

**SUMMARY RECORDS OF THE FIRST  
GENERAL MEETING (CONTD.)  
HELD ON TUESDAY, 4<sup>TH</sup> APRIL 2006  
AT 10:00 AM**

**H. E. Mr. Narinder Singh, President of  
the Forty-Fifth Session of AALCO in the  
Chair**

**General Statements (continued)**

1. The **Leader of Delegation of Japan** congratulated Mr. Narinder Singh, for being elected as the President of the Forty-fifth Annual Meeting of AALCO. He also thanked the Government of India for the warm welcome and gracious hospitality shown to all delegates. He also expressed his gratitude to the Secretary General of AALCO, Dr. Wafik Z. Kamil, and the Secretariat for the efforts in organizing the meeting. He said that he was honored to attend the historic meeting to commemorate the AALCO's 50<sup>th</sup> anniversary. And on behalf of the Government of Japan, he extended his heartiest congratulations on the celebrations of the Organization's Golden Jubilee.

2. He said that the Organization was one of the tangible fruits of 1955 Bandung Conference and Since then, AALCO functioned as the consultative body in the area of international law for Asian-African regions and played a significant role in developing international law. In the 50-year history, AALCO counted 47 Member States and was regarded as an important international legal forum, and he compared it to the Committee of Legal Advisers on Public International Law of the Council of Europe or the Inter-American Juridical Committee of the Organization of American States. Further, he said that AALCO was permitted to participate as an observer in the sessions and work of the UN General Assembly, and made a valuable contribution, from the viewpoint of Asia and Africa, to the work of codification. The International Law Commission treated AALCO as one of the main bodies in the

field of international law. He also extended Japanese Government's active support to the AALCO and hoped that it would play an important role in the development of the Organization.

3. He pointed out that the Asian-African summit in Indonesia last April, which commemorated the 50<sup>th</sup> Anniversary of the 1955 Bandung Meeting adopted the Asia-Africa New Strategic Partnership Declaration. The Declaration emphasized countries' need to abide by the principles of international law and the importance of a multilateral approach. In this regard, he urged that the AALCO should play an important role as a forum to promote regional cooperation in the field of international law.

4. The **Leader of Delegation** emphasized that the trans-boundary issues such as terrorism, trafficking in human beings, and environmental problems could be resolved solely through regional cooperation and he was of firm belief that AALCO should continue to address such problems from both global and regional perspectives and deepen discussions among Asian and African countries. He further underlined that what was expected there was not antipathy towards different cultures and civilizations, but finding common interests and promoting global cooperation.

5. He observed that the approach taken for 50 years in the Asia-African region, which was so rich in diversity, was essential in enhancing AALCO's role in the international community in the 21<sup>st</sup> century, where globalization was ever intensifying, and such universal values as freedom, democracy, and basic human rights were being appreciated in an increasing number of countries.

6. He said that to demonstrate its *raison d'etre* in the international community in this new millennium, that AALCO should strengthen its institutional

base. He said, however, that the organization's financial basis had not been sufficiently solid in recent years. Regrettably, the amount of arrears continued to increase. He believed that the arrears in contributions hindered sound activities of AALCO and he hoped for an early solution to this serious problem.

7. **The Leader of Delegation of United Republic of Tanzania** congratulated Mr. Narinder Singh for his election as President of the Forty-Fifth Session. He also felt great pleasure to be given a great opportunity to speak in the auspicious occasion, of the 50<sup>th</sup> anniversary of AALCO. He said he was blessed to be here on this great land of India, and to join their brothers on this historical celebration.

8. He expressed his heartfelt thanks to the hosts for their customary hospitality, which they had wholeheartedly extended, to him and his delegation. Beginning with the Indian High Commission at Dares Salaam, who did a wonderful job to ensure that his journey to New Delhi was successful, up with the marvelous arrangements by the Secretariat and the host Government, which they had witnessed at New Delhi. He also wished to thank the Vice President, Secretary General, and Secretariat staff for their tireless efforts to make the meeting a success, and their stay here in the great land of India enjoyable.

