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**REPORT ON  
THE CENTRE FOR RESEARCH AND TRAINING OF THE AALCO**

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**Prepared by**

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## **I. INTRODUCTION**

1. The Centre for Research and Training (hereinafter ‘CRT’ or ‘Centre’), which is an integral part of the Secretariat of the Asian-African Legal Consultative Organization (AALCO) was established in the year 1989. The Centre, which was earlier known as AALCO’s “Data Collection Unit<sup>1</sup>”, was renamed as the Centre for Research and Training in 2001, pursuant to paragraph 2 of the Resolution AALCO/40/ORG.4<sup>2</sup>. The establishment of CRT created a new chapter in the efforts of the Member States towards undertaking research activities, as well as training programmes conducted within the aegis of 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 and the significance of exchange of information between the AALCO, the United Nations and its specialized agencies and other international bodies<sup>3</sup>. 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 also 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. The change of name from ‘Unit’ to that of Centre had brought about a change in the orientation and functioning of it. The Meeting of the Advisory Panel of Liaison Officers<sup>4</sup> 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 the international law themes; 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 AALCO/41/ORG 4, the CRT was called upon to: (i) continue to update and improve

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<sup>1</sup>The Data Collection Unit was established based on the proposal made by the Government of Republic of Korea at the Twenty-Eighth Session of AALCO (the 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/.It also needs to be mentioned here that an Advisory Panel, (pursuant to a decision taken at the Thirty-First Session held at Islamabad in 1992), 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.

<sup>2</sup>Resolution 40/ORG.4 entitled “AALCO’s Data Collection Unit”, adopted at the 2001 Session, held in New Delhi

<sup>3</sup>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.

<sup>4</sup>270th Meeting of the Liaison Officers of the AALCC, held in December 2000.

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. The CRT has been making significant contributions toward the cause of international law by undertaking research projects and conducting training programmes ever since it was set up. This report briefly provides an outline of the measures taken and efforts made by the CRT in the last one year, i.e., since the Fiftieth (Colombo, Sri Lanka,) Annual Session of AALCO, to 1st June 2012, in furtherance of its mandate and for the effective functioning of the Centre.

## **II. CENTRE'S ACTIVITIES**

### **A. Training Activities**

#### **1. WTO Training Programme on “”Trade and Development” (21<sup>st</sup> -25<sup>th</sup> May 2012)**

5. A WTO Training Programme, which was held at the Headquarters of AALCO from 21<sup>st</sup> May to 25<sup>th</sup> May' 2012, was jointly organized by WTO Headquarters, Geneva and the Centre for WTO Studies, Indian Institute of Foreign trade (IIFT), New Delhi. The Programme was attended by more than 35 Participants including Representatives from 14 Member States of AALCO.

6. At the Inaugural Session, Prof. Dr. Rahmat Mohamad, the Secretary General, AALCO delivered the Introductory Remarks highlighting the need on the part of developing countries to take the institution of WTO seriously. It was followed by a wonderful Key Note Address delivered by Dr. Biswajit Dhar, Director General, Research and Information Systems for Developing Countries (RIS), New Delhi. During his presentation, he had focused attention on to the Trade-Development nexus in its historical aspect and explained its significance to the Doha round. In the Substantive Session of on the first day of the training programme, two consecutive lectures were given by Mr. Shishir Priyadarshi, Director, Development Division, WTO on ‘Trade and its Linkages with Development’ and ‘The Role of South-South Cooperation in Trade and Development’ respectively.

7. The Second day of the training programme got momentum by the enthusiasm of the trainees and Prof. Sajal Mathur from the Centre for WTO Studies spoke eloquently on Special and Differential Treatment in GATT and WTO which was followed by another interesting discussion triggered by the lecture of Prof. Shashank Priya, from the Centre for WTO Studies.

8. The Third day saw Prof. Abhijit Das, Head, Centre for WTO Studies discussing “Important Development Issues in NAMA Negotiations” in all its complexities including the principal issues that block the successful conclusion of the Doha Development Round. He also delivered a lecture on ‘Important Development Issues in Agriculture Negotiations’ during which he clearly highlighted the problems inherent in the subsidies issue that form the core of the Doha round.

9. On the fourth day of the training programme, Prof. Madhukar Sinha from the Centre for WTO Studies consecutively spoke on ‘Important Development Issues in Service Negotiations’ and ‘Important Development Issues in TRIPS Negotiations’. The need to balance the rights of patent holders vis-à-vis the right to health of the global poor was clearly articulated by him.

