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REPORT ON THE CENTRE FOR RESEARCH AND TRAINING OF THE AALCO

I. BACKGROUND

1. The Centre for Research and Training (hereinafter CRT), functioning as an integral part of the Secretariat of the Asian-African Legal Consultative Organization (AALCO), evolved from the AALCO's (the then, AALCC) "Data Collection Unit,"¹ which was established in 1989. As per paragraph 2 of the Resolution 40/ORG.4² the Data Collection Unit was renamed as the Centre for Research and Training in 2001. This marked, as envisaged, a new chapter in the efforts of the Member States towards undertaking research activities, as well as training programmes, within the AALCO.

2. The initial mandate entrusted to the Unit was collection and dissemination of information related only to international economic and trade related instruments and legislations from the Member States of the AALCO. However, pursuant to Resolution 38/ORG.6 adopted in Accra (Ghana) 1999, the Member States emphasized the need for and significance of exchange of information between the AALCO, the United Nations and its specialized agencies and other international bodies.³ It is pertinent to note that the said resolution did not confine the activities of the CRT to the international economic and trade law matters, but covered the entire gamut of substantive activities of the Secretariat, thereby expanding the mandate of the CRT to all the areas of activities of the AALCO.

3. Further, transforming the Data Collection Unit into CRT in 2001 reoriented the functioning of the Unit (now the CRT). The Meeting of the Advisory Panel of Liaison

¹ Data Collection Unit was established ensuing the proposal made by the Government of Republic of Korea at the Twenty-Eighth Session of AALCO (then AALCC, Asian-African Legal Consultative Committee), held in Nairobi in 1989. Initially, the CRT was conceived to primarily undertake the task of attempting the harmonization of legal regimes applicable to the economic activities in the Asian-African region, under the auspices of the AALCC. It may be recalled that the Government of the Republic of Korea had generously contributed US\$ 25,000 to the AALCC towards the above stated purpose. Although establishment of the Unit was proposed and unanimously approved at Twenty-Eighth Session in Nairobi, it became functional, as an integral part of the Secretariat in 1992 pursuant to the Thirty-First Session at Islamabad. As a first step, the Secretariat of the AALCC established a computerized Data Collection Unit which was to be used as a storehouse of information on economic and trade law regulations of Asian-African countries, in general and AALCC Member countries, in particular. Sizeable documents were received from Member States and international organizations on matters relating to economic laws and the same were compiled, as detailed in the Report of the Secretary-General on the Progress made by the Data Collection Unit, Doc. No. AALCC/XXXIV/Doha/95/14/.

Also, pursuant to the Thirty-First Session, Islamabad 1992, an Advisory Panel, comprising Liaison Officers of the Arab Republic of Egypt, India, Republic of Korea, Malaysia and Philippines was established to advise on technical and general policy matters concerning the functioning of the Unit.

² Resolution 40/ORG.4 entitled "AALCO's Data Collection Unit", adopted at the 2001 Session, held in New Delhi.

³ Paragraph 2 of the Resolution 38/ORG.6 also refers to the effective role of research and study in the fulfillment of the objectives of the Committee.

Officers⁴ suggested the following future engagements for the Centre: training programmes for personnel belonging to Legal Departments of AALCO's Member States, especially relating to international law; convening of workshops and seminars on topics of contemporary relevance; arranging discussions or lectures by international law experts from within and outside the AALCO region. The mandate was further strengthened at the Abuja (Republic of Nigeria) Session, 2002 and by Resolution 41/ORG.4, the CRT was called upon to: (i) continue to update and improve the technical efficiency of the website for facilitating communication between the Secretariat, the Member States, the United Nations, its Specialized Agencies, and other International Organizations; and (ii) Foster capacity-building of the Centre to carry out further research projects on international law. It may be recalled that the said resolution also urged the Member States to furnish information and relevant materials in order to enrich the CRT.

4. Since its inception, the Centre has made several concerted efforts, making substantial contributions to the AALCO. This report briefly outlines the measures taken and efforts made by the CRT since the Forty-Fifth Headquarters New Delhi (India), 2006 Session of AALCO in furtherance of its mandate and for the effective functioning of the Centre.

