

**VERBATIM RECORD OF THE FIRST
GENERAL MEETING HELD ON
MONDAY, 2ND JULY 2007 AT 3.45 PM**

Her Excellency Mrs. Brigitte Sylvia Mabandla, President of the Forty-Sixth Session in the Chair

A. General Statements

President: Thank you, Deputy Secretary General. Now we have completed the Second Meeting of the Delegations of AALCO Member States. We propose that we should start now the First General Meeting. I now invite general statements by Member States and Observers. Thailand you have the floor.

The Leader of Delegation of Thailand: Madame President, His Excellency the Secretary-General, Excellencies, Distinguished Delegates and Observers, Ladies and Gentlemen. First of all, on behalf of the Thai Delegation, I would like to congratulate you on your election as President of the Forty-Sixth Session of the Asian-African Legal Consultative Organisation. We are confident that under your able leadership and the concerted efforts of the delegations of the various Member States, this session will achieve a complete success. I also sincerely thank the Government of South Africa for the warm welcome and hospitality that have been accorded to us. I would also like to avail myself of this opportunity to welcome the new member, the Republic of Cameroon, to the Organisation.

Madam President, the role of international law in this era of globalization cannot be understated. The rapid increase in the cross-border flow of goods, services, people, capital, technology, and information is accelerating almost everywhere leading to serious challenges that cannot be addressed by individual countries. In this context, international law has become the main vehicle for governments to intensify cooperation in areas such as international

trade, investment, migration, environmental protection, transnational crime and terrorism. As the scope of international law expands, the sanctity and universality that are fundamental to its wider acceptance cannot be acquired without adequately accommodating and reflecting the needs and aspirations of the Asian and African States who represent two-thirds of the world population.

Thailand therefore attaches great importance to AALCO and the work it has carried out over the past several decades. We value its role in bringing together experience and expertise from Asia and Africa in order to evolve better understanding and common approaches on important legal issues, the assistance given to member countries to help them prepare and participate in a variety of international law meetings, the organization of specialized seminars and workshops on contemporary themes of international law, and its continued emphasis on cooperation with the United Nations, particularly its active involvement with the work of the International Law Commission. Its cooperation with other inter-governmental organizations such as the Council of Europe, League of Arab States, World Intellectual Property Organisation and International Organisation for Migration must also be commended. It is essential that the Asian African perspective on important legal issues is brought to the attention of relevant organizations and we thus look forward to the conclusion of cooperation agreements with the International Criminal Court and the strengthening of relations with the Hague Conference on Private International Law through the conclusion of an MOU.

Madame President, I am pleased to note that the issues in the Agenda of this meeting which include the law of sea, status and treatment of refugees, international terrorism, trafficking in women and children, and corruption are topical issues which are considered as high priority for Thailand. We look forward to sharing our views and experiences on these topics with

the other member countries and learning from their contributions.

As I conclude my remarks, I wish to thank the Secretariat for steering the work of this Organization with great efficiency and competence. Accordingly, we are optimistic that the Organization will play an ever increasing role to ensuring that the interests of the two regions are well articulated in international fora and to ensure that our role in shaping a just and equitable international legal order is strengthened. Finally, I wish to assure you that Thailand holds dear our association as a member of AALCO and that, as before, Thailand will support the Organization in all of its endeavours. Thank you, Madam President.

President: Thank you, Your Excellency. I now call on the Delegation of Indonesia

The Leader of Delegation of the Republic of Indonesia: Thank You Madam President, H.E. the President of the Forty-Sixth Annual Meeting of AALCO, Her Excellency Madam Brigitte Sylvia Mabandla, H.E. the Secretary-General of AALCO Mr. Wafik Z. Kamil, Excellencies, Distinguished Delegates, Ladies and Gentlemen,

Madam President, I wish to congratulate Your Excellency on your worthy election as the President of this very important meeting. I am confident that under your leadership and with your great wisdom and guidance, the present session of the AALCO will achieve copious of expected success by its deliberations on every subject matters in its great agenda.

May I also seize this opportunity to convey to this honorable gathering and extend my profound gratitude for the invitation extended to my Government to participate in the Forty-Sixth Session of the Asian-African Legal Consultative Organization. Sincere appreciation is also expressed to the Government of the Republic of South Africa for the warm welcome and gracious hospitality shown to all delegates, including

to my Delegation. Moreover, I would like to convey our profound appreciation to Secretary-General of AALCO and the Secretariat for the well-organized preparation of this important meeting including the early dissemination of documents for discussion.

