

Statement by Ambassador Dr. Wafik Z. Kamil, Secretary General, Asian-African Legal Consultative Committee at the 55th Session of the General Assembly on Wednesday, 25th October 2000

Mr. President, Excellencies, distinguished delegates and observers, Ladies and Gentlemen:

Mr. President, thank you for giving me the floor. It is indeed an honour for me to address this august meeting. Destiny, Mr. President, has allowed me today on the eve of the dawn of the new millennium to address for the first time all along my diplomatic career the honourable representatives of our planet on the podium of the highest level Assembly. Allow Mr. President, to a diplomat who spent almost 40 years in his career witnessing, monitoring and participating at a certain level to world diplomacy and world events, to pay today after 55 years of immense efforts deployed by our United Nations for the sake of international peace and security, to pay the most respectful homage to all Secretaries General of United Nations and all previous Presidents of the General Assembly who guided the international community towards peace, stability, development, peaceful dispute settlement, respect for human rights, basic freedoms, who tried to the edge of the possible to relieve all who suffered in all corners of our planet from hunger, desertification, natural disasters, epidemics etc. and also Mr. President to all those who spared no efforts, good will and vigilance in combatting “Human plagues” who perpetrated horrors against their own brothers and sisters.

Mr. President,

When we look back to the events of the last century, both pride and shame engulf our thoughts. Tremendous advances were made in the fields of industry, technology, science and medicine, however there were two world wars and numerous conflicts, killing millions of people. The use of most destructive weapons of mass destruction – nuclear weapons shudders humanity even today.

Mr. President, just a few days back, on the historic occasion of the Millennium Summit more than 150 Heads of State and Government assembled in this very hall and spoke from this podium. The voices were many but the message was common – unity among diversity. Unity for the common goal of international peace, security and nuclear disarmament, protection of human rights and freedom, removal of poverty, disease and so on.

The Declaration adopted by the Millennium Assembly reaffirmed the faith in the United Nations and its Charter as indispensable foundations of a more peaceful, prosperous and just world. It recognised that while globalization offers great opportunities, however, at present benefits were unevenly shared and costs were unevenly distributed. This imbalance must be corrected. It is the corner stone of a ‘just world’ and the litmus test for the success of the efforts toward globalization.

The Assembly also resolved to strengthen respect for the rule of law in international affairs and to make the United Nations more effective in maintaining international peace and security.

We sincerely hope that the dawn of the new millennium would bring a new awakening and determination to make the world a safer and saner place for the present and future generations. Mr. President, in order to achieve this objective, it is envisaged that the United Nations will and should play the central role.

It is heartening to note that in this context the Assembly stressed the need to strengthen co-operation between the United Nations and regional organisations.

As a representative of a regional organisation who assumed the duties of Secretary General in May 2000, I would like to assure that the AALCC would not fail in its duty. It is committed to the ideals of the United Nations and is ready to share the responsibility in promoting effective implementation of various international Conventions in areas such as arms control and disarmament, humanitarian law and human rights, terrorism, drug trafficking, environment and other relevant areas.

In recognition of its role, the according of permanent observer status to the AALCC by the General Assembly of the United Nations in 1980 was a turning point in the history of the AALCC. It soon oriented its activities to suit the needs and aspirations of its member states.

When I prepared my statement which deals with the item "Co-operation between the Asian-African Legal Consultative Committee and the United Nations" I studied as a new Secretary General of AALCC the programme of co-operation in force between the World Organisation (UN) and AALCC which was agreed pursuant to General Assembly Resolution 36/38, 18 November 1981. That programme, besides establishing a co-operative framework for mutual consultation and representation identified areas such as Law of the Sea, refugees, strengthening the role of the United Nations, illicit traffic in Narcotic drugs, international economic co-operation for development and zone of peace and international co-operation for focussed attention between the two organisations. Over the years, a great deal of efforts has been made by the AALCC to implement these programmes. Time does not permit me to elaborate in details, I would only like to point out that the study prepared by the AALCC on the occasion of the 40th Anniversary of the United Nations, the AALCC's study promoting the role of the International Court of Justice, the establishment of the AALCC's Regional Arbitration Centres, were just few areas where AALCC has made useful contributions to supplement the work of the United Nations.

