

ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION



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

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REPORT ON THE CENTRE FOR RESEARCH AND TRAINING OF THE AALCO

I. INTRODUCTION

1. The Centre for Research and Training (hereinafter CRT), functioning as an integral part of the Secretariat of the Asian-African Legal Consultative Organization (AALCO), evolved from the AALCO's (the then, AALCC) "Data Collection Unit,"¹ which was established in 1989. Pursuant to the paragraph 2 of the Resolution 40/ORG.4,² the Data Collection Unit was renamed as the Centre for Research and Training in 2001. This marked, as envisaged, a new chapter in the efforts of the Member States towards undertaking research activities, as well as training programmes, within the AALCO.

2. The initial mandate entrusted to the Unit was collection and dissemination of information related only to international economic and trade related instruments and legislations from the Member States of the AALCO. However, pursuant to Resolution 38/ORG.6 adopted in Accra (Ghana) 1999, the Member States emphasized the need and the significance of exchange of information between the AALCO, the United Nations and its specialized agencies and other international bodies.³ It is pertinent to note that the said resolution did not confine the activities of the CRT to the international economic and trade law matters, but covered the entire gamut of substantive activities of the Secretariat, thereby expanding the mandate of the CRT to all the areas of activities of the AALCO.

3. Further, transforming the Data Collection Unit into CRT in 2001 reoriented the functioning of the Unit (now the CRT). The Meeting of the Advisory Panel of Liaison Officers⁴ suggested the following future engagements for the Centre: training

¹ The Data Collection Unit was established based on the proposal made by the Government of Republic of Korea at the Twenty-Eighth Session of AALCO (the then AALCC, Asian-African Legal Consultative Committee), held in Nairobi in 1989. Initially, the CRT was conceived to primarily undertake the task of attempting the harmonization of legal regimes applicable to the economic activities in the Asian-African region, under the auspices of the AALCC. It may be recalled that the Government of the Republic of Korea had generously contributed US\$ 25,000 to the AALCC towards the above stated purpose. Although establishment of the Unit was proposed and unanimously approved at Twenty-Eighth Session in Nairobi, it became functional, as an integral part of the Secretariat in 1992 pursuant to the Thirty-First Session at Islamabad. As a first step, the Secretariat of the AALCC established a computerized Data Collection Unit which was to be used as a storehouse of information on economic and trade law regulations of Asian-African countries in general and AALCC Member countries in particular. Sizeable documents were received from Member States and international organizations on matters relating to economic laws and the same were compiled, as detailed in the Report of the Secretary-General on the progress made by the Data Collection Unit, Doc. No. AALCC/XXXIV/Doha/95/14/.

Also, pursuant to the Thirty-First Session, Islamabad 1992, an Advisory Panel, comprising Liaison Officers of the Arab Republic of Egypt, India, Republic of Korea, Malaysia and Philippines was established to advise on technical and general policy matters concerning the functioning of the Unit.

² Resolution 40/ORG.4 entitled "AALCO's Data Collection Unit", adopted at the 2001 Session, held in New Delhi.

³ Paragraph 2 of the Resolution 38/ORG.6 also refers to the effective role of research and study in the fulfillment of the objectives of the Committee.

⁴ 270th Meeting of the Liaison Officers of the AALCC, held in December 2000.

programmes for personnel belonging to Legal Departments of AALCO's Member States, especially relating to international law; convening of workshops and seminars on the international law themes; arranging discussions or lectures by international law experts from within and outside the AALCO region. The mandate was further strengthened at the Abuja (Republic of Nigeria) Session, 2002 and by Resolution 41/ORG 4, the CRT was called upon to: (i) continue to update and improve the technical efficiency of the website for facilitating communication between the Secretariat, the Member States, the United Nations, its Specialized Agencies, and other International Organizations; and (ii) Foster capacity-building of the Centre to carry out further research projects on international law. It may be recalled that the said resolution also urged the Member States to furnish information and relevant materials in order to enrich the CRT.