Madam President, as mentioned yesterday by Her Excellency Minister of Justice of the Republic of South Africa Her Excellency Madam Brigitte Sylvia Mabandla, the excellent relations between the Asian-African nations have been strengthened by the New Asia Africa Strategic Partnership (NAASP), endorsed by the Asian and African leaders at the Asian-African Summit on the occasion of the Golden Jubilee Commemoration held in Jakarta in 2005. The document is a testimony to this growing sense of solidarity, reflecting the spirit of Bandung Conference of 1955. This Asia-Africa initiative is evidence of our commitment to establishing a cooperative global environment in which nations are equally respected, regardless of their domestic economic and political circumstances. Our strategic relationship has ensured that at the multilateral level, we have been able to cooperate closely on the major global issues of the day and will continue to do so, affecting such important areas as the struggle against terrorism, pursuing peace in the Middle East, the reform of the United Nations, and others. In the economic sphere, we need to harness our relative strengths to improve and strengthen our economic relations by enhancing cooperation among our business people and increasing trade, investment and technical collaboration. We therefore appreciate very much the initiative taken by AALCO to convene first half day special meeting on International Investment, Trade and Development. We must also work to encourage people-to-people interactions, including through cultural, scientific and exchange programs as well as promoting two-way tourism.

Madam President, as we are all aware, AALCO has played a significant role as an advisory body to discuss issues on International Law and as a forum to strengthen the ties of Asian-African cooperation in legal matters in which members can express their aspiration to achieve the goal of progressive development of international law. In this regard, the Indonesian delegation supports the appeal stated by His Excellency Mr. Narinder Singh in his remarks, that AALCO shall continue to deliver its significant contribution towards the work of the Sixth Committee of the United Nations in New York.

Having said that, my Delegation is of the view that this Session is of paramount importance because it is expected to have a fruitful discussion on recent international law issues, inter alia, the Law of the Sea, International Terrorism, Palestinian Case, Refugees, International Criminal Court (ICC), the work of the International Law Commission (ILC), Trafficking in Women and Children, Human Rights in Islam, Anti-Corruption, World Trade Organization (WTO), and Folklore Protection. My delegation therefore fully supports the initiative to hold the second half day special meeting on International Cooperation and Countering Terrorism.

Madam President, I would now to mention briefly some substantive issues that my delegation deems them pertinent, namely the issue of international terrorism, trafficking in women and children, anti-corruption, folklore protection, WTO, the law of the sea and Palestinian case.

Regarding the agenda item on International Terrorism, Indonesia believes that in order to crack down terrorism and their networks effectively, international cooperation at every level has to be strengthened. Therefore, the Indonesian Government has committed to continue taking the necessary and appropriate measures aimed at strengthening the legal infrastructure and

enhancing institutional capacities, through bilateral, regional and international cooperation.

With regard to the agenda item trafficking in women and children, my delegation would like to shed some lights on our current efforts to eradicate the crime. Currently, Indonesia, conducts its efforts to prevent and combat trafficking in persons, especially women and children, through three levels, namely Legal Framework, National Policy, and Law Enforcement Process. The Indonesian Government is also in the process of ratifying the United Nations Convention against Transnational Organized and Protocol to Prevent, Suppress and Punish Trafficking in Person, especially Women and Children, along with its two Protocols. Since the nature of trafficking of women and children is transnational/global, no country can ever successfully combat trafficking without the assistance of another country, therefore my delegation again reiterates the urgency of collaboration among nations through bilateral, regional and multilateral forum.

With regard the agenda of anti-corruption, my delegation would like to urge to all Asian-African countries to intensify regional cooperation to deny a safe haven to officials and individuals guilty of corruption, those who corrupt them and their illicitly-acquired assets, and to prosecute those engaged in bribery, including in international business transactions. Indonesia further agrees that the implementation of the principles of the United Nations Convention against Corruption can have a positive impact in advancing our commitment towards a cleaner and more honest and transparent community in the Asia-African region. Therefore, Indonesia is of the view to call upon Asian-African Countries to create a best practice on Mutual Legal Assistance in criminal matters and Extradition Treaty in order to ensure the supremacy of law in combating corruption.

On the agenda item of Folklore Protection, Indonesia reiterates its strong commitment to exert continuous efforts to promote the protection of Traditional Cultural Expressions, Traditional Knowledge and Genetic Resources. In this regard, Indonesia recently hosted “the Asian African Forum on the Protection of Traditional Cultural Expressions, Traditional Knowledge and Genetic Resources” in Bandung from 18 to 20 June 2007. The important forum had passed “Bandung Declaration” that reaffirmed the need of national, regional and international efforts to preserve, protect and promote the Traditional Cultural Expressions, Traditional Knowledge and Genetic Resources. The declaration also emphasizes on the importance of the Asian African country to work closely with relevant organization in regional and international fora for the establishment of an international legally binding instrument on the protection of Traditional Cultural Expressions, Traditional Knowledge and Genetic Resources.

