

ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION



**REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE
ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION AT THE
57TH ANNUAL SESSION IN 2018**

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REPORT OF THE SECRETARY-GENERAL ON THE WORK OF THE ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION AT THE 57TH ANNUAL SESSION OF AALCO IN 2018

I. INTRODUCTION

1. The Secretary-General takes pleasure in presenting his second report to the Member States on the administrative, organizational and substantive matters in accordance with Rule 20 (7) of the Statutory Rules of the Asian-African Legal Consultative Organization (AALCO). This Report covers activities since the conclusion of the Fifty-Sixth Annual Session held in May 2017 until the end of July 2018.

2. At the outset, the Secretary-General would like to express his gratitude to Honourable Prof. Githu Muigai, the President of the Fifty-Sixth Annual Session and Former Attorney-General of the Republic of Kenya, and Dr. Vilawan Mangklatanakul, the Vice-President of the Fifty-Sixth Annual Session and Deputy Director-General, Department of Treaties and Legal Affairs, Ministry of Foreign Affairs, Thailand for their valuable guidance in fulfilling the mandate entrusted on the Organization.

3. The Secretary-General is immensely grateful to the Ambassadors/High Commissioners and the Liaison Officers of Member States of AALCO for their valuable inputs, in dealing with the substantive and organizational matters and for the support rendered to him, which helped him in discharging his duties and functions in a smooth and effective manner. Special thanks are also due the Member States for paying their annual contributions and to those Member States who have started partial payment of their arrears. He would like to reiterate that a healthy financial situation would facilitate the Secretariat in fulfilling the mandate entrusted to it by the Member States efficiently.

4. In 2017, the Organization held yet another successful Annual Session at Nairobi, Republic of Kenya, with the participation from 26 Member States, 4 Regional Arbitration Centres, 16 Observer States and 2 international organizations. In the Session, in addition to deliberations on selected substantive agenda items, two special half-day meetings on “Selected items on the agenda of the International Law Commission” and “International Criminal Court: Recent developments” took place.

5. The present Report is divided into seven sections; apart from a brief introduction and concluding remarks, it contains: (1) Consideration of Work Programme of AALCO at the Fifty-Seventh Annual Session of AALCO; (2) Activities undertaken since the Fifty-Sixth Annual Session of AALCO; (3) Overview of the Secretariat; (4) Financial situation of AALCO and 2019 Draft Budget; (5) Steps taken to Revitalize and Strengthen the AALCO; (6) Work Plan for 2018-2019; (7) Strengthening the cooperation with the United Nations, its Specialized Agencies and other international organizations.

II. CONSIDERATION OF THE WORK PROGRAMME OF AALCO AT THE FIFTY-SEVENTH ANNUAL SESSION OF AALCO

6. The work programme of AALCO is derived from the references made by Member States, decisions of Annual Sessions, suggestions received from the Member States from time to time and topics placed on the initiative by the Secretary General.¹ From this work programme, the Secretary General prepares the yearly work programme, and from which the agenda of annual sessions are drafted. Out of the accumulated topics of the annual sessions, references and suggestions of the Member States, the following generic and broad topics constitute the work programme of AALCO:

1. The work of the International Law Commission
2. The work of the United Nations and Other International Organizations
3. International Criminal Law
4. International Trade and Investment Laws
5. Law of the Sea and Maritime Law
6. International Refugees Law and Migrants
7. Legal Regime for Peaceful Settlement of International Disputes
8. International Energy Law
9. International Humanitarian Law
10. International Human Rights Law: Asian-African Perspectives
11. International Environment Law and Sustainable Development
12. International Law in Cyberspace
13. Terrorism and Violent Extremisms
14. International Transportation Law
15. Violations of International Law in Palestine and Other Occupied Territories by Israel and Other International Legal Issues related to the Question of Palestine

7. In consonance with the policy of rationalization of agenda items adopted at the Forty-Second Annual Session (Seoul, Republic of Korea, 2003), a few topics, depending upon their current relevance, have been shortlisted from among the aforementioned topics for deliberation at the Fifty-Seventh Annual Session. They are:

1. The Work of the International Law Commission;
2. Law of the Sea;
3. International Law in Cyberspace (Working Group Meeting);
4. International Trade and Investment Laws; and

¹ Currently, there are 16 items in the Work Programme of AALCO. The complete list can be found at <<http://www.aalco.int/scripts/view-posting.asp?recordid=11>>

5. Peaceful Settlement of Disputes²

8. In this regard, it may be noted that topics “Report on the Work of UNCITRAL and Other International Organizations in the Field of International Trade Law” and “WTO as a Framework Agreement and Code of Conduct for World Trade” will be deliberated in the session dedicated for International Trade and Investment Laws. Further, matters related to the Rapporteurs Report on “International Law in Cyberspace” and the comments received from the three Member States will be discussed in the Working Group meeting.

9. Since the Forty-Ninth Annual Session (Dar es Salaam, Tanzania, 2010), the non-deliberated agenda items were being published in a single volume and the same were also placed for consideration of the Member States. During the past several years, Member States have insisted upon austerity measures to be adopted by the Organization, including cutting down costs on its publications. In compliance with this observation, since the Fifty-Third Annual Session the Secretariat has not published the report on the non-deliberated agenda items. Consequently, draft resolutions on the non-deliberated agenda items would also not be discussed either. However, in the future, as and when an item is taken up as deliberated, the needful would be done.

III. ACTIVITIES UNDERTAKEN SINCE THE FIFTY-SIXTH ANNUAL SESSION OF AALCO

10. This report provides another opportunity for the Secretary-General to thank Member States for their whole-hearted support. He would like to reassure the Member States that he would continue to do his best to keep alive the Bandung spirit of friendship, cooperation and solidarity amongst Asian-African States. As an ardent advocate of enhancing the role of Asian-African countries in the progressive development of international law, he would determinedly work to increase the influence of the Member States in the making and remaking of international law.

11. As is evident from the detailed description of the activities of the Secretariat given in the succeeding pages and the official website ³, the Secretary-General has striven to enhance the work and visibility of the Organization through his active participation in multiple national and international forums during 2017-2018. These forums were carefully chosen keeping in mind the work programme of AALCO and interests of the Member States. In 2016/7 and 2017/8, the Secretary General participated in the 4 and 16 events respectively. The activities of the 2017/8 are as follows:

1. Kuala Lumpur International ADR Week 2017 (KLIAW 2017), 15th May 2017

12. The Secretary-General of AALCO delivered the opening address as the Guest of Honour in the inaugural ceremony of Kuala Lumpur International ADR Week 2017 (KLIAW 2017) at

² Japan proposed a new topic, i.e. Peaceful Settlement of Disputes, by submitting the concept note No.11/1/18, dated 28 June 2018. The concept note was forwarded to all the Member States vide Note verbale No.178/2018/57/AS/AALCO dated 3 August 2018.

³ AALCO's annual events and events/programmes organized/co-organized by AALCO are excluded from this analysis. See documents AALCO/55/HEADQUARTERS (NEW DELHI)/2016/ORG1 and AALCO/56/NAIROBI/2017/ORG1 for detailed descriptions of activities during 2015-16 and 2016-17.

the Kuala Lumpur Regional Arbitration Centre's state of the art premises, Bangunan Sulaiman. Other dignitaries who graced the launch of KLIAW 2017 were Honourable Azalina Othman Said (Minister in the Prime Minister's Department, Government of Malaysia), Mr. Fali S. Nariman (eminent Indian jurist) and Li Yanbing (Vice Chairman of CALCC; Deputy Director of Hainan Arbitration Commission).

13. The three-day alternative dispute resolution (ADR) event comprised of ten sessions, nine breakout sessions and six social events. They included: Inauguration of the KLRCA Arbitration Rules 2017, conferences covering heated areas such as 'Breaking down the One Belt, One Road (OBOR): What lies ahead for ADR', 'Reconciling Arbitral Regimes along the Silk Route', 'Balancing the Act: The New KLRCA Arbitration Rules 2017', 'Mock Adjudication', and twelve plenary sessions leading to the annual Construction Industry Payment and Adjudication Act (CIPAA) Conference on the final day.

14. 65 highly-qualified speakers from around the globe who are experts in their respective fields presented their insights on current legal issues of widest range. More than two hundred delegates, from across the world, converged in Kuala Lumpur to participate in a series of enterprising discussions covering current issues and challenges faced throughout the International ADR landscape, and to chart out workable formulae for a truly effective, impartial and sustainable international ADR regime.

2. The Sixty-Ninth Session of the International Law Commission, Geneva, 19 July 2017

15. The Secretary-General of AALCO addressed the second part of the Sixty-Ninth Session of the International Law Commission (ILC) wherein he presented the summary of the viewpoints of the Member States of AALCO on the agenda items of the ILC as were deliberated at the Special Half-Day Meeting on "Some Selected Items on the Agenda of the International Law Commission" convened during the Fifty-Sixth Annual Session of AALCO held in May 2017 at Nairobi, Kenya. These items include Protection of atmosphere, *jus cogens* and Immunity of State Officials from Foreign Criminal Jurisdictions. An exchange of views between the Secretary-General of AALCO and the distinguished members of the ILC followed.

3. 7th South Asian Conference on International Humanitarian Law (IHL), Kathmandu, Nepal, 20 -24 August, 2017

16. The Secretary-General attended the 7th South Asian Conference on International Humanitarian Law (IHL) titled "Protection of Cultural Property and Armed Conflict" organized by the International Committee of the Red Cross (ICRC) in collaboration with the Government of Nepal in Kathmandu, Nepal. The countries that participated in this conference were Afghanistan, Bangladesh, Bhutan, India, Iran, Maldives, Nepal, Pakistan and Sri Lanka. During the conference, the Secretary General chaired the session on "International Humanitarian Law" and also launched the Special Issue of AALCO Journal of International Law (Vol. 4, Issue 2) on "Protection of Cultural Property and International Humanitarian Law".

17. On the sidelines of the conference, the Secretary-General had the honor to meet Hon'ble Yagya Bahadur Thapa, Minister of Law, Justice and Parliamentary Affairs, Nepal along with Mr. Shanker D. Bairagi, Foreign Secretary, Ministry of Foreign Affairs and Mr. Dilli Raj Ghimire, Joint Secretary, Ministry of Law, Justice and Parliamentary Affairs, Nepal and they seized the

opportunity to discuss matters of mutual interest relating to the existing relationship between Nepal and AALCO. Nepal joined AALCO in 1971 and hosted the 24th Annual Session of AALCO in 1985. Nepal had introduced the topic work programme of AALCO on “The Right of Transit for Land-Locked States.” He also made a courtesy call to H.E. Mr. Amjad Hussain B. Sial, Secretary General of SAARC at SAARC Headquarters in Kathmandu, Nepal.