10. The last day of the training programme saw Prof. Sajal Mathur from Centre for WTO Studies speaking on ‘Issues of Concern for Least Developed Countries and Small and Vulnerable Economies’ and ‘Aid for Trade’. He noted that unless issues pertaining to the developing world are addressed, we could not break the impasse of the Doha round. At the Valedictory Session, Dr. Xu Jie, Deputy Secretary-General of AALCO proposed the vote of thanks and the Training

Programme came to an end with the granting of certificate of Participation to all the Participants by the Secretary-General of AALCO and Prof. Abhijit Das of the Centre for WTO Studies.

## **2. Training Programme for the Diplomats and Officials from the Kingdom of Saudi Arabia on the Working of AALCO (12<sup>th</sup> -13<sup>th</sup> March 2012)**

11. The Training Programme on the “Working of the Asian-African Legal Consultative Organization” (AALCO), which took place on the 12<sup>th</sup> and 13<sup>th</sup> of March 2012 at the Secretariat of the AALCO in New Delhi, was organized with the objective of enlightening the Diplomats and Officials from the Ministry of Justice, Saudi Arabia as regards various aspects of the functioning of the Organization. A public International Law Firm, namely Volterra Fietta functioning in London, had also contributed towards the convening of this Programme.

12. The Secretary-General of AALCO Prof. Dr. Rahmat Mohamad had delivered the Welcome Remarks and highlighted the objective of the exercise in detail. It was followed by some remarks made by a Representative from Volterra Fietta. In the Business Session, the Secretary-General had given an elaborate presentation as to the historical background of AALCO and the vast trajectory it has travelled in the past 55 years. In another presentation, Mrs. Anuradha Bakshi, Assistant Principle Legal Officer discussed a number of issues as regards: how does the Organisation Function; and what are its basic structures. In the later part of the day, the Substantive Agenda Items of AALCO was discussed by the Secretary General.

13. The next day also saw the Secretary-General continuing on the Substantive Agendas of AALCO and a presentation by Mrs. Anuradha Bakshi on AALCO’s Cooperation with Other International Organizations. In the Third Substantive Session, the Secretary General discussed about the AALCO-International Law Commission (ILC) and highlighted the need to reflect the concerns and interests of the developing countries at the ILC. The critical role of AALCO in this enterprise was clearly brought home by him. This was followed by a session of Question and Answer with participants. The programme ended with the Awarding of Certificates to the participants.

## **B. Holding of Seminars/Workshops on International Legal Matters**

### **1. Meeting of Legal Experts on the Rome Statute of the ICC: Issues and Challenges (19<sup>th</sup> and 20<sup>th</sup> July 2011)**

14. The Meeting of Legal Experts on the Rome Statute of the International Criminal Court Issues and Challenges was held in Putrajaya, Malaysia on 19<sup>th</sup> and 20<sup>th</sup> July’ 2011. The meeting was jointly organised by the Government of Malaysia, the International Criminal Court and the AALCO. In this meeting, Thirteen member States of AALCO had taken part.

15. In the Inaugural Session, the Welcome Address was delivered by Prof. Dr. Rahmat Mohamad, the Secretary-General of AALCO who highlighted the work of AALCO in relation to ICC. This was followed by the Inaugural Address given by H.E. Tan Sri Abdul Gani Patail and then the keynote Address by H.E. Sang-Hyun Song, President of the International Criminal Court.

16. This Meeting, which had divided its agenda into three Working Sessions, focused on a number of themes within the purview of ICC. They included:

1. Preconditions for the Exercise of the Jurisdiction.
2. Bilateral immunity Agreements
3. Principle of Complementarity.
4. Criteria for the Selection of Situations and Opening of Investigations.
5. Relationship between Peace and Justice.

6. Post Kampala Review Conference: An update; and
7. Implications of Ratification of Rome Statute.

17. Presentations were made by a number of experts, who are working in the field of international criminal law. They included: Mr. David Koller, Legal officer from the ICC Appeal's Chamber; Mr. Rod Rastan, Legal Advisor, ICC Office of the Prosecutor; and others. The views expressed by the participating States revealed many concerns that they harboured in relation to ICC. In a nutshell, they are as follows: the Principle of Complementarity remained a grave concern, as the term itself was not defined in the Rome statute. The Relationship between the ICC and the United Nations Security Council, in light of the referral of situations by the UNSC to the ICC, particularly in view of the fact that a few Permanent members of the United Nations Security Council were not members of ICC was also keenly debated. Concerns were also expressed about the interpretation of Article 98 of the ICC relating to Bilateral Immunity Agreements and that it was an issue that required careful interpretation. The powers of the ICC Prosecutor were also discussed at length. Some of the Member States also spelled out their reasons for not acceding to the Rome Statute which included additional financial burden on their Governments and the difficulties of internalizing the provisions of the Rome Statute into their Domestic legislations.