Madam President, with regard to agenda item related to World Trade Organization, my delegation put specific concern on the effort of the Asian-African lawyers in order to enhance the capacity building on the WTO's issues, especially the dispute settlement mechanism. In this regard, my delegation proposes that in the near future, AALCO can organize or initiate a legal training for Asian-African lawyers, in collaboration with the WTO or UNITAR. My delegation believes that the endeavor can make significant contribution toward the empowerment of the Asian-African states in the WTO forum.

On the question on Palestine, Indonesia is of profound concern over continuing dangerous deterioration of the situation in the occupied Palestinian, and particularly condemn the Israel's military operation over Gaza City and Khan Younis on June 27, 2007. This act of indiscriminate killing and numbers of civilian casualties is a blatant violation of international law, including international

humanitarian and human rights law. In this context, we reaffirm Indonesia's long-standing and relentless commitment to support and contribute in the process towards finding a peaceful solution that would fulfill the rights of the Palestinians to self-determination and statehood, to independently define and conduct its foreign relations, and to live in peace, and the rights of every Palestinian refugee to return to his or her homeland. In this regard, Indonesia welcomes and encourages every effort that aims to bring about peaceful conclusion over Palestinian case. We also took note of the appointment of the UN new special envoy for the Middle East, Mr. Tony Blair, and look forward to having a concrete step to be undertaken in the near future.

With regard to the agenda item of the Law of the Sea, my delegation would like to draw our attention that despite of the achievements of the 1982 United Nations Convention on the Law of the Sea, international community has challenges in the governance of ocean affairs such as the issue of maritime security, safety of navigation and marine environment. In this specific issue, let me underline that maritime security has always been a significant concern for the Government of Indonesia. However it is of the essence that any attempt to deal with threat to the maritime security should not prejudice international law, in particular the law of the sea. International law provides a strong legal basis for coastal states by virtue of their sovereignty and sovereign rights to take appropriate measures to deal with maritime threat. Furthermore, the Indonesian delegation would like to recommend that the annual formal meeting of the State Parties of the UNCLOS shall be the only forum for the discussion on all aspects related to the implementation of the Convention.

Madam President, before I conclude my general statement, allow me to convey once again our profound appreciation to the Government of South Africa for having convened this Forty-Sixth Annual Meeting

and for giving My Delegation a warm welcome as well as the proverbial hospitality. Your Government has been exceptionally generous and your staff has been wonderfully helpful. Indonesia firmly believes that this Forty-Sixth Session will serve as an effective and efficacious forum for the discussion of current as well as new issues and challenges faced by the International community as a whole. Thank you very much, Madam President, for your kind attention.

President: Thank you Your Excellency, May I now call upon the Delegation of Japan

The Leader of Delegation of Japan: Madam President, Honorable Ministers, Secretary-General, Excellencies, Distinguished Delegates, Ladies and Gentlemen,

On behalf of the Government of Japan, I would like to congratulate Madam Brigitte Sylvia Mabandla, Minister of Justice and Constitutional Development of the Republic of South Africa on your election as President of the Forty-Sixth Annual Session of AALCO. I would like to express my appreciation and deep gratitude to the Government of South Africa for their warm welcome and gracious hospitality extended to all delegates as a host country. I also wish to express appreciation to Ambassador Dr. Wafik Z. Kamil, Secretary-General of AALCO and all the staff of the Secretariat for their efforts in organizing this meeting.

I am particularly honored to attend this meeting for the first time as a Member newly nominated by the Government of Japan to succeed Ambassador Chusei Yamada who had served as a Member of AALCO since 1993. I know well that Ambassador Yamada contributed enormously to the discussions in the past sessions of AALCO while extending his broad and profound expertise as a member of the International Law Commission of the United Nations. For my part, I will do my

best to contribute similarly to the extent possible for the further activities of AALCO.

As is well known, AALCO is one of the significant outcomes of the historical Bandung Conference in 1955. Since the establishment of the Organization, AALCO has played a significant role in developing international law as the only consultative body in the field of international law across Asian and African regions. I have personally observed the importance of this cross-regional organization when I worked in the Ministry of Foreign Affairs in various posts and postings including the ones relating to Southeast Asia, South Asia and the Middle East. I myself then also paid official trips to many African countries. Japan, as one of the original member states of AALCO, is pleased to see such development and its tangible and significant role in developing international law for Asia-African regions.

In this connection, I would like to mention how the rule of law in the international community is positioned in Japan's foreign policy. At the beginning of the Diet session in January this year, Foreign Minister Mr. Taro Aso put forth the "value oriented diplomacy" as one of the pillars of Japan's foreign policy. Minister Aso enumerated the "rule of law" as one of universal values to be pursued in the international community in addition to democracy, freedom, human rights and market economy. From this point of view, Japan has all along attached great importance to peaceful settlement of disputes through judicial settlement including the International Court of Justice. In this context, I would like to state that Japan's accession to Rome Statute of the International Criminal Court is expected very soon. In order to make substantial contribution to activities of the ICC, Japan has, therefore, the intention to nominate a candidate for the election of judges which will be held at the Sixth Assembly of State Parties in New York at the end of this year.