4. Third Session of the China-AALCO Exchange and Research Program in International Law, 3 – 24 September 2017

18. The Third Training Session of the China-AALCO Exchange and Research Program (CAERP) in International Law was successfully concluded on 24 September 2017 at the Hong Kong Club Building, Hong Kong. The three-week session, which was held in two phases, the first two weeks at the Taikang Business School, Beijing and the third week at Hong Kong Club Building. Hong Kong session saw participation of 50 trainees—comprising an assortment of diplomats and members of the respective governments’ foreign affairs and justice ministries—from 38 AALCO Member States and one each from African Union and the AALCO Secretariat. Over the course of intensive three weeks, the trainees attended lectures by scholars and practitioners of international law covering a wide range of topics in both public and private international law and spanning the theoretical and practical facets of a range of diverse and contemporary issues such as: “Custom and Jus Cogens in International Law”, “Legal Regime on Cyber Space”, Identification of Customary International Law and International Dispute Settlement”, “Law of Global Governance”, “The WTO Jurisprudence and International Law”, “International Arbitration and Dispute Settlement”, “Compulsory Arbitration Under UNCLOS”, The Nature and Function of International Law in the Contemporary World Order”, One Country, Two Systems”, Belt and Road Initiative”, and many others. In total, 15 different topics were covered. Furthermore, unlike the previous two sessions, a participants forum was organized at the end of the programme wherein the trainees were divided into three groups and each group had to elect a representative to give a lecture on any international law topic of contemporary relevance.

19. The CAERP initiative—conceived and executed with great efficiency by the Ministry of Foreign Affairs of the People’s Republic of China, in conjunction with the Wuhan University School of Law and the Asian Academy of International Law and the AALCO Secretariat—was received with great acclaim by all the participating trainees, who saw the CAERP Program as a platform for enhanced cooperation between AALCO Member States on an academic, professional and intellectual level, and as a crucial step towards improved capacity-building in the field of international law for the countries in the region.

5. Lecture on “Reflections on International Trade Law and Its Impacts on Regional/National Trade Initiatives: The Case Study of OBOR”, Wuhan University, P.R. of China, 16 September 2017

20. Upon invitation from the School of Law, Wuhan University, the Secretary-General delivered a lecture titled on the abovementioned topic. In this lecture, the Secretary General, firstly, gave a broad overview of the general understanding of the China’s One Belt One Road Initiative (OBOR), as a Euro-Asian bridge that aims at facilitating trade between Asia, Africa and Europe by, among others, reducing trade barriers and improving infrastructure. He reiterated the stated five main cooperation priorities on which the OBOR is based, namely, (a) Policy

Coordination, (b) Facilities Connectivity, (c) Unimpeded Trade, (d) Financial Integration, and (e) People-to-People Bond.

21. Thereafter, he discussed the international law implications of OBOR, especially those relating to international trade and investment law, and international rule of law, namely, overlapping multilateral and bilateral treaties, rules of investment facilitation, and investor protection. The lecture further discussed the pros and cons of the prospective dispute settlement mechanism within the OBOR set-up. He explained how OBOR cannot sustain potential for growth without an effective and flexible dispute resolution mechanism. Lastly, he analyzed the legal aspects of transnational organized crimes, and drug and human trafficking, emphasizing on how China and its OBOR partners should agree on international judicial cooperation, inter-agency and international law enforcement cooperation in order to control and curb such menaces.

6. Moderation of a Session on “A Global Look at Recent Developments in Private International Law”, Wuhan, 22 September 2017

22. The Secretary-General moderated the conference organized by Hague Conference on Private International Law (HCCH) in Wuhan on 22 September 2017. In this moderation, the Secretary General, firstly, explained in brief the characteristics and contents of private international law (PIL). He discussed the reach and hold of domestic law in extra-territorial jurisdiction, especially in areas such as corporate social responsibility of the companies which are operating in developing countries other than their country of origin, transnational child abduction, and free movement of workers, etc. He explained the correlation between international law and municipal law along with the change in dynamics of the principles of sovereignty and non-interference in the matters of another State, posing as a challenge to the system of PIL today.

23. Thereafter, he spoke about how States have adopted special rules known as “private international law” rules, and how organizations such as the International Institute for the Unification of Private Law (UNIDROIT) and the Hague Conference on Private International Law (HCCH) were established to work for the “progressive unification” of these rules. He spoke about increasingly evident interconnection of global governance and PIL. Thereafter he spoke on the development of PIL from the abandonment of its “universal” status, or the nationalization of PIL over the course of the nineteenth century, to the re-discovery of its public dimension toward the end of the twentieth century. He also explained the growth of PIL in Africa and Asia. He then spoke of the influence of international organizations such as the United Nations Commission for International Trade and Law (UNCITRAL), UNIDROIT, and especially the HCCH in harmonization and evolution of PIL. Lastly, he explained the relationship between AALCO and the HCCH, including active steps being taken by AALCO toward encouraging more of its Member States to become parties to the HCCH.

7. Stakeholders Meeting on Global Compact on Refugees organized by the United Nations High Commissioner for Refugees (UNHCR) mission, New Delhi, 29th September 2017.

24. The Secretary General delivered a speech on “The 2016 New York Declaration, the CRRF, and the 2018 Global Compact on Refugees” at the “Stakeholders’ Meeting on Global Compact on Refugees” organized by the United Nations High Commissioner for Refugees (UNHCR) mission in New Delhi. The meeting commenced with welcome remarks delivered by

Ms. Yasuko Shimizu, Chief of Mission for UNHCR, Delhi followed by presentations of eminent scholars.

25. In the paper entitled “2016 New York Declaration, the CRRF, and the 2018 Global Compact on Refugees”, the Secretary-General firstly spoke about the mandates and implications of the New York Declaration for Refugees and Migrants, which was unanimously adopted by the UN General Assembly on September 19, 2016. He explained how the Declaration was a milestone for refugee and migrant protection at a time of unprecedented displacement. He stated that the set of commitments agreed by Member States in the New York Declaration, reflect that the protection of those who are forced to flee, and support for the countries that shelter them, are a shared international responsibility – a responsibility that must be borne more equitably and predictably. That is, the New York Declaration most importantly acknowledges the fact that though the 1951 Refugee Convention in its Preamble stresses the need for international cooperation it does not explicitly refer to burden or responsibility sharing. Hence, recognizing the burden that large movements of refugees place on national resources, especially for developing countries, the Declaration underlines the centrality of international cooperation to the refugee protection regime.

26. Thereafter, he explained the various facets of the Comprehensive Refugee Response Framework (CRRF), as attached as Annex I to the 2016 New York Declaration, and providing that while each refugee situation differs in nature, it is possible to offer a more comprehensive, predictable and sustainable response that benefits both refugees and their hosts, rather than responding to refugee displacement through a purely, and often underfunded, humanitarian lens. He further informed the audience of the various components of the CRRF, including rapid and well-supported reception and admissions; support for immediate and on-going needs (e.g. protection, health, and education); assistance for local and national institutions and communities receiving refugees; and expanded opportunities for solutions, as well as its roll-out update in various nations. He stated that as per the Chief of Mission, UNHCR India, Ms Yasuko Shimizu’s opening remarks, so far 11 countries and regional organizations are implementing CRRF and are at different stages of implementation. He also spoke about the Thematic Discussions towards the Global Compact on Refugees, including explaining in brief the conclusions reached in those sessions. Lastly, he spoke of the treatment of the topic, “Status and Treatment of Refugees” within AALCO, including the adoption of the “Principles Concerning the Treatment of Refugees” in 1966, commonly known as “Bangkok Principles”, as well as the current mandate of the Organization on the topic, under its Fifty-Sixth Annual Session, including following developments in the negotiation of the proposed 2018 global compact on refugees as well as the 2018 global compact for safe, orderly and regular migration.

8. Memorandum of Understanding (MoU) signed between the African Institute of International Law (AIIL) and the Asian-African Legal Consultative Organization (AALCO), 31st September 2017

27. A Memorandum of Understanding (MoU) was signed by the Secretary-General of AALCO with the Rector of the African Institute of International Law (AIIL), Ambassador Sani L. Mohammed. The MoU provides for co-operation between the two institutions broadly in the areas of holding joint training programmes and developing research activities on fields of common interest including courses on international human rights law, international criminal law,

international humanitarian law and arbitration to enable qualified African judges, prosecutors and defense lawyers to get required skills.

9. United Nations Day Celebrations at School of Law, Sharda University 24th October 2017

28. The Principal Legal Officer, AALCO, on behalf of the Secretary-General of AALCO, delivered a speech on “UN @ 70: Achievements and Challenges”, at the School of Law Sharda University, Greater Noida. The lecture was followed by a question and answer session.

10. AALCO Legal Advisors Meeting at the United Nations, New York, 24 October 2017 and 1 November 2017

29. In accordance with AALCO’s long-standing practice, a meeting of the Legal Advisors of AALCO had taken place in New York this year. The meeting was divided into two parts convened on two different days.

30. The first meeting, which took place on 24 October 2017, was titled: ‘*Dialogue with International Law Practitioners*’. The objective of this Dialogue was to enrich the understanding of how international law cases are prepared, presented, argued and managed before various international dispute settlement forums such as the International Court of Justice (ICJ) and International Tribunal for the Law of the Sea (ITLOS) from the standpoint of Agent, Counsel and Advocates. The Panelists included: Dr. Katherine Del Mar, Barrister Chambers (London); Professor Mathias Forteau, University of Paris Ouest, Nanterre-La Defense (France); Dr. Ben Juratowitch, Freshfields Bruckhaus Deringer LLP; Professor Marcelo Kohen, Institut de Hautes Etudes International et du Developpement (Geneva); and Mr. Andrew B. Loewenstein. Foley Hoag LLP. The topics were as varied as: selection of forum and founding the jurisdiction; evidential materials and collection of evidence; litigation strategies (e.g., areas for focus, composition of the team of counsel and advocates in terms of diversity, expertise and languages); costs; management (e.g., role of law firms); clientele relationship, etc. Presentations focused on legal issues involved rather than specific cases or parties involved. After the presentations, an exchange of views followed.

31. The second meeting was held on 1 November 2017. This was devoted to examine “*Current International Law Problems*”. During this meeting, a galaxy of eminent speakers had delivered their viewpoints on varying contemporary topics of international law. The Opening Remarks focusing on the Sustainable Development Goals (SDGs) was made by H.E. Ambassador Macharia Kamau, the Permanent Representative of the Republic of Kenya to the United Nations. Presentations were made by: Patrizio M. Civili, the Permanent Observer of the International Development Law Organization (IDLO) on “Remarks on Development Law Issues”; Professor Teresa Cheng, GBS SC JP, Chairman, The Asian Academy of International Law on “Pragmatic issues of Arbitration”; Dr. Dirk Pulkowski, Senior Legal Counsel, PCA on “Legal Services Provided by the Permanent Court of Arbitration”; Dr. Olufemi Elias, Assistant Secretary-General, The Registrar on “Challenges Facing the International Residual Mechanism for Criminal Tribunals”; Professor Lauri Malksoo, Tartu University (Estonia), Member of IDI on “International Law Aspects of Cyber Intrusion” and Prof. Kennedy Gastorn, Secretary General on “Identification of Customary International Law and *Jus Cogens*”. After the presentations, there was a question and answer session where many issues of significance flowing from the presentations were discussed and clarified.

11. AALCO's Constitution Day and its Sixty-First Anniversary in New Delhi, 10 November 2017

32. The Asian-African Legal Consultative Organization commemorated its Sixty-First Anniversary by holding its Constitution Day celebration in New Delhi. The celebration was held at the ITC Maurya and was attended by Ambassadors, High Commissioners and Liaison Officers of AALCO Member States as well as special invitees from other States, international organizations, academia and the staff of AALCO.

