

Strasbourg, 22/09/11

CAHDI (2011) OJ 2

COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW (CAHDI)

Agenda

42nd meeting

Strasbourg, 22-23 September 2011

Secretariat of the Public International Law and Anti-Terrorism Division,
Directorate of Legal Advice and Public International Law, DLAPIL

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I. INTRODUCTION

1. Opening of the meeting by the Chair, Ms Edwige Belliard

2. Adoption of the agenda

Working documents

- Draft agenda CAHDI (2011) OJ 2 prov
- Annotated draft agenda CAHDI (2011) OJ 2 annotated prov
Restricted

3. Approval of the report of the 41st meeting

Working documents

- Draft report of the 41st meeting of the CAHDI CAHDI (2011) 5 prov
Restricted until approval

4. Statement by the Director of Legal Advice and Public International Law, Mr Manuel Lezertua

Working documents

- Developments concerning the European Treaties Series since the 41st meeting of the CAHDI CAHDI (2011) Inf 6

II. ONGOING ACTIVITIES OF THE CAHDI

5. Committee of Ministers' decisions of relevance to the CAHDI's activities, including requests for CAHDI's opinion

Working documents

- Committee of Ministers' decisions of relevance to the CAHDI's activities, including requests for CAHDI's opinion CAHDI (2011) 6
Restricted

6. Immunities of States and international organisations

a. State practice and case-law

- recent national developments and updates of the website entries
- exchange of national practices on possibilities for the Ministry of Foreign Affairs to raise public international law issues in procedures pending before national tribunals and related to States' or international organisations' immunities

b. UN Convention on Jurisdictional Immunities of States and Their Property

Working documents

- Database on State Practice regarding State Immunities CAHDI (2011) Inf 12
Bilingual
- Exchange of national practices on possibilities for the Ministry of Foreign Affairs to raise public international law issues in procedures pending before national tribunals and related to States' or international organisations' immunities CAHDI (2011) 12 prov
Restricted Bilingual
- State of signatures and ratifications of the UN Convention on Jurisdictional Immunities of States and Their Property and of the European Convention on State Immunities CAHDI (2011) Inf 9

7. **Organisation and functions of the Office of the Legal Adviser of the Ministry for Foreign Affairs**

- a. Questions dealt with by offices of the Legal Adviser which are of wider interest and related to the drafting of implementing legislation of international law as well as foreign litigation, peaceful settlements of disputes, and other questions of relevance to the Legal Adviser
- b. Updates of the website entries

Working documents

- Database on the organisation and functions of the Office of the Legal Adviser of the Ministry of Foreign Affairs CAHDI (2010) Inf 10
Bilingual

8. **National implementation measures of UN sanctions and respect for human rights**

Working documents

- Cases, that have been eventually submitted to national tribunals, by persons or entities removed from the lists established by the UN Security Council Sanctions Committees. CAHDI (2010) 7 prov
Restricted Bilingual
- Database on national implementation measures of UN sanctions and respect for human rights CAHDI (2011) Inf 10
Bilingual

9. **European Union's accession to the European Convention of Human Rights (ECHR)**

- Information provided by Mr Erik Wennerström, observer of the CAHDI to the Informal Working Group on the Accession of the European Union to the European Convention on Human Rights (CDDH – EU)

Working documents

- Draft legal instruments on the Accession of the European Union to the European Convention on Human Rights (19 July 2011) CDDH-UE (2011) 16

10. Cases before the European Court of Human Rights involving issues of public international law

11. Peaceful settlement of disputes

Working documents

- International Court of Justice's jurisdiction under selected international treaties and agreements, situation concerning the member and observer States of the Council of Europe, which are parties to these agreements and treaties CAHDI (2011) 7
Restricted
English only

12. Law and practice relating to reservations and interpretative declarations concerning international treaties: European Observatory of Reservations to International Treaties

- List of outstanding reservations and declarations to international treaties

Working documents

- List of outstanding reservations and declarations to international treaties CAHDI (2011) 8
Restricted
- Table of objections CAHDI (2011) 8 Addendum prov
Restricted
Bilingual

III. GENERAL ISSUES OF PUBLIC INTERNATIONAL LAW

13. Exchange of views with Mr Stephen Mathias, Assistant Secretary-General for Legal Affairs of the United Nations

14. The work of the International Law Commission (ILC) and of the Sixth Committee

- Exchange of views between the ILC, the Chair of the CAHDI and the Director of DLAPIL, Geneva, 8 July 2011

