



**WELCOME REMARKS BY H.E. PROF. DR. RAHMAT MOHAMAD, SECRETARY-GENERAL, AALCO, TO BE DELIVERED AT THE “LEGAL EXPERTS MEETING TO COMMEMORATE THE 30<sup>TH</sup> ANNIVERSARY OF THE UNITED NATIONS CONVENTION ON THE LAW OF THE SEA (UNCLOS)”**

**TUESDAY, 5<sup>TH</sup> MARCH 2013, AALCO HEADQUARTERS**

**A Very Good Morning to you all.**

**Mr. B. Sen, one of the founding fathers of AALCO and the first Secretary-General;**

**Mr. Pinak Ranjan Chakravarty, Secretary (ER), Ministry of External Affairs, Government of India; and the Chief Guest;**

**Mr. Stephen Mathias, Assistant Secretary-General for Legal Affairs, United Nations;**

**Dr. Neeru Chadha, Joint Secretary, Legal and Treaties Division, Ministry of External Affairs, Government of India,**

**Excellencies, Distinguished Representatives from Member States of AALCO, the Expert Panelists, Ladies and Gentlemen,**

It is indeed a matter of great honour and privilege to have amongst us today **Mr. Pinak Ranjan Chakravarty, Secretary (ER), Ministry of External Affairs, Government of India**, who despite his very busy work schedule and onerous responsibilities, has spared his valuable time and has very kindly consented to address this august gathering. Mr. Chakravarty has served both at Ministry of External Affairs, New Delhi, and Indian Missions abroad, including in Cairo, Jeddah, and London<sup>1</sup>. On behalf of the Organizers and my own behalf, I thank you Sir, for your presence at this meeting and we are confident that your address would set the tone for productive deliberations during the course of the meeting.

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<sup>1</sup> He was Consul General of India in Karachi in 1994-1995, Minister at the Indian Embassy in Tel Aviv from July 1995 to January 1999, and later served as Deputy High Commissioner of India in Dhaka from 1999 to 2002. At Headquarters he has served as Deputy Chief of Protocol, Director at Americas desk and also as Director, SAARC Summit Secretariat in New Delhi. He was the Chief of Protocol in New Delhi from October 2002 to December 2006, prior to his arrival in Bangladesh in January 2007.

I also take this opportunity to thank our co-organizers the Legal and Treaties Division, Ministry of External Affairs, Government of India, in particular **Dr. Neeru Chadha, Joint Secretary**, for readily accepting AALCO's proposal to jointly host this meeting of Legal Experts to commemorate the 30<sup>th</sup> Anniversary of the historic 1982 United Nations Convention on the Law of the Sea. The support that we have received from the Government of India ever since AALCO' inception and specifically for this meeting, is both noteworthy and praiseworthy.

At this juncture I wish to inform you that **H.E. Mr. Mohamad Bello Adoke**, the Attorney General and Minister of Justice of the Federal Republic of Nigeria, the current President of AALCO had informed us that he would be here to attend this meeting. However, due to certain pressing matters at home, at the last moment he had to cancel his visit. Nevertheless, he has sent his best wishes for this meeting to be a success.

Needless to say that I stay indebted to my predecessor **Mr. B. Sen**, who has come to his home, to give us an insight into his real life experiences of having negotiated the tough and arduous process of the UNCLOS.

The presence of **Mr. Stephen Mathias**, Assistant Secretary-General for Legal Affairs, United Nations, here today is testament to the fact that AALCO, as the voice of Asia and Africa, holds a special and unique place within the United Nations system.

I must admit that the response that I have received from the United Nations, the UNODC, as well as the galaxy of legal experts from the international law fraternity, some of whom have travelled long distances to be here today, is commendable and reaffirms our notion, that even after 30 years of its establishment the United Nations Convention on the Law of the Sea remains significant, despite new and upcoming challenges, that have to be dealt with by the international community.

I would like to make a special reference here to the fact that we also have amidst us today **Mr. H. P. Rajan**, who devoted most of his professional career to the law of the sea, first in the service of the Government of India, later as a senior staff member of the International Seabed Authority, and finally as one of the Directors in the UN Legal Affairs Division.

I also take this opportunity to warmly welcome each one of the representatives of AALCO Member States and other distinguished participants, including students who are here with us today, and I am confident that you all will greatly benefit from the proceedings of the day.

It needs to be recalled that the creation of AALCO in 1956 coincided with the general awareness of the importance of the changing nature of international law of the sea, as coastal states began to extend their maritime jurisdiction further and further into the oceans at the expense of the ever-receding high seas, following President Truman's Proclamation of US jurisdiction over the submarine areas adjacent to the West-Coast, as well as the decision of the

International Court of Justice in the Anglo-Norwegian Fisheries Case between United Kingdom and Norway, recognizing the necessity and validity of Norwegian straight base lines and four miles limits of Norwegian territorial sea. In the meantime, Indonesia was poised in 1957 to claim its archipelagic seas. At the First Session of AALCO in New Delhi, Sri Lanka and India took the initiative to refer to AALCO the Question relating to the Regime of High Seas including questions relating to the rights to seabed and subsoil in open sea.

The real momentum on the issue came in August 1967 when Arvid Pardo, Ambassador of Malta to the United Nations, proposed an agenda item on the law of the sea for consideration by the United Nations General Assembly. The rest as they say is history. AALCO, under the dynamic leadership of Mr. B. Sen, played a very important role in facilitating effective Asian-African participation in UNCLOS III. Pursuant to a reference by Indonesia in 1970, the item has continuously been on AALCO's agenda.

The product of a long-drawn-out process, which started in December 1973 and lasted until December 1982, it has been described as one of the most ambitious and original negotiating process ever undertaken within the United Nations.

Today's meeting, as we all are aware, has been mandated and organized to commemorate the 30<sup>th</sup> Anniversary of the United Nations Convention on the Law of the Sea, an event that was widely celebrated the world over last year and culminated with a Special Session of the United Nations General Assembly on 10 and 11 December 2012, and the adoption of an initiative by the United Nations Secretary-General entitled, "The Oceans Compact - Healthy Oceans For Prosperity". Thus, the 30<sup>th</sup> Anniversary gives us an opportunity to review the achievements and take stock of the shortcomings of the UNCLOS.

On its part AALCO had organized a Special Half-Day Meeting in conjunction with the 51<sup>st</sup> Annual Session of AALCO, held in Abuja, in June last year on the theme "Responses to Piracy: International Legal Challenges" as well as during the AALCO Legal Advisers Meeting held in New York on 5<sup>th</sup> November 2012, Ms. Patricia O' Brien had addressed the Legal Advisers on this subject.

I am sure the presentations today will look into the achievements of UNCLOS and also look at the new challenges. However, in view of some of the significant developments that have taken place within the ITLOS and ICJ last year, I would like to remind you all that AALCO believes in discussing all matters within a spirit of consensus and thus we would like to refrain from focusing on any specific bilateral issues.

With these words I now invite Dr. Neeru Chadha, Joint Secretary, Legal and treaties Division, Ministry of External Affairs, Government of India for her introductory remarks.

**Thank you all.**