

5. SUMMARY RECORDS OF THE GENERAL MEETINGS HELD DURING THE SESSION

(i) THE FIRST GENERAL MEETING HELD ON WEDNESDAY, 20 JUNE 2001 AT 4.00 P.M.

(The President Dr. P. S. Rao in the Chair)

The Meeting took up for consideration the item "**General Statements**".

1. **The Delegate of Indonesia** thanked the Government of India and the Secretariat for hosting the 40th session in New Delhi. He congratulated Dr. P.S. Rao and Chief Bola Ige on their election as President and Vice President of the 40th session of AALCC, respectively.

On behalf of his Government, the Delegate conveyed their apology for being unable to host the session in Jakarta, owing to difficult circumstances. He expressed his delegation's gratitude to the Secretariat for the excellent preparations undertaken for holding the cancelled session in Jakarta. The Bandung Conference held in his country in 1955, he said, had inspired leaders of the Asian African region to come together to express the common concern on a number of issues affecting the developing world.

Since then, he added, the catchword of globalization had come to influence the international economic relations of States which called for adopting a new approach by AALCC Member States. In this regard, he felt that it was appropriate to hold a high level meeting to discuss issues of common concern and arrive at a common position. Furthermore, he commended the Secretariat document on "Rationalization of the Work Programme of AALCC" which had made genuine efforts in this regard.

Recalling that the AALCC was a tangible outcome of the Bandung Conference, he expressed the hope that with an expanded membership of 45 Asian African countries it would continue to serve as an advisory body to Member States of AALCC on matters of common concern in the field of international law.

Speaking on his Government's initiative to include a new item "Establishment of Co-operation against Trafficking in Women and Children" on the agenda of AALCC, he felt that it was necessary for Asian African countries to focus their attention on this important area. Adding that the problem could not be solved by any single country, he called for closer co-operation among AALCC Member States stating that his country had signed the United Nations Convention on Transnational Organized Crimes, 2000. He expressed appreciation that a special meeting "Some Legal Aspects of Migration", was being organized jointly by the AALCC and the International Organization for Migration (IOM). Further, on the same issue he was of the view that AALCC Member States should concentrate their efforts and co-operate in preventing and combating smuggling and trafficking of migrants by international crime syndicates.

The Delegate pledged the readiness of his Government to actively participate in all the relevant agenda items of the 40th session.

(The Vice-President Chief Bola Ige(SAN) in the Chair)

2. **The Delegate of Arab Republic of Egypt** recalling the 39th Session of AALCC held in Cairo 2000, wherein a number of important topics were discussed, called upon Member States to continue a constructive strategy by voicing the common concern of Asian African region. Highlighting the increasing effects of globalization, he expressed the view that States strive towards safeguarding the socio - economic and cultural values.

As regards the agenda items of the current session, he felt that there were a number of important issues such as the work of the ILC, international terrorism, Deportation of Palestinians and International Criminal Court. On the issue of the work of the ILC the Delegate said it was continuing its good work on the progressive development and codification of international law. Recalling the 52nd session of the ILC and the first part of the 53rd session this year, he added that his country would make detailed statements, when the topic comes up for consideration.

Calling the item of "International Terrorism" a thorny issue, he expressed the view it must be differentiated from that of a 'lawful right to self-determination by national liberation movements'. While highlighting their delegation's resolve to combat all forms of terrorism, he said that his country had contributed to the adoption of agreements on terrorism under the auspices of the League of Arab States, Organization of African Unity and the Organization of Islamic Conference.

On the issue of "Deportation of Palestinians", he condemned the use of force and aggression against the territorial integrity and political independence of the State of Palestine. He expressed the view that the recent spate of violence in Gaza and West Bank, was a flagrant violation of international law. The crimes against humanity and war crimes against the people of Palestine, he added were a violation of the Fourth Geneva Convention on the Protection of Civilian in Times of War, 1949. Expressing his Government's solidarity with the just cause of the Palestinian people, he called for the AALCC to continue their study on the Deportation of Palestinians, as it was a very important issue.

On the issue of the ICC, he informed the meeting that Egypt was one of the few States to have ratified the Rome Statute and was now ready to adopt the same domestically.

In conclusion, the Delegate called for joint efforts by Member States of AALCC to guarantee lasting peace and respect for the socio- cultural ethos of all people. In this regard, he pointed out that the United Nations had dedicated the year 2001 as the "Year for Dialogue between Civilizations", wherein peoples of all the world would foster respect for each other's cultural values and work towards guaranteeing a better life for future generations.

