



AALCO
Asian-African Legal Consultative Organization
Sixty-First Annual Session
16 to 20 October 2023
Bali, Republic of Indonesia

SUMMARY REPORT
OF THE SIXTY-FIRST ANNUAL SESSION OF THE
ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION

1. Introduction

- 1.1. 34 Member States of the Asian-African Legal Consultative Organization (AALCO) participated in the Sixty-First Annual Session (hereinafter “the Session”) namely, the Arab Republic of Egypt, the Kingdom of Bahrain, the People’s Republic of Bangladesh, Brunei Darussalam, the Republic of Cameroon, the People’s Republic of China, the Republic of Cyprus, the Democratic People’s Republic of Korea, the Republic of India, the Republic of Indonesia, the Islamic Republic of Iran, Japan, the Republic of Kenya, the State of Kuwait, the State of Libya, Malaysia, the Republic of the Union of Myanmar, Nepal, the Federal Republic of Nigeria, the Sultanate of Oman, the Islamic Republic of Pakistan, the Republic of the Philippines, the State of Qatar, the Republic of Korea, the Kingdom of Saudi Arabia, the Republic of Singapore, the Republic of South Africa, the Democratic Socialist Republic of Sri Lanka, the State of Palestine, the United Republic of Tanzania, the Kingdom of Thailand, the Republic of Türkiye, the Socialist Republic of Viet Nam and the Republic of Yemen.**
- 1.2. Representatives of the following Regional Arbitration Centres of AALCO were also present: the Asian International Arbitration Centre (formerly Kuala Lumpur Regional Centre for Arbitration), the Nairobi Centre for International Arbitration (NCIA) and the AALCO Hong Kong Regional Arbitration Centre (HKRAC).**
- 1.3. In accordance with Rule 18 (1) of the Statutory Rules, the following Observers were admitted to the Session:**
- I. Representatives of Non-Member States: Burkina Faso, the Russian Federation, the Republic of Seychelles, and the Republic of Tunisia.**
 - II. Representatives of International Organizations and other institutions: the Asian Academy of International Law (AAIL), the Hague Conference on Private**

International Law (HCCH), the International Committee of the Red Cross (ICRC) and the Indonesian Academy of Independent Mediators and Arbitrators (MedArbId).

2. Inaugural Session

2.1. The Sixty-First Annual Session of AALCO commenced on 16 October 2023.

2.2. H.E. Dr. Kamalinne Pinitpuvadol, Secretary-General of the Asian-African Legal Consultative Organization (AALCO) in his Welcome Remarks at the Sixty-First Annual Session, extended a warm welcome to the distinguished delegates and highlighted the importance of international cooperation and dialogue. On behalf of the AALCO Secretariat and on his own behalf he extended gratitude to **H.E. Prof. Yasonna H. Laoly, the Minister of Justice and Human Rights of the Republic of Indonesia** and emphasized Indonesia's historical support for AALCO. The choice of Bali as the venue of the Sixty-First Annual Session by the host Government was seen as a symbol of unity and cooperation. The Secretary-General of AALCO stressed the importance of diversity among Member States and outlined the agenda for the session. Further, he encouraged participation in the side events and emphasized the Bandung Spirit of solidarity and cooperation. The Secretary-General quoted the Former President of the **Republic of Indonesia**, Sukarno to highlight the potential of AALCO in promoting global governance and international law. He concluded by expressing gratitude to the Member States for their commitment to AALCO's ideals and hoped for a fruitful session that would foster positive change through international cooperation.

2.3. H.E. Ms. Uma Sekhar, Additional Secretary, Legal & Treaties Division, Ministry of External Affairs, Republic of India, the President of the Sixtieth Annual Session of AALCO expressed her immense pleasure in being a part of the AALCO fraternity. On behalf of the Government of India, she extended her gratitude to the Government of the **Republic of Indonesia** for their warm hospitality and exceptional arrangements in Bali. The President of the Sixtieth Annual Session also thanked **H.E Mr. Mohammed Said Al Hilo, Minister of Justice of the Republic of Sudan and Vice-President of the Sixtieth Annual Session**, for his support and cooperation during her presidency. She recognized the significance and growth of the Organization, emphasizing its role in the progressive development of international law. She also acknowledged the support she received from Member States and the AALCO Secretariat throughout her presidency, highlighting various events and capacity-building programs organized during her tenure. In conclusion, she assured the full support and cooperation of the Government of India in facilitating the activities of AALCO.

2.4. H.E. Ms. Teresa Cheng, Former Secretary for Justice, Hong Kong SAR, People's Republic of China, the President of the Fifty-Ninth Annual Session of AALCO proposed the vote of thanks during the inaugural session. She commenced her address by expressing that she was honored to be present at the Sixty-First Annual Session of AALCO. She extended her heartfelt gratitude to the gracious host, the **Republic of Indonesia**, for their generous arrangements for the session, warm hospitality and efficient organization. In her address, she emphasized the significance of the Bandung Spirit, underscoring that since its inception in 1956, AALCO has expanded to include 47 Member States. She took pride in the Organization's growth and its role in ensuring for making the Afro-Asian voices heard in international law making. She emphasized that it

was now an integral part of the global community with shared futures. She commended the exceptional work of the AALCO Arbitration Centers, acknowledging their contributions. Additionally, she expressed deep appreciation for the dedication of the Secretary-General of AALCO, who successfully navigated challenges like the COVID pandemic during his first term in office. Before concluding, she expressed her gratitude to the AALCO Secretariat for their unwavering commitment, which played a pivotal role in making the session a resounding success.