4. Since its inception, the Centre has made several concerted efforts, making substantial contributions to the AALCO. This report briefly provides an outline of the measures taken and efforts made by the CRT in the last one year, i.e., from the Forty-Seventh (New Delhi) Session of AALCO to till date, in furtherance of its mandate and for the effective functioning of the Centre.

II. CENTRE'S ACTIVITIES

A. First Training Programme on "General Course on International Law" in 2008

5. The CRT organized its first Training Programme on "General Course on International Law 2008" from 3 to 14 November 2008 at the Headquarters Building of AALCO in New Delhi, India. 15 participants from 11 Member States participated in the programme. The officials and the academic of the Member States participated in the training were: Bangladesh, Malaysia, People's Republic of China, Islamic Republic of Iran, Indonesia, India, State of Kuwait, Saudi Arabia, Sri Lanka, Nigeria and State of Qatar.

6. Prof. Dr. Rahmat bin Mohamad, the Secretary-General of AALCO while welcoming the participants to the Training Programme, noted that this was the first such programme organized after his assumption of office and that he would continue to strengthen the capacity building activity of AALCO in the coming years. The Inaugural lecture was delivered by Mr. B. Sen, former Secretary-General of AALCO and Senior Advocate, Supreme Court of India, on the topic "Inaugural Lecture: AALCO – History, Role, Activities and Functions", where he highlighted the establishment and historical role played by AALCO. He also noted that this programme was first of its kind in AALCO.

7. The faculty for the Course was drawn from eminent academicians and highly qualified practitioners of international law. The faculties were: Prof. R.P. Anand, Professor Emeritus, Jawaharlal Nehru University and Executive President, Indian Society of International Law; Prof. B. S. Chimni, Chairperson, Centre for International Legal Studies, Jawaharlal Nehru University, New Delhi; former Vice-Chancellor, NUJS; Prof.

Y.K. Tyagi, Professor of Law, City University Hong Kong; Professor of International Law, Jawaharlal Nehru University; Prof. Bharat H. Desai, Jawaharlal Nehru Chair in International Environmental Law, Jawaharlal Nehru University; Mr. C. Jayaraj, Advocate and Executive Council Member, Indian Society of International Law; Dr. V.G. Hedge, Associate Professor, Centre for International Legal Studies, SIS, Jawaharlal Nehru University; Dr. Ravindra Pratap, Assistant Professor, Guru Gobind Singh Indraprastha University, New Delhi; Dr. Luther Rangreji, Legal and Treaties Division, Ministry of External Affairs, Government of India; Regional Legal Advisor, International Committee of the Red Cross (ICRC), Dr. B. Srinivas, Legal Advisor, International Committee of the Red Cross (ICRC), New Delhi and Mr. Y.S.R. Murthy, Director, National Human Rights Commission, India.

8. The topics covered during the two weeks programme include: International Law and the Asian-African Perspective; Theories, Basis, Sources of International Law; Recognition; Succession; Subjects of International Law, Relationship between International Law and Municipal Law; State Responsibility; Diplomatic Privileges and Immunities; Legality of War and Use of Force; Pacific Settlement of International Disputes; Role of UN in the Development of International Law; Oceans and the Law of the Sea; International Human Rights Law; International Environmental Law; International Humanitarian Law; and Introduction to the WTO Law.

9. The concluding session was chaired by Prof. R. P. Anand. During the session, Prof. Dr. Rahmat bin Mohamad, spoke on his vision on “Redefining the Role of AALCO in the 21st Century”. Dr. Xu Jie, Deputy Secretary-General of AALCO, delivered a Vote of Thanks for all the participants, Experts and Secretariat Staff for their cooperation and support for making this programme a success. At the end of the programme, the participants were awarded with a ‘Certificate of Completion’.