12. Training Programme on WTO at the Institute of Legal and Judicial Training (ILKAP), Bangi, Malaysia, 14 – 16 November 2017

33. A training programme on WTO was jointly organized by AALCO and the Institute of Malaysian and International Studies (IKMAS) from 14 – 16 November, 2017 in Bangi, Malaysia. This programme was organized as a preparatory training session for the participants from Member States, Arbitration Centers of AALCO and other States, in view of the 11th WTO Ministerial Conference from 10-13 December, 2017, in Argentina. The event took place at the Judicial and Legal Training Institute (ILKAP), and was attended by the Secretary-General of AALCO and the representatives from AALCO Member States, the IKMAS, the Kuala Lumpur Regional Centre for Arbitration (KLRCA), the Nairobi Centre for International Arbitration (NCIA), and the AALCO Secretariat.

34. Ms. YBhg. Dato' Anita binti Hj. Harun, Director of ILKAP delivered the welcome address, in which she spoke in brief about the Judicial and Legal Training Institute (ILKAP), and welcomed all delegates to the Workshop as well as to Kuala Lumpur. Ambassador Dato' Muhamad Noor Yacob, Adjunct Professor, IKMAS, and Dr. Sufian Jusoh, Deputy Director, IKMAS and External Fellow, World Trade Institute as a part of the program delivered various lectures on the history and nature of the World Trade Organization (WTO), including the various Rounds of negotiations, focusing especially on the Doha Round; other pertinent issues pertaining to the 11th Ministerial Meeting, such as implementation of the Trade Facilitation Agreement and the topic of Fisheries Subsidies; and on ASEAN's and Malaysia's participation in the relevant affairs of the WTO.

35. The vote of thanks was presented by Mr. Mohsen Baharvand, Deputy Secretary-General, AALCO, where he thanked both the IKMAS and ILKAP for facilitating the Workshop, and especially expressed gratitude towards Ambassador Dato' Muhamad Noor Yacob and Dr. Sufian Jusoh, for taking the initiative and making the event a success. He also mentioned that the AALCO Secretariat hoped to make the WTO Preparation Workshops a regular affair, to be conducted by AALCO in cooperation with the IKMAS before the WTO Bi-annual Ministerial Meetings, in the interest of the Member States.

36. At the sidelines of the training, the Secretary General of AALCO together with Datuk Professor Sundra Rajoo, Director of Kuala Lumpur Regional Centre for Arbitration (KLRCA) had separate meetings with Honourable Dato' Sri Azalina binti Othman Said, the Minister in the Prime Minister's Department and Honourable Tan Sri Dato' Sri Haji Mohamed Apandi bin Haji Ali, the Attorney General of Malaysia. In both meetings, they discussed various ways and means to strengthen and expand the existing relationship between AALCO and Malaysia.

37. The Secretary-General appreciates the Government of Malaysia for organizing these programmes.

13. 4th World Internet Conference (WIC), Wuzhen, P.R. China, 3-5 December, 2017

38. On the invitation from the Chinese Ministry of Foreign Affairs to AALCO, the Secretary-General of AALCO attended the 4th World Internet Conference (WIC) held at Wuzhen International Internet Exhibition and Convention Centre in Wuzhen, China from 3-5 December, 2017. The Secretary General presented a paper on “*Relevance of International Law in Combating Cybercrime: Current Issues and AALCO’s Approach*” at the session on ‘International Cooperation in Countering the Use of Cyberspace for Criminal and Terrorist Purposes’. In his presentation, the Secretary General spoke on the current international legal framework that relating to cybercrimes, including the UN framework and the regional instruments, as well as AALCO’s approach to the issue and the present need for harmonization, with a special focus on the work presently going on at the Open-ended Working Group on Cyberspace.

39. The 4th WIC that brought together over 1500 leading figures from governments, international organizations, enterprises, technical community, and civil society organizations from around the world was held under the theme “Developing Digital Economy for Openness and Shared Benefits – Building a Community of Common Future in Cyberspace”, which facilitated discussions, exchanges, and cooperation on issues such as digital economy, cutting-edge technologies, internet and society, and cyberspace governance.

40. The Secretary-General also had an opportunity to learn and share experiences on activities relating to international law in cyberspace, specifically cybercrimes, during the session, with representatives from other international organizations, including *Mr Neil Walsh* (Chief Cyber and Emerging Crime of UNODC); *Adv Doctor Mashabane*, (the Chairperson of the UN Intergovernmental Experts Group on Cybercrime); as well as *Rogachev Ilya Igorevich* (the Director General of the Department for New Challenges and Threats of Russian Foreign Ministry).

14. Grant of “Participant Status” to AALCO by Committee of Legal Advisers on Public International Law (CAHDI), Council of Europe, 11 December 2017

41. Recently, AALCO had sought to revitalize and strengthen its relationship with CAHDI, by seeking an Observer Status to it, on the basis of existing relationship between AALCO and the Council of Europe (Exchange of Letters of 1976). This initiative is expected to facilitate fruitful exchange of experiences between the two Organizations in terms of promotion of international law and thereby expand AALCO’s core mandates. On 11 December 2017, a communication was received from CAHDI that the Committee of Ministers of the Council of Europe granted “Participant Status” to AALCO.

15. Signing Ceremony of the Supplementary Agreement to the Host Country Agreement between the Government of Malaysia and AALCO, Kuala Lumpur, 7 February 2018

42. The Secretary General delivered the special address on the occasion of the Signing Ceremony of the Supplementary Agreement to the Host Country Agreement between the Government of Malaysia and AALCO at Bangunan Sulaiman, Kuala Lumpur. The Signing Ceremony by the Minister in the Prime Minister’s Department in charge of Legal Affairs, YB

Dato Sri Azalina binti Dato Othman Said, and the Secretary General of AALCO, was witnessed by the Attorney General of Malaysia and Chairman of the Advisory Board of KLRCA, YBhg. Tan Sri Dato Sri Haji Mohamed Apandi bin Haji.

43. His address celebrated the decision of the Government of Malaysia, as the host country, to elevate the status of Kuala Lumpur Regional Centre for Arbitration (KLRCA) as a global Alternative Dispute Resolution (ADR) hub, especially with regard to its historic name change to Asian International Arbitration Centre (AIAC). The Secretary General expressed his appreciation for the continued support of the Malaysian Government vis-à-vis the origin and sustenance of AIAC, and communicated his pride on the success of the Centre. He took the opportunity to talk in detail about the newly proposed annual event primarily among AALCO's Arbitration Centres and the national arbitral institutions - the AALCO Annual Arbitration Forum (AAAF).

16. 19th General Session of the AARDO Conference, Kuala Lumpur, Malaysia, 1-3 March 2018

44. Mr. Yukiko Takeya, Deputy Secretary-General, upon invitation from the African-Asian Rural Development Organization (AARDO) attended the above mentioned conference in the capacity of an Observer. The AARDO Conference is comprised of all members. The supreme authority regarding all matters relating to the Organization vests in the AARDO Conference. It determines the policy and programmes of the Organization; approves its budget and technical work programmes and exercises full control over the finances of the Organization. The Conference elects the President, two Vice-Presidents, one each from Africa and Asia and members of the Executive Committee. The General Session of the AARDO Conference is required to be held within 36 months, alternatively, in the continents of Africa and Asia on the basis of invitations received from its members.

17. Special lecture on the topic "The Role of AALCO in the Development of International Law: Recent Contributions", University of Delhi, 19 March 2018

45. The Secretary General was invited to the University of Delhi (North Campus), to deliver a special lecture on the topic "The Role of AALCO in the Development of International Law: Recent Contributions" on Monday, 19 March 2018. The lecture was very well received by the students and the faculty of the University. In the course of his lecture, the Secretary-General alluded to the sources of International Law; the origin of Asian-African cooperation and the establishment of AALCO; mandates and functions of AALCO; key recent contributions of AALCO to the progressive development of the International Law and the internship opportunities available to the law students at the AALCO Headquarters.

18. 55th Meeting of the Committee of Legal Advisors on Public International Law (CAHDI), Strasbourg, France, 22 -23 March 2018

46. The Secretary-General attended the 55th Meeting of the Committee of Legal Advisors on Public International Law (CAHDI) held from 22-23 March 2018 in Strasbourg, France following the grant of the participant status to AALCO in the Committee of Ministers of the Council of Europe. The meeting was chaired by Ms. Päivi Kaukoranta, Director General, Legal Service, Ministry of Foreign Affairs of Finland and saw participation from Member States of CAHDI as well as participant states and International Organizations.

47. AALCO's participation in CAHDI revitalizes and strengthens the existing relationship between the Council of Europe and AALCO since the exchange of letters between the two organizations in 1976. AALCO and CAHDI both work in matters relating to the promotion of progressive development of international law.

19. International Seminar on “Responding to Large Scale Refugee Movements” organized by AALCO in collaboration with UNHCR, New Delhi, 18 -19 April 2018

48. AALCO in collaboration with UNHCR organized an international seminar on “Responding to Large Scale Refugee Movements” at the Indian Habitat Center, New Delhi. The seminar took place in the backdrop of the huge number of people still being forcibly displaced, as well as the remedial milestones aspiring to be realized in the 2018 Global Compacts. 64 participants from Member and non-Member States, academia, and international organizations attended the seminar. The seminar was spread over seven sessions dealing with pertinent topics relating to the refugee situation today. The sessions were addressed as well as presided over by eminent practitioners and academicians in the field.

49. Inaugural addresses were presented by the Secretary-General, the High Commissioner of Kenya to India, who spoke on behalf of the President of AALCO, H.E. Mrs. Florence Weche, and Senior Policy Adviser (Protection), Division of International Protection, UNHCR, Ms. Ellen Hansen. The speakers presented a concise yet comprehensive prelude to the seminar.

50. Session 1 that was dedicated to Global Overview of the Refugee Situation, was addressed meticulously by Ms. Yasuko Shimizu, Chief of Mission, UNHCR, India and Maldives, who delved into extant and emerging refugee issues by referring to historical trends as well as statistical analyses. Session 2 focused on the CRRF as well as the prospective Global Compact on Refugees 2018, and was addressed once again by Ms. Ellen Hansen. She informed the audience on the preparation process being presently undertaken for the Global Compacts on Refugees and Migrants, as well as the CRRF roll out. Session 3 was centered on the Contemporary Issues in International Refugee Protection, being addressed by Dr. Burra Srinivas, Assistant Professor, South Asian University. He presented a critique on the existing legal framework for refugee protection, including addressing compliance challenges, alternative approaches to the subject, and the preferred centrality of States in such issues.