18. At the Concluding Session, the proceedings of the Meetings were summarized by Prof. Dr. Rahmat Mohamad in a lucid way followed by the Vote of Thanks which was given by Dr. Hassan Soleimani.

## **2. Conference on Competition Law in Emerging Economies: Trends and Developments in India (28<sup>th</sup> -29<sup>th</sup> Feb. 2012)**

19. The Conference on "Competition Law in Emerging Economies: Trends and Development in India" was held on 28<sup>th</sup> and 29<sup>th</sup> February' 2012. This had been organized by the Asian-African Legal Consultative Organization (AALCO) in collaboration with the Centre for International Trade and Economic Laws, Centre for Intellectual Property Rights Studies and Michigan-Jindal Centre for Global Corporate and Financial Law and Policy and the Jindal Global law School. This was supported by Competition Promotion and Consumer Protection Directorate and the Ministry of Commerce and Industries, Islamic Republic of Afghanistan.

20. The venue for the first day was the Secretariat of AALCO at New Delhi and the proceedings of the second day was held at O.P. Jindal Global University, Sonipat, Haryana. The conference began with the Welcome Address by Professor Dr. C. Raj Kumar, Vice Chancellor, O.P. Jindal Global University (JGU) and Dean, Jindal Global Law School (JGLS) which was followed by the Introductory Remarks delivered by both Prof. Dr. Rahmat Mohamad, the Secretary-General of AALCO and Mr. Hafizullah Walirahimi, General Director, Competition Promotion and Consumer Protection Directorate, Ministry of Commerce and Industries, Islamic Republic of Afghanistan.

21. The Keynote Address was given by Mr. Dhanendra Kumar, Chairman, High Level Committee on Competition policy and Related Matters, Ministry of Corporate Affairs, Government of India. The Presidential address was given by Dr. M. Veerappa Moily, the Union Minister for Corporate Affairs, Government of India. In his address, he highlighted the need on the part of developing countries to have a competition policy in place.

22. The topic for the first Thematic Session was the "Early days of the Competition Commission of India: Lessons for the Future". The Chairman for this session was Mr. Hafizullah Walirahimi. This Session saw presentations made by a number of experts in the field of trade law that included: Mr. Pradeep S. Mehta, Mr. Suhail Nathani, Mr. G.R. Bhatia and Mr. Manas Chaudhuri.

23. The Second Session's theme was "Cartels and other Anti-Competitive Agreements" with Prof. Shilpi Bhattacharya, Assistant Professor and Assistant Director, Centre for International trade and Economics laws, JGLS as its Chair. This Session saw a number of experts making their presentations. They included: Mr. Anand S. Pathak, Ms. R.V. Anuradha, Dr. Aditya Bhattacharjea, Ms. Vijaya Sampath and Prof. Vikramaditya S. Khanna

24. The Third Session was on "Comparative Perspectives on Sector Regulation" with Dr. Yasukata Fukahori, Deputy Secretary General, AALCO as its Chair. This Session saw a number of presentations. They were made by: Mr. O.P. Vaish, Mr. Rahul Singh, Dr. Rajat Kathuria, and Mr. Anuj Puri.

25. The Fourth Session, that took place at the O.P. Jindal Global University, Sonipat, was on the theme: "Relevant Market Determination: Issues and Challenges". This Session was Chaired by Dr. Xu Jie, the Deputy Secretary-General of AALCO. Presentations were made by: Mr. Sharad Bhansali, Mr. S. Seetharaman, Prof. Padmanabha Ramanujam and Prof. Charles Maddox.

26. The Fifth Session was on the theme 'Abuse of Dominance: the Experience So Far' with Mr. Uttam Prakash, fair Competition Advisor, Ministry of Commerce and Industries, Islamic Republic of Afghanistan as the Chairman. Presentations were made by: Dr. A. Francis Julian, Prof. James Nedumpara, Ms. Simone Reis and Prof. Yugank Goyal. The Last Session was on the theme 'Merger Control Regulation in India' with Prof. Dr. Michael J. Barnes, Dean, Jindal Global Business School as the Chairman.

