

**V. (i) SUMMARY RECORDS OF THE FIRST GENERAL MEETING
HELD ON 16TH JUNE 2003 AT 2:40 P. M.**

The President H. E. Ambassador Young-jin Choi, in the Chair.

(a) General Statements

The meeting took up for consideration the item “General Statements”.

1. The **Leader of the Delegation of Nigeria** on behalf of the President of the 41st Session Senator Kanu G. Agabi S.A.N. expressed his gratitude to all Members of AALCO for electing him President for the 41st Session. He expressed his pleasure at the cooperation rendered to him by the Secretary-General in discharging his mandate as the President of the Organization.

In his address, he briefly highlighted the activities of the Organization relating to participation in the 54th Session of the International Law Commission, the convening of the meeting of the Legal Advisers of the AALCO Member States during the 57th Session of the UN General Assembly, the conclusion of Memorandum of Understanding with World Intellectual Property Organization (WIPO), Office of the High Commissioner for Human Rights (OHCHR), United Nations University (UNU), United Nations High Commissioner for Refugees (UNHCR), International Organization for Migration (IOM), and the International Committee of the Red Cross (ICRC).

A seminar on the “Legal Protection of Children in International Law” was organized jointly with the UNICEF on 21st January 2003 and he informed that negotiations were underway to formalize a Cooperation Agreement with them.

Thereafter, he made a few observations regarding the potential role of AALCO and called for expanding the work programme and the new and complex issues that need to be addressed required effective utilization of our scarce resources as well as fashioning suitable tools for research and analysis that would yield optimum benefits to the Member States.

He stressed upon the enlargement of the membership of the Organization and cautioned that for making the Organization dynamic in the changing world order timely contributions as well as a solution to the arrears problem were necessary.

****** (SEEK CLARIFICATION FROM SG –REFER P. 12 MESSAGE)**

2. **Ambassador Young-jin Choi** expressed his sincere gratitude to all the Member States for electing him as the President of the 42nd Session. He also thanked the former President of the 41st Session of AALCO Senator Kanu G. Agabi and Secretary-General Amb. Dr. Wafik Zaher Kamil for their efforts and contributions.

He stated that the Republic of Korea was deeply committed to the Organization and as a token of its commitment was hosting the 42nd Session, the second since 1979 in Seoul. He solicited the cooperation of all delegations for making the 42nd Session a success.

Unlike predictions for a peaceful and prosperous 21st century based on global democracy and market economy, he said, the global village presented a picture of suffering resulting from growing poverty, disorder and lack of liberal institutions. Compared with the situation a decade ago, the majority of people were experiencing the degradation of their living conditions and the shrinking of liberal institutions. The upshot of this was tragically revealed in the wake of September 11th terrorist attacks that transnational issues, such as international terrorism, weapons of mass destruction, environmental degradation and infectious diseases had become crucial issues for consideration in the 21st century.

He called upon the countries of Asia and Africa to get together and discuss ways to promote law and order in the Asian-African region failing which neither economic prosperity nor political stability or basic security could be achieved.

3. The **Leader of the Delegation of the Arab Republic of Egypt*** while congratulating the President of the 42nd Session on the assumption of his Presidency was fully confident that with his experience and under his leadership the meeting would be successful. He thanked the Republic of Korea for their hospitality and excellent arrangements made for it. In the same vein, he congratulated the Secretary-General on his unanimous reappointment and hoped that this would further strengthen the work of the Organization in the international arena.

He commended the efforts of the Secretary-General in amending the Statutes and Statutory Rules and carrying out preliminary exchange of views in that direction. The delegate suggested that a fellowship programme could be launched by the AALCO whereby one official from each Member State could be sent for training and on completion of the training, certificates could be awarded. He proposed that the Secretariat could conduct a study on the financial and technical aspects to implement ways and means of implementing these suggestions, which may be taken up at the 43rd Session.

4. The **Leader of Delegation of the Republic of Indonesia** congratulated the President on his election and Secretary-General on his well-deserved re-appointment and hoped that his tireless efforts to strengthen the Organization would be beneficial to all Member States.

He recalled that the Asian-African Legal Consultative Organization was established as a tangible outcome of the historic Bandung Conference and since its inception the endeavours of the Organization had surpassed expectations. He stated that his Government long recognized the importance of AALCO, with high appreciation for its numerous contributions to the development of international law in the Asian and

* Statement delivered in Arabic. Unofficial translation from the Interpreters version.