B. Holding of Seminars/Workshops on International Legal Matters

1. Seminar on “International Criminal Court: Emerging Issues and Future Challenges” (18 March 2009, New Delhi)

10. A one day Seminar on the topic “International Criminal Court: Emerging Issues and Future Challenges” was held on 18th March 2009 at The ITC Hotel Maurya in New Delhi. This Seminar was jointly organized by AALCO and the Government of Japan.

11. During the Inaugural Session, in his welcome address, the Secretary-General noted that the Organization has been closely monitoring the developments of the International Criminal Court and its related issues since its Thirty-Fifth Session held at the Manila (Philippines) in 1996. H. E. Mr. Hideaki Domichi, Ambassador of Japan in New Delhi presented his introductory remarks on the topic. This was followed by the Inaugural address by Hon’ble Ms. Fumiko Saiga, Judge, International Criminal Court, on the topic “The ICC Today: Activities and Challenges”. Thereafter, the keynote address was delivered by H.E. Mr. Ichiro Komatsu, on the topic, “Japan’s Accession to the ICC”.

12. This was followed by the working session on the Theme: “Progressive Development of International Criminal Jurisprudence: An Overview”. Professor V.S. Mani, Director, School of Law and Governance, Jaipur National University, made a detailed presentation on the topic “Contribution of International Criminal Tribunals to the development of International Criminal Law”. This was followed by a presentation by Mr. Christopher Harland, Regional Legal Adviser, ICRC, on the topic “Principles of International Humanitarian and Human Rights Law in the Rome Statute”.

13. The afternoon Session was on the theme “ICC: Current Developments and Contemporary Challenges”. The first presentation on the topic “Asian-African Perspectives on ICC” was made by Prof. Dr. Rahmat bin Mohamad, the Secretary-General of AALCO. The second presentation on the topic “Issues before the first Review Conference of the Rome Statute to be held in Rome in 2010” was made by Mr. Y.S.R. Murthy, Director, National Human Rights Commission. This was followed by views presented by the discussant Mr. C. Jayaraj, Advocate, Supreme Court of India.

14. The report of the proceedings of the Seminar is under preparation and would be circulated during the Forty-Eighth Annual Session to all the Member States and other participants who had attended the ICC Seminar.

2. Seminar to Commemorate the Sixtieth Anniversary of the International Law Commission (2 December 2008, Headquarters, New Delhi)

15. A half-day Commemorative Seminar on the Sixty Years of the International Law Commission (ILC) in conjunction with the Extraordinary Session of the AALCO took place at the Permanent Headquarters Building in New Delhi, on 2nd December 2008. Follow-up of the work of the ILC is a statutory obligation, of AALCO, in pursuance of which it has been considered at its successive Annual Sessions.

16. Mr. Narinder Singh and Amb. Rohan Perera, both Members of ILC, presented their views on the theme of “Role of the International Law Commission in the Twenty-First Century”. Prof. Djamchid Momtaz, former President, ILC and the Secretary-General of AALCO, Prof. Dr. Rahmat bin Mohamad made presentations on “Strengthening Asian-African Solidarity in the ILC and Ensuring Adequate Reflection of Asian-African concerns in its work”. A lively debate followed the presentations, in which the delegations from the People’s Republic of China, India, Uganda and Ghana participated. The proceedings concluded with the adoption of a message by AALCO to the ILC on its Sixtieth Anniversary.

17. The Verbatim Record of “The Commemorative Seminar on the Sixty Years of the International Law Commission”, held on 2nd December 2008 in Headquarters, New Delhi is contained in AALCO Doc. AALCO/EGM/VR/ILC/2 DECEMBER 2008 and it was circulated in the digital format for the consideration of Member States in April 2009.