Working documents

- Presentation by Ms Edwige Belliard, Chair of the CAHDI, at the 63rd session of the ILC CAHDI (2011) Inf 7
French only
- Presentation by Mr Manuel Lezertua, Jurisconsult, Director of Legal Advice and Public International Law, Council of Europe, at the 63rd session of the ILC CAHDI (2011) Inf 8
French only
- Report of the ILC, 63rd Session A/66/10
Restricted
English only

15. Exchange of views on the Council of Europe Convention Review

Working documents

- Outline of Council of Europe Convention review SG/Inf(2011)2 FINAL
Restricted
- Comments by the delegations of the CAHDI on the classification of the Council of Europe Conventions in the CAHDI (2011) 9
Restricted

frame of the activities of the CAHDI

Bilingual

- Preliminary Draft Report of the Secretary General on the Outline of Council of Europe Convention review SG/Inf(2011)21
Restricted
- Comments of delegations on Preliminary Draft Report of the Secretary General on the Outline of Council of Europe Convention review CAHDI (2011) 15 prov
Restricted Bilingual

16. Consideration of current issues of international humanitarian law

- Intervention by Mr Maurizio Moreno, President, International Institute of Humanitarian Law

17. Developments concerning the International Criminal Court (ICC)

18. Implementation and functioning of other international criminal tribunals (ICTY, ICTR, Sierra Leone, Lebanon, Cambodia)

19. Fight against terrorism - Information about work undertaken by the Council of Europe and other international bodies

- Intervention by Mr David Scharia, United Nations Security Council Counter-Terrorism Committee Executive Directorate (CTED)

Working documents

- United Nations Security Council Resolution 1963 (2010) S/RES/1963 (2010)
- Information about the Special meeting of the United Nations Security Council Counter-Terrorism Committee (CTC) with International, Regional and Sub-Regional Organisations, hosted by the Council of Europe on 19-21 April 2011 CAHDI (2011) Inf 11
English only
- Counter-Terrorism Committee Report on the practitioners' seminar on "Bringing terrorists to justice", New York, 1-3 December 2010 S/2011/240

20. Topical issues of international law

- Request of the Steering Committee for Human Rights (CDDH) on the possibility of introducing a simplified procedure for the amendment of certain provisions of the ECHR

Working documents

- Letter from the Chairperson of the CDDH, Ms Almut Wittling-Vogel DG-HL/ADS/aj
English only
- Committee of Experts on a simplified procedure for amendment of certain provisions of the European Convention on Human Rights (DH-PS) : report of the 2nd meeting, Strasbourg, 9-11 March 2011 DH-PS(2011)R2
- Compatibility of a possible simplified amendment procedure with domestic law: Compilation of information provided by member States DH-PS(2011)001
Bilingual

- Draft Opinion of the Committee of Legal Advisers on Public International Law on the Request of the Steering Committee for Human Rights (CDDH) for the Introduction of a Simplified Procedure for Amendment of Certain Provisions of the European Convention on Human Rights

CAHDI (2011) 13 prov
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IV. **TERMS OF REFERENCE OF THE CAHDI FOR 2012-2013**

Working documents

- Draft terms of reference of the CAHDI for 2012-2013
- Letter for the attention of the Committee Chairpersons from Mr Gérard Stoudmann, Special Representative of the Secretary General for Organisational Development and Reform,
- Proposals by the Secretary General – Reform – Proposed new set-up for intergovernmental structures
- Priorities for 2012-2013 and their budgetary implications

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CAHDI (2011) 11
Restricted
English only

SG/Inf/(2011)9 FINAL
Restricted

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Restricted

V. **OTHER**

21. **Election of the Chair and Vice-Chair**

Working documents

- Election of the Chair and Vice-Chair of the CAHDI for one year

CAHDI (2011) 14

22. **Date, place and agenda of the 43rd meeting of the CAHDI** (envisaged dates: Strasbourg, 29-30 March 2012)

23. **Other business**

TENTATIVE ORDER OF BUSINESS

22 September 2011	
09:00- 12:30	Items: 1 – 5, 15 and 20, 6 – 9
12:30-14:30	Lunch break
14:30-17:30	Items: 13, 10 – 12
17:30	<i>End of the first day of the meeting</i>
23 September 2011	
9:30- 13:00	Items: 16, 14, 15 (if necessary), 17–19, 20 (if necessary), IV, 21–23
13:00	Lunch break
Afternoon	Reserved