

International Law". At that session the Committee had also decided to include the item on the agenda of its Thirtieth session. The item has thereafter been considered at each successive session of the Committee as well as at the meeting of the Legal Advisers of the Member States of the Committee.

Introducing the item at the Thirty-third Session of the Committee held in Tokyo in 1994 the Secretary-General stated *inter alia* that the General Assembly Resolution 48/30 had invited all States and international organizations to provide, update or supplement information on the activities that they had undertaken in the implementation of the objectives of the Decade, and that the AALCC Secretariat had accordingly furnished to the Office of the Legal Counsel of the United Nations some notes and comments in that regard. He pointed out that the Committee at its Thirty-second Session held in Kampala in 1993 had accepted the offer of the Government of the State of Qatar to host an International Conference on the International Legal Issues Arising under the United Nations Decade of International Law.

At the Tokyo Session the Committee *inter alia* reaffirmed the importance of strict adherence to the principles of international law as enshrined in the Charter of the United Nations and requested the Member States to continue to give serious attention to the observance and implementation of the Decade and requested the Secretary-General of the Committee to apprise the Secretary-General of the United Nations of the initiatives taken by the Committee in that regard. Whilst taking note with appreciation of the efforts of the Government of the State of Qatar to convene on International Conference on the International Legal Issues Arising under the United Nations Decade of International Law in March 1994 the Committee strongly recommended that all Member States participate therein at high level. The Committee directed the Secretariat to continue its efforts towards the realization of the objectives of the United Nations Decade of International Law and decided *inter alia* that the item be given serious attention and that it be placed on the agenda of the meeting of the Legal Advisers of member States of the Asian-African Legal Consultative Committee to be convened at the United Nations office in New York during the Forty-ninth Session of the General Assembly.

The Secretariat of the AALCC in active cooperation with the Government of the State of Qatar organized an International Conference on the International Legal Issues Arising under the United Nations Decade of International Law in Doha in March 1994.

Pursuant to the General Assembly resolution 48/30 entitled "United

Nations Decade of International Law", and the mandate given at the Thirty-third Session held in Tokyo the Secretariat of the AALCC forwarded to the office of the United Nations Legal Counsel a report on the activities of the Committee since its Kampala Session.

In furtherance of the decision of the Committee at its Tokyo Session a meeting of the Legal Advisers of Member States of the Asian-African Legal Consultative Committee was convened at the United Nations office in New York in October 1994. The United Nations Decade of International Law was one of the items on the agenda of the meeting of the Legal Advisers of Member States of the AALCC which *inter alia* was addressed by the Legal Counsel of the United Nations, the Registrar of the International Court of Justice; the Chairman of the Sixth (Legal) Committee of the Forty-ninth Session of the General Assembly, the Chairman of the International Law Commission and the Representatives of the Office of the United Nations High Commissioner for Refugees. It may be stated that the question of the Establishment of an International Criminal Court was the focus of attention both with the Sixth Committee and the abovementioned meeting of the Legal Advisers of Member States.

The Legal Counsel of the United Nations Mr. Hans Corell addressed the issue of recent development in the field of the Law of the Sea. He emphasized in his address that the entry into force of the United Nations Convention on the Law of the Sea, 1982 marked the beginning rather than the end of the road in matters relating to the Law of the Sea. He pointed out in this regard that the entry into force of the Convention will have a significant impact on the activities of the United Nations in two major areas viz. the establishment of new institution and the functions of the Secretary-General of the United Nations in direct response to and in accordance with the provisions of the United Nations Convention on the Law of the Sea, 1982.

The Registrar of the International Court of Justice Mr. Ospino Valencia in his statement at the meeting of the legal advisers of Member States of the AALCC addressed himself to the issues concerning the implementation of the decision of the International Court of Justice. He stated *inter alia* that "one can thus note with satisfaction that States have complied with the judgments of the International Court of Justice". He however, pointed out that the "speed with which States implement the judicial decisions, of course, is not always exemplary."

Thereafter the Secretariat of the Asian-African Legal Consultative Committee organized two Seminars in New Delhi. A Seminar in collaboration

with the office of the United Nations High Commissioner for Refugees was organized in September 1994 to consider the matter relating to the establishment of Safety Zones for Persons Displaced within their own country. The President of the Committee Ambassador Chusei Yamada of Japan chaired the Seminar. A report of the Seminar has been given in the brief of documents on the Establishment of Safety Zones (Refugees).

