

Volume 12, Issue 1, January to June 2019

FOREWORD BY THE SECRETARY-GENERAL

The first half of 2019 has been an exciting one for the AALCO. Our engagements with our Member States were constructive and highly engaging. The major highlight of the months gone by have been the capacity-building initiatives in diverse areas of international law in collaboration with various organisation and institutes. AALCO has also actively praticipated in various international fora. In addition, AALCO's Regional Arbitration Centres actively organised multiple events within their sphere of mandates. We look forward to the Fifty-Eighth Annual Session, to be held in Dar es Salaam, Tanzania in October that promises to continue the glorious legacy of Afro-Asian solidarity in the progressive development of International Law and its codification.

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Group photo at the AALCO-ICRC Seminar on 8 January



Member States

Arab Rep. of Egypt Bahrain Bangladesh Brunei Darussalam Cameroon China Cyprus D.P.R. Korea Gambia Ghana India Indonesia Iran (Islamic Republic of) Japan Jordan Kenya **Permanent Observers**

Australia New Zealand State of Libya Malaysia Mauritius Mongolia Myanmar Nepal Nigeria Oman Pakistan Philippines Qatar Korea (Republic of) Saudi Arabia Senegal Sierra Leone

Kuwait

Lebanon

Singapore Somalia South Africa Sri Lanka State of Palestine Sudan Syria Tanzania Thailand Turkey Uganda United Arab Emirates Viet Nam Yemen

AALCO ACTIVITIES

CAPACITY BUILDING PROGRAMMES

AALCO-ICRC Seminar on Autonomous Weapon Systems, Artificial Intelligence and Armed Conflict

AALCO jointly organized with the International Committee of the Red Cross (ICRC) a half-day Seminar on "Autonomous Weapon Systems (AWS), Artificial Intelligence (AI) and Armed Conflict" on Tuesday, 8 January 2019 at the AALCO Headquarters in New Delhi. The Seminar explored the current and potential use of Artificial Intelligence in warfare and discussed its implications on international humanitarian law. The Seminar was attended by over 60 delegates, including ambassadors and defense attachés from the Member States of AALCO and select Non-Member States, and resource persons from international and regional organizations, academia and legal practice.

The welcome address was delivered by H.E. Prof. Dr. Kennedy Gastorn, Secretary-General of AALCO. In his welcome address, the Secretary-General thanked the ICRC Delegation in New Delhi for co-organizing this seminar. He pointed out that the use of autonomous weapons in warfare presents complex legal and ethical challenges for policymakers and lawyers. He expressed his appreciation for ICRC's keen interest on these issues and its constant engagement with governments and other stakeholders, especially in the recent deliberations on Convention on Certain Conventional Weapons, and hoped that this exercise would serve to enlighten the participants of the intricacies involved in the development and use of autonomous weapons and remind them of the significance of International Humanitarian Law in ensuring that just wars are fought irrespective of paradigm shifts in operations and conduct of the parties engaged in the conflict.



Seminar in progress



L-R: H.E. Prof. Dr. Kennedy Gastorn and Dr. Gilles Carbonnier

The keynote address, delivered by Dr. Gilles Carbonnier, Vice President, ICRC, pertained to the topic "Humanitarianism, South-South Cooperation and the Red Cross Movement". The presentation primarily focused on three points of query: what are the major challenges facing humanitarian action? How South-South cooperation and the emergence of the Global South reconsider the idea of humanitarianism? And, how does ICRC address the challenges? Dr. Knut Doermann, Chief Legal Advisor, ICRC Geneva, in his presentation in the first session, highlighted the law applicable to the AWS. Professor Subashish Banerjee from IIT Delhi, speaking on the topic "AI Algorithms: On Reliability Issues in Deep-learning", apprised the audience of the technical nuances of the topic. Group Captain Ajay Lele, Institute for Defense Studies and Analyses, focused his presentation on diverse uses of complex algorithmic systems by armed forces.

In the following session, Mr. Charles Sabga, Diplomatic Advisor, ICRC, Geneva and Ms. Kirsty Welch, Regional Legal Advisor, ICRC, New Delhi jointly addressed the topic "Humanitarian Diplomacy and the ICRC." The session was concluded by the viewpoint of the People's Republic of China being presented by Ms. Ren Xiaoxia, Counselor, Department of Treaty and Law, Ministry of Foreign Affairs of the People's Republic of China.

AALCO-Delhi Judicial Academy Seminar on "Operational Functioning of the International Criminal Court and Judicial Education: Emerging Paradigms"

The AALCO-Delhi Judicial Academy Seminar on "Operational Functioning of the International Criminal Court and Judicial Education: Emerging Paradigms" was held on 12-13 January 2019, Delhi Judicial Academy (DJA), Sector-14, Dwarka, New Delhi, India.



Group photo of the AALCO-DJA Seminar on 12-13 January

The Seminar sought to cover ground on evidence-related matters of professional interest to prosecutors and defence counsels of Member States of AALCO/ICC in their regular engagement with the Hague based Court in light of contemporary developments and introduce participants from non-ICC Member States to the working of the Court. A distinguished panel of participants graced the occasion, which witnessed lively presentations on many cutting-edge areas.

Justice Sanjiv Khanna, former Judge, High Court of Delhi and Chairperson, Examination as well as Judicial Education & Training Programme Committee of DJA (and now Judge, Supreme Court of India) delivered the Welcome Address congratulating the organizers and emphasising the importance of the topic. Dr. V.D. Sharma, Additional Secretary, Legal and Treaties Division, Ministry of External Affairs, New Delhi delivered the Inaugural Address, highlighted the scope and significance of international criminal law and the role played by the world community in fighting the worst forms of impunity.



Justice Sanjiv Khanna at the Inaugural session



H.E. Prof. Dr. Kennedy Gastorn at the Inaugural session

Amb. Motoo Noguchi, Chair of the Board of Directors of the Trust Fund for Victims at the International Criminal Court and Ambassador in charge of International Judicial Cooperation, Japan spoke about the role of the ICC in fighting global impunity and securing justice to the victims of the worst forms of human rights violation. Amb Noguchi touched upon the significant potential that Asian and African countries could play in further improving the functioning of the Court. Prof. Makau W. Mutua, Chairman, Kenya Human Rights Commission and SUNY Distinguished Professor, Floyd H. & Hilda L. Hurst Scholar, SUNY Buffalo Law School, The State University of New York addressed the audience on the operational

Hurst Scholar, SUNY Buffalo Law School, The State University of New York addressed the audience on the operational aspects of the court and the historic tensions that have existed between the Court and Africa. Prof. Mutua highlighted the enormous possibilities that lie ahead for the Court and the Afro-Asian region to making the world a better place for all concerned through the applicability of international criminal law in a fair and equitable manner.