9. He observed that the Organization was marking its Golden Jubilee and throughout the fifty years of its existence, this Organization had witnessed enormous developments, in which we took pride to associate ourselves with the momentous achievements made by the organization. He emphasized that the most current achievement is the inauguration of AALCO's Headquarters Building which was going to be take place during this session, to mark the auspicious occasion of the 50<sup>th</sup> anniversary of AALCO. During fifty years of its existence, eventually, New Delhi had

been the home of this prestigious organization.

10. He extended his appreciation to the generous offers, which had been made by other countries to host the Headquarters. All that showed the commitment of the Member States have to the cause of the organization. He said that his country Tanzania, took the eventual decision to make India the home of this august organization, not as a failure by any other Member State, which had shown the interest to host the organization, but rather a victory of everyone involved. Further he highlighted that, after all, they had all along wished to have the headquarters. What was happening during that meeting was "a dream come true".

11. The Leader of Delegation pointed out that it has been seen in the past the Organization's good policy of solidarity among its fraternity. The Leadership and its meetings have regularly shifted in rotation between the Member States from the two continents. It was witnessed that issues which were submitted for discussion had always remained focused on the collective real needs of the Member States and "we have always had a relief on the way this organization braved the serious challenges that it had to face. We are all satisfied and gratified that this organization commands respect and the clout of prestige it deserves". He observed that an organization that has refused to whither or be distracted from its professional focus in order to articulate legal principles, which are of benefit to all its Member States. The organization has taken off from the Bandung Conference which articulated the well founded principle of the Right to self determination. And the Bangkok Principles on the Status and protection of refugees, were also a brain child of this organization: also have been well articulated and today they form part of the acceptable jurisprudence internationally. Most currently, topics regarding non-application of extra-territorial domestic legislation, protection of migrant workers and the long list of topics have been well

articulated by the organization. He also congratulated all the Member States. He said that it was not a surprise that the Committee that was conceived in 1956 had grown into a full fledged organization.

12. Before concluding, he paid tribute to the long chain of Leadership of the Organization, all the Secretaries General who had led this organization and remarked that they all go down to the books of History of the strides this organization had made. Each one of them had played a crucial role to ensure the survival, growth and the brilliant prestige of our Organization. He hoped that those who would participate in the celebration of the Diamond Jubilee would look back at us, to take prestige in the strides the Organization had made.

13. Once again, he thanked and commended the host Government, the Secretariat, under the able Leadership of Ambassador Kamil, together with his peers and all those who have had a hand in shaping the history of AALCO.

14. The **Leader of Delegation of Sudan**<sup>1</sup> congratulated the President and the Vice president for their successful election. He thanked the Secretary General for his sincere efforts in making all preparations for the Session. He also thanked the Government of India for its valuable gifting of the permanent headquarters to AALCO. He emphasized the importance of joining hands of cooperation among the Asian and African countries to have peace and stability. He said that the year 2005 was an important year for Sudan as there was peace in Sudan after many years of war. He said that now all guns were silent. Sudan was committed in promoting international law, constitutional democracy, pluralism and freedom from suppression and promoting human rights, full justice and equality. He said that all rights and duties were protected

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<sup>1</sup> Statement delivered in Arabic. Unofficial translation from interpreter's version

in accordance with the Constitution, which was circulated to the Member States. He said that the Darfur crisis did not start in 2002 but it was problem of 200 years struggle. He emphasized that weapons were coming from other countries and sold in Darfur for low prices, which escalated the war. The Leader of Delegation gave a picture of the real crisis in Darfur and its international responses. He also renewed the invitation to hold the Forty Sixth Annual Session of AALCO in Khartoum in the first quarter of 2007.

15. The **Leader of Delegation of Republic of Korea** said that it was a great privilege and honor to speak on behalf of the Government of the Republic of Korea, on the auspicious occasion of the golden jubilee of AALCO. He said that it was his second visit to India.

