often constrained in its functioning because of limited budget and non-payment of annual contribution by several Member States. The Secretariat has limitation in pursuing the States in arrears beyond a point, as the relatively technical nature of AALCO's work does not attract enough attention within the political decision-making process in the Member States.

26. In this regard, possibly, based upon the experience of United Nations Foundation, that was started with a USD 1 billion donation by US philanthropist Ted Turner and since then it has received donations from several corporate group that as part of the corporate social responsibility have been contributing to the causes on which the UN works.

27. On similar model, an AALCO Foundation could be created. The AALCO Secretariat can built partnership with those corporate entities from the Member States that value and cherish the vision, mission and objectives of AALCO and possibly can make "no-strings" attached donation to the AALCO Foundation. The funds so received could be possibly utilized for:

- Providing financial support to the participants from capitals for the various training programmes, as also in arranging for resource persons from Asian-African scholarship, in addition to from the relevant Organization;
- Convening of the Young Jurist Conference;
- Internship Programme at the Secretariat;
- Building up the AALCO Library;
- Introducing e-learning courses;
- Enabling Secretariat Officials to participate in various international law-making Conferences; and
- Rendering support to the ILC Special Rapporteurs from Asian-African States by providing them with assistance by deputing Legal Officers.

### **C. Measures to Improve the Financial Situation of AALCO**

28. It may be recalled that to improve the financial situation of AALCO, at the Putrajaya Session, I had submitted for the kind consideration of the Heads of Delegation

an approach that included the following four measures: (i) Revision of Assessed Scale of Contributions; (ii) Action Plan to Collect Arrears; (iii) Voluntary Contributions; and (iv) Replenishment of Reserve Fund. An update on each of these following measures is presented below.

## **1. Adoption of Revised Scale of Contributions and Receipt of Annual Contributions from the Member States**

29. At the Forty-Eighth Annual Session, vide AALCO/RES/48/ORG 2 the “revised scale of assessed contribution of Member States” was adopted. Pursuant to that decision and in response to AALCO/RES/49/ORG 2, until 1 May 2011, annual contribution from 32 Member States has been received. Thirty of them, namely the Republic of Iraq, Sudan, DPR Korea, Republic of Yemen, Islamic Republic of Iran, Pakistan, United Republic of Tanzania, Botswana, Bahrain, Brunei Darussalam, People’s Republic of China, Cyprus, Ghana, India, Indonesia, Japan, Jordan, Kenya, Republic of Korea, State of Kuwait, Malaysia, Mauritius, Myanmar, Sultanate of Oman, Kingdom of Saudi Arabia, South Africa, Singapore, Sri Lanka, Thailand, Turkey and United Arab Emirates have been received on the basis of the Revised Scale. Annual contribution from two of the Member States, namely, Bangladesh and Libyan Arab Jamahariya has been received on the basis of the old scale. I have requested these Member States to kindly make it on the basis of the Revised Scale. Further, as regards, the remaining Member States, the Secretariat is, on a regular basis, informing through their Diplomatic Missions and Liaison Officers in New Delhi the importance of fulfilling their statutory and financial obligations to the Organization. I am very hopeful that these efforts would yield results and by the end of this year, the annual contributions from these States would be received.

## **2. Action Plan to Collect Arrears**

30. The Extraordinary Session held at the Headquarters on 1 December 2008, in order to tide over the precarious financial situation of AALCO had approved an “Action Plan”.<sup>5</sup> As per the Action Plan, the Member States in arrears have been divided under two heads: first, Member States which are in arrears for less than ten years; second, Member States in arrears for more than ten years. The Secretary-General was requested to take necessary follow-up action with these States. It may be recalled that AALCO had urged those Member States in arrears to expeditiously clear their arrears. Furthermore, vide resolution AALCO/RES/48/ORG 1 adopted on 20 August 2009, the Secretary-General was requested to implement this Action Plan, the same was also reiterated during the Forty-Ninth Annual Session.

31. Accordingly, along with my Deputy Secretaries-General, I have been regularly meeting the Heads of Diplomatic Missions and Liaison Officers of these Member States in New Delhi, for materialising the action plan to collect arrears.

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<sup>5</sup> AALCO/ES (NEW DELHI)/2008/ORG. 1, from page numbers 7-9.

*i. Status of Collection of Arrears*

32. Since the Forty-Ninth Annual Session, the AALCO Secretariat is pleased to inform the Member States that the Government of Sudan has partly cleared its outstanding arrears. The Government of the Republic of Iraq has also partly cleared its arrears on the basis of the MOU signed with the AALCO Secretary-General on 13 November 2009. The AALCO Secretariat profoundly thanks these Member Governments for their earnest efforts in clearing their outstanding arrears of contributions.

33. Efforts are continuing with the following Member States in arrears for more than ten years i.e., Democratic People's Republic of Korea, Mongolia, The Gambia, and the State of Palestine, through their Diplomatic Missions in New Delhi, to conclude MoUs. The communication with Sierra Leone is directly to the capital, and the matter was also taken up with the representative of Sierra Leone during the ICC Review Conference at Kampala, Uganda in June 2010.

**3. Voluntary Contributions**

34. I am grateful to the Governments of Member States Malaysia (before Forty-Ninth Annual Session) and Turkey (after Forty-Ninth Annual Session) for their voluntary contributions and would like to propose that any voluntary contribution made by a Member State should not be added to the regular budget of the Organization. It would be utilized for project specific action for which the Member State has made such voluntary contribution.

**4. Replenishment of Reserve Fund**

35. Rule 27 (3) of the Statutory Rules of the Organization authorizes the Secretary-General to maintain a reserve fund. To strengthen and firmly put the Organization, on a firm financial footing, it is essential that an adequate Reserve Fund is maintained by the Organization. The amount kept in Reserve Fund should at least be enough so that it could meet the expenses of the Organization for at least a period of six months. With this objective, in mind, it is essential to replenish the Reserve Fund of AALCO. A contribution of USD 10,000 has been received from the Government of Malaysia to this fund. I once again urge upon the other Member States to send voluntary contributions to replenish the Reserve Fund.

36. Due to the current financial crisis, it is rather difficult to reserve some amount of money from the contributions received from the Member States and deposit it into the Reserve Fund. Until AALCO's Reserve Fund has USD 300,000 (six month running cost) as deposit it cannot overcome the current financial crisis.

## **5. Increasing the Membership of AALCO**

37. 47 States are currently Member States of AALCO. 32 of these are Asian States and 15 are African States. In the informal regional grouping system that exists in the United Nations, both Asia and Africa account for 53 countries each. Therefore, both within the Asian and African continent, immense scope for widening the membership base of the AALCO exist. Building upon the efforts put in by my distinguished predecessors, along with my deputies, I have approached the Heads of Diplomatic Missions of several of these countries in New Delhi. We have received some positive responses from some of these States and the matter of their joining AALCO is under the active consideration of their respective Governments. In case, these States become Member States of AALCO their prospective contributions would strengthen the financial stability of AALCO.

38. Last but certainly not the least, I would like to inform the Member States that continuous efforts are being made on optimizing the use of both the human and material resources available within the Secretariat. All efforts to minimize and curtail the operational costs are being made.

### **III. CONSIDERATION OF WORK PROGRAMME OF AALCO AT THE FIFTIETH ANNUAL SESSION OF AALCO**

39. The Work Programme of AALCO, comprises first, follow-up of the work of the International Law Commission; second, topics that have been placed on the agenda on reference by a Member State; and third, topics placed on the *suo-moto* initiative of the Secretary-General. Currently, there are following 16 items on the work programme of AALCO:

- (i) Report on Matters Relating to the Work of the International Law Commission
- (ii) The Law of the Sea
- (iii) The Status and Treatment of Refugees
- (iv) Deportation of Palestinians and Other Israeli Practices among them the Massive Immigration and Settlement of Jews in All Occupied Territories in Violation of International Law particularly the Fourth Geneva Convention of 1949
- (v) Legal Protection of Migrant Workers
- (vi) Extraterritorial Application of National Legislation: Sanctions Imposed Against Third Parties
- (vii) International Terrorism
- (viii) Establishing Cooperation against Trafficking in Women and Children
- (ix) The International Criminal Court: Recent Developments
- (x) Environment and Sustainable Development
- (xi) Challenges in Combating Corruption: The Role of United Nations Convention against Corruption
- (xii) Report on the Work of UNCITRAL and Other International Organizations in the Field of International Trade Law
- (xiii) WTO as a Framework Agreement and Code of Conduct for World Trade
- (xiv) Expressions of Folklore and its International Protection
- (xv) Human Rights in Islam
- (xvi) Managing Global Financial Crisis: Sharing of Experiences

40. It may be recalled that since the Forty-Second (Seoul, 2003) Annual Session, the Organization, has adopted a policy of rationalization of agenda items, and out of these 16 items, certain number of items, depending upon the current relevance of the topic are placed on the agenda of the Annual Session. In furtherance of this policy, for the Fiftieth Annual Session following agenda items are placed in the category of deliberated items:

- Report on the Matters Relating to the Work of the International Law Commission;
- Law of the Sea;
- Deportation of Palestinians and Other Israeli Practices among them the Massive Immigration and Settlement of Jews in All Occupied Territories in Violation of International Law particularly the Fourth Geneva Convention of 1949;
- Environment and Sustainable Development;

- Report on the Work of the UNCITRAL and other International Organizations in the field of International Trade Law; and
- Expressions of Folklore and its International Protection

41. In addition, two half-day special meetings on agenda items pertaining to the “Trafficking in Women/Children, Migrant Workers and Protection of Children” and “International Commercial Arbitration”, are also being convened in conjunction with the Fiftieth Annual Session.