Mr. Christian Mahr making his presentation on the International Crimina Court

Dr. Aniruddha Rajput, Member, International Law Commission highlighted the importance of evidentiary matters before the Court and the difficulties associated with balancing the interests of competing legal systems of the world in the process of international criminal trials.

Dr. Mrinal Satish, Chairperson, Delhi Judicial Academy highlighted the importance of criminal sentencing norms and emphasised the growing significance of international criminal law in the fight against impunity and global justice.

Hon'ble Ms. Justice Gita Mittal, Chief Justice of Jammu & Kashmir addressed the participants on the importance of judicial education and practices adopted by Indian Courts in the regard.

Prof. Dr. Madhava Menon, Former Director, NJA Bhopal, Madhya Pradesh, the pioneer of legal education in India highlighted the significance of continuous judicial learning and the methodological approaches adopted in the training and education of Judges.

A diverse group of participants from AALCO Member countries participated in the Seminar along with Judges nominated by the Delhi Judicial Academy. The two-day programme witnessed lively interactions between the panellists and participants and the high standards set by the programme was in the rich tradition of AALCO's capacity building initiatives. Among the notable participants were Mrs. Dato' Anita Binti Harun, Director General ILKAP, Malaysia, Mr. Chethiya Goonesekara, Deputy Solicitor General, Sri Lanka and Mr. Chipola Bako, Deputy Chief State Advocate (Representing the National Prosecution Authority of Zambia) among other distinguished participants from AALCO Member States. Mr. Christian Mahr, Director of the Division of External Operations of Registry at the International Criminal Court highlighted the working aspects of the Court and its constructive engagement with diverse stakeholders. Mr. Mahr deliberated upon the role played by the Registry in ensuring the smooth functioning of the Court. The institutional framework of the Court as a facilitator for global justice being concomitant on its harmonious functioning with stakeholders and mutual co-operation based on trust and respect were emphasized by Mr. Mahr. Mr. Narinder Singh, Former Member of the International Law Commission and former Additional Secretary, Ministry of External Affairs, Government of India spoke about prosecuting and defending before the Court and various legal issues associated with the same. Mr. Singh highlighted various legal principles that govern prosecution and defence in international criminal law.



Above: Dr. Aniruddha Rajput delivering his speech

Below: Participants from the Member States of AALCC



Lecture by Ms. Anna Joubin-Bret, Secretary UNCITRAL at AALCO Secretariat



Group photo of the Lecture by Secretary, UNCITRAL on 20 March

Ms. Anna Joubin-Bret, Secretary UNCITRAL delivered in a Lecture on 20 March 2019 at AALCO Secretariat in a programme co-hosted by AALCO and the Ministry of External Affairs, Government of India.

The lecture attended by High Commissioners, Ambassadors, and Liaison Officers of the Member States of AALCO, officials of the Ministry of External Affairs, Government of India, and other noted academicians saw Ms. Bret explain the functioning of the Commission as the core legal body of the United Nations system in the field of international trade law. Ms. Bret highlighted the role of UNCITRAL in preparing and promoting the adoption of legislative and non-legislative instruments in many areas of trade laws.

Ms. Bret stated that the six Working Groups of UNCITRAL were engaged in the modernization and harmonization of rules on international business and international cooperation on this front was forthcoming, highlighting the crucial role being played by Asian and African countries in areas like arbitration.

Ms. Bret encouraged AALCO Member States to actively participate in UNCITRAL's Working Group discussions, so that the resulting Conventions and Model Laws have universal application.



Lecture in progress



L-R: Ms. Anna Joubin Bret, H.E. Prof. Dr. Kennedy Gastorn and Dr. V.D. Sharma

Activities of Permanent Observers of

AALCO has benefitted immensely from the work of its two Permanent Observers Dr. Roy S. Lee (Permanent Observer of AALCO to the UN in New York) and Mrs. Christine Nemoto (Permanent Observer of AALCO to the UN in Vienna)

Dr. Roy S Lee

The Intergovernmental conference started its second session in March 2019 at the UN Headquaters to prepare a binding international legal instrument on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (ABNJ). To facilitate the work of the Conference, the AALCO's Observer Office in NY invited all UN members to an informal exchange of views to discuss current industrial and legislative development of genetic resources in areas within national jurisdiction as well as in areas beyond national jurisdiction.



The main purpose of the discussion was to inform the participants that development of genetic resources already generated and brought into force several international treaties to regulate prospecting and gathering of genetic resources in national jurisdiction both on land and off shore of States parties interested in the subject. About a dozen countries have also adopted national laws in that regard. Intellectual property rights derived from such resources have also been registered nationally or with WIPO (World Intellectual Property Organization). This being the case, the new international regime for the ABNJ must be designed in such a way so as to be able to compete with already existing regimes for harvesting marine genetic resources. The advantage of ABNJ is that it may have genetic resources in the deep oceans not found within EEZ.

The discussion also noted that in the 1970s, the need for strategic metals led industries to propose mining manganese nodules from the deep seabed including ABNJ to extract nickel, cobalt, copper and manganese. The United Nations, in response, declared the international Area and its resources beyond national jurisdiction "common heritage of mankind" and decided to set up an international mechanism for mining potato-sized metallic nodules which was included in Part XI of the 1982 Law of the Sea Convention and created the International Seabed Authority to implement the system. Alas, Part XI of the Convention had to be renegotiated for it to be acceptable to the major industrial countries. Another 13 years passed before an agreement modifying Part XI of the seabed regime was adopted. Today, some 40 years later, seabed mining is still waiting for the market to turn in its favor. A lesson learned was that deep seabed mining and harvesting genetic marine resources need to be considered closely to market and investment; Traditional set-up of intergovernmental organizations may not be the most efficient model for business-like enterprise.