Concerning the existing co-operation between the UN and our Committee, I wish to state that the AALCC since its establishment in 1956 has been a major forum for co-operation among the States of the Asian-African regions on international law matters. Among the numerous subjects considered by the Committee, the Law of the Sea had and still has a distinct place. The concepts such as Exclusive Economic Zone and Archipelagic States had their origin in the deliberations in the AALCC. On many other subjects such as refugee law, human rights, international criminal court, environment, trade law matters, United Nations Decade of international law, the Committee made equally useful contributions.

Preparation of extensive studies to assist its Member States in participation in international legal conferences convoked under the auspices of the United Nations and on the selected items on the agenda of the annual session of the General Assembly of the United Nations became the regular activities of the AALCCC Secretariat. In addition, holding of annual meeting of Legal Advisers of AALCC Member States in New York and consideration of the item by the General Assembly on co-operation between the AALCC and the United Nations provided another opportunity to co-ordinate its activities with the United Nations. Since I have assumed the duties of the Secretary General, it has been my endeavour to strengthen the existing co-operation and find new areas in which the AALCC could supplement the work of the United Nations.

It has been the constant endeavour of the AALCC to promote wider acceptance of the United Nations Conventions. It will continue its focus on those 25 Conventions, in respect of which the United Nations Secretary General has made an appeal. It may not be out of place to mention here that apart from the United Nations, the AALCC has concluded co-operation agreements with several United Nations Agencies and other inter-governmental organisations such as the League of Arab States, Organization of African Unity, Commonwealth Secretariat, Council of Europe. The thrust of these agreements is to organise joint programmes and meetings on topics of current relevance. Invariably, the focus has been on promotion of wider acceptance of international conventions especially concluded under the auspices of the United Nations and its Agencies.

I would like to touch upon briefly some of the pressing issues which need urgent attention and which are included in our programme of co-operation. A problem which has assumed new dimensions and greater concern is international terrorism. The illicit drug trafficking, the smuggling of small arms, the nuclear terrorism etc., are complex issues which need urgent attention. The recently concluded Convention on Transnational organised crimes, which I hope will be adopted by the General Assembly of the United Nations this year, together with other international Conventions dealing with specific aspects of terrorism do provide useful legal framework. However, the need for a comprehensive and concerted approach can hardly be over emphasised.

In recent years a great deal of attention has been focussed on human rights issues. The implementation of international Conventions on these matters has raised some controversy. The basic concern of developing countries is the recognition of their right of development. Their priority is eradication of poverty, creating better health conditions, promoting education and more opportunities for employment of millions of their citizens. These perspectives should not be overlooked in determining the norms and legal niceties involved in the implementation of those Conventions.

Among the recent initiatives aimed at enhancing AALCC's role, the AALCC has embarked upon new programme areas. In order to highlight the importance of issues related to globalization, it has focussed its attention on the work of World Trade Organisation. The legal issues emanating from the information technology are being taken up in close co-operation with World Intellectual Property Organisation. In respect of refugee matters, the AALCC's 1966 Bangkok Principles on Status and Treatment of Refugees have been revised in consultation and

co-operation with the UNHCR. More recently, an agreement has been concluded with the International Organisation for Migration to give indepth consideration to migration issues. Closer co-operation with Human Rights Organisation is being established for initiating joint programmes. With a view to strengthen legal regime of non-proliferation and promoting the peaceful uses of nuclear energy in the Asian and African region, organisation of training course in co-operation with the International Atomic Energy Agency is under consideration.

A new initiative for which I wish to seek the approval from our Member States is to establish a comprehensive programme on energy and environment related matters.

