THE ASIAN-AFRICAN LEGAL CONSULTATIVE COMMITTEE AS A FORUM FOR CO-OPERATION IN THE DEVELOPMENT OF INTERNATIONAL LAW

B. SEN

The emergence of the Asian–African Legal Consultative Committee as an important forum for Asian –African co–operation in the field of International Law in recent years has evoked considerable interest in the work of the Committee all over the world which is evident from the attendance of observers from other regions at the Committee's regular sessions which almost outnumber the Committee's own membership. This important development is perhaps attributable among others to the role the Asian–African Committee had been able to play during the Vienna Conference on the Law of Treaties in 1969 and its present contribution to the negotiations on the Law of the Sea.

It is a well-known fact that until after the Second World War, practically the entire Asian–African region, with few exceptions, was under colonial domination in one form or the other and even some of the countries which were nominally independent had been subjected to unequal treaties, which virtually brought them under the control of one or more of the colonial powers of the day. Even though the type of administration imposed by colonial rulers varied from country to country and a certain degree of self government had gradually been introduced in some of the territories, none of these countries had any effective role in international affairs–indeed, so far as International Law was concerned, the colonial territories were part and parcel of the Metropolitan power to which the colonies belonged and had no independent existence of their own. Even the seat given to India at the Peace Conference following upon the First World War and subsequently in the membership of the League of Nations brought no substantial change.

The Second World War amidst the misery and destruction of the magnitude which the world had never witnessed before

brought into motion certain basic norms and ideas which later found themselves enshrined in the United Nations Charter. The process of decolonization which followed after the War began with the peaceful transition of the Indian Empire, which at one time was described as the brightest jewel in the British Crown, into three self-governing dominions of India, Pakistan and Ceylan (now Sri Lanka) and the independent Republic of Burma. Soon thereafter many of the remaining colonial territories in Asia emerged as free nations but Africa had to wait somewhat longer for the setting in of the process of decolonisation.

It is remarkable that almost immediately after achieving their freedom the newly independent States of Asia and Africa began to play leading roles in international affairs, which was fostered and facilitated by the then East – West Cold War situation. The main concern of the Asian–African States at the outset was to speed up the process of decolonization, so that the remaining territories of the region could also achieve their freedom and take their rightful places in the community of nations.

Nevertheless there were various other fields to which their attention was attracted, including the ways and means of closer co-operation between the States of the Asian – African region and formulation of a common approach and policies in international affairs. This indeed was considered essential as the States in Asia and Africa share a common heritage and the problems which they have to face are also very similar.

The first effective step towards fruitful co-operation was the convening of the Asian – African Conference in Bandung in the early part of 1955. Apart from expression of solidarity in demanding the elimination of colonialism and racism, the Bandung Conference led to the evolution of ten principles of peaceful co-existence which were to govern the Asian–African States in their relations with their neighbours. Following upon that Conference moves were afoot for regional co-operation in various fields and particularly in the process of evolution of new principles of International Law. The Charter of the United Nations had envisaged that the principle of justice and international law should be the keystone of the new edifice of the emerging world order and it was naturally the feeling that the newly independent States of our region should have an adequate say in the formula-

tion that law, if it was to command the respect of all nations. It was well recognized that International Law, as then known, was primarily a product of Western Europe and many of the norms needed to be reviewed and adapted to meet the changing situations by reason of emergence of new nations of Asia and Africa. Even the formulation of some kind of a regional International Law in regard to several matters of regional interest was thought of and in this regard inspiration was derived from the writings of eminent jurists of Latin America and the dictum of Judge Alvarez in the Asylum Case before the International Court of Justice. It was in this context that in November 1956 seven Asian States took the initiative of forming a Consultative Committee, to be known as the Asian Legal Consultative Committee, to assist the Governments of the region in this task.

One of the functions assigned to this Committee under its statutes was the examination of questions that were under consideration by the International Law Commission and to arrange for the views of the Committee to be placed before the Commission. It will be recalled that the International Law Commission was established by the United Nations in 1948 pursuant to Article 13 of its Charter with a membership of fifteen individual jurists elected by the General Assembly, for the purposes of progressive development and codification of International Law. There were a large number of topics included in the programme of work of the Commission, embracing a variety of issues and it was considered important to place before that body the Asian–African viewpoint, so that the same could be taken into account in the course of codification and progressive development.This provision in the Asian–African Committee's statutes thus contemplated a link between the work of the Commission and that of the Committee which in later years was to lead to close and fruitful collaboration between the two bodies.

