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# **COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW (CAHDI)**

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## **ADDENDUM**

### **Draft Observations of the Committee of Legal Advisers on Public International Law (CAHDI) on the Preliminary Draft Report by the Secretary General on the Review of Council of Europe Conventions**

**43<sup>rd</sup> meeting**  
Strasbourg, 29-30 March 2012

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Document presented by the Chair of the CAHDI

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**ADDENDUM TO THE DRAFT OBSERVATIONS OF THE COMMITTEE OF LEGAL ADVISERS  
ON PUBLIC INTERNATIONAL LAW (CAHDI) ON THE PRELIMINARY DRAFT REPORT BY  
THE SECRETARY GENERAL ON THE REVIEW OF COUNCIL OF EUROPE CONVENTIONS**

***Draft classification of conventions***

- Group 1 : the "conventions with numerous ratifications and considered as key";
  - o Ratification by 40 or more member States; and
  - o Convention considered as key\*.
- Group 2 : the "conventions with few ratifications so far but considered as key";
  - o Convention considered as key\*,and:
  - o Recent convention (opened for signature since 2002), or
  - o Regular ratifications (at least one every year or two), or
  - o Replacement of numerous bilateral agreements, or
  - o Influence outside Europe: requests for accession from non-member States.
- Group 3 : the "other active conventions";
  - o Active convention which is not considered as key.
- Group 4 : the "inactive conventions".
  - o Conventions which have not yet come into force 20 years after being opened for signature, or
  - o Superseding of a convention by more recent conventions, including revised conventions, or
  - o Existence of legislation or instruments of the EU or other international organisations which set higher standards superseding or updating those of the Council of Europe convention concerned, or
  - o Entry into force of protocols of amendment which are thus incorporated into the parent Council of Europe convention, or
  - o The protocols have fulfilled their purposes and lost their *raison d'être*.

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\* The key conventions are conventions termed as "flagship" instruments, identified as belonging to one of the areas relating to the Organisation's core values or the conventions considered as important by the steering committees.