42. Concerning the non-deliberated agenda items the Secretariat has prepared an update of all these items. On the suggestion of some Member States, the Secretariat Reports on non-deliberated items is brought out in a single compilation. I would request the Member States, to provide to the Secretariat, their written comments if any on these agenda items.



#### **IV. ACTIVITIES UNDERTAKEN SINCE THE FORTY-NINTH ANNUAL SESSION OF AALCO**

##### **A. Regional Training Course on Treaty Law and Practice (13 to 15 October 2010)**

43. A regional training course on “Treaty Law and Practice” was organized by Ministry of Foreign Affairs, Republic of Indonesia, and AALCO jointly with the United Nations Office of Legal Affairs (UNOLA), United Nations Office on Drugs and Crime (UNODC) and Office of the High Commissioner on Human Rights (OHCHR) in Jakarta, Indonesia from 13 to 15 October 2010. From AALCO, myself and Dr. Xu Jie, Deputy Secretary-General represented at the Training course. During the Opening Session, remarks were made by the representative of the UNOLA and myself. H. E. Triyono Wibowo, Vice Minister for Foreign Affairs of the Republic of Indonesia delivered the opening remarks. On that occasion, I made a presentation on “The Work of AALCO”. The training course was attended by over 40 participants from 14 AALCO Member States.

44. Later on, I had the opportunity to visit and have a meeting with H. E. Dr. Bagas Hapsoro, Deputy Secretary-General, ASEAN on 13 October 2010. Following which I also delivered a public lecture at the University of Padjajaran Bandung and visited the Museum of Asia Africa Conference, 1955 on 14 October 2010. It was my pleasure to also have a brief meeting with the official of the Indonesian Society of International Law in Jakarta on 15 October 2010.

##### **B. AALCO Meeting at the UN Headquarters (1 November 2010, UN Headquarters, New York)**

45. The Annual AALCO Meeting convened on the sidelines of the annual session of the United Nations General Assembly took place at the UN Headquarters in New York on 1 November 2010. To ensure a theme based discussion, the meeting was organized in two segments, namely, the “Legal Issues Facing the Regions of Africa and Asia” and “Matters relating to the work of the International Law Commission”. On behalf of the President of the Forty-Ninth Annual Session of AALCO; H. E. Mr. Ombeni Y. Sefue, the Permanent Representative of United Republic of Tanzania at the United Nations Headquarters in New York chaired the meeting. Under the first segment, statements were made by the President and myself. The meeting was also addressed by H.E. Judge Hisashi Owada, the President of the International Court of Justice; Ms. Patricia O’ Brien, the Legal Counsel of the UN; Amb. Isabelle Picco, Chair, Sixth Committee; Amb. Hasan Kleib, Vice Chair, ASEAN, and Mr. Dire Tiadi, Legal Counsellor of the Republic of South Africa. Dr. Roy S. Lee, Permanent Observer of the AALCO to the UN Headquarters, New York also addressed the meeting.

46. The second segment of the meeting was devoted to ILC Matters. Following my presentation on the essence of the deliberations of the thematic debate held during the Forty-Ninth Session of AALCO; Amb. N. Wisnumurti, the Chair of ILC made a presentation on the work of ILC at its sixty-second session. The meeting witnessed wide participation of over 81 UN Member States attended it. Four members of the Commission including the Chairman also attended the meeting.

**C. Panel Discussion to Commemorate the 54<sup>th</sup> Constitution Day of AALCO (15 November 2010, AALCO Headquarters, New Delhi)**

47. To commemorate the 54<sup>th</sup> Constitution Day of AALCO on 15 November 2010, a Panel Discussion was held on the topic “Asian-African States: Challenges in International Law in the 21<sup>st</sup> Century” at AALCO Headquarters. The panellists for the Panel Discussion were: H. E. Eng. John W. H. Kijazi, High Commissioner of United Republic of Tanzania to India; H. E. Mr. Zhang Yan, Ambassador of the People’s Republic of China to India; His Excellency Dato’ Tan Seng Sung, High Commissioner of Malaysia to India; H. E. Sheikh Humaid Ali Sultan Al-Manni, Ambassador of the Sultanate of Oman to India; H. E. Mr. Narinder Singh, Joint Secretary and Legal Adviser, Ministry of External Affairs, Government of India; H. E. Mr. Gudmundur Eiriksson, Ambassador of Iceland to India and myself. From the views presented by the eminent panellists, it was inferred that there were many contemporary topics on which AALCO could do meaningful work. A lively exchange of views ensued the presentation by the Panelists. After the panel discussion the AALCO publication entitled: “The Blockade of Gaza and its International Legal Implications: Report of the Seminar and Select Documents” was released by the High Commissioner of the United Republic of Tanzania. Dr. Xu Jie, Deputy Secretary-General of AALCO proposed a vote of thanks.

**D. Workshop on Trafficking in Persons, Smuggling of Migrants, International Cooperation (24 to 26 November 2010, Putrajaya, Malaysia)**

48. At the Forty-Eighth Annual Session held in Putrajaya, Malaysia in the year 2009, certain Member States raised the proposal of having a multilateral instrument among AALCO Member States on Mutual Legal Assistance in Criminal Matters and Extradition in order to facilitate cooperation in addressing transnational organized crime, particularly, trafficking in persons and smuggling of migrants. Subsequently, a resolution on the Special Meeting on “Transnational Migration: Trafficking in Persons and Smuggling of Migrants” (AALCO/RES/48/SP 1, 20 AUGUST 2009) was adopted which mandated the Secretary-General to constitute an open-ended Committee of Experts to conduct a study on ways and means to enhance mutual legal assistance in criminal matters among Member States for their further consideration. This was reiterated at the Forty-Ninth Annual Session of AALCO held in Dar es Salaam, United Republic of Tanzania from 5 to 8 August 2010. In pursuance of this mandate, a *Workshop on Trafficking in Persons, Smuggling of Migrants and International Cooperation* was jointly organized by the Attorney General’s Chambers, Government of Malaysia and the Asian-African Legal

Consultative Organization from 24-26 November 2010, Putrajaya, Malaysia. The Workshop was attended by delegates from sixteen Member States of AALCO. The delegates from Australia, and International Organization for Migration also attended the Workshop. The Workshop was divided into three segments on Trafficking in Persons, Smuggling of Migrants and International Cooperation. I was bestowed with the duty to deliver a welcome address and the keynote address was rendered by Hon'ble Honorable Datuk Idrus bin Harun, Solicitor General of Malaysia. At the Workshop, one of the proposal came forward was to address the area of Mutual Legal Assistance in Criminal Matters and to draft an Asian-African Convention on Mutual Legal Assistance in Criminal Matters.

**E. Participation at the Sixty-fifth Session of the United Nations General Assembly (13 December 2010)**

49. At the Sixty-fifth Session of the United Nations General Assembly, Dr. Roy S. Lee, the Permanent Observer of the AALCO to the UN headquarters in New York, delivered the statement on behalf of AALCO on 13 December 2010. The statement was made under Agenda Item 122 (b) on "Cooperation between the United Nations and Regional and Other Organizations". Dr. Lee said that the Organization enhanced the role of Asian and African countries in shaping and transforming international law; and advocated for a new system of international relations that was more democratic and inclusive of all, including developing countries. It was also informed that in furtherance of bringing matters of common concern to Asian and African countries to the Commission, the Organization planned to introduce a series of meetings at the United Nations Headquarters early in 2011 to introduce candidates from Asia and Africa for the forthcoming elections of the International Law Commission and International Court of Justice.