I hope that, following the last Golden Jubilee Session in New Delhi, this session will also have tangible fruits through the discussions on the issues such as Law of the Sea, International Cooperation in Counter-Terrorism, Establishing Cooperation against Trafficking in Women and Children and An Effective International Legal Instrument against Corruption, etc. We will explain the positions and views of the Government of Japan later on each agenda item during the course of the Session.

Finally, I would like to refer to the financial problems which the Secretariat has been facing for a long time. This question was in part discussed earlier today. I hope that a reasonable initiative to solve this problem, taking into account various factors surrounding financial matters would be taken. We also discussed the serious problem of huge arrears of contributions could prevent AALCO Secretariat from providing sound contribution to Member States. It is earnestly hoped that this question would be tackled with as an important task of AALCO in the coming months.

I am confident that this Session will be as successful as ever and AALCO will continue to play a significant role as one of the active international fora in Asian-African region and beyond. Thank you for your attention.

President: Thank you Your Excellency. The floor is now open to the Delegation of the United Arab Emirates.

The Leader of Delegation of the United Arab Emirates¹: Thank you Madam President. Her Excellency, Minister of Justice, Republic of South Africa, Your Excellency Ambassador Wafik Zaher Kamil, Secretary-General, Distinguished Delegates, Ladies and Gentlemen,

¹ Statement delivered in Arabic. Unofficial translation from the interpreter's version.

It gives me great pleasure on behalf of the United Arab Emirates to express great thanks to the Republic of South Africa for hosting the Forty-Sixth Annual Session of AALCO. It also gives great pleasure to extend our congratulations to Your Excellency for being elected as the President of the Session and also to His Excellency Mr. Eddy Pratomo, as the Vice President of the Session. I would like to express our complete and continuous cooperation for the success of the Session. I would also like to thank for the sincere efforts exerted by AALCO through its Secretary-General in organizing the work of the present and previous Sessions of AALCO.

Madam President, our Meeting thus reiterates the importance of the international community in laying down the comprehensive legal rules to face all the aspects of international peace and security and experience through the discussions which are being held at international and regional level to prove that these rules and legal covenants should be laid out and these discussions are the best and optimal way to formulate these covenants and rules. And in this connection, my Delegation of United Arab Emirates underlines the positive role exerted by AALCO in presenting the legal advice on how to map out these legal rules. United Arab Emirates has always expressed its commitment to support these efforts in order to have proper international legal rules being mapped out through its continuous attendance in all international and regional agreements and its full support to all what is in service to humanity and in this connection it gives us pleasure, Madam Chairperson, to state that the agenda of the Session covers most of the matters which are important to the international community at this time.

Madam President, the United Arab Emirates spares no effort in supporting all the relevant international and regional initiatives to combat terrorism as the United Arab Emirates has joined all relevant agreements and international covenants related to combating of this very dangerous

phenomenon which threatens the security and peace of the whole world and we have recently joined the convention on combating nuclear terrorism and all the international and regional agreements on combating terrorism, including the Organization of Islamic Conference (OIC) Treaty. In order to implement all these efforts we have promulgated a law for the year 2004 to combat all terrorist acts. The legal persons in the United Arab Emirates has taken into consideration all international covenants and agreements related to combating of terrorism. And these promulgated law did cover a number of procedures which provides for combating all kinds of terrorist acts and also acts of money laundering and which can be considered as model for similar laws as it has covered all mechanisms to combat these crimes related to terrorism. The United Arab Emirates supports all initiatives aiming at having comprehensive agreement on combating terrorism by which we can have an international and clear cut definition on term terrorism. Also, UAE is signatory to the Rome Statute on International Criminal Court and has been always keen to participate in the Meeting of State Parties and attending all Meetings to draft a definition on terrorism.

The United Arab Emirates has recently joined the United Nations Convention on Transnational Organized Crime. This is an expression of how we are exerting all our efforts on international and regional efforts to combat these acts. Because the national laws in the UAE punish heavily those who perpetuate such crimes and we have promulgated a law which ends trafficking in persons.

Madam President, the United Arab Emirates also reaffirms its role in the efforts exerted towards the human rights in Islam and which highlights the human rights in Islam and also renew our thanks to all efforts exerted by AALCO until now on this item.