2.5. H.E. Prof. Yasonna H. Laoly, Minister of Law and Human Rights, the Republic of Indonesia in his Inaugural Address at the Sixty-First Annual Session of AALCO warmly welcomed the delegates and emphasized the significance of AALCO as a platform for Asian and African nations to address common concerns on matters of international law. He expressed that the **Republic of Indonesia** was honored to host the annual session of AALCO for the third time and conveyed the wishes of H.E. **Mr. Joko Widodo, the Hon'ble President of the Republic of Indonesia** for the resounding success of the session. He informed that due to some pressing engagements President Joko Widodo could not join them during the inaugural event. However, it was informed that **H.E. Prof. Dr. Ma'ruf Amin, the Hon'ble Vice-President of the Republic of Indonesia** would be delivering Special Remarks later during the day. He encouraged the delegations to actively participate during the fruitful discussions during the week ahead and officially declared the session open.

3. First Meeting of the Delegations of AALCO Member States

3.1. H.E. Ms. Uma Sekhar, Additional Secretary, Legal & Treaties Division, Ministry of External Affairs, Republic of India, the President of the Sixtieth Annual Session of AALCO called the Meeting to order.

3.2. The following agenda was unanimously adopted.

3.3. Agenda

I. Organizational Matters

1. Consideration and Adoption of the Agenda and Tentative Schedule of Meetings and Events
2. Election of the President and the Vice-President
3. Admission of New Members
4. Admission of Observers
5. Opening Statement of the President of AALCO
6. Report of the Secretary-General on the Work of AALCO
7. Release of AALCO Publications
8. Presentation of Draft Budget for 2024
9. Report on the Work of the AALCO's Regional Arbitration Centres
10. Venue of the Sixty-Second Annual Session

II. Substantive Matters

1. Report on Matters related to the work of the International Law Commission at its Seventy-Fourth Session
2. The Law of the Sea
3. Violations of International Law in Palestine and Other Occupied Territories by Israel and Other International Legal Issues related to the Question of Palestine
4. Environment and Sustainable Development
5. International Trade and Investment Law
 - Reforms related to Investor-State Dispute Settlement (ISDS), within the context of negotiation being currently conducted in UNCITRAL Working Group (WG III)
6. Asset Recovery Expert Forum
7. Legal Issues in Outer Space

III. Any Other Matter

- Fifth Meeting of the Open-ended Working Group (OEWG) on International Law in Cyberspace

IV. Side Events

1. Sharing Best Practices on the Implementation of International Humanitarian Law
2. Business and Investment Forum
3. Sharing Best Practices on Asset Recovery
4. Advancing Cooperation between AALCO and HCCH for promotion of Private International Law

3.4. Admission of New Members: No new Member was admitted to the Organization.

3.5. Admission of Observers: the following Non-Member States were admitted as observers: **Burkina Faso, the Russian Federation, the Republic of Seychelles, the Republic of Tunisia.** The following International Organizations and other institutions were admitted as observers: the **Asian Academy of International Law (AAIL), the Hague Conference on Private International Law (HCCH), the International Committee of the Red Cross (ICRC), the Indonesia Academy of Independent Mediators and Arbitrators (MedArbId)**

3.6. H.E. Ms. Uma Sekhar, Additional Secretary, Legal & Treaties Division, Ministry of External Affairs, the Republic of India, the President of the Sixtieth Annual Session of AALCO invited the Member States to propose candidates for the posts of the President and the Vice-President of the Sixty-First Annual Session of AALCO. The Head of Delegation of the **Federal Republic of Nigeria** proposed the nomination of **H.E. Prof. Yasonna H. Laoly, Minister of Law and Human Rights, the Republic of Indonesia** as the President of the Sixty-First Annual Session of AALCO. The proposal was seconded by the Head of Delegation of **Japan** and thereafter the President was unanimously elected. The Head of Delegation of the **State of Qatar** proposed the nomination of **H.E. Mr. Ronald Ozzy Lamola, the Honorable Minister of Justice and**

Correctional Services, the Republic of South Africa as the Vice-President of the Sixty-First Annual Session of AALCO. The proposal was seconded by the Head of Delegation of the **Islamic Republic of Pakistan** and thereafter the Vice-President was unanimously elected. Thereafter, **H.E. Ms. Uma Sekhar, Additional Secretary, Legal & Treaties Division, Ministry of External Affairs, the Republic of India, the President of the Sixtieth Annual Session of AALCO** invited the **President** and the **Vice-President** of the Sixty-First Annual Session to assume their positions on the dais.