**F. International Conference on International Commercial Arbitration (18-19 December 2010)**

50. As Secretary-General of AALCO and on behalf of the Organization, I extended my support to the Construction Industry Arbitration Council (CIAC) based in New Delhi in organizing a two-day International Conference on "Emerging Trends in International Commercial Arbitration". The conference took place in New Delhi on 18 and 19 December 2010. I made an address during the inaugural segment of the Conference. Other dignitaries who also addressed the gathering during the inaugural session of the Conference were Hon'ble Justice R. V. Raveendran, Judge, Supreme Court of India; Dr. Uddesh Kohli, Chairman, CIAC; Mr. Pravin H. Parekh, Senior Advocate, Supreme Court of India; and Mr. T. K. Vishwanathan, Secretary-General, Lok Sabha.

**G. Training Programme on International Humanitarian Law (17 – 21 January 2011, AALCO Headquarters, New Delhi)**

51. A five-day training programme on International Humanitarian Law was organized by the Centre for Research and Training (CRT) of AALCO in cooperation with the International Committee of the Red Cross (ICRC), Regional Delegation for South Asia, New Delhi from 17 to 21 January 2011 at the AALCO Headquarters, New Delhi. The training programme was attended by 48 participants from 23 countries, namely, India, Malaysia, People's Republic of China, Islamic Republic of Iran, Suriname, State of Kuwait, Mauritius, Republic of Iraq, Republic of Indonesia, Sri Lanka, Paraguay, Myanmar, Maldives, United Republic of Tanzania, State of Palestine, Nigeria, South Africa, Sultanate of Oman, Iceland, Republic of Yemen, Slovak, and Libyan Arab Jamahiriya; and three international organizations, namely, UNHCR, European Union Delegation to India, and European Commission- Directorate General For Humanitarian Aid (ECHO).

52. The Inaugural Session was held on 17 January 2011 and in my welcome address, I highlighted the role of AALCO and its training and research wing-Centre for Research and Training. I also gave a brief outline on the AALCO-ICRC relations in the past and also the importance of having training and capacity building programmes. Mr. Francois Stamm, Head of Regional Delegation, ICRC in his introductory remarks gave an overview of the international humanitarian law and the role of ICRC in its promotion and dissemination. Inaugural lecture was delivered by H.E. Mr. Gudmundur Eiriksson, Ambassador of Iceland to India. He gave a comprehensive presentation on the significance of humanitarian law in the contemporary world and appreciated the role of ICRC and AALCO in the task of promotion and dissemination. Dr. Xu Jie, Deputy Secretary-General, AALCO proposed a vote of thanks.

53. The five-day training programme consisted of both lecture and case study. The topics included, Introduction to International Humanitarian Law; Protection of Civilians during Armed Conflict; IHL and Human Rights; Prisoners of War; Means and Methods of Warfare; International Criminal Tribunals & International Criminal Court (ICC); and Implementation of IHL. Resource persons were of wide academic and practical experience-Mr. Christopher Harland, Regional Legal Adviser for South Asia, ICRC, New Delhi; Dr. Srinivas Burra, Legal Adviser, ICRC, New Delhi; Dr. R. Venkata Rao, Professor of Law & Vice Chancellor, National Law School of India University, Bangalore, India; Mr. William Bowie, Armed Forces Coordinator, ICRC, New Delhi; and Dr. Y.S.R Murthy, Associate Professor & Executive Director, Centre for Human Rights Studies, Jindal Global Law School. Training programme was successfully concluded on 21<sup>st</sup> January 2011 and the Certificate of Completion was awarded to the participants.

**H. Talk by H.E. Y.A.B. Tan Sri Muhyiddin DatoHj Mohd Yassin, Deputy Prime Minister of Malaysia on “Global Governance in the 21st Century: Emerging Issues and Challenges” (11 March 2011, New Delhi)**

54. On 11 March 2011, H. E. Y.A.B. Tan Sri Dato’ Muhyiddin Hj Mohd Yassin, the Deputy Prime Minister of Malaysia delivered a talk on the topic of “Global Governance in the Twenty-First Century: Emerging Issues and Challenges” which was organized by the AALCO Secretariat. H.E. Amb. Eng. John H. Kigazi, the High Commissioner for the United Republic of Tanzania in India presided over the meeting. The event was attended by more than 200 participants that included several Ambassadors/High Commissioners, Diplomats, Academicians and students.

**I. Release of Book “Asian-African Perspectives on International Law in the Post Westphalian Era: Some Reflections” authored by H.E. Prof. Dr. Rahmat Mohamad, Secretary-General of AALCO by the Deputy Prime Minister of Malaysia (11 March 2011, New Delhi)**

55. It gives me immense pleasure to inform that I have authored a book entitled “Asian-African Perspectives on International Law in the Post Westphalian Era: Some Reflections” which was released by the H. E. Y.A.B. Tan Sri Dato’ Hj Muhyiddin Bin Mohd Yassin, the Deputy Prime Minister of Malaysia on 11 March 2011 in New Delhi. The book contains a collection of articles dedicated to the work of the Asian-African Legal Consultative Organization (AALCO) in the promotion of progressive development of international law since its inception in 1956. The articles in that publication traced the historical development of modern international law, beginning with the Peace of Westphalia of 1648, to the Bandung Conference of 1955, and from there it proceeded to areas such as Rule of Law, the International Criminal Court, Siyar (Islamic International Law), Question of Palestine and International Legal Issues facing Asia and Africa.

**J. Visit by Director-General of Ministry of Foreign Affairs, Islamic Republic of Iran to AALCO Headquarters (25 March 2011)**

56. On 25 March 2011, Mr. Alireza Jahangiri, Director-General of Legal Department, Ministry of Foreign Affairs from the Islamic Republic of Iran visited the AALCO Headquarters. I along with Dr. Hassan Soleimani, the Deputy Secretary-General of AALCO, had a meeting with Mr. Jahangiri wherein there were discussions on the work of AALCO, functioning of the AALCO Secretariat among other things.

**K. Visit by Director, International Legal Affairs, Japan to AALCO Headquarters (28 March 2011)**

57. On 28 March 2011, Mr. Masahiro Mikami, Director of International Legal Affairs Division, Ministry of Foreign Affairs, Japan along with Mr. Takashi Shibata, Second Secretary to the Embassy of Japan, New Delhi visited the AALCO Headquarters. Me

along with my Deputy Secretaries-General Dr. Xu Jie and Dr. Hassan Soleimani had a fruitful meeting with the distinguished guests. I expressed my heartfelt condolences for the natural disasters that had recently occurred in Japan. There were discussions on cooperation between AALCO and Japan in the coming days during the meeting.

**L. Training Workshop on the World Trade Organization (28 March – 1 April 2011, AALCO Headquarters, New Delhi)**

58. A five-day training workshop on the World Trade Organization was organized by the Centre for Research and Training (CRT) of AALCO in cooperation with the Institute for Training and Technical Cooperation (ITTC), World Trade Organization from 28 March to 1 April 2011 at the AALCO Headquarters, New Delhi. The training programme was attended by 40 participants from 11 countries, namely, India, People's Republic of China, Islamic Republic of Iran, Sri Lanka, Nigeria, Uganda, Sultanate of Oman, Papua New Guinea, Rwanda, Kingdom of Morocco and Suriname.

59. The Inaugural Session was held on 28 March 2011. I delivered the welcome address and in my address, I gave a brief outline on the AALCO's work on the WTO related matters. Mr. Masahiro Mikami, Director, International Legal Affairs Division, Ministry of Foreign Affairs, Government of Japan in his opening remarks highlighted the relationship between the Government of Japan and AALCO as well as the importance of capacity building programmes for the Member States of AALCO. Ms. Vonai Muyambo, Training Officer, Institute for Training and Technical Cooperation, World Trade Organization in her introductory remarks emphasized the importance attached by the WTO to joint capacity building programmes with AALCO and also explained the methodology of the workshop. Prof. Abhijit Das, Head & Professor, Centre for WTO Studies, Indian Institute of Foreign Trade, New Delhi delivered the inaugural lecture on the topic: "Doha Negotiations: What is at Stake for Developing Countries". He made a detailed presentation on the negotiations on agriculture, non-agricultural market access (NAMA), cotton and fisheries. He also highlighted the role and concerns of the developing countries at the Doha round of negotiations. Dr. Xu Jie, Deputy Secretary-General, AALCO and Head of the Centre for Research and Training proposed a vote of thanks. On behalf of AALCO and CRT, he thanked the participants for showing keen interest in the training workshop and also thanked the distinguished speakers and the Secretary-General for their support and cooperation. He also sought support and cooperation for future endeavors.