27. The conference ended with the Valedictory Session in which the Concluding Remarks were delivered by Prof. C. Raj Kumar. The Report of the Conference was made by Prof. James Nedumpara and Prof. Yugank Goyal. At this Session, Dr. Xu Jie, the Deputy Secretary-General of AALCO had delivered the final remarks on behalf of the Secretary-General of AALCO. The Vote of Thanks was given by Prof. Y.S.R. Murthy of the O.P. Jindal Global University.

### **3. Inter-Sessional Meeting of Legal Experts to Discuss Matters relating to ILC (10<sup>th</sup> April 2012)**

28. Following the mandate given by its Member States at the Fiftieth Annual Session of AALCO held in Colombo, Democratic Socialist Republic of Sri Lanka in 2011, the AALCO Secretariat had convened an "Inter-Sessional Meeting of Legal Experts to discuss Matters relating to the ILC" at the AALCO Secretariat, New Delhi on 10 April 2012. The Lead Discussants for the Inter-Sessional Meeting were Dr. A. Rohan Perera, Former Member of the ILC, and Prof. Shinya Murase, Member of the ILC. Welcome remarks were made by the Secretary-General of AALCO. He also made a lucid presentation on "Appraisal of the Present and Future work of the ILC".

29. The next presentation, which was made by Dr. Rohan Perera, Former Member of the ILC, was on "Protection of Persons in the Event of Disasters". He highlighted the important aspects of the topic and the concerns and apprehensions that it evoked in the minds of developing countries. He also narrated the stage in which the topic finds itself in and various positions that countries take in relation to the topic. He pointed out that the concept of Responsibility to Protect applies, until Member States decide otherwise, only to the four specified crimes and violations: genocide, war crimes, ethnic cleansing and crimes against humanity. To try to extend it to cover other calamities, such as HIV/AIDS, climate change or the response to natural disasters, would undermine the 2005 consensus and stretch the concept beyond recognition or operational utility.

30. The next presentation was also made by Dr. Rohan Perera on "Immunity of State Officials From Foreign Criminal Jurisdiction". Allaying the fears raised by some developing countries, he pointed out that immunity should be, as a rule, confined only to the well-known troika, and any exception to this rule needs to be supported by state practice.

31. In the Second session of the Meeting, presentations were by Prof. Shinya Murase on the “Protection of the Atmosphere” and ‘The Fair and Equitable Treatment Standard in International Investment Law. The need on the part of ILC to take up these topics was lucidly and very ably highlighted by him. Commenting on the latter topic, he brought attention to the Model Agreement for Promotion and Protection of Investment adopted by the AALCO at its 23<sup>rd</sup> Annual Session and stated that the latter could be used by the ILC while dealing with this topic.

32. At the end their presentations lively discussions followed in which many participants participated. The Closing Remarks were made by the Secretary General of the AALCO and the Vote of Thanks was delivered by Dr.Xu Jie, Deputy Secretary General, AALCO.

#### **4. Second Meeting of AALCO-EPG ( 9<sup>th</sup> April 2012)**

33. It may be recalled that the Forty-Ninth Annual Session of AALCO held in Dar es Salaam, United Republic of Tanzania in 2010 had endorsed the proposal of Secretary-General relating to the constitution of an AALCO Eminent Persons Group (AALCO-EPG). The EPG, which serves as an informal guidance mechanism and an ‘Advisory Body’, for the Secretary-General to steer the work of the Organization, held its preliminary meeting on 26th June 2011, during the Fiftieth Annual Session of AALCO held in the Democratic Socialist Republic of Sri Lanka. At this meeting, which had unanimously elected Mr. Rohan Perera, Former Member of the ILC as the Chairman of the EPG, a number of important issues pertaining to almost all the aspects of AALCO were discussed.