In March 2019, UN representatives were invited to participate in an informal discussion on the legal implications of changing coastlines for maritime activities, zones and treaties. The purpose was to explore how maritime treaties, zones and activities may be impacted as coastlines change, and the current schools of thought on such impact. The breadths of a coastal State's territorial sea, economic zones and continental shelf are measured directly or indirectly from the State's baseline which is the low-water line along the coast. Adjacent States have established their respective boundaries, zones and permissible activities therein. Fishing, navigation, oil and gas activities are taking place within the authorized areas which are defined in terms of latitudes and longitudes in relation to baselines. Hundreds of maritime treaties and regimes governing these and other activities are currently in force in all regions of the world. The certainty and stability of all these regimes, zones and activities are inevitably linked to the baselines of the coastal States concerned. But now as climate change progresses, coastlines may recede as the sea rises. Islands, rocks, reefs and other low-tide elevations may be under water, altering the basic measurements and the latitudes and longitudes of the boundaries and zones. Licensed activities could find themselves operating outside the authorized area. Disputes and conflicts may arise. Low-lying States may, in extreme cases, lose their land territory as well as territorial sea and EEZ. The entire existing maritime legal order is consequently threatened. Experiences showed it would be easier to find solutions before this geophysical reality gives rise to disputes or conflicts. Now is the time to consider what should be done. A general discussion followed the panel's brief presentations. An issue paper covering seaward implications was distributed to participants,

Madame Christine Nemoto



L-R: Madame Christine Nemoto and H.E. Prof. Dr. Kennedy Gastorn

1st Intersessional meeting of the Commission on the Narcotic Drugs (CND)

2nd and 3rd Intersessional meeting of the Commission on the Narcotic Drugs (CND)

UNODC 62nd CND (IGOs): The 62nd session took place on 14-22 March 2019- The Executive Director, Mr.Yuri Fedetov stressed that the drugs should be reduced to medical use only. The chair stated that the sale of drugs via Darknet is rising and the concern over the amount of new synthetic drugs was expressed.

28th Session of the Commission on Crime Prevention and Criminal Justice (CCPCJ): The 28th session was held from 20-24 May 2019 in Vienna. The session was opened by Mr. Yury Fedotaov, the Executive Director of UNDOC for the Commission on the Narcotic Drugs. The Thematic discussion was on "The responsibility of effective, fair, humane and accountable criminal justice systems in preventing and countering crime motivated by intolerance or discrimination of any kind". Many delegations raised and expressed their concern about the rising exploitation of children in actual and online.

The Implementation Review Group of the United Nations Convention against Corruption held its tenth session in Vienna from 27 to 29 May 2019. A minute of silence to honour the memory of Dimitri Vlassis was observed at the opening of the session. The European Union wants the setting up of standards to protect the whistle –blowers as this would help to reduce money-laundering. Panelists spoke on various laws to confiscate and freeze assets, illegal or suspect.

The thirteenth meeting of the Open-ended Intergovernmental Working Group on Asset Recovery took place on 29-30th May 2019 in Vienna. The topic of discussion was on best practices for the identification and compensations of all different types of victims in accordance with the Convention, and the Third-party challenges and their impact on asset recovery under chapter V. A Panel discussion was held on challenges, good practices, and lessons, and procedures allowing the confiscation of proceeds of corruption without a criminal conviction.

The Eighth open-ended intergovernmental expert meeting to enhance international cooperation was held on 31 may 2019 in Vienna. Many delegations participated in the session. The Chair stated that electronic tools, Mutual Legal Assistance and international cooperation are the challenges.

4th Intersessional meeting of the Commission on the Narcotic Drugs (CND) 24th June 2019: The main purpose of the session was the re-scheduling of the Cannabis. Marijuana is the most popular drug in the world. Under the observations made by different countries, Mexico declared that it is not established that the cannabis has the same effects like other opioids.

Launch of World Drug Report 2019: The session was on 26 June 2019.

Forthcoming Activities (July-December)

- 71st Session of the International Law Commission on 18
 July
- 5th China-AALCO Exchange and Research Programme (CAERP) from 29 July to 16 August
- Colloquium on International Law in the Changing World: The Roles of developing countries on 29 July
- Colloquium on International Law from 15 to 16 August
- 4th Working Group Meeting on International Law in Cyberspace from 2 to 4 September
- 58th Annual Session of AALCO from 21 to 25 October
- Seminar on 70th Anniversary of Geneva Conventions on International Humanitarian Law on 15 November
- AALCO Legal Advisors Meeting at the United Nations
- Second Annual AALCO Arbitration Forum
- 63rd Constitution Day of AALCO on 15 November
- The Liaison Officers Meetings (LOM) is held at the AALCO HQ on the last Thursday of every two months.

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Internships at AALCO

Since January onwards this year many students have successfully completed their internships.

They were students of either graduate or post-graduate courses in esteemed institutions such as the Amity Law School, Amity University, Symbiosis Law School, and Guru Gobind Singh Indraprastha University.

For more information on Internship opportunities at AALCO write to: internships@aalco.int

Upcoming Publications

- AALCO Journal of International Law
- AALCO Newsletter Volume 12, Issue 2
- Special Study on the topic: "International Law and the Legal Status of Jerusalem"

For more information on AALCO publications visit the AALCO website: www.aalco.int or write to: mail@aalco.int

PUBLICATIONS

ACTIVITIES OF THE SECRETARY-GENERAL AND DEPUTY SECRETARIES-GENERAL

VISITORS TO THE AALCO SECRETARIAT



Dr. Jiefang Huang, Director, Legal Affairs and External Relations Bureau, International Civil Aviation Organization (ICAO) visited the AALCO Headquarters on 5 April 2019 to pay a courtesy visit to H.E. Prof. Dr. Kennedy Gastorn, Secretary-General of AALCO. The meeting was also attended by Ms. Wang Liyu, Deputy Secretary General of AALCO. H.E. Prof. Dr. Kennedy Gastorn informed Dr. Huang that the International Aviation Law is one of the topics on the work programme of AALCO and considering the latest developments in this sector, it is a significant issue in the International community. AALCO would like to actively work on the aspects of the International Aviation Law and seek organizing joint programmes with ICAO. Dr. Huang assured his utmost support to develop cooperation between the two organizations.