60. The five-day training workshop consisted of both lecture and case study. Ms. Vonai Muyambo was the lead resource person for the training workshop. The topics included, Introduction to the World Trade Organization, WTO Basic Principles and Exceptions, Exercises on Basic Principles, General Agreement on Services (GATS), and Trade Related Aspects of Intellectual Property Rights (TRIPS). The case studies on GATS and TRIPS, namely, Liberalization of Retail Services in India, and Seizure of Generic Drugs was dealt by Professor Madhukar Sinha, Centre for WTO Studies, Indian

Institute of Foreign Trade, New Delhi. Training programme was successfully concluded on 1 April 2011 and the Certificate of Completion was awarded to the participants.

**M. Visit by Minister for Constitutional Affairs and Justice of the United Republic of Tanzania and President of the Forty-Ninth Annual Session of the AALCO (29 March 2011)**

61. On 29 March 2011, a delegation from the Ministry for Constitutional and Legal Affairs of the United Republic of Tanzania headed by Her Excellency Ms. Celina Ompeshi Kombani (MP), Minister for Constitutional and Legal Affairs and also the President of the Forty-Ninth Annual Session of AALCO visited the AALCO Headquarters. In subsequent meeting with her, along with Deputy Secretaries-General Dr. Xu Jie and Dr. Hassan Soleimani, number of issues was discussed specifically regarding the current and future work programme of AALCO and how to further enhance its noble activities. Madam Kombani expressed her deep solidarity with the Government and people of Japan who had been ravaged by an earthquake and tsunami added with nuclear radiation. On that occasion, Madam Kombani said that they hoped and prayed that they would recover from that catastrophe with all their courage as they have done in the past.

62. Madam Kombani delivered a speech at the 309<sup>th</sup> Liaison Officers Meeting, 30 March 2011 held at AALCO Headquarters. The delegation included His Excellency Mr. John Kijazi, High Commissioner of the United Republic of Tanzania to India in New Delhi and other distinguished guests from Tanzania. In her speech, while appreciating the commendable work of AALCO in developing international law, she said that the Organisation has identified itself as vital machinery in nurturing inter-regional cooperation in international law and since its inception in 1956, it has continued to be a symbol of unity, brotherhood and cooperation as advocated by the Bandung Conference.

63. Highlighting the importance of AALCO, the President mentioned that the AALCO should lead the fight against neo colonialism by ensuring that Africa and Asia are on equal footing with other continents when it comes to matters of economic dimension. This could only be achieved if Member States would continue to support the Organisation by involving it in all matters pertaining to the economic interests of the countries. The Organization should carry on tirelessly its role of providing advice to Member States in all international matters of legal nature. The true economic liberation of Asia and Africa would not be achieved unless the people continued to unify their prowess. The Organization should be used as a forum of forming a common understanding of matters of international law affecting us. By so doing, we would continue to have a common voice in all international fora and our opinion will be much respected.

**N. Visit by Dr. A. Rohan Perera, Member, International Law Commission, Sri Lanka to AALCO Headquarters (1 April 2011)**

64. On 1 April 2011, Dr. A. Rohan Perera, Member of the International Law Commission and Advisor on International Legal Affairs, Ministry of Foreign Affairs, Sri Lanka, visited the AALCO Headquarters. A meeting was held with the distinguished guest in the presence of Deputy Secretaries-General of AALCO Dr. Xu Jie and Dr. Hassan Soleimani. Discussions were held in terms of the Proposal of the Secretary-General with regard to the formation of Eminent Persons Group (EPG) and other activities of the ILC that would be mutually beneficial for both the Organizations. Also there was a brief discussion on the preparations for the forthcoming session by the host government – Sri Lanka.

**O. Seminar on “Corruption, Ethics and Global Governance” jointly organised with O. P. Jindal Global University (6 May 2011, AALCO Headquarters, New Delhi)**

65. The AALCO, in cooperation with the O.P. Jindal Global University, Sonipat, Haryana, had organized a Seminar on “Corruption, Ethics and Good Governance” at the AALCO Headquarters, New Delhi on 6 May 2011. The Seminar was attended by around 25 participants which included Diplomats, Professors, Researchers and Students from various Universities. I had the honour to deliver the welcome address for the Inaugural Session of the Seminar. I mentioned that corruption has become a matter of great concern to the international community of States and highlighted the work of AALCO in the area of corruption. The theme of the Seminar was introduced by Prof. C. Raj Kumar, Vice Chancellor, O. P. Jindal Global University, wherein he narrated the vice of corruption undermining a host of phenomenon like the institution of democracy, rule of law, human rights and others.

66. Prof. Charles Sampford, Director of the Institute for Ethics, Governance and Law and President, International Institute for Public Ethics, remarked that corruption could not be dealt with by law alone and that it needed to be tackled with various means. While giving a detailed account about the creation of the National Integrity Systems which are key to governance reform and the fight against corruption, he observed that integrity and corruption are conceptually linked terms – with one the obverse of the other. The address was followed by a number of presentations made by the faculty members of the O. P. Jindal Global University focusing on diverse areas of corruption and corrupt practices. Dr. Xu Jie, the Deputy Secretary-General of AALCO proposed a vote of thanks on behalf of AALCO and CRT.

**P. Meetings of the Liaison Officers of AALCO Member States**

67. During the period under Review the 307<sup>th</sup>, 308<sup>th</sup>, Resumed 308<sup>th</sup>, 309<sup>th</sup>, 310<sup>th</sup> and 311<sup>th</sup> Meetings of the Liaison Officers of AALCO Member States took place respectively



on 25 August 2010<sup>6</sup>, 29 September 2010<sup>7</sup>, 1 December 2010<sup>8</sup>, 30 March 2011<sup>9</sup> 27 April 2011<sup>10</sup> and 25 May 2011. During these Meetings, the Liaison Officers reviewed the substantive, organizational and financial matters related to AALCO.

## **Q. Publications**

68. The AALCO, since its inception, has regularly been bringing out publications such as Reports and Verbatim Record of the Annual Sessions, Special Reports on various topics of international law, Proceedings and Reports of various Meetings and Seminars held by AALCO, and Commemorative Volumes of Essays in International Law etc.

69. The serials brought out by the Secretariat are: Yearbook of the Asian-African Legal Consultative Organization, AALCO Quarterly Bulletin, and Newsletter: Asian-African Legal Consultative Organization which reflects on the current activities of the Organization.

### **1. Yearbook of the Asian-African Legal Consultative Organization**

70. The annual report of the Organization re-named as the “Yearbook of the Asian-African Legal Consultative Organization”, is being published by the Secretariat since 2003 (Volume I) and is in the Eighth year of publication. The Yearbook provides comprehensive information about AALCO, its activities, and Secretariat studies prepared on the agenda items during the year, summary of deliberations and the resolutions adopted at the Annual Session. In addition, it contains statements delivered by the Secretary-General and the Deputy Secretaries-General. In the last eight years, the Yearbook has established its place firmly among the publications of this stature. It has been well received by the Member States, international organizations, international lawyers and academics.

### **2. AALCO Quarterly Bulletin**

71. For wider dissemination of information, on the practice and developments relating to different subjects of International Law, AALCO, has been publishing, ‘Quarterly Bulletin’ since 1976 (Volume 1). In the year 1997 its name and periodicity were changed to ‘AALCO Bulletin’ brought out bi-annually, till 2001 (Volume 25). The Secretariat felt the need to re-structure the format and mode of this publication and after careful discussions and study, a totally overhauled publication in the new title, i.e; ‘AALCO Quarterly Bulletin’ was launched by beginning once again with Volume 1, Issue No. 1

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<sup>6</sup> The Minutes of this meeting are contained in AALCO Doc. LOM/M/307/25.8.2010

<sup>7</sup> The Minutes of this meeting are contained in AALCO Doc. LOM/M/308/29.9.2010

<sup>8</sup> The Minutes of this meeting are contained in AALCO doc. LOM/M/Res 308/1.12.2010

<sup>9</sup> The Minutes of this meeting are contained in AALCO doc. LOM/M/309/30 March 2011

<sup>10</sup> The Minutes of this meeting are contained in AALCO doc. LOM/M/310/27.4.2011

dated January-March, 2005 and is being published regularly.

