

**I. INAUGURAL SESSION HELD ON 16TH JUNE 2003
AT 10:00 A. M.**

- (i) **Opening Statement by H. E. Amb. Mr. T. A. B. Shodipo, Director, Consular and Legal Department, Ministry of Foreign Affairs, Federal Republic of Nigeria on behalf of the President of the 41st Session**

Your Excellency the Prime Minister, Secretary-General, Your Excellencies, Distinguished Delegates and Observers, Ladies and Gentlemen,

On behalf of the President of the 41st Session, it gives me great pleasure to welcome you all at the opening of the 42nd Session of Asian-African Legal Consultative Organization. It is indeed a great honour for us that this Session will be inaugurated by His Excellency Mr. Goh Kun, the Prime Minister of Republic of Korea, despite his heavy schedule and I would like on behalf of all of you to thank through him the President, Government and the people of Republic of Korea for their generosity, hospitality and the excellent arrangements. And now, allow me to give the floor to our Secretary-General, Amb. Dr. Wafik Z. Kamil to deliver the welcome address.

- (ii) **Welcome Address by H. E. Amb. Dr. Wafik Z. Kamil, Secretary-General of AALCO at the Inaugural Session of the 42nd Session, Seoul**

Mr. President,

Hon'ble Prime Minister of the Republic of Korea Mr. Goh Kun, Hon'ble Ministers, Excellencies, Distinguished Delegates and Observers, Ladies and Gentlemen,

On behalf of the Asian-African Legal Consultative Organization (AALCO) and my own behalf, it is an honour for me to welcome you all to the 42nd Session of AALCO.

Hon'ble Prime Minister, at the outset, we would like to express our great appreciation to your esteemed Government for inviting AALCO to hold its 42nd Session in this beautiful city. Since our arrival in Seoul the warm hospitality which has been extended to all of us by the Government and the people of your great country has won everybody's heart.

The meticulous arrangements made by the host Government augurs well for the success of the Session. I would be failing in my duty if I do not express my gratitude to all the officials of the Host Government Task Force who have been working strenuously for the last six months to make this session a historical and memorable one.

AALCO has this privilege of meeting in Seoul for the second time. Its twentieth Session was held in 1979. That was an important Session in the history of AALCO. During that Session, Law of the Sea was the crucial topic for discussion. AALCO has a proud record in respect of its contribution to Law of the Sea. New concepts such as the

Exclusive Economic Zone, Archipelagic State, rights and interest of the landlocked States originated, and developed in the deliberations in AALCO Meetings. Other important initiatives at that Session were, drawing of the blue prints of AALCO's programmes on environmental law and international trade law matters. I have drawn the attention to AALCO's history because it has relevance for the 42nd Session which takes into account subsequent developments over the years.

The commemoration of the 20th Anniversary of the United Nations Convention on the Law of the Sea during the 57th Session of the General Assembly of the United Nations, then the Johannesburg Summit on Environment and Sustainable Development held in August 2002, the Doha Declaration adopted at the Fourth Ministerial Conference held under WTO's auspices are among the hall marks of the recent developments which would be considered during this session. We shall have the opportunity to exchange views and experiences and draw the blue print of AALCO's future work programme in these areas.

Besides these topics, there are issues of great relevance for AALCO Member States which find place in the agenda of this Session. These include, work of the International Law Commission, Deportation of Palestinians and other Israeli practices in violation of Fourth Geneva Convention of 1949, Jurisdictional Immunities of States and Their Property, Recent developments concerning the International Criminal Court, United Nations Draft Convention to Combat Corruption, Co-operation against Trafficking in Women and Children and lastly Human Rights in Islam.

I may point out, that this Session, is in a way a turning point and a start for new elements. For the last two years we had been discussing ways to rationalize the agenda of AALCO. This year a concrete initiative has been taken to rationalize the consideration of agenda items during the annual session. This is just a beginning. I am sure, we will see the benefits of such an initiative. I must thank the host Government and all the Member Governments who supported this innovative approach to be followed from the Seoul Session and onward. Two new elements have started with Seoul Session, namely, constitution of the Drafting Committee for the preparation of documents for adoption at this session and interpretation in French. I hope it will encourage French-speaking countries to consider it as a first positive step to encourage and facilitate their participation.