African regions affairs, and in light of these remarkable achievements, he fervently hoped that the 42nd Session would be an opportunity to discuss international legal issues and promote further regional cooperation dedicated to the pursuit of democracy, respect for human rights and the rule of law.

He also informed that Indonesia and South Africa would co-host Asian-African Sub-Regional Organizations Conference (AASROC) which would be held in Bandung, Indonesia, during 29th-30th July 2003. South Africa would serve as the host of the Second Asian-African Sub Regional Organizations Conference in 2004. Both Conferences would be preparatory to the observance of the Golden Jubilee of the Asian-African Conference in Bandung in 2005.

He hoped that the continents of Asia and Africa comprising of more than 100 countries with a combined population of 4.3 billions would realize their potential and could work together on the basis of mutual interest and benefit to promote social and economic development, alleviate poverty, develop a more competitive private sector and to achieve long lasting peace and stability.

He stated that the issue of trafficking in persons and legal protection of migrant workers were pertinent. Trafficking in women and children was widely recognized as one of the serious violation of human rights and no single country could prevent and combat this crime without fostering international cooperation between and among States. He proposed holding of Special Session on trafficking in persons, especially women and children, during the forthcoming AALCO Annual Session in Indonesia and called for endorsement by the Session.

Turning to the issue of legal protection of migrant workers, he was of the view that more attention be given on this particular issue. As there were specific problems associated with migrant workers both in sending and receiving countries. Recalling the resolution, adopted at the 41st Session on that item, he appreciated the efforts of the Secretary-General to explore the possibility of jointly organizing a meeting with the IOM for facilitating in-depth consideration of the draft Model Agreement. He proposed to include the topic “Legal Protection of Migrant Workers” on the agenda of the 43rd Session for a more thorough and in-depth discussion.

In the changing global environment where multilateralism, regionalism and unilateralism were competing to gain support and influence, the role of AALCO is more valid and relevant as a vehicle to promote regional cooperation. He reiterated his governments offer to host the 43rd Session of the Organization during the next year and also expressed appreciation for the support received for this proposal.

5. The **Leader of the Delegation of Ghana** expressed her gratitude to the people and government of Republic of Korea for hosting the 42nd Session and extended congratulations to Amb. Dr. Wafik Zaher Kamil on his re-election and assured him of the full support and cooperation of her government.

She informed with pleasure of the election of two nationals of AALCO Member States among the first eighteen Judges to serve the International Criminal Court. Prof. Akua Kuenyehia from Ghana was also elected as Vice-President of the ICC. In her opinion, the constitution of the Court demonstrated the commitment of the international community to ensure that the perpetrators of genocide, war crimes and crimes against humanity are dealt with according to the law.

She expressed great concern over continuing violence in Israel and Palestine.

6. The **Leader of the Delegation of Pakistan** congratulated the President and the Vice-President on their election to the 42nd session of the AALCO. He also congratulated Amb. Dr. Wafik Z. Kamil on being reappointed as the Secretary-General of AALCO. While stating that there were some important matters on the agenda of the AALCO, he referred to the Manila session of AALCO where deliberations on WTO and trade were taken up at the initiative of Pakistan.

Referring to the topic of terrorism, he stated that there was a stalemate before the Ad Hoc Committee of the United Nations on article 18 of the draft Comprehensive Convention on International Terrorism. The differences are particularly related to the question of right to self-determination. He further stated that Pakistan is a party to 10 of the 12 anti-terrorism conventions.

He pointed out those other items like corruption concerning which Pakistan is taking measures internally against it. He also mentioned about the importance of issues like the deportation of Palestinians and international humanitarian law.

7. The **Leader of the Delegation of the People's Republic of China** congratulated the President on his election to the 42nd session and thanked the Korean government for hosting the session. She appreciated Hon'ble Mr. Kanu G. Agabi for the excellent job over the past year. She congratulated Amb. Dr. Wafik Z. Kamil on his reappointment as the Secretary-General and welcomed Brunei Darussalam as new member of the AALCO.

She pointed out that inequality, unfairness and hegemonism exist in the international political and economic orders and pointed out that the threats caused by international terrorism and other untraditional security issues were increasing. She stated that in this context the international community should exert joint efforts to establish a just and equitable international order on the basis of the principles of international law. She mentioned that AALCO had provided a useful forum for enhancing exchanges and cooperation between Asian and African States in the legal field and hoped that the present session would also serve the same purpose.

