

**MEMORANDUM OF UNDERSTANDING BETWEEN THE
ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION
AND
THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER
FOR HUMAN RIGHTS**

1. BACKGROUND AND PURPOSES

- 1.1. This Memorandum of Understanding outlines the principles for co-operation between the Office of the United Nations High Commissioner for Human Rights (hereinafter referred to as the "OHCHR) and the Asian-African Legal Consultative Organization (hereinafter referred to as "AALCO"), an intergovernmental organization participating in the work of the General Assembly as observer.
- 1.2. Co-operation in areas which are of common interest to both the OHCHR and the AALCO will take place within the scope of their respective constitutional instruments, mandates and activities.
- 1.3. The OHCHR is the principal arm of the United Nations Secretariat in promoting and protecting human rights and fundamental freedoms as envisaged in the Charter of the United Nations and in keeping with General Assembly resolution 48/141 of 20 December 1991
- 1.4. The purposes of the Asia-African Legal Consultative Organization are to serve as an advisory body to its Member Governments in the field of international law and provide a forum for co-operation in legal matters of common concern, as well as to establish co-operative arrangements with the United Nations, its Agencies and other inter-governmental organisations with a view to promote such co-operation in the field of international law, including wider acceptance of international law conventions among the States in the Asian and African regions.

2. PARTICIPATION IN MEETINGS

- 2.1 Each party will ensure that the other is regularly invited to relevant meetings and receive all appropriate materials pertaining to such meetings.
- 2.2 In particular, the OHCHR and AALCO will notify each other on relevant meetings, including AALCO's annual and inter-sessional meetings, meetings of treaty bodies

open to the public and of the Commission on Human Rights and the Sub-Commission on the Promotion and Protection of Human Rights. OHCHR will also invite AALCO to participate in an observer capacity in all relevant activities taking place in the context of the Asia-Pacific Framework for Regional Cooperation for the Promotion and Protection of Human Rights in the Asia-Pacific and in relevant regional and Sub-regional activities in the African region.

3. EXCHANGE OF INFORMATION AND DOCUMENTS

- 3.1. Subject to their respective policies and rules regarding disclosure of information, the parties will endeavour to exchange information and documentation common interest and as necessary for any activity to be carried out under the memorandum.

4. MUTUAL CONSULTATIONS AND CO-OPERATION

- 4.1. Mutual consultation to promote co-operation may take place between the parties, when and where appropriate, regarding areas of common interest and the realization of their shared objectives.
- 4.2. The parties agree that each may, as and when appropriate, bring to each other's attention, any situation in respect of which, in the normal course of operations, assistance provided by the other could further their common purposes.

5. AREAS OF CO-OPERATION

- 5.1. Co-operation between the OHCHR and the AALCO reflects their shared commitment to the promotion and protection of human rights and fundamental freedoms, as Set Out in relevant international conventions on human rights and resolutions of the United Nations human rights bodies.
- 5.2. Co-operation between the parties should support their common aims and objectives and enhance the impact of their respective activities in the field of human rights
- 5.3. In particular, the parties shall, upon request of each of them, and within then available resources, assist each other in areas such as:
 - a) Encouraging wider ratification, without reservation, of the international instruments on human rights as well as the acceptance of their optional provisions and protocols
 - The parties will, as appropriate, co-operate in increasing awareness in the Asian and African regions regarding international human rights instruments and the ratification process
 - The parties will, as appropriate, cooperate in identifying the obstacles towards a wider ratification of human rights instruments in the Asian and African regions, as well as strategies to overcome these obstacles
 - b) The work of human rights treaty bodies
 - The AALCO will engage efforts aiming at ensuring that UN Treaty Bodies views and recommendations are brought to the attention of Asian and African Governments
 - The parties will co-operate in assisting member States in identifying the obstacles for the implementation of the human rights instruments in the major areas of concern identified by the Treaty Bodies.
 - c) Jurisprudence in the area of human rights
 - The parties will co-operate in the compilation of compendiums of national jurisprudence in the area of human rights, making direct reference to international human rights conventions
 - d) Asia-Pacific Framework for technical co-operation for the promotion and protection of human rights
 - The OHCHR will keep the AAI..CO informed of any developments in this area
 - The AALCO will be invited to participate as observer in any relevant activities taking place in this context

- The AALCO will engage special efforts aiming at ensuring that the conclusions adopted at the workshops undertaken under this framework are brought to the attention of its Member States
- e) Relevant regional and sub-regional activities in the African region.
 - The OHCHR will keep the AALCO informed of any developments in this area
 - The AALCO will be invited to participate as observer in any relevant activities taking place in this context
 - The AALCO will engage special efforts aiming at ensuring that any conclusions adopted in the context of these activities are brought to the attention of its Member States
- f) Any other areas of co-operation considered to be of common interest to both Organizations

6. FINANCIAL IMPLICATIONS

- 6.1. In the event that the co-operation proposed by one of the Parties to the other in accordance with this Memorandum entails expenditure beyond minor and ordinary expenditures, consultations shall be held between the Parties to determine the availability of resources required, the way of meeting such expenditure and, if resources are not readily available, the most appropriate ways to obtain the necessary resources. The raising of financial and other resources and their allocation to any activities carried out under this memorandum by both Parties is subject to the respective Financial Rules and Regulations of each Party.

7. IMPLEMENTATION OF THE MEMORANDUM

- 7.1. The OHCHR and the AALCO may enter into supplementary arrangements for the implementation of the present MOU and to ensure effective liaison between them.

8. AMENDMENTS, DURATION AND ENTRY INTO FORCE

- 8.1. The MOU may be amended by mutual consent expressed in writing. The proposed amendment will enter into force three months following the consent by the two parties.
- 8.2. Either Party may terminate this MOU subject to six month's written notice.
- 8.3. This MOU will enter into force upon signature by the duly authorized representative of the two parties.

IN WITNESS THEREOF the undersigned, representatives of the Asian-African Legal Consultative Organization and the United Nations Office of the High Commissioner for Human Rights, respectively, sign the present Memorandum.

Done in New Delhi, this 12th day of November 2001

For the Asian-African Legal
Consultative Organization

Wafik Zaher Kamil
Secretary General

For the Office of the United Nations
High Commissioner for Human Rights

Mary Robinson
High Commissioner for Human Rights