L-R: Ms. Wang Lyiu, H.E. Prof. Dr. Kennedy Gastorn and Dr. Jiefang Huang

A group of Professor and students from the Institute of International Law, Wuhan University led by Prof. Huang Deming visited the AALCO Secretariat on 8 April 2019. The Secretary-General extended a warm welcome to the group. He recalled the long-standing cooperation between AALCO and the Institute of International Law, Wuhan University and he especially encouraged the Institute to send more students for internship programme of AALCO.The students noted the significance of visiting the AALCO Headquarters during their studies in international law which broadens their horizon and understanding of the subject.



Ms. Wang Lyiu, H.E. Prof. Dr. Kennedy Gastorn and Prof. Hua Deming with the students



Dr. Pavan Duggal, Chairman, International Commission on Cyber Security Law

Dr. Pavan Duggal had a meeting with H.E. Prof. Dr. Kennedy Gastorn, Secretary-General of AALCO on 21 May 2019 to invite him to the International Conference on Cyberlaw, Cybercrime, & Cybersecurity 2019 to be organized from 20-22 November 2019 in New Delhi. H.E. Prof. Dr. Kennedy Gastorn informed Dr. Pavan Duggal about Cyberspace as one of the active items of the work programme of AALCO and the two discussed, among other things, about collaborating with each other for organising events on the topic of Cyberspace. Fifth SOAS Arbitration in Africa Conference, 2019- best Practices in Arbitration and ADR in Africa, Arusha, Tanzania



Group Photo of the Fifth SOAS Arbitration Conference in Africa 12 February

H.E. Prof. Dr. Kennedy Gastorn, Secretary-General of AALCO, delivered the welcome address at the Fifth Arbitration in Africa Conference, 2019 on 12 February 2019 at Arusha, United Republic of Tanzania. The conference was jointly organized by the School of Oriental and African Studies, University of London, the African Institute of International Law (AIIL) and Bannaga & Fadlabi LLP (Sudan). In its fifth year in the current form the conference brought together a number of practitioners and experts in the field of arbitration in Africa, to discuss developments relating to arbitration as a means of dispute resolution in the African continent.

In his address, the Secretary-General of AALCO apprised the participants of the work of AALCO in the field of arbitration. Whether it was the promotion of the adoption of the UN Model Law on International Arbitration, or the promotion of arbitration institutions in Africa, AALCO had played a key role developing a sound foundation for the growth of arbitration in Africa. It was also emphasized in the address that judging from the past track record of AALCO in promoting arbitral institutions, the Member States of AALCO have also called upon it to commence negotiations to establish a new regional arbitration centre in Southern Africa. Other key issues such as the recent surveys presenting the adoption of arbitration as means of dispute settlement in Africa were also assessed as were topics such as investment arbitration and enforcement of arbitratian awards.



Top: Second from left: H.E. Prof. Dr Kennedy Gastorn with other delegates

Below: Conference in progress

International Conference on Mediation, organized by the Law Centre II, Faculty of Law, University of Delhi in association with the Mediation and Conciliation Project Committee, Supreme Court of India, New Delhi, India

H.E. Prof. Dr. Kennedy Gastorn, Secretary-General of AALCO was invited to deliver Welcome Remarks at the International Conference on Mediation organized by Law Centre II Faculty of Law, University of Delhi in association with Mediation and Conciliation Project Committee, Supreme Court of India on 6-7 April 2019. The topic for the talk was Mediation in Disputes Pertaining to Multinational Corporations in the context of the upcoming UNCITRAL Convention on International Settlement Agreements Resulting from Mediation ('the Singapore Convention') that opens for signature on 7 August 2019. The event was well attended by academics, practitioners and students who paid key attention to discussion of the panel comprising, among others, Judges from Hon'ble High Court of Delhi.



H.E. Prof. Dr. Kennedy Gastorn being honoured at the conference

The Session was chaired by Hon. Mr. Justice G. S. Sistani, Judge, Delhi High Court, and the co-panellists were Hon. Ms. Justice Pratibha M. Singh, Judge, Delhi High Court, and Hon. Ms. Ljiljana Belojevic, Deputy Head of Mission, Embassy of Republic of Serbia to India representing H.E. Mr. Vladimir Maric, Ambassador of Serbia to India. The two-day Conference hosted Judges of the Supreme Court of India and Judges from different countries, High Court judges from various states, High Commissioners and Ambassadors from different countries, senior officials from Singapore Mediation Centre, United States Patent and Trademark Office (USPTO), World Intellectual Property Organization, officials from various departments from Government of India, Vice Chancellors, Judicial officers, officials from PSUs, officials from RBI and public sector as well as private sector banks, legal practitioners from different countries, industry experts and other essential stakeholders.

One-Day Seminar on the Global Compact on Refugees: From Hope to Action", Faculty of Legal Studies, South Asian University, New Delhi, India

H.E. Prof. Dr. Kennedy Gastorn and Ms. Yasuko Shimizu, Chief of Mission, UNHCR, Delhi delivered the inaugural addresses at the "One-Day Seminar on the Global Compact on Refugees: From Hope to Action", organized by the Faculty of Legal Studies, South Asian University, and the United Nations High Commissioner for Refugees, India, at the South Asian University on 18 April 2019. Prof. Dr. Kennedy Gastorn highlighted AALCO's work on the Global Compact on Refugees and the historical necessity of bringing about the Global Compact in the wake of the New York Declaration, 2016. While the Refugee Convention dealt with rights of refugees and obligations of States, there was no framework that dealt with international co-operation with respect to burden sharing.

He stated that the Global Compact on Refugees begins with the premise that "the predicament of refugees is a common concern of humankind". It has four main objectives, namely, easing pressure on refugee-hosting countries; enhancing refugees' self-reliance; expanding refugees' access to so-called "third countries" through formal resettlement and other legal avenues; and supporting conditions in refugees' countries of origin to ensure safe repatriation. It consists of two parts: a Comprehensive Refugee Response Framework (CRRF) that is meant to "operationalise" the compact at the ground level based on best practices; and a Programme of Action that sets guidelines for the international community more broadly.