She appreciated the current efforts of AALCO to encourage more Asian and African countries to join the Organization and expressed the hope that it would play an even greater role in promoting progressive development and codification of international law and cooperation in various forms among Member States. She further stated that AALCO should be encouraged to continue to enhance and expand the cooperation with

the UN and other related legal bodies to strengthen the important role of the UN in maintaining world peace and security and promoting development.

8. The **Leader of the Delegation of India** congratulated the President and the Vice President on their election to the 42nd session. He also congratulated Amb. Dr. Wafik Z. Kamil on his reappointment as the Secretary- General of AALCO. He welcomed Brunei Darussalam as a new member of AALCO.

He pointed out that due to the paucity of time many issues could not be deliberated in detail and observed that the division of topics into deliberated and non-deliberated items would facilitate in-depth discussions on certain topics. He welcomed the inclusion of certain topics under deliberated items and also the significance of international humanitarian law, which would be discussed in the special session.

Regarding arrears of the Member States he mentioned that it did not require any specific mention about their clearance and asked the Secretary-General to make special efforts regarding finding a solution to the problem.

9. The **Leader of the Delegation Republic of Kenya** congratulated the President on his election and expressed his gratitude to the Government of Korea for not only graciously offering to host the 42nd Session but also for the thorough and meticulous organization and reception of delegations. The preparations made for the Session had set an ideal stage for meaningful deliberations, debate and exchange of ideas on the numerous legal issues and challenges facing the countries of the region.

He welcomed the current agenda before the Organization, which were of interest to both Asia and Africa and emphasized upon the prudent pooling of resources.

He expressed his concern and condemned terrorism in all its forms and manifestations and supported all measures taken by the international community in the fight against terrorism. Recalling the terrorist attacks in the coastal city of Mombasa, he said that his country had been a victim of international terrorism, as a result of which many people had lost their lives and livelihood and at the macro level, the economy had been adversely affected. While acknowledging international cooperation against fighting international terrorism he pledged to actively participate on that front and reiterated his delegation's position at the 41st Session, which had welcomed AALCO's efforts towards implementation of UN Security Council resolution 1373 (2001) on terrorism.

He said that Kenya was close to adoption of Principles on the Status and Treatment of Refugees which were based on the Revised Bangkok Principles, giving more recognition and respect to the rights of refugees and moving closer to the internationally accepted standards within their limited resources.

He emphasized on the need to have a common position among developing countries as regards issues arising out of the Doha Ministerial Conference.

Finally, he called for international efforts to adopt legal measures for combating corruption and mentioned that Kenya had in its fight against corruption recently enacted two statutes. However, he stressed that municipal measures were not adequate to deal with the menace of corruption as over the years it had become more sophisticated.

10. The **Leader of the Delegation of Malaysia** congratulated the President and the Vice President on their election to the 42nd session. He congratulated Amb. Dr. Wafk Z. Kamil on his reappointment as the Secretary-General and welcomed Brunei Darussalam on becoming a new member of the Organization.

He reaffirmed Malaysia's commitment to international cooperation on legal issues within the ambit of the AALCO. He stated that they recognize that given the diversity of legal issues and countries with wide ranging legal backgrounds it would be a challenge for member countries to come to an agreed position on all issues. However, he said, they hope that in matters of mutual concern and importance it would be possible to have open and frank discussions. While referring to their domestic efforts in addressing the problem of terrorism he stated that recent unilateral acts undertaken by States would have the effect of compromising the sovereignty and territorial integrity of the affected States.

While referring to issues concerning trade he stated that Malaysia hopes that the Cancun Ministerial Meeting would provide some finality to outstanding issues under negotiations. He welcomed in-depth discussion on the issue of Human Rights in Islam and said that any decisions or recommendations made at this session would be brought to the attention of the 10th OIC Summit, which is going to be chaired by Malaysia.

11. The **Leader of the Delegation of United Arab Emirates*** thanked the Government of the Republic of Korea for hosting the 42nd session and congratulated Amb. Dr. Wafik Z. Kamil on his reappointment as well as for activating the objectives of the organization. He also congratulated the Sultanate of Brunei as new member of the AALCO. He thanked Nigeria for having successfully chaired the 41st session of the organization. Finally, he congratulated the President and the Vice President on their election to the 42nd session.

