

**MATTERS RELATING TO THE WORK OF THE
INTERNATIONAL LAW COMMISSION**
(Deliberated)

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Having considered the Secretariat Document No.AALCO/50/COLOMBO/2011/S 1;

Having heard with appreciation the introductory statement of the Secretary-General;

Having followed with great interest the deliberations on the item reflecting the views of Member States on the work of the International Law Commission (ILC);

Expressing its appreciation for the statement made by the Representative of the ILC on its work;

Recognizing the significant contribution of the ILC to the codification and progressive development of international law;

Commending the initiative of the Secretary-General in convening the Meeting of the Asian-African Legal Consultative Organization (AALCO) held in New York on 1 November 2010, and the fruitful exchange of views on the items deliberated during that meeting:

1. **Recommends** Member States to contribute to the work of ILC, in particular by communicating their comments and observations regarding issues identified by the ILC on various topics currently on its agenda to the Commission.
2. **Requests** the Secretary-General to continue convening AALCO-ILC meetings in future.
3. **Also requests** the Secretary-General to bring to the attention of the ILC the views expressed by Member States during the Annual Sessions of AALCO on the items on its agenda during its Fiftieth Annual Session.
4. **Further requests** the Secretary-General to consider holding a Special Meeting on this topic at the Fifty-First Annual Session, and
5. **Decides** to place the item on the provisional agenda of the Fifty-First Annual Session.

THE LAW OF THE SEA
(Deliberated)

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Considering the Secretariat Document No. AALCO/50/COLOMBO/2011/S 2;

Recognizing the universal character of the United Nations Convention on the Law of the Sea 1982 (UNCLOS), and its legal framework governing the issues relating to the management of the oceans;

Mindful of the historical contribution made by the Asian-African Legal Consultative Organization in the elaboration of the UNCLOS;

Conscious that the AALCO has been regularly following the implementation of the UNCLOS and its implementing agreements;

Hopeful that in view of the importance of the law of the sea issues, AALCO would maintain its consideration on the agenda item and continue to perform its historical role on the law of the sea matters;

Taking note of the deliberations at the United Nations Open-ended Informal Consultative Process established by the United Nations General Assembly to facilitate annual review of the developments in ocean affairs;

Welcoming the active role being played by the International Tribunal for the Law of the Sea (ITLOS) in the peaceful settlement of disputes with regard to ocean related matters;

Being deeply concerned about the phenomenal increase in piracy, and its adverse effect on human life, trade and commerce;

Appreciating the efforts taken by the Member States to combat piracy:

1. **Reaffirms** that in accordance with the UNCLOS, the “Area” and its resources are the common heritage of mankind.
2. **Urges** the full and effective participation of its Member States in the work of the International Seabed Authority, and other related bodies established by the United Nations Convention on the Law of the Sea, as well as in the United Nations Informal Consultative Process and also through effective contribution to the work of the Commission on the Limits of Continental Shelf, so as to ensure and safeguard their legitimate interests.
3. **Requests** the Secretary-General to consider convening a Special Meeting on the issue of piracy for deliberation at the Fifty-First Annual Session, and
4. **Decides** to place this item on the provisional agenda of the Fifty-First Annual Session.

THE STATUS AND TREATMENT OF REFUGEES
(Non-Deliberated)

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Having considered the Secretariat Document No. AALCO/50/COLOMBO/2011/S 3;

Reaffirming the importance of the 1951 Convention relating to the Status of Refugees (the 1951 Convention) together with the 1967 Protocol thereto, as complemented by the Organization of African Unity Convention of 1969, as the cornerstone of the international system for the protection of refugees;

Welcoming the Sixtieth anniversary of the 1951 Convention and stressing the need to implement its provisions along with the 1967 Protocol, particularly in a manner fully compatible with the object and purpose of these instruments;

Commends the Office of the United Nations High Commissioner for Refugees (UNHCR) for the important contribution which it has made towards the protection of refugees, on the eve of the Sixtieth anniversary of the establishment of the UNHCR:

1. **Deplores** the widespread violations of the principle of non-refoulement and of the rights of refugees in many parts of the world.
2. **Acknowledges** the **desirability** of comprehensive approaches by the international community to the problems of refugees and displaced persons, including addressing root causes, strengthening emergency preparedness and response, providing effective protection and achieving durable solutions.
3. **Calls upon** all States that have not yet done so to ratify/accede to and to implement fully the 1951 Convention relating to the Status of refugees and the 1967 Protocol thereto and other relevant regional instrument as the case may be, and
4. **Decides** to place this item on the provisional agenda at its Fifty-First Annual Session.