72. The present AALCO Quarterly Bulletin (Vol.6, No. 1-4 (2010)) contains well-researched articles on international law; write-ups on selected current developments; and selected documents of relevance to the Asian and African States. The publication provides appropriate information to scholars and academics who are keen to obtain insights to the Organizations' work in promoting research in international law matters. In this respect, it is requested that the Member States support this publication by way of encouraging their international law scholars, law faculty, research scholars to contribute articles for this publication, especially reflecting the international law issues in the Asian and African regions.

### **3. Newsletter of AALCO**

73. In order to cover the recent meetings and other diversified activities of AALCO and to reflect upon the growing stature of the Organization, the Secretariat commenced publishing "Newsletter" from September 2004. The present Newsletter contains the most current news of AALCO and it keeps the Member States abreast with the latest developments.

### **4. Special Studies published**

74. The Centre in pursuance of its mandate to conduct an in-depth research on topics of international law published, "Essays on Contemporary Issues in International Law" (2009); Golden Jubilee volume titled "Commemorative Essays in International Law" (2007) and four Special Studies namely: "The Concept of International Terrorism" (2006); "Rights and Obligations under United Nations Convention against Corruption" (2006); "Combating Corruption: A Legal Analysis" (2005) and "Special and Differential Treatment under WTO Agreements" (2003).

#### **1. *The Blockade of Gaza and its International Legal Implications: Report of the Seminar and Select Documents***

75. A Seminar on "The Blockade of Gaza and its International Legal Implications" was held on 16 July 2010 at the AALCO Headquarters, New Delhi. Among the panellists, H.E. Dr. Mohamed Abdel Hamid Higazy, Ambassador of the Arab Republic of Egypt in India; H.E. Mr. M. Levent Bilman, the Ambassador of the Republic of Turkey in India; H.E. Dr. Ahmed Salem Saleh Al-Wahishi, the Chief Representative of League of Arab States in India; and Prof. Achin Vanaik, Head, Department of Political Science, University of Delhi and myself made presentations. These presentations were followed by discussion to which the participants contributed valuably and exchanged their opinions with the Panelists. As a follow up, "The Blockade of Gaza and its International Legal Implications: Report of the Seminar and Select Documents" was

released by the Ambassador of the United Republic of Tanzania on 15 November 2010 at the AALCO Headquarters, New Delhi.

**2. *Asian-African Perspectives on International Law in the Post Westphalian Era: Some Reflections***

76. It gives me immense pleasure to inform that I have authored a book entitled “Asian-African Perspectives on International Law in the Post Westphalian Era: Some Reflections” which was released by the H. E. Y.A.B. Tan Sri Dato’ Hj Muhyiddin Bin Mohd Yassin, the Deputy Prime Minister of Malaysia on 11 March 2011 in New Delhi. The book contains a collection of articles dedicated to the work of the Asian-African Legal Consultative Organization (AALCO) in the promotion of progressive development of international law since its inception in 1956.

**3. *Publication to Mark the Fiftieth Annual Session of AALCO***

77. A commemorative volume comprising of research articles on various branches of International Law authored by the Secretary-General, Deputy Secretaries-General, and Legal Staff of the AALCO Secretariat will be released during the Fiftieth Annual Session of AALCO to be held in Colombo, Sri Lanka from 27 June to 1 July 2011. A similar publication entitled “Essays on Contemporary Issues in International Law” was released during the Forty-Eighth Annual Session of AALCO held in Putrajaya, Malaysia in the year 2009.

**R. The Secretariat**

78. Apart from the Secretary-General (Malaysia), two Member Governments, namely, the People’s Republic of China, and Islamic Republic of Iran have offered assistance to AALCO by deputing their senior officials to the Secretariat on secondment. Deputy Secretaries-General, Dr. Xu Jie (People’s Republic of China), and Dr. Hassan Soleimani (Islamic Republic of Iran) have been rendering exemplary services to the Secretariat. I wish to place on record my gratitude to these Member Governments for rendering such valuable assistance, and also wish to express my deep appreciation for the dedicated services of these officials deputed to the AALCO. Dr. Yuichi Inouye from Japan has successfully completed his tenure as Deputy Secretary-General with the AALCO Secretariat in September 2010. I wish to place on record appreciation of his services to the AALCO Secretariat.

79. The number of the locally recruited staff (permanent category) in the Secretariat is 14 as of 15 May 2011. The Legal Staff comprises one Assistant Principal Legal Officer, one Senior Legal Officer, and three Legal Officers. The remaining staffs are in the administrative and supporting category. After completing almost three decades of service in the AALCO Secretariat, one employee, Mr. Jagannath Sharma, Senior Office Assistant retired from service. Mr. Shikhar Ranjan resigned from the post of Senior Legal Officer

to join as Law Officer in the Medical Council of India. I wish to place on record appreciation of their useful services to the Secretariat. As of now, these positions remain vacant and no fresh appointments have been made.

#### **S. Report of the Permanent Observer Mission of AALCO at the United Nations Offices**

80. It may be recalled that vide AALCO/RES/48/ORG. 1, dated 20 August 2009, adopted at the Forty-Eighth Annual Session of AALCO had endorsed my proposals pertaining to the “Strengthening of Permanent Observer Missions of AALCO at the United Nations Offices in New York, Geneva and Vienna”, outlined in my Report.

81. Dr. Roy S. Lee had been appointed as the Permanent Observer of AALCO at the United Nations Headquarters in New York in 2009. However, the Permanent Observer of AALCO to the United Nations Offices in Geneva could not be accomplished last year due to some logistic issues. It is my considered opinion that AALCO’s presence in Geneva also needs to be strongly felt as it is the seat of the International Law Commission, several UN Offices and the World Trade Organization. Therefore, for activating the Permanent Observer Mission at the UN Office in Geneva, adoption of some new measures are required.

82. In this regard, I would like to inform that Dr. Roy S. Lee, Permanent Observer of AALCO at the United Nations Headquarters in New York has circulated and initiated “AALCO Meetings to Introduce Candidates for election to Judicial Bodies” on 9 May 2011, like the International Court of Justice (ICJ), International Law Commission (ILC), International Tribunal of the Law of the Sea (ITLOS), and International Criminal Court (ICC). The meetings would be held in UN Headquarters, New York during the months of May and June 2011.

83. Concerning the Permanent Observer Mission of AALCO at Offices in Vienna and UNIDO, Mrs. Christine J. Nemoto has been continuing her work. In future, the possibility of establishing a Permanent Observer Mission of AALCO at the United Nations Offices in Nairobi can also be explored.

84. I have been endeavouring to ensure a close working relationship between the AALCO Secretariat and these Permanent Observer Missions at various UN Offices. In this regard, subject to availability of financial resources, I also propose deputing Legal Officers to these Missions, particularly during the Annual Session of International Law Commission at Geneva to render assistance to Asian-African Members of the Commission, as well as during the Annual Session of UN General Assembly in New York.

## **T. Report on the Functioning of the Centre for Research and Training**

85. The “Data Collection Unit”, which had been set up in the Secretariat in 1992, was renamed as the “Centre for Research and Training (CRT)” following a decision taken at AALCO’s Fortieth Annual Session in 2001. The Centre has been engaged in activities to strengthen its research programme and disseminate information on AALCO, inter alia, by organizing training programmes/seminars for Member States officials, bringing out special studies on the issues of international law of common concern, strengthening its website and electronic communication facilities. AALCO’s website is being constantly updated. I am happy to inform that in the January 2011, the CRT had organized the Training Programme on International Humanitarian Law in cooperation with the ICRC. Also, a Training Workshop on the World Trade Organization was organized in cooperation with the WTO Secretariat in March 2011. Simultaneously, to encourage Law students to learn the working of an Inter-governmental organization, the CRT runs an Internship programme. During the period under review nine students have successfully completed their internship with the AALCO Secretariat. I thank them for their contribution to the work of the AALCO Secretariat. The CRT encourages law students from the Member States to apply for AALCO’s internship programmes. Currently, the Secretariat is not in a position to provide them honorarium and accommodation facilities.

86. The activities of the CRT need to be further strengthened and in this regard, I propose that Member States may consider providing voluntary contributions, in addition to the regular annual contribution for steering its activities. Such contributions would be earmarked in a separate fund and utilized only for the work of CRT. A detailed report of the Centre for Research and Training is available in the document No: AALCO/50/COLOMBO/2011/ORG 4, Report on the Centre for Research and Training of the AALCO.