Prof. B. S. Chimni, who was invited to deliver a special lecture on Global Compact on Refugees, critically unveiled the inadequacies in the text of the Compact - apparent especially in absence of primacy to the right to asylum in the document. Adducing statistical evidence, he pointed out the limitation in the scope and design of the Compact, and accentuated the need for setting up an academic network that is not only concerned with "deliverables", but also raises foundational questions on the topic.

All the sessions were followed by interactive sessions of questions and answers.

The Clean Silk Road Sub-Forum of the 2nd Belt and Road Forum (BRF), Beijing, China

The second edition of the Belt and Road Forum perceived, just like its maiden edition, profound deliberations on the avenues to strengthen effective cooperation among parties participating in the Belt and Road Initiative. The Secretary-General participated in the Clean Silk Road Sub-Forum of the BRF held on 25 April 2019, and moderated the third session on "Strengthening International Cooperation on Combating Corruption and Promoting the Rule of Law".

Whilst introducing the theme during the session he moderated, the Secretary-General underlined the importance of the United Nations Convention against Corruption, presented the ambit and purpose of the Convention, and recollected the factors that spurred its conception. The steps taken by AALCO in strengthening international cooperation in combating corruption, during the development of the Convention and thereafter were highlighted. References were made to the relentless strides taken during the Annual Sessions of the Organization and the special studies prepared and capacity-building activities organized pursuant to the recommendations received at those sessions, as well as while acting in the capacity of an active participant in the ad hoc negotiating committee and the Global Forum on Fighting Corruption and Safeguarding Integrity. The discussions in the session affirmed the Secretary-General's observation that certain key issues require solidarity among the nation states in order to control and eradicate the scourge of corruption plaguing the peoples of the world.

Hong Kong Business and Legal Summit, Hong Kong (SAR), China

Unveiling a new milestone in the saga of cooperation between AALCO and the Hong Kong International Arbitration Centre (HKIAC), the organizations jointly organized the Hong Kong Business and Legal Summit on 23 May 2019, on the theme "Spotlight on African and Asian Opportunities". The Summit was hosted at the HKIAC, and the Secretary-General and Ms. Wang Liyu, Deputy Secretary-General attended the Summit.

The Secretary-General commended HKIAC's choice of the timely and pertinent theme in his keynote address. The manifestations of Asian-African cooperation, economic and otherwise were highlighted in the speech by citing instances from the domains of intercontinental trade and commerce, investment, infrastructure development and cooperation in dispute settlement. AALCO's role in that context was underscored, and the significance of a proactive economic relationship between Asia and Africa was accentuated. The major topics of discussions at the Summit aptly captured the possibilities and potential of Afro-Asian as well as Afro-Chinese cooperation in the realms of trade and investment; energy and infrastructure; and project finance. Deliberations ensued on the opportunities and challenges of investing in Africa among the 80 participants belonging to the fraternities of business leaders and legal experts who attended the Summit.



H.E. Prof. Kennedy Gastorn and Ms. Sarah Grimmer,Secretary General of HKIAC third and fourth from left respectively



Conference on Peaceful, Just and Inclusive Socities: SDG 16 Implementation and the Path Towards Leaving No One Behind

Prof. Dr. Kennedy Gastorn, Secretary-General of AALCO participated in the Conference on Peaceful, Just and Inclusive Societies organized by the Division of Sustainable Development Goals of the UN Department of Economic and Social Affairs (UNDESA) and the International Development Law Organization (IDLO) from 27-29 May 2019 at Rome.



L-R: Ms. Irene Khan and H.E. Prof. Dr. Kennedy Gastorn

The Conference took note of the global progress towards achieving SDG 16, including the sharing of knowledge and good practices and suggesting the way forward in securing the interlinkages between SDG 16 and other Goals. Prof. Dr. Kennedy Gastorn in his address highlighted that AALCO's vision of encompassing the broad diversity of Asia and Africa in facilitating the progressive development and codification of international law was rooted in the values and ideals of the Sustainable Development Goals (SDGs), specifically SDG 16. This assumes added significance in light of their position as leading players in the global development paradigm.

Prof. Dr. Kennedy Gastorn highlighted that AALCO, being the only Intergovernmental Organization facilitating this exercise for the two continents, is therefore duty-bound to facilitate the progressive development and codification of international law, through the sustainability paradigm of SDGs. Thus, the progressive development and codification of international law in Asia and Africa, through the organizational medium of AALCO is synonymous with the achievement of SDG 16 goals of peace, justice and inclusive societies for all stakeholders involved.

Apart from Mr. Liu Zhenmin, Under-Secretary-General for Economic and Social Affairs, United Nations and Ms. Irene Khan, Director-General, IDLO, H.E. Emanuela Del Re, Vice Minister for Foreign Affairs and International Cooperation of Italy, H.E. Omar Hilale, Vice-President of ECOSOC and Permanent Representative of Morocco to the United Nations, Hon. Priscilla Schwartz, Attorney-General and Minister of Justice, Sierra Leone and Mr. Mohammad Farid Hamidi, Attorney-General, Afghanistan were some of the other distinguished speakers who graced the occasion.

Fifth Commonwealth Red Cross and Red Crescent Conference on International Humanitarian Law, Kigali, Rwanda

Prof. Dr. Kennedy Gastorn, Secretary-General of AALCO addressed the Fifth Commonwealth Red Cross and Red Crescent Conference on International Humanitarian Law, on the Theme "Celebrating the Geneva Conventions and Building Respect for IHL: A Commonwealth Perspective", at Kigali, Rwanda from 10-14 June, 2019. He stated that Internally Displaced People (IDPs) are amongst the most vulnerable groups of persons as there is no universal, legally binding instrument that specifically addresses their plight.



Group photo of the participants

While IDPs are partly protected by a gamut of laws including international humanitarian law, refugee law, international human rights law, and of course, the national law of the State concerned, the present system is ad hoc, with no organization having a global mandate to protect and assist the internally displaced.

According to him, there exists what can be called a "protection gap" that exists not only because of the sensitivity of the subject within the country concerned, but also various gaps within the international framework. Resultantly, the international law has faced hindrances in effectively preventing internal displacement. He highlighted the Guiding Principles on Internal Displacement, also known as the 'Deng Principles' which was recognized by the international community as an important national framework for the protection of internally displaced persons. He also highlighted AALCO's historic work in framing the "Nairobi Principles" in 1989 for the creation of "Safety Zones" during armed conflicts which served the purpose of strengthening the international "soft" law framework for protecting the internally displaced in times of conflict.

