

Strasbourg, 16/09/13

CAHDI (2013) OJ 2

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

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## **Agenda**

**46<sup>th</sup> meeting**  
Strasbourg, 16-17 September 2013

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Public International Law 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 Liesbeth Lijnzaad**

### **2. Adoption of the agenda**

#### Working documents

- Draft agenda CAHDI (2013) OJ 2 prov
- Annotated draft agenda CAHDI (2013) OJ 2 annotated prov  
*Restricted*

### **3. Adoption of the report of the 45<sup>th</sup> meeting**

#### Working document

- Draft report of the 45<sup>th</sup> meeting of the CAHDI CAHDI (2013) 6 prov  
*Restricted until approval*

### **4. Information provided by the Secretariat of the Council of Europe**

- a. Statement by Mr Jörg Polakiewicz, Director of Legal Advice and Public International Law as from 1 October 2013
- b. New website of the CAHDI
- c. Classification of working documents related to reservations

#### Working document

- Classification of working documents related to reservations to international treaties CAHDI (2013) Inf 9  
*Restricted*

## **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

- Draft terms of reference of the CAHDI for 2014-2015 CAHDI (2013) 7  
*Restricted*
- Review of Council of Europe conventions by the CAHDI CAHDI (2013) 14  
*Restricted*
- Committee of Ministers' decisions of relevance to the CAHDI's activities CAHDI (2013) 8  
*Restricted*
- Appendices to Committee of Ministers' decisions of relevance to the CAHDI's activities CAHDI (2013) 8 Addendum  
*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

- Service of process CAHDI (2013) 4  
*Restricted*
- Questionnaire on "Service of process on a foreign State" CAHDI (2013) 9  
*Restricted*
- Immunity of State Owned Cultural Property on Loan CAHDI (2013) 10  
*Restricted*
- Immunities of special missions CAHDI (2013) 15  
*Restricted*
- Database on State Practice regarding State Immunities CAHDI (2013) Inf 11 prov  
*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 (2012) 18  
*Restricted*  
*Bilingual*

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

#### Working document

- Database on the organisation and functions of the Office of the Legal Adviser of the Ministry of Foreign Affairs CAHDI (2013) Inf 12 prov  
*Bilingual*

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

#### Working documents

- Cases that have been submitted to national tribunals by persons or entities removed from the lists established by the UN Security Council Sanctions Committees. CAHDI (2012) 3  
*Restricted*  
*Bilingual*
- Database on national implementation measures of UN sanctions and respect for human rights CAHDI (2013) Inf 13 prov  
*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 *ad hoc* Group 47+1

### Working documents

- Report of the 78<sup>th</sup> meeting of the Steering Committee for Human Rights (CDDH) CDDH(2013)R78
- Final report of the *ad hoc* Group 47+1 to the CDDH (containing the draft revised Agreement on the Accession of the European Union to the Convention for the Protection of Human Rights and Fundamental Freedoms and the Draft explanatory report to the Agreement) 47+1(2013)008rev2
- Report of the fifth negotiation meeting between the CDDH and the European Commission on the accession of the European Union to the European Convention on Human Rights 47+1(2013)R05

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

### Working documents

- Recent cases before the European Court of Human Rights involving issues of public international law – “Wallishauser v. Austria II” CAHDI (2013) Inf 10  
*Restricted*
- Recent cases before the European Court of Human Rights involving issues of public international law – “Chapman v. Belgium” CAHDI (2013) Inf 14  
*Restricted*

## 11. Peaceful settlement of disputes

### Working document

- Compulsory jurisdiction of the International Court of Justice CAHDI (2013) 11  
*Restricted*

## 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 (2013) 12  
*Restricted*
- Table of objections CAHDI (2013) 12 Addendum prov  
*Restricted*  
*Bilingual*

### III. **GENERAL ISSUES OF PUBLIC INTERNATIONAL LAW**

#### 13. **The work of the International Law Commission (ILC) and of the Sixth Committee**

- Presentation of the work of the International Law Commission (ILC) and of the Sixth Committee by Prof. Pavel Šturma, Member of the ILC
- Exchange of views between the ILC, the Chair of the CAHDI and the Secretary to the CAHDI, Geneva, 10 July 2013

#### Working documents

- Presentation by Ms Liesbeth Lijnzaad, Chair of the CAHDI, at the 65<sup>th</sup> Session of the ILC CAHDI (2013) Inf 7
- Presentation by Ms Christina Olsen, Secretary to the CAHDI, at the 65<sup>th</sup> Session of the ILC CAHDI (2013) Inf 8  
*French only*
- Report of the ILC, 65<sup>th</sup> Session A/68/10  
*Restricted*

#### 14. **Consideration of current issues of international humanitarian law**

#### 15. **Developments concerning the International Criminal Court (ICC)**

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

#### 17. **Topical issues of international law**

#### Working document

- INTERPOL e-Extradition Initiative Introductory document  
*Restricted*

### IV. **OTHER**

#### 18. **Election of the Chair and Vice-Chair of the CAHDI**

#### Working document

- Election of the Chair and Vice-Chair of the CAHDI CAHDI (2013) 13

#### 19. **Date, venue and agenda of the 47<sup>th</sup> meeting of the CAHDI**

#### 20. **Other business**