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AD HOC COMMITTEE OF LEGAL ADVISERS
ON PUBLIC INTERNATIONAL LAW
(CAHDI)

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APPOINTMENT OF THE BUREAU OF THE CAHDI

Secretariat memorandum
Prepared by the Directorate of Legal Affairs

Foreword

1. According to Article 18 of Appendix 2 to Resolution (76) 3 of the Committee of Ministers, the CAHDI may appoint a Bureau for a period of two years expiring 31 December 2001. The relevant provisions follow hereafter:

- a. *Every steering committee shall appoint a bureau consisting of the Chairman, the Vice-Chairman and from one to three members of the committee. Any other committee may, if need be, appoint a bureau composed, normally, of three members.*
- b. *Other members of the bureau shall be appointed in the same manner as the Chairman and Vice-Chairman. They shall be appointed immediately after the Chairman and the Vice-Chairman in accordance with an equitable geographical distribution.*
- c. *The term of office of such members shall be two years and may be renewed only once. However, a member may, on expiry of his second term, be appointed Chairman. In order to ensure partial replacement of the bureau each year, the first term of one such member shall be limited to one year.*
- d. *A member elected to replace another whose term of office has not expired shall complete his predecessor's term. The same shall apply to the offices of Chairman and Vice-Chairman.*

2. Information concerning Bureaux in Council of Europe committees follows hereafter. A table summing up the situation is attached.

A. Committee Bureaux in the Council of Europe

Role of the Bureaux

3. Bureaux are called upon to carry out the tasks entrusted to them by the Committees. They are principally of a procedural nature. In addition, they provide the Secretariat with guidance as required for specific issues.

Bureaux in Council of Europe committees

4. It should be noted that steering and *ad hoc* Committees of the Council of Europe have a Bureau. Only the Committee of Experts on OSCE Human Dimension Issues (CAHDH) does not have a Bureau. This is due to the fact that this Committee ensures a liaison with another international organisation and does not have activities of its own.

Composition of Bureaux

5. Paragraph a) of Article 18 of Appendix 2 to Resolution (76) 3 of the Committee of Ministers, states that Bureaux should normally be made up of three members. However, this resolution dates back to 1976. At this time the Council of Europe's membership was significantly smaller.

6. Thus, Bureaux of Council of Europe committees have at least 5 members (see CAHAR) others have up to 12 members (see CDCS). However, most of the Bureaux have between 6 and 9 members.

7. It should be stressed that members of the Bureau do not represent their countries. They are appointed in view of the contribution that they can play in fulfilling the role attributed to the Bureau (see above). However, it is desirable that in as far as possible, the Bureau composition reflects the diversity of Member States legal traditions and systems as well as ensures a balanced gender representation.

Bureaux meetings

8. Some committees organise some of their Bureau-meetings at the same time as the committee-meetings take place (CDDH, CDCS, CDPO, CC-HER, CDSP, CDPC, and the CDBI). Other have separate Bureau meetings.

B. BUREAU OF THE CAHDI

9. In view of the above, it is suggested that the CAHDI appoints a Bureau made up of 5 members, that is, the smallest number of members of an existing Council of Europe Committee Bureau.

10. The Bureau of the CAHDI should possibly include: the Chair of the CAHDI (as Chair of the Bureau), the Vice-Chair of the CAHDI (as Vice-Chair of the Bureau) and possibly the Chairman of the Group of Experts on Reservations to International Treaties (as member of the Bureau) if the CAHDI decides the continuation of this Group. These three members would be appointed for a one-year term. Two other members should therefore be appointed for a period of two years.

11. It should be stressed that there are no financial implications resulting from the appointment of the Bureau as no separate meetings of the Bureau are envisaged other than possible meetings in the framework of CAHDI meetings, either immediately before or in between the meeting of the CAHDI. If the Bureau guidance would be required in between CAHDI meetings, consultations would be made by phone or fax.

12. As with other bureaux of Council of Europe committees, the Bureau of the CAHDI would be called upon to carry out the tasks entrusted to it by the CAHDI, particularly of a procedural nature and to provide the Secretariat with guidance as required in between meetings of the CAHDI.

Action required

Members of the CAHDI are invited to decide the setting up of a Bureau of the CAHDI and appoint its members.

Bureaux of the Council of Europe Committees

Committee	Bureau	Members	Women (%)	Meetings per year	Meeting time
Steering Committee for Human Rights (CDDH)	●	8	0 (0)	4	2 =, 2 ≠
Steering Committee for Equality between Women and Men (CDEG)	●	7	7 (100)	2	≠
Ad Hoc Committee of Experts on OSCE Human Dimension Issues (CAHDH)					
Steering Committee on the Mass Media (CDMM)	●	7	4 (57)	3	≠
European Committee for Social Cohesion (CDCS)	●	12	3 (25)	3	1 =, 2 ≠
Steering Committee on Migration (CDMG)	●	7	4 (57)	2	≠
European Population Committee (CDPO)	●	7	3 (43)	3	1 =, 2 ≠
Council of Cultural Co-operation (CDCC)	●	12	7 (58)	2	≠
Committee for the Development of Sport (CDDS)	●	9	1 (11)	2	≠
Higher Education and Research Committee (CC-HER)	●	8	2 (25)	2	1 =, 1≠
Cultural Heritage Committee (CC-PAT)	●	8	4 (50)	2	≠
European Steering Committee for Intergovernmental Co-operation in the Youth Field (CDEJ)	●	6	2 (33)	3	≠
European Health Committee (CDSP)	●	10	2 (20)	2	=
Council for the Pan-European Biological and Landscape Diversity Strategy (STRA-CO)	●	5	1 (20)	1	≠
Committee for the Activities of the Council of Europe in the Field of Biological and Landscape Diversity (CO-DBP)	●	5	3 (60)	1	≠
Steering Committee on Local and Regional Democracy (CDLR)	●	7	2 (28)	2	≠
European Committee on Legal Co-operation (CDCJ)	●	6	0 (0)	2	≠
European Committee on Crime Problems (CDPC)	●	6	2 (33)	3-4	=
Steering Committee on Bioethics (CDBI)	●	9	3 (33)	2	=
Ad Hoc Committee of Experts on Legal Aspects of Territorial Asylum, Refugees and Stateless persons (CAHAR)	●	5	1 (20)	3	≠
Ad Hoc Committee of Legal Advisers on Public International Law (CAHDI)					

= Bureau meetings at the same time than Committee meetings, ≠ Bureau meetings at separate time