51. Session 4 of the Seminar that was dedicated to the Efficacy of Regional Cooperation in Addressing Refugee Movements, was addressed by Dr. Prof. Sanoj Ranjan, India Chair Visiting Professor, Chinese University of Hong Kong, who spoke on specific issues that regional cooperation in this regard must address. Session 5 on Interface between Refugee Law and International Humanitarian Law was accurately dealt with by Mr. Fahad Ahmed, Legal Advisor, ICRC, New Delhi, who explained the exact role of ICRC as well as International Humanitarian Law in assisting and remedying refugee situations. Session 6 was on the Interface between Refugee Law, Migration Frameworks and the Law of the Sea. This subject was dealt with by Mr. Jeremy England, Head of Regional Delegation, ICRC, New Delhi, who explained how IHL can fill in some very crucial gaps in the existing legal regime under UNCLOS. The final session took place in two parts, dedicated to Good Practices across Asia and Africa respectively. The first part was addressed by Ms. Roshni Shanker, Founder of Migration and Asylum Project, who spoke on how State actors, CSOs and corporate sector have come together to strengthen the refugee protection regime in various jurisdictions. The second part was addressed by Ms. Tsion Tadesse

Abebe, Senior Researcher, Migration Program, Institute for Security Studies, Addis Ababa, Ethiopia, who very meticulously addressed the question on “Can Ethiopia use CRRF to Give Durable Solution to Mass Displacement of People?”

52. The seminar was complemented by valuable inputs from the audience that further enhanced the knowledge component as well as the effectiveness of the seminar. A detailed report of this event was posted on the website of AALCO at www.aalco.int.

20. Office Equipment Donation Ceremony at AALCO Headquarters, 20 April 2018.

53. The donation ceremony of office equipment by the Government of the People’s Republic of China to Asian-African Legal Consultative Organization (AALCO) was held on 20 April 2018 at AALCO Headquarters. The Government of the People’s Republic of China was represented by H.E. Mr. Luo Zhaohui, Ambassador of the People’s Republic of China to India and AALCO was represented by Secretary General of AALCO. The donated items include computers, printers, air-conditioners, air purifiers, micro ovens, photocopier, tele-conferencing phone, water coolers, server for computer network, electric heaters, vacuum cleaners bringing to a total of 121 pieces of equipment. This was the third time that the Government of People’s Republic of China donated the Office Equipment to AALCO, the first and second time was in the year 2008 and 2009 respectively.

54. The ceremony was attended by representatives from 24 Member States of AALCO. The welcome remarks were presented by the Secretary-General reasuring the continued support of the Government of People’s Republic of China to AALCO and all its endeavors. He recalled and reemphasized that the Government of China had played a pivotal role in both the substantial and administrative matters of AALCO since its joining the organization in 1983. This was followed by remarks by H.E. Mr. Luo Zhaohui highlighting the cooperation of China and AALCO, appreciating AALCO’s initiatives and achievements in providing platform for Asian and African countries to participate in international legal cooperation, to reflect the aspirations and common interests of developing countries, and to contribute to the progressive development of International Law, among others, since its inception.

21. WIMUN India 2018, Agra, 27 April- 1 May 2018

55. Mr. Yukihiro Takeya, Deputy Secretary-General of AALCO, made presentations at the WFUNA (World Federation of United Nations Associations) International Model United Nations (WIMUN) India 2018, which was co-produced by the WFUNA and Worldview Education. WIMUN is the world's most accurate simulation of the United Nations. The WFUNA, which is located at the United Nations Headquarters in New York City, has worked closely with the UN Department of Public Information to precisely simulate the United Nations in Model UN programs and provide students with the most realistic experience possible.

56. The WIMUN conference features intensive training workshops taught by UN officials, briefings on important agenda items by UN Agencies, and conference sessions at the United Nations Headquarters in the flagship session in New York. It is an academic simulation that brings together students from different parts of the world, challenging them to grapple with important world issues that they may face as the next generation of global citizens. This conference experiences a healthy exchange of opinions, creating a perfect environment for

resourceful and informative debate that gives young delegates a chance to deliberate, negotiate and resolve pressing issues that affect the world today.

57. Over the past three years, WIMUN India has engaged more than 500 students from different parts of the world. The third session of WIMUN India took place in Agra. It brought an array of exceptional speakers and global organizations resonating the theme of the conference through discussions, interactive sessions and workshops. Deputy Secretary-General, Mr. Yukihiro Takeya presented introductory remarks on the topic, “Sustainable Future: People, Prosperity, Planet and Peace”; and on the basis of model Secretary General’s reports provided, he presented two formal statements followed by candid remarks on the topics, “Peace in West Africa”, as a Briefer to the model UN Security Council, and “Crime Prevention and Criminal Justice: Improving Coordination of Efforts against Trafficking in Persons and Smuggling of Migrants”, as a presenter to a model Committee Session at the UN General Assembly; at the WIMUN India 2018.

22. Asia Alternative Dispute Resolution (ADR) Week 2018, Kuala Lumpur, Malaysia, 5 -7 May 2018

58. The Secretary General addressed the Asia Alternative Dispute Resolution (ADR) Week, 2018 organized by the Asian International Arbitration Centre (AIAC) in Kuala Lumpur, Malaysia. The three-day Conference with the theme “*Discover the Difference: The Asian Experience*” was aimed at highlighting Asia’s unique diverse and cultural standing in the global ADR market in light of its emergence as a leading hub for transnational commercial arbitration. The event marked the 40th year of AIAC and its evolution from a nascent institution to a global ADR centre.

59. In his keynote address “*ADR in a Changing World: The Asian Experience*” the Secretary-General made a scholarly analysis of Asia’s outstanding ADR traditions and the path ahead for those mechanisms in future. The address seeking to furnish a prologue to the sessions scheduled over three days took note of AIAC’s recent expansion into holistic dispute management and dispute avoidance and its aspiration to spearhead an era of development and expansion both for AIAC and global ADR ecosystem.

60. The address was broadly divided into four parts. The *first* part of the address was a brief overview of the concept and history of ADR mechanisms. The *second* part of the address was a specific analysis of ADR in Asia touching upon the philosophy, theory and practice of ADR in the continent and the experience of 6 leading Asian destinations namely, Malaysia, Japan, China, Hong Kong, Singapore and South Korea. This part also included an empirical component which highlighted the results of a study to determine attitudes towards ADR in the continent. The *third* part of the address focused on Indian laws, practice and trends in ADR including the leading Supreme Court judgments on the issue. The *fourth* and final part established the convergence of diverse Asian approaches as a single eclectic approach to dispute resolution that holds the future of the global ADR regime.

61. The ADR Week 2018 with thirteen sessions spread out over three days also witnessed the official launch of the Asian Institute of Alternative Dispute Resolution (AIADR) a non-profit membership-based organization that proposes to set standards, educate and train developing markets in the field of ADR.

23. 47th Annual Conference of the Indian Society of International Law (ISIL), New Delhi, 12–13 May 2018

62. The Secretary General was invited as the Chief Guest of the inaugural function of the 47th Annual Conference of the Indian Society of International Law (ISIL). The General theme for this year's conference was: India's Approach to International Law. The inaugural function was moderated by Prof. S.K. Verma, Secretary General of ISIL. It commenced with the welcome address delivered by Dr. E.M.S. Natchiappan, President of ISIL followed by inaugural address by the Secretary-General of AALCO and vote of thanks by Prof. V.G. Hegde, the then Treasurer of ISIL.

63. In his inaugural address, the Secretary General commended the achievements of ISIL since it was established in 1959 to date including the establishment of the Indian Academy of International Law for postgraduate diploma courses, organizing Summer and Winter Courses on International Law, Henry Dunant Memorial Moot Court Competitions (together with the ICRC), UGC Refresher Courses in International Law, and publishing the Indian Journal of International Law. The Secretary General also emphasized on ISIL's potentials as part of the India's commitment to the progressive and inclusive development of international law. He also mentioned that India, being one of the founding members of AALCO has been consistently contributing to the activities of AALCO and has viewed AALCO's role in the progressive development of international law.

24. Secretary General's visit to the Federal Republic of Nigeria, 5 June 2018

64. On June 5 2018, the Secretary-General paid an official visit to Nigeria. While in Abuja, he visited the Federal Ministry of Justice and had meetings with Hon. Abubakar Malami, SAN, the Attorney General of the Federation and the Minister of Justice; H.E. Dayo Apata, Esq, the Solicitor General of the Federation and Permanent Secretary; Ms. Stella Anukam, Director International and Comparative Law; and Mr. Macaulay Williams, Assistant Director, International and Comparative Law Department.

65. The primary aim of his visit was to strengthen the decades old cooperative relationship between AALCO and Nigeria. He also took this opportunity to seek more support from Nigeria on the substantive matters dealt with by AALCO. In addition, he requested the Hon. Attorney General to use his good offices and encourage other sister countries of West Africa, especially the Francophone countries to join AALCO. Besides this, he also had a very productive discussion on the issue of arrears due from Nigeria wherein Nigeria conveyed its commitment to take appropriate action.

66. During the discussions, he also sought continuous support from the Nigerian Government to mobilize more support to the Regional Centre for International Commercial Arbitration-Lagos (RCICAL) in terms of improved infrastructure and facilities.

25. Panel Discussion on "Western Sahara Case" at Indian Society of International Law, New Delhi, 15 June 2018

67. Upon invitation from the Indian Society of International Law (ISIL), the Secretary-General chaired the Panel Discussion on the topic 'Western Sahara Case' on 15 June, 2018, the

Deputy Director, Mrs Anuradha Bakshi accompanied him to the event. The Panel Discussion marked the conclusion of the 17th Summer Course on International Law organized by ISIL from 4-15 June, 2018. The two other panelists who participated in the discussion were Ms. Ruchita Beri, a researcher with the Institute for Defence Studies and Analyses (IDSA) and Dr. Santosh Upadhyay, an Assistant Professor at Delhi University.

68. During the Panel Discussion, he elaborated on the case highlighting its significance from an Asian-African perspective and the role of international judicial actors in the development and evolution of International Law. After the panelists drew the structural framework of the case, the stage was set for an illuminating and engaging discussion on the topic with a number of questions posed to each panelist.

26. MoU between AALCO and China Law Society (CLS), Beijing, 29 June 2018

69. Towards the goal of collaborating with institutions and universities which could help us in fulfilling the above functions, an MoU was signed on 29 June 2018 between the Secretary-General and the Executive Vice President of the China Law Society (CLS) in Beijing, China.

70. CLS is a national association of legal scholars, jurists, law practitioners, bestowed with the authority to perform regulatory, supervisory and professional guiding duties over legal associations nationwide. The Society plays an important role in organizing and mobilizing legal professionals in China, and contributes to progress in legislation, justice administration, law enforcement and the popularization of legal knowledge in China.

71. In the MoU, both parties expressed their desire to develop relations and enhance their respective capacities to address international issues within the Asian-African region in accordance with and through their relevant policies and activities relating to training and research, and clauses pertaining to cooperation agreed upon. Ms. Wang Liyu, Deputy Secretary-General of AALCO from China, was also present on this occasion.

27. Forum on the Belt and Road Legal cooperation in Beijing, P.R. China, Beijing, 3 July 2018

72. The Secretary General attended the Forum on the Belt and Road Legal Cooperation on 2-3 July 2018 in Beijing, People's Republic of China. This forum was jointly held by Ministry of Foreign Affairs of China and China Law Society. This Forum was attended by over 350 Chinese and foreign guests including officials, diplomatic envoys, experts and think tanks for an in-depth discussion under the theme of "Rules and Coordination", in order to provide more legal support and safeguard for cooperation among parties participating in the BRI.