Mr. President,

AALCO was established in 1956 by a small number of 7 States as a tangible outcome of the historic Asian-African Conference held in Bandung in 1955. Its Membership now has grown to 46 comprising most of the major states in the Asian and African continents. I take this opportunity to welcome Brunei Darussalam who has applied to be a new member in our AALCO family. We will continue our efforts to seek more memberships from the two regions.

Mr. President

Principles and norms of International Law are the same, whether they are for the States from Asian, African or Latin American continents. This is the common thread, which binds AALCO with the United Nations, its Agencies and other Intergovernmental Organizations engaged in similar work related to the development and codification and dissemination of International Law. We are proud of our growing relationship with the United Nations and International Organizations and value very much their co-operation in working together on common issues of great importance.

I am very hopeful that the Seoul Session provides an opportunity to reflect on the role, functions and the great potential of AALCO in the years to come.

Hon'ble Prime Minister,

The impact of globalization and information technology revolution has both beneficial and evil effects. The Republic of Korea has shown how to overcome the obstacles and go ahead with sound economic development policies. What struck me most is that along with its economic growth, Republic of Korea has maintained a fine balance between modernization and adherence to its rich traditional cultural values. Most of our Member States have inherited values from their glorious civilizations in the past, which should not be sacrificed. Many of us can learn a great deal from the rich experience of Republic of Korea.

Hon'ble Prime Minister, before I conclude, once again, I would like to express my deep gratitude to Your Excellency, for sparing your valuable time to grace this occasion and through you to H. E. the President, Republic of Korea, the Government and people.

Thank you very much His Excellency and we hope we have a very good and rich session.

(iii) Inaugural Address by H. E. Mr. Goh Kun, Prime Minister of the Republic of Korea

Hon'ble President,
Vice-president Mahendra,
Secretary-General Kamil,
Excellencies, delegates, distinguished guests, ladies and gentlemen,

It is a great honor to host the 42nd Annual Session of the Asian-African Legal Consultative Organization (AALCO) in Seoul. On behalf of the Korean Government, I would like to extend my sincere welcome to all delegations and participants.

Since its establishment in 1956, AALCO has achieved quantitative growth by increasing the number of Member States up to 45 countries. Also it has made a great contribution to the development of international law. AALCO was the forum for the

initial discussions on the Exclusive Economic Zone (EEZ), an important concept in the Law of the Sea, and adopted the Bangkok Principles concerning refugees.

As a Member State, the Republic of Korea is highly proud of AALCO's development and therefore holding the 42nd Annual Session in Seoul is greatly meaningful.

Distinguished guests,

Firmly believing the success of this Session, I would like to make some brief comments on the challenges facing AALCO and its future visions.

First, I would like to note the growth in membership of AALCO. We all know that AALCO has expanded significantly, befitting the title "Asian-African Organization". However, considering that there are approximately 100 states in this region, the need for a further increase in the number of Member States is still a current issue for AALCO.

In this regard, it is inspiring that the Secretariat and hosting country have made joint efforts to increase the number of Member States at the 42nd Annual Session. The expansion of membership, an issue that had been temporarily suspended, is now being actively discussed. With the endeavors of the Secretariat and Member States, Brunei Darussalam has very recently joined the AALCO, and countries such as Uzbekistan, Tajikistan, Algeria, Morocco, and South Africa are seriously considering membership. I would like to take this opportunity once again to call upon the Non-member States in the region to become members of AALCO following this Session.

Second, there has been a considerable growth in the activities of AALCO. Since AALCO was established half a century ago, a number of major issues in international law have arisen. As AALCO has always selected topics in response to the changing needs in a timely manner, it could make focused discussions and efforts to provide solutions based on international law to issues faced by the international community.

In this context, given that terrorist attacks are felt to be more threatening after September 11th, and that armed conflicts between and within countries are still a plague on the globe, it is all the more meaningful that the discussion topics of this Annual Session include the International Criminal Court (ICC), international terrorism and international humanitarian law. As a consequence of this Annual Session, I hope that the resolve to achieve and preserve peace and security in the turbulent Asian and African regions will be strengthened, and the principles of law concerning terrorism and international humanitarian crimes be examined in depth.