C. Upgrading the AALCO's Website

18. The Secretariat has since the Forty-Second Seoul (Republic of Korea) Session 2003, in pursuance of the mandate given by Resolution 42/ORG 4, made concerted effort towards improving the website of AALCO. The homepage of the AALCO's website has been redesigned with a new outlook. The hyperlinks are those include: Detailed description on all the activities of the AALCO; Regular Publications activities; Statements of the Secretary-General; Activities and Report of Deputy Secretaries-General; Permanent Headquarters Agreement; Liaison Officers Meeting; Model Legal Instruments such as AALCO's Bangkok Principles; and Memorandums of Understanding (MOUs) with other inter-governmental Organizations etc. The homepage also displays a link to research and studies on international law, including links to websites of: (i) United Nations system; and (ii) the website addresses of Ministries of Justice, Foreign Affairs and the Apex Judicial Bodies of the Member States. The display also provides a hyper link on Regional Arbitration Centres of AALCO, giving a short description on the functions of Arbitration Centres, as well as their activities. The website also displays the detailed information about the Annual Sessions. The Reports of the Extraordinary (HQ, New Delhi) Session, 2008 and Forty-Seventh (HQ, New Delhi) Session, 2008 have been uploaded recently.

19. In order to further enhance the quality of the website and make it more user friendly, the Secretariat is currently in the process of professionally redesigning the entire website which would be uploaded very soon. It also proposes to provide web cast of the proceedings of the Annual Sessions and other Inter-Sessional Meetings.

20. Keeping in view that the Secretariat had shifted to its new building, in order to improve the website further, the Member States are requested to provide the name and address of the focal points, with the email and URL of the Ministry concerned, along with the Head of the Ministry to the Secretariat.

21. The Secretariat plans to provide appropriate solutions of the Annual Sessions reports and other Inter-Sessional meetings to webcast on website in video format. The updated website would be very much comprehensive in Flash format and user friendly.

D. Publications

22. The AALCO, ever since its inception, has regularly been bringing out publications such as Reports and Verbatim Record of the Annual Sessions, Special Reports on various topics of international law, Proceedings and Reports of various Meetings and Seminars held by AALCO, and Commemorative Volumes of Essays in International Law etc.

23. The serials brought out by the Secretariat are: AALCO Yearbook, AALCO Quarterly Bulletin, and Newsletter which reflect on the current activities of the Organization.

1. Yearbook of the Asian-African Legal Consultative Organization

24. The annual report of the Organization re-named as the “Yearbook of the Asian-African Legal Consultative Organization”, is being published by the Secretariat since 2003 (Volume I) and is in the sixth year of publication. The Yearbook provides comprehensive information about AALCO, its activities, and Secretariat studies prepared on the agenda items during the year, summary of deliberations and the resolutions adopted at the Annual Session. In addition, it contains statements delivered by the Secretary-General and the Deputy Secretaries-General. In the last six years, the Yearbook has established its place firmly among the publications of this stature. It has been well received by the Member States, international organizations, international lawyers and academics.

2. AALCO Quarterly Bulletin

25. For wider dissemination of information, on the practice and developments relating to different subjects of International Law, the Asian-African Legal Consultative Organization (AALCO), has been publishing, ‘Quarterly Bulletin’ since 1976 (Volume 1). In the year 1997 its name and periodicity were changed to ‘AALCO Bulletin’ brought out bi-annually, till 2001 (Volume 25). The Secretariat felt the need to re-structure the format and mode of this publication and after careful discussions and study, a totally overhauled publication in the new title, i.e; ‘AALCO Quarterly Bulletin’ was launched by beginning once again with Volume 1, Issue No. 1 dated January-March, 2005 and is being published regularly.

26. The present AALCO Quarterly Bulletin contains well-researched articles on international law; write-ups on selected current developments; and select documents of relevance to the Asian and African States. The publication provides appropriate information to scholars and academics who are keen to obtain insights to the Organizations’ work in promoting research in international law matters. In this respect, it is requested that the Member States support this publication by way of encouraging their eminent international law scholars to contribute articles for this publication, especially reflecting the international law issues in the Asian and African regions.

