

**RESOLUTIONS ON
ORGANIZATIONAL MATTERS**

**RES/47/ORG 1
4 JULY 2008**

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

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

Conscious of the functions and the purposes of the Organization as referred to in Article 1 of the Revised Statutes,

Having considered the Report of the Secretary-General on Organizational, Administrative and Financial Matters pursuant to Rule 20 (7) of Statutory Rules as contained in Document No. AALCO/47th/HEADQUARTERS (NEW DELHI) SESSION/2008/ORG 1,

Appreciating the efforts of the Secretary-General to enhance the activities of the Organization and to implement its work programme as approved at its Forty-Sixth Session held at Cape Town, Republic of South Africa (July 2007),

Welcoming the continued practice towards the rationalization of its work programme, including consideration of the agenda items during its annual sessions,

Expressing its satisfaction over the increasing co-operation between the Organization and the United Nations, its Specialized Agencies and other International Organizations,

1. Approves the work programme 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 programme;

2. Requests the Secretary-General to continue his efforts to enlarge the Membership of the Organization in Asia and Africa, in particular, Central Asian States, South-East Asian States and French-speaking countries from both regions;

3. Also requests the Secretary-General to mobilize financial resources to have French as an additional working language during the coming sessions;

4. Encourages Member States to make voluntary contributions to support the organization of seminars/meetings/training programmes or to prepare special studies on any specified topic under the approved work programme of the Organization;

5. Requests the Secretary-General to study and to report, at its Forty-Eighth Session, on the possible measures that AALCO can take to further rationalize its work programme, including consideration of the agenda items during its annual sessions; and

6. Requests the Secretary-General to report on the activities of the Organization at its Forty-Eighth Session.

**RES/47/ORG 2
4 JULY 2008**

**AALCO's DRAFT BUDGET FOR THE
YEAR 2009**

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

Having heard with appreciation the introductory statement of the Secretary-General on the financial situation and Draft Budget for the year 2009,

Taking note of the comments of the Member States,

Also taking note that the Draft Budget for the Year 2009 was placed for the consideration of Liaison Officers of Member States of AALCO at the 295th Meeting held on 18 December 2007,

Expressing serious concern regarding the precarious fiscal situation of the AALCO Secretariat,

Noting the fact that the scale of assessment of contributions from Member States have remained stagnant for the past 15 years,

Referring to the study circulated by the Secretariat in the Forty-Sixth Session held in Cape Town, Republic of South Africa, in 2007 regarding the necessity to revise the scale of contributions,

Expressing appreciation to Amb. Dr. Wafik Zaher Kamil for his endeavours during his tenure as the Secretary-General of AALCO towards streamlining the expenses of the Secretariat, sensitizing the Member States about the fiscal condition of AALCO, and exerting all possible efforts towards collecting arrears of contribution from Member States,

Taking into account that the Budget for the year 2009 would be implemented by the new Secretary-General Prof. Dr. Rahmat Mohamad,

Also taking into account the fact that the new Secretary-General would discuss this matter within the Secretariat and study the proposals made by Amb. Dr. Wafik Zaher Kamil, with Member States and place the Draft Budget for consideration of Liaison officers in December 2008, and thereafter present it at the Forty-Eighth Session of AALCO in 2009,

Noting that some Member States emphasized on the need for a more effective external auditing system to be introduced for the use of the budget of the Organization,

1. **Requests** those Member States who have not paid their contributions for the year 2008 in full and to do so in time in accordance with their budgetary systems in order to ensure the smooth functioning of the Organization;

2. **Urges** those Member States who are in arrears to fulfill their financial obligations and to clear expeditiously the same and in order to enjoy the right to get involved actively in various official events stipulated in the Statutes and Statutory Rules of AALCO;

3. **Also urges** the new Secretary-General to exert all possible efforts to streamline the expenses of the Secretariat and to take all necessary steps to clear the accumulated arrears;

4. **Requests** Member States to consider the proposal of the Secretariat to revise the scale of annual contributions and constitute a Committee of Member States to study this issue in-depth and submit their Report and Recommendations for the consideration at the Forty-Eighth Session;

5. **Directs** the new Secretary-General in consultation with the Member States to formulate necessary measures against those Member States who are in arrears, and circulate it to Member States before the Forty-Eighth Session for their attention, consideration and follow-up; and

6. **Decides** to place the item on the agenda of the Forty-Eighth Session to be held in 2009.