II. ACTIVITIES UNDERTAKEN BY THE CENTRE

A. Meeting of Experts on “Emerging Issues on the UN Convention on the Law of the Sea”

5. In commemoration of the Golden Jubilee of the Asian-African Legal Consultative Organization, a one day Meeting of Experts on “Emerging Issues on the UN Convention on the Law of the Sea” was held on 24th November 2006 in New Delhi.

6. The Secretary-General of AALCO, Amb. Dr. Wafik Z. Kamil welcomed Dr. P. S. Goel, Secretary, Ministry of Earth Sciences, Government of India; Hon'ble Mr. Narinder Singh, Joint Secretary, Legal & Treaties Division, Ministry of External Affairs, Govt. of India also the President of the Forty-Fifth Session of AALCO; H.E. Dr. Choon-ho Park, Judge of the International Tribunal for the Law of the Sea; Distinguished Experts; Panelists from Member States and other invitees. In his address, he pointed out that AALCO was well recognized for its significant contribution in the elaboration of the United Nations Convention on the Law of the Sea, 1982 (UNCLOS). He recalled that the Forty-Fifth Annual Session had mandated AALCO to convene a Meeting of Experts to deliberate upon the Emerging Issues on the United Nations Convention on the Law of the Sea and in furtherance of that mandate the meeting was convened.

7. On behalf of Mr. Kapil Sibal, Hon'ble Minister for Science and Technology and Earth Sciences, Government of India, Dr. P.S. Goel, Secretary, Ministry of Earth Sciences, inaugurated the Expert Meeting. He said that AALCO's contribution towards bringing together the countries of Asian-African region in consolidating the developing countries' position in the United Nations on the progressive development and codification of international law in general and in the elaboration of the 1982 United Nations Convention

⁴ 270th Meeting of the Liaison Officers of the AALCC, held in December 2000.

on the Law of the Sea, in particular, was very well appreciated. Having played a vital role in the development of the UNCLOS, he requested AALCO to explore as to how best the Asian-African solidarity could further strengthen the legal order established by the UN Convention on the Law of the Sea.

8. Mr. Motokatsu Watanabe, the then Deputy Secretary-General of AALCO, concluded the Inaugural Session by giving vote of thanks to all the Delegations from the Member States, expert Panelists and the invitees who attended the Expert Meeting. He also thanked the Governments of Japan and the Republic of Korea for their generous voluntary financial support for holding the meeting successfully.

9. The First Session was chaired by Mr. Narinder Singh, President of Forty-Fifth Session of AALCO. He introduced the discussion on the topic “An overview of the United Nations Convention on the Law of the Sea-Regime of Oceans–Contribution of Asian-African States”. Two distinguished panelists Mr. B. Sen, former Secretary-General of AALCO and Prof. R. P. Anand, Professor Emeritus, JNU and a leading expert on the Law of the Sea provided some deep insights into the contribution made by the countries of Asian-African region in the “Constitution of the Sea”.

10. The Second Session was chaired by Prof. Rahmatullah Khan, Secretary-General of the Indian Society of International Law, New Delhi. He introduced the discussion on the topic “Preservation and Protection of Marine Environment: Legal Regime and Emerging Issues”, and also explained the importance of the topic in the global arena. Dr. M. Gandhi, Director, L&T Division, Ministry of External Affairs, Government of India explained Marine Environment under the topic “Re-defining the Scope of Preservation and Protection of Marine Environment-in the area beyond national jurisdiction in the light of Sustainable Development”. Prof. Joanna Mossop, Victoria University of Wellington, New Zealand said that there were many challenges to the marine environment, from pollution to over fishing to the impacts of climate change. She highlighted some of the evolving issues under the title “Preservation of Marine Biodiversity in areas beyond National Jurisdiction”.