**THE DEPORTATION OF PALESTINIANS AND OTHER ISRAELI PRACTICES
AMONG THEM THE MASSIVE IMMIGRATION AND SETTLEMENT OF
JEWS IN ALL OCCUPIED TERRITORIES IN VIOLATION OF
INTERNATIONAL LAW PARTICULARLY THE
FOURTH GENEVA CONVENTION OF 1949
(Deliberated)**

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Having considered the Secretariat Document No. AALCO/50/COLOMBO/2011/S 4,

Noting with appreciation the introductory remarks of the Deputy Secretary-General;

Recalling and reiterating the decisions taken at the consecutive Annual Sessions of the Asian-African Legal Consultative Organization since 1988, when the topic was first introduced on the agenda of the Organization, in particular the decisions adopted on 22 April 1998 and 23 April 1999,

Also recalling and reiterating the resolutions adopted on 23 February 2000; RES/40/4 of 24 June 2001; RES/41/4 of 19 July 2002; RES/42/3 of 20 June 2003; RES/43/S 4 of 25 June 2004; RES/44/S 4 of 1 July 2005; RES/45/S 4 of 8 April 2006; RESW/46/S 4 of 6 July 2007; RES/47/S 4 of 4 July 2008; RES/48/S 4 of 20 August 2009, and RES/49/S 4 of 8 August 2010,

Having followed with great interest the deliberations on the item reflecting the views of Member States;

Being concerned with the serious obstacles created by the occupying power, which hinder the achievement of a just and lasting peace in the region;

Recognizing that the massive Israeli military operation in the Occupied Palestinian Territories, particularly in the occupied Gaza strip, has caused grave violations of the human rights of the Palestinian civilians therein and international humanitarian law, and exacerbated the severe humanitarian crisis in the Occupied Palestinian Territories;

Also recognizing that the Israeli siege imposed on the occupied Gaza strip, including the closure of border crossings and the cutting of the supply of fuel, food and medicine, constitutes collective punishment of Palestinian civilians and leads to disastrous humanitarian and environmental consequences;

Welcoming the international and regional initiatives for peace in the Middle East;

Condemning Israel's acts of violence and use of force against Palestinians, resulting in injury, loss of life and destruction, coercive migration and deportation in violation of human rights and the Fourth Geneva Convention of 1949;

Stressing the need for compliance with existing Israeli – Palestinian agreements concluded in order to reach a final settlement;

Being concerned about the continuing dangerous deterioration of the situation in the Occupied Palestinian Territories, including East Jerusalem and Gaza strip, the continuous deportation of Palestinians from their homeland, and the continuing serious and systematic violation of human rights of the Palestinian people by Israel, the occupying power, including that arising from the excessive use of force, the use of collective punishment, the occupation and closure of areas, the confiscation of land, the establishment and expansion of settlements, the construction of a wall in the occupied Palestinian Territories, the destruction of property and infrastructure, use of prohibited weapons and all other actions designed to change the legal status, geographic composition of the Occupied Palestinian Territories, including East Jerusalem and Gaza strip, and about war crimes and crimes against humanity committed in these territories, and calling for the implementation of the relevant United Nations resolutions on the humanitarian situation of the Palestinian people;

Recalling the Advisory Opinion rendered by the International Court of Justice in the case concerning the *Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory*, and related General Assembly Resolution (A/RES/ES-10/15 of 20 July 2004 and ES-10/17 of 15 December 2006), as well as the United Nations initiative of establishment of a Register of Damage arising from the construction of the separation wall;