3. Newsletter of AALCO

27. In order to cover the recent meetings and other diversified activities of AALCO and to reflect upon the growing stature of the Organization, the Secretariat commenced publishing “Newsletter” from September 2004. It contains the most current news of AALCO on a monthly basis and keeps the Member States abreast with the latest developments.

E. Special Studies published

28. The Centre in pursuance of its mandate to conduct an in-depth research on topics of international law published a Golden Jubilee volume titled “Commemorative Essays in

International Law” (2007) and four Special Studies namely: “The Concept of International Terrorism” (2006); “Rights and Obligations under United Nations Convention Against Corruption” (2006); “Combating Corruption: A Legal Analysis” (2005) and “Special and Differential Treatment under WTO Agreements” (2003).

1. Fifty Years of AALCO: Commemorative Essays in International Law (AALCO: New Delhi, 2007)

29. The AALCO celebrated its Golden Jubilee year in 2006 and in the last fifty years, AALCO has been an important platform and involved itself directly or indirectly in most of the developments that took place in the field of international law. The Secretariat has been bringing out every five years, a commemorative volume titled ‘Essays in International Law’ which contains essays on various aspects of international law, ranging from the role and contribution of AALCO in the field of codification and progressive development of international law to specific topics of international law that are of general relevance to the Asian and African regions. In this respect, the “Fifty Years of AALCO: Golden Jubilee Commemorative Essays in International Law”, was released during the Forty-Sixth (Cape Town), South Africa Session in 2007. The contributors for this volume include: Amb. Dr. Wafik Z. Kamil; Amb. Sompong Sucharitkul; Prof. R.P. Anand; Prof. V.S. Mani; Dr. P.S. Rao; Amb. Chusei Yamada; Dr. Rohan Perera; Dr. V.G. Hegde and Dr. Balakrishnan Rajagopal.

2. The Concept of International Terrorism (AALCO: New Delhi, 2006)

30. The Resolution 42/S 8 adopted at AALCO’s Seoul (Republic of Korea) Session, 2003 urged the Secretariat to conduct an in-depth study on international terrorism to facilitate the participation of the Member States in the work of the Ad hoc Committee negotiations on the Draft Comprehensive Convention on Terrorism. Accordingly, this study deals with the question of terrorism starting from the developments under the League of Nations. It looks into several international instruments, which were adopted to deal with specific acts of terrorism that are known as sectoral conventions. It analyses the regional conventions, which deal with the problem of terrorism. Further it focuses on the progress achieved by the Ad hoc Committee on the Draft Comprehensive Convention on Terrorism.

3. Special Study on the “Rights and Obligations under the United Nations Convention against Corruption” (AALCO: New Delhi, 2006)

31. It may be recalled that the Secretariat prepared a book titled, “Combating Corruption: A Legal Analysis”, which was released at the Forty-Fourth Session in Nairobi, Republic of Kenya (2005). Taking into consideration the need for a national legislation in order to implement the Convention, the Secretariat initiated another Special Study on the “Rights and Obligations under the United Nations Convention against Corruption” which was released at the Forty-Fifth Golden Jubilee Session in New Delhi (2006). This Special Study focuses on the obligations, either mandatory or optional, that the Member States are committed to implement within their national jurisdiction.

4. Combating Corruption: A Legal Analysis (AALCO: New Delhi, 2005)

32. The Special Study on “Combating Corruption: A Legal Analysis” is intended to provide an overview of the international corruption, which today has become one of the most salient manifestations of the organized crime syndicate of the globalized world, which has grave national and international ramifications. In the recent years, especially starting from late 1980s, the phenomenon of corruption has received a great deal of attention from the international community. Of the many reasons, the most important reason for increased attention is the realization among States that corruption weakens democratic institutions and public administration, undermines good governance, fairness and social justice, distorts the economy and competition, hinders economic and social development and dangers the society’s moral force. The negotiation and adoption of five legally binding international anti-corruption instruments within a span of seven to eight years (1996-2003) emphasizes the threat posed by this menace. The intention of this book is to create awareness among the AALCO Member States and other Asian and African countries as to what the phenomenon of corruption entails for their national and economic development and attempts to provide the salient features of the international anti-corruption instruments developed at the regional and international level. The study also compiles all the relevant anti-corruption instruments/conventions/resolutions and documents adopted by various international and regional organizations.

