

SUMMARY RECORD OF THE SECOND MEETING OF THE DELEGATIONS OF AALCO MEMBER STATES HELD DURING THE FORTY- FIRST SESSION ON MONDAY, 15 JULY 2002, AT 2.45 P. M.

Hon'ble Senator Kanu G. Agabi, SAN (President) in the Chair

1. The **President** gave the floor to Dr. Li Zhenhua, Assistant Secretary-General to present his report on the "**Centre for Research and Training**".

2. **Dr. Li Zhenhua, Assistant Secretary General** recalled that the name of the AALCO's Data Collection Unit had been changed to the Centre for Research and Training (hereinafter CRT) at the 40th Session of AALCO, held at New Delhi, from 20 to 24 June 2001. The resolution adopted at that session requested the Secretary-General to continue to improve the technical efficiency of the Centre and update its website for facilitating communication between the Secretariat, Member States and other related international organizations. Furthermore, it also urged member States to furnish information and relevant materials to enrich the Centre and make voluntary contributions to the Centre to enable it to undertake the envisaged activities.

3. He said that the Secretariat since the 40th Session, had made concerted efforts towards improving the web site of the AALCO. The front page of AALCO's website had now been improved upon containing 16 new hyperlinks. These included, Statements of the Secretary-General since he assumed the office; detailed description on all the activities of AALCO and Model Legal Instruments such as AALCO's Bangkok Principles etc. The front page also displayed 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 Member States. The display also contained a hyper link on Regional Arbitration Centers of the AALCO, which provided a short description on the functions of Arbitration Centers, as well as their activities. Efforts were also being made to make AALCO's website user friendly.

4. He said that an Advisory Panel of Liaison Officers have been constituted to advice on the functioning of the Centre. He recalled that paragraph 3 of resolution 39/ORG.6 adopted at the Cairo Session in the year 2000 had called upon Member States to consider expansion of the Membership of the Advisory Panel of Liaison Officers to the Centre. At present, the membership of the centre comprised of Liaison Officers from Arab Republic of Egypt, India, Republic of Korea, Malaysia and the Philippines. The Liaison Officers from Pakistan and the Sultanate of Oman volunteered to participate in the Advisory Panel. It was hoped that the expansion of the Advisory Panel would lead to aggregation of ideas and inputs towards strengthening and improving the functioning of the newly established Centre.

5. He noted with satisfaction that the establishment of the Centre for Research and Training marked the culmination of the efforts of Member States towards providing a new look and approach towards undertaking research activities within the AALCO. As opposed to the Data Collection Unit, the Centre would undertake a number of activities not restricted to economic legislations of Member States. The meeting of the Advisory Panel of Liaison Officers to the Centre suggested a number of ways and means towards undertaking the future activities of the Center. These included: training programs 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. In this regard, a number of topics for the training programs were suggested such as human rights, new round of trade negotiations within the WTO, environment and other contemporary topics which were presently on the agenda of AALCO. It was also felt that Center could undertake programs in association with a number of research institutes within the United Nations systems such as the United Nations Institute for Training and Research (UNITAR) and the United Nations University.

6. He emphasized that the establishment of the Centre for Research and Training at the New Delhi Session had given a new direction and approach to the research activities of the Organization. The Centre would play an important role in fulfilling the objectives of the Organization. The first step towards this end was the establishment of AALCO's website which had opened up new channels of communication between the Secretariat and the Organization. He expected that Member States would

avail of this opportunity and send their comments to the Secretariat for providing policy guidance as to how the Centre's activities should be improved upon.

7. Lastly, he recalled that the Centre had been functioning on a generous grant provided by the Government of the Republic of Korea. That amount had nearly been exhausted. He emphasized that the activities under the Centre would require the whole-hearted material and financial help of the Member States for undertaking the aforementioned activities.

8. The **President** thanked the Assistant Secretary-General for his report on the "Centre for Research and Training" and then gave the floor to Amb. Dr. Wafik Z. Kamil, Secretary-General to report on the "**Revision of AALCO's Statutes and Statutory Rules**".

9. The **Secretary-General** recalled that at the 40th Session of AALCO in New Delhi, during the consideration of the item "Proposal to change the name of the "Asian-African Legal Consultative Committee" (AALCC) to "Asian-African Legal Consultative Organization (AALCO), a proposal was made by the Leader of the Delegation of Ghana to consider reviewing the AALCO's Statutes and Statutory Rules. The proposal was aimed at comprehensively updating the Statutes and Statutory Rules to avoid successive piecemeal amendments of the Rules and regulations by which AALCO was run.

10. A formal proposal from the Government of Ghana together with an Explanatory Note was forwarded to the Secretariat by a letter dated 21 January, 2002. The Secretariat had informed the Member States of this proposal by a letter dated 4 February 2002.