Being deeply concerned about the tenacity of Israel in proceeding with the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated regime, which is contrary to international law;

Acknowledging with deep concern that the Security Council is still unable to adopt a resolution stipulating the illegality of the Israeli expansionist wall;

Expressing its support to the Arab Peace Initiative for resolving the issue of Palestine and the Middle East, adopted by the 14th Arab Summit held in Beirut (Lebanon) on 28 March 2002 and reaffirmed in the 19th Summit Conference of the League of Arab States, Riyadh, 28-29 March 2007 as well as other peace initiatives, including the Quartet Road Map;

Taking note of conclusions and outcomes of all events held at both regional and international levels aiming at the achievement of a just, durable and comprehensive solution of the question of Palestine;

Affirming that a comprehensive, just and durable solution can only be achieved by ending the occupation in pursuance of the Charter of the United Nations, existing agreement between the parties and the relevant Security Council and General Assembly resolutions, which will allow all the countries of the region to live in peace, security and harmony:

1. **Urges** its Member States to take part in the peace process/efforts exerted by the international community for the achievement of a just and comprehensive solution of the question of Palestine on the basis of relevant Security Council resolutions, including 242 (1967), 338 (1973), 425 (1978), 1397 (2002) and 1860 (2009); and relevant General Assembly Resolutions, including 194 (1949) on the formula of “land for peace” and the legitimate rights of the Palestinian people, and expressing solidarity with the Palestinian people and their elected leadership.
2. **Takes note** of the United Nations Secretary General’s Board of Enquiry as transmitted on 4 May 2009 to the Security Council as well as the findings of the

recent report of the Special Rapporteur of the Human Rights Council and other regional organizations.

3. **Also takes note** of the report of the Independent Fact Finding Committee on Gaza presented to the League of Arab States on 30 April 2009.
4. **Strongly condemns** the shocking developments that have continued to occur in the Occupied Palestinian Territory, including East Jerusalem, including the deportation of Palestinians from their homeland, the large number of deaths and injuries, mostly among Palestinian civilians, the acts of violence and brutality against Palestinian civilians, the widespread destruction of public and private Palestinian property and infrastructure, the internal displacement of civilians and the serious deterioration of the socio-economic and humanitarian conditions of the Palestinian people.
5. **Demands** that Israel, the Occupying Power, comply fully with the provisions and principles of the Charter of the United Nations, Universal Declaration of Human Rights, the Regulations annexed to the Hague Convention of 1907 and the Geneva Conventions in particular the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949, in order to protect the rights of Palestinians.
6. **Also demands** that Israel positively respond to the 2009 Report of Mr. Richard Falk the Special Rapporteur for the Palestinian Territories Occupied Since 1967 and 2010 Report and Recommendations of Justice Goldstone, United Nations Fact Finding Mission on the Gaza Conflict in order to protect the rights of Palestinians.
7. **Further demands** that Israel comply with its legal obligations as mentioned in the Advisory Opinion rendered by the International Court of Justice in the case concerning the Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory, and related General Assembly Resolution (A/RES/ES-10/15 of 20th July 2004).
8. **Strongly demands** that Israel stop and reverse the construction of the wall in the Occupied Palestinian Territory.
9. **Strongly deplores** the Israeli blockade of the Gaza strip and its consequent human rights and humanitarian law violation and the Israeli attack against the humanitarian aid Flotilla.
10. **Further demands** for an immediate cessation of all acts of violence, including all acts of terror, provocation, incitement and destruction of property and calls for the immediate and full withdrawal of Israeli (occupying) forces from Palestinian territories in implementation of Security Council Resolutions, including 1402 (2002), 1403 (2002), 1515 (2003), and 1544 (2004) as a first step for ending the Israeli occupation of Palestinian territories occupied since 1967.
11. **Calls upon** Israel to ensure the return of refugees and displaced Palestinians to their homes and the restoration to them of their properties, in compliance with the relevant UN resolutions.