16. He said that every time he visited India, he was reminded of the graciousness of the famous Indian hospitality. It was perhaps an extension of the embracing nature of Indian philosophy. He also said that, as ever, he was deeply impressed by the kindness and charm of the people of India. On behalf of Delegation of the Republic of Korea, he expressed his deep gratitude to the Government of India for giving them the chance to enjoy the beauty of this country, by hosting the Forty-Fifth Session of AALCO in this delightful city of New Delhi.

17. The Leader of Delegation thanked Ambassador Dr. Wafik Kamil, the Secretary General of AALCO, and his Secretariat for their hard work in making this special session a memorable and successful event. He said that in addition to the normal agenda items, they have arranged the inauguration ceremony for the new headquarters building as well as three special meetings with other international organizations dealing with legal issues, which were both timely and relevant to AALCO Member States.

18. He was delighted to have two

occasions to celebrate – the golden jubilee of AALCO and the inauguration of its brand-new headquarters building. This setting, he believed, provided an opportune moment to refresh their memories of what they dreamt of when AALCO was founded fifty years ago, discovered where they stand now, and set the direction for the years to come. AALCO was the tangible outcome of the historic Bandung Conference held in Indonesia in April 1955. He pointed out that although half a century had passed since that celebrated Conference, they were acutely aware that the ideals of the previous leaders of the Asian and African countries, namely, freedom, justice and prosperity for all peoples of the world, still remain to be further achieved.

19. He quoted the great Indian poet, Tagore, who symbolized the Utopia that they have been dreaming of, in one of his poems, as the place “where the mind is without fear and the head is held high / where knowledge is free / where the world has not been broken up into fragments by narrow domestic walls”. We all share the same wish that our countries will awake “into the heaven of freedom”, that Tagore talked about, and he believed this common dream would enable them to overcome their differences. He said that the Forty-Fifth Session in New Delhi was an excellent forum, not only to exchange views on key issues in contemporary international law, but also to forge and nurture friendships between peoples from different regions of the world.

20. He said that the broad array of agenda items before us, from the law of the sea to refugees, human trafficking and terrorism, epitomized the challenges and uncertainties that they encounter in today's world. The Law of the Sea, among others, was an area to which AALCO had contributed greatly, by helping to incorporate new concepts for the governance of the oceans, including the Exclusive Economic Zones and the Archipelagic States, into *the 1982 United Nations*

*Convention on the Law of the Sea*. He observed that with the number of States Parties to the Convention reaching 149 countries and the US considering accession to it, its authority and universality seems to be at its peak. However, he cautioned that attention needed to be paid to the fact that the subtle balance reached at Montego Bay in 1982 was being challenged and that they might need to revisit the Convention in the near future. There were those dissatisfied with the laxity in enforcement under the current system and who emphasized the growing need for tighter enforcement at sea for the common good. He said that at present the world of today has a difficult task of balancing the freedom of the high seas and better governance at sea in the interest of community well-being in areas such as piracy, trafficking in drugs or people, conservation of the marine environment and fisheries etc. He underlined that the adoption of the amended *Convention for the Suppression of Unlawful Acts against Safety of Maritime Navigation (SUA)* at IMO last year seems to be an evidence of this trend.

21. The Leader of Delegation urged to heed the changing nature of the international environment and the role of international law as it faced new challenges. He said that we live in the age of globalization; the world had become more and more integrated and interacts like a global village. Interdependence and cooperation among nations and peoples were the dominant factors in this age of globalization. He observed that in the age of globalization, the traditional concept of sovereignty withered away. Instead, a new sovereignty came in. He said that the new sovereignty meant a State's membership and participation in international organizations in a globalized community. Thus, international law served as the core tool of global governance. He also said that, however, the Asian and African Regions were not free from challenges to their peace and stability and unstable factors seemed to be on the rise. He observed that previously suppressed

territorial and maritime disputes and ethnic friction were simmering beneath the surface, waiting to find new expression. He urged that we should not miss the opportunity to make our thoughts known. Korean Delegation was confident that dialogue on international law issues in AALCO would foster preventive diplomacy and thus greatly contribute to the peace and prosperity of the Asian and African Regions.