11. The Third Session was chaired by Mr. B. Sen, former Secretary-General of AALCO. He introduced the topic “Maritime Zones and their Delimitation: The Law and Practice”. He said that divergent interests between States having opposite or adjacent coast had led to a rise in recent times in international litigation on the subject. H. E. Dr. Choon-ho Park, Judge, International Tribunal for the Law of the Sea explained the history of the ITLOS and also highlighted “Problems of Maritime Boundary Delimitation in Northeast Asia with reference to Intransigent Attitudes of the Coastal States”. Prof. Atsuko Kanehara, Rikkyo University, Tokyo, Japan discussed the above said topic under “Some Remarks on Developing Rules Concerning Maritime Delimitation Mainly of Continental Shelf”.

12. All the three sessions were followed by an in-depth discussion, and on the basis of the discussion, some of the issues were highlighted for future work of the AALCO on the Law of the Sea. Finally, the Secretary-General, Amb. Dr. Wafik Z. Kamil concluded the Expert Meeting with an assurance to the Member States and the delegates of undertaking further studies related to the topic Law of the Sea and to deal with the challenges confronted by Asian-African countries in this matter.

B. Upgrading the AALCO's Website

13. The Secretariat has since the Forty-Second Seoul (Republic of Korea), 2003 Session, in pursuance of the mandate given by RES/42/ORG 4, made concerted efforts towards improving the website of AALCO. The homepage of the AALCO's website has now been redesigned entirely with a new outlook. The hyperlinks are those include: Statements of the present Secretary-General since he assumed the Office; detailed description on all the activities of the AALCO; Model Legal Instruments such as AALCO's Bangkok Principles; and Memorandums of Understanding (MOUs) with other inter-governmental Organizations etc. The homepage also displays a link to research and studies on international law, including links to websites of (i) United Nations system; and (ii) the website addresses of Ministries of Justice, Foreign Affairs and the Apex Judicial Bodies of the Member States. The display also provides a hyper link on Regional Arbitration Centres of AALCO, giving a short description on the functions of Arbitration Centres, as well as their activities. It is also proposed that this list would be further expanded to include subjects and place materials on topics such as: International Criminal Court; World Trade Organization; International Environmental Law and other areas of international law which are of interest to Member States. Thus, the upgraded website provides the Member States with more and updated information.

i. New Domain Name of AALCO's Website

14. As part of revitalization, the website of AALCO has been assigned a new domain name: "www.aalco.int" and it is pertinent to note that this domain name is exclusively granted to intergovernmental organizations. In this respect, the information and other particulars of www.aalco.org have been shifted to the new web address.

15. With a view to updating the website and in order to provide the Member States with the latest information about the activities of the Organization, it is requested that all the Member States provide to the Secretariat the Name and address of the Focal Point, with the email and URL of the Ministry concerned, along with the Head of the Ministry.

C. Publications

16. The AALCO, even since its inception, has regularly been bringing out publications such as Reports and Verbatim Record of the annual sessions, special reports on various various topics of international law, proceedings and reports of various Meetings and Seminar held by AALCO, and Commemorative volumes of essays on international law etc.

17. The serials brought out by the Secretariat have been: Report and Selected Documents, now "Yearbook", AALCO Bulletin, now "AALCO Quarterly Bulletin", and an added publication entitled "Newsletter" provide all information about the Organization.

i. Yearbook of the Asian-African Legal Consultative Organization

18. 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 fourth year of publication. The Yearbook provides comprehensive information about AALCO, Secretariat reports 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 these four years, the Yearbook has established its place firmly among the publications of this stature. It has been well received by the Member States, as well as other interested readers.

ii. AALCO Quarterly Bulletin

19. For wider dissemination of information, on the practice and developments relating to different subjects of International Law, the Asian-African Legal Consultative Organization (AALCO), has been publishing, ‘Quarterly Bulletin’ since 1976 (Volume 1). Beginning with 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 over the period, a totally overhauled publication in the new title i.e; ‘*AALCO Quarterly Bulletin*’ has been launched beginning once again with Volume 1, No. I dated January-March, 2005 and is being published regularly.