The recent crisis created because of the steep hike in the oil prices has sent shock-waves throughout the world and it is a matter of equal concern for both the oil producing countries and the oil importers. There are suggestions to open a dialogue in a suitable forum to find an equitable and stable solution. Undoubtedly, it is a complex problem involving economic, trade, environment and other policy matters. The AALCC has the privilege of having major oil producers and oil consumers as its Member States. Keeping this in view, I wish to propose to our Member States to initiate a major programme with a view to study various aspects of this problem. We intend to establish an Environmental and Energy Law Centre (EELC) within the AALCC Secretariat. The main objective of the proposed Centre would be to collect, research and disseminate information related to various energy sources, examine the options for sustainable energy development, and in the light of the available information prepare viable legal guidelines and other policy options. The United Nations Framework Convention on Climate Change has been marking time over the Kyoto Protocol issues related to its adverse impacts on oil producers. This will be one area of priority. The proposed Centre would also examine the implications of the privatization and measures to promote transfer of technology in this vital field. Wider acceptance of environmentally related international conventions in the Asian and African region and preparation of model legislation to facilitate their implementation of the national level would be another important task of the proposed Centre. In order to avoid duplication, it would seek assistance and work in co-operation with other international institutions engaged in similar fields. Last but not the least, in order to promote settlement of energy related disputes, the AALCC's Regional Arbitration Centres established in Cairo, Kuala Lumpur, Lagos and Tehran would be asked to develop specialized rules and procedures for speedy settlement. They are already handling such cases. Our endeavour would be to streamline the procedure and provide less time consuming and cost effective dispute settlement mechanism. I sincerely hope that the United Nations and its Agencies would render all possible assistance to make this venture a success.

The high sounding words human dignity, equality and equity do not mean much for millions of hungry and poor people in many parts of the world. The problem of refugees and displaced persons continues to haunt humanity. The protection of civilians in armed conflicts, the scourge of left-over landmines in many parts of the world and the huge cost in their destruction are the other two issues of great concern.

Information technology has brought new revolution which has far reaching implications in bringing the world and the people closer to each other. However, the existing digital divide

between the developed and developing countries needs to be bridged. Then only, new knowledge based world economy would be the hall-mark of the twenty-first century.

Another issue of current importance is the globalization of the international economy. It has both advantages and disadvantages. The need of the hour is to tackle the adverse effects and make the transition smooth especially for the developing countries.

A closely related aspect which has crippled the economy and growth of many developing countries especially in the African continent is the debt burden. I appeal from this highest forum of mankind to the developed countries to take a pragmatic view and find a solution to this problem. The developing countries are not asking for charity. The legacy of long years of colonialism, the impact of frequent natural disasters and the competitive nature of today's international economic system leaves little choice for the lesser developed and developing countries.

The current energy crisis is not a new phenomenon. It occurs in cycles. We have so far failed to find a meaningful solution. Energy security now is the greatest challenge facing mankind in the dawn of new millennium. Unless there is a balance between the growth in consumption and sustainable development, ad hoc solutions would not be able to meet that challenge.

It is a matter of great satisfaction that considerable progress has been made with respect to chemical and biological weapons. However, there is a need to take new initiatives to deal with the problem of non-proliferation of nuclear weapons and its technology. The goal of elimination of nuclear weapons still remains elusive. We believe that convening of the special session of the General Assembly or an international conference on disarmament is overdue. It would give impetus to negotiations on pending issues on the cut-off treaty, international convention to ban the use of nuclear weapons as well as important confidence-building measures.

For all these highly important topics I am recalling the Declaration on the Enhancement of Co-operation between the United Nations and Regional Arrangements or Agencies in the maintenance of international peace and security adopted by the General Assembly on 9 December 1994 emphasised that the Regional Organisations can usefully complement the work of the United Nations in the maintenance of international peace and security especially to provide confidence building measures in their specific regions. The AALCC would be pleased to co-operate in the work of the UN and its Agencies related to exchange of information and making available legal experts from the Asian and African region.

Thank you very much.