The more important task, however, which was entrusted to the Consultative Committee, was to consider legal problems that were referred to it by any of the member governments and to make such recommendations to the governments as it thought fit. This advisory role of the Committee was particularly important at the time of its constitution, because the newly independent States in the region were confronted with a series of problems

and they were anxious to evolve a common approach on these issues and also to be guided by the views of an expert body composed of leading jurists of the region. The importance of this function is evident from the fact that immediately on the establishment of the Committee there were as many as twelve different subjects which the member governments wanted it to consider. These included questions concerning Privileges and Immunities of Diplomatic Envoys or Agents; Restrictions on immunity of States in respect of commercial transactions; Extradition of Fugitive Offenders; Status and Treatment of Aliens including the questions of Diplomatic Protection and State Responsibility; Dual Nationality; Law of the Sea; Reciprocal Enforcement of Foreign Judgements and Legal Aid.

The Committe held its first session in New Delhi in 1957 as an Asian body. The then Prime Minister of India, Pandit Jawaharlal Nehru, in the course of his inaugural address voiced his sentiments for the future functioning of the Committee as an effective forum for regional co-operation and suggested that its membership should embrace participation of not only Asian but African States as well. The suggestion of the Indian Prime Minister was followed up by changes being effected in the Committee's name and its constitution; soon thereafter Egypt joined the ranks of the seven sponsoring original Asian State members and significiantly enough the Committee held its next session in Cairo.

By the time the Committee held its third session in Colombo in 1960, it was already in a position to make its recommendations on the question of Diplomatic Privileges and Immunities on which a United Nations Conference of Plenipotentiaries was due to convene the very next year. The Committee's recommendations on this subject, not only dealt with the draft articles prepared by the International Law Commission but had suggested certain formulations of its own, drawing heavily from the experience of Latin American States as found in the Havana Convention of 1928 and the Bustamente Code. Two very important developments followed almost immediately which were of considerable significance to the growth of the Committee. One was the establishment of offical relationship between the Asian-African Committee and the International Law Commission under

the relevant provisions of the Commission's statutes and the second was the invitation extended to the Committee by the United Nations to be represented at the Conference of Plenipotentiaries on Diplomatic relations. The establishment of official relations with the International Law Commission was an important step as it established the Asian-African Committee's status as a regional organization competent in the field of International Law. At the Conference on Diplomatic Relations in Vienna, the Committee's recommendations on the subject were officially placed for consideration and it is a matter of satisfaction that some of its recommendations found place in the Vienna Convention of 1961 which emerged out of that Conference.

For the next seven or eight years beginning with its Tokyo Session held in February-March 1961, the Committee's programme of work followed a uniform pattern. It continued to meet once annually for a period of two weeks with the participation of eminent jurists from member countries at the level of Chief Justices, Ministers of Justice and Attorneys General. It was able to make good progress on the subjects referred to it by its member governments and the Committee's recommendations on several such subjects were finalized and reports submitted. Among various subjects dealt with by the Committee during this period, particular mention should be made of its recommendations on the Legality of Nuclear Tests adopted at its Cairo Session held in 1946, the Principles Concerning the Status and Treatment of Aliens finalized at the Tokyo Session held in 1961 and the Principles concerning the Rights of Refugees adopted at its Bangkok Session in 1966, which paved the way for the United Nations Declaration on Territorial Asylum the following year. It may be stated that the Committee's recommendations on nuclear tests, which were in the nature of pioneering work, attracted the attention of the United Nations and later of the World Court in the complaint filed before it by Australia and New Zealand, against France. Recommendations were also finalized on the question of Immunity of States in respect of commercial transactions, Principles for Extradition of offenders taking refuge in the territory of another, Free Legal Aid, Arbitral Procedure, Dual Nationality, Enforcement of Foreign Judgements, the Service of Process and the Recording of Evidence among the States both in Civil and Criminal cases, Relief

against Double Taxation and Fiscal Evasion. In addition, the Committee at its New Delhi Session discussed the merits of the judgement of the International Court of Justice in the South-West Africa Cases and the status of South-West Africa. Some progress was also made in regard to examination of the International Law Commission's work on the Law of Treaties, the Law of International Rivers. the United Nations Charter, Codification of the principles of Peacuful Co-existence and the Law of Outer Space. Apart from the Committee's Advisory role, its Secretariat was also able to bring out the compilation of constitutions together with the constitutional history of the Asian-African countries in order to create greater interest and understanding of the affairs of the countries of our region.