11. Referring to one of the proposals made by Ghana he said, that the word "Committee" should be expunged from all articles and sub-sections of the Statutes and Statutory Rules. This had been done and a copy each of the Statutes and Statutory Rules reflecting these changes had been distributed at the beginning of the 41st Session.

12. Another proposal of Ghana was concerned with the desire of the Organization to encourage Francophone countries to join the Organization. It was suggested that it might be expedient to amend Article 13, Section 15, to make French a working language of the Organization.

13. While reflecting on that proposal, he stated, that the proposal had certain implications and needed consideration. According to AALCO's Statutory Rules 13 (15) English is the official and working language of the Organization and Arabic is the working language. Further, it provided that all the expenditure to be incurred in connection with the use of languages other than English as working languages should be borne by the Member States whose official languages are identical with such working languages, in such proportion as may be agreed upon among those States.

14. He informed the meeting that on experimental basis French was introduced as a working language since 1970. A French translator was appointed and at some annual sessions interpretation in French was also provided. All these expenses were met from the regular budget of AALCO. But, unfortunately, it did not attract participation of French speaking countries. The AALCO Membership at present included only 3 French Speaking States: Senegal, Egypt and Lebanon. He said he was trying his best to seek some funds from various sources so that some basic documents could be translated into French and help the French speaking Asian-African States to better understand and be aware of activities of AALCO.

15. He stated that Arabic was introduced as a Working Language at the Nineteenth Session held in Doha in 1978. At that Session it was decided to establish a Arabic Division and Arabic Speaking Member States were requested to finance this division independently of AALCO's regular budget. This unit now provided translation of AALCO's briefs and documents as well as interpretation facilities for the annual sessions.

16. While welcoming Ghana's third proposal he said, it concerned preparation of Verbatim Record of the proceedings of the Session within a period of two months after the conclusion of each session instead of four months as prescribed in Rule 13(16). He explained that the report of session was prepared by the Secretariat normally within one month and promptly sent to Member States. However, the preparation of

verbatim records involved translation of statements made in Arabic and transcription from tapes of statements in English as well. This was a long process and to ensure accuracy, the Secretariat had to work carefully. However, he assured the Member States that some steps would be taken to expedite this process and endeavours would be made to send the Verbatim Records to Member States as soon as possible.

17. Lastly, as regards Ghana's proposal concerning comprehensive review of the Statutes and Statutory Rules, he strongly supported this proposal and commended the Republic of Ghana for its initiative to include this item on the agenda of the work programme. Given the fact that AALCO had a permanent Headquarters; the expansion of its activities witnessed by the signing of MOU's with a number of international organizations in the last two years; and also the enhanced status and prestige that AALCO enjoyed as an inter-governmental organization, it was important that the AALCO's Statutes should reflect this change and progress.

18. Furthermore, he said as a follow-up he had constituted a Working Group within the Secretariat which met several times during the last two months. It was able to complete its first reading of a draft text combining existing Statutes and Statutory Rules, in addition to proposing a new structure and certain new provisions. He had planned to hold informal consultation with the Liaison Officers, but on the second thought decided to wait till Member States approved the inclusion of the item and directed the Secretariat as to how to go forward.

19. Finally, in order to have an organized and structured process of carrying out this task the Member States may adopt a resolution mandating the Secretary General to undertake, in consultation with the Liaison Officers, a comprehensive review of the AALCO's Statutes and Statutory Rules. Then the draft text could be considered by an inter-sessional meeting of the Member States for further refinement. The Secretary-General may be requested to report on the results of this review exercise to the forty-second Session of AALCO.

20. The President thanked the Secretary-General for his lucid report and invited comments from the delegations.

21. The **Delegate of Ghana** fully agreed with the manner suggested by the Secretary -General and the method to be adopted for the Revision of the Statutes and Statutory Rules, and agreed that a resolution could be adopted at the current session which could mandate the Secretary-General to revise the Statutes and Statutory Rules.

22. The **Leader of the Delegation of Islamic Republic of Iran** while agreeing with the proposal to amend the Statute and Statutory Rules was not clear as to how it would be taken up and requested the Secretary-General to explain how he would proceed.

23. The **Secretary-General** stated that first and foremost it was necessary to accept the inclusion of the item on the agenda. Subsequently a mandate was required from the Member States to go ahead with the revision of Statutes and Statutory Rules as explained by him in his aforementioned statement, the item would then be taken up at the 42nd Session.

24. The **Leader of the Delegation of the Islamic Republic of Iran** enquired when would such a resolution be adopted

25. The **Secretary-General** said a resolution mandating the Secretary General to go ahead with the process of revision of the Statutes and Statutory Rules may be adopted by the meeting on 19th July, 2002.

26. Since there were no further comments on the item, the meeting was adjourned.