Distinguished guests,

Third, we must not overlook the important role played by AALCO in the Asian and African regions. The Annual Sessions, which have been held up to now, have

contributed to the development of international law and regional cooperation through discussions of current issues. I look forward to a synergy effect through regional integration, as we have witnessed in the case of the European Union.

Finally, I would like to refer to the extra-regional cooperation of AALCO. In order for AALCO to substantially contribute to the development of international law as a regional legal organization, the cooperation of the UN and other international organizations is vital. We expect this Annual Session to generate fruitful and meaningful discussions on international law, as a number of international legal organizations such as ICJ, ICC, PCA, and ILC are participating. In the future, we must continue furthering our cooperation and discussions with major international legal organizations to provide tangible benefits to the international community.

Distinguished guests,

The new regime of participatory government of the Republic of Korea is fully committed to respect international law and to play an active role for further development of AALCO.

Once again I welcome you all for coming to Seoul to participate in this Session and sincerely hope for a successful and productive Annual Session.

Thank you.

**(iv) Vote of thanks by Mr. Narinder Singh, Legal Adviser and Joint Secretary,
Ministry of External Affairs, India**

His Excellencies,
The Prime Minister of Republic of Korea,
The President of the 41st Session of AALCO,
Hon'ble Ministers, Excellencies,
Distinguished Delegates and Observers,
Ladies and Gentlemen,

It is indeed an honour for me to propose a vote of thanks on behalf of the Asian-African Legal Consultative Organization to Your Excellency, Prime Minister for your kind gesture in personally blessing and inaugurating our 42nd Session of the AALCO. Excellency your address set the tone for useful deliberations during the session and on behalf of all the participants, I would like to express our gratitude to Your Excellency for this.

His Excellency,

We also would like to thank your esteemed Government for the excellent arrangements which the officials of the Ministry of Foreign Affairs have made both for the efficient functioning of our session and for the warm hospitality and the excellent

arrangements which have been made for our stay here in this beautiful capital city of Seoul. We assure you Excellency that with all this effort we would have a very fruitful and a very successful annual session here.

I would like to thank all the Hon'ble Ministers, their Excellencies, the Ambassadors and the Delegates and Observers who have come here from their respective capitals to participate in this annual session and I am confident that we would have fruitful deliberations during this annual session. I would also like to thank the distinguished Secretary-General and his Deputy Secretaries-General and as well as all the officials of the Secretariat of the Asian-African Legal Consultative Organization, who have been working to prepare all the basic documents, which we are going to discuss here. They also provide the backup and support during our meetings for preparations of the records of the session. With all these combined efforts of all who are involved in the organization of this session, I am sure that, this session, also like previous sessions would be a great success. I express our deep gratitude and thanks on behalf of every body.

Thank you.

(v) Message from the President of the 41st Session Senator Kanu G. Agabi (SAN)*

Your Excellency, our Chief Host, the Prime Minister of the Republic of Korea, Your Excellency Ambassador, Dr. Wafik Zaher Kamil Secretary-General of AALCO, Distinguished Ambassadors, delegates, observers Representatives of International Organizations, Ladies and Gentlemen,

It is my great pleasure to bring to you the message and the pleasantries of Senator Kanu G. Agabi, the President of AALCO who is unavoidably absent from the gathering of today and has asked me to express his inability to be there with you in person to present the President's address in accordance with the standing practices of AALCO. The four years term of the Federal Government of Nigeria of which Senator Agabi was a Cabinet Minister expired last May and thereafter a General National Election was conducted. In a fair and successful election that took place, the political party, People Democratic Party, to which Senator Agabi belongs won the election. However, a new Cabinet is yet to be constituted. Albeit, it is with great pleasure that Senator Agabi had forwarded his message to the 42nd session through my humble self and had directed me to represent him. Here goes the message.