A question arose at this stage as to how best the recommendations of the Committee could be given effect to and it was decided that the Committee being an advisory organ, its functions should be restricted to rendering of advice by formulation of principles in the shape of articles or by expressing the agreed views of the Committee, leaving it to member governments to decide whether to adopt the same in their own municipal legislations or through bilateral treaties and multilateral conventions.

The membership of the Committeee during the first ten years of its existence continued to be small-its membership had increased only to twelve. Nevertheless, the standard of its technical work began attracting the attention of various United Nations organs and agencies as also other international organizations. Several non-member countries of the region started being represented by observers at the Committee's regular Sessions and were given the right to participate in the deliberations. Official relations were established during this period with various international organizations such as the League of Arab States, the Commonwealth Secretariat, the UNIDROIT and the Hague Conference on Private International Law. This was in addition to various United Nations agencies who began participating in the work, depending on the subjects dealt with by the Committee, for example, the Office of the United Nations High Commissioner for Refugees assisted and actively participated in the Committee's work relating to the Refugees and it

was as a result of the efforts of that office that the Committee's Bangkok principles on that subject became widely known.

A major change in the Committee's programme of work and the method of its functioning came in 1969 when it was decided that the Committee should in addition to its advisory role to its member governments, assist all Asian and African countries in preparing themselves on important subjects which were to come up for consideration before the United Nations Conferences of Plenipotentiaries. The move in this matter came from Dr. T.O. Elias, the then Minister of Justice of Nigeria and now a Judge of the World Court, during the Vienna Conference on the Law of Treaties. That was the first major law making Conference which was being attended by a large number of Asian-African delegations, sidce by that time practically the whole of our region had been liberated from vestiges of colonialism. Being newly independent and not having played any role in the development and formulation of International Law during the colonial era, it was found that the delegates respesenting many of the countries of our region were in an unequal position to effectively participate in the discussions of the intricate issues concerning the Law of Treaties. Even though the Asian-African Committee was then small in size, in so far as its membership was concerned, the standard of its technical work had made considerable impact. Dr. Elias who was the Chairman of the Committee of the Whole at that Conference and also the Chairman of the Asian-African Group suggested that the Committee should prepare a study on some of the important questions and arrange for a meeting which will enable Asian and African delegations to have a full and frank exchange of views on the crucial issues on this subject. The Committee's Karachi Session held in January 1969 was utilized primarily for this purpose and the decisions taken thereat paved the way for compromise solutions reached at the Vienna Conference held a few months later under the leadership of Dr. Elias himself.

In December 1970 the United Nations General Assembly decided to convene the third Conference on the Law of the Sea and immediately thereafter there was a suggestion that our Committee should take up this subject with a view to assisting its member governments and other Asian-African governments to

prepare themselves for the Conference of Plenipotentiaries, having regard to the effective role played by the Committee at the Vienna Conference on the Law of Treaties. From then onwards, the Law of the Sea has continued to remain as a priority item on the Committee's programme of work and all its regular sessions commencing from its Twelfth Session held in Colombo in 1971 have been utilized for deliberations and exchange of views on this subject. The Committee's Secretariat has assisted its member governments and other Asian-African Governments by preparing volumnious studies and discussion papers. Apart from this, Inter-sessional consultations on a regular basis have been carried on through meetings of its Sub-Committees and Working Groups. No sooner had the Committee taken up this subject, there was a request from several governments in Latin America that representatives from that region should be invited to participate in the Committee's deliberations on the Law of the Sea. This we readily agreed to because the Asian-African region has so much in common with Latin America. But having agreed to receive representations from that region in our Meetings, it became difficult to resist such requests from other regions as well and since our Lagos Session held in 1972, our Plenary Meetings have been thrown open to Observers representing Governments from all over the world. We had allowed them to participate in our discussions, as it was felt that on a subject like the Law of the Sea, it would be important to hear the views of all countries as that could facilitate the task of negotiations which our own member governments would have to undertake within the framework of the United Nations. Almost at the same time as we took the up Law of the Sea, it was felt that the Committee should include in its programme of activities, consideration of legal questions in the economic field in view of the establishment of the UNCITRAL and the UNCTAD which were expected to take up on a long term basis. the formulation of law and practices on such matters. Official relationships were established with these two bodies and a section of the Committee's Secretariat was created to deal with Trade Law problems.