20. The present *AALCO Quarterly Bulletin* contains well-researched articles on international law; write-ups on selected current developments; and select documents of relevance to the Asian-African states. The publication provides appropriate of information to scholars, and academics, keen to obtain insights to the Organizations’ work in promoting research in international law matters. It is requested that the Member States support this publication by way of encouraging their eminent international law scholars to contribute articles for this publication, especially reflecting the international law issues in the Asian and African region.

iii. Newsletter of AALCO

21. 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. It contains the most current news of AALCO on monthly basis and keeps the Member States abreast with the latest developments.

D. Special Studies recently published

22. The Centre in pursuance of its mandate to conduct in-depth research on topics of international law published four studies, namely: “The Concept of International Terrorism”, “Rights and Obligations under United Nations Convention Against Corruption”, “Special

and Differential Treatment under WTO Agreements”; and “Combating Corruption: A Legal Analysis”.

i. The Concept of International Terrorism (AALCO: New Delhi, 2006)

23. The resolution 42/8 adopted at AALCO’s Seoul (Republic of Korea) Session, 2003 urged the Secretariat to conduct an in-depth study on international terrorism to facilitate the participation of the Member States in the work of the Ad hoc Committee negotiations on the Draft Comprehensive Convention on Terrorism. Accordingly, this study attempts to deal with the question of terrorism starting from the developments under the League of Nations. It looks into several instruments, which were adopted to deal with specific acts of terrorism that are known as sectoral conventions. It analyses the regional conventions, which deal with the problem of terrorism. Further it focuses on the progress achieved by the Adhoc Committee on the Draft Comprehensive Convention on Terrorism.

ii. Special Study on the “Rights and Obligations under the United Nations Convention Against Corruption” (AALCO: New Delhi, 2006)

24. It may be recalled that the Secretariat prepared a book titled, “Combating Corruption: A Legal Analysis” which was released at the Forty-Fourth Session in Nairobi, Republic of Kenya (2004). Taking into consideration the need for a national legislation in order to implement the Convention, the Secretariat initiated another special study on the subject matter. This Special Study focuses on the obligations, either mandatory or optional, that the Member States are committed to implement within their national jurisdiction. The Secretariat hopes that these two studies would be useful reference books for the Member States in understanding and implementing the anti-corruption instruments.

iii. Combating Corruption: A Legal Analysis (AALCO: New Delhi, 2005)

25. The special study on “Combating Corruption: A Legal Analysis” is intended to provide an overview of the International corruption, which today has become one of the most salient manifestations of the organized crime syndicate of the globalized world, which has grave national and international ramifications. In the recent years, especially starting from late 1980s, the phenomenon of corruption has received a great deal of attention from the international community. The degree of attention paid to the fight against corruption has been unprecedented. Efforts have been made at the national and international levels to combat this problem. The negotiation and adoption of five legally binding international anti-corruption instruments within a span of seven to eight years (1996-2003) emphasizes the threat posed by this menace. Of the many reasons the most important reason for increased attention is the realization among States that corruption weakens democratic institutions and public administration, undermines good governance, fairness and social justice, distorts the economy and competition, hinders economic and social development and dangers the society’s moral force.

26. The intention of this book is to create awareness among the AALCO Member States and other Asian and African countries as to what the phenomenon of corruption entails for their national and economic development and attempts to provide the salient features of the

international anti-corruption instruments developed at the regional and international level. The study also compiles all the relevant anti-corruption instruments/conventions/resolutions and documents adopted by various international and regional organizations.

iv. Special and Differential Treatment under WTO Agreements (AALCO: New Delhi, 2003)