- 3.7. **H.E. Prof. Yasonna H. Laoly, Minister of Law and Human Rights, the Republic of Indonesia and the President of the Sixty-First Annual Session of AALCO** commenced his opening statement by expressing gratitude for being elected as the President of the Session. He thanked the President of the Sixtieth Annual Session, **H.E. Ms. Uma Sekhar, Additional Secretary, Legal & Treaties Division, Ministry of External Affairs, the Republic of India**, and the **Secretary-General of AALCO, H.E. Dr. Kamalinne Pinitpuvadol**, for their efforts and contributions. The President underscored the importance of reinvigorating the spirit of cooperation between Asia and Africa, rooted in the historic Asia-Africa Conference of 1955 in Bandung. He emphasized that the session should not only focus on legal discussions but also reflect on the principles that guide the collaborative efforts of the two continents. Highlighting the session's agenda, he referred to a new proposal by Indonesia on inclusion of the topic "Illegal Fishing as a Transnational Organized Crime" and encouraged discussions on topics like "Strengthening Asian-African Collaboration on Climate Change", "Legal Issues in Outer Space", and "Reforms related to Investor-State Dispute Settlement". The President concluded by welcoming all delegates to engage actively in discussions.

Second Meeting of the Delegations of the AALCO Member States

Agenda Item: Report of the Secretary-General

- 3.8. **H.E. Dr. Kamalinne Pinitpuvadol, Secretary-General of AALCO** expressed his gratitude to the Member States for their support and cooperation in activities of the Organization. The Secretary-General expressed his gratitude to **H.E. Ms. Uma Sekhar, Additional Secretary, Legal & Treaties Division, Ministry of External Affairs, the Republic of India, the President of the Sixtieth Annual Session of AALCO** for her able leadership of the Organization during her Presidency. The Secretary-General also thanked **H.E. Mr. Mohammed Said Al Hilo, Minister of Justice, the Republic of Sudan, and the Vice-President of the Sixtieth Annual Session** for serving as the Vice-President of AALCO. Thereafter, he provided a brief outline of the activities undertaken by the Secretariat, including activities undertaken in cooperation with other institutions and organizations as well as an outline of the financial and administrative matters of the Organization. The Secretary-General of AALCO, in his statement based on his report, discussed the Organization's activities and emphasized its significance in the realm of international law in the Asian and African regions. He expressed that efforts were underway to streamline AALCO's Statutory Rules and to harmonize them with the Statutes that were amended in 2004.
- 3.9. The Secretary-General articulated a vision to make AALCO more proactive by strengthening cooperation with international institutions like the International Law Commission and by enhancing its presence at the UN General Assembly. Digital initiatives, such as webinars and the digitization of Secretariat records, are proposed for

more effective operations. The Secretary-General also highlighted initiatives like the internship programme at the Secretariat, the AALCO Research Award Program, and the revival of the AALCO Eminent Persons Group. Capacity-building programmes backed by Member States and the importance of the AALCO website as a primary communication tool were also mentioned. In its journey, AALCO has focused on promoting international commercial arbitration, organizing seminars on international law, and producing significant research publications. In his address, he also provided a brief introduction on the new topics included in the agenda of the Sixty-First Annual Session of AALCO. The address concluded with a reaffirmation of AALCO's commitment to upholding international law and reflecting the views of its Asian and African Member States.

- 3.10.** The delegation of **Malaysia** extended its appreciation for the detailed Report of the Secretary-General setting out the works of AALCO since the conclusion of the Sixtieth Annual Session of AALCO until the end of September 2023. With regard to the appointment of Permanent Observers at UN Offices in Geneva and Nairobi, **Malaysia** called for carrying out a feasibility study to determine the overall benefits of this proposal to the AALCO Member States and any potential financial and human resources implications.

Agenda Item: Discussions on the Budget for 2024

- 3.11. Mr. Jun Yamada, Deputy Secretary-General of AALCO,** highlighted the details of the budget approved by the Liaison Officers for the year 2024. An amount to the tune of 702,800 US dollars was estimated as the budget taking into consideration the expenses likely to be incurred in 2024. He also made a brief presentation on the Sub-committee on the Review of the Scale of Assessed Contributions.

Agenda Item: Fifth Meeting of the Open-ended Working Group (OEWG) on International Law in Cyberspace

- 3.12. The Chairperson of the Open-ended Working Group (OEWG) on International Law in Cyberspace, Mr. Syed Ali Mousavi of the Islamic Republic of Iran** presented a report on the proceedings of the Fifth Meeting of the Open-ended Working Group on International Law in Cyberspace held on 15 October 2023. Referring to the introductory remarks of the Secretary-General of AALCO, H.E. Dr. Kamalinne Pinitpuvadol, the Chair noted that the meeting was held after a gap of four years with participation from Brunei Darussalam, the Democratic People's Republic of Korea, the Republic of Indonesia, the Islamic Republic of Iran, Japan, the Republic of Korea, Malaysia, Nepal, the People's Republic of China, the Republic of Singapore, the Socialist Republic of Viet Nam, the Republic of South Africa, the Kingdom of Thailand, the Republic of Türkiye, and the Republic of Yemen. This was followed by a brief history of the OEWG and its deliberations including the format of the fifth meeting as well as the comments and observations of the delegates. The Chair took note of the latest report of the Special Rapporteur, Prof. Huang Xixuang, of Wuhan University, People's Republic of China, containing the draft Consensual Nonbinding Basic Principles of International Law in Cyberspace, of July 2021. He further referred to the remarks of the Special Rapporteur on the context of the OEWG and his acknowledgment of the need for more Afro-Asian engagement in developing international law principles in the field of cyberspace. The Chair concluded his report stating that the draft Consensual Nonbinding Basic Principles

would be updated by the Special Rapporteur based on the comments made by Member States in the fifth meeting and by taking into account contemporary developments like the work of the United Nations Group of Governmental Experts (UNGGE) and other relevant bodies. The updated principles are expected to be presented by the Special Rapporteur to the Member States in advance for discussion in the next OEWG meeting.

