

SIXTIETH CONSTITUTION DAY OF AALCO
9 December 2016

**Address by Dr. V. D. Sharma, Joint Secretary and Legal Adviser,
Ministry of External Affairs, Government of India; and
President of the 55th Annual Session (2016) of AALCO**

**Secretary-General Dr. Kennedy Gastorn;
Excellencies, Ladies and Gentlemen;**

It gives me immense pleasure that we have assembled to celebrate the Constitution Day of our Organization, the Asian-African Legal Consultative Organization (AALCO). 2016 is the sixtieth year of the establishment of the Organization. I am particularly glad and excited today by the reason that, there being a gap, now celebration of the Constitution day of AALCO is being revived. I appreciate the initiative taken by the New Secretary-General. I thank him, all three Deputy Secretary-General, Officers and Staff of the Organization for their efforts in this endeavour. I also take this opportunity to recognize the work done for the Organization by Prof. Rahmat Mohammed, the former Secretary-General of AALCO who recently demitted the Office.

Excellencies, Ladies and Gentlemen,

2. It is a matter of pride for my country India to be one of the founding members of this Organization and hosting the Headquarters. By virtue of having conducted the 55th session of the Organization this year in New Delhi, India is currently holding the Presidency of the Organization. I take this opportunity to thank the member States who participated and contributed at the session in the month of May this year making it an historic success.

3. Since the historic Bandung Conference and its inception, AALCO has unfailingly discharged the mandate of facilitating democratization of the development and the codification of international law. The Organization's approach has been always practical

than ambitious. AALCO remains a platform to meet the aspirations and expectations of the Asian and African continents, in developing Asian-African approaches to International Law and thereby facilitating its progressive development. In this context, I proudly mention the role of AALCO in the development of the concept of the Exclusive Economic Zone, which is now an important element in the Law of the Sea field. Similarly the work done by AALCO which has been of great value to its member States include deliberations in respect of the Law of Treaties, Principles concerning Extradition of Fugitive Offenders; Principles on the Status and Treatment of Refugees; the Model text for Bilateral Arrangements on Mutual Assistance in Civil Matters; and the Model Agreement for Promotion and Protection of Investments.

Excellencies, Ladies and Gentlemen

4. There can be no doubt that if international society is to evolve and grow along rational and peaceful lines, it must do so in accordance with legal principles and rules. Without clear and widely recognized rules of international law, and without strict observance of such rules and of the basic principles and norms of international law embodied in the UN Charter, it would be impossible to ensure international cooperation and the peace and security which is necessary to promote the general welfare of all people and nations. The importance of regional organizations in this task cannot be overlooked. It is for this reason that the Statute of the ILC recognizes the need for consultation between the Commission and inter-governmental organizations, including regional organizations, whose task is the codification of international law. As rightly concluded by Dr. B. Sen, the first Secretary-General of AALCO, “This represents a very positive fact in itself because to achieve the overall objective of strengthening international peace and security as well as international co-operation, codified rules of law should correspond to the needs of contemporary conditions existing in the international community and, consequently, should reflect the views and aspirations of all States, whatever may be the form of civilization or legal system to which they

belong”.

Excellencies, Ladies and Gentlemen

5. Keeping this spirit and in the backdrop of the ever-widening canvas of international law, AALCO’s relevance for its Member States is further reinforced in working with other important international organizations. In this context it is worth-mentioning that AALCO’s close cooperation with the United Nations has provided an additional platform for AALCO member States to participate in the interactive dialogue and thereby to contribute to the progressive development of international law. It gives me pleasure to note such recent interactive dialogues on international law issues organized by the AALCO representation at the United Nations, one on 25th October this year with the Judges of the International Court of Justice and another event of AALCO Legal Advisers on 2nd November taken place at the UN Headquarters, New York, wherein international law issues of contemporary importance were deliberated upon. In the same spirit, AALCO’s follows the work of the International Law Commission (ILC) and deliberates on important topics under consideration of the Commission at its Annual sessions. The establishment of four regional arbitration centres in Cairo, Kuala Lumpur, Tehran and Lagos reflects the approach of AALCO towards alternative dispute resolution system. It is our hope that over time AALCO would play even greater role in the field of alternative dispute resolution.

6. AALCO’s effort to contribute to current issues being discussed at the United Nations such as marine biological diversity beyond national jurisdiction and on the legal regime for cyber-space is also noteworthy.

Excellencies, Ladies and Gentlemen,

7. I take this opportunity to little bit peep into the history of the Organization. In its First Session in New Delhi in 1957 of Asian Legal Consultative Committee (ALCC as then referred to), the then Prime Minister of India, Pandit Jawaharlal Nehru, in the

course of his inaugural address voiced his sentiments for the future functioning of the Committee as an effective forum for regional cooperation and suggested that its membership should embrace participation of not only Asian but African States as well. The suggestion of the Prime Minister was followed up by changes being effected in the Committee's status and its Constitution; soon thereafter Egypt joined the ranks of the seven sponsoring original Asian member States and significantly enough the Committee held its Second Session in Cairo. However, AALCO still has a limited membership from the African continent (14 members). This indicates that to fulfill the vision of our founding fathers, more concerted efforts are required to bring more African members to our Organization.

I congratulate you all at this important occasion and thank for giving a patient hearing.