Madam President, the United Arab Emirates expresses its deep condemn for the acts perpetuated against the Palestinians people in the Occupied Palestinian Territories and the inhumane practices by the Israeli Occupying Power, which has been denounced by the United Arab Emirates on all international and regional arenas. And that is why we call on this Meeting of Legal Experts from Member States of AALCO to exert more efforts in order to continue supporting this issue.

To conclude, we express our wish and this Meeting would come out with great success and bring about great contributions which can be of service of Members States of the Organization. Thank You.

President: Thank you very much. The delegation of Malaysia has the floor.

The Leader of Delegation of Malaysia: Madam President, His Excellency the Secretary-General, Excellencies, Distinguished Delegates, Ladies and Gentlemen,

On behalf of my delegation, allow me to take this opportunity to thank the Hon'ble Ms. Brigitte Sylva Mabandla, the President of this Forty-Sixth Session of the AALCO, the Secretary-General of AALCO Dr. Wafik Z. Kamil, the Host Country and the AALCO Secretariat for the excellent arrangements made for this AALCO session.

Madam President, my delegation would like to express our appreciation to the AALCO Secretariat for its efforts in conducting detailed and in depth studies of current issues in international law. The reports provided by the Secretariat are extremely useful particularly in providing the briefs of current international law issues and developments. In addition, it serves as an important source of information which could assist Member States in the deliberations.

Malaysia looks forward to the exchange of views with Member States on the issues that

had been included in the Agenda and will give specific comments on some of the topics during the allotted time. Malaysia also notes that AALCO has undertaken a host of activities, since the Forty-Fifth Session which includes, among others, the Meeting of International Experts on Human Rights in Islam which was held in Kuala Lumpur, 15-19 May 2006; participation at the 58th Session of the International Law Commission; and the Meeting of Experts on Emerging Issues on the UN Convention on the Law of the Sea held also in New Delhi, 24 November 2006.

These broad participation has opened up a number of interesting and important deliberations and the inputs attained from AALCO Member States could be used as a basis to put forward AALCO's views and be raised in a more coherent and effective manner. The views of AALCO could be presented more aggressively at the global level as a group rather than as an individual in order to achieve the necessary impact.

Although Malaysia takes note that AALCO has presented its comments on selected items at the Sixty-First session of the General Assembly of the United Nations, we are of the view that more could be done in order to achieve the objectives. A successful effort at the global level is usually achieved by having a united and strong voice as well as the ability to garner support through structured lobbying process.

Madam President, Distinguished Delegates, on the topic of Human Rights in Islam, Malaysia calls for the better understanding of the subject matter between the Muslim and non-Muslim countries. In the same manner that we must understand existing norms and principles that has been accepted by the international community in respect of human rights, the discussion on the concept of Islam as a religion of peace would serve as a possible effective means to demonstrate a true and better picture of Islam in dealing with human rights issues.

Islam is a religion of peace and the application of Islamic principles will ultimately bring justice, peace, and harmony. Malaysia supports the contention that in Islam, peace is achieved through administering justice, both social and economic, social empowerment, managing pluralism and diversity, universality and dignity, highlighting sacredness of human life, forgiveness and patience and achieving human equality.

Malaysia is happy to note the broad participation of experts and participants from AALCO Member States at the Meeting of International Experts on Human Rights in Islam (MIEHRI) which was held in Kuala Lumpur from 15 to 19 May 2009. We wish to thank the AALCO Secretariat and the Kingdom of Saudi Arabia for collaborating in the organization of that event. We believed that the outcome of the meeting contributed substantively to the better understanding of the subject matter as well as enhancing intentional cooperation, mutual respect and the dissemination of human rights principles and practices.

Madam President, Distinguished Delegates, on the matter of the law of the sea, the most important measure taken to date with regard to maritime safety and security is the International Ship and Port Facility Security Code (IPS Code) which was introduced by way of an amendment to the Convention on the Safety of Life at Sea 1974 (SOLAS) adopted in December 2002 by the IMO Diplomatic Conference on Maritime Security.

As for Malaysia, Indonesia and Singapore the maritime safety and security of the Straits of Malacca and Singapore are of primary concern since the Straits of Malacca and Singapore are straits used for international navigation. In accordance with Article 43 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) the Tripartite Technical Experts Group (TTEG) Meeting on the Safety of Navigation, which was initiated in 1971 by

Malaysia, Indonesia and Singapore, are currently working on establishing a co-operative mechanism which would enable a forum to be set up to promote general dialogue and exchange of views with major user States and other stakeholders on issues involving the safety of navigation and environmental protection of the straits in view of the events of September 11, 2001.

In establishing such a co-operative mechanism Malaysia, Indonesia and Singapore have at the same time emphasized that, as enshrined in the Jakarta Statement adopted on 8 September 2005 and Kuala Lumpur Statement adopted on 20 September 2006, the sovereignty, sovereign rights, jurisdiction and territorial integrity of the three littoral States, the principle of non-intervention and the relevant provisions of international law in particular UNCLOS must be fully respected.

