

Strasbourg, 27 May 2002

CAHDI (2002) 14

COMMITTEE OF LEGAL ADVISERS
ON PUBLIC INTERNATIONAL LAW
CAHDI

24th meeting
Bratislava, 9-10 September 2002

DRAFT SPECIFIC TERMS OF REFERENCE OF THE CAHDI FOR 2003-2004

Secretariat memorandum
prepared by the Directorate General of Legal Affairs

Action required

Members of the CAHDI are called upon to examine the following draft specific terms of reference of the CAHDI for 2003-2004 which have been prepared on the basis of the current specific terms of reference, to approve them and to submit them to the Committee of Ministers for adoption.

DRAFT SPECIFIC TERMS OF REFERENCE

1. Name of committee: COMMITTEE OF LEGAL ADVISERS ON
PUBLIC INTERNATIONAL LAW (CAHDI)
2. Type of committee: Ad Hoc Committee of experts
3. Source of terms of reference: Committee of Ministers
4. Terms of reference:

Under the authority of the Committee of Ministers, the Committee is instructed to examine questions of public international law, to exchange and, if appropriate, to co-ordinate the views of member States at the request of the Committee of Ministers, Steering Committees and *Ad Hoc* Committees and at its own initiative.

5. Membership of the Committee:
 - a. The Committee is composed of experts by member States, preferably chosen among the Legal Advisers to the Ministries of Foreign Affairs. Travel and subsistence expenses of one expert per member State (two for the State assuming the Chair of the Committee) are borne by the Council of Europe budget.
 - b. The European Community may send representatives, without the right to vote or to a refund of expenses, to meetings of the Committee.
 - c. The following observers with the Council of Europe may send a representative to meetings without the right to vote or to a refund of expenses:
 - Canada
 - Holy See
 - Japan
 - Mexico
 - United States of America
 - d. The following observers with the Committee may send representatives to meetings of the Committee, without the right to vote or to a refund of expenses:
 - Federal Republic of Yugoslavia¹
 - Australia
 - Israel²
 - New Zealand
 - The Hague Conference on Private International Law
 - NATO³
 - The Organisation for Economic Co-operation and Development
 - The United Nations and its specialised agencies⁴
6. Structures and working methods:

The CAHDI may set up working parties and have recourse to consultant experts.
7. Duration: The present terms of reference expire on 31 December 2004

¹ See CM/Del/Dec(2000)735, item 2.1a, para. 4 and SG/Inf(2000)48, para. 34. and CM/Del/Dec(2001)742, item 10.1, Appendix 8.

² Admitted as observer "for the whole duration of the Committee" by the CAHDI, March 1998. The same is valid for subordinated committees. Decision confirmed by the Committee of Ministers (CM/Del/Dec(99)670, item 10.2 and CM(99)57, para. D15).

³ See CM/Del/Dec/Act(93)488/29 and CM/Del/Concl(92)480/3.

⁴ For specific items at the request of the Committee.