

**Opening Remarks by Her Excellency Mrs. Neeru Chadha, Joint Secretary and Legal Advisor, Ministry of External Affairs, Legal and Treaties Division, Government of India and the President of the 52<sup>nd</sup> Annual Session of AALCO**  
*[delivered by Mr. V. D. Sharma, the Permanent Representative of India to the United Nations]*

*AALCO Legal Advisors Meeting  
Thursday, 24<sup>th</sup> October 2013  
UN Headquarters, New York*

His Excellency Prof. Dr. Rahmat Mohamad, the Secretary-General of AALCO;

Mr. Chairman, International Law Commission;

Hon'ble Members of the International Law Commission;

UN Under Secretary-General for Africa,

Distinguished Legal Advisers;

Distinguished Members of the Panel;

Dr. Roy Lee,

Excellencies, Ladies and Gentlemen;

It is indeed my honour and privilege to welcome you all to this important meeting of Legal Advisors of Member States of AALCO hosted every year on the sidelines of the UN

General Assembly Session. This meeting has always evoked excellent responses from the Member States. It gives an opportunity for the legal advisers of AALCO Member States to have a detailed exchange of views on the contemporary topics of international law and also to have an interaction with the Members of the International Law Commission (ILC) on some of the important topics forming part of its agenda.

Excellencies,

Today's meeting consists of two parts. In the first segment we will be discussing three international law issues of critical concern to our Member States. These are: 'Pressing Legal Issues in Africa', 'E-Commerce: Opportunities and Challenges' and 'Use of Force Against Non-State Actors in Terrorist Activities'. And we have got a very distinguished Panelists to talk on these issues. We have the UN Under-Secretary General for Africa with us.

The second meeting of today would focus on some of the key agenda items of the ILC. These include: 'Immunity of State Officials from Foreign Criminal Jurisdiction'; 'Protection of Persons in the Event of Disasters' and the 'Formation and Evidence of Customary International Law'. And to enlighten us on these three issues we have got with us a distinguished Panelists.

I am sure the distinguished audience would stand to gain immensely from the deliberations that we are going to have today.

Excellencies,

From its humble beginning with just 7 Member States in 1956, the membership of AALCO has grown to include 47 States from Asia and Africa. It now occupies an important position in the international legal community, both as an advisory body to its member States and as an essential mechanism for interregional co-operation and the exchange of information and views on matters with an international legal dimension. As a forum that has immense significance for the third world solidarity and interests, AALCO has played a phenomenal role towards the emergence and concretization of a number of alternative ideas and practices in the field of international law reflecting the particular concerns of the developing world. For example, the concept of the Exclusive Economic Zone, which constitutes an important innovation within current regime of the law of the sea, germinated from the deliberations at the AALCO Sessions that took place during the sixties and seventies. Similarly, Bangkok Principles on the status and the treatment of refugees adopted by AALCO in 1966 and revised in 2001, remains even today, an important reference point in the field of refugee studies. It has also made worthwhile contributions in many areas of international law that *inter alia* include: the law of privileges and immunities, the law of treaties, the law of international trade, the law relating to the international trafficking of women and children and others. The contribution of AALCO towards the progressive development of international law could be gleaned from its various publications, particularly, the Year Book of AALCO, Report of the Annual Sessions and the newly launched AALCO Journal of International Law.

Excellencies,

As one of the founding Members of AALCO, the Indian Government has always attached greatest importance to AALCO and has accordingly supported the work of AALCO all these years. It has always taken pride to be the host country for AALCO and highly appreciates the achievements made by AALCO since its inception. As the only inter-governmental Organization in the field of legal consultation, cooperation and exchange of views among Asian-African countries, AALCO has devoted itself to studying international law issues of common concern and has provided legal assistance to its Member States. That the Organization has made important contributions to facilitate the Asian-African countries' participation in the international law practices and promote the development and codification of international law can hardly be exaggerated. Indeed it is in appreciation of the work of AALCO that my Government had gifted a majestic building that functions as the seat of AALCO's Headquarters.

Be that as it may, the Fifty-Second Annual Session of AALCO that was held at New Delhi from 9 to 12 September 2013 had focussed on a number of topics of critical concern to our Member States. This Session, which saw the participation of 36 Member States was inaugurated by Honourable Shri. E. Ahamed, Minister of State for External Affairs, Government of India. Important agenda items such as the Law of the Sea, Environment and Sustainable Development, Statehood of Palestine and Challenges in Combating Corruption were deliberated during the Session. Two Half-Day Special meetings, one on "Selected Items on the Agenda of the International Law Commission" and another on "Extraterritorial

Application of National Legislation: Sanctions Imposed Against Third Parties” were also convened during the Session. Important resolutions and decisions were also adopted by the Session which would be implemented in the coming year, of course subject to the availability of resources.

The Third Meeting of the AALCO Eminent Persons Group (EPG) was also convened firstly, on the 8<sup>th</sup> of September and then on the 10<sup>th</sup> of September 2013. This meeting which was chaired by Mr . Rohan Perera (a former ILC Member from Sri Lanka), discussed a number of issues relating to AALCO, including both procedural and substantive. The outcomes of these meetings were agreed to be sent to the Member States for their comments.

Excellencies,

A number of steps have been taken in recent times to revitalize and strengthen the Organization, pursuant to the adoption of the Putrajaya Declaration of 2009. These included - a) Capacity Building Programmes, b) initiation of AALCO Lecture Series, c) AALCO Eminent Persons Group. Needless to say that the Secretariat under the dynamic leadership of Prof. Dr. Rahmat Mohamad has played a crucial role in strengthening the work of the Organization and this is so despite the severe constrains of human and financial resources that has been plaguing the Secretariat for some years now. I also specifically appreciate his untiring efforts to seek to enlarge the Membership of AALCO.

Concerted efforts are required to raise the profile of AALCO and uphold the relevance of AALCO in the 21<sup>st</sup> century. This is a necessity in the contemporary world as the relevance of international law and the role of Asian-African states in the negotiations leading up to the adoption of international legal regimes have tremendously increased in recent times. This has increased the need for AALCO to closely follow major international issues and events, make in-depth analysis of the international law issues involved and facilitate exchange of views among Member States with the aim to reach consensus.

In this regard, I seek the continuous support of Member States, non-Member States from the Asian-African region and international organizations, including the International Law Commission to meet the aspirations of continents of Africa and Asia in the field of international law.