With regard to the development of legal principles for the preservation and protection of marine environment, be it within or beyond national jurisdiction, Part XII of UNCLOS provides the framework for such preservation and protection of marine environment. Based on the provisions of Article 237 of UNCLOS, the principle of sustainable development has often been considered an important part of the protection and preservation of marine environment. Chapter 17 of Agenda 21, adopted in 1992 at the United Nations Conference on Environment and Development, remains the fundamental programme of action for achieving sustainable development in respect of oceans and seas.

The conduct of marine scientific research, which is regulated under Part XIII of UNCLOS, would further assist the coastal States in their obligation to preserve and protect the marine environment. Even though Part XIII of UNCLOS does not explicitly restrict the extent to which a coastal State can regulate marine scientific research, coastal States should be mindful of

the balance that they would have to strike between their rights and the freedom of navigation. Accordingly, in exercising these rights the coastal States are limited to reasons specified in Articles 248 and 249 of Part XIII of UNCLOS.

In areas of overlapping maritime claims, the need to preserve and protect the marine environment should take priority. In this regard, pending the final delimitation of the maritime zones, coastal States, in a spirit of understanding and co-operation, should make every effort to enter into provisional arrangements to such effect. This is in line with Article 241 of UNCLOS which provides that marine scientific research activities shall not constitute the legal basis for any claim to any part of the marine environment or its resources.

With regard to the increasing workload of the Commission on the Limits of the Continental Shelf, a well-prepared submission would further assist the Commission in its work. In this respect, States preparing for submission and facing insurmountable difficulties in obtaining the necessary data due to limited budget and lack of technical, financial and scientific resources should co-operate together and consider undertaking joint survey in gathering the necessary data and information since Article 76 (10) of the 1982 United Nations Convention on the Law of the Sea (UNCLOS) explicitly provides that the provisions relating to the establishment of the outer limits of the continental shelf under Article 76 are without prejudice to the delimitation between States. As such Article 76 is not concerned with the delimitation of overlapping claims between States. In fact, Article 76 guarantees the rights of the States concerned in cases where the delimitation of the continental shelf are at issue.

Madam President, Distinguished Delegates, on the issue of Trafficking in Persons (TIP), Malaysia reiterates that success can only be achieved, if the issues are addressed by all affected parties, be it the source, transit or

destination country. In light of that, Malaysia has enacted the Anti-Trafficking in Persons Act 2007 (ATIP 2007) which is compliant with the TIP Protocol. In this process, Malaysia had recourse to the Bali Process Model Laws as well as the UNODC Legislative Guides for the Implementation of the United Nations Convention against Transnational Organized Crime and its related Protocols. This legislation criminalizes the act of trafficking and provides protection to victims of trafficking including preserving their dignity and human rights.

Notwithstanding the ATIP 2007, States should also consider formulating a regional legal framework to facilitate co-operation to combat trafficking in persons. This is because a domestic law purely by itself cannot curb trafficking. Regional co-operation will be required for the investigation and prosecution of these offences because the traffickers begin their operations in the source country. In this regard, the extradition and mutual assistance in criminal matters regimes should apply. Therefore, if the source countries are not able or willing to prosecute the traffickers, the transit and destination countries that are affected can seek to prosecute the traffickers instead.

Madam President, Distinguished Delegates,

Finally, Malaysia would like to take this opportunity to express our gratitude to Ambassador Dr. Wafik Z. Kamil, the Secretary General of AALCO probably who will end his term of tenure at the helm of AALCO in 2008. Malaysia commends the progress of AALCO under the able stewardship of the Secretary-General Ambassador Dr. Kamil. Indeed he has brought fresh impetus to the Organization and has acquired out his responsibilities in the most professional manner. On a personal note, Ambassador Dr. Kamil is a close friend of mine whom I regarded or rather regard as a wise and visionary person. It is most comforting coming to AALCO

sessions over the years knowing that we have a person who have the best interest of the Organization at heart. Thank you very much.

President: Thank you. The delegation of China, you have the floor.

The Leader of Delegation of the People's Republic of China: Thank you Madam President, Honourable Secretary-General Amb. Dr. Kamil, Excellencies, Distinguished Delegates, Ladies and Gentlemen,

First of all, please allow me on behalf of the Chinese Delegation, I would Like to congratulate your Excellency Madam Mabandla, on your election as President of the Forty-Sixth Session of AALCO. We believe that, with your wisdom, talent and experience, you will surely lead this Session to a complete success. In addition, I would like to express our sincere thanks to the Government of the Republic of South Africa for hosting this important Session in Cape Town, a beautiful city of a great country. I would like to take this opportunity to express our appreciation to Mr. Narinder Singh, the outgoing president, Amb. Kamil, Secretary-General of AALCO and his colleagues in the Secretariat for their excellent jobs done in the past years.