3. **The Delegate of Uganda** at the outset, congratulated the President Dr. P.S.Rao and the Vice President (Chief Bole Ige) on their election and added that the President with his known experience and wisdom would surely be able to steer the organization during the course of the

40th session. Speaking on the agenda items for the session, he expressed appreciation for the good work done by the Secretariat of AALCC.

Speaking on the prevailing state of international relations today, he felt that the new millennium had thrown new challenges before the largely poor nations of the world. In this regard, he felt that it was incumbent upon all States to help reduce poverty and help build a genuine equitable international economic order wherein the people of poorer states could enjoy the basic necessities of life.

The Delegate, further, expressed his deep appreciation to the Government of India for so readily agreeing to host the 40th session in New Delhi, in co-operation with the AALCC.

Speaking on substantive items on the agenda of the session, he said his delegation would make statements on the topics of common concern such as International terrorism, trafficking of children and women, migration, refugees, law of the sea and ICC.

On the issue of the work on the AALCC's Data Collection Unit, he expressed appreciation and added that the Unit could be used for conducting more research on international law and training of personnel from Member States. Commenting on the topic of refugees, he felt that the Bangkok Principle on the Status and Treatment of Refugees posed a number of problems and hence the delay in its adoption. And lastly he saluted the President and the Secretary General and his Secretariat with the hope and confidence that the 40th session of the AALCC and the Bureau set up, would have a fruitful outcome.

4. **The Delegate of the Republic of Korea** while congratulating Hon'ble Chief Bola Ige of Nigeria on his election as the Vice President of the 40th session of the Organization, expressed confidence that under his leadership the meeting would be successful. He also thanked Hon'ble Farouk Seif El-Nasr the President of the 39th session for his stewardship and the Government of India and its people for the warm hospitality and cooperation in organizing the meeting. Further, he expressed his thanks to the Secretary General for his Report on the activities of AALCC and plans for consolidation of the role of the organization.

While outlining the role of AALCC during the last forty years, he expressed the view that the organization had played an important role in areas such refugees by adopting the Bangkok Principles on the Status and Treatment of Refugees and the important concept of exclusive economic zone (EEZ). Highlighting the importance of international law in providing an orderly state of international relations, he emphasized the need for regional cooperation towards coping with the challenges of the new century. He added that the AALCC had provided an important regional platform for discussing and co-operating on issues of common concern for the last forty-five years. Calling for AALCC to be an active member of the family of international organizations, he emphasized the need for enhanced cooperation between the AALCC and international organizations.

In the view of the Delegate the information technology or digital revolution had brought the nations more closer in the form of a global village. He stressed the need for strengthening

international law in this field. Expressing the need for closer cooperation between Member States on this issue, he felt that the digital revolution has created certain problems.

On the issue of the membership of AALCC, he felt that the organization had grown in number in the last 45 years and hoped that the organization could continue with its important role.

As regards the Headquarters Agreement signed between the Government of India and AALCC, he welcomed the initiatives taken by the Secretariat towards hastening the construction of the Headquarters building in New Delhi. While concluding his statement, the Delegate expressed hope that the 40th Session would come to a fruitful end and pledged his Government's willingness to participate in the discussions on areas such as environment, refugees and development.

5. **The Delegate of Ghana** thanked the Government and people of India for hosting the 40th session of AALCC and the warm hospitality accorded to them. She also conveyed the warm greetings of the Ghanaian President H.E. Mr. John Agyekun Kufour. Further, she congratulated the President and Vice President on their election to their respective offices and expressed the hope that with their wide experience and wisdom the session will come to a successful end. In this endeavor she assured the wholehearted cooperation of her delegation. She also thanked the Secretary General and the Secretariat for preparation of comprehensive briefs on different agenda items.

Speaking on substantive issues, she expressed satisfaction that the Preparatory Committee to the ICC was nearing completion of its work, but expressed unhappiness that very few Member States of AALCC were participating in the work of the PREPCOM. She called for greater participation in the work of the PREPCOM and also to go forward and become signatories to the Rome Statute of the ICC.

On the item of UNCED - Follow up, she expressed concern that developed countries that had the largest share in greenhouse gases production thereby causing climate change, were not ready to provide financial resources to developing countries. Adding that global warming was a global problem, she called for concerted action to make the world a safer environment to live in.

As regards the topic of refugees, she called for the adoption of the Bangkok Principles on Status and Treatment of Refugees at this session. Extraterritorial Application of National legislation, in her governments' view not only infringed international law, but also threatened the efforts of the international community to establish an equitable, multilateral non-discriminatory, and rule based trading system.

Furthermore, she commended the inclusion of the item "Establishing Cooperation Against Trafficking in Women and Children" on the agenda of the 40th session, and condemned trafficking as a new form of slavery. She stated that the Vienna Declaration and Programme of Action adopted at the World Conference on Human Rights had addressed the human rights of women and children as an inalienable and indivisible part of human rights.