Reference was made above to the interest that the Legal Advisers of Member States of the AALCC had, in the course of meeting convened in October 1994, evinced in the Establishment of an International Criminal Jurisdiction. Mindful of the significance that the Member States attached to the Establishment of International Criminal Court and the draft statutes prepared by the International Law Commission the Secretariat organized a Seminar on the International Criminal Court. It may be stated that both the President, Ambassador Chusei Yamada, and the Vice-President Dr. Najeeb participated in the Seminar. The Secretariat has prepared and circulated a report of the proceedings of the Seminar.

It may be recalled that Paragraph 3 of Section V of the "Programme for the activities for the second term (1990-94) of the United Nations Decade of International Law" as adopted by General Assembly Resolution 47/32 had directed the United Nations Secretariat to draw up a preliminary plan for a possible United Nations Congress on Public International Law, based on the proposal that the Congress should be held in 1994 or 1995, and submit it to the Sixth Committee for consideration by general agreement at the Forty-eighth Session of the General Assembly. Paragraph 7 of the aforementioned Resolution called upon the Secretary-General to submit to the Assembly at its Forty-eighth Session a report containing the above-mentioned plan. Pursuant to that request informal consultations were held with the members of the Sixth Committee on a draft preliminary operational plan for a possible United Nations Congress on public International Law and a report thereon was submitted by the Secretary-General to the General Assembly at its Forty-eighth session. The report of the Secretary-General on a preliminary operational plan for a possible United Nations Congress on public international Law¹ was considered by the Working Group of the Sixth Committee on the United Nations Decade of International Law. Following the recommendations of the Sixth Committee and its aforementioned working group on the United Nations Decade of International Law the General Assembly by its resolution 48/30 had *inter alia* decided that a United Nations Congress on Public International Law

1. A/48/435.

be convened in 1995. Accordingly a United Nations Congress on Public International Law was proposed to be held at the United Nations Headquarters in New York from March 13th to March 17th 1995 during the celebration of the United Nations Fiftieth Anniversary. The theme of the proposed Congress was "Towards the Twenty-first Century: International Law as a language for International Relations".

The Congress was proposed to be convened to afford the participants an opportunity to exchange views on the codification, progressive development and implementation of public international law both in theory and in practice, as well as on its dissemination and teaching. The purpose of the proposed Congress was to assist the international community in general and the legal profession, in particular, to meet the challenges and expectations of the contemporary world.

Within the broad parameters of the theme, viz. "Towards the Twenty-first Century: International Law as a language for International Relations" the proposed Congress on Public International Law would consider the following five sub-themes:

- (i) The Principles of International Law: Theoretical and Practical aspects of their problems and Implementations;
- (ii) The Means of Peaceful Settlement of Disputes between States, including resort to and full respect for the International Court of Justice;
- (iii) Conceptual and Practical Aspects of the Codification and Progressive Development of International Law, New Developments and Priorities;
- (iv) New Approaches to Research, Education, and Training in the Field of International Law and its wider appreciation; and
- (v) Towards the Twenty-first Century: New Challenges and expectations.

The Secretariat of the Asian-African Legal Consultative Committee proposes during the year ahead, apart from having made its contribution to the United Nations Congress on Public International Law held at the United Nations Headquarters in New York during 13th March and 17th March 1995 to continue its modest endeavours to contribute to the attainment of the objectives of the United Nations Decade of International Law. The views of the Member States and the directive which the Committee at its Doha Session may wish to give would determine the course of the future programme of work on this item.

Introducing the item the Secretary-General stated that the item "United Nations Decade of International Law" had been on the agenda of the Committee since its Twenty-ninth Session held in Beijing in 1990 and had thereafter been considered at successive sessions and a report of the activities undertaken by the Secretariat was to be found in Doc. AALCC/XXXIV/Doha/95/8 prepared by the Secretariat. The item had also been discussed at the meeting of Legal Advisers of Member States convened at the UN Headquarters in New York. As in the previous years the Secretariat had in May 1994 forwarded a report, on its activities related to the objectives of the Decade, to the Office of the United Nations Legal Counsel and that report was annexed to the brief of the documents prepared by the Secretariat. Referring to the Public Congress on International Law held in New York in March 1995 he said that the Secretariat had been represented thereat. He further said that in the period since the Tokyo Session the Secretariat had convened three Seminars, one each on (i) The Status and Treatment of Refugees; (ii) The proposed International Criminal Court; and (iii) Globalization and harmonization of Commercial and Arbitration Laws. More recently, the Secretariat had been approached by the Registry of the International Court of Justice to organize a Seminar on the Role and Work of the International Court of Justice to Commemorate the Fiftieth Anniversary of the Sitting of the World Court. The Seminar on the International Court of Justice was proposed to be convened in September in collaboration with the UNITAR. He invited the views of the Member States on the subject.