22. The Leader of Delegation noticed that the issues on the agenda were largely responsive to the challenges to modern international law, which attached increasing importance to the concept of culture, human rights and international cooperation. He said that Forty-Fifth Session of AALCO would be a good opportunity to enable the voices of the Asian and African nations to be heard, by exploring the common ground and speaking with a unified voice. Korean Delegation was also convinced that AALCO would greatly contribute to nurturing among Asian and African nations a culture of the rule of international law, thereby providing greater predictability to the Asian and African Communities.

23. The Leader of Delegation reaffirmed his Government's commitment to AALCO. He said that the Republic of Korea has been an active and ardent supporter of AALCO since becoming a full member in 1974. The Korean Government was honored to have hosted the annual session twice in Seoul, in 1979 and, more recently, in 2003. He highlighted that the Korean Government took pride in the accomplishments of the two previous sessions it hosted, and was happy to see that the various initiatives, taken along with the AALCO Secretariat at that time, continue to contribute to more productive and efficient AALCO Sessions.

24. **The Leader of Delegation of Pakistan** on behalf of the Pakistan delegation expressed appreciation to AALCO for hosting this historic Golden Jubilee Session. He also expressed its

appreciation to the Government of India for gifting AALCO a permanent Headquarters in Delhi. He also congratulated the President and Vice- President of the Session. He assured cooperation from the Pakistan Delegation to bring the work of this session to a successful conclusion.

25. He said that law was central and crucial to a peaceful and just international order. He opined that AALCO has an important role to play in promoting rule of the law internationally. Pakistan therefore attached great importance to AALCO and the work it had carried out over the last fifty years of its existence.

26. He highlighted that originally known as the Asian African Legal Consultative Committee, constituted in 1956, AALCO has grown from seven Member States to forty-seven countries comprising almost all major States from Asia and Africa. AALCO was now an established and respected forum for deliberation of contemporary International Law issues among Asian-African countries. It has served two very important functions. One, it has brought together Asian and African countries with their varied legal systems and facilitated deliberations on important issues in international law and helped evolve a better understanding and often, common approach to these issues. Secondly, it was a useful vehicle for lending an Asian African perspective to the relevant organs of the United Nations on important legal issues.

27. He said that his Delegation had read the report of the Secretary General with great interest. He opined that the Secretary General has highlighted a number of pertinent issues. He said that the rationalization of the agenda, a practice initiated at the Forty-Second<sup>d</sup> session in Seoul, was a good exercise.

28. He said that the ten items the session was invited to deliberate upon were important and relevant. Among such topics were Status and Treatment of Refugees,

International Terrorism and Law of the Sea and Human Rights in Islam as well as Expressions of folklore and its international protection. He observed that they were happy at the inclusion of "Human rights in Islam" as an item on the agenda. The choice was timely and relevant. The basis and fundamentals of human rights were elaborately given thought and implemented by the Prophet Muhammad (PBUH), which was now being followed through out the world. He hoped that this session could go a long way in correcting misperceptions and misunderstandings on the part of a large segment of the international community on this issue. The cobwebs of ignorance regarding the status of human rights in Islam need to be most forcefully removed.

29. He commended on the practice of holding half-day special meetings on topical issues. In this regard they look forward to the deliberations on "Legal identity and statelessness", "Universal jurisdiction and its role in enforcement of international humanitarian law" and "International migration law". He firmly believed that all three topics to be of great interest and relevance. He said that they would be particularly interested in international migration law. This was a relatively more recent field even though the phenomenon of migration was as old as man himself.

30. He said that Pakistan took note of the numerous activities such as workshops and seminars the AALCO had organized since the Forty-Fourth Session. They also took note of the study on the subject of international terrorism, AALCO was mandated to carry out under resolution 42/8 adopted at Seoul. The Pakistan Delegation looked forward to a balanced document which addressed this extremely important issue in a dispassionate and comprehensive manner. He hoped that it would take into account the difficulties of arriving an acceptable definition of terrorism and the positions of various states and groups of states on this and other connected issues in

the Ad Hoc Committee in the United Nations.