With regard to the item “International Terrorism”, the Delegate stated that her country was a signatory to the OAU Convention on Terrorism and would cooperate with AALCC Member States to combat all forms of terrorism. In conclusion she expressed the desire that the 40th session would come to a successful end.

6. **The Delegate of People's Republic of China** congratulated the President on his election to the 40th Session of the AALCC and expressed the view that with his experience and wisdom he would be able to steer the session to a successful conclusion. He also thanked the Secretary General and the Secretariat for their efforts in preparing documents for the session.

He expressed the view, that with the beginning of the new century it was important that Member States of the Organization exchange views on issues of common concern concerning Status and Treatment of Refugees, environmental law, law of the sea and international trade law.

Further, he added that the increasing trend towards globalization had a few negative effects which was a matter of concern to developing states and international law could play an important role in establishment of an equitable international order. Commending the good work done by AALCC in the past, the Delegate stated that his government had some views to enhance its role. In the first place, he added that AALCC should continue to study major issues of international law such as peacekeeping operations, protection of human rights and international environment law. And second, he expressed the view that AALCC should strengthen and expand its cooperation with the UN and its various agencies. Third, AALCC should continue to follow the latest development in fields such as WTO's dispute settlement mechanism, intellectual property rights and electronic commerce, to be able to provide valuable advice to Member States. And lastly, the Delegate felt that AALCC should continue holding workshops and training courses on international law and study practical legal problems faced by Member States.

While concluding his statement, the Delegate reiterated the importance his government attached to the role of the AALCC and promised to continue rendering support for its activities.

7. **The Delegate of the Islamic Republic of Iran** thanked the President of the 39th Session of the AALCC Farouk Seif El-Nasr, for the successful completion of his tenure wherein a number of important activities were undertaken. In this regard, he highlighted the Report of the Secretary General Amb. Dr. Wafik Z. Kamil which was lucid, concise, informative and containing a number of elements that deserved proper attention and consideration.

He commended the Secretary General and his staff for participating in different meetings of the UN and other international and regional bodies and various seminars. He also expressed appreciation towards the efforts of Secretary General and his deputies towards expanding the membership of the organization. Such a step, in his view would increase the credibility and relevance of the organization in the eyes of the international community.

While commending the efforts of the Secretary General and the Secretariat in organizing seminar and workshops, he felt that possibilities of holding joint seminars and workshops with various UN bodies and specialized agencies, could be explored.

Furthermore agreeing with the Secretary General's Report that "core" legal activities should be taken up by the organization for consideration and study, the Delegate called for reflecting an Asian African perspective taking into account the cultural, political and social characteristics of the Member States.

With regard to "Rationalization of the Work Programme of the Committee" the Delegate felt that it was the most important portion of the Report of the Secretary General.

In his view, the non-exhaustive list required prioritisation by Member States who may wish to identify a list of items of current relevance. In his view the issues that could be listed were: globalization, human rights, humanitarian Law, drug trafficking, human trafficking, corruption and energy and environmental law. On the issue of lack of time available to address all topics in-depth, he agreed with the suggestion of the Secretary General citing an example that one part of the ILC's work could be undertaken for extensive study. But, he felt that future sessions of the Organization, needed to allocate more time, may be by way of different working groups dealing with particular issues.

The Delegate supported the proposal made in the Report of the Secretary General to prepare a "roster" of international law experts from the Asian African region.

Highlighting the need for enhanced cooperation between Member States to ensure proper functioning of the AALCC, he pledged his country's support towards such a cause and also called for prompt payment of contribution by Member States.

In conclusion the Delegate assured that his Government would strive to revitalize the AALCC, to be able to meet the challenges faced by the international community in general and the field of international law, in particular.

8. **The Delegate of the Republic of Sudan** at the outset congratulated the President and Vice President on their election. He also thanked the Secretary General and his staff for their sustained efforts in preparing the background documents for the 40th session.

Commenting on the item "International Terrorism", he commended the efforts of the Government of India for their draft submitted to the Working Group of the Sixth Committee. In this regard he highlighted the report of the UN Secretary General and the resolution on the item which called upon States to abstain from spreading unverified and unascertained information on the topic. He expressed the view that international acts of terrorism were a violation of the rights of all people to have peaceful coexistence. Further, he however warned that some States were using this as a pretext to impose sanctions against other States undermining their right to sovereign equality and socio-economic development. He was of the view that such acts served the narrow national interests of few States rather than combating terrorism.

On the issue of "Deportation of Palestinians", he lamented the fact that the continued aggression against the people living in the West Bank and Gaza was a flagrant violation of

international norms and conventions. He further added that Israel was engaged in spreading state terrorism against the helpless children and women of Palestine.