34. The Second Meeting of the AALCO-EPG was convened on Monday, 9<sup>th</sup> April 2012, at the Headquarters of AALCO in New Delhi. The following members of the EPG attended the meeting: Mr. Narinder Singh, Member of ILC, India; Prof. Shinya Murase, Member of ILC, Japan; Prof. Githu Muigai, Member of ILC, Kenya; Mr. Feng Quingh, Counselor, Department of Treaty and Law, Ministry of Treaty and Law, People ’s Republic of China (Representing Mr. Huang Huijang, Member of ILC, PR China); Mr. Mohd. Razi Harun, Deputy Head of International Affairs, Attorney General’s Chambers, Malaysia (Representing Tan Sri Abdul Gani Patail, Attorney general of Malaysia); and H.E. Sheikh H. Ali Sultan Al-Maani, Ambassador of Sultanate of Oman in India (Representing H.E. Dr. Abdullah Said Al Saidi, Minister of Justice). As observers, the following members were present during the meeting. H.E. Prof. Festus Kaberia, High Commissioner of Kenya to India; Mr. Eliphas M. Barine, Deputy Head of Mission, H.C. of Kenya in India; H.E. Dato Tan Seng Sung, High Commissioner of Malaysia in India; Dr. Intan M. Ramli, International Affairs Division, AG’s Chambers, Malaysia; Mr. Saifulrijal Azhari, International Affairs Division, AG’s Chambers, Malaysia; Mr. Salim H. Al-Battashi, Minister, Embassy of the Sultanate of Oman, New Delhi. The AALCO Secretariat Officials present at the meeting were: Prof. Dr. Rahmat Mohamad, Secretary-General; Dr. Xu Jie, Dr. Hassan Soleimeni, Dr. Yasukata Fukahori, Deputy Secretaries-General; Mrs. Anuradha Bakshi, Assistant Principal Legal Officer; Ms. Shannu Narayan and Mr. S. Pandiaraj, Legal Officers.

35. The meeting focused on two major themes: Session I was on Organizational Matters. This session witnessed deliberations on (i) Financial Issues related to AALCO, (ii) AALCO Profile and Image, and (iii) Enlarging the Membership of the Organization. Session II was on Substantive Matters, (i) ILC Matters, (ii) AALCO Agenda Items, and (iii) Restructuring of Methodology of the Annual Sessions. The Chairman while dealing with the agenda items for the meeting and initiating deliberations and suggestions from the esteemed Members of the EPG on Organizational and Substantive Matters relating to AALCO; thanked the He also thanked Amb. Dr. Kriangsak Kittichaisaree (Thailand), Member of ILC, Thailand and Dr. Roy Lee, Permanent Observer of AALCO to UN, for their very useful and constructive suggestions in response to the issues paper.

## **5. Fifty-Fifth Constitution Day of AALCO**

36. In commemoration of the Fifty-Fifth Constitution Day of AALCO, on 11 November 2011, an Interactive Meeting with the Heads of Missions of Member States of AALCO was convened by the Secretary-General of AALCO, at Taj Palace Hotel in New Delhi. The Ambassadors/High Commissioners and Liaison Officers from 25 Member States of AALCO and 2 Non Member States participated in the meeting. The meeting was inaugurated by H.E. Mr. Prasad Kariyawasam, the High Commissioner of Sri Lanka to India, on behalf of H.E. Mr. Rauff Hakeem, the Minister of Justice of Sri Lanka and the current President of AALCO. After the inaugural address, the Secretary-General of AALCO in his presentation highlighted the outcome of the Fiftieth Annual Session and the Plan of Action for the year 2011-2012.

37. The Honourable High Commissioner of Sri Lanka to India, at that occasion released an AALCO publication titled "*Report of the Meeting of Legal Experts on the Rome Statute of the International Criminal Court: Issues and Challenges*" which was held in Putrajaya Malaysia from 19 to 20 July 2011.

38. After the Presentation made by the Secretary-General of AALCO, the Ambassadors/High Commissioners and senior officials from the following Member States presented their comments/suggestions: Republic of South Africa, Japan, State of Kuwait, Democratic Socialist Republic of Sri Lanka, Arab Republic of Egypt, Sultanate of Oman, Turkey, Malaysia, India, and Federal Republic of Nigeria. Dr. Xu Jie, the Deputy Secretary-General of AALCO proposed a vote of thanks to the distinguished audience.

## **C. Upgrading AALCO's Website**

39. In pursuance to the mandate received at the Forty-Second Annual Session held at Seoul, Republic of Korea in the year 2003 vide, Resolution AALCO/42/ORG 4, the Secretariat of AALCO has been making a lot of efforts aimed at improving the website of AALCO with a view to make it user-friendly, interactive and informative. The website indeed has been upgraded to a considerable extent and it now does give an attractive and user-friendly outlook. From now on, the Videos of the meetings hosted by the Secretariat would also be available in the website. That apart, the publications of AALCO would now be available on line and could be downloaded after making the necessary payments.