Agenda Item: Special Remarks delivered by H.E. Prof. Dr. Ma'ruf Amin, the Hon'ble Vice-President of the Republic of Indonesia

3.13. H.E. Prof. Dr. Ma'ruf Amin, the Hon'ble Vice-President of the Republic of Indonesia commenced his Special Remarks by extending warm greetings on behalf of the **President of the Republic of Indonesia**, who could not attend due to conflicting commitments. He invoked the historical significance of the Asian-African Conference of 1955 in Bandung, which was instrumental in establishing AALCO. He further noted that this conference was centred on global peace and the roles Asia and Africa could play in worldwide development. He further referred to the spirit of AALCO, which is founded on the belief that the international political and legal order should represent Asian and African views and interests. It was also stated that despite wars elsewhere, the Sixty-First Annual Session of AALCO emphasized calls for peace, urging for an immediate end to wars and violence which hinder global progress. The Vice-President stressed the necessity of collaboration, creativity, and innovation to tackle contemporary global challenges, noting that these thrive in peace, not in environments marred by fear or hatred. In accordance with the constitutional mandate of the **Republic of Indonesia**, he continued, the country remains committed to peace, diplomacy and the rule of law. It was further mentioned that as the presiding nation of this AALCO session, the **Republic of Indonesia** urges the proper enforcement of international law as a tool to achieve peace and safeguard human rights. Highlighting his wishes for the Session, the Vice-President urged AALCO to reinvigorate solidarity among Asian and African States, ensuring their voices influence international law. He then emphasized tackling transnational sea crimes, which affect Asian and African economies, urging for integrated responses to these threats. He also encouraged AALCO to amplify its role in framing legal foundations that foster beneficial partnerships among nations, especially concerning global issues such as climate change, sustainable development, international trade and investments, maritime concerns, asset recovery, and the growth of artificial intelligence. It was also stated that as countries navigate the digital revolution, AALCO is expected to shape a legal structure that aligns technological advancements with the Asian-African Conference's core values. The Vice-President concluded by commending AALCO on its Sixty-First Session and inviting delegates to experience Bali's unique charm.

4. First General Meeting

- 4.1. Release of AALCO Publication:** The following AALCO publications were released: Yearbook of AALCO Vol. XIX (2022), AALCO Journal of International Law, Vol XI (2022-23), Report on the AALCO Webinar on Global Compact on Refugees and Report on the AALCO Webinar on General Principles of Law and AALCO Member States.
- 4.2.** The following Member States of AALCO delivered General Statements at the First General Meeting of the Sixty-First Annual Session of AALCO: the **Islamic Republic of Iran**, the **Kingdom of Saudi Arabia**, the **State of Qatar**, the **Kingdom of Thailand**, the **Republic of the Philippines**, the **Sultanate of Oman**, the **Republic of the Union of**

Myanmar, the Kingdom of Bahrain, Japan, Nepal, the Republic of Kenya, the Republic of Korea, the United Republic of Tanzania, the Socialist Republic of Vietnam, the People's Republic of China, the Islamic Republic of Pakistan, the State of Palestine, the Republic of Indonesia and the Republic of India.

5. Second General Meeting

- 5.1.** The following Member States of AALCO delivered General Statements at the Second General Meeting of the Sixty-First Annual Session of AALCO: the **Democratic Socialist Republic of Sri Lanka, Brunei Darussalam, Malaysia, the People's Republic of Bangladesh** and the **Republic of South Africa**. The following Non-Member Observer States delivered General Statements at the Second General Meeting of the Sixty-First Annual Session of AALCO: the **Russian Federation** and **Burkina Faso**.
- 5.2.** The delegations extended congratulations to the President and the Vice-President for their elections to the posts, and expressed their support and full confidence that the Annual Session would be conducted successfully under their able leadership. The Member States also commended the AALCO Secretariat and the Government of the Republic of Indonesia for the preparations undertaken for the Sixty-First Annual Session of AALCO under the astute stewardship of the Secretary-General. They emphasized the importance of reinforcing Asian-African solidarity pillared on the Bandung Spirit of friendship, cooperation and solidarity highlighting AALCO's role in promoting dialogue and cooperation among them.
- 5.3.** Several Member States expressed deep concern regarding the deplorable situation in the Occupied Palestinian Territories and the ongoing conflict in Gaza, urging the international community to take immediate action to bring an end to the violence and commission of international crimes with impunity. Their statements also alluded to several other substantive topics on the agenda of Sixty-First Annual Session of AALCO including "Illegal, Unreported, and Unregulated Fishing", "Climate Change", "Reform of the Investor-State Dispute Settlement (ISDS) Mechanism", "Reform of the World Trade Organization", "General Principles of Law" and "Sea-level Rise in relation to International Law". A number of Member States stressed the primacy of an international rule-based order and the imminent need to strengthen multilateralism. Many Member States also provided insights into their national initiatives taken to further the achievement of their Sustainable Development Goals (SDGs) and other international obligations.

