



**MEMORANDUM OF UNDERSTANDING BETWEEN THE  
ASIAN-AFRICAN LEGAL CONSULTATIVE ORGANIZATION**

**AND**

**THE OFFICE OF THE UNITED NATIONS HIGH COMMISSIONER  
FOR REFUGEES**

**1. BACKGROUND AND PURPOSES**

- 1.1 This Memorandum of Understanding outlines the principles for co-operation between the Asian-African Legal Consultative Organisation (hereinafter referred to as "AALCO"), an intergovernmental organisation participating in the work of the General Assembly as observer and the Office of the United Nations High Commissioner for Refugees (hereinafter referred to as the "UNHCR").
- 1.2 Co-operation in areas, which are of common interest to both the AALCO and the UNHCR, will take place within the scope of their respective constitutional instruments, mandates and activities.
- 1.3 The purposes of the AALCO 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 promoting 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.
- 1.4 The UNHCR is a subsidiary organ of the United Nations which has assumed the function of providing international protection to refugees falling within the scope of its mandate and of seeking permanent solutions for the problem of refugees as envisaged in the General Assembly resolution 428 (V) of 14 December 1950.



## **2. PARTICIPATION IN MEETINGS**

- 2.1 Once each Party has obtained the legal status required by the other Party's procedural rules, it will be notified of and invited to relevant meetings and receive all appropriate materials pertaining to such meetings, including AALCO's annual and inter-sessional meetings and UNHCR's annual meeting of the Executive Committee of the High Commissioner's Programme and meetings of the regular Standing Committees.
- 2.2 Each Party will advise the other Party on the steps to be taken in order to obtain the legal status permitting to be invited to its relevant meetings.
- 2.3 AALCO will, as appropriate, invite UNHCR to participate in meetings where the subject includes matters within the competence of UNHCR and UNHCR will, as appropriate, invite AALCO to participate in an observer capacity in meetings taking place in the Asia and Africa regions, where these are relevant to the AALCO.

## **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 in matters of 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 realisation 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 AALCO and the UNHCR reflects their shared commitment to the promotion of refugee protection in accordance with the principles set out in the 1951 Convention Relating to the Status of Refugees, Conclusions of the UNHCR Executive Committee and Statute of the Office of UNHCR as well as relevant resolutions of the United Nations General Assembly.
- 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 refugee protection.
- 5.3 In particular, the Parties shall, upon request from either one to the other, and within their available resources, assist each other in areas such as :

### a) *International Instruments*

(i) Encouraging wider ratification, without reservation, of the 1951 Convention Relating to the Status of Refugees and/or the 1967 Protocol as well as the acceptance of the relevant regional instruments relating to refugees.

(ii) As appropriate, co-operating in increasing awareness in the Asian and African regions regarding the 1951 Convention Relating to the Status of Refugees and related instruments and the ratification process.

(iii) As appropriate, co-operating in identifying the obstacles towards a wider ratification of 1951 Convention Relating to the Status of Refugees and/or the 1967 Protocol in the Asian and African regions, as well as strategies to overcome these obstacles

### b) *The work of AALCO*

Collaborating in refugee related matters, which engage the expertise and mandate of the AALCO.



c) *Jurisprudence in the area of refugee rights*

(i) Co-operating in scholarly research and writings in refugee law and issues

(ii) Co-operating in compilation of compendiums of national jurisprudence in the area of refugee protection and application of the 1951 Convention Relating to the Status of Refugees and the 1967 Protocol.

d) *The work of UNHCR*

Engaging in efforts aimed at promoting a better understanding of UNHCR's work in the Asian and African regions as well as enhancing a refugee supportive environment.

**6. FINANCIAL IMPLICATIONS**

6.1 This Memorandum of Understanding does not impose financial obligations on either Party. 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 AALCO and the UNHCR 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 This Memorandum of Understanding 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 Memorandum of Understanding subject to six month's written notice.
- 8.3 This Memorandum of Understanding will enter into force upon signature by the duly authorised representative of the two Parties.
- 8.4 This Memorandum of Understanding shall be signed in two copies both in original and each Party shall retain one original each for their record and reference.

## **9. PRIVILEGES AND IMMUNITIES**

Nothing in or relating to this Memorandum of Understanding shall be deemed as a waiver, express or implied, of any of the privileges and immunities, which UNHCR enjoys under the applicable international legal instruments as an integral part of the United Nations.

## **10. SETTLEMENT OF DISPUTES**

Any controversy or any dispute arising from the implementation or interpretation of this Memorandum of Understanding shall be settled through consultation between the Parties in accordance with their respective obligations under this Memorandum of Understanding and in keeping with the relevant legal framework applicable to each Party. Each Party shall give full and sympathetic consideration to proposals made by the other Party for the settlement of any such dispute.



**IN WITNESS THEREOF** the undersigned, Representatives of the Asian-African Legal Consultative Organisation and the Office of the United Nations High Commissioner for Refugees, respectively, sign the present Memorandum.

Done in New Delhi, this 23 day of May 2002.

**For the ASIAN-AFRICAN LEGAL  
CONSULTATIVE ORGANIZATION**

**For the OFFICE OF THE UNITED NATIONS  
HIGH COMMISSIONER FOR REFUGEES**

**WAFIK ZAHER KAMIL  
SECRETARY GENERAL**

**RUUD LUBBERS  
UNITED NATIONS HIGH COMMISSIONER  
FOR REFUGEES**