Even in this field, the legal rules governing international trade had been a product of the West and oriented to the interests of the trading communities of the Western nations. It was

therefore necessary for the Asian-African States to take active interest in the examination and reformulation of such rules by the specialized bodies of the United Nations, particularly in the field of shipping legislations, international commercial arbitration and formulation of uniform law in regard to international trading transactions. The Committee's work had therefore to be directed towards preparation of studies and papers to assist the countries of our region to play an effective role in the deliberations of organs and bodies like the GATT, UNCITRAL and the UNCTAD as also in Conferences of Plenipotentiaries that may be convened to draw up Convention and statutes dealing with Trade Law matters. In addition, it was proposed that the Committee should also take up specific issues and questions which were of special interest to the region. One of such questions was the formulation of Model or Standard Contracts for use in international transactions in regard to commodities and raw materials which were primarily exported from the countries of the region. It was found that most of the transacactions in regard to such commodities continued to be made on terms and conditions drawn up by trading associations and institutions in London and some of the leading commercial centres in Europe. Such terms and conditions were heavily weighted in favour of the European buyers and needed to be reviewed in order to have more balanced contractual provisions which would effectively take care of the interests of both the buyer and the seller. The Asian-African Committee, after a good deal of preparatory work, has now been able to formulate two Model/Standard Contracts in regard to sale of agricultural produce and other raw material. Another question of very great importance to our region was to find ways and means by which disputes of a commercial nature arising out of trading and other types of private law transactions could be settled expeditiously and through adoption of fair procedures. In this connection it may be mentioned that most of the contracts governing such transactions between Asian-African parties including governments and governmental corporations and the parties in other regions provided for settlement of disputes by arbitration under the auspices of one or more of the Chambers of Commerce or arbitral institutions located in Europe. It was found that the procedures adopted by some of these institutions at times worked

unfavourably for the developing countries but the inferior bargaining positions left them with no option other than to accept the arbitration clauses as proposed by the parties in the West. This problem had therefore to be tackled on a concerted basis and the Asian-African Committee has now been able to make certain important recommendations in this regard, including the possible establishment of two regional arbitration centres and a recommendation to the United Nations for adoption of a Protocol to the 1958 United Nations Convention on Recognition and Enforcement of Foreign Arbitral Awards, to provide that where awards are made under procedures which do not work fairly to both the parties, the award need not be enforced. It is a matter of significance that in the Latin American region too, Commercial Arbitration had been one of the topics for examination and regional conventions have been adopted which would ensure settlement of disputes under adequate and fair procedures. In several other areas of trade and commerce, the work in Latin America is much more advanced than ours which no doubt is due to the fact that Latin America had achieved its freedom from colonial domination much ahead of our region. The Asian-African Committee is bound to be guided by their experience in this field and we will progressively draw upon their knowledge and expertise as we proceed to cover new areas of Asian-African co-operation in the field of Trade and Commerce.

In November of last year our Committee celebrated the Twentieth Anniversary of its constitution. On this occasion the United Nations Secretary General, Dr. Kurt Waldheim referring to the work of the United Nations in progressive development of international law and the role of our Committee therein said:

> "This Committee has contributed immeasurably to the promotion of this task. Being composed of representatives of nations of the two great continents of Africa and Asia and representing the rich historical, legal and cultural heritage of those regions, the Committee provides an invaluable service in harmonizing the views of its members on various legal problems confronting the international com-

munity. The work of the Committee, representative of the oldest and newest members of the international community, is felt far beyond its regions and represents an essential ingredient in achieving the codification and progressive development of contemporary international law.

The importance of closer co-operation between this Committee and various United Nations bodies dealing with the progressive development of international law and its codification has been fully recognized by the General Assembly.

I need only point to the most valuable work undertaken by the Committee in providing studies and analyses on issues of special importance to the regions of Asia and Africa, with a view to assisting its member governments to prepare for international conferences convened to codify and progressively develop international law, such as the United Nations Conference on Diplomatic Intercourse and Immunites, the United Nations Conference on the Law of Treaties and the Third United Nations Conference on the Law of the Sea."

The same sentiments were expressed by representatives of various regions all over the world at a special commemorative meeting of the Sixth Committee of the United Nations.