73. There were four panels, namely, the BRI and International Law, Rules, Treaties and Laws supporting the BRI, the BRI and International Dispute Settlement and BRI Legal Exchange and Cooperation. The Forum calls for respect for the purpose and principles of the UN Charter and international law, and for advancement of the BRI legal cooperation on the basis of the extensive consultation, joint contribution and shared benefits. It also calls for contribution to building a Community with a Shared Future for Mankind and a world that enjoys enduring peace, comprehensive security and common prosperity and is open and inclusive as well as clean

and beautiful. The Secretary General moderated the fourth session of the forum namely BRI Legal Exchange and Cooperation.

28. Seventieth Session of the International Law Commission, Geneva, 5-6 July 2018

74. The Secretary General attended the Commemoration of the Seventieth Anniversary of the International Law Commission on 5-6 July 2018 in Geneva, Switzerland. The theme of this session was “70 years of the International Law Commission: Drawing a balance for the future”.

75. There were four sessions spread over 2 days of the special session. First panel on “The Commission and its impact” focused on What happens to the final products of the international law commission? What has been the impact of the commission’s work on State Practice, including court decisions and legal scholarship? To what extent does the form of the work of the commission affect its impact? Second panel on “The working methods of the Commission” and focused on should the commission adapt its working methods to the outcomes of its work? How has the communication with the other bodies and persons changed and how could it be improved? The role of special rapporteurs; the role of the drafting committee; the role of commentaries; the role of the codification division; and other support.

76. Third panel on “The function of the Commission: How much identifying existing law, how much proposing new law?” and dealt with several issues such as the need for ‘international law commission’ – then (and now?); then it is true that the distinction between progressive development and codification is usually difficult to maintain? Or are there topics where this distinction should be emphasized in the work of the commission? Should the commission emphasize the consolidation of existing law, or should it emphasize the development of the new law? Fourth panel on “The changing landscape of international law” focused on the commission and the development of international law: and assessment after 70 years; what topics should the commission take up next? Should the methods of the commission to select its topics be reconsidered? What role can states play in the identification of topics?

77. The last panel on “The authority and the membership of the Commission in the future” focused on the how is the commission and the outcome of its work perceived by Governments, courts and other international law making bodies and processes? Does the relationship with the 6th committee need to be improved? Are the different legal traditions, regional origins, and professions of its members influencing the work of the commission? How to attain gender parity, and perhaps other forms of diversity, such as generational diversity? What are the possibilities and the pitfalls for the commission in the decade to come?

29. Deputy Secretary-General attended the Workshop on Prevention and Management of Investment Disputes, Brussels

78. On 6 July 2018, Mr. Mohsen Baharvand, Deputy Secretary-General of AALCO attended, as an expert, an interactive workshop on Prevention and Management of Investment Disputes organized by the Energy Charter Secretariat. The workshop aimed to informally exchange views and experiences from governmental officials on dealing with investment disputes to gather their practical concerns and best practices. The comments received during the workshop will be used to enrich the draft Model Dispute Management Protocol, prepared by the Energy Charter

Secretariat with the support of the IMI Investor-State Mediation Taskforce and government officials dealing with investment disputes. The objective of the Model Protocol is to provide a legal framework for preventing and managing investment disputes (arising out of contracts or investment agreements), including the possibility to negotiate and/or mediate with foreign investors.

79. The workshop was moderated by Alejandro Carballo and Iryna De Meyer, from the Secretariat and gathered government officials from several countries from Latin America, Africa and Europe. The discussion was supported by invited experts, comprising Caroline Nicholas (UNCITRAL), Diana Rosert (UNCTAD), Roberto Echandi, Miriama Kiselyova (Ministry of Finance, Slovakia), Jeremy Sharpe (Shearman & Sterling, former US Chief of Investment Arbitration), Carlos Valderrama (Sidley, former President of Peru's inter-agency Special Commission for International Investment Disputes).

30. The First AALCO Annual Arbitration Forum (AAAF), Malaysia

80. The first Asian-African Legal Consultative Organization (AALCO) Annual Arbitration Forum was held at the AIAC from 21-22 July 2018. The theme of the conference, "Connecting Asia and Africa, Connecting Investment and ADR: Opportunities and Challenges", attracted over two hundred participants from more than thirty countries across Asia and Africa. The event was attended by H.E. Prof. Dr. Kennedy Gastorn, Secretary General of AALCO, Mr. Mohsen Baharvand and Ms. Wang Liyu, Deputy Secretaries General of AALCO.

81. A number of influential figures and government officials graced the conference with their presence. The Forum's extensive list of the guests of honour included: His Lordship Honourable Dipak Misra, Chief Justice of India; Her Lordship Honourable Irene Chirwa Mambilima, Chief Justice of the Republic of Zambia; the Honourable Prof. Palamagamba John Kabudi, Minister of Constitution and Legal Affairs of Tanzania, YB Datuk Liew Vui Keong, Minister in the Prime Minister's Department (Law) of Malaysia, and the Honourable Justice Datuk Nallini Pathmanathan, Court of Appeal Judge, Malaysia.

82. The Forum had many prominent speakers from various ethnic and legal backgrounds. The event was attended by the Directors of all the five Regional Arbitration Centres of AALCO namely: Asian International Arbitration Centre (AIAC), Cairo Regional Centre for International Commercial Arbitration (CRCICA), the Regional Centre for International Commercial Arbitration, Lagos (RCICAL), the Tehran Regional Centre for International Commercial Arbitration (TRAC) and the Nairobi Centre for International Arbitration (NCIA).

83. The Secretary General welcomed the participants and thanked the Malaysian Government for its continuous support and commended the Director of the AIAC, Datuk Professor Sundra Rajoo for his tireless efforts in making AIAC what it is today.

84. He also delivered a special address on the topic "Arbitration and International Trade and Investment Law: A Quest for Institutional Convergence amid Interacting Regimes". He also chaired the first panel discussion, which was titled "The five pillars of ADR" comprised of the heads of the five AALCO arbitration centres namely Datuk Professor Sundra Rajoo, the Director of the AIAC, Dr. Ismail Selim, the Director of the CRCICA, Hon. Wilfred Ikatari, the Director

of the RCICAL, Dr. Oveis Rezvanian, the Director of the TRAC and Mr. Lawrence Muiruri Ngugi, the CEO of the NCIA.

85. The former Secretary General of AALCO and a member of the current Eminent Persons Group (EPG) of the AALCO, Dato' Dr. Rahmat Mohamad delivered a special address encouraging AALCO regional arbitration centres to continue making progress.

86. In concluding the event the Secretary General reiterated his gratitude to the Malaysian Government and AIAC for hosting this event and looked forward to the second AALCO Annual Arbitration Forum next year in Cairo, Egypt to be hosted by CRCICA.

IV. OVERVIEW OF THE SECRETARIAT

1. The Secretariat

87. Apart from the Secretary-General (United Republic of Tanzania), three Member Governments, namely, the People's Republic of China, Islamic Republic of Iran, and Japan, have offered assistance to AALCO by deputing their senior officials to the Secretariat on secondment. Deputy Secretaries-General, Mr. Mohsen Baharvand (Islamic Republic of Iran), Mr. Yukihiro Takeya (Japan) and Ms. Wang Liyu (People's Republic of China) have been rendering outstanding services to the Secretariat. Ms. Wang Liyu recently replaced Mr. Feng Qinghu who left for serving his government in Beijing. The Secretary-General wishes to place on record his sincere appreciation for the exemplary services he rendered to AALCO. The dedicated and diligent involvement of the Deputy Secretaries-General in and supervision of, the workings of the organization has made them the executive arms of the organization that ensure its continued success in the implementation of its programs and activities. The Secretary-General wishes to place on record his gratitude to the Deputy Secretaries-General for their tireless efforts as well as the Member Governments for rendering such valuable assistance.

88. The number of the locally recruited staff (regular staff) in the Secretariat as on 9 July 2018 is 24. Ms. Anuradha Bakshi, who was earlier Principal Legal Officer, has been promoted to the post of Deputy Director in May 2018. The Legal Staff comprises of six officers. They are Mr. Mohammad Alrehieli, Senior Legal Officer; Mr. Kiran Mohan, Ms. Amrita Chakravorty (Legal Officers), and three newly appointed officers namely, Ms. Devdatta Mukherjee, Mr. Shujoy Mazumdar and Mr. Abraham Joseph. The Secretary-General would like to thank the Kingdom of Saudi Arabia for deputing Mr. Alrehieli to the Secretariat.

89. Mr. Pandiaraj, Senior Legal Officer, after serving the Organization for 13 years, left the job to join academia. Mr. Parthan Viswanathan, Legal Officer, also left the Organization after having served five years. The Secretariat would like to thank them for their services.

90. Further, Ms. Geetika Sharma has been promoted to the post of Senior Private Secretary to the Secretary-General. Additionally, Ms. Alka Massey has joined the Secretariat as Private Secretary and Ms. Vimaljeet has joined as Office Assistant in 2018.

91. The Secretary-General recognizes that the legal staff members are the core of the functioning of the AALCO Secretariat. As indicated above, three lawyers were recruited recently

to strengthen the working capacity of the Secretariat and ensure its smooth functioning. Despite small strength and limited resources at their disposal, the work of the legal staff has been satisfactory. Additionally, employees in the administrative section also contribute towards the smooth day-to-day functioning of the Secretariat. The Secretary-General wishes to place on record his appreciation to all staff members at the Secretariat.

2. Permanent Observer Mission of AALCO at the United Nations Offices

92. It may be recalled that resolution AALCO/RES/48/ORG. 1, dated 20 August 2009, adopted at the Forty-Eighth Annual Session of AALCO had endorsed the then Secretary-General's proposals pertaining to the "Strengthening of Permanent Observer Missions of AALCO at the United Nations Offices in New York, Geneva and Vienna".

93. As an established practice, the annual AALCO Legal Advisers Meeting held in New York is a very important part of the AALCO activities. It gives the Legal Advisers, who are attending the Sixth Committee Meetings as well as ILC meetings a good opportunity to interact with the Secretary-General and each other and discuss important and contemporary legal matters of concern to the Member States. Exchange of views also takes place on the current and future work of AALCO. Besides this, the meetings also serve as a unique forum to introduce AALCO to a wider audience.

94. In this regard, the Permanent Observer of AALCO to the UN plays a very significant role. Dr. Roy Lee, appointed in 2009 and stationed in New York is the one who makes all the arrangements for this meeting in consultation with the AALCO Secretariat and invites important legal personalities to share their views with the Legal Advisers. He also organizes other activities such as lectures and seminars on important contemporary issues at the UN on behalf of the Organization.

95. Concerning the Permanent Observer Mission of AALCO at Offices in Vienna and UNIDO and UNODC, Mrs. Christine J. Nemoto has been continuing her work effectively. In future, the possibility of establishing a Permanent Observer Mission of AALCO at the United Nations Offices in Geneva and Nairobi could also be explored.