31. The Leader of Delegation concluded by congratulating the Secretary General and all the officers and staff of the Secretariat for the effort they had put in to make this session a success.

32. The **Leader of Delegation of Thailand** extended his cordial congratulations to Mr. Narinder Singh on his election as the President of AALCO's Forty-Fifth session as well as to the members of the Bureau to serve AALCO Members at the same session. He also thanked the Host Government of India for its warm welcome and hospitality given to their delegations. He said that "We are delighted that this Annual Session is held in India, the country of rich culture with reputation of a cradle of civilization." He had appreciated the Secretary General for the excellent work and his tireless efforts in carrying AALCO activities during the past years and to the Secretariat for the constructive work they had organized for the session.

33. He said this year marked the Fiftieth Anniversary of the Organization and the celebration of its Golden Jubilee had proved that excellent cooperation, friendship and unity amongst Asian and African countries were in the rising curve. He believed that it would be a milestone for a new era of the Organization, serving all Member States with positive and progressive legal development. The work of the Organization, regarded as highly productive and constructive in international law, in which Members could be proud of as contribution to the international community.

34. He further stated that the Royal Thai Government always attached great importance to AALCO as a significant advisory body of international law for the Asian and African regions, and the Government would actively participate in many activities and closely follow the

development of various legal issues engaged by the Organization.

35. With respect to the Organization's commemoration of the 50<sup>th</sup> Anniversary, he looked forward to the commemorative volume entitled "Essays in International Law", efforts undertaken by international law academics and scholars, which would be very useful for all Member States to study on the recent developments in the field of international law.

36. The delegation attached great importance related to the issues concerning to international terrorism, establishing cooperation against trafficking in women and children, an effective international legal instrument against corruption and WTO as a framework agreement and code conduct for the World Trade, and placed priority. They were of the view that these matters were no longer domestic in nature. In fact, we could not stand alone to find solutions for all these common problems. He was of the view that the international rules of law were not the only tools that were needed the most, but understanding and cooperation between countries were also necessary to resolve these problems.

37. Finally, the Leader of Delegation underlined that the Royal Thai Government stood ready to support and encourage AALCO to continue to expand cooperation both within and outside AALCO Membership to increase its role in the international arena. He also suggested that there was a need of an agenda item on strengthening the roles of AALCO to respond to the needs of the Membership and to see how AALCO might contribute further to the international community. This was perhaps an idealistic vision we all need to set together with a view to gain or regain large-scale recognition in international fora. He hoped that the Conference would continue to provide an efficient forum which would yield concrete benefits to all Member States.

38. The **Leader of Delegation of Bahrain**<sup>2</sup> congratulated the President and the Vice President for their successful election to their respective posts. He expressed his confidence that they would steer the work of the Organisation to greater heights. He thanked the Secretary General and the Government of India for all the pain they had taken for holding the Session. He said that AALCO had played a crucial role by shouldering its responsibility referred to it by Member States so as to face adverse circumstances at the international level.

39. Regarding the topic on Human Rights in Islam he wished that the deliberations could highlight the human rights protected by the Islam. It provided for protection of life and honor, education, women and child rights and prohibiting discrimination. He said that combating trafficking in human beings needed mapping out strategies and policies at the national level. He also emphasized on his country's view on the topic of international terrorism and Deportation of Palestinians

40. The **Leader of Delegation of Malaysia** thanked the Secretary General of the AALCO and the AALCO Secretariat for the excellent arrangements made for the Forty-Fifth Session of the AALCO. He also congratulated the Secretary-General Ambassador Kamil on the 50<sup>th</sup> anniversary celebrations of AALCO and the opening of the new AALCO Headquarters building.

41. The Leader of Delegation in his remarks stated that these events attested to the importance accorded by Member States to this institution, including Malaysia which has been a Member State of AALCO since 1970. The increasingly significant role played by AALCO in the development of international law had also convinced Malaysia of the need to increase its participation in AALCO over the last 36 years.

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<sup>2</sup> Statement delivered in Arabic. Unofficial translation from interpreter's version.