40. The homepage of the AALCO's website has been professionally redesigned so as to bear a novel outlook. The main contents of the web page are the following hyperlinks: About AALCO (matters in relation to the Secretariat); News Updates (matters regarding the events/seminars hosted by AALCO); and the E-Book Store (publications).

41. The Secretariat has also been attempting to add the web links of the Ministries of Foreign Affairs, Ministries of Law & Justice and the Apex Judicial Bodies of the Member States, which would enable the user to browse and access the information relating to the respective Member State. In order to further improve the quality of the website, the Member States are requested to provide the name and address of the focal points, with the email and URL of the Ministry concerned, along with the Head of the Ministry to the Secretariat.

42. The Secretariat plans to upload the national legislations of Member States on various topics of international law on the website in the coming months. In this regard, the Member States are requested to send their national legislations on international law topics to the AALCO Secretariat.

## **D. Publications**

43. The Asian-African Legal Consultative organization (AALCO), convinced as it is to the fact that there is every need to promote as widely as possible the dissemination of international law and its expertise in Asian-African countries, has been bringing out a number of publications. They include:

## **1. Yearbook of the Asian-African Legal Consultative Organization**

44. The Yearbook of the AALCO, which was previously known as the ‘Report and Selected Documents’, has been published since 2003. The Ninth Volume (2011) of the Yearbook is on the verge of being published. The Yearbook remains the most comprehensive and authoritative reference work of the Organization in a particular year. More specifically, the Yearbook provides comprehensive information about AALCO, its activities, the studies prepared by the Secretariat 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 at various forums and countries. In the last nine years, the Yearbook has established its place firmly among the publications as an important reference material not only for the Member States of AALCO, but also for other international organizations, international lawyers and academics who work in the field of international law.

## **2. AALCO Quarterly Bulletin**

45. With a view to contribute towards a better knowledge and understanding of international law, which in turn can influence the discourse of the global policy debates, AALCO has been publishing “Quarterly Bulletin” since 1976. In the year 1997 its name and periodicity were changed to “AALCO Bulletin” brought out bi-annually, till the year 2001. The Secretariat felt the need to re-structure the format and mode of this publication and after careful discussions and study, a totally overhauled publication in the new title, i.e; ‘AALCO Quarterly Bulletin’ was launched by beginning once again with Volume 1, Issue No. 1 dated January-March, 2005 and was published until 2011.

46. Beginning from this year, the name of the Bulletin has been changed to ***AALCO Journal of International Law***, and in an effort to improve further the quality of it so that it does contribute to the Third World legal discourse in an effective manner an “International Advisory Board” has been constituted. The primary role of this body, which would consist of a group of well-renowned legal scholars, practitioners and jurists drawn from the Asian and African Continents, would be to exercise oversight and provide guidance as to the many possible ways through which the quality of the Journal could be enhanced.

47. The newly launched AALCO Journal of International Law (Vol. 1, Issue 1, (2012) features topical and well-researched articles written by renowned legal experts and write-ups on selected current developments. The publication provides appropriate information to scholars and academics who are keen to obtain insights to the Organizations’ work in promoting research in international law matters. In this respect, it is requested that the Member States support this publication by way of encouraging their international law scholars, law faculty, research scholars to contribute articles for this publication, especially reflecting the international law issues in the Asian and African regions.

## **3. Newsletter of AALCO**

48. In order to give an update on all the prominent activities of AALCO and to cover the meetings and Seminars/Conferences that the Secretary-General and other Staffs attend, the Secretariat of AALCO started publishing “Newsletter” from September 2004. The present Newsletter contains the most current news of AALCO and it keeps the Member States abreast with the latest developments.

## **4. Special Studies published**

49. The Centre for research and Training (CRT), in pursuance of its mandate to conduct an in-depth research on the rules and principles of various branched of international law that have a critical bearing on the well-being of the Third World States, has been publishing a number of Special Studies. These include: “Essays on Contemporary Issues in International Law” (2009);

Golden Jubilee volume titled “Commemorative Essays in International Law” (2007) and four Special Studies namely: “The Concept of International Terrorism” (2006); “Rights and Obligations under United Nations Convention against Corruption” (2006); “Combating Corruption: A Legal Analysis” (2005) and “Special and Differential Treatment under WTO Agreements” (2003).