**RES/47/ORG 3
4 JULY 2008**

REPORT ON AALCO's REGIONAL CENTRES FOR ARBITRATION

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

Having considered the Report on AALCO's Regional Centres for Arbitration contained in Document No. AALCO/47th/HEADQUARTERS (NEW DELHI) SESSION/2008/ORG 3,

Having heard with appreciation the introductory remarks of the Deputy Secretary-General and the report of the Directors of the Regional Arbitration Centres,

Reaffirming the commitment by the governments of Member States towards enhancing the role of the Regional Arbitration Centres,

Recalling its decision relating to the Integrated Scheme for the Settlement of Disputes in Economic and Commercial Transactions adopted at its Doha Session in 1978,

Expressing its satisfaction over the increasing use of the facilities and the opportunities offered for both domestic and international arbitrations under the auspices of its Regional Arbitration Centres,

Appreciating the efforts and contributions of the Governments of the Arab Republic of Egypt, the Islamic Republic of Iran, Malaysia, Federal Republic of Nigeria and Republic of Kenya for hosting the respective Regional Arbitration Centres,

Also appreciating the promotional activities undertaken by the Directors of the Centres, including organization of seminars and training programmes, to promote international commercial arbitration in the Asian and African regions,

Also appreciating the Kuala Lumpur Regional Arbitration Centre for successfully organizing an International Conference in commemoration of the Thirtieth Anniversary of its establishment,

Reiterating the earlier decision of the AALCO on the necessity for the governments of Member States to promote and support the use of the Regional Arbitration Centres,

Also reiterating its proposal that after consultation with the Directors of the respective Regional Arbitration Centres, for the holding of International Arbitration Conference biennially, by rotation in each of the Centres, with the support of Member States,

Welcoming the Agreement signed at Cape Town Session on 2 July 2007 between the AALCO and the Government of the Republic of Kenya for the Establishment of the Regional Centre for Arbitration in Nairobi, and requests the Secretary-General of AALCO, in cooperation with the Government of the Republic of Kenya, to facilitate the implementation of the Agreement for the establishment of the Nairobi Regional Arbitration Centre,

1. **Requests** that, based on the above mentioned commitments for promoting and supporting the use of Regional Arbitration Centres, the Member States to urge their esteemed Governments and private sector to use the AALCO's Regional Arbitration Centres for their dispute resolution and in particular to consider in their contracts, the inclusion of the Arbitration Clause of AALCO's Regional Arbitration Centres; and

2. **Decides** to place this item on the provisional agenda of its Forty-Eighth Session.

**RES/47/ORG 4
4 JULY 2008**

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

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

Having considered the Secretariat Report on the Centre for Research and Training (CRT) of the AALCO, contained in Document No. AALCO/47th/HEADQUARTERS (NEW DELHI) SESSION/2008/ORG 4,

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

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

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

Also bearing in mind a more proactive role the Centre could play in furthering the mandate of the Organization in making the best use of the new Headquarters Building equipped with modern technology and infrastructure facilities,

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

Congratulating the Secretariat on moving into the new Headquarters Building equipped with advanced training facilities and conference rooms,

Welcoming the draft proposal of the Secretariat on training programmes for officials of AALCO Member States, as mandated by the Forty-Fifth Session of AALCO vide RES/45/ORG 4,

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

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

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

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

5. **Directs** the Secretariat to take necessary measures to promote the awareness about the Centre so that the services available in the Centre would be

made use of by the public and private sectors in the Member States;

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

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

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

**RES/47/ORG 5
4 JULY 2008**

APPOINTMENT OF THE SECRETARY-GENERAL

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

Having considered the Secretariat Document No. AALCO/47th/HEAD QUARTERS (NEW DELHI) SESSION/2008/ORG 5,

Following Article 3 of the Revised Statutes of AALCO and also amended Rule 20(1) of the Statutory Rules,

Taking note of the entire Election process for the Appointment of the Secretary-General,