## **U. AALCO’s Draft Budget for the year 2012**

87. The Draft Budget for the year 2012 has been prepared on the basis of the Revised Scale of Assessed Contributions adopted by the Member States of the AALCO at the Forty-Eighth Annual Session, held in Putrajaya, Malaysia from 17 to 20 August 2009. The proposed Draft Budget for the Year 2012 was circulated to all the Liaison Officers during the Resumed 308<sup>th</sup> Meeting. It was adopted at the 310<sup>th</sup> Meeting of the Liaison Officers held on 27 April 2011. In accordance with Rule 24 (4) of the Statutory Rules of AALCO it has to be finally approved by the Annual Session.

## **V. Revision of the Statutory Rules of the Organization**

88. It may be recalled that the Nairobi Session vide RES/44/ORG 6 adopted on 1 July 2005, had mandated the Secretary-General after due consultation with the Committee of Liaison Officers for the revision of Statutory Rules, to prepare revised draft of the

Statutory Rules. An in-house Committee within the Secretariat is currently engaged in revising the Statutory Rules. This Committee is doing a thorough Rule-by-Rule examination of the present Statutory Rules and once it completes its work the same would be submitted to the Liaison Officers Meeting before being placed for consideration at an Annual Session. I would also like to add that the Secretariat welcomes any input for the consideration by this Committee.

## **W. Membership**

89. 47 States are presently Members of AALCO. As regards, increasing the membership base of AALCO, I would like to express my gratitude to Her Excellency Ms. Celina O. Kombani, the Minister of Constitutional Affairs and Justice, United Republic of Tanzania and the President of the Forty-Ninth Annual Session of AALCO for her efforts in requesting her counterparts in the Governments within the region for becoming Members of AALCO. Along with my Deputies, earnest efforts are being made especially for Central Asian countries to enhance the membership of the Organization. In this regard, Government of Equatorial Guinea, has shown keen interest towards becoming AALCO's Member States.

90. In relation to Membership of the Organization, I would like to once again invite the kind attention of Member States towards the membership of Lebanon. Although, it is the understanding of the Secretariat that Lebanon is a Member State of AALCO since 1999, a communication received in 2009 from the Government of Lebanon states that Lebanon is not a Member State of AALCO. On a positive note, the same communication states that the Embassy of Lebanon was looking towards a future cooperation with AALCO. Accordingly, I have been working with the present Ambassador of Lebanon in New Delhi to ensure that Lebanon remains the Member State of AALCO. I do sincerely hope that such efforts would bear positive results at the earliest.

**V. STRENGTHENING THE COOPERATION WITH THE UNITED NATIONS, ITS SPECIALIZED AGENCIES AND OTHER INTERNATIONAL ORGANIZATIONS**

**A. Cooperation between the United Nations and the Asian-African Legal Consultative Organization**

91. It may be recalled that the United Nations General Assembly vide its Resolution 35/2 of 13 October 1980, had requested the AALCO to participate in its sessions and work in the capacity of observer. Since then AALCO has been actively participating as an Observer in the work of the UN General Assembly. Following the adoption of new pattern by the General Assembly, the item pertaining to the Cooperation between the Asian-African Legal Consultative Organization and the United Nations is considered on a biennial basis. Dr. Roy S. Lee, Permanent Observer of AALCO to the United Nations Offices in New York, represented the Organization and updated the sixty-fifth session of the United Nations General Assembly on AALCO's activities and work progress.

92. It also decided to place the item for the consideration of its sixty-seventh Session in 2012. Accordingly, the item would be considered at the forthcoming Annual Session of the UN General Assembly. The AALCO would be represented during the consideration of the item and I urge the Member States to participate during the deliberations on this item in the UN General Assembly.

**B. Strengthening the Cooperation with Specialized Agencies and other International Organizations**

93. From the very beginning, it has been a privilege for AALCO to work in cooperation with the United Nations, its Specialized Agencies and other International Organizations. As envisaged in its Statutes, such co-operation began with the International Law Commission. Subsequently, on matters concerning Status and Treatment of Refugees, AALCO and UNHCR established close relations. With its involvement in International Trade Law matters, AALCO initiated its cooperative arrangements with UNCITRAL, UNCTAD, UNIDO and other Inter-governmental Organizations, such as the UNIDROIT and the Hague Conference on Private International Law. However, a great impetus was given to such cooperative arrangements with the according of Permanent Observer Status to AALCO by the United Nations in 1980. As a follow-up, Agreements were concluded with the United Nations, IMO, IAEA, UNIDO, UNEP, and UNITAR. AALCO also concluded similar co-operation agreements with International Organizations, which include, Council of Europe, Commonwealth Secretariat, League of Arab States and the African Union (formerly Organization of African Unity).

94. In August 2000, a Cooperation Agreement was signed between AALCO and WIPO. In 2001, Memorandums of Understanding (MoUs) were signed with International

Organization for Migration (IOM), Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations University (UNU). In 2002, similar MoUs were concluded with the UNHCR and ICRC. The Cooperation Agreement with the ICRC entered into force in July 2003. In September 2004, administrative arrangements for cooperation between the International Tribunal for the Law of the Sea and AALCO were formalized. At the Nairobi Session (2005), a revised and revitalized Memorandum of Understanding with the United Nations Environment Programme (UNEP) was signed. In February 2008, a Memorandum of Understanding between the AALCO and the International Criminal Court (ICC) was concluded.

95. In October 2009, a Memorandum of Understanding was concluded between the Secretariat of AALCO and the Institute of International Law of Wuhan University of the People's Republic of China. During the Forty-Ninth Annual Session of AALCO at Dar es Salaam, United Republic of Tanzania in 2010, a MoU was concluded with the International Council of Environmental Law (ICEL).

96. Other Organizations with which process may be initiated include the World Trade Organization (WTO), Organization for Islamic Conference (OIC), Non-Aligned Movement (NAM), the Association of South East Asian Nations (ASEAN), the Asia Pacific Economic Cooperation (APEC) and other regional groupings of North and Latin American countries.

97. I wish to add that these cooperation agreements provide very useful basis for organizing joint meetings and seminars on topics of mutual interest with these Organizations. These Organizations provide funds for the participation of resource persons and experts, which enrich the deliberations in the AALCO meetings. AALCO's financial commitments are minimum. I believe this is a very practical way to enhance AALCO's activities and broaden its base of research activities.

98. In this regard, I would like to mention that two special meetings on: (i) Trafficking of Women/Children, Migrant Workers and Protection of Children; and (ii) International Commercial Arbitration are being jointly organized by the Government of Sri Lanka and AALCO with the IOM/UNICEF respectively.



## **VI. PLAN OF ACTION FOR THE COMING YEAR**

99. It has been my privilege and honour to work as the Secretary-General of the Asian-African Legal Consultative Organization. I would like to take this opportunity to reiterate my gratitude to the Member States for the kind support and confidence they have reposed in me. I would do my best to keep alive the Bandung spirit of friendship, cooperation and solidarity amongst Asian-African States. As a strong votary for enhancing the participation of Afro-Asian countries in the progressive development and codification of international law, I would work strenuously to increase the influence of Asian-African States in the international legislative process.

100. The task entrusted upon me is a challenging one. It would be my constant endeavour to meet the growing expectations of the Member States and re-orient AALCO's activities in such a way so that it could provide more beneficial and useful services to them. Some of the steps that I propose to take in the coming year include:

### **A. Establishing Collaboration with Educational Institutions/Universities**

101. As regards further expanding the research activities in AALCO, I would like to take measures to collaborate with Educational Institutions/Universities within and outside India. In furtherance of this proposal, within India, two institutes with whom I plan to undertake research projects are O. P. Jindal Global Law University, Sonapat, Haryana and Gujarat National Law University, Gandhinagar, Gujarat. Moreover, I have already taken measures to organise a workshop in the month July in Malaysia on one of the relevant agenda item of AALCO for which I am contacting the Deans/Directors of various law schools in Malaysia.

### **B. Expanding Internship Projects in AALCO**

102. It has been my earnest endeavour to give opportunity to students from abroad and India to gain experience in AALCO through internship projects. In order to expand this venture, I would like to include also staffs of various educational institutions/universities. We look forward for university staff also joining AALCO in research projects as interns in future.