The Asian–African Committee can now be said to have come of age with its entering the Twenty–First year. It now has a membership of thirty–five States and it also caters to the needs of many other Asian–African countries, even though they are not formally members of the Committee. Its programme of work has been considerably expanded during the last five years and it now embraces the following fields: –

(a) Examination of all legal questions in the field of International Law and Trade Law which are under consideration of the International Law Commission and other United Nations organs and agencies and making recommendations thereon to the member governments.

(b) Preparation of studies on all questions before the United Nations Conferences with a view to assisting the member governments of the Committee and other Asian–African Governments. The Committee also arranges for exchange of views on such matters in order to assist in the formulation of a common policy.

(c) Consideration of specific problems which may be referred to the Committee by a member government as also matters of common concern which may be taken up by the Committee on its own motion.

Apart from these, the Committee's Secretariat performs certain additional functions such as assisting individual member governments on specific legal problems upon request, training of officers in the technique of advising and research as also undertaking of publications and informative material for the benefit of its member governments.

It may not be out of place to compare briefly the work of the Asian–African Committee with the work that is being done by other regional organizations. The more important regional orums where similar work has been undertaken are within the framework of the Organization of American States and the Council of Europe.

The oldest of the regional organizations which has played an effective role in the development and codification of International Law is of course the Organization of American States whose membership, like that of the Asian–African Committee, is composed primarily of developing countries. It is therefore not surprising that the formulation of the rules and practices on various topics which found themselves embodied in treaties and conventions within that region reflected in many ways the attitudes and the aspirations of the developing world and at times an element of regional international law particularly where the topics for codification concerned regional problems such as in the field of asylum, both territorial and diplomatic. The major contribution of Latin America which attracted the attention of the world was the Havana Convention of 1928 on Diplomatic relations which was perhaps the first major attempt on the part of a Group of States to examine and codify the customary and conventional rules on the subject.

The Organization of American States which was founded in 1890, adopted its Charter in 1948 at the Ninth International Conference of American States held in Bogota (Colombia), in order to give the organization a permanent legal structure. The Charter was amended by the protocol of Buenos Aires in 1967. There are twenty – six States, members of this organization, namely, Argentina, Barbados, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Grenada Guatemala, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Surinam, Trinidad and Tobago, United States, Uruguay and Venezuela. Under Article 51 of the Charter of the O.A.S., one of its principal organs is the– Inter–American Juridical Committee (previously named as the Council of Jurists). This Committtee is composed of eleven jurists, elected by the General Assembly of the OAS for a period of four years. The Committee has its seat in Rio–de–Janeiro and it normally meets twice a year. It serves as an advisory body on juridical matters to the OAS. Its purpose is to promote the progressive development and codification of international law as also to study juridical problems related to the integration of the developing countries of the western hemisphere and in so far as may appear desirable, the possibility of attaining uniformity in their legislations. The Juridical Committee is also to study and do preparatory work on such matters as may be referred to it by the General Assembly or the Councils or the Meeting of Foreign Ministers of OAS. It may also on its own initiative undertake such studies and preparatory work as it considers advisable and suggest the holding of specialized juridical conferences. The Inter–American Committee has the same status with the United Nations and the International Law Commission as the AALCC, namely, a regional body competent in the field of international law. The Legal Department of the Organization of American States in Washington provides administrative and technical assistance to the Juridical Committee and all preparatory work is done by the OAS Secretariat in Washington.

During the past three decades the Juridical Committee and its predecessor the Council of Jurists had dealt with legal questions referred to it by the various organs of the OAS. In this regard the functions of the Juridical Committee are very similar to the Asian–African Committee, except that in respect of the latter,

the legal questions are referred or suggested by the Governments themselves. In addition, the Juridical Committee and its predecessor have prepared drafts of many regional conventions in regard to matters of special interest to the region which have ultimately been the basis of regional conventions adopted by the OAS, the latest ones being the Inter–American Convention on International Commercial Arbitration, the Inter–American Convention on the Legal Regime of Powers of Attorney to be used abroad, the Inter–American Convention on the Taking of Evidence Abroad, the Inter–American Converntion on Letters Rogatory, the Inter–American Convention on the conflict of laws concerning cheques and the Inter–American Treaty of Reciprocal Assistance. Regional Conventions have also been prepared on Political Aslyum and Protection of internationally protected persons. The Asian–African Committee has not performed such functions in the past but the work done by the Inter–American Committee in this field will be relevant when the Committee considers the proposal of Iraq made at the Baghdad Session for creation of a Standing Commission charged with the task of preparing drafts of regional conventions on such subjects as may be referred to it by the AALCC. Apart from the treaties and conventions which are adopted by the OAS on the recommendation of the Inter–American Committee of Jurists, several other treaties and conventions have been entered into *inter se* between a smaller number of States of the region, particularly in the economic field.