12. **Directs** the Secretariat to closely follow the developments in occupied territories from the view point of relevant legal aspects, and
13. **Decides** to place the item on the provisional agenda of the Fifty-First Annual Session.

**EXTRATERRITORIAL APPLICATION OF NATIONAL LEGISLATION:
SANCTIONS IMPOSED AGAINST THIRD PARTIES
(Non-Deliberated)**

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Having considered the Secretariat Document No. AALCO/50/COLOMBO/2011/S 6;

Recalling its Resolutions RES/36/6 of 7 May 1997, RES/37/5 of 18 April 1998, RES/38/6 of 23 April 1999, RES/39/5 of 23 February 2000, RES/40/5 of 24 June 2001, RES/41/6 of 19 July 2002, RES/42/6 of 20 June 2003, RES/43/6 of 25 June 2004, RES/44/6 of 1 July 2005, RES/45/S 6 of 8 April 2006, RES/46/S 7 of 6 July 2007, RES/47/S 6 of 4 July 2008, RES/48/S 6 of 20 August 2009 and RES/49/S 6 of 8 August 2010 on the subject;

Recognizing the significance and implications of the above subject;

Expressing its concern that the imposition of unilateral sanctions on third parties is not in conformity with the Charter of the United Nations and the general principles of international law, particularly non-interference in internal affairs, sovereign equality, freedom of trade, peaceful settlement of disputes and right to development;

Declaring condemnation as regards the imposition against the AALCO Member States with additional and new series of sanctions against Union of Myanmar, Syrian Arab Republic and Islamic Republic of Iran by the Government of the United States of America;

Being aware that extraterritorial application of national legislation in an increasingly interdependent world retards the progress of the Sanctioned State and impedes the establishment of an equitable, multilateral, non-discriminatory rule-based trading regime;

Reaffirming the importance of adherence to the rules of international law in international relations:

1. **Directs** the Secretariat to continue to study the legal implications related to the Extraterritorial Application of National Legislation: Sanctions Imposed against Third Parties and the executive orders imposing sanctions against target States.
2. **Urges** Member States to provide relevant information and materials to the Secretariat relating to national legislation and related information on this subject, and
3. **Decides** to place this item on the provisional agenda of the Fifty-First Annual Session.

INTERNATIONAL TERRORISM
(Non-deliberated)

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Having considered the Secretariat Document No. AALCO/50/COLOMBO/2011/S 7;

Recalling the relevant international instruments, where applicable, and resolutions of the United Nations General Assembly and the Security Council relating to measures to eliminate international terrorism and the efforts to prevent, combat and eliminate terrorism;

Taking note of the ongoing negotiations in the Ad Hoc Committee established by the General Assembly of the United Nations by its resolution 51/210 of 17 December 1996 to elaborate a Comprehensive Convention on International Terrorism based on the proposal made by the Republic of India;

Expressing grave concern about the worldwide increase in acts of terrorism, which threaten the life and security of innocent people and impede the economic development of the concerned States;

Recognizing the need for the international community to collectively combat terrorism in all its forms and manifestations;

Reaffirming that international effort to eliminate terrorism must be strengthened in accordance with the Charter of the United Nations and taking into account international human rights law, international humanitarian law, and refugee law;

Calling for an early conclusion and the adoption of a comprehensive convention on international terrorism by expediting the elaboration of a universally acceptable definition of terrorism:

1. **Encourages** Member States to consider ratifying/acceding to the relevant conventions on terrorism.
2. **Also encourages** Member States to participate in the work of the above mentioned Ad Hoc Committee on International Terrorism.
3. **Directs** the Secretariat to follow and report on the progress of work in the Ad Hoc Committee on International Terrorism.
4. **Also directs** the Secretariat to obtain national legislation or information on national legislation, as the case may be, on combating terrorism to facilitate exchange of information among Member States.
5. **Requests** the Secretary-General to hold seminars and joint programmes in cooperation with other international organizations, especially United Nations Office on Drugs and Crime, on dealing with the legal aspects of combating terrorism, and

6. **Decides** to place the item on the provisional agenda of its Fifty-First Annual Session.