#### **E. Internship Programme (2011-2012, AALCO Headquarters, New Delhi)**

50. It is well-known that AALCO is involved with cutting-edge legal issues affecting the international community in general and Asian-African States in particular. One of the Centre’s activities is to encourage the young students of law from the Member States, who are interested in learning more about the various branches of international law, to get familiarized with the workings of inter-governmental Organization. The internship is a practical educational experience whereby interns principally assist the legal staffs of the Organization in discharging their duties. During the course of the last year and until June 2012, nine students from India and Malaysia have successfully completed/ are doing their internship programme at the Secretariat.

51. During the internship, the internees were assigned a number of tasks which included: i) Preparation of a short report on the history, functions and objectives of the AALCO; ii) Compilation of legislation of Member States on a number of international legal issues with the objective of creating a database of national legislation; iii) assisting the legal staffs in the preparation of briefs; and iv) visit to intergovernmental Organizations such as International Committee of the Red Cross (ICRC) and the United Nations Office on Drugs and Crime (UNODC) and institution such as Indian Society of International Law (ISIL). After their successful completion of the internship, a Certificate was awarded by the Secretary-General of AALCO to all of them.

52. As the internship programme is available throughout the year in the AALCO Secretariat, the Member States are requested to make use of this opportunity and thereby encourage the law students to undertake such internship programme with AALCO in New Delhi.

### **III. FUTURE PROJECTS/ENDEAVOURS**

#### **A. Proposed Training Programmes and other Activities in 2012-2013**

53. One of the primary objectives of the Asian-African Legal Consultative Organization (AALCO) is to undertake activities for the promotion and wider dissemination of international law and strengthen international law expertise in the Asian-African region. Pursuant to this object, AALCO has over the years undertaken various activities, including organizing Training Programmes for the officials of Member States, Workshops and Seminars on various international law themes. These programmes have served as one of the important means of building network among the scholars, diplomats and other government officials dealing with international law in the Asian-African region. This would go a long way in promoting and strengthening South-South cooperation.

54. In the period 2012-2013, the AALCO Secretariat intends to further strengthen the existing programmes and introduce new programmes. Some of the proposed programmes that are sought to be conducted in the coming months include: “Training Course in Public International Law” organized jointly by AALCO Secretariat, United Nations Office of Legal Affairs (UNOLA) and the Ministry of Foreign Affairs, United Arab Emirates to be held at Dubai in the later part of this year; Expert Group Meetings/Workshops on International Law; Workshop/Seminar on Biological Diversity; and Young Jurist Conference.

55. The Training Progammes, which are hosted at the AALCO Headquarters, have become an annual feature and indeed an integral part of the activity of the Centre for Research and

Training. In this respect, the Secretariat would continue to organize them on important international law issues with the objective of imparting training to the Diplomats and Government officials from Capital and in an effort to deepen their understanding with the fundamentals and the new developments in international law.

**B. Database on National Legislations Implementing International Law of AALCO Member States**

56. The Secretariat has been trying to formulate a database on the national legislations of the Member States of AALCO on various fields of international law with a view to provide them with a complete and easily accessible source of information. It needs to be recalled that a preliminary study consisting of the legislations of the Member States of AALCO which had been prepared by AALCO in collaboration with the ICRC was released during the Fiftieth Annual Session of AALCO held at Colombo, Sri Lanka.

**C. Research and Training Fund of AALCO**

57. It may be recalled that at the Thirty-Third Annual Session of AALCO held in Tokyo, Japan in 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 been facing many difficulties due to non-payment of the contributions by some Member States on time and huge arrears of contributions by the Member States for many years.

58. This has created a situation where the lack of funding for the activities of CRT from the regular budget of the Organization, has severely undermined 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.

59. Keeping in view the importance of the Fund, the Forty-Ninth Session, in the Resolution AALCO/49/ORG 4, urged the Member States to make voluntary contributions to the "Research and Training Fund" established vide AALCO/RES/45/ ORG 4 "to promote and strengthen Research and Training activities undertaken under the CRT, and to provide a sustainable financial base to the Centre to undertake its mandated activities".

60. Any Member State of AALCO 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.

**D. Arabic Version of AALCO Website and Arabic Translation of AALCO Works**

61. It can be recalled that AALCO Membership consists of 16 Arabic speaking countries. In order to make the work of AALCO more effective, AALCO Secretariat has been providing Arabic translation of Secretariat reports on the deliberated agenda items of the Annual Sessions. AALCO Secretariat also arranges simultaneous interpretation from English to Arabic and vice versa during the Annual Sessions of AALCO. The AALCO Secretariat is planning to have an Arabic version of the AALCO website and to upload Arabic translation of AALCO documents to further assist the Arabic speaking AALCO Member States and other Arab countries in the Asian-African region.