VISITS OF DEPUTY SECRETARIES-GENERAL

57th Meeting of the CAHDI, Strasbourg, France

Mr. Yukihiro Takeya, Deputy Secretary-General of AALCO attended the 57th Meeting of the Committee of Legal Advisors on Public International Law (CAHDI) held from 21-22 March 2019 in Strasbourg, France. AALCO holds the participant status at the CAHDI since 2018. The meeting was chaired by Mr Petr Válek, Director of the International Law Department, Ministry for Foreign Affairs of Czech Republic and saw participation from Member States of CAHDI as well as participant States and International Organizations. During the meeting, the contemporary issues of internal law were discussed. The Special guest Judge Ivana Hrdličková, the President of the Special Tribunal for Lebanon (STL) provided the CAHDI experts with an overview of the role and functioning of the STL, as well as the main challenges faced by it. Furthermore, Judge Hrdličková pointed out the current challenges faced by the international

AALCO and CAHDI both work in matters relating to the promotion of progressive development of international law.

African Regional Preparatory Meeting for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, Addis Ababa, Ethiopia

Mr. Yukihiro Takeya, Deputy-Secretary-General participated in the African Regional Preparatory Meeting for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice from 9-11 April 2019 in Addis Ababa. The Regional Preparatory Meetings for the Congress currently underway are in line with the position of the Intergovernmental Group of Experts on Lessons Learned from United Nations Congress, which in its meeting held in Bangkok from 15 to 18 August 2006 discussed the importance of incorporating regional concerns and perspectives into the preparatory tool, helping the global community capture the specific concerns of different regions, In the face of the transboundary nature of criminal behaviour.

AALCO was suggested to co-ordinate with UNODC Secretariat and the Host Country, before submission of application for the side-event and its preparation. The meeting witnessed enthusiastic participation from Africa, the details of which including the reports are expected to be uploaded soon.



Group photo of the participants at the 57th CAHDI Meeting

International Symposium on Global Governance over Corruption and Terrorism, Beijing, China



Second from Left: Ms. Wang Liyu at the Symposium

The Deputy Secretary-General of AALCO, Ms. Wang Liyu, delivered a presentation at the International Symposium on Global Governance over Corruption and Terrorism: the 3rd G20 International Symposium on Fugitive Repatriation and Asset Recovery & the 8th International Forum of Contemporary Criminal Law organized jointly by the Research Center on International Cooperation regarding persons sought for corruption and Asset Recovery in G20 Member States, the College for Criminal Law Science and the Law School, Beijing Normal University, on 28-29 March 2019 in Beijing, China.

In her presentation, she provided a brief description of the purpose and functioning of AALCO and emphasized the role of AALCO in combating corruption and terrorism by building international cooperation in the field. She highlighted that AALCO had placed special importance on the topics, including them on its agenda at a number of Annual Sessions, and voicing the views and concerns of the Asian-African States.

REGIONAL ARBITRATION CENTRES

The Asian-African Legal Consultative Organization has established five regional arbitration centres pursuant to host agreements inked with the Governments of Malaysia, Arab Republic of Egypt, Islamic Republic of Iran, Republic of Nigeria, and the Republic of Kenya in their respective urban centres Kuala Lumpur, Cairo, Tehran, Lagos and, Nairobi. The regional arbitration centres have been successful in making progress towards the development of alternate dispute resolution in the respective regions of East Asia, the Middle East and the North Africa, West Africa and East Africa. With a growing case-load, burgeoning increase in the scope of activities including capacity building, training, workshops and seminars the Regional Arbitration Centres have truly established themselves as islands of excellence in a sea of lost opportunities where there is much scope for the development of alternate means of dispute resolution including but not limited to arbitration, mediation, conciliation, and negotiation. It is just a matter of time that their coordination and efforts shall propel them towards achieving the status of providing the best support to alternate dispute resolution in the world.

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1. Asian International Arbitration Centre. https://www.aiac.world

2. Cairo Regional Centre for International Commercial Arbitration. http://crcica.org

3. Regional Centre for International Commercial Arbitration, Lagos. http://www.rcical.org

4. Tehran Regional Arbitration Centre. http://trac.ir

5. Nairobi Centre for International Arbitration https://ncia.or.ke

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AIAC JAN-JUN ACTIVITIES

Between January and June 2019, the Asian International Arbitration Centre ("AIAC") hosted a range of events centered on capacity-building and disseminating information on alternative dispute resolution ("ADR"). The key events during this period are highlighted below:

On 26th January 2019, the AIAC and the AIAC-YPG conducted a mooting workshop titled "Mooting Workshop: A Star Is Born" in preparation for the Willem C. Vis International Commercial Arbitration Moot 2019. The attendees had the opportunity to hear from practitioners and experienced mooters, and they were also given a chance to have a practice session and obtained useful advice on how to improve their oral advocacy skills. The topics were wide-ranging and covered: understanding arbitration, how to structure and organise an argument, what to bring to the mock hearing, style of arguments, the laws – procedural and substantive, responding to questions and rebuttals.



On the right: Mr. Vinayak Pradhan, Acting Director, AIAC at the Asia ADR week

On 24th January 2019, the AIAC held its inaugural event: "ADR and 21st Century Diplomacy: An Introduction and Networking Event for Asia's Diplomatic Corps". In attendance were commercial representatives from Malaysia's diplomatic corps, national and international chambers of commerce, business associations, trade federations, as well as a delegation from Malaysia's Ministry of International Trade and Industry. Given the non-legal background of the attendees, as well as their role in facilitating international trade and investment in both a public and private sector function, the purpose of the half-day conference was to provide a broad, non-technical and practical introduction to ADR.

The ICC YAF-AIAC YPG Conference was held on 21st March 2019, drawing participation from a diverse mixture of participants, coaches and arbitrators of the Pre-Moot. The conference was poised as a prelude to the Pre-Moot, where experienced practitioners and academics dissected the anatomy of international arbitration in four sessions, with a special emphasis on the legal issues revolving around the Moot Scenario of the 26th Willem C. Vis International Arbitration Moot.