96. The Secretary-General has been striving to ensure a close working relationship between the AALCO Secretariat and these Permanent Observer Missions at various UN Offices. In this regard, subject to availability of financial resources, he also proposes deputing Legal Officers from AALCO Secretariat to these Missions, particularly during the Annual Session of International Law Commission at Geneva to render assistance to Asian-African Members of the Commission, as well as during the Annual Session of UN General Assembly in New York and the Legal Advisors Meeting. He also proposes to enhance the presence of AALCO at the UN by increasing its activities in Geneva and New York.

3. Centre for Research and Training

97. The "Data Collection Unit", which had been set up in the Secretariat in 1992, was renamed as the "Centre for Research and Training (CRT)" following a decision taken at AALCO's Fortieth Annual Session in 2001. The Centre has been engaged in activities to strengthen its research programme and disseminate information on AALCO, *inter alia*, by

organizing training programmes/seminars for Member States officials, bringing out special studies on the issues of international law of common concern, strengthening its website and electronic communication facilities. AALCO's website is being constantly updated with latest information on the activities undertaken by the Organization. Besides this, the CRT conducts the various seminars and workshops, in collaboration with the other international organizations, universities or other relevant partners. In addition, it also plays a proactive role in providing valuable training to law students from within and outside India, by way of its Internship programmes.

98. The activities of the CRT need to be further strengthened and in this regard, the Secretary-General requests that Member States may consider providing voluntary contributions, in addition to their regular annual contribution for steering its activities. Such contributions would be earmarked in a separate fund and utilized only for the work of CRT.

V. AALCO'S FINANCIAL SITUATION AND DRAFT BUDGET FOR THE YEAR 2018

1. Financial Situation

99. In response to the resolution AALCO/RES/56/ORG 2 adopted at the Fifty-Sixth Annual Session, in the period between 1st January 2017 to 31st December 2017, 26 Member States have paid their annual contribution for the year 2017, namely: (1) Arab Republic Of Egypt; (2) Brunei Darussalam; (3) People's Republic of China; (4) Cyprus; (5) Indonesia (6) Islamic Republic of Iran; (7) Republic of Iraq (8) Japan; (9) Kingdom of Jordan; (10) Republic of Kenya; (11) State of Kuwait; (12) Malaysia; (13) Mauritius; (14) Myanmar; (15) Nepal; (16) Sultanate of Oman; (17) Pakistan; (18) State of Qatar; (19) Republic of Korea; (20) Saudi Arabia; (21) Singapore; (22) South Africa; (23) Sri Lanka; (24) Thailand; (25) Turkey; and (26) United Arab Emirates.

100. The following Member States paid their arrears during the same period: (1) Arab Republic of Egypt; (2) United Republic of Tanzania (3) India; (4) Republic of Indonesia; (5) Islamic Republic of Iran; and (6) Kingdom of Jordan.

101. The Secretary-General expresses his gratitude to these Member States for complying with their financial obligations. It should be noted that the fulfillment of the financial obligations is key to the realization of AALCO's functions, and indeed to its very existence.

102. As regards the Member States which are yet to pay their annual contributions and/or arrears, the Secretariat, on a regular basis, informs them through their Diplomatic Missions and Liaison Officers in New Delhi the importance of fulfilling their statutory and financial obligations to the Organization. The Secretary-General hopes that these efforts would yield results and that by the end of this year, the annual contributions for the year 2017 from these States would also be received. The information note will be distributed at the Annual Session on the status of 2017 contributions received.

2. Proposed Budget for the year 2019

103. In accordance with Rule 24(4) of the AALCO Statutory Rules the budgetary papers setting out the estimated expenditure likely to be incurred under appropriate heads and sub-heads

for the year 2019 were placed at the 341st Meeting of Liaison Officers held on 15 December 2017. Further, the draft budget was discussed at the 342nd and 343rd Liaison Officers Meetings held on 15th February and 26th April 2018 respectively. The budgetary proposals are now being submitted to Member States to be considered at the Fifty-Seventh Annual Session for their final approval.

104. It is noted that a robust financial situation is a prerequisite for any Organization to effectively fulfill its mandate, as well as its long term sustenance. It is envisaged that upon approval by the Member States and availability of requisite funds the AALCO Secretariat would, in the year 2019, undertake capacity building programmes and conferences/seminars on some of the selected topics on the agenda of the Organization, which have been mandated at the previous Annual Sessions.

105. The budget approved by the Liaison Officers for the year 2019, for submission and consideration of the Heads of Delegations during the Fifty-Seventh Annual Session, is USD 631,540 which is an increase of USD 50,640 from the 2018 budget. It reflects the necessary adjustments made under certain heads and sub-heads based on the expenses likely to be incurred. It also took into consideration the financial implications of the Indian Governments 7th Pay Commission recommendations. The Secretariat, in the spirit of strictly observing financial discipline, has tried its best to reduce expenses under some heads.

106. In this connection, it is to be noted that the resolution on AALCO's Budget for the Year 2018 had mandated the Liaison Officers to review and make recommendations related to the long-term implementation of the 7th Pay Commission recommendations and the release of arrears for the period between 1st January 2016 to 4th May 2017.⁴ Accordingly, these matters were deliberated in Liaison Officers Meetings and Informal Consultation of Liaison Officers held on 7th March 2018. It was agreed in latter meeting that the Reserve Fund may be utilized to disburse arrears for the aforementioned period subject to its final approval at the Fifty-Seventh Annual Session.

107. Further, it may be noted that, the budgeted amount on the head "office equipment" during 2019 has been decreased from US\$ 2,000 to US\$ 1,000 since some electric equipment (such as air conditioners) in Headquarters and Secretary-General's residence do not need replacement in 2019, thanks to the donation from the Government of People's Republic of China.

108. Earlier, US\$ 2,000 was earmarked for the purchase desktop computers and printers to replace old ones. This budgeted amount for 2019 has been decreased to US\$ 1,000 as the Headquarters recently received desktop computers and printers from the Government of People's Republic of China as donation.

109. The details of the financial situation in 2017 and the Budget for the year 2019 can be found in document AALCO/57TOKYO/2018/ORG 2.

110. Last but not the least, the Secretary-General would like to inform the Member States that continuous efforts are being made on optimizing the use of both the human and material

⁴ AALCO/56/RES/ORG2

resources available within the Secretariat. All efforts to minimize and curtail operational costs are also being exerted. Financial auditing will be expanded to cover value for money audit and financial management system will be reinforced.

VI. STEPS TAKEN TO STRENGTHEN THE ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION

1. Strengthening the Human Resources in the AALCO Secretariat

111. The role of the Secretariat in the smooth functioning of the Organization cannot be overemphasized. The Secretariat has recently recruited legal and administrative staffs to augment its activities and ensure effective day-to-day functioning. However, to effectively fulfill its mandate as given by the Member States and meaningfully expand its activities in research and capacity building, AALCO needs to recruit more legal professionals to reach the sanctioned strength of ten legal officers and improve infrastructure and research facilities offered to the Secretariat staff.

112. AALCO, as a regional organization representing two continents, ideally should have equal representations from Asia and Africa in the top management. However, all Deputy Secretaries-General in service are from Asian nations i.e. from the People's Republic of China, Islamic Republic of Iran and Japan. In order to ensure adequate representation of Africa among the top management of the Secretariat, the Secretary-General requests the African States to second at least one senior official to the Secretariat as Deputy/Assistant Secretary-General. Likewise, he also requests the Arab Member States to consider deputing one senior official as Assistant Secretary-General or Director to the Secretariat for primarily managing the affairs of the Arabic Section. In this regard, the Secretariat would like to thank the Kingdom of Saudi Arabia for seconding a diplomat to the Secretariat in the capacity of Senior Legal Officer.

113. Furthermore, to ensure equitable geographical representation in the Professional Category of the Secretariat Staff, it is felt that there is a need to ensure that the Secretariat should be in a position to attract and retain the best talent from the two regions. This entails offering remuneration and other terms and conditions of services at par with the other intergovernmental organizations. The Member States may consider providing voluntary financial support to the Secretariat so that the substantive work can be augmented by recruiting international talent.

114. To encourage the assimilation of academic inputs into the work of AALCO, the Secretary-General would like to reiterate his proposal to institute a Visiting Fellowship Programme for senior academics and a Research Assistantship Programme for postgraduate students from AALCO Member States.

2. Membership

115. As on 21 July 2018, 47 States from Asia and Africa are presently Members of AALCO. As regards increasing the membership base of AALCO, the Secretary-General would like to express his gratitude to various Member States for their efforts in requesting their counterparts in the Governments within the region to join AALCO. Within the Secretariat, the Secretary-General and the Deputy Secretaries-General are also making earnest efforts to enhance the

membership of the Organization. In this regard, concentrated efforts to solicit membership from Africa, mainly from the Francophone States in Africa, Central Asian countries and others are ongoing. In this regard the Secretary-General also requests the Member States in their bilateral relationships to continue promote AALCO by inviting Non-Members to join the Organization.

3. Measures to Improve the Financial Situation of AALCO

116. Financial health of the Organization has been one of the top priorities of the Member States and the Secretariat. It may be recalled that to improve the financial situation of AALCO, at the Forty-Eight Session held in Putrajaya, Malaysia in 2009, a proposal was placed for consideration of the Heads of Delegations, it was in the form of a comprehensive approach that included the following four measures: (i) Action Plan to Collect Arrears; (ii) Voluntary Contributions; (iii) Replenishment of Reserve Fund; and (iv) Revision of Assessed Scale of Contributions. An update is presented below.

(i) Collecting Arrears

117. As per the Action Plan⁵ approved, the Member States in arrears have been divided under two heads: first, Member States which are in arrears for less than ten years; second, Member States in arrears for more than ten years. The Secretary-General was requested to take necessary follow-up action with these States. It may be recalled that AALCO had urged those Member States in arrears to expeditiously clear their arrears. Furthermore, vide resolution AALCO/RES/48/ORG 1 adopted on 20 August 2009, the Secretary-General was requested to implement this Action Plan, the same was also reiterated during the Forty-Ninth Annual Session.

118. Accordingly, the Secretary-General together with the Deputy Secretary-General in charge of finance, have been regularly meeting the Heads of Diplomatic Missions and Liaison Officers of these Member States in New Delhi, for materializing the action plan to collect arrears.

(ii) Replenishment of Reserve Fund

119. Rule 27 (3) of the Statutory Rules of the Organization authorizes the Secretary-General to maintain a reserve fund. To strengthen and firmly place the Organization on a firm financial footing, it is essential that an adequate Reserve Fund is maintained by the Organization. The amount kept in Reserve Fund should at least be enough so that it could meet the expenses of the Organization for at least a period of six months.

(iii) Revision of Assessed Scales of Contributions

120. The existing scale of contribution was last assessed at the Forty-Eighth Annual Session of AALCO held in Putrajaya, Malaysia in 2009. The revision of the current scale may be considered also in the context of the strategy to clear the existing arrears. Additionally, the

⁵It may be recalled that the Extraordinary Session held at the Headquarters on 1 December 2008, to explore ways to tide over the precarious financial situation of AALCO had approved an "Action Plan, AALCO/ES (NEW DELHI)/2008/ORG. 1, from page numbers 7-9.

revision of scale would empower the Organization to undertake expanded activities, as well as a retention measure for the staff and its expansion.