Noting that the Annual Session took place two months after the end of the tenure of Amb. Dr. Wafik Zaher Kamil as the Secretary-General,

Emphasizing that the Annual Session of the AALCO which has on its agenda the election of the Secretary-General has to be held in advance of the end of the tenure of the outgoing Secretary-General,

1. **Confirms** the appointment of Professor Dr. Rahmat Mohamad as the Secretary-General of the AALCO for a term of four years;

2. **Decides** as an exceptional case and without establishing any precedent that the outgoing Secretary-General Amb. Dr. Wafik Zaher Kamil is to take care in the interim, in the capacity of Acting Secretary-General, until the 14th of August 2008, of the smooth transition of the work of the Secretariat to the incoming Secretary-General and for this purpose authorizes him to exercise the functions of the Secretary-General as provided in the Revised Statutes and the Statutory Rules of AALCO during this period;

3. **Affirms** that Professor Dr. Rahmat Mohamad will assume his functions as the Secretary-General in his full capacity as from the 15th of August, 2008.

**RES/47/ORG 5 A
4 JULY 2008**

EXPRESSION OF GRATITUDE TO THE OUTGOING SECRETARY- GENERAL

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

Taking note of the completion of tenure of H.E. Ambassador Dr. Wafik Zaher Kamil as the Secretary-General of AALCO,

Acknowledges with appreciation the significant contribution made by H.E. Ambassador Dr. Wafik Zaher Kamil during his tenure as the Secretary-General in enhancing the image, role and activities of the Organization, and in rationalizing its work programme, and the management of its budget, as well as in steering efficiently and effectively the activities of the Organization,

Expresses gratitude to the valuable services rendered by Ambassador Dr. Wafik Zaher Kamil during his tenure of eight years.

**RES/47/ORG 6
4 JULY 2008**

**REPORT ON THE AALCO's
PERMANENT HEADQUARTERS
BUILDING**

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

Having considered the Report on the AALCO's Headquarters Building contained in Document No. AALCO/47th/HEADQUARTERS (NEW DELHI) SESSION/2008/ORG 6,

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

Recalling the decision (Res. No. SS/1997/1) adopted at its Special Session in New Delhi on 14 October 1997, by which the Organization decided that its Permanent Headquarters be located in New Delhi,

Also recalling the Headquarters Agreement signed between the AALCO and the Government of India, on 26 April 2000,

Mindful of the long-cherished desire of the Member States of AALCO to have its Permanent Headquarters,

Deeply appreciating the extraordinary efforts exerted by Amb. Dr. Wafik Zaher Kamil during his tenure as the Secretary-General in coordinating with the Ministry of External Affairs, Government of India and several local authorities for the completion, in the best functional way, of the Headquarters Building,

Expressing its appreciation and thanks to Hon'ble Mr. Anand Sharma, Minister of State in the Ministry of External

Affairs, Government of India for inaugurating the Permanent Headquarters of AALCO, on 6th April 2006 which coincided with the Golden Jubilee and the convening of the Forty-Fifth (Headquarters) Session of the AALCO,

Also expressing their appreciation and thanks to Dr. P.S. Rao and Mr. Narinder Singh of the Ministry of External Affairs, Government of India for all their efforts and devotion in coordinating and following up with different local authorities and for their precious help in finalizing this Permanent Headquarters Building,

1. **Reiterates** its appreciation to the people and Government of India for the Permanent Headquarters Building in the prestigious Diplomatic Enclave of Chanakyapuri, New Delhi;

2. **Urges** the Member States, to mitigate the heavy burden on the regular budget of AALCO, to make voluntary contributions towards meeting the additional expenditure involved in the maintenance, furnishing, office equipments and other exigencies in the Permanent Headquarters Building,

3. **Thanks** the people and the Government of the People's Republic of China for their generous gift offered to the Secretariat in the form of Computers and a special tapestry and the people and the Government of State of Kuwait for gifting a souvenir; and

4. **Congratulates** the Secretary-General and the Secretariat on moving into the new Headquarters Building in April 2008, which marks a historical event and new beginning in the annals of the Asian-African Legal Consultative Organization.