5. Special and Differential Treatment under WTO Agreements (AALCO: New Delhi, 2003)

33. Special and Differential Treatment (S&D) is an important principle of international law which enables weak and less developed countries to integrate in the international community by granting them special advantages and flexibilities. The developing countries in the WTO had made it known that their attitude towards other negotiation processes would depend on the outcome of the review of special and differential treatment provisions. It is in furtherance of this development and in pursuance to the decision taken by the AALCO at its Forty-First Abuja (Republic of Nigeria) Session, 2002; vide Resolution 41/4, the CRT undertook to prepare a special study on “Special and Differential Treatment under the WTO Agreements” to enable AALCO Member States to have an update of the negotiation process on S&D and have a common approach towards the problem. The objective of the study is to provide an overview of the working of the S&D provisions under the GATT/WTO agreements, along with comments and statements made by the WTO Members in the implementation and administration of specific S&D provisions in the ongoing trade negotiation process.

D. Special Study under Preparation - Definition of Aggression: An Analysis

34. The definition of “aggression” remains elusive, in spite of its long history as a contentious issue in international criminal law. Although international criminal law has evolved dramatically over the past sixty years, legal thinking about the crime of aggression has not kept pace. The Rome Statute of the International Criminal Court (ICC) is the live evidence of this, as it includes aggression within its list of punishable offenses,

but refrains from defining it.

35. In an effort to define aggression by the United Nations, the UN appointed a Special Committee on the Question of Defining Aggression and it is at work to produce an internationally agreed-upon definition. In view of the Review Conference of the Rome Statute, the AALCO is preparing a Special Study on the “Definition of Aggression”. This study includes historical analysis of the Definition of Aggression; United Nations efforts in this regard; UN Charter and Aggression; Different Types of approaches to the definition of Aggression; Importance of the Definition of Aggression under the Rome Statute; and finally Self-defence and Aggression.

III. FUTURE PROJECTIONS/ENDEAVOURS

A. Proposed Training Programmes and other Activities in 2009-2010

36. One of the primary objectives of the Asian-African Legal Consultative Organization (AALCO) is to undertake activities for the promotion and wider dissemination of international law and strengthen international law expertise in the Asian-African region. Pursuant to this object, AALCO has over the years undertaken various activities, including organizing Training Programmes for the officials of Member States, Workshops and Seminars on various international law themes. These programmes have served as one of the important means of building network among the scholars, diplomats and other government officials dealing with international law in the Asian-African region. This would go a long way in promoting and strengthening South-South cooperation.

37. In the period 2009-2010, the AALCO Secretariat intends to further strengthen the existing programmes and introduce new programmes. Some of the programmes that are proposed are: Training Programme in international law organized at the Headquarters (New Delhi) and in the Member States; Expert Group Meetings in International Law; Visiting Fellow Programmes; and Young Jurist Conference.

1. Training Programme 2009-2010

38. The Centre for Research and Training (CRT) of the Asian-African Legal Consultative Organization (AALCO) launched in 2008 a training programme on international law for Government officials. The “General Course on International Law 2008” which was held from 3 to 14 November 2008 at its Headquarters, New Delhi, was intended to broaden the understanding and professional expertise in international law, with specific focus on the problems encountered by the officials in Asian and African countries.