4. Increasing the Membership of AALCO

121. As mentioned above, 47 countries are Member States of AALCO. 33 of these are Asian States and 14 are African States. In the informal regional grouping system that exists in the United Nations, both Asia and Africa account for 53 countries each. Therefore, both within the Asian and African continents, immense scope for widening the membership base of the AALCO exist. Building upon the efforts of the distinguished predecessors, the current President of AALCO, as well as the Secretary-General and the Deputy Secretaries-General have approached the Heads of Diplomatic Missions of several of these countries in New Delhi in pursuance of this goal. The Secretariat has received positive responses from some of these States and the matter of their joining AALCO is under the active consideration of their respective Governments. As and when States become Member States of AALCO their prospective contributions would strengthen the financial and functional basis of AALCO.

VII. WORK PLAN FOR 2019-2020

122. Being mindful of the growing expectations of the Member States, the Secretary-General aspires and endeavors to organize and engage in events and activities that benefit Member States. Towards this end, he proposes the following steps for the coming year:

1. Substantive Projects for AALCO

123. The Secretary-General would like to propose organizing the following programmes in 2018-2019. They are chosen taking into consideration the mandates received in the Annual Sessions and the capacity-building requirements of the Member States. In this regard, it is important to highlight that their implementation is subject to the finances available and require whole-hearted support of the Member States. The Secretary-General would endeavor to partner with other international/intergovernmental organizations and academic bodies for their materialization.

124. Based on the work programme mentioned earlier⁶, the following action plan will constitute the action plan of AALCO in the year 2019 and 2020.

| | Programme/Activity | Frequency | Main Target Group | Expected Output/Outcomes |
|---|--|------------------|---|---|
| 1 | Expert Meetings on Selected Matters of high priority to AALCO eg topics before the ILC | 1 | Specialized national institutions/Experts identified by Member States | <ul style="list-style-type: none"> - Consulted views and opinions or positions - Identifying the issues and challenges facing Member States. - Provides necessary input for member |

⁶ See pages 2 and 3 of this document

| | | | | |
|---|---|-----|---|--|
| | | | | states and workable solutions. |
| 2 | Attending the ILC Meeting in Geneva and Legal Advisers' Meeting in New York | 2 | ILC Members Legal Advisers | <ul style="list-style-type: none"> - Present views of AALCO Member States on topics before the ILC - Update ILC/Legal Advisers on AALCOs work and views on ILC matters - Platform for further dialogue, exchange of views, network |
| 3 | Working Group Meetings with appointed Experts (Current, ongoing and future) | 2 | Specialized national institutions/Experts identified by Member States | <ul style="list-style-type: none"> - Identifying the issues and challenges facing Member States. - Provides necessary input for member states and workable solutions. - Awareness of the current and future position of international law. |
| 4 | Capacity building/Workshops/ Training (in collaboration with national institutions, UN agencies, partners through MoUs) | 2-4 | Junior Legal Officers/ Diplomat Mid-Level Officers | <ul style="list-style-type: none"> - Acquisition of good legal knowledge on particular subject/issue. - Network /Exposure/Awareness/ familiarity |
| 5 | Internship | N/A | University Postgraduate Students | <ul style="list-style-type: none"> - Acquisition of good legal knowledge on particular subject/issue. - Exposure to the works of AALCO and intergovernmental organizations - Support selected activities of the Secretariat |
| 6 | Databases and Publications | N/A | Member States Non-Members States | <ul style="list-style-type: none"> - Knowledge sharing (AALCO Journal, Yearbook, Newsletter, and special studies including on selected outcomes of the Working Group meetings, Workshops etc) - Collection of Member States national legislations or legal instruments on selected subjects at AALCO - Collection of relevant |

| | | | | |
|----|--|----------------------------------|---|--|
| | | | | regional/international organizations and UN relevant legal instruments relevant on subjects at AALCO |
| 7 | Seminars/Conferences (through co-hosting) | 2 | Member States Non-Member States | <ul style="list-style-type: none"> - Practical recommendations - Acquisition of good legal knowledge on particular subject/issue. - Knowledge sharing/ Networks |
| 8 | AALCO Arbitration Forum (co-hosted by AALCO Arbitration Centres) | 1 | AALCO Arbitration Centres/ regional and national Arbitration centres/ ADR community | <ul style="list-style-type: none"> - Capacity building on identified issues and challenges facing ADR - Provides necessary input for member states and workable solutions. - Network /Awareness of the current and future position of international trade and investment law. |
| 9 | Inter-session Meetings (on Substantive Matters) | As decided by the Annual Session | Member states | <ul style="list-style-type: none"> - Views/opinions/positions from Member states on identified the issues and challenges facing member states. - Provides necessary input for member states and workable solutions. |
| 10 | Annual Session (the plenary or sub-committee or working groups, supplemented by side events) | 1 | Member States and Observers | <ul style="list-style-type: none"> - Resolutions (administrative and financial matters), - Recommendations (on substantive matters), - Decisions (on procedural matters or matters of substantive characters) |

125. The costs of implementing some of the above programmes/events in the action plan is included in the approved budget of 2019 and proposed in the 2020 budget. They are as follows: Annual Session, Inter-session Meeting, databases and publications (under the Centre for Research and Training) and travel costs_to attend the ILC Meeting in Geneva and Legal Advisers' Meeting in New York.

126. The rest of the items such as capacity building programmes/trainings, seminars, conferences and expert meetings are not covered in the budget because of limited amount received through the annual contributions. Currently, AALCO completely depends on the annual contributions of the Member States. With increased activities and enhanced work programme, the Secretariat realizes that the Member States which pay their annual contributions cannot be asked to pay more than their share, at a time some Member States are struggling to clear their arrears.

127. The amount received from annual contributions is largely used to cover the general budget activities but not development and capacity building activities. For instance, in the past

five years, the amount allocated under capital expenditure for library – books, online database and journals is USD 400 only. For a knowledge-based organization like AALCO, a library with adequate printed and online resources is an imperative to effectively carry out the mandate it receives from the Member States.

128. Alternative means of generating revenue is needed for AALCO to effectively discharge its functions and act as a think-tank/ legal consultative forum for Afro-Asian regions.

129. The Secretary-General intends to mobilize additional resources to bridge the gap through co-hosting some of the events with AALCO's Regional Arbitration Centres, partner with national institutions and international organizations having MoUs with AALCO. The Secretary-General will also apply grants from the funding organizations under the UN and national organizations, as well as seek voluntary contributions from Member States for the benefit of all Member States.

130. The task is not easy but with the support of the Member States, the Organization will be able to raise sufficient resources to revitalize AALCO as a preeminent legal consultative organization, ensuring that these initiatives are well known and constructively contribute to the progressive development of international law.

2. Establishing Collaboration with International Organizations/ Educational Institutions

131. The support and cooperation of other intergovernmental/international bodies and universities is an imperative to meaningfully organize training programmes/seminars for the officials of the Member States. Similarly, domain expertise of academic bodies/societies/universities may be tapped to pursue research collaboration projects on areas of mutual interest and source experts for training programmes and workshops. Since Prof. Gastorn assumed office, his efforts on this direction have been focused on establishing mutually beneficial cooperative arrangements with international organizations and educational institutions working in the field of international law.

132. For the period under review, AALCO has entered into MoUs/cooperation agreements with African Institute of International Law (AIIL) and China Law Society (CLS). In furtherance of the agreement with AIIL, a joint seminar on reviewing international reforms to the investment regime and to the investor-state dispute settlement mechanism at Arusha in November 2018.

133. Aiming at further expanding the research activities in AALCO, it is envisaged that collaboration with entities including educational institutions/universities within India could be enhanced. Efforts are ongoing to enter into formal agreements with Indian Society of International Law (ISIL); BRICS Legal Forum; South Asian University (SAU), New Delhi; Delhi University (DU); Jawaharlal Nehru University (JNU), New Delhi and Gujarat National Law University (GNLU), Gandhinagar, Gujarat.

3. Expanding Internship Projects in AALCO

134. AALCO encourages students and researchers of international law from the Member States familiarize themselves with the working of an intergovernmental organization. Internship Programme at AALCO is envisaged as a practical educational experience whereby interns principally assist the legal staff of the Organization in discharging their duties. They also present

their research on a topic of their choice written under the supervision of legal officers. Specifically, the interns are assigned a number of tasks which include: i) Compilation of legislation of Member States on a number of international legal issues with the objective of creating a database of national legislations; ii) assisting the legal staff in the preparation of briefs and other documents; iii) editing/proof-reading of various documents that are produced by the Secretariat; and (iv) assisting the legal staff of AALCO in preparing reports on the inter-sessional events that the Secretariat hosts.

135. As the internship programme is available throughout the year, the Member States are requested to make use of this opportunity and encourage the law students to undertake such internship programme with AALCO in New Delhi. Between June 2017 to July 2018, 37 students from various universities from Asia and Africa have interned at AALCO. In this regard, it may be noted that Chinese University of Political Science and Law, pursuant to an MoU with AALCO in 2017, has been regularly sending their students to intern at the Headquarters of AALCO. Further, it is important to point out that the number of interns has steadily increased following adoption of a new internship policy and promotion of the Internship Programme in academic circles. The following comparative table illustrates this trend.

136. The Secretariat plans to promote the Internship Programme in academic institutions across Asia and Africa and request Member States to support the Programme by nominating young researchers from their jurisdiction.

4. The Website of AALCO

137. AALCO's website (www.aalco.int) is regularly updated and reviewed to keep Member States updated on the activities undertaken at AALCO. Towards this end, all recent activities and programmes undertaken within AALCO and related documents are uploaded on the website. To facilitate better communication with the Arab Member States of AALCO, an Arabic interpreter/translator has been appointed to update the website in Arabic..

138. The Secretary-General proposes to revamp the lay-out of the website in consonance with the latest trends befitting an intergovernmental organization with such stature and repute.

5. Participation in International Meetings

139. AALCO is statutorily mandated to examine subjects that are under consideration of the International Law Commission (ILC) and to forward the views of the Organization. Representation of AALCO and International Law Commission at each other's Annual Sessions has now become a customary practice. Following this practice, the Secretary-General has attended the Seventieth Session of the ILC in July 2018. In 2019, he will be attending the Seventy-First Session of the ILC to forward the views of the Member States as presented in the Fifty-Seventh Annual Session of AALCO. In addition, he will also represent the Organization at the Seventy-Third Session of the UN General Assembly. Further, as in the practice, AALCO Legal Advisers Meeting will be held in New York in the sidelines of the Seventy-Third Session of the UN General Assembly. Subject to availability of funds AALCO might be represented at other international meetings where its participation would be useful. Furthermore, the Secretary-

General will represent the Organization at the annual meetings of Committee of Legal Advisers on Public International Law (CAHDI) and AALCO Annual Arbitration Forum.

6. Capacity Building Programmes

140. AALCO has been organizing capacity building programmes for the Member States in collaboration with international organizations like the WTO, UNHCR and ICRC. According to the mandate received from the Member States, AALCO Secretariat will organize a workshop on international criminal law targeting judges and prosecutors. Further, training programmes on investment laws, dispute settlement and law of the sea are also being planned. As you are aware, the Government of the People's Republic of China in association with AALCO has established China-AALCO Exchange and Research Programme (CAERP) in 2015. It has so far held four training sessions for lawyers and diplomats from the Member States of AALCO. In this regard, the Secretary-General urges Member States to optimally utilize this forum to train their legal professionals in international law.