The other major organization within whose framework much progress has been made in the legal field during the past three decades is the Council of Europe which has its seat in Strasbourg Its membership is composed of nineteen States, all of whom with the exception of Turkey and Cyprus are from Western Europe. The principal legal organ of the Council of Europe is the European Committee on Legal Co–operation which is regarded as one of the three regional organizations competent in the field of international law. Apart from this, there are five other Committes whichdeal with legal matters. These are the European Committee on Crime Problems, the Committee on Human Rights; the Committee on News Media which deals with matters concerning television, press, radio, cables, satellite and outerspace; the Committee on Identity and Movement of Persons;

and the Committee on Refugees and Asylum. The Legal Department of the Council of Europe provides administrative and secretarial services for all these Committees except the Committee on Human Rights, which is handled by the Human Rights Division on the Council. All the six Committees dealing with legal matters report to the Committee of Ministers who decide whether a regional convention should be adopted on a particular matter or whether it would be sufficient to adopt the decision of the Council by means of recommendations to its member governments. So far, more than one hundred regional conventions have been adopted within the framework of the Council of Europe which have been published in three volumes.

The European Committee on Legal Co-operation meets twice a year, namely, once in June and once in November-December. In addition, special meetings are organized by the Legal Department of the Council of Europe for dealing with particular matters which are before the United Nations, with a view to work out some kind of uniformity of approach. These meetings are not strictly regarded as meetings of the Council of Europe, as non-member States of the Council of Europe are often invited to attend these meetings. The invitations to these meetings are generally extended to the members of the Western European and Others Group but in some cases certain Asian States have also been invited. The work undertaken in these meetings which involve mainly exchange of views is very similar to the work done in the AALCC at its sessions on the Law of the Sea. Apart from this, there are also special meetings which are confined to the members of the Council of Europe. Such special meetings have recently been held on State Succession in Respect of Treatis and on UNCITRAL matters, preparatory to the Conference of Plenipotentiaries on State Succession and the Tenth Session of the UNCITRAL. Here also it was found that the work was similar to that of the AALCC in as much as studies on such matters were prepared with a view to assisting the member governments of the Council of Europe and exchange of views had been arranged with a view to adopting similarity of approach wherever possible. The European Committee very often appoints expert groups out of its own membership which is again similar to the appointment of Sub-Committees of the AALCC. A proposal for appointment of a European Law Commission as a

standing body of European experts was not favoured as it was felt that the Legal Department of the Council of Europe and expert groups which are appointed by the Committee were sufficient to deal with various matters. The Secretariat, however, has freedom to consult outside experts whenever it thinks necessary for preparation of studies, but the names of such experts are not disclosed. The Legal Department also like the AALCC Secretariat affords training facilities and awards scholarships to individuals for preparing studies. The scholars who are given scholarships for research are not part of the Secretariat and they are free to carry on their research in their own countries. The Department of Legal Affairs has a scheme under which scholars from other regions are allowed to spend some time in the Department to familiarize themselves with the type of work undertaken by the Legal Department.

Work in the legal field is also undertaken within various other organizations like the Commeonwealth Secretariat, the Organization of African Unity, and the League of Arab States, but the impact of such work on the progressive development of international law does not seem to have been appreciable. There can be no doubt that if international society is to evolve and grow along rational and peaceful lines, it must do so in accordance with legal principles and rules. Without clear and widely recognized rules of international law, and without strict observance of such rules and of the basic principles and norms of international law embodied in the United Nations Charter, it would be impossible to ensure the strengthening of international peace and security, to enhance the fruitful and friendly co-operation among States, and to promote the general welfare of all people and nations. The importance of regional organizations in this task cannot be overemphasized. It is for this reason that the Statute of the International law Commission approved by the General Assembly recognizes the need for consultation between the Commission and inter-governmental organizations, including regional organizations, whose task is the codification of international law. This represents a very positive fact in itself because to achieve the overall objective of strengthening international peace and security as well as international co-operation, codified rules of law should correspond to the needs of contemporary conditions existing in the international community and, consequently, should reflect the views and aspirations of all States, whatever may be the form of civilization or legal system to which they belong.