Madam President, AALCO is an important intergovernmental organization for Asian and African countries to conduct consultations and cooperation on legal affairs. Since its inception in 1956, the AALCO has made great efforts to help Asian and African countries in international legal practices, as well as promote the development and codification of international law. The AALCO is committed itself to the research of international law issues which are of common interest of the member States, and it plays a prominent role in promoting the exchanges and cooperation among the member States. We believe that as the number of its Member States increases and

its work expands, the AALCO will exert greater influence on international affairs and international law.

Madam President, the current international situation is undergoing complicated and profound changes. In safeguarding world peace and promoting common development, the international community is faced with both rare opportunities and severe challenges. We are of the opinion that the international community should work together to seize the opportunity, stand up to the challenges, and build a harmonious world featuring lasting peace and common prosperity, democracy and justice, mutually beneficial cooperation, openness and inclusiveness. Asian and African countries together are an important force in safeguarding world peace, promoting common development and building a harmonious world. Through the exchanges and cooperation on international law issues at the important forum of the AALCO to promote a fair and rational international order, Asian and African countries will exert a positive influence on the building of a harmonious world.

Madam President, the Chinese Government places a great importance on the AALCO, highly appreciates its achievements scored since its establishment, and will continue to support and participate actively in its activities. In order to enhance and expand the influence of the AALCO, I wish to share with you my view and put forward some proposals: Firstly, we hope that the AALCO will continue to pay close attention to important international affairs, and provide its member States with profound international legal analysis. Secondly, we hope the AALCO will continue to strengthen its cooperation with other international organizations especially the relevant legal bodies of the United Nations, and support the United Nations role in safeguarding world peace and security and promoting common development. Thirdly, we hope the AALCO will follow closely the new issues, new trends and new

developments in the field of international law and write reports on these topics. Last but not the least, we hope that the AALCO will continue to hold seminars or workshops for the legal officials of the Member States.

Madam President, as the AALCO is one of the important achievements of the Bandung Conference, please allow me to take this opportunity to remind the Bandung Spirit of "peace, friendship and cooperation". My delegation is confident that, guided by the Bandung Spirit, we, the people of Asian and African countries, will maintain our good cooperation, and make important contribution to the world peace, development and cooperation. Thank you Madam President.

President: Thank you very much. We propose a break for 20 minutes. We will return to take the statements of Uganda and Pakistan. Thank you.

President: Now, the floor is to delegate of Uganda. Thank you.

The Leader of Delegation of Uganda: Madam Chairperson, I don't have written speech, I thought you would allow me to speak from my heart. First, I congratulate you for your well-deserved election. I would also like to thank the Secretariat for doing a very good job and being well organized. The fact that we are well ahead of the schedule on our agenda shows that the Secretariat is very well organized. From a rather selfish note, Madam Chair, allow me to congratulate my sisters and brothers of Kenya for having brought the Arbitration Centre closer to our home-to Uganda, and the east Africans region. That is an important landmark because us, indeed in the East Africa and in our region, we have many problems and challenges that confront us. So bringing this Arbitration Centre in East Africa close our home is certainly a landmark that you can utilize to bring peace to our people. And not only that, it goes a long way in signifying one important aspect that as much as we support this grouping,

this grouping also supports regional groupings. Because, without regional groupings, we may not actually be able to compete effectively in the global markets. So bringing the synergies in our regional groupings is an important aspect.

Madam Chairperson, I have talked about our challenges in Uganda, particularly in northern part of Uganda, the resistance I mean, there is an upheaval in Uganda, I mean genocide, and there are serious problems in Sierra Leone and many parts of the world. There is a new aspect called dispensation or dispensing justice under the traditional justice. Is it possible for AALCO to look closely at this aspect? May be, as we meet again, we could have a well researched and well thought about analysis as far as this concept 'dispensing justice under the traditional justice system' is concerned.

Madam Chairperson, I commend our forefathers, I commend our foremothers, if I have to speak about the spirit of Bandung, because most of them had talked about the Bandung spirit. Because it goes further to show that we are no longer looking at the ideological differences, tribal differences, but rather we looking it as-whatever our backgrounds, religious, tribal or otherwise, we all aspire to get peace to have development and to have unity and I think that guiding vision is the important thing of this grouping.