6. Third General Meeting

Agenda Item: Select Items on the Agenda of the International Law Commission

- 6.1.** **H.E. Dr. Kamalinne Pinitpuvadol, Secretary-General of AALCO**, provided a brief account of the six topics that had been deliberated at the seventy-fourth session of the United Nations International Law Commission (hereinafter "the Commission"): (1) Succession of States in respect of State responsibility (2) General principles of law (3) Sea-level rise in relation to international law (4) Settlement of international disputes to which international organizations are parties (5) Prevention and repression of piracy and armed robbery at sea and (6) Subsidiary means for the determination of rules of

international law. Prof. Dr. Bimal N. Patel and Prof. Masahiko Asada delivered statements on the topics on the agenda of the International Law Commission.

- 6.2. **Prof. Dr. Bimal N. Patel, Member, International Law Commission** delivered a presentation on the seventy-fourth session of the Commission, providing a preliminary assessment of the work of the Commission during the session, a brief historical overview of the regional representation of the Asian and African States and concluded with concrete suggestions to enhance the participation of Asian and African States in the work of the Commission. Relying on empirical data, as compared to other regional groupings, he adduced reasons to conclude that Asian and African States which were underrepresented in key positions in the Commission such as the Chairs for the Long-term Programme of Work of the Commission and Special Rapporteurs on topics under consideration by the Commission. Among other suggestions and comments that were provided to enhance the reliance of the Commission on the State practice of Asian and African States, he stated that AALCO may consider establishing an Open-ended working group focused on selected ILC topics to generate valuable inputs to the Commission.
- 6.3. **Prof. Masahiko Asada, Member, International Law Commission** delivered a presentation on the topic “Sea-level Rise in relation to International Law” with a focus on its implications for the law of the sea. In this backdrop, it was noted that there were two kinds of issues, namely, regression of coastlines of States, and secondly, the submergence of maritime features that pose challenges when sea-level rise. It was noted by Prof. Asada that the fixed baseline approach would be the best solution to the issue. States could adopt a resolution at the Meeting of States Parties of the UNCLOS and subsequently at the UN General Assembly, to the effect that they would be encouraged to deposit charts indicating their normal baselines as well as other baselines as part of the overall resolution of the issue. To cover non-State Parties to the UNCLOS, adoption of a UN General Assembly resolution to the same effect as a declaration of rules of customary international law or its interpretation was ideal. It was hoped that AALCO could play a role in this regard.
- 6.4. The following delegations presented their statements on the topics under discussion: the **Republic of India**, the **Islamic Republic of Iran**, **Malaysia**, the **Republic of Indonesia**, the **People’s Republic of China**, the **Kingdom of Thailand**, **Japan**, the **Republic of Kenya**, the **Socialist Republic of Viet Nam**, and the **Republic of Korea**. The following Observer Non-Member State also delivered its statement: the **Russian Federation**.
- 6.5. During the deliberations, numerous commonalities and shared concerns emerged from the statements delivered by Member States. Member States expressed their appreciation for the work of the Commission and its role in codifying and progressively developing international law. They acknowledged the contributions of Special Rapporteurs and the importance of their topics and engagements. Several delegations provided detailed comments on specific topics, including “General Principles of Law” and “Sea-level rise in relation to International Law”. The issue of Sea-level rise garnered particular attention, with multiple Member States highlighting its significance and potential impacts on maritime boundaries and coastal communities. Additionally, there was a recurring emphasis on the need for the Commission’s work to reflect State practice and the importance of ensuring that the final products of the Commission align with the perspectives of Member States. Delegations also underscored the value of engagement with the Commission in addressing contemporary challenges, including issues related to

international organizations, subsidiary means for determining rules of international law, and the prevention and repression of piracy and armed robbery at sea. A Member State, in response to the suggestion of Prof. Bimal N. Patel to establish an Open-ended working group in AALCO to discuss the work of the Commission on specific topics, enquired about the modalities and operationalization of such working groups. Overall, delegations expressed a collective commitment to advancing the progressive development and codification of international law through active participation in the work of the Commission.

7. Fourth General Meeting

Agenda Item: Violations of International Law in Palestine and Other Occupied Territories by Israel and Other International Legal Issues related to the Question of Palestine

- 7.1. Dr. Ali Garshasbi, Deputy Secretary-General of AALCO**, in his introductory statement elaborated AALCO's engagement with the topic to which AALCO has steadily committed itself to over the years. While referring to the Secretariat Report prepared on the topic, which presents the reports submitted to the UN bodies and request for an advisory opinion to the International Court of Justice, it was underscored that concerns in the Occupied Palestinian Territories have only become more alarming with the recent escalation of tensions in Gaza.
- 7.2.** The delegations of the **State of Palestine**, the **Republic of India**, the **Islamic Republic of Iran**, **Malaysia**, the **Republic of Indonesia**, the **People's Republic of Bangladesh**, the **Arab Republic of Egypt**, the **People's Republic of China**, the **Republic of Türkiye**, the **Islamic Republic of Pakistan**, the **United Republic of Tanzania**, the **Socialist Republic of Viet Nam**, **Japan**, and the **Kingdom of Bahrain** delivered statements. The following Observer Non-Member State also delivered a statement: the **Russian Federation**.
- 7.3.** Several Member States expressed their solidarity with the **State of Palestine** and supported the just cause of the Palestinian people in their struggle for realization of basic and fundamental human rights. All delegations that delivered statements on the topic unequivocally condemned the violence targeted against civilians especially against women and children and other vulnerable members of society. The Member States expressed severe condemnation of the disregard for the fundamental norm of distinction between military and civilian targets in the conflict. In particular, many Member States strongly deplored the recent attack on a hospital in Gaza killing hundreds of civilians. Many delegations reiterated their call for the implementation of the Two-State solution and a viable sovereign State of Palestine respecting the legitimate rights of the people of Palestine to self-determination. Some Member States also expressed that they would strongly press their legal position in the proceedings of the International Court of Justice on the Advisory Opinion. An overwhelming majority of Member States expressed their sympathies for the families of the victims of the ongoing conflict in the region, calling for a ceasefire and immediate access of the civilians to humanitarian relief.

