

**ADDRESS BY H.E. BARAKA H. LUVANDA, HIGH COMMISSIONER OF THE UNITED REPUBLIC OF TANZANIA TO INDIA ON BEHALF OF THE REPRESENTATIVE OF THE PRESIDENT OF AALCO HIS EXCELLENCY AMBASSADOR DR. AUGUSTINE P. MAHIGA, MINISTER FOR CONSTITUTIONAL AND LEGAL AFFAIRS OF THE UNITED REPUBLIC OF TANZANIA AT THE OCCASION OF THE CONFERENCE TO CELEBRATE THE COMPLETION OF 60YEARS OF THE INDIAN SOCIETY OF INTERNATIONAL LAW (ISIL)**

**V.K. KRISHNA MENON BHAWAN, 9, BHGWAN DASS ROAD, NEW DELHI,**

**SATURDAY, 22 FEBRUARY 2020**

***Mr.Koteswara Rao, Secretary-General, ISIL, and Co-Chair,***

***Distinguished Members of the Panel in the Dais,***

***Dear Participants,***

***Ladies and Gentlemen.***

***Namaskkar! Jambo! Goodmorning!***

Before I propose to you this keynote address on behalf of the President of AALCO His Excellency Dr. Augustine Mahiga, Minister of Legal and Constitutional Affairs of Tanzania let me share with you my little experience this morning.

Yesterday I was in Chennai attending a Diplomatic Outreach Event on Investment Opportunities along with other diplomats. The event is going on as I address you. I had to cut it short and catch a 6 o’clock flight so as to be here to address you on behalf of the President.

And since I speak before the legal minds, I know you know pretty well why I couldn’t delegate this function. It is obviously because of the respect I have to the legal maxim – “*delegates non potest delegare”* i.e. no delegated powers can be further delegated.

**Ladies and Gentlemen,**

Let me assure you of one thing. That although I will be speaking to you as substitute, I will absolutely faithful to the President’s instructions and be his master’s voice.

1. *So,* *ladies and gentlemen*, let me take this opportunity to thank the Asian-African Legal Consultative Organization (AALCO) and the Indian Society of International Law (ISIL) for giving me this opportunity to address this august gathering. Today, as we gather here for this Conference, organized specially to mark 60 years of the establishment of the Indian Society of International Law (ISIL), a premier research and teaching national society for International law with a glorious history, let us take pride in the evolution of international law in the Asian-African region over the decades.
2. On this occasion, it is extremely apt that a separate session on ‘Asian-African Approaches to International Law’ is being organized jointly by ISIL and AALCO. It is my hope that the session will stir serious debate on streamlining unique aspects of this highly eclectic area in a manner to be developed by future scholars.

*Ladies and Gentlemen*,

3 The domain of international law has attracted the attention of legal scholars of all persuasions over last few centuries. For States, it has come to define the majesty of global order and commitment to world peace through the medium of a rules based framework. The discipline of international law has been the intellectual playground of the modern mind committed to reinventing the social compass of global relations over many years now.

4 Historically, the Asian- African approach has been critical of the Western analytical approach. The role of the pan-African movement in international law is well recognized. For instance, Pan-Africanism in international law was largely instrumental in bringing about the transformation of African States as ‘subjects’ of international law from ‘objects of international law’.

**The dual pronged nature of Asian-Africanism**

5 The contemporary struggle of ‘Afro-Asianism’ in international law discourse has been to re-orient the *Jus publicum Europaeum* to incorporate Afro-Asian values into the discourse of international law. For an International Organization like AALCO, this would mean, strengthening Afro-Asian positivism to facilitate the codification and progressive development of international law. Asia and Africa have infused diversity into the international law discourse. They have made the field more vibrant.

6 In this context, the application of international law in Asia and Africa must be sensitive to the diverse cultures, norms and values prevalent in various countries of the continent and look to harmonise elements that are in the common interest of all concerned.

**AALCO and Asian-African Solidarity**

7 The remarkable idea of Asian-African solidarity was articulated in the Afro-Asian conference of 1955 also known as the Bandung Conference for this first time. When AALCO was formed, there was a consensus that rule of international law cannot be one sided due to the historical exclusion of Asian-African States, the state of affairs would have to change for the better[[1]](#footnote-2). The great legacy of Bandung lives on through the AALCO.

8 As of date, AALCO has 48 Member States and enjoys Permanent Observer Status with the UN, accorded in 1981.This unity was one of the most remarkable aspects of the twentieth century.

9 Over the years, AALCO has provided a valuable platform for Member States to raise their voices and opinions on all-important matter of international law. This has enabled the two continents to be at the forefront of international law developments and assert their views in a systematic and coherent manner keeping in mind their best interests.

10 In more ways than one, the creation of AALCO was based on the realisation that newly formed Asian, African States emerging from the yolk of colonialism continued to face iniquities in the global system, and hence a collective platform to address common concerns was a fundamental imperative given their historical exclusion from international law making.

11 It is a matter of pride for me to mention that AALCO is the only IO of its kind, bringing together the rich diversity of two great continents in facilitating the progressive development and codification of international law and remains the last surviving institution of the Bandung Conference.

12 AALCO’s outstanding contribution to international law over the years have been recognized and appreciated across the globe. Institutional efforts to disseminate information on this front have been well documented as well hence not necessary to recount all those achievements here.

13 As an International Organization (IO), AALCO has played a historic role in fostering a multilateral world order based on value oriented multilateralism. Realising the fundamental values of peace, justice and global harmony in the best traditions of multilateralism has defined the working credo of AALCO.

14 The work of AALCO over the years has in itself created a unique ‘Asian-African Approach to International Law’ that is redefining many dimensions of the subject. It is my conviction that this effort of AALCO would only grow stronger in the times to come.

**Tanzania and AALCO**

15 The United Republic of Tanzania has been a strong pillar of support for AALCO. In both organizational and substantive matters, Tanzania has always endeavoured to offer its services for the larger good of the Asian-African community. It is precisely with this spirit that the Fifty-Eighth Annual Session was hosted in Dar es Salaam in October 2019, as the third Annual Sessions of AALCO to be held in the United Republic of Tanzania.

16 To this end, I would like to use this opportunity to re-affirm our unflinching support to the growth, and development of international law and in doing so strengthen the foundations of AALCO in whatever manner possible. We remain proud of the immense contributions made by H.E. Prof. Dr. Kennedy Gastorn, Secretary-General of AALCO in strengthening the edifice of Afro-Asian cooperation in international law through his visionary leadership at AALCO and look forward to further growth of the Organization in the years to come.

17 Before I conclude, I once again thank AALCO and ISIL for jointly hosting this extremely crucial session on Asian-African Perspectives on International Law. Many brilliant experts of international law will be enlightening us on different dimensions of the subject from an Asian-African perspective.

18 I congratulate the ISIL for completing 60 years of diligent work in promoting international law and wish all success to the society in the times ahead.

Thank you!

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1. Infra n. 3 [↑](#footnote-ref-2)