### **C. Improving the website of AALCO**

103. It is essential to note that AALCO's website ([www.aalco.int](http://www.aalco.int)) has been regularly updated and reviewed to match the standards of other international organizations. Towards this end, all the recent activities and programmes undertaken within AALCO and documents pertaining to them have been uploaded on the website at the earliest. In this regard, to facilitate the Arabic speaking Member States of AALCO and utilising the Arabic Fund, next year I propose to appoint an Arabic interpreter/translator to update the website in Arabic language.

**D. Preparation of the Studies on the Items on the Agenda of AALCO**

104. As regards, the preparation of the Studies on the Items on the Agenda of AALCO, the preparation of these would be in accordance with the mandate received from the Fiftieth Annual Session of AALCO.

**E. Preparation of Studies on Selected Items on the Agenda of the Sixty-sixth Session of the United Nations General Assembly**

105. Following the established practice, with a view to assisting Member States in their participation at the Sixty-sixth Session of the General Assembly, in particular the Sixth Committee, the Secretariat would prepare studies on selected items on the agenda of the Sixty-sixth Session of the General Assembly.

**F. Participation in International Meetings**

106. Representation of AALCO and ILC at each other's Annual Session has now become a customary practice. Following that I would be attending the Sixty-fourth Session of the International Law Commission and would present an overview of the discussions at the Fiftieth Annual Session of AALCO. In addition, I would also represent the Organization at the Sixty-sixth Session of the UN General Assembly. Another meeting, which I shall be convening, would be the AALCO's Legal Advisers' and AALCO-ILC joint meeting on the sidelines of the Sixty-sixth Session of the UN General Assembly in New York. Subject to availability of funds AALCO might be represented at one or two other international meetings where its participation would be useful.

**G. Capacity Building Programmes**

107. Buoyed by the success of the "Training Workshop on the World Trade Organization" that took place at the AALCO Secretariat in New Delhi from 28 March to 1 April 2011 and the "Basic Course on the World Trade Organization", that took place at the Secretariat in New Delhi in 2010, efforts are underway to make it a annual feature of AALCO activities. The WTO Secretariat as well as the Indian Institute of Foreign Trade (IIFT) has indicated its desire to join hands with the AALCO in this regard. The International Committee of Red Cross (ICRC) has also evinced continued interest in holding a programme on International Humanitarian Law next year also.

108. E-commerce is an emerging field of international law, which can be very useful to our Member States. The Secretariat proposes to strengthen its cooperation with the UNCITRAL and UNCTAD and other International Organizations dealing with International Trade Law. It is proposed that seminars or workshops could be held in cooperation with these Organizations on topics such as cyber law.

## **H. Strengthening the Library**

109. Library is the backbone for research activities of any Organization. Fortunately, in the new Headquarters building we have one full floor dedicated to the Library. It is equipped with adequate stacks and cupboards and work is in progress to scientifically organize, catalogue and place properly all the available resources. Subject to the availability of funds, online legal database, such as *Lexis Nexis*, *Westlaw* or *Hein Online* could be subscribed. Plans are also afoot to make a Digital Library.

## **I. Publications**

110. Publications of an organization are its face to the outside world. In order to ensure wider and periodic dissemination about the various activities of AALCO, the Organization has re-oriented its existing publications and provided them a new and more reader friendly look, apart from enhancing the quality and content of the publication. The advantages of digital revolution have to be ushered into the AALCO's publication policy and in this regard, I propose that most of the Secretariat publications are brought out in electronic format. Furthermore, I also plan to bring out some studies on topics of relevance to our Member States.

## **J. Proposals for holding Inter-sessional Meetings, Workshops and Seminars**

111. The Organization has several Cooperation Agreements in place and in this regard based upon mutual consultations and availability of resources, I propose to hold on topics of interest to the Member States inter-sessional meetings, workshops and seminars.

112. Looking ahead to "Rio+20"11 next year, preparations are underway at the international level wherein the meeting would focus on the areas of environmental information networking and information access through multi-stakeholder collaboration in order to keep the world environmental situation under review. The Conference will result in a focused political document. Rio+20 would be held from 4 to 6 June 2012 and the venue would be Rio de Janeiro, Brazil. The Conference would focus on: (a) green economy in the context of sustainable development and poverty eradication; and (b) the institutional framework for sustainable development. The objective of the Conference is to secure renewed political commitment for sustainable development, assess the progress to date and the remaining gaps in the implementation of the outcomes of the major summits on sustainable development, and address new and emerging challenges. In view of the importance of this conference, I propose to convene a seminar on this subject, before June next year.

## **VII. CONCLUDING REMARKS**

113. AALCO's contribution towards progressive development and codification of international law and rule of law in international affairs has been very crucial. While we step into another era in the history of AALCO, at its Fiftieth Annual Session, let us rekindle the Bandung Spirit of solidarity amongst the Asian-African States and work towards the betterment of peoples of our regions and at larger level to contribute to the well-being of humanity and humankind. In the coming year 2012, the AALCO would enter into the fifty-sixth year of its effective functioning towards achieving its objectives and mission of establishment. The Organization would hold its Fifty-first Annual Session, probably in a Member State from the African continent. One can say that during this long period, AALCO's journey has not been smooth, but for the immense support by its Member States, the Organization has witnessed tremendous progress. This in itself is demonstrative of the continued ideological relevance of the Organization. The voice of the people of the Afro-Asian region which is host to the largest part of the humanity needs to be echoed in various international fora. In this regard, towards enhancing the work of AALCO, I am convinced that our Member States would encourage and contribute for its future activities besides promising to place AALCO on a sound financial footing.

## ANNEX I

SECRETARIAT'S DRAFT  
AALCO/RES/DFT/50/ORG 1  
1 JULY 2011

### REPORT OF THE SECRETARY-GENERAL ON ORGANIZATIONAL, ADMINISTRATIVE AND FINANCIAL MATTERS

#### *The Asian-African Legal Consultative Organization at its Fiftieth Session,*

**Recalling** the functions and purposes of the Organization as stipulated in Article 1 of the Statutes of AALCO;

**Having considered** the Report of the Secretary-General on Organizational, Administrative and Financial Matters pursuant to Rule 20 (7) of Statutory Rules as contained in Document No. AALCO/50/COLOMBO/2011/ORG 1;

**Having heard** with appreciation the introductory statement of the Secretary-General on the Report of the Secretary-General on Organizational, Administrative and Financial Matters;

**Also having heard** with keen interest and appreciation the statements of the Heads of Delegations of AALCO Member States on the Report of the Secretary-General;

**Appreciating** the efforts of the Secretary-General to enhance the activities of the Organization and to implement its work programme as approved at its Forty-Ninth Annual Session held in Dar es Salaam, United Republic of Tanzania, from 5 to 8 August 2010;

**Also appreciating** the continued practice towards the rationalization of its work programme, including consideration of the agenda items during its annual sessions;

**Taking note** of the Putrajaya Declaration on Revitalizing and Strengthening the Asian-African Legal Consultative Organization; and the Action Plan as explained in Document No. AALCO/ES (NEW DELHI)/2008/ORG.1 adopted by the Extraordinary Session of AALCO Member States held on 1 December 2008, in New Delhi (Headquarters), India;

**Welcoming** the efforts by the Secretary-General for Revitalizing and Strengthening the AALCO;

**Noting with satisfaction** the increased co-operation between the Organization and the United Nations and its Specialized Agencies, other international organizations and academic institutions:

1. **Approves** the work programme of the Organization as set out in the Report of the Secretary-General and urges Member States to extend their full support to the implementation of that programme;
2. **Requests** the Secretary-General to continue his efforts and explore the ways and means to enlarge the Membership of the Organization in Asia and Africa, in particular, to increase the representation from the African States and Central Asian States;
3. **Encourages** Member States to make voluntary contributions to support the capacity building activities under the approved work programme of the Organization; and
4. **Further requests** the Secretary-General to report on the activities of the Organization at its Fifty-First Annual Session.

## ANNEX II

### AALCO EMINENT PERSONS GROUP

#### I. Background

1. The Asian-African Legal Consultative Organization was established in 1956, as an institutional outcome of the Bandung Conference, to serve as an Advisory Body of Legal Experts, to deal with problems referred to it by its Member States, and to help in exchange of views and information on matters of common concern among the Member States. The functions and purposes of the Organization are stipulated in its Statutes and Statutory Rules. The subjects on the agenda had kept pace with the contemporary subjects in international law and were mainly the issues also being dealt with by the United Nations.