27. Special and Differential Treatment (S&D) is an important principle of international law which enables weak and less developed countries to integrate in the international community by granting them special advantages and flexibilities. The World Trade Organization (WTO), the body entrusted with the regulation of international trade has agreed in its fourth Ministerial Conference held at Doha, Qatar, to undertake a review of all special and differential treatment provisions in the WTO Agreements, with a view to strengthening them and making them more precise, effective and operational. Though the deadline for the completion of the review process was set at 31 July 2002, no concrete results were achieved till date. The developing countries in the WTO had made it known that their attitude towards other negotiation processes would depend on the outcome of the review of special and differential treatment provisions. It is in furtherance of this development and in pursuance to the decision taken by the AALCO at its Forty-First Abuja (Republic of Nigeria) Session; vide resolution 41/4 the CRT undertook to prepare a special study on “Special and Differential Treatment under the WTO Agreements” to enable AALCO Member States to have an update of the negotiation process on S&D and have a common approach towards the problem. The objective of the study is to provide an overview of the working of the S&D provisions under the GATT/WTO agreements, along with comments and statements made by the WTO Members in the implementation and administration of specific S&D provisions in the ongoing trade negotiation process.

E. Special Studies under Preparation

i. Definition of Aggression: An Analysis

28. The definition of “aggression” remains elusive, in spite of its long history as a contentious issue in international criminal law. Although international criminal law has evolved dramatically over the past sixty years, legal thinking about the crime of aggression has not kept pace. The Rome Statute of the International Criminal Court is the live evidence of this, as it includes aggression within its list of punishable offenses, but refrains from defining it.

29. In the effort to define aggression by the United Nations, the UN appointed a Special Committee on the Question of Defining Aggression and it is at work to produce an internationally agreed-upon definition. In view of the Review Conference of the Rome Statute, the AALCO is preparing a Special Study on the “Definition of Aggression”. This study includes historical analysis of the Definition of Aggression; United Nations efforts in this regard; UN Charter and Aggression; Different Types of approaches to the definition of Aggression; Importance of the Definition of Aggression under the Rome Statute; and

finally Self-defence and Aggression. This study may be helpful to the AALCO Member States and also other nations.

ii. Golden Jubilee Commemorative Essays on International Law

30. Asian-African Legal Consultative Organization (AALCO) celebrated its Golden Jubilee in 2006 and in the last fifty years AALCO has been an important platform and involved itself directly or indirectly in most of the developments that took place in the field of international law. The Secretariat has been bringing out every five years, a commemorative volume titled 'Essays on International Law' that contains essays on various aspects of international law, ranging from the role and contribution of AALCO in the field of codification and progressive development of international law to specific topics of international law that are of general relevance to Asian-African region. In response to the invitation made in the regard, the Secretariat has received some articles from eminent international lawyers covering various aspects. The Secretariat is in the process of publishing this volume and it would be released during the Forty-Sixth Annual Session of AALCO in 2007.

III. FUTURE PROJECTIONS / ENDEAVOURS

A. Organizing Training Programmes

31. One of the primary and key objectives of the Centre, as stipulated in Resolution 40/ORG.4,⁵ was organizing training programmes for officials from the Member States on various international law issues. It may be recalled that the Meeting of the Advisory Panel of Liaison Officers⁶ suggested, among other future activities of the Centre, training programmes for personnel belonging to Legal Departments of AALCO's Member States. It may be noted here that in order to effectively undertake training programmes, AALCO had entered into Cooperation Agreements with a number of International Organizations, among them - World Intellectual Property Organization (WIPO); International Organization for Migration (IOM); UN High Commission for Refugees (UNHCR); UN High Commissioner for Human Rights (UNHCHR); The International Committee of the Red Cross (ICRC); United Nations Environment Programme (UNEP); United Nations Training Institute for Training and Research (UNITAR) and United Nations University (UNU), and have close cooperation with United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Children's Fund (UNICEF), World Trade Organization (WTO) etc. AALCO's future plan within the CRT is to organize useful training courses with each of these Organizations in order to disseminate basic data on the activities of each Organization and make jurists of AALCO Member States acquainted with the technicalities of their activities. These training programmes will be held with the trilateral cooperation of the Organization concerned, AALCO and the Member States wishing to send their jurists to attend these courses. At the end of each course a Certificate of Participation will be presented to the trainees. Also, the Organization is making further efforts towards building associations with a number of research institutes in India engaged in research and teaching

⁵ *Supra* n.2.