39. The Training programme was a great success and well received by the participants. 11 Member States were represented in the programme. The success of the programme and the feedback from the participants had made the AALCO Secretariat to continue with the Training Programme in 2009 and envisages similar Training

Programmes in 2010, not only in the Headquarters in New Delhi but also in other regions of the Asia and Africa.

40. The Training Programme at the Headquarters is an annual feature and permanent activity of the Centre for Research and Training. In continuation of the 2008 programme, the Secretariat would organize a “General Course on International Law 2009”, with the objective to refresh Diplomats and Government officials from Capital with the fundamentals and the new developments in international law.

41. Along with this program, the Secretariat is also working to organize a training programme on “Treaty Law and Practice” jointly with the Office of the Legal Affairs (OLA) of United Nations. The Secretariat has received positive response from the United Nations and is presently exploring ways and means to raise necessary funds to organize this three to five days workshop, either in the capital of a sponsoring Member State or at the AALCO Headquarters in New Delhi.

42. It is kindly noted that the expenditure relating to the Training Programmes on the AALCO Budget is very limited. The total cost on AALCO Budget for the Training Programme held in New Delhi would not exceed USD 3000. It may however be noted that because of the constrained financial situation, the Participants or the Participants’ country must bear the expenses involved in Airfare and Accommodation, and Registration Fee for the Participants.

43. In order to further reduce the expenses and provide more benefits for the participants, the Secretariat requests the AALCO Member States by seeking both financial and technical assistance for the Training Programme. The Secretariat is also approaching relevant International Organization’s for financial contributions and technical support by way of sending their experts.

44. Several Member States have expressed their desire to have training programmes in their respective regions. This was in view of the fact that it would be convenient and cost effective for those in the particular region to participate and take advantage of such training programmes. The AALCO Secretariat is contemplating institutionalizing training programmes in three regions – Africa, Middle-East and South Asia. The programme would be three to five days long.

45. For the year 2010, the Secretariat is considering the possibility of organizing Training programme for the benefit of the African region. This programme would be in addition to the Annual Training Programme held at the AALCO Headquarters. Such training programmes would be organized in cooperation with the Host Country and/or other Member States and International Organizations.

46. If sufficient funds are available, scholarship in the form of airfare, per diem or accommodation could be given to deserving candidates. This approach should be taken for two reasons: (i) attract more qualified candidates, (ii) most participants are from the developing and the least developed Member States of the Organization may not be able to

afford the cost, and (iii) one of the objectives of AALCO is to strengthen the legal expertise and capacity building of least developed countries in Asia and Africa.

2. Expert Group Meeting

47. The Secretary-General proposes to establish an Expert Group of eminent jurists and scholars from Member States on the important agenda items of the work programme of AALCO. The Expert Group may either hold periodical meetings at the Headquarters of AALCO in New Delhi or at a place of their choice in consultation with the Secretary-General of AALCO. The proceedings of such meeting and the recommendations would be submitted at the Annual Session. The Expert Group shall have a Chairperson and four experts nominated by the Member States, who shall be appointed by the Annual Session.

3. Visiting Fellow Programme

i. Senior Visiting Fellow Programme

48. The Secretariat in 2010 would introduce a Senior Visiting Fellow Programme for the Senior Academic and Research Scholars from our Member Countries. Every year two Senior Fellows would be invited to the AALCO Secretariat through open competitive advertisement. The period of stay would be for 6 months and during that time he/she would work as part of the Secretariat in the AALCO Headquarters and perform research in areas of interest to Member States pre-selected by the Organization. Such scholars would be awarded full scholarship in the form of subsistence allowance during his/her duration of stay in the Headquarters. Distinguished and very senior Professors would be offered additional facilities and allowances commensurate with their status.

ii. Research Assistant

49. The Secretariat would introduce a Research Assistant programme. Two Ph.D. Scholar or Young Researcher would be invited to stay with the AALCO Secretariat for a period of 12 months, who would pursue their thesis or research on selected areas of Asian-African countries interest endorsed by the Secretariat. He/she would also be required assist the activities of the Secretariat and gain knowledge of its working.