2. After 54 years of having performed its functions to the satisfaction of its 47 Member States and as it would convene its Fiftieth Annual Session in Sri Lanka in 2011, the time has come to reinvigorate and revitalize the Organizations functioning in consonance with the changing times and reality of today and to place it on a firmer footing among the fraternity of International Organizations.

3. It may be recalled that during the Forty-Eighth Annual Session, held in Putrajaya, Malaysia in 2009 the “Putrajaya Declaration on Revitalizing and Strengthening of the Asian-African Legal Consultative Organization was adopted on 20<sup>th</sup> August 2009.<sup>11</sup> By virtue of that Declaration, Member States had *inter alia* reaffirmed their commitment to the Organization and recognized its significant contribution towards strengthening Asian-African solidarity, particularly in the development and codification of international law. They had envisioned revitalizing and strengthening AALCO so as to ensure that it remains the “main centre for harmonizing the actions of the Asian-African States in international legal matters”.

4. Thus, the Secretary-General in his “Report on the Work of the Asian-African Legal Consultative Organization”<sup>12</sup> presented at the Forty-Ninth Annual Session, held in Dar es Salaam, United Republic of Tanzania (5-8 August 2010) had proposed the establishment of an “**AALCO Eminent Persons Group (EPG)**”, as one of the initiatives in order to implement the aforementioned Declaration in letter and spirit. This proposal of the Secretary-General, had been endorsed by the Forty-Ninth Annual Session, vide Resolution AALCO/RES/49/ORG 1, which was adopted on 8<sup>th</sup> August 2010.

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<sup>11</sup> AALCO/RES/48/DEC

<sup>12</sup> AALCO/49/DAR ES SALAAM/2010/ORG 1.

5. It is important to note that parallels of Eminent Persons Groups can be found within the UNCTAD<sup>13</sup> and ASEAN<sup>14</sup>.

## **II. AALCO Eminent Persons Group (EPG):**

6. It is important to bear in mind that the EPG could serve as an informal guidance mechanism, “Advisory Body”, for the Secretary-General to steer the work of the Organization. The aim of this group should be to suggest to the Secretary-General the short, medium and long term measures needed for the substantive work and financial well being of the Organization.

### **A. Objectives and Aims of the EPG**

- \* How to explore ways and means to implement the aims and aspirations as set out in the AALCO Statutes, especially the “Putrajaya Declaration on Revitalizing and Strengthening of the Asian-African Legal Consultative Organization”.
- \* Even though the principles adopted by the Leaders during the Bandung Conference guide the Member States, the present era offers great opportunities yet poses challenges for the developing world. Thus, this group could go into the relevance of the present substantive agenda of the Organization and suggest new areas of common concern.
- \* Suggest appropriate ways and means to revitalize and strengthen AALCO as the main centre for harmonizing the actions of Asian-African States in international legal matters, thereby enabling it to contribute effectively to realize the functions and purposes of the Organization.
- \* To act as the think tank for providing new ideas to the Secretary-General on strengthening existing Agreements and Memorandum of Understanding with international organizations and suggesting newer areas for cooperation.
- \* Suggest ways to make our presence stronger in the United Nations.
- \* Suggestions on enlarging the Membership base of the Organization to include more states from Africa and Asia especially in Central Asia and the ASEAN countries.
- \* To suggest concrete ways to alleviate the financial situation of the Organization.
- \* Any other matter.

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<sup>13</sup> <http://www.unctad.org/Templates/Webflyer.asp?docID=6987&intItemID=3611&Lang=1>

<sup>14</sup> [http://en.wikipedia.org/wiki/ASEAN\\_Eminent\\_Persons\\_Group](http://en.wikipedia.org/wiki/ASEAN_Eminent_Persons_Group)



**B. Criteria for selection and appointment to the EPG**

- \* The EPG would be a group of highly distinguished and well respected persons from Asia and Africa. They should have a rich knowledge of international law and relations and/or should also have a rich experience in diplomacy as well as the functioning of international organizations.
- \* The Secretary-General would be a member of this Group and he would select the other Members of the Group, in consultation with the relevant Member States, academic institutions and International Organization, comprising of maximum 8 persons from the following categories:
  - 1) 1 representative each from Asia, Africa and the Middle East.
  - 2) 2 ILC Members (serving or former) from Asia and Africa.
  - 3) 2 eminent professors of international law from Asia and Africa.
  - 4) 1 representative from an international organization.
- \* The EPG would elect its own Chair
- \* In order to have focused and cohesive discussions the maximum number of persons in the Group should not exceed 9 including the Secretary-General.
- \* The members of the EPG would participate in their personal capacities.

**C. Functions of the EPG**

- \* The EPG may identify issues of common concern and formulate a strategy on how to proceed with the work on such issues.

**D. Methodology of Meeting of the EPG**

- \* The First Meeting of the EPG could be convened in the AALCO Headquarters in New Delhi in December 2010 or January 2011. At that meeting the EPG could decide on how to proceed with its work.
- \* Thereafter the EPG would decide its next meeting which could probably be in the country of the elected Chair of the Group or as the EPG decides.
- \* The EPG could present its first report at the Fiftieth Annual Session to be held in Sri Lanka in 2011.

**E. Finances of the EPG**

- \* All the members of the EPG would have to bear their own traveling and accommodation expenses.

*Annex I*

## **(1) A Short note on the UNCTAD Panel of Eminent Persons**

In October 2005, the UNCTAD Secretary-General Mr. Supachai Panitchpakdi announced the establishment of a Panel of Eminent Persons, to advise him, in the personal capacity of its members, on how to enhance the development role and impact of UNCTAD. The Panel looked at what strategies UNCTAD could follow in order to fulfill its development mission and mandates as contained in the Bangkok Plan of Action and the Sao Paulo Consensus.

The UNCTAD Panel of Eminent Persons was asked to focus on how to improve the functioning of UNCTAD and how to strengthen its development role and impact.

Eight internationally renowned personalities accepted the Secretary-General's invitation to participate in their personal capacities in the group.

- \* **Fernando Henrique Cardoso** (Chair of the Panel), Former President of the Federative Republic of Brazil;
- \* **Dr. Gro Harlem Brundland**, Former Prime Minister of Norway;
- \* **Jagdish Bhagwati**, University Professor of Economics and Law at the Columbia University;
- \* **Joaquim Alberto Chissano**, Former President of the Republic of Mozambique;
- \* **Tarja Halonen**, President of the Republic of Finland;
- \* **Yongtu Long**, Secretary-General of the Boao Forum for Asia;
- \* **Benjamin Mkapa**, Former President of the United republic of Tanzania; and
- \* **Lawrence H. Summers**, President of Harvard University.

After six months the Chair of the Panel transmitted to the UNCTAD Secretary-General, its report entitled: “**Enhancing the Development Role and Impact of UNCTAD**”. The report presented the result of the Panel's work. It neither took a holistic nor exhaustive approach to the issues at hand. Rather, it advanced a number of ideas that addressed in a coherent framework the problems and challenges facing UNCTAD. It was meant to deal with strategic issues of the organization that reflected the current thinking on development challenges and the new environment presented by the globalizing world. It was intended to be a forward looking report with pragmatic proposals.

### *Annex II*

## **(2) UNCTAD Group of Eminent Persons on Non-Tariff Barriers (NTB's)**

On 9<sup>th</sup> May 2006 the UNCTAD Secretary-General announced the establishment of a Group of Eminent Persons on Non-Tariff Barriers (NTB's) drawn from Governments, international organizations, academia and civil society. The Group worked through 2007

and addressed key technical and developmental issues arising from NTB's, which were a growing obstacle to international trade.

Seven personalities internationally renowned for their expertise on trade issues accepted the Secretary-General's invitation to participate in their personal capacities in the group.

The UNCTAD Secretariat serviced the activities of the Group of Eminent Persons. The group was also supported by a team of resource persons drawn from relevant international organizations.

The Group had the following terms of reference:

- \* To make recommendations on the definition, classification and quantification of the NTB's;
- \* To define elements of, and draw up a substantive work programme relating to the collection and dissemination of NTB data, with a special focus on issues and problems faced by developing countries;
- \* To provide guidance on the further strengthening of UNCTAD TRAINS database;
- \* To receive and make recommendations on capacity-building and technical cooperation activities in favour of developing countries in the area of NTB's;
- \* To provide policy advice on inter-agency collaboration and coordination on activities relating to NTB's;
- \* To promote cooperation with the donor community; and
- \* To prepare comprehensive recommendations on follow-up to its work.