Agenda item: Legal Issues in Outer Space

- 7.4. H.E. Dr. Kamalinne Pinitpuvadol, the Secretary-General of AALCO**, while introducing this new topic, highlighted the increasing significance and complexity of

outer space activities. He emphasized that with the expansion of space ventures by various States, there arise unparalleled challenges related to safety, security, environmental protection, and the pressing legal issues accompanying them. Calling upon the AALCO Member States, he stressed the importance of collaborative dialogue to frame future-centric governance for outer space that upholds peaceful and inclusive principles.

- 7.5. The following Member States delivered statements on the agenda item: the **Republic of India**, the **Islamic Republic of Iran**, **Malaysia**, **Japan**, the **Republic of Indonesia**, the **Republic of Korea**, the **People's Republic of China**, the **Socialist Republic of Vietnam**, and the **Republic of Kenya**.
- 7.6. Member States expressed their appreciation towards the Republic of India for proposing the topic in the substantive agenda of AALCO. A majority of Member States emphasized the importance of maintaining outer space exclusively for peaceful uses. The overarching sentiment was concern over the weaponization of outer space, with calls for AALCO to research and establish guidelines to ensure space remains dedicated to peaceful uses, exploration, and exploitation. Many States spotlighted the need to delve into the legal facets governing space resources, drawing attention to the principle of non-appropriation, the freedom of access, and benefit-sharing as stipulated in the 1967 Outer Space Treaty. There was a notable mention of the ongoing efforts by the UN working group on space resources within the Legal Subcommittee of the UN Committee on the Peaceful Uses of Outer Space (UNCOPUOS). Further, Member States shared their national efforts in mitigating orbital debris and emphasized the significance of space traffic management. While discussing national laws, policies, and institutional mechanisms, several Member States underscored their dedication to fulfilling obligations under international law. Some statements highlighted various initiatives, such as capacity-building in space law, which is seen as vital for national development. Some advocated for a legally binding law to prevent an arms race in space, while others proposed non-legally binding norms to address current challenges, including the proliferation of space debris. The overarching theme was a call for peaceful engagement, active participation at UNCOPOUS, and collaborative capacity-building initiatives.

Agenda Item: Asset Recovery Expert Forum

- 7.7. **H.E. Dr. Kamalinne Pinitpuvadol, Secretary-General of AALCO**, introduced the new agenda item "Asset Recovery Expert Forum" proposed for inclusion by the Government of the Republic of Indonesia in the agenda of the Sixty-First Annual Session of AALCO. He shed light on the significance of the topic for Afro-Asian countries while also noting the interest of the international community at large on this issue. He called for the creation of a common technical and expert forum and encouraged the Member States for further discussion on this topic.
- 7.8. The following delegations presented their statements on the topic under discussion: the **Republic of Indonesia**, the **Republic of India**, the **Islamic Republic of Iran**, **Malaysia**, the **People's Republic of China**, and **Japan**. The following Observer Non-Member State also delivered its statement on the agenda item: the **Republic of Tunisia**.
- 7.9. Member States expressed their appreciation towards the Republic of Indonesia for proposing the topic in the substantive agenda of AALCO. Some Members States

recognized the importance of the issue of asset recovery in combating corruption and underscored the need for the establishment of a common expert forum within AALCO given the severity and complexity of the process of asset recovery. Reference was also made to the domestic and regional practices as well as international instruments dealing with transnational corruption such as United Nations Convention against Corruption (UNCAC, 2005). A few Member States sought further details on the modalities of the Asset Recovery Expert Forum. A number of Member States mentioned with caution that duplicity with other existing Asset Recovery forums should be avoided and it should complement the work of other existing fora. Member States requested the AALCO Secretariat for suggestions on the way forward on the expert group.