INTERNATIONAL CRIMINAL COURT: RECENT DEVELOPMENTS
(Non-Deliberated)

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Considering the Secretariat Document No. AALCO/50/COLOMBO/2011/S 9;

Taking note of the deliberations and decisions of the Review Conference of the Rome Statute of the International Criminal Court, and noting the progress in cases before the International Criminal Court (ICC);

Also taking note of the deliberations and decisions of the Ninth Session of the Assembly of States Parties to the Rome Statute of the ICC;

Being aware of the importance of the universal acceptance of the Rome Statute of the ICC and in particular, the principle of complementarity;

Taking note of the outcome of the Review Conference of the Rome Statute of the International Criminal Court held at Kampala, Uganda:

1. **Encourages** Member States which are not yet party to consider ratifying/acceding to the Rome Statute and upon ratification/accession consider adopting necessary implementing legislation.
2. **Further encourages** Member States that have ratified the Rome Statute to consider becoming party to the Agreement on the Privileges and Immunities of the ICC.
3. **Directs** the Secretariat to follow up the deliberations in the forthcoming Tenth Session of the Assembly of States Parties and its meetings, and follow the developments regarding cases taken up by the ICC, and present a report at the Fifty-First Annual Session.
4. **Requests** the Member States to participate in the forthcoming “Meeting of Legal Experts on the Rome Statute of the International Criminal Court”, scheduled to be held in Putrajaya, Malaysia on the 19th and 20th of July 2011, and
5. **Decides** to place this item on the provisional agenda of the Fifty-First Annual Session.

ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
(Deliberated)

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Considering the Secretariat Document No. AALCO/50/COLOMBO/2011/S 10;

Noting with appreciation the introductory statement of the Deputy Secretary-General;

Having followed with great interest the deliberations on the item reflecting the views of the Member States on the agenda item “Environment and Sustainable Development”;

Deeply concerned with the deteriorating state of the global environment through various human activities, and unforeseen natural disasters;

Reaffirming that environmental protection constitutes an integral part of sustainable development;

Welcoming the adoption of the Johannesburg Declaration on Sustainable Development and the Plan of Implementation at the World Summit on Sustainable Development, held at Johannesburg in 2002;

Also welcoming the adoption of the Nagoya Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization, 2010;

Further welcoming the Nagoya-Kuala Lumpur Supplementary Protocol on Liability and Redress to the Cartagena Protocol on Biosafety, 2010;

Recalling the Nairobi Resolution on Environmental Law and Sustainable Development adopted by the Forty-Fourth Session of AALCO in 2005;

Underlying that climate change is one of the greatest challenges of our time;

Emphasizing that strong political will to combat climate change in accordance with the principles of the United Nations Framework Convention on Climate Change, especially the principle of common but differentiated responsibilities and respective capabilities is essential;

Recognizing the importance of the on-going Bali Road-Map negotiations for stronger international cooperation on climate change for the period beyond 2012;

Considering the Copenhagen Accord of which the United Nations Climate Change Conference held at Copenhagen, Denmark from 7 to 9 December 2009, took note;

Noting with appreciation the adoption of the Cancun Agreements by the United Nations Climate Change Conference held in Cancun, Mexico from 29 November to 11 December 2010;

Hoping that the United Nations Climate Change Conference, scheduled to take place at Durban, Republic of South Africa from 28 November to 9 December 2011 would be able to achieve a positive outcome based on the Bali Road-Map and Cancun Agreements;

Conscious of the importance of the conservation of biological diversity for evolution and maintaining life-sustaining systems of the biosphere;

Affirming the importance of the United Nations Convention to Combat Desertification:

1. **Urges** Member States to actively participate in the on-going Bali Road-Map negotiations.
2. **Directs** the Secretariat to follow the on-going Bali Road-Map negotiations and Cancun Agreements for stronger international cooperation on climate change for the period beyond 2012.
3. **Further directs** the Secretariat to continue to follow up the progress in the implementation of the outcome of the Johannesburg Summit as well as follow up the progress in the implementation of the United Nations Framework Convention on Climate Change, Convention on Biological Diversity, and the United Nations Convention to Combat Desertification, and
4. **Decides** to place this item on the provisional agenda of the Fifty-First Annual Session.