⁶ *Supra* n.4.

in International Law, such as Jawaharlal Nehru University, Delhi University and the Indian Society of International law.

32. It is pertinent to mention herein that the plans are underway to draw wider participation of officials from other Member States for any such programmes. However, it may be considered that impending completion of the new Headquarters' building would facilitate the fulfillment of this objective in a more meaningful manner. The availability of permanent and modern paraphernalia and infrastructure, in terms of Seminar and Conference Rooms with modern presentation facilities and equipments would enable and ensure the Centre to regularly organize such training programmes.

33. It may be recalled that the Centre received proposals from the Government of Sudan to train its Officials. The modalities of organizing such a training programme is being worked out and it is planned to expand this programme so that wider participation of officials from other Member States could be ensured. The Centre welcomes that the Member States may also suggest the topics of common interest and provide necessary directions for conducting training programmes. Also, Training Programmes could be organized in collaboration with the Member States and the other international Organizations. In furtherance of this proposal, the AALCO Secretariat prepared a draft proposal for consideration.

B. Draft Proposal Prepared by the AALCO Secretariat

34. *Object of the Training Programme:* The organization of legal advisory service in each Government has revealed the fact that in the present context of international relations, each Government has to maintain some kind of an organization or unit for dealing with international law problems. In some countries, this task is performed by the Ministry of Justice and in others by a specialized Division of the Foreign Ministry manned either by Foreign Service officers or by specialist lawyers. The task of the International Law Division in any Government today involves to a very large extent preparation for international conferences in the field of international law convened under the auspices of the United Nations and other inter-governmental organizations and also examination and consideration of the draft codification prepared by the International Law Commission, UNCITRAL and other Organizations which ultimately form the basis of the law-making Conventions. In this context, in order to refresh the understanding of public international law and coping with the emerging issues in international law, it is pertinent for AALCO to engage in capacity building through organizing training programmes for the Officials of the Member States. For this purpose, the AALCO Secretariat proposes the two following programmes:

Programme A:

Title: Refresher Course on Public International Law (Annual programme)

Duration: Two – Three Weeks

35. *Course Objective:* The Programme is intended to provide government officials entrusted with functions relating to the international law and policy, the opportunity to broaden their professional experience in the field of international law by providing a

comprehensive overview of the underlying issues in international law, with specific focus on the problems encountered by the officials in Asian and African countries. The attempt of the Scheme would be to identify issues and ways to converge positions of Asian and African countries in tackling international legal problems.

36. The aim of the programme is to provide the participants with training in all major subdivisions of public international law, with specific focus on AALCO's work program. Major topics that may be covered include: Work of the International Law Commission, Law of the Sea, Public International Trade Law (WTO, TRIPs), International Criminal Law (ICC, Corruption); International Environmental Law, International Human Rights and Humanitarian Law, Refugee Law, Migration Law etc. One-two days could be dedicated to each topic.

Programme B

Title: Tailor-made training programmes (Country specific or subject specific)

Duration: Two – five days

37. *Course Objective*

- Provide the participants with a better understanding of the international rules, operation and impact of the *Subject* (eg. Corruption, Folklore).
- Enhance the ability of government officials from Member States to effectively participate in the international forum dealing with the *Subject*.
- Assist participants in devising strategies to meet the challenges of, and benefits from the participation and implementation of the *Subject*.

38. By the end of the course, participants should be able to do the following:

- Identify the main issues and law and policy governing the *Subject*;
- List the main implications of the *Subject* in their respective countries;
- Identify the areas of common concern and ways to bring in cooperation between Asian and African countries.

39. *Methodology*: As a general rule, the overall format of the sessions prioritizes interactivity and exchange between lecturers and participants, with an emphasis on group work, discussions and simulations. This is sought to be particularly achieved through prior distribution of recommended reading material, case study presentations, and speakers' proactive approach in inducing discussions.

40. *Venue*: The course would be hosted at the AALCO Secretariat.