As regards the issue of migration, he said that as the largest single State in Africa hosting refugees, his country was offering shelter and health services to a large number of refugees. To be able to implement their obligations better, the Delegate pointed out that his country was a party to the major conventions in the human rights and refugee fields. However, on the issue of human rights, the Delegate felt that it had become a political tool to harass some States to serve their powerful interests. He said that these States were trying to draw up dubious strategies using the cultural and civilizational orientation of less developed States.

Commenting on the topic of "Law of the Sea", he expressed the view that his country had played an active role in the Law of the Sea negotiations. Striving towards the sharing of resources of the deep seabed on the principle of "common heritage of mankind (CHM), he said his Government was playing an active role in the work of the International Sea Bed Authority (ISBA). Calling for use of seabed resources for the benefit of all nations, he said currently Sudan was occupying the Vice-Presidency of the ISBA. With respect to the forthcoming session of AALCC, he said that if it was acceptable to all States, then his country would be keen to host the forty-second Session of the AALCC, after Nigeria had hosted the 41st session.

9. The **Delegate of the Republic of Tanzania** said that he was privileged to be attending the 40th session of the Organization wherein the name of the "AALCC" was changed to "AALCO". He also commended the efforts of the Secretariat to convene annual sessions on a regular basis, even in times of difficulty.

Further, he congratulated Dr. P.S.Rao and Chief Bola Ige on their election as President and Vice President of the 40th session of AALCC, respectively. He added that the President had longstanding and close relationship with the organization and was one of the leading patrons of AALCC. As regards the election of the Vice President, he felt that a person of his stature and qualification could surely lead the meeting to a successful conclusion. Expressing his delegation's inability to attend the election of the Secretary General, the Delegate stated that his delegation had, however, wholeheartedly supported his candidature. Calling the Secretary General, a man of less words and more action, he said the organizing of the 40th session in Delhi, in difficult circumstances was sufficient testimony of this.

He felt that the change in the name of the organization to "AALCO" had come in difficult times, when problems facing the international community had become more complex. Citing the development of international relations from a stage of crude colonialism to global economics, he called for a sophisticated engagement amongst Member States to be able to shape a new economic order. Such an order, he averred would require a need to study the legal effects of globalization by way of undertaking detailed research, training of personnel of Member States and maintenance of a data bank. Calling for taking up challenges facing the developing world, especially in the field of international law making, the Delegate said that he welcomed the views expressed by Dr. Najma Heptullah in her inaugural address. He concluded his statement by wishing the 40th session, all success.

10. The **Delegate of Myanmar** while expressing his privilege to attend the 40th session of AALCC congratulated the President and the Vice President on their election. Recalling that his country was one of the founding members of AALCC, he pledged the continued support of his Government to the President in all his duties.

Expressing the view that a few big states have started dominating smaller states on the pretext of human rights violation, democracy and elimination of drug menace, he felt that there is a need for following a balanced approach in international relations. The guiding principles to achieve this balance, he added were the five principles of peaceful co-existence and the ten principles of the Bandung Conference.

Further, he stated that his Government applied those principles as a part of their foreign policy and thus had been able to maintain friendly relations between States.

Recalling the spirit of the Bandung Conference, which had played a positive role in the establishment of the AALCC, he called for greater understanding and cooperation among AALCC Member States, on matters of common concern in international law. While stating that the agenda items for the 40th session were of common concern to Member States, he expressed the desire that the discussion on those items would express the need for strong solidarity and cooperation among states of the region. In conclusion, he wished a successful completion to the 40th session of the AALCC.

11. The **Delegate of Nepal** extended his congratulations to the President and the Vice President on their election. He was confident that with their wealth of experience and wisdom they would ensure the success of the 40th session. Commenting on the inaugural address by Dr.Najma Heptullah, he said his delegation was touched by her inspiring words. He also expressed thanks to the Secretary General and his staff for holding the 40th session in the beautiful and historic city of New Delhi. The 39th Session of the AALCC, the Delegate said was steered successfully by Hon'ble Farouk Seif El Nasr, Minister of Justice, Arab Republic of Egypt.

Speaking on the agenda items of the current session, he expressed the view that the items were pertinent and relevant not only for Asian African countries, but other States too. The AALCC, he added, in its work over the years, had in good measure contributed to the progressive development and codification of international law. While stating that the agenda items were of contemporary relevance, he expressed the hope that the ensuing deliberations in the following days, AALCC would address these contemporary problems in an effective manner.

Concluding his statement, the Delegate pledged the support of his government and promised closer co-operation with AALCC in the pursuit of its objectives.

12. The Meeting was thereafter adjourned.