**CHALLENGES IN COMBATING CORRUPTION: THE ROLE OF THE
UNITED NATIONS CONVENTION AGAINST CORRUPTION
(*Non-Deliberated*)**

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Having considered the Secretariat document contained in No. AALCO/50/COLOMBO/2011/S 11;

Deeply concerned about the impact of corruption on the political, social and economic stability and development of societies;

Bearing in mind that the prevention and combating of corruption is a common and shared responsibility of the international community, necessitating cooperation at the bilateral and multilateral levels:

1. **Welcomes** the adoption of the review mechanism to implement the provisions of the United Nations Convention against Corruption, which reflects the strong commitment on the part of the international community to effectively tackle the problem of corruption,
2. **Encourages** Member States of AALCO who have not done so to consider ratifying/acceding to the United Nations Convention against Corruption so as to strengthen the fight against corruption, and
3. **Decides** to place this item on the provisional agenda at its Fifty-First Annual Session.

**REPORT ON THE WORK OF THE UNCITRAL AND OTHER
INTERNATIONAL ORGANIZATIONS IN THE FIELD OF
INTERNATIONAL TRADE LAW
(Deliberated)**

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Considering the Secretariat Document No. AALCO/50/COLOMBO/2011/S 12,

Noting with appreciation the introductory statement of the Deputy Secretary-General;

Being aware of the revised version of the UNCITRAL Arbitration Rules, 2010; the UNCITRAL Legislative Guide on Secured Transactions: Supplement on Security Rights in Intellectual Property; and Part Three of the UNCITRAL Legislative Guide on Insolvency Law on the Treatment of Enterprise Groups in Insolvency at its forty-third session;

Welcoming the decision of the UNCITRAL to take up new topics in the areas of settlement of commercial disputes, security interests and insolvency law and undertake work in the area of online dispute resolution;

Taking note of the adoption of UNIDROIT Model Law on Leasing and also the ongoing work on its official commentary:

1. **Expresses** its satisfaction for AALCO's continued cooperation with the various international organizations competent in the field of international trade law and hopes that this cooperation will be further enhanced in the future.
2. **Urges** Member States to consider adopting, ratifying or acceding to the instruments prepared by the UNCITRAL, and
3. **Decides** to place this item on the provisional agenda of the Fifty-First Annual Session.

**WTO AS A FRAMEWORK AGREEMENT AND CODE OF
CONDUCT FOR WORLD TRADE**
(Non-Deliberated)

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Having considered the Secretariat Document No. AALCO/50/COLOMBO/2011/S 13;

Recognizing the importance and complexities of issues in the WTO Doha Development Agenda;

Hoping that the Doha Round of Negotiations would conclude successfully in the near future:

1. **Encourages** Member States to successfully complete negotiations mandated under the Doha Development Agenda, taking fully into consideration the special concerns of developing and least-developed country Members of WTO.
2. **Appreciates** the effort of the Centre for Research and Training (CRT) of AALCO in successfully organizing a Training Workshop on the World Trade Organization in cooperation with the Institute for Training and Technical Cooperation (ITTC) of the World Trade Organization from 28th March to 1st April 2011, at AALCO Headquarters, New Delhi.
3. **Directs** the Secretariat to continue to monitor and report on the Doha Round of Negotiations, particularly the outcome of the review process concerning the WTO Dispute Settlement Understanding.
4. **Requests** the Secretary-General in consultation with Member States, to organize seminars or workshops to facilitate the exchange of views by Member States on issues currently under negotiation within the WTO and capacity building programmes, subject to the availability of adequate resources, and
5. **Decides** to place this item on the provisional agenda of its Fifty-First Annual Session.