12. The **Leader of the Delegation of Tanzania** expressed thanks and gratitude for the hospitality and the magnanimous reception provided for by the Government of Republic of Korea. He also congratulated the President on his election to the 42nd Session. While remembering the Bandung Declaration on the Right to Self Determination and the Bangkok Principles on the Treatment of Refugees, he stated that AALCO has played a pivotal role in championing the ideas of common interests to the region in the law making process within the United Nations. While referring to the expanding magnitude of issues that are being faced by the colonized states since 50's, he appreciated the work of the Organization on the issues concerning International Criminal Court, WTO, International Law Commission, Environment etc. He emphasized the need to ensure that all root causes of destabilization, war and general security are rooted out. He underlined the issue of insecurity in his region, which is reflecting in various

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manifestations. He expressed the hope that the Organization would provide forum for honest discussion in resolving all issues and hoped that with the able assistance of the Secretary-General and the strong team of the Secretariat, this session would be a successful one.

13. The **Leader of the Delegation of Kuwait*** congratulated the President and the Vice President on their election to the 42nd session. He also congratulated Amb. Dr. Wafik. Z. Kamil on his reappointment as the Secretary-General and welcomed the Sultanate of Brunei Darussalam as a new member of the AALCO.

He stated that his Government gives great importance to this meeting as it provides opportunity for participation of States from two important continents. The topics that are going to be deliberated were not only important to Member States but also to the international community. While referring to the importance of topics that are going to be discussed he mentioned that Kuwait would cooperate with other countries in fighting against crimes against humanity. He underlined the significance of three important topics i.e., terrorism, right of self-determination of peoples particularly in the context of Palestine and human rights.

14. The **Leader of the Delegation of the Islamic Republic of Iran** congratulated the President on his election as well as Amb. Dr. Kamil for his reappointment for the second term. He expressed satisfaction on the adoption of agenda with a selective approach on the deliberated items, as due to paucity of time during the session it was not possible to have in-depth discussion on all items. He also expressed his appreciation on the selection of the item on international humanitarian law for the special meeting. He regretted the adoption of the resolution 1087 on 12-06-03 by the Security Council, which provided immunity to American peacekeeping forces. He also found it significant to have the special meeting on *jus in bello* particularly in the context of International Criminal Court.

He congratulated the Sultanate of Brunei on its admission to the Organization and was pleased with the introduction of French as a working language. Finally, he thanked the Government and people of the Republic of Korea for hosting the 42nd Session.

15. The **Leader of the Delegation of Republic of Korea** extended warm welcome to all delegations and participants. He congratulated Ambassador Kamil on his reappointment as the Secretary-General and Madam Janat Mukwya on her election as Vice-President of the 42nd session. He noted the considerable development achieved by AALCO in terms of number of Member States and pledged to continue to encourage others to consider becoming members in the near future.

He recalled the contributions of AALCO in the field of international law particularly the concept of Exclusive Economic Zone and Bangkok Principles on Refugees. He stated that in the era of globalization there was an upsurge of global issues such as refugees, environment, human trafficking and international terrorism warranting joint efforts by States, which inevitably calls for AALCO's active role in the rule-making

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process in the world. He stated that to enhance the effectiveness of the deliberations during the current session they have introduced, in consultation with the Secretariat, some changes in the method of proceedings for e.g., Drafting Committee, distribution of summary records and classification of agenda items.

While pointing out the significance of deliberated items on the agenda he stated that the special session on international humanitarian law would be of immense significance particularly in the context of establishment of international Criminal Court. He mentioned that they would submit written comments on matters that were touched upon by the Secretary-General in his report but not included in this year's agenda.

16. The **Leader of the Delegation of Myanmar** congratulated the President, Vice-President on their election to the 42nd session. He also congratulated Amb. Dr. Wafik Z. Kamil on his reappointment as the Secretary-General. He pledged to cooperate with AALCO in maintaining international peace and cooperation. While stating that the security of each and every Member State is important he said that it would be made possible by strict adherence to the fundamental principles of the equality of sovereign States, territorial integrity, political independence of States and peaceful resolution of conflicts. He stated that the agenda of the session included many important items and hoped that the session would reach to a common understanding on issues of regional and international importance.

17. The Meeting was thereafter adjourned.