4. Young Jurist Conference

50. One of the important means to promote the dissemination and promotion of international law and future international lawyers is to hold periodic international conferences of young jurist. The Secretariat proposes to hold from 2010 an Asian-African Young Jurist Conference at its Headquarters in New Delhi. The primary aim of this conference is to build a network of young international law jurists within the Asian-African region and discuss issues of contemporary relevance and importance. The Conference would be guided by the leading international lawyers and legal luminaries invited from different regions of Asia and Africa.

5. Financial Implications

51. The detailed expenditures involved in organizing the above mentioned programmes have been explained in the annex to the Proposed Budget for the Year 2010.

B. Research and Training Fund of AALCO

52. It may be recalled that at the Thirty-Third Tokyo (Japan) Session, 1994, the Heads of Delegations had decided that the CRT would be retained as a part of the AALCO Secretariat, and its operational costs would be met from the regular budget of the AALCO. However, the regular budget itself is facing many difficulties due to non-payment of the contributions by some Member States and non-revision of the scale of contribution of AALCO for many years.

53. The problem of funding the activities of the CRT, especially from the regular budget of the Organization has severely restricted the activities that could be undertaken by the Centre. The Centre, because of financial constraints, is not able to expand its further research activities and undertake projects, as well as training programmes, within AALCO.

54. Keeping in view the importance of the Fund, the Forty-Seventh Session, in the Resolution 47/ORG 4, urged the Member States to make voluntary contributions to the “Research and Training Fund” established vide RES/45/ORG 4 to promote and strengthen Research and Training under the CRT, and to provide a sustainable financial base to the Centre to undertake its mandated activities”.

55. Any AALCO Member State could provide voluntary contribution to the “Research and Training Fund”. The Fund will be exclusively devoted to research on international law issues of common interest to Member States and for the training of the officials of Member States.

IV. COMMENTS AND OBSERVATIONS OF THE AALCO SECRETARIAT

56. The adaptation of the “Data Collection Unit” in to the “Centre for Research and Training,” which symbolized a new beginning for the Centre towards undertaking research, as well as training programmes, with in AALCO. However, the Centre has been facing difficulties in its effective functioning due to financial constraints as mentioned above.

57. It is pointed out that during the Tokyo Session, 1994 and Doha Session, 1995 the Secretariat was called upon to take active measures to publicise the existence of the Unit and the services available in the Unit.⁵ Therefore, it is submitted that the Member States may consider reviving this mandate and adopting appropriate methods to publicise the work of the Centre as well as the activities undertaken by and resources available with the Centre, in order to encourage other groups like students, research scholars, universities, and Organizations to access it.

58. CRT, as part of its activities, would continue to hold meetings of experts on various issues of international law. Along with its periodic publications, the CRT would also undertake, in future, special studies with a view to providing Member States in-depth analysis on topics of relevance.

59. Keeping in view that the Secretariat in the process of revitalizing its activities, the Member States are urged to fund adequately for CRT in order to facilitate its future activities as explained in the previous section effectively. This would help the Centre to institute fellowships and per diem for officials and experts participating in the Training Programmes.

60. The Member States may also provide the Secretariat with necessary directions and recommendations regarding the research topics as well as specific Training Programmes. The Member States may also suggest topics of common interest and concern for conducting in-depth research studies.

⁵ Para 5 of the “Report on the Progress made by the Data Collection Unit” adopted at the Thirty-Third Session held at Tokyo, 1994 provided:

“5. Directs the Secretariat to take active measures to publicise the existence of the Unit so that the services available in the Unit could come to the knowledge of the private companies in the Member States.”

It was reiterated and further elucidated in Para 5 of the “Resolution on the progress of the AALCO’s Data Collection Unit” adopted at the Thirty-Fourth Session held at Doha, 1995.