42. He stated that the Secretariat had proven that it's ableness to undertake detailed and in-depth studies on current issues of international law with its limited resources. The reports of the Secretariat were greatly appreciated as they provide concise briefs on the ongoing international law issues and developments in other international and regional organization. These reports were an invaluable resource to Member States to follow developments and deliberations in international organizations such as the International Law Commission. In addition, he said that the Annual Sessions afford Asian-African nations a forum to deliberate international law issues from their particular perspectives.

43. He pointed out that he was looking forward to the exchange of views with Member States on the issues that had been included in the Agenda. In addition, he also was looking forward to the Special Meetings on Wednesday and Thursday to discuss the issues of "Legal Identity and Statelessness", "Universal Jurisdiction and its Role in the Enforcement of International Humanitarian Law" and "International Migration Law". Hence, the inclusion of these topical items of international concern in the AALCO Agenda, reflected AALCO's growing maturity and substantive capabilities to engage in serious discourse on current and developing areas of international law.

44. He was also pleased to note that the item entitled "Human Rights in Islam" with its particular focus on the juxtaposition of Islamic Jurisprudence and international human rights law has been retained in the Agenda of the Forty-Fifth Session. This reflects the pertinence of this subject in today's world climate.

45. He said that Malaysia believed that the deliberations on this subject would serve to highlight the dilemmas faced by countries like Malaysia, which recognized and implemented parallel secular and Islamic criminal law and jurisprudence, and strived

to ensure that the principles of human rights as avowed by the international community were upheld in both systems.

46. He further pointed out that his country read with great interest another excellent Report on the agenda item on Human Rights in Islam which was focusing on the international and national criminal procedural laws from a human rights perspective, the human rights aspects of various criminal procedural law principles under Islamic law and also the comparative analysis of criminal procedural laws of Islam from a human rights perspective.

47. The Leader of Delegation noted that Malaysia would elaborate its views on the various areas highlighted for deliberation during the discussions on this topic. He also expressed the interest of Malaysia and proposed to touch on non-retroactivity of law, presumption of innocence, equality and equal protection of laws, rights of privacy, due regard to decency and human dignity and rights to basic needs while in detention with emphasis on the consistency of these principles in both secular and Islamic criminal law and procedures.

48. The Leader of Delegation was pleased to inform the Meeting that pursuant to Malaysia's recommendation at the Forty-Third Session and the decision of the Forty-Fourth Session in Nairobi last year, Malaysia would be hosting the "Meeting of International Experts on Human Rights in Islam" (MIEHRI) under the auspices of the AALCO from 15 to 19 May 2006 in Kuala Lumpur.

49. He was also pleased to inform that the invitations had been sent to the Governments of the AALCO Member States to attend and participate. His country had also extended invitations to eminent jurists in Islamic Law from around the world, including from Member States of the AALCO, to present their views and facilitate the working group discussions. Many had confirmed their participation and they look

forward to an open and extensive discourse on the issues facing Islamic nations arising from the need to adhere to international human rights standards.

50. He further said that the Government of Malaysia would report, through the Secretariat of AALCO, the outcome of MIEHRI to the Member States at the Forty-Sixth Session of the AALCO. He also seized the opportunity to invite all the Member States of AALCO to take part at the MIEHRI and looking forward to see their active participation.

51. With regard to Palestinian issue, he expressed his country's deepest regret to the Palestinians for still facing an uncertain future in their homeland and in exile elsewhere despite the innumerable Security Council resolutions (Security Council Resolutions 242(1967), 338 (1973) and 425 (1975) provide for the return of all Arab territories occupied by Israel) affirming that Israeli settlements in the occupied Palestinian Territory, including East Jerusalem, are illegal, many United Nations resolutions affirming that actions taken by Israel, the occupying Power, to change the status and demographic composition of Occupied East Jerusalem had no legal validity and were null and void and calling for the return of all Arab territories occupied by Israel, as well as the United Nations resolutions (General Assembly Resolutions: 181 (29 November 1947), 194 (11 December 1948), 34/70 (6 December 1979), 43/177 (15 December 1988) and SCR 242 (22 November 1967), 338 (22 October 1973), 476 (1980), 480 (1980), 1322 (2000), 1397 (2002), 1402 (2002) and 1403 (2002)) that had made clear the legal rights and duties of Israel in the Israeli-Palestinian conflict, in particular its duties as an occupying power (UNGA Res. ES-10/14). In addition, he said that they were confronted on a daily basis with the impunity of Israeli acts which violate international humanitarian law and human rights law.

