

#### **IV. SUMMARY RECORD OF THE SECOND MEETING OF DELEGATIONS OF AALCO MEMBER STATES, HELD ON 1<sup>ST</sup> DECEMBER 2008 AT 3.00 PM**

**His Excellency Mr. Narinder Singh, President of the Forty-Seventh Session of AALCO in the Chair.**

##### **Adoption of the Resolutions**

1. The President noted that he had two draft resolutions for the consideration of the Member States (i) New Delhi Declaration on Revitalizing the Asian-African Legal Consultative Organization; and (ii) Resolution on AALCO's Financial Matters and Budget for the Year 2009

##### **(i) New Delhi Declaration on Revitalizing the Asian-African Legal Consultative Organization**

2. The **Delegations of Malaysia, Islamic Republic of Iran, Indonesia, Uganda, Thailand, and India** presented their views on the "New Delhi Declaration on Revitalizing the Asian-African Legal Consultative Organization". There was a general view that this Declaration should not be taken up at this Session as it has not been deliberated enough. However, considering its importance, Declaration on the Revitalization of AALCO could be taken up at the Forty-Eighth Session of the AALCO after further deliberation on the issue of revitalizing the Organization.

3. The President accordingly placed the Declaration aside for being revisited during the Forty-Eighth Session of AALCO.

4. Thereafter, the second Draft Resolution on Budget for the Year 2009 was tabled.

##### **(ii) Resolution on AALCO's Financial Matters and Budget for the Year 2009**

5. **The President** tabled the Resolution on Financial Matters and Budget for the Year 2009, RES/ES (NEW DELHI)/2008/ORG.1. He noted that as the Vice President was not present, necessary corrections in the Preambular para 4 had to be made accordingly. He further recommended deletion of Preambular para 9 of the draft resolution as it has already been reflected.

6. The **Leader of Delegation of Malaysia** sought some clarification on Operative Para 1, which talk about the adoption of the Supplementary Budget. He enquired whether the Supplementary Budget once adopted by the Liaison Officers Meeting, should be adopted by the Forty-Eighth Annual Session of AALCO. And if that be the case it should be reflected in the Operative Paragraph 1. **The President** clarified that the understanding was that if sufficient contributions are not received, then this matter of Supplementary Budget would again be taken up. But if we mention Forty-Eighth Session, it would be too early to know whether we would get adequate contributions or not. This was why it is kept open and the Secretariat could take a view on that. He noted that the Supplementary Budget should be adopted at the Liaison Officers

Meeting, Member States could be asked to make the contributions and then that could be confirmed at the following Annual Session.

7. In Operative Paragraph 2, the **Leader of Delegation of Uganda** requested inclusion of ‘2008’ after “December”; and the word “financial” after “voluntary” in Operative Paragraph 4.

8. In Operative Paragraph 5, **the President** recommended the replacement of the word ‘Strongly urges the’ to “Strongly urges **that**”.

9. The **Delegates of Islamic Republic of Iran** and **Bangladesh** requested the rearrangement of Operative Paragraph 9 after Operative Paragraph 6, and renumbered accordingly. The Delegates of Islamic Republic of Iran also requested the inclusion of the words “to be taken” in Operative Paragraph 9.

10. In Operative Paragraph 8, **The President** recommended deletion of the “at the Extraordinary Session dated 1 December 2008”, as the resolution refers to today’s date. The **Leader of Delegation of Uganda** requested replacement of the words “with immediate effect” to “expeditiously”.

11. The **Leader of Delegation of Republic of Korea** once again conveyed her concern about the Action Plan, in particular the joint “Demarche”, which her delegation was not willing to support. **The President** clarified that this resolution has made a reference to the statement made by the Head of Delegations of AALCO Member States. So when the Secretary-General is implementing his Action Plan, he would take into consideration the views and concerns expressed at the Extraordinary Session.

12. A new Operative Paragraph 10 was included “Mandates the Secretary-General to explore the feasibility of additional resources”, on the request of the **Leader of Delegation of Uganda**.

13. With these changes, the Resolution was adopted.

14. The **Leader of Delegation of Japan** wondered why the Member States or the Secretariat mentioned the urgent action that was needed to tackle the problem of arrears. In this regard Japan welcomed the idea of joint demarche against countries in arrears.

15. **The President** noted that the problem of Arrears a very serious one and the Secretary-General had mentioned this issue in his statement. It would be very good if we could recover the arrears, which could be used for the activities of the Organization. Moreover, arrears put addition burden on those Members who are regular in their commitment towards AALCO. The Secretary-General had been mandated to contact all Member States who were in arrears and urge them to pay and if they cannot pay in one stork, he had suggested a scheme of payment divided into many years. It would also be welcoming if some of our Members also supplementing the efforts of the Secretariat by urging the countries in arrears to pay.

16. **The President** thanked all the delegates for their cooperation and constructive discussion. The financial situation of AALCO is a very serious matter and that has been well

recognized. It was also recognized that AALCO has a useful role to play. It had in the past made significant contributions and it would continue to contribute as forum of cooperation among Asian African States in the field of international law and that it would continue to serve a useful purpose by addressing the common concerns which could be taken up at the United Nations and other international forums during negotiations at different international law issues. He also noted that by adopting the Budget for the year 2009 in December, it would be helpful to the Secretariat as they could immediately send the letter of request for the annual contributions from the Member States and hopefully, the Member States would start paying the contribution from the beginning of the year itself. This would make sure that AALCO could function properly and successfully from the new Headquarters Building. He noted that since AALCO has a new Secretary-General, the Member States should give him the necessary resources to function effectively and fulfill his mandate so that he also has a sense of achievement in carrying out the task which has been given to him as the head of this Organization.

17. **The Secretary-General** expressed his deepest gratitude on behalf of AALCO and on his personal behalf for the distinguished delegations participating in the Extraordinary Session. He congratulated the Member States for the high level and high quality of the participation. He expressed his gratitude for the interest shown to the work of the AALCO, particularly to the Attorney Generals and senior officials who have taken part in the Session, keeping aside their busy schedule. The outcome of this session would determine the future of this Organization. He thanked the President and the delegates for giving him the support and with this support he would be able to perform his functions as the head of this Organization. He hoped that the support would be both moral and financial, and without the financial support any organization would not be able to operate effectively and efficiently. He also took note of the suggestions made the Members, particularly on the healthy financial management, on the principle of transparency and accountability. He assured that during his tenure, he would implement these recommendations and make sure that AALCO coffers are sufficient to plan the activities. He also thanked the interpreters for their excellent services and thanked the Deputy Secretary-Generals for their support in organizing the Session. He also thanked his Secretariat team of Senior Legal Officers and Legal Officers, and the administrative Staff for the support and strength. He also announced that the official dinner was cancelled because of the mourning of the death of the former Prime Minister of India. He once again thanked all the participants.

**Thereafter the Session was adjourned.**