The President recalled the contribution of the Secretariat in the International Conference on the Legal Issues arising out of UN Decade of International Law which was convened on Doha in March 1994.

The Delegate of the Islamic Republic of Iran stated that in his view it was imperative that all members of the AALCC endeavour to promote the objectives of the Decade and to facilitate the successful implementation of its programme of activities and uphold the supremacy of law in International relations. He further stated that the proposal to convene a Congress on Public International Law, advanced by his delegation at the Sixth Committee of the General Assembly in 1992 had received widespread support and that the Congress had been successfully convened at the Headquarters of the U.N. in March 1995. He pointed out that his delegation had proposed the convening of the Congress to enrich the programme of activities of the Decade. The Congress had attracted representatives of many institutions, academicians and interested individuals from every

corner of the world from the various sectors involved in Public International Law, to help spreading the objectives of the Decade throughout the world.

He observed that the convening of the Congress had provided a unique opportunity for the AALCC as the main legal organization in the region to publicise various activities it has undertaken in implementing the programme of the Decade. His delegation to the Congress of Public of International Law shared the view with other delegations that the Congress had a pivotal role in promoting the objectives particularly in strengthening the rule of law among nations. The Congress was an effort to introduce, consider and evaluate innovative ways and means for worldwide promotion and implementation of the objectives of the Decade that is: International Law as a Language for International Relations in the 21st Century.

He emphasized the role of the AALCC as a regional organization in the progressive development and codification of International Law and observed that the Committee had fulfilled its mandate by persuading the Member States to give serious attention to the observance and implementation of the Decade, and by assisting those Member States who have not acceded or ratified the key multilateral international conventions to do so. He expressed the hope that these efforts would continue.

(ii) Decision on the United Nations Decade of International Law

(Adopted on 22nd April 1995)

The Asian-African Legal Consultative Committee at its Thirty-fourth Session:

Having taken note of the Report of the Secretary-General on the United Nations Decade of International Law contained in Doc. No. AALCC/XXXIV/DOHA/95/8.

1. *Reaffirms* the importance of strict adherence to the Principles of International Law as enshrined in the Charter of the United Nations;
2. *Reiterates* that many of the political, economic and social problems which riddle the Member States of the international society can be resolved on the basis of the rule of law;
3. *Welcomes* the various initiatives taken by Member States of the Committee in the implementation and observance of the Decade;
4. *Requests* Member States to continue to give serious attention to the observance and implementation of the Decade;
5. *Requests* the Secretary-General to apprise the Secretary-General of the United Nations of the initiatives taken by the Committee in this regard;
6. *Decides* that the item be given serious attention and that it be placed on the agenda of the Meeting of the Legal Advisers of Member States of the Committee to be convened at the UN

Office in New York during the Fiftieth Session of the General Assembly;

7. *Request* the Secretary-General to consider in consultation with Liaison Officers the relevant means for ratifying or acceding to the relevant Multilateral Conventions;
8. *Notes* with appreciation the efforts of the Secretary-General, in collaboration with the International Court of Justice and the United Nations Institute for Training and Research, towards organizing a seminar on the Role and Work of the International Court of Justice and strongly recommends that all the Member States participate in the proposed seminar;
9. *Directs* the Secretariat to continue its efforts toward the realization of the objectives of the UN Decade of International Law; and
10. *Decides* to place the item the "U.N. Decade of International Law" on the agenda of the Thirty-fifth Session.

(iii) Secretariat Brief

The United Nations Decade of International Law

The present report has been prepared pursuant to General Assembly Resolution 48/30 of December 9, 1993 entitled "United Nations Decade of International Law" whereby the Assembly *inter alia* invited all States and International Organizations and institutions referred to in the programme to provide, undertake, update or supplement information on the activities they have undertaken on the implementation of the programme as well as to submit their views on possible activities for the next term of the Decade.

Following upon the adoption of the United Nations Decade of International Law the Asian-African Legal Consultative Committee (AALCC) has considered this item at its successive sessions since 1990 and proposes to do so at its Thirty-fourth session to be held in Doha, Qatar, in early 1995. The AALCC at its Thirty-third session held in Tokyo in 1994 requested its Member States to give serious attention to the observance and implementation of the Decade. It requested the AALCC's Secretary-General to apprise the Secretary-General of the United Nations of the initiative taken by the AALCC in that regard and directed the Secretariat of the AALCC to continue its efforts towards the realization of the objectives of the United Nations Decade of International Law. The Secretary-General of the AALCC held consultations, during the forty-ninth session of the General Assembly, as in the preceding years, with the legal advisers of the Member States of the United Nations.