52. He cited the more recent examples of Israeli hegemony and blatant disregard of Palestinian sovereignty and the rules of international law when the raid took place in the prison complex on Jericho on 14 March 2006 immediately following the withdrawal of United Kingdom as well as the kidnapping of Ahmad Saadat, political leader of the Popular Front for the Liberation of Palestine (PFLP) and six other prisoners.

53. He also expressed his concern over the issue of the construction and retention of the infamous "Barrier" (Annexation and Expansion Wall) in spite of the finding of the International Court of Justice, through its Advisory Opinion of 9 July 2004. He had recalled the International Court of Justice's mandate which almost unanimously held that the Barrier, in its present route and projection, and with the set of rules and regulations that govern its construction and operation, constituted a severe violation of International Human Rights and Humanitarian Law. He pointed out that although Israel forcibly enforced the withdrawal of 8,000 settlers from Gaza by 22 August 2005, it has continued to plant an even larger number of settlers over the West Bank.

54. He strongly emphasized the view of Malaysia that, no dilution of the international principle of the 'inadmissibility of the acquisition of territory by war' affirmed in, among other, UN Security Council Resolution 242 of 22 November 1967 in the context of Palestine, should be allowed. This was especially so in relation to the Palestinian lands annexed through the construction of the Barrier which departed from the Armistice Line of 149 (Green Line) and which had involved the confiscation and destruction of Palestinian land and natural resources.

55. Further, his country viewed with concern the reaction of certain States as to the Hamas victory in the Palestinian Elections on 25 January 2006. In addition to

the reaction of Israel as documented in Paragraph 63 of the AALCO paper, certain States had threatened to withhold (and some had) financial and other aid to the new Government unless it committed to the course of action advocated by the "Quartet". This tantamount to interference in the internal affairs of a sovereign State which was prohibited by the principles of the Charter of the United Nations.

56. The Leader of Delegation observed that the global effort to find an effective and long-term solution to terrorism has been given new impetus by the "war on terrorism" led by the United States of America. The most significant factor that should be noted was that States have not allowed the diversity of legal systems, the lack of a universally accepted definition of terrorism or the lack of specific counter-terrorism legislation to distract them from the task of dealing with terrorist acts through the criminal justice system. Due recognition should also be accorded to States that had taken practical courses of action, in accordance with their domestic laws and with due regard for the rule of law, against terrorists and terrorist groups whenever and however necessary.

57. He said in Malaysia's case, even pending the enactment and entry into force of specific anti-terrorism legislation, Malaysia had used available existing legislation to deal decisively and effectively with terrorist groups, in particular extremist movements that advocate violence. Malaysia had arrested and detained suspected Jemaah Islamiah members who were allegedly associated with Osama bin Laden and Al Qaida. Malaysia also continued to work with other countries to investigate suspected terrorist plots and assist in the gathering of relevant evidence for use in the prosecution of suspects in those countries.

58. He further noted that Malaysia called the world leaders in the 2005 World Summit Outcome for the conclusion of the Comprehensive Convention on International

Terrorism (CCIT) as a priority matter before the end of the 60<sup>th</sup> General Assembly. Therefore time was quickly running out for the Ad Hoc Committee to conclude that Convention. Although delegations were encouraged to continue consultations on possible approaches to overcome the deadlock over Article 18, it appeared inevitable and the issue should be brought up and opened before the General Assembly at the 61<sup>st</sup> General Assembly and perhaps resolved by vote. Recourse to the General Assembly, a purely political body, to resolve issues in relation to a legal document did not augur well for the resolve, commitment and creativity of the Sixth Committee and its Ad Hoc Committee. In the interest of obtaining a legal solution for this legal instrument, Malaysia urged the AALCO Member States to work together to consider the options currently on the table and/or come up with viable alternatives for the consideration of the Ad Hoc Committee through the ongoing informal consultations.