41. *Financing*: The AALCO Secretariat proposes the following two financing schemes,

42. *Programme A*: An annual budget has to be allocated for the functioning of this Scheme. As the budget would be relatively high, it is suggested that AALCO could reach an understanding/cooperation agreement with funding agencies and training institutes such as the UNITAR, UNU and other interested agencies to raise adequate funding on an annual basis. It is also suggested that part funding could also be arranged from individual

Organizations for example ICRC/UNHCR for inclusion of International Humanitarian law or Refugee law in the Training programme.

43. It may be noted that the UNU, UNITAR, IDLO etc., have annual training programmes on various subjects of our interest. It is suggested that the AALCO could solicit these Organizations to conduct an annual training programme in New Delhi in collaboration with AALCO.

44. *Programme B:* An understanding should be reached with the participating Members/Organizations with which the training programme is organized.

45. This draft proposal on training programmes is intended to invite further suggestions from Member States. It is hoped that Member States come out with concrete proposals to materialize the proposed programmes as soon as the Secretariat shifts to its permanent headquarters building.

C. Research and Training Fund of AALCO

46. It may be recalled that at the Thirty-Third Session (Tokyo, Japan 1994), the Heads of Delegations had decided that the CRT would be retained as a part of the AALCO Secretariat, and its operational costs would be met from the regular budget of the AALCO. However, the regular budget itself has many difficulties due to non-payment of the contributions by some Member States and non-revision of the scale of contribution of AALCO for many years.

47. The problem of funding the activities of the CRT, especially from the regular budget of the Organization has severely restricted the activities that could be undertaken by the Centre. The Centre, because of financial constraints, is not able to expand its further research activities and undertake projects, as well as training programmes, within AALCO.

48. Keeping in view the importance of the Fund, the Forty-Fifth Session, which also marked the Golden Jubilee year of the Organization, in its Res/45/ORG 4, **decides to establish a “Research and Training Fund” in the Golden Jubilee Year of AALCO, exclusively to promote and strengthen Research and Training under the CRT, to which voluntary contributions could be made by the Member States, with a view to providing a sustainable financial basis to the Centre to undertake its mandated activities”.**

49. Any AALCO Member State could provide voluntary contribution to the “Research and Training Fund”. The Fund will be exclusively devoted to research on international law issues of common interest to Member States and for the training of the officials of Member States.

IV. SECRETARIAT COMMENTS

50. The adaptation of the “Data Collection Unit” into the “Centre for Research and Training,” symbolized a new beginning for the Centre towards undertaking research, as well as training programmes, within AALCO. However, the Centre has been facing difficulties in its effective functioning due to financial constraints as mentioned above.

51. It is pointed out that during the Tokyo Session, 1994 and Doha Session, 1995 the Secretariat was called upon to take active measures to publicise the existence of the Unit and the services available in the Unit.⁷ It is submitted that the Secretariat as well as the Member States may consider reviving this mandate and adopting appropriate methods to publicise the work of the Centre as well as the activities undertaken by and resources available with the Centre, in order to encourage other groups like students, research scholars, universities, and Organizations to access it.

52. CRT, as part of its activities, would continue to hold meeting of experts on various issues of international law. Along with its periodic publications, the CRT would also undertake, in future, special studies with a view to providing Member States in depth analysis on topics of relevance.

53. In view of the completion of the new Headquarters building and revitalization of the CRT, the Member States are urged to fund adequately in order to facilitate its future activities effectively. This would help the Centre to institute fellowships and per diem for officials and experts participating in the training programmes.

54. Member States may provide the Secretariat with necessary directions and recommendations regarding the research topics as well as specific training programmes. Member States may also suggest topics of common interest and concern for conducting in-depth research studies.

⁷ Para 5 of the “Report on the Progress made by the Data Collection Unit” adopted at the Thirty-Third Session held at Tokyo, 1994 provided:

“5. Directs the Secretariat to take active measures to publicise the existence of the Unit so that the services available in the Unit could come to the knowledge of the private companies in the Member States.”

It was reiterated and further elucidated in Para 5 of the “Resolution on the progress of the AALCO’s Data Collection Unit” adopted at the Thirty-Fourth Session held at Doha, 1995.