The 3RD AIAC-ICC Pre-Moot was held between 22nd and 24th March 2019 with a record number of 90 teams numbering 380 participants from 21 countries. The Pre-Moot also welcomed 200 arbitrators, taking a total of 180 hearings making it the largest Vis Pre-moot internationally, leading up to the competitions in Hong Kong and Vienna. The Pre-Moot closed with the Pre-Moot's signature Cultural Gala Dinner featuring traditional Malaysian dances to celebrate the diversity of the students, arbitrators and coaches. It is worth mentioning that shortly after the conclusion of the 26th Willem C. Vis International Arbitration Moot, it was announced that the AIAC Arbitration Rules had been chosen for the 29th Willem C. Vis International Commercial Arbitration Moot in Vienna, Austria, and the 19th Willem C. Vis East International Commercial Arbitration Moot in Hong Kong SAR in 2022. This is a remarkable achievement for the AIAC.

Between 27th June 2019 and 29th June 2019, the AIAC held its Asia ADR Week 2019 centred on the theme of "The Kintsukuroi Perspective – The Asian ADR Revolution". The theme reflected the ideology of ADR being a melting pot of talent, industries and cultures that mends the imperfections of the global economy. The three-day event saw over 230 participants and speakers from over 17 jurisdictions coming together in Kuala Lumpur to engage in discussions on key issues and the latest developments in the global ADR sphere. The topics canvased during the first two days included the Comprehensive and Progressive Agreement for Trans-Pacific Partnership, project finance, the role of the judiciary, Belt and Road disputes, blockchain technology and public policy issues. The third and final day was reserved for topics relating to the Construction Industry Payment and Adjudication Act 2012.



TRAC JAN-JUN ACTIVITIES



RAC Second Vis Pre-Moot

TRAC started the year 2019 with an excellent achievement:

In February 2019, TRAC took a huge step towards more independence of the Centre, by affording to buy an office for itself. This purchase was made without any external funding, including governmental and non-governmental, but such a saving was achieved out of the activities of the Centre and as a result of an efficient and very strict financial management of the institution.

Then new office is located in the most central area of Tehran and is spacious enough to have an equipped arbitration hearing room, a managerial space and different clerical areas.

The next four months of half year 2019 (until June) were mainly spent on the renovation of the new office, as it required some face-lifts.

Despite the overload of activities for renovation of the new office, TRAC continued on the one hand, the administration of the arbitration cases and on the other hand, its mission to promote international arbitration in Iran and in the region.

To this aim, in May 2019, the fourth Iranian Commercial Arbitration Moot Court has been jointly organized by TRAC and the Arbitration Centre of Iran Chamber of Commerce, Industries, Mines and Agriculture (ACIC) in Tehran. 16 teams participated in this event. The goal of this Moot Court is to foster the study of international commercial law and arbitration for resolution of international business disputes through its application to a concrete problem of a client and to train professional lawyers in international level in Iran.

In addition, TRAC continued to hold the Vis Pre-Moot for the second year. The competition was held on 7 March 2018 in Tehran and all Iranian teams who attended in Vienna competition, participated therein. The TRAC Vis Pre-Moot provides an opportunity for teams to practice their oral pleadings ahead of the competition in Vienna.



RCICA LAGOS JAN-JUN ACTIVITIES

REVIEW OF CENTRE'S ARBITRATION AND CONCILIATION RULES

In March, 2019, the Centre embarked upon a second review of its Arbitration & Conciliation Rules to be launched by 30th August, 2019. This revision would focus on providing the necessary clarity in the expedited formation of the Arbitral Tribunal, appointment of arbitrators, Costs and Deposit of Costs so that parties to domestic and international arbitrations, including Treaty-based Investor-State arbitrations would find it expedient to utilize these Rules in more expeditious and friendly resolution of their disputes.

PARTICIPATION IN ARBITRAL EVENTS

UNCITRAL WORKING GROUPS II & III- The Director of Centre attended the UNCITRAL Working Group II 69th Session (Dispute Settlement from 4th -8th February, 2019) & Working Group III 37th Session (Investor States Dispute Settlement Reforms- 1st -5th April 2019), both in New York, United States of America where both Sessions focused on Dispute Settlement and the harmonisation and modernisation of Investor States Dispute Settlement (ISDS) Reforms, respectively, where the concerns raised by Member-States, international Institutions and other users were extensively discussed with a view to addressing such observed concerns.



Hon'ble Wilfred Ikatari, Director, RCICAL

4TH INTERNATIONAL CHAMBER OF COMMERCE (ICC) NIGERIA CONFERENCE ON INTERNATIONAL ARBITRATION-CAMPBELL CENTRE, LAGOS ISLAND, LAGOS-NIGERIA 18TH – 19TH JUNE 2019

The Centre was represented at this conference by Messers Omosioni Oru and McHarry Mordi, both Counsel at the Centre. It featured inter-alia discussions about damages in Construction arbitration, Smart Contract arbitration, Oil & Gas, Banking and Financial Dispute arbitration and climaxed with the ICC, Nigeria Centenary celebrations.

EPHRAIM ARBITRATION DAY- The Director of Centre was present and delivered a speech touching on Treaty-based Investor-State arbitrations at "Ephraim Arbitration Day", an event themed, "CURBING GUERILLA TACTICS IN ARBITRATION PRACTICE", to celebrate Hon. Olusola Ephraim Oluwanuga's elevation to "Chartered Arbitrator" of the Chartered Institute of Arbitrators, UK and induction as "Fellow" of the Society of Construction Industry Arbitrators Abuja, Nigeria on 24th June, 2019.

Upgrading of the RCICAL website, Hearing/Seminar Rooms, Offices, ICT/Library, Power& Security Systems

In pursuance of the mandate assigned to the Centre, it modified and improved its website to a more user-friendly, interactive and informative website resulting in the homepage upgrade to include useful links, viz.: (i) the web links of the relevant ministries such as Foreign Affairs, Justice, Apex Judicial Bodies of the Member States and other official websites of AALCO Member States thereby enabling the user to browse and access the information relating thereto; (ii) a link, 'Legal Study Guide' has been created, subject to further additions and upgrades, which provides further information relating to the topics on the activities of the Centre, such as legal instruments at both international and regional levels as well as useful advance research electronic links. It serves as a portal for research on selected topics. At present links relating to topics identified as contemporary and relevant are also being created. Further, Centre acquired state of the art ultra-modern conference equipment for easier audio and video recording/ production of transcript as well as furniture, fittings and air-conditioning units for more conducive Seminar/ Hearing rooms and offices.