59. He stated that Malaysia was delighted to report the successful conclusion of the Seminar "An Introduction to the Hague Conventions: Fostering the Rule of Law in Cross Border/Transnational Civil and Commercial Relations in the Asia Pacific" held from 22 to 24 August 2005 in Sabah, Malaysia. The Seminar was organized by the Attorney General's Chambers, Malaysia in collaboration with the Ministry of Women and Family Development of Malaysia under the auspices of the Hague Conference on Private International Law (HCPIIL) Secretariat. Participants gained an in-depth understanding of the principles and application of the relevant conventions under the auspices of the HCPIIL with particular emphasis on three of the civil and commercial conventions relating to the abolishment of the requirements of the legalization of foreign documents, service outside jurisdiction and recognition and enforcement of foreign judgment. Participants were also able to gain a better understanding of the problems faced by

States practicing wholly/partly the Syariah or Islamic laws within their legal system in implementing and adhering to the HCPIIL Conventions.

60. He also commended the AALCO Secretariat, under the able stewardship of Secretary-General Ambassador Kamil, for the excellent work in carrying out its responsibilities to serve AALCO member countries.

61. In this regard, Malaysia was mindful that the continued efficient functioning of the AALCO was highly dependant on the funds contributed by its Member States. Therefore, he urged the Member States should show their full support and appreciation to the Secretariat's efforts to develop international law and Asian-African expertise in international law through the timely settlement of their annual contributions. He also greatly expressed his concern over the growing arrears in financial contribution to the 2006-2007 budget of AALCO. Hence he urged the member countries to address this matter immediately. He also called the Member States for their collective and timely contributions to provide the Secretariat much needed financial support to carry out its work. It also reflected their commitment to the continued relevance and success of the AALCO.

62. In conclusion his delegation assured their cooperation throughout the Forty-Fifth Annual Session and hoped their contributions in the forthcoming sessions would be positive and productive additions on all the items enumerated in the Agenda for this Session.

63. The **Leader of Delegation of Arab Republic of Egypt**<sup>3</sup> extended his congratulations to the newly elected President and appreciated his great experience and capabilities in steering the

Organisation to greater heights and achieving its desired results. He thanked the Republic of Kenya for holding the previous Annual Session successfully. He also congratulated the outgoing President H.E. Mr. Amos Wako, Attorney General of Kenya.

64. The leader of Delegation gave a brief account of the History of AALCO. He also thanked the Government of India for gifting the AALCO a permanent Headquarters. He hoped that the all the remaining obstacles would be removed so that the Secretariat could shift to its Headquarters smoothly. He appreciated the Secretary General Amb. Dr. Wafik Zaher Kamil for the excellent preparation for the Seminar and for all his efforts for making AALCO a truly intergovernmental Organization.

65. He said that this year witnessed the Golden Jubilee year of AALCO. The Organization was of 50 years service for the Asian African Continents. He said that Egypt was a founding member of AALCO and was ready to bolster the work of AALCO with its cooperation and subscription. He said that Cairo was hosting a Regional Center for Commercial Arbitration. He said that Egypt believed in the enhancement of international law, with the growth of intellectual property laws; legal aspects related to free trade, electronic trade and protection of environment.

66. Regarding international terrorism, the Leader of Delegation, recalled President Hosni Mubarak's call for an international meeting on international terrorism. He emphasized the need for a renewed view in order to fight terrorism. He proposed of AALCO holding training programmes and workshops and also that AALCO could organize fellowship programme on international law so that a number of youths from every Member Country could have training. He proposed that duration of the programme be for one month and after the

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<sup>3</sup> Statement delivered in Arabic. Unofficial translation from interpreter's version

successful conclusion a certificate could be given by the Organization.

**The Meeting was thereafter adjourned.**