

PREFACE

The Asian-African Legal Consultative Organization (AALCO) has come a long way since its establishment in 1956, from its initial small, but vibrant group of seven founding member countries, the leaders of Non-Aligned Movement, to a strong bond of forty-seven countries today. The Bandung Conference, otherwise known as the Asian-African Relations Conference 1955, has also been the initiator for the Non-Aligned Movement since it spread the spirit of solidarity, friendship and cooperation among the then newly independent States from the Asian and African continent to stand united against the pressures of the major powers, maintaining their independence and opposing colonialism.

AALCO serves its Member States as an essential mechanism for Inter-Regional co-operation; and the exchange of information and views on matters with an international legal dimension. AALCO is identified as one of the most important regional intergovernmental organization's that deal with international legal matters with consultative nature ensuring that the voice of Asia and Africa is heard in various foras and settings where international law making takes place. The close working relationship with various other international organizations is the evidentiary fact of AALCO's contribution towards progressive development and codification of international law. The current work programme of AALCO incorporates important legal issues and closely tracks the items on the agendas of the International Law Commission and the Sixth Committee of the UN General Assembly.

The Plenary Organ of the Organization – the Annual Sessions marks the rich tradition of international law perspective found in the Asian and African region. The deliberations at the Annual sessions indulge in framing a concerted Asian-African approach on contemporary issues of relevance to Asian-African countries. The Forty-Eighth Annual Session of AALCO was held from 17th to 20th August 2009 in the administrative capital of Malaysia – Putrajaya. The session besides being successful was memorable in terms of extensive deliberations on various significant areas of international law. The session witnessed participation from thirty five Member States, representatives from three Regional Arbitration Centres of AALCO, Observers from three Non-member States and representatives from seven Intergovernmental/Specialized Agencies/Subsidiary Organs/Inter-Regional Organizations.

During this session, two half-day special meeting were jointly organized by AALCO with (i) the Government of Malaysia on “Transnational Migration-Trafficking in Persons and Smuggling of Migrants”; and (ii) International Tribunal on the Law of the Sea on “The Law of the Sea”. A new topic was introduced by the Secretary-General on “Managing Global Financial Crisis: Sharing of Experiences” considering the relevance and importance of the financial crisis that affected the economies since the third quarter of the year 2008. The initiative intended to enable the Member States of AALCO from Asian-African regions which had successfully dealt with the issue by regulating their financial market to share their experiences with other Member States for prevention of such crisis in future.

Complying with the policy of rationalization of the agenda, seven items (including the two half-day special day meetings) were extensively deliberated. In tune with the established practice, the Secretariat prepared briefs on all the fifteen items on the agenda. This comprehensive Report presents to the Member States the discussions and deliberations on those items in detail. On the concluding day of the Session, the Member States adopted the Summary Report, the Putrajaya Declaration on Revitalizing and Strengthening the Asian-African Legal Consultative Organization, Resolutions on Organizational and Substantive Matters, including resolutions on the Special Day Meeting along with the Message of Thanks on behalf of all the Member States to the President of Malaysia. I take this opportunity to thank all the distinguished members of the Drafting Committee for their immense support in scrutinizing all the above mentioned documents.

Besides the above mentioned documents, the officials of the Secretariat also prepared the Provisional Summary Records of the Inaugural Session, First and Second Meetings of Delegations of Member States as well as First to Third General Meetings which were distributed to all delegations. The Member States were requested to review the documents and send their opinions/suggestions/comments to the Secretariat within a period of six weeks.

This Report of the Forty-Eighth Session contains mainly the text of statements of the Inaugural Session, three Meetings of Delegations of Member States and four General Meetings; the Putrajaya Declaration on Revitalizing and Strengthening the Asian-African Legal Consultative Organization, the Resolutions adopted at the Session; the Summary Report and the list of participants who attended the Session.

The most noteworthy achievement of the Session was the adoption of the “Putrajaya Declaration on Revitalizing and Strengthening the Asian-African Legal Consultative Organization”. Through the adoption of this Declaration, the Member States of AALCO reaffirmed their faith in the Organization and recognized its vital contribution in the progressive development and codification of international law. The outcome of the Bandung Conference (1955) was reaffirmed and that despite the differences in our political, economic, or legal systems, the States of Asian-African region are inextricably linked together as an Asian-African identity. The Declaration also recognized that the world had vastly changed in the past five decades from the days of the Bandung Conference, yet the principles adopted by the leaders at that Conference remain valid. The ideas, goals and vision articulated then, continue to guide our Organization, in this era that offers great opportunities yet poses challenges for the developing world.

I wish to thank the Attorney-General’s Chamber, Government of Malaysia for their excellent cooperation and administrative arrangements which were very helpful in conducting the proceedings of the Session successfully. I would also like to express my heartfelt appreciation and thanks to my friends and colleagues Dr. Xu Jie, Amb. S. R. Tabatabaei, and Dr. Yuchiei Inouye, the Deputy Secretaries-General, for their unstinted and wholehearted support in making the Session a huge success.

I also wish to express my deep appreciation to the Assistant Principal Legal Officer, Mrs. Anuradha Bakshi; Senior Legal Officers, Mr. Shikhar Ranjan, and Mr. Mohammed Hussain; and Legal Officers, Mr. S. Senthil Kumar, Ms. Shannu Narayan and Mr. S. Pandiaraj along with the other Staffs of the Secretariat for their immense efforts exerted to help me in accomplishing my mandate. Their professionalism and sense of responsibility contributed a lot towards making the Session a success and in bringing out all the documents referred to above on time.

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Secretary-General