The Centre over this period also upgraded its ICT to burst its presence in international/ domestic online financial and other arbitration activities by the deployment of a robust ICT package and an ultra- modern Art server room. Communication System was also enhanced by installation of inter-com system within the premises for ease of internal communication and efficiency booster. Similarly, on 31st January 2019, the Centre equally upgraded its specialised arbitration library to serve research students, also open to the public, staff and arbitrators at the Centre for proceedings. It further envisages a higher notch at the second phase by providing an E-library run on the server room already provided and acquired and installed two generators (45KVA & 11KVA) as alternative sources to power supply.

Hi-tech surveillance cameras providing 24/7 security of the diplomatic premises and a see-through electric iron/wire fence have been installed to complement the operations of Centre's security staff with deployment of electronic doors and gate automation envisaged at the next phase.

CASE LOAD

Two awards were published within the period under review and they are institutional arbitrations, one of which has to do with construction engineering while the other is related to marine surveillance. Four new ones were initiated, all institutional as well, relating to civil engineering, leasing and supplies while several are at various stages of progress.



NCIA JAN-JUN ACTIVITIES

Nairobi Centre for International Arbitration (NCIA) is Kenya's premier International Arbitration Centre located in the capital city, Nairobi. The Centre was established in 2013, and has gained a reputation as a neutral venue for the conduct of International Arbitration and other Alternative Dispute Resolution (ADR) services. NCIA is "where disputes meet resolution" through access to eminent and experienced arbitrators, and mediators with diverse skills, from different nationalities and jurisdictions, and a best practice set of rules with administrative support. In addition to its dispute administration services, NCIA hosts networking conferences, workshops, and events of interest to the arbitration and ADR Community. As a trainer, NCIA is also poised to offer training in Mediation and Arbitration with listed trainers from across the globe.

A major milestone in the year are the amendments to the NCIA (Arbitration) Rules, 2015 to be released as NCIA (Arbitration) Rules, 2015 Revised Version. Part of the amendments give clarity to clauses in the original version intended to enhance functionality in administration of arbitration cases. Notable changes include the period of days to complete some procedural tasks, specificity in designation of roles, and a review of the filing fee for domestic arbitration.



Group Photo of the Moot Court Competition 30-31 May

The constitutive document, the Nairobi Centre for International Arbitration Act No 26 of 2013 was reviewed to reorganize the composition of the Arbitral Court and its role in the overall scheme of NCIA The Nairobi Centre for International Arbitration organized its 1st ever Regional Investment Arbitration Moot Competition on the 30th - 31st May 2019 dubbed "Preparing the Future Today." The competition brought together law faculties from the East African region. The competition pitted the best law schools against each other with each team bringing their game in a friendly and competitive environment. More than twenty (20) teams were registered with participants drawn from Universities from Kenya, Tanzania, Uganda and Rwanda. The judges were also drawn from top law firms within the region with a view to ensuring fairness and impartiality. The preliminary rounds were held in the respective countries in well-branded and colorful events which were adequately covered on social media. Uganda Christian University from Uganda, Moi University from Kenya, University of Dar es Salaam from Tanzania and University of Kigali from Rwanda emerged top to proceed to the semifinal and finals that were held in Nairobi, Kenya on the 30th - 31st May 2019 respectively at the Kenya School of Law. However, only one team can emerge the winner and after battling it out for two days, Moi University took the cup home together with the best memorial. There was also a special recognition of the best orator; Daniella Sarah Khanani from Uganda Christian University.

This is easily the singular platform that currently promotes healthy competition among young lawyers in Kenya whilst fine tuning their advocacy skills. The Centre is always seeking to nurture and support young lawyers through such initiatives and plans to go bigger and organize an All Africa Moot Arbitration Competition.



CRCICA JAN-JUN ACTIVITIES

On 30June 2019, the total number of cases filed before the Cairo Regional Centre for International Commercial Arbitration ("CRCICA") reached 1336 cases, with 33 new cases filed since January 2019.

The cases involved various types of contracts, including construction contracts, distribution agreements, management agreements, real estate development agreements, lease agreements, share purchase agreements as well as concession and agency agreements in the Oil & Gas field. Parties involved in these cases came from China, Egypt, Germany and the UK. Arbitrators came from Egypt, Jordan, Lebanon, Tunisia, Sudan, the UK and the USA.



This year, the GAR Guide to Regional Arbitration Award for "arbitral institution that impressed" went to CRCICA in the largest ever GAR Awards Ceremony held in April 2019 in Paris. The award was won for CRCICA's commitment to improving diversity not only in the appointment of arbitrators, but also when promoting its own staff, and for being "one of the most reasonable priced institutions around."

During the first half of 2019, CRCICA organized and hosted a number of successful events with the Egyptian Franchise Development Association (EFDA), the International Franchise Association (IFA), the American Bar Association, the African Union, and the CIArb Egypt Branch.

CRCICA's orientation towards supporting the growth of Arbitration in Africa was represented in hosting and co-organizing a training course jointly with the AU on "The Settlement of Disputes: The African Continental Free Trade Area" on 13-17 May 2019. Participants were public officials from the legal and diplomatic sectors coming from 25 African countries. CRCICA was also a key destination for a senior delegation of the Shanghai Municipal Bureau of Justice who visited CRCICA on 18 March 2019. Discussions involved CRCICA's relations with China, and its role as the institutional representative of Africa in the Belt and Road Arbitration Initiative Agreement with BIAC and KLRCA.

On 27 March 2019, CRCICA launched its Young CRCICA through an event titled "The New Frontiers of Arbitrability: Expansion and Diversity," in order to allow young practitioners to participate actively in the forum and help them improve their skills. During the first half of 2019, CRCICA was represented and contributed to various regional and international events in many countries around the globe including Finland, France, KSA, Rwanda, Switzerland, Tanzania, Tunis, the UAE, and the UK. CRCICA also contributed to international publications by a chapter in the GAR's Middle Eastern and African Arbitration Review 2019 and a chapter in Getting the Deal Through – Arbitration 2019. AALCO SECRETARIAT

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DIPLOMATIC ENCLAVE

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