“Your excellency, Prime Minister of the Republic of Korea, the Distinguished Secretary-General, AALCO, Eminent Ambassadors, Distinguished Delegates, Observers, Representatives of International Organisations here present, Ladies and Gentlemen,

I must say that words are not adequate to express my appreciation and gratitude first, for appointing me as the president of our great organization, AALCO, in the 41st

* Delivered by Mr. Jide Ayenibiowo, Deputy Director, International and Comparative Law Department, Federal Ministry of Justice, Federal Republic of Nigeria. **(SEEK CLARIFICATION FROM SG)**

Session which took place in Abuja last year, even though it is by practice of our organization that the head delegate from the hosting State should be given the priority to be the President for the succeeding session this could only be possible, if and where the session actually holds, your full attendance, notwithstanding a short notice, is very commendable.

Furthermore, I bring to you the over-all appreciation of the president of the Federal Republic of Nigeria Chief Olusegun Obasanjo, who had just been re-elected for another term of four years.

I must say with all emphasis that the success of Abuja Session was not due mainly to the excellent arrangement, as some delegates had gracefully stated, but partly due to the wonderful performance of AALCO Secretariat. For this, I am very thankful to the Secretary-General and his team of international experts, consisting of legal and non-legal experts whose combined tireless efforts had made the success of Abuja possible.

It is exactly one year and one day ago that we all gathered together in the modern City of Abuja, to deliberate upon how to move forward our two continents and set them free from repressive cultural and continental inhibitions foisted on them, the relics of colonial yokes and inhuman practices. The solutions to these are found in the application of recent International Laws and Diplomatic relations, I am glad to inform you that since that time, a year and a day ago, series of events had taken place in the global plane to which the Secretary-General will bring to your knowledge in this Session.

It is quite very remarkable that the conference is holding in the historic city of Seoul which has an unparallel antecedent in City emancipation. Seoul is indeed a personification of Modern City, it can justifiably lay claim to the honour of being a pace setter among cities in other Countries. It is of common knowledge that Republic of Korea by its generous Annual International Legal Programmes on various topics of International Law through its Agency KOICA had helped several members States as well as non-members in their International Law and other developmental efforts. I am proud to say that one of the members of my delegate had attended the Annual programme of Korea on International Law programme in 1998.

South Korea had indeed become a quintessential paradise of hospitality. I am happy that it is this great City of first hospitality, Your Excellencies, that I have the pleasure, honour and privilege to address you for the 42nd Session of AALCO and I want you to concretize talks and decisions of some of the issues that arose at Abuja session to which no decisions were taken, while discussions on new horizons must also emerge from the Seoul Session.

We are all aware that some Member States are under-going some economic, social, political and legislative reforms. Member States are enjoined to see that such efforts on reforms are geared towards the upholding of the rule of law and justice. I am also happy that democratic governance is taking place in the majority of the States. It is worthy of note that the worst democratic government is better than the most benevolent

despotic or military government. Member States should continue to ensure sustenance of democratic governance in their states because it is with good governance that despotic rule can be jettisoned and it is only in the state of peace and tranquility that social economic and technological break-through can be possible.

The topics of the 42nd Session are very important and illuminating in view of the advantages arising from globalisation and modernization. It is of note that whatever produces good can as well produce some bad effects. Therefore, we cannot be expecting all good things without pondering over the evil side or the reverse of the good things we have. It is pertinent to inform that acts of terrorism, money laundering, corruption and other organized transnational crimes though they are antithetic and inimical to good governance and to the world peace, albeit, these are the evil effects of Globalisation, Modernization and Technological Development which I have mentioned above. The only means of finding solution to these imminent evils is to muster concrete efforts like those mustered for achieving progress and development in the fight against evils of the world peace and good governance in our individual states.

In this regard, I enjoin the conference to take concrete efforts on the deliberations of these topics. Above all, Member States who have not ratified these Conventions and their protocols on these Conventions are implored to take active steps to ratify them while those Member States who have ratified them should take further steps by domesticating them and put them into practice in their states.

Finally, I thank you all for giving me your attention and I wish you a happy stay in the State of Korea, “a beautiful Country with a 5000 years history, and I also wish you the most memorable and successful deliberations”.

That was the message of Senator K. G. Agabi, President of AALCO.

Thank you.