EXPRESSIONS OF FOLKLORE AND ITS INTERNATIONAL PROTECTION
(Deliberated)

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Considering the Secretariat Document No. AALCO/50/COLOMBO/2011/S 14;

Noting with appreciation the introductory statement of the Deputy Secretary-General;

Recognizing the importance of protection of the ‘Expressions of Folklore’ for the Asian-African countries;

Welcoming the World Intellectual Property Organization (WIPO) General Assembly initiative in establishing an Intergovernmental Committee (IGC) with the objective of reaching agreement on a text of an international legal instrument (or instruments) which will ensure the effective protection of Expressions of Folklore (EoF);

Also welcoming the work done by the Intersessional Working Group 1 in developing a legal instrument to protect the EoF:

1. **Expresses** the hope that the WIPO IGC would be able to reach agreement on a text of an international legal instrument (or instruments) which will ensure the effective protection of EoF.
2. **Requests** the Secretary-General to organize an Expert Meeting in cooperation with WIPO or with any other Member State(s), to facilitate the exchange of views by Member States on the issues relevant to the protection of EoF.
3. **Encourages** Member States to actively participate in the future work of the agenda item at all the WIPO meetings.
4. **Directs** the Secretariat to follow up the developments within the WIPO IGC on ‘Expressions of Folklore’, and to present the views of the AALCO Member States to the IGC, and
5. **Decides** to place the item on the provisional agenda of the Fifty-First Annual Session.

MANAGING GLOBAL FINANCIAL CRISIS: SHARING OF EXPERIENCES
(Non-Deliberated)

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Having considered the Secretariat Document No: AALCO/50/COLOMBO/2011/S 16;

Recognizing the significance of the topic, especially the legal aspects, to the Asian-African countries in the context of the ongoing global financial crisis and its impact;

Being aware of the adverse consequences of the global financial crisis on the economic growth and development of Member States of AALCO, and their efforts to resolve it;

Noting the efforts of the international community to address the global financial crisis, particularly, convening of the *UN Conference on the World Financial and Economic Crisis and its Impact on Development* by the United Nations from 24th to 30th June 2009 in New York to assess the global financial crisis;

Taking note of the Resolution (A/RES/63/303) adopted by the United Nations General Assembly on 9th July 2009 on the *Outcome of the Conference on the World Financial and Economic Crisis and Its Impact on Development*:

1. **Emphasizes** the need for a fair, inclusive and sustainable global financial system.
2. **Recognizes** that disruption in the financial market, loss of confidence, inadequate surveillance of the financial sector and lack of early warning led to the global financial crisis.
3. **Affirms** the need for Member States to review their respective legal framework to address the financial crisis including regulatory and supervisory mechanisms.
4. **Also recognizes** the need to reform and strengthen the international financial and economic system, as appropriate, to adapt to the current global financial realities.
5. **Requests** Member States of AALCO to forward their national regulatory framework/legal framework developed by the appropriate authorities to the AALCO Secretariat so as to enable the Secretariat to bring out a compilation of the national regulatory framework/legal framework of its Member States.
6. **Calls upon** Member States to forward to the Secretariat their views and suggestions on this item, so as to guide the Secretariat on the future course of action, and
7. **Decides** to place this item on the provisional agenda of its annual sessions, as and when required.

**RESOLUTION ON HALF-DAY SPECIAL MEETING ON
TRAFFICKING OF WOMEN/CHILDREN, MIGRANT WORKERS
AND PROTECTION OF CHILDREN**

The Asian-African Legal Consultative Organization at its Fiftieth session,

Considering the Secretariat Document No. AALCO/50/COLOMBO/2011/S 8 and Document No. AALCO/50/COLOMBO/2011/S 5;

Noting with appreciation the introductory remarks of the Secretary-General and the views expressed by the Chairperson and the Panelists and the statements of the Member States during the Special Meeting on “Trafficking of Women/Children, Migrant Workers and Protection of Children” jointly organized by the Government of the Democratic Socialist Republic of Sri Lanka, AALCO, IOM and the UNICEF on 30 June 2011 at Colombo, Sri Lanka;