Madam Chairperson, I normally tell people and allow me to tell it to you people, one time a pastor went to see his closest friend who was very sick in the hospital. When he reached the hospital, he found that the friend of his is very sick. He was fitted with oxygen tubes, he couldn't breathe properly, he couldn't talk. So pastor realizing his friend is in critical situation, decided to kneel down and pray for him. He kneeled down, he prayed for him and he stood up. Before he stood up, the patient hand him with a sign of asking a piece of paper and a pen. The patient scribbled out some thing

on the paper. So, when the pastor stood up, his friend had died. In panic, the pastor picked up the paper without reading it; he put it in his pocket and went home. So, on the day of eulogizing of the death, of course the pastor is best friend, so he stands and talks that the friend is so good and so forth. Towards the end, he says by the way, I also think what cured him, he took out the note from the coat and said, do you know the what the note is. He read it verbatim. It read, pastor you are kneeling on my oxygen tube. The lawyers who are here want to sue the pastor. The church may want to say, forgive him, it's not a murder, but the lawyers would say, it is manslaughter. You have kneeled down upon his oxygen tube. You killed him. But the conclusion of mine is simple. Whatever we do, we should be extra care in whatever we do. Whether we are Minister, Attorney-General, Member of Parliament, we need to have extra care. I believe that if the pastor has kneeled down properly, the environment would have been different.

Madam Chairperson, As far as Uganda is concerned, we are committed to the challenges, committed to the opportunities of AALCO. Thank you so much.

President: Thank you very much. Delegations will agree with me when I say you gave us a food for thought. You made our day that is Secretary-General's comment. May I gave the floor to the delegation from Pakistan.

The Delegate of Pakistan: Madam President, Honourable Ministers, the Secretary-General, Excellencies, Delegates, Participants, Observers, Ladies and Gentlemen,

Madam President, It is a great pleasure and honour for me to be present and participate in the Forty-Sixth Annual Session of the Asian-African Consultative Organization. Please allow me at the outset of my statement on behalf of the delegation from the Islamic Republic of Pakistan to express

heartiest appreciation to the Great People of the Republic of South Africa for hosting the Forty-Sixth Session and for the friendly reception and hospitality.

Madam President, on behalf of the Pakistan delegation and in particular I have been instructed by H.E., the Law and Justice Minister, Mr. Mohammed Wasim Zaffar who shall be attending this meeting later, to extend warm and cordial congratulations to you Madam Minister on your election as the President of the Forty-Sixth Session.

Madam President, Our congratulation to Mr. Eddy Pratomo, on his election as the Vice-President of this Session. I am sure, Madam President that by virtue of your wisdom, talent and experience, this session will be a complete success.

Madam President, I would like to take this opportunity to congratulate the H.E. Dr. Wafik Zaher Kamil, and also all other officers and staff of the Secretariat for great efforts exerted for the preparation for this Session particularly the Secretary-General for presenting a very lucid report on the work of AALCO.

Madam President, AALCO has been established as a major forum to deal with international law issues among the Asian and African countries. The Member States with a spirit of achieving common goals in the field of international law have contributed to the growing status of AALCO. AALCO has been effective to ensure that the position of the African and Asian States on matter of international law of common concern are purposeful within the Organization, which subsequently giving us the necessary inputs to have influence on the codification and progressive development of international law. The AALCO serving as an advisory body to its member States in the field of international law is therefore laudable.

Madam President, the substantive items on the agenda of the session deal with

international law matters, which are of concern to the international community. In this regard, Pakistan has noted the work of the ILC, the progress achieved on the subject of the Law of the Sea, the Status and Treatment of Refugees as well as special meetings on International Investment, Trade and Development and International Cooperation in Countering Terrorism.

Madam President, the need for all States to work together, in a coordinated and cooperative manner to address the menace of international terrorism as it constitutes one of the most pervasive threats we confront today. It threatens to destabilize all modern societies. It emanates from virtually all societies. The need for all States to work together to address this menace comprehensively in all its forms and manifestations was never as acute as today.

Madam President, the objective we all espouse, to make our world safe from terrorist violence, is essential and indeed, imperative, for international peace and stability for development and prosperity and for the promotion and respect for human rights.

Madam President, the other issue of interest is the war against corruption. As it was very rightly observed by you earlier in the day. Madam President, this need to be addressed at all levels of society. Pakistan has signed the UN Convention against Corruption and is in process of ratifying it. However, in order to show our commitment we have established a National Accountability Bureau to address the issue of corruption. The effects of corruption and corrupt practices on any society are long term and multidimensional.

Madam President, the approved agenda of the Session is timely and relevant. My delegation is grateful to note that AALCO has focused on current challenges faced by us. These issues are of special interest to Pakistan. We look forward to fruitful deliberations this week on all the items on

the agenda for this Session. We assure you of the cooperation of the Pakistan delegation to bring the work of this Session to a successful conclusion. Thank you Madam President.

President: Thank you very much. Indeed, we have concluded today. I have a list of speakers to have the statement.

The meeting was thereafter adjourned.