Agenda Item: Environment and Sustainable Development

- 7.10. Mr. Jun Yamada, Deputy Secretary-General of AALCO**, delivered the introductory statement, shedding light on the fact that the pressing issue of environmental protection has been on AALCO's agenda since as far back as 1974. The Secretariat Report for the current session zeroed in on two crucial facets of environmental protection. Firstly, it touched upon the ongoing discussions within the Inter-governmental Negotiating Committee (INC) regarding the establishment of an international legally binding instrument addressing plastic pollution, notably in marine habitats. Secondly, it brought into focus the worldwide initiatives combating climate change, particularly set against the backdrop of the forthcoming United Nations Climate Change Conference slated for November-December 2023 in Dubai.
- 7.11.** The following delegations delivered their statements on the agenda item: the **Republic of India**, the **Islamic Republic of Iran**, **Malaysia**, the **Republic of Indonesia**, the **Republic of the Union of Myanmar**, **Nepal**, the **Sultanate of Oman**, the **Kingdom of Bahrain**, **Japan**, the **Socialist Republic of Vietnam**, the **People's Republic of China**, the **People's Republic of Bangladesh**, and the **Republic of Kenya**.
- 7.12.** A paramount concern echoed across the statements was the alarming issue of plastic pollution. Many Member States expressed their alarm over the global and enduring challenges such pollution poses. Strong advocacy emerged for a circular economy and a thorough life-cycle approach as potent solutions. Emphasizing the universal nature of plastic pollution, there was pronounced support for the ongoing negotiations on an internationally binding instrument on the matter. This became evident as many delegations brought attention to the imminent draft of a proposed treaty set for evaluation at the INC-3 meeting later this year. An urgent call was made for meaningful participation of the Afro-Asian States in these consequential negotiations, given the magnitude of the issue. Shifting gears to the realm of climate change, the discourse saw unanimous recognition of the pivotal roles played by global frameworks, notably the UNFCCC and its Paris Agreement. Delegates provided insights into the proactive measures being adopted in their respective States to curtail greenhouse gas emissions. They underscored the significance of global stocktake, climate adaptation goals, and the need for robust financing mechanisms. In particular, emphasis was laid on the challenges related to the ambitious goal of mobilizing a fund of USD 100 billion to support climate mitigation and adaptation initiatives.

8. Fifth General Meeting

Agenda Item: International Trade and Investment Law

- 8.1. **H.E. Dr. Kamalinne Pinitpuvadol, the Secretary-General of AALCO**, delivered an introductory statement on the topic providing a brief overview of the historical engagement of AALCO with the topics covered over the years. It was expressed that in addition to continuing the practice of reporting on the work of the World Trade Organization (WTO), United Nations Commission on International Trade Law (UNCITRAL), and the United Nations Conference on Trade and Development (UNCTAD), the Secretariat returned to its prior practice of reporting on work of the institutions that address issues concerning legislative work on the law concerning international trade. In this regard, the Secretariat reports on the activities of the International Institute for the Unification of Private Law (UNIDROIT) and the Hague Conference on Private International Law (HCCH). In his statement, the Secretary-General of AALCO informed the delegates at the Annual Session that the topic proposed by the **Islamic Republic of Pakistan** titled “reforms related to Investor-State Dispute Settlement (ISDS) within the context of the negotiations currently being conducted by the UNCITRAL Working Group III” would be considered under the agenda item under deliberation.
- 8.2. The following delegations delivered statements on the agenda item: the **Islamic Republic of Iran, Malaysia, the Republic of Cameroon, the Republic of Indonesia, the Republic of India, Japan, the Kingdom of Thailand, the United Republic of Tanzania, the Social Republic of Viet Nam, the Kingdom of Bahrain, the People’s Republic of China, and the Republic of the Philippines**. The following Observers delivered statements on the agenda item: the **Asian Academy of International Law (AAIL)** and the **Nairobi Centre for International Arbitration (NCIA)**
- 8.3. On international trade law, several delegations expressed support for reviving the Appellate Body of the World Trade Organization (WTO) and the need to pursue reforms in the WTO to respond to needs of Member States. A few delegations took note of the progress achieved at the Twelfth Ministerial Conference on topics such as agriculture, intellectual property, fisheries subsidies and e-commerce. A number of Member States expressed support for the Agreement on Fisheries Subsidies which addresses environmental sustainability and also prohibits illegal, unreported and unregulated fishing and bans overfished stocks. A majority of Member States that took the floor affirmed their commitment to a rule-based multilateral trading system which is currently embodied in the WTO.
- 8.4. With respect to issues concerning ISDS several delegations delivered statements on the reform of the mechanism and expressed staunch support for the work of the Working Group III of the United Nations Commission on International Trade Law. In light of the concerns regarding ISDS particularly for developing countries, many Member States welcomed the instruments adopted by the UNCITRAL this year including the Model Provisions on Mediation, the Guidelines on Mediation for International Investment Disputes, the Code of Conduct for Arbitrators, and the Code of Conduct for Judges. Further, some Member States also expressed support for the draft instruments that are under deliberation at the Working Group III of the UNCITRAL such as the draft

provisions on the procedural and cross-cutting issues and the draft provisions on the International Advisory Centre.