The Secretariat of the AALCC in cooperation with the Government of Qatar organized an International Conference on the International Legal Issues Arising under the United Nations Decade of International Law in March 1994. The Conference held in March 1994 was designed to promote

the objectives of the United Nations Decade of International Law. The Conference furnished a forum for an informal exchange of views on such matters of public international law as the law of the Sea, the Peaceful Settlement of Disputes, the New International Economic Order and the New International Humanitarian Legal Order—including the question of the establishment of Safety Zones.

During the second term of the United Nations Decade of International Law the AALCC continued to urge Member States which have not already done so to consider ratifying or acceding to multilateral conventions. The Secretariat of the AALCC in fulfillment of its advisory and recommendatory functions pursued further its endeavours to promote the acceptance of and respect for the principles of international law by urging that they ratify or accede to such international instruments as the Convention on the Law of the Sea, 1982, the Convention on Climate Change, 1992, the international instruments on Human Rights and the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal, 1990, the Bio-diversity Convention 1992, the Refugee Convention, 1951 and the 1967 Protocol thereto, to name a few.

In the sphere of international economic and trade law matters, the AALCC, at its Thirty-third session held in Tokyo, urged Member States which have not already done so to consider adhering to the United Nations Convention on the Carriage of Goods by Sea, 1978 (the Hamburg Rules) since a wider acceptance of the Hamburg Rules would result in a better protection of shipper's interests and an early replacement of the Hague and Hague-Visby Rules by the Hamburg Rules would promote uniformity. The Committee also urged its Member States to consider the UNCITRAL Model Law on Procurement of Goods and Construction when they enact or amend their national law on procurement.

The AALCC continued and shall continue to furnish assistance to the Member States of the Committee to facilitate their participation in the process of multilateral treaty-making, their adherence thereto and the implementation of multilateral treaties in accordance with their national legal systems. The Secretary would strive to render whatever assistance it can in preparing for and participating in the United Nations Congress on Public International Law proposed to be held in 1995. To that end the Secretariat is examining the viewpoints of the member States of the AALCC on the purpose and object of the proposed Congress. In view of the material significance that the Member States attach to the proposed Congress the AALCC Secretariat will endeavour to make its modest contribution to the identification, development, and codification of legal

principles and norms that will govern harmonious inter-State relations in the coming millenia.

The AALCC has always attached great significance to the cardinal principle of the peaceful settlement of disputes and shall during the second term of the Decade of International Law *inter alia* undertake an in-depth study and detailed consideration of the proposals of the United Nations Secretary-General contained in his report entitled "Agenda for Peace". The AALCC at its Thirty-second session held in Kampala in 1993 had *inter alia* appointed an open ended Working Group to consider and advise the Secretariat in the preparation of a study based on the recommendations of the United Nations Secretary-General as set out in his report entitled "Agenda for Peace". During its Tokyo Session held in January this year the AALCC also endorsed the preparation of a draft text of an International Convention governing Safety and Security of International Personnel engaged in Peace Keeping and other Humanitarian Activities.

The Secretariat of the Committee has been following and, from time to time commenting on, the work of the Special Committee on the Charter of the United Nations and on the strengthening of the Role of the Organization. The Secretariat proposes to continue to monitor the work of the Special Committee with regard to the peaceful settlement of disputes. As regards the ways and means of encouraging wider use of the role of the International Court of Justice and its wider use in the peaceful settlement of disputes, the Secretariat of the AALCC proposes to update and expand its earlier study on the wider use of the International Court of Justice including the settlement of environment disputes.

With regard to disputes stemming from international economic and trade law matters the Secretariat of the AALCC shall during the second term of the Decade continue to exhort and urge Member States to resolve their differences in accordance with the arbitration and/or conciliatory rules framed by the UNCITRAL. The AALCC shall also endeavour to expand and enlarge the activities of its Regional Centres of Arbitration functioning at Cairo and Kuala Lumpur. Steps have been taken to establish and make operational a similar centre at Nairobi for serving the countries in Eastern and Southern Africa.

The Secretariat of the AALCC shall continue to study the progress of work of the International Law Commission (ILC) and to comment thereon as part of its modest contribution to the progressive development and codification of international law. The AALCC attaches great significance to the items currently on the agenda of the ILC as they are of particular