7. Digitalization of Documents and Strengthening the Library

141. All Reports and Verbatim Records of AALCO Annual Sessions are now available in digitalized format on AALCO website www.aalco.int on the webpage titled "Annual Session". This exercise undertaken by the AALCO Secretariat provides a useful source of state practice of the Asian and African States and will provide a very useful archival resource to all Member States and researchers interested in the work of AALCO. An office assistant has been hired to organize all hardcopies of records and books available at the Secretariat. In this context, the Secretary-General would like to thank the Government of People's Republic of China again for donating a new server to the Secretariat to accelerate the digitalization of important documents and records. The Secretariat also plans to subscribe to online legal databases such as *Lexis Nexis*, *Westlaw* or *Hein Online* to subject to the availability of funds.

8. Publications

142. The Organization has revamped and re-oriented its existing publications and made them more reader friendly, apart from enhancing the quality and content of the publication, to ensure wider and periodic dissemination about the various activities of AALCO. This year apart from the regular publications including AALCO Journal of International Law and the Yearbook, AALCO Secretariat has revived the practice of releasing half-yearly Newsletter to brief Member States and a wider audience of its activities. Based on the mandate received from the Member States in the upcoming Annual Session, the Secretariat is fully prepared to engage in Special Studies and publish the output for the benefit of the Member States.

9. Annual Sessions

143. It has been decided that working group meetings will be convened and fewer number of agenda items will be deliberated henceforth in order to facilitate in-depth discussion on substantive matters. This process will provide an atmosphere for an in-depth discussion of issues which is consistent with the primary function of a legal consultative organization. Accordingly, decisions on matters of a substantive character will be adopted in the plenary in the form of

recommendations to be incorporated in the report, as per Rule 13(12) of the Statutes and Statutory Rules of AALCO. Resolutions will be limited to financial and administrative matters alone.

10. Eminent Persons Group (EPG)

144. It may be recalled that the EPG was constituted in 2010 expected to serve as an informal guidance mechanism, “Advisory Body”, for the Secretary-General to steer the work of the Organization. The aim of this group should be to suggest to the Secretary-General the short, medium and long term measures needed for the substantive work and financial well-being of the Organization. The EPG may identify issues of common concern to the Member States and formulate a strategy on how to proceed with the work on such issues. It is composed of the a few members of the ILC and high ranking officials of the Member States. H.E. Prof. Dr. Gastorn would continue to consult with the members of the EPG, and shall also endeavor to explore ways and means to optimally use technological innovations to minimize or avoid costs for convening these meetings.

11. Draft Model Laws and Guidelines

145. The Organization may revive the practice of drafting model or soft laws and guidelines on various issues of common concern for Member States. This will require establishment of working groups to look into certain specific areas. This will be done pursuant to decisions to be adopted in the plenary in the form of recommendations or otherwise.

12. Project Based Funding

146. While maintaining that contribution from AALCO Member States as the primary source of income for AALCO, project based funding will be carefully solicited from national and international entities working on similar activities, and in areas of common concern to AALCO Member States. Before implementing any such project from Non Member –States or international entities, Member States of AALCO shall be appropriately consulted through Liaison Officers.

13. Improving the Arabic Unit

147. To ensure greater participation and active involvement of Arab Member States, the Organization shall continue to promote Arabic in the working of the Organization. This will be done through *inter alia* improving Arabic website and translating all key documents into Arabic.

14. Members

148. Article 5 of the AALCO Statutes states that “[a] legal expert nominated by the Government of a Member State shall serve the Organization as Member. Alternate Members and Advisors may also be nominated if considered necessary.” This practice has been *de facto* discontinued by most of the Member States. The Secretary-General invites Member States to consider the revival of this practice.

15 Promotion of AALCO Arbitration Centers

149. The Secretariat shall promote the existing arbitration centres under the auspices of AALCO through the new initiative of AALO Annual Arbitration Fora. The Secretary General shall consult Member States and take initiative towards establishment of another AALCO arbitration centres in any interested Member State especially in the South Asian region, East Asia and Southern Africa.

VIII. STRENGTHENING THE COOPERATION WITH OTHER INTERNATIONAL ORGANIZATIONS IN PARTICULAR THE UNITED NATIONS AND ITS SPECIALIZED AGENCIES

1. Cooperation between the United Nations and the Asian-African Legal Consultative Organization

150. It may be recalled that, vide its Resolution 35/2 of 13 October 1980, the United Nations General Assembly had granted observer status to AALCO and requested the AALCO to participate in its sessions and work. Since then AALCO has been actively participating in the work of the UN General Assembly. Following the establishment of this new pattern by the General Assembly, the item pertaining to the Cooperation between the Asian-African Legal Consultative Organization and the United Nations is considered on a biennial basis. Dr. Roy S. Lee, Permanent Observer of AALCO to the United Nations Offices in New York has represented the Organization in many sessions of the United Nations and updated the United Nations General Assembly on AALCO's activities and work progress.

2. Strengthening the Cooperation with Specialized Agencies of the UN and other International Organizations

151. Since its establishment, it has been a privilege for AALCO to work in cooperation with the United Nations, its Specialized Agencies and other International Organizations. As envisaged in its Statutes, such co-operation began with the International Law Commission. Subsequently, on matters concerning Status and Treatment of Refugees, AALCO and UNHCR established close relations. With its involvement in International Trade Law matters, AALCO initiated its cooperative arrangements with UNCITRAL, UNCTAD, UNIDO and other Inter-governmental Organizations, such as the UNIDROIT and the Hague Conference on Private International Law. However, a great impetus was given to such cooperative arrangements with the according of Permanent Observer Status to AALCO by the United Nations in 1980. As a follow-up, Agreements were concluded with the United Nations, IMO, IAEA, UNIDO, UNEP, and UNITAR and Hague Conference on Private International Law. AALCO also concluded similar co-operation agreements with International Organizations, which include Council of Europe, Commonwealth Secretariat, League of Arab States and the African Union (formerly Organization of African Unity).

IX. CONCLUDING REMARKS

152. Prof. Dr. Kennedy Gastorn, assumed office in August 2016 has been focusing on forging new institutional partnerships and reinvigorating existing cooperation arrangements in order to

better deliver on the mandate entrusted on the Secretariat. Such support and cooperation from international bodies and universities are vital to reinforce AALCO's status in the global community as one of the preeminent forums for collective dialogue and consultations on matters of international law. Towards realizing these goals, he has been actively engaged in bilateral and multilateral meetings with diplomatic missions of Member States, Non-Member States and international organizations. He is committed to working towards getting AALCO heard and heeded in the international law-making process leading to its progressive and equitable development.

153. His efforts towards ensuring proactive participation of Member States has been received well evidenced by a marked increase in their involvement and support for the activities and events organized by the Secretariat. He has also taken the lead in instituting an annual event, AALCO Annual Arbitration Forum (AAAF), aimed at constructively engaging with AALCO Regional Arbitration Centres and other prominent national and international arbitration bodies thereby facilitating information exchange and partnership between them. In pursuance of his vision to increase the visibility and profile of the Organization across the globe, the Secretary-General has participated in several international events and delivered lectures which were received well. Furthermore, efforts to enlarge the membership of AALCO are being made concentrating on Francophone nations from West Africa and countries from Central Asia.

154. In order to further improve on the structural changes that were introduced in the management and working of the Secretariat last year, the Secretary-General has initiated several measures as regards reporting and performance appraisal of the staff. Recognizing the significant role played by the Liaison Officers of AALCO Member States as the channel of communication between the Organization and the Member States, he also endeavors to constantly and regularly update Member States of activities and administrative matters through periodic meetings with the Liaison Officers.

155. The Secretary-General fully recognizes the responsibilities entrusted on him by the Member States and is committed to deliver to the best of his abilities in furtherance of the mission and vision of the Organization. In similar spirit, he urges all Member States to actively involve in the Organization in its collective pursuit to ensure that Asian-African voices are heard and headed to in the making of international laws and norms.

156. The Secretary-General kindly requests the Member States to deliberate on this report and attached draft resolution that may be adopted at the Fifty-Seventh Annual Session.

ANNEX I

SECRETARIAT'S DRAFT
AALCO/RES/DFT/57/ORG 1
12 OCTOBER 2018

REPORT OF THE SECRETARY-GENERAL ON ORGANIZATIONAL, ADMINISTRATIVE AND FINANCIAL MATTERS

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

Recalling the functions and purposes of the Organization as stipulated in Article 1 of the Statutes of AALCO,

Having considered the Report of the Secretary-General on Organizational, Administrative and Financial Matters pursuant to Rule 20 (7) of the Statutory Rules as contained in Document No. AALCO/57/ TOKYO/2018/ORG 1,

Having heard with appreciation the introductory statement of the Secretary-General on the Report of the Secretary-General on organizational, administrative and financial matters,

Also having heard with keen interest and appreciation the statements of the Heads of Delegations of AALCO Member States on the Report of the Secretary-General,

Recognizing the need to take forward the spirit of Bandung Conference in the current era which has witnessed many international legal challenges for the States of Asia and Africa,

Appreciating the efforts of the Secretary-General to enhance the activities of the Organization and to implement its work programme as approved at its Fifty-Sixth Annual Session held in Nairobi, Republic of Kenya from 1 to 5 May 2017,

Also appreciating the continued practice towards the rationalization of its work programme, including consideration of the agenda items during its Annual Sessions,

Reiterating the mandate of the Putrajaya Declaration on Revitalizing and Strengthening the Asian-African Legal Consultative Organization, and the Action Plan as explained in Document No. AALCO/ES (NEW DELHI)/2008/ORG.1 adopted by the Extraordinary Session of AALCO Member States held on 1 December 2008, in New Delhi (Headquarters), India,

Welcoming the efforts by the Secretary-General for revitalizing and strengthening AALCO,

Noting with satisfaction the increased co-operation between the Organization and the United Nations and its Specialized Agencies, other international organizations and academic institutions,

1. **Approves** the work plan of the Organization as set out in the Report of the Secretary-General and urges Member States to extend their full support to the implementation of that work plan;
2. **Encourages** Member States to make voluntary contributions to support the capacity building activities under the approved work plan of the Organization;
3. **Requests** the Secretary-General to continue his efforts and explore the ways and means to enlarge the Membership of the Organization in Asia - Africa, in particular, to increase the representation from the African States and Central Asian States;
4. **Also requests** the Secretary-General to discuss with African Member States to depute at least one senior official to the Secretariat as Assistant Secretary-General or Deputy Secretary-General;
5. **Further requests** Member States, in their bilateral relations to encourage non-Member States to join AALCO;
6. **Requests** the Secretary-General to take appropriate actions in accordance with the Action Plan adopted on 20 August 2009.
7. **Mandates** the Secretariat to prepare a review of the existing assessed scale of contributions, and make recommendations based on such review to be considered by the Liaison Officers, and thereafter submit it to the Annual Session for its consideration and approval; and
8. **Further requests** the Secretary-General to report on the activities of the Organization at its Fifty-Eighth Annual Session.