Agenda item: The Law of the Sea

- 8.5. Mr. Jun Yamada, Deputy Secretary-General of AALCO**, while introducing the agenda item noted that the topic “the Law of the Sea” was introduced by the Government of Indonesia in the year 1970. He pointed out that AALCO’s Annual Sessions have historically played a pivotal role in the development of groundbreaking concepts such as the Exclusive Economic Zone (EEZ), the status of Archipelago States, and the rights of Landlocked States, all of which were later codified in the United Nations Convention on the Law of the Sea (UNCLOS, 1982). The DSG noted that there were two themes for discussion during the Sixty-First Annual Session of AALCO namely, the preservation and responsible utilization of Marine Biological Diversity of Areas beyond National Jurisdiction (BBNJ); and Illegal, Unreported and Unregulated (IUU) fishing. It was hoped that deliberations on these themes would bolster AALCO’s engagement with ocean and marine sustainability, paving the way for coordinated international efforts on this front.
- 8.6.** The delegations of the **Republic of Indonesia**, the **Islamic Republic of Iran**, the **Kingdom of Thailand**, **Japan**, the **Republic of India**, the **Republic of Kenya**, the **Socialist Republic of Viet Nam**, **Malaysia**, the **People’s Republic of Bangladesh**, the **Republic of the Philippines**, the **Republic of Türkiye**, the **Kingdom of Bahrain**, the **Republic of Cyprus** and the **People’s Republic of China** delivered statements on the topic. The following Observer Non-Member State also delivered a statement: the **Russian Federation**.
- 8.7.** Member States in their statements appreciated the report prepared by the Secretariat while noting the significance of ocean and marine sustainability as a common concern for the international community. Member States had in-depth exchanges on “Agreement under the United Nations Convention on the Law of the Sea on Conservation and Sustainable Use of Marine Biodiversity in Area Beyond National Jurisdiction (BBNJ Agreement)” and “Illegal, Unreported and Unregulated (IUU) Fishing.” Member States highlighted that the BBNJ Agreement was a landmark addition to the international legal framework regulating the world’s oceans supplementing the UNCLOS. Member States, in general, acknowledged that the treaty with its focus on conservation and scientific management of marine resources in areas beyond national jurisdiction was essential for biodiversity conservation. As regards IUU fishing, Member States noted the importance of the topic from the perspective of marine sustainability and other aspects. Member States highlighted their domestic legal and policy frameworks dealing with IUU fishing while emphasizing the importance of strengthening transnational cooperation to tackle the problem. The importance of fisheries conservation and the international legal framework on regulating IUU fishing was also highlighted by Member States. The proposal of the **Republic of Indonesia** to consider illegal fishing as a Transnational Organized Crime (TOC) was noted by Member States.

Third Meeting of Delegates of the AALCO Member States

Agenda Item: Report on the work of AALCO's Regional Arbitration Centres

8.8. Mr. Jun Yamada, Deputy Secretary-General of AALCO delivered an introductory statement recalling the commendable work and success of the Regional Arbitration Centres, over the years. The Asian International Arbitration Centre (AIAC) at Kuala Lumpur, the Nairobi Centre for International Arbitration (NCIA), the Cairo Regional Centre for International Commercial Arbitration (CRCICA), and the AALCO Hong Kong Regional Arbitration Centre have reported on their activities. He congratulated the Regional Arbitration Centres under the auspices of AALCO which are among the most successful undertakings of the Organization. In his presentation, he also thanked the Host Governments of the Regional Arbitration Centres for their support and cooperation and called upon all Member States to continue supporting their activities and work program.

Dr. Sundra Rajoo presented the report of the **Asian International Arbitration Centre (AIAC)** at the Annual Session. **Mr. Nick Chan** presented the report of the **AALCO Hong Kong Regional Arbitration Centre**. **Mr. Lawrence Muiruri Ngugi** presented the report for the **Nairobi Centre for International Arbitration (NCIA)**. They apprised the meeting of the volume, nature, and subject-matter of the disputes as well as other crucial statistics **of their respective arbitration centres in addition to other details.**

9. Sixth General Meeting and Concluding Session

Adoption of Message of Thanks to the Host Government

9.1. H.E. Dr. Kamalinne Pinitpuvadol, Secretary-General of AALCO presented a message of thanks on behalf of the AALCO Member States to **H.E. Mr. Joko Widodo, the Honourable President of the Republic of Indonesia, the host of the Sixty-First Annual Session.**

Adoption of Resolutions

The following resolutions were adopted on 20 October 2023.

Organizational Matters

1. AALCO/RES/61/ORG 1
Report of the Secretary General on Organizational, Administrative and Financial Matters.
2. AALCO/RES/61/ORG 2
AALCO's Budget for the year 2024.
3. AALCO/RES/61/ORG 3
Report on AALCO's Regional Centres for Arbitration.
4. AALCO/RES/61/ORG 4
Venue of the Sixty-Second Annual Session

Venue of AALCO's Sixty-Second Annual Session

9.2. The venue for the Sixty-Second Annual Session will be the Kingdom of Thailand

Adoption of Summary Report of the Session, and General Recommendations

9.3. The draft summary report of the Sixty-First Annual Session was placed for the consideration of Member States and thereafter provisionally adopted by the Member States. It was decided that comments if any would be received by the Secretariat on or before **19 November 2023**.

Vote of thanks

9.4. A vote of thanks on behalf of Asian Member States was proposed by the Head of Delegation of **Malaysia**, a vote of thanks on behalf of the African Member States was delivered by the Head of Delegation of the **Republic of Kenya**, a vote of thanks on behalf of the Observer Non-Member States was delivered by the **Republic of Tunisia**, and a vote of thanks on behalf of the Observer International Organizations and other institutions was delivered by the Hague Conference on Private International Law (**HCCH**).

9.5. **H.E. Prof. Yasonna H. Laoly, the Minister of Justice and Human Rights of the Republic of Indonesia** and the President of the Sixty-First Annual Session delivered the concluding remarks.

The Sixty-First Annual Session of AALCO was thereafter concluded.