**IV. COMMENTS AND OBSERVATIONS OF THE AALCO SECRETARIAT**

62. The Asian-African Legal Consultative Organization (AALCO), convinced as it is, that there is every need to promote as widely as possible the dissemination of international law and its expertise in the Asian-African region, has been undertaking a lot of measures to achieve that

objective. The creation of the Centre for Research and Training (previously known as the “Data Collection Unit” under its auspices perhaps remains the most important of all these measures. The CRT has been functioning quite well in the light of the objectives for which it was established in terms of arranging Seminars/Workshops and conducting research on areas of international law having a critical bearing on the welfare of the developing countries.

63. It may be pointed out here that during the Annual Session held in Tokyo in the year 1994, and also at the Doha Annual Session of 1995, the Secretariat of AALCO was called upon to take active measures to publicise the existence of the Unit and the various services available in the Unit. Hence, it is submitted that 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. This, it is believed, will go a long way in encouraging other groups like students, research scholars, universities, and Organizations to have access to the documentation of it.

64. Though the CRT has been facing financial difficulties, it would continue to hold Expert Meetings /Seminars /Workshops on various areas and issues of international law that have an impact on the welfare of the developing countries. Along with its periodic publications, the CRT would also undertake to conduct, in future, special studies with a view to providing Member States in-depth analysis on topics of contemporary relevance.

65. The Secretariat of AALCO, which has been revitalizing its activities in the last two years or so, needs to be given proper financial cushion to enable it to finance the activities of CRT. This requires that the Member States of AALCO pay their annual contributions in time. Hence, the Member States are urged to fund adequately for CRT in order to facilitate its future activities. This would, also go a long way in helping the Centre to institute fellowships and per diem for officials and experts participating in the Training Programmes.

66. The Member States may also provide the Secretariat with necessary directions/guidance and recommendations regarding the research topics as well as specific Training Programmes that could be undertaken under the aegis of CRT. The Member States may also suggest topics of common interest and concern for conducting in-depth research studies.

## V. ANNEX

SECRETARIAT'S DRAFT  
AALCO/RES/DFT/51/ORG 4  
22 JUNE 2012

### REPORT ON THE CENTRE FOR RESEARCH AND TRAINING OF THE AALCO

*The Asian-African Legal Consultative Organization at its Fifty-first Session,*

**Having considered** the Secretariat Report on the Centre for Research and Training (CRT) of the AALCO, contained in Document No. AALCO/51/ABUJA / 2012/ ORG 4,

**Having heard** with appreciation the introductory remarks of the Deputy Secretary-General,

**Recognizing** the need and importance of the exchange of information among AALCO, its Member States, the United Nations and its Specialized Agencies, and other International Organizations for improved capacity-building and enhancement of legal expertise in areas of international law,

**Bearing in mind** the effective role of research and training in promoting the objectives of the Organization,

**Also bearing in mind** a more proactive role the CRT could play in furthering the mandate of the Organization in making the best use of the Headquarters which is equipped with modern technology and infrastructure facilities,

**Appreciating** the efforts of the Secretariat in preparing special studies on matters of common concern and its plan to hold training programmes in cooperation with International Organizations and to ensure financial support to these programmes,

1. **Requests** the Secretariat to maintain, update and improve the technical efficiency of the website for facilitating dissemination of information to the Member States, the United Nations and its Specialized Agencies, and other International Organizations;

2. **Also requests** the Secretary-General to foster capacity-building of the Centre to carry out further research projects on international law and to organize training programmes for the benefit of the officials of Member States handling international law issues;

3. **Urges** Member States to furnish information and other relevant materials, including the name and address of the focal point with e-mail and the website of the Ministry concerned and officials in charge of AALCO, in order to enhance the activities of the Centre for Research and Training (CRT);

4. **Also Urges** Member States to make voluntary contributions to the “Research and Training Fund” established vide RES/45/ORG 4 to promote and strengthen Research and Training under the CRT, and to provide a sustainable financial base to the Centre to undertake its mandated activities;

5. **Directs** the Secretariat to take necessary measures to spread the awareness about the Centre so that the services available in the Centre would be made use of by the public and private sectors in the Member States;

6. **Also directs** the Secretariat to work towards the realization of its proposal for the training of officials of AALCO Member States;

7. **Requests** the Member States to provide the Secretariat with specific topics for conducting in-depth research studies; and

8. **Decides** to place this item on the provisional agenda of its Fifty-Second Session.