Mindful of the increasing number of individuals being exploited through trafficking in persons especially women and children and smuggling of migrants, including from the Asian-African region;

Convinced of the need to eliminate all forms of trafficking in persons and smuggling of migrants and bearing in mind the overlapping nature between trafficking in persons and smugglings of migrants, which are flagrant violations of human rights;

Commending the continuing efforts of Member States in combating trafficking in persons and smuggling of migrants, and encouraging them to inform and update the AALCO Secretariat of pertinent developments in their respective States, in order to share experience amongst Member States;

Acknowledging with appreciation that some Member States have submitted to the AALCO Secretariat their national legislations and other relevant information related to the topic, and urges other Member States to do the same:

1. **Encourages** the Member States which are not yet party to consider ratifying/acceding to the UN Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, adopted in 2000.
2. **Directs** the Secretariat to follow and report on the developments in this regard, including the work undertaken by other fora.
3. **Requests** the Secretary-General to constitute an open-ended Committee of Experts to conduct a study on ways and means to enhance mutual legal assistance in criminal matters among Member States for their further consideration, and
4. **Decides** to place this item on the provisional agenda of the Fifty-First Annual Session.

**RESOLUTION ON THE HALF-DAY SPECIAL MEETING ON
“INTERNATIONAL COMMERCIAL ARBITRATION”**

The Asian-African Legal Consultative Organization at its Fiftieth Session,

Having considered the Secretariat Document No.AALCO/50/COLOMBO/2011/ORG 3;

Having heard with appreciation the views expressed by the President, the Secretary-General, Directors of the Regional Arbitration Centres, Panelists and the statements made by Member States during the Special Meeting on “International Commercial Arbitration”, jointly organized by the Government of the Democratic Socialist Republic of Sri Lanka and the AALCO Secretariat on 1 July 2011 at Colombo, Sri Lanka;

Recognizing the value of arbitration as a method of settling disputes that may arise in the context of international commercial relations;

Noting that the UNCITRAL Arbitration Rules, 1976 are recognized as a successful text and are used in a wide variety of circumstances covering a broad range of disputes, including disputes between private commercial parties, investor-State disputes, State-to-State disputes and commercial disputes administered by arbitral institutions, in all parts of the world;

Also noting that the UNCITRAL Arbitration Rules as revised in 2010 were adopted by the United Nations Commission on International Trade Law at its forty-third session after due deliberation;

Reaffirming the commitment made by the Governments of Member States towards enhancing the role of the Regional Arbitration Centres;

Recalling its decision relating to the Integrated Scheme for the Settlement of Disputes in Economic and Commercial Transactions adopted at its Doha Session in 1978;

Expressing its satisfaction over the increasing use of the facilities and the opportunities offered for both domestic and international arbitrations under the auspices of its Regional Arbitration Centres;

Appreciating the efforts and contributions of the Governments of the Malaysia, Arab Republic of Egypt, Federal Republic of Nigeria, the Islamic Republic of Iran, and Republic of Kenya for hosting the respective Regional Arbitration Centres;

Also appreciating the promotional activities undertaken by the Directors of the Centres, including organization of seminars and training programmes, to promote international commercial arbitration in the Asian and African regions;

Reiterating the earlier decision of AALCO on the necessity for the Governments of Member States to promote and support the use of the Regional Arbitration Centres;

Also reiterating its proposal that after consultation with the Directors of the respective Regional Arbitration Centres, for the holding of an International Arbitration Conference biennially, by rotation in each of the Centres, with the support of Member States;

1. **Requests** that based on the above, the Member States to urge their esteemed Governments and private sector to use the AALCO's Regional Arbitration Centres for the settlement of the disputes and in particular to consider in their contracts, the inclusion of the Arbitration Clause of AALCO's Regional Arbitration Centres.
2. **Recommends** the use of the UNCITRAL Arbitration Rules as revised in 2010 in the settlement of disputes arising in the context of international commercial relations, and
3. **Decides** to place this item on the provisional agenda of its Fifty-First Annual Session.