

Strasbourg, 18 March 2003

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

25th meeting, Strasbourg, 17-18 March 2003

List of items discussed and decisions taken

1. The Committee of Legal Advisers on Public International Law (CAHDI) held its 25th meeting in Strasbourg, on 17 and 18 March 2003. The meeting was chaired by Ambassador Michel (Switzerland), Chairman of the CAHDI. The list of participants can be consulted in the meeting report (document CAHDI (2003) 8 prov) and the agenda appears in Appendix I.
2. The CAHDI was informed by the Director of Legal Co-operation about recent developments concerning the Council of Europe.
3. The CAHDI was informed of the decisions taken by the Committee of Ministers concerning the Committee and requests for CAHDI's opinion.
4. In the context of its operation as *European Observatory of Reservations to International Treaties*, the CAHDI considered a list of outstanding declarations and reservations to international treaties and several delegations advised the Committee about the follow-up they envisaged to give to certain of the reservations and declarations considered. In the context of this activity, the CAHDI also considered reservations to international treaties applicable to the fight against terrorism in accordance with the decision of the Committee of Ministers of 21 September 2001 (CM/Del/Dec (2001) 765 bis, Item 2.1).
5. The CAHDI was informed about the implementation of the Pilot-Project on State practice regarding State immunities and invited delegations which had not yet sent their contribution to do so by 30 June 2003. It also asked the Secretariat to take appropriate measures to elaborate an analytical report.
6. The CAHDI held an exchange of views with Mr Gil-Robles, Commissioner for Human Rights of the Council of Europe.
7. The CAHDI held an exchange of views with Mr Mikulka, Director of the Codification Division at the UN Secretariat General. Mr Mikulka's statement appears in Appendix II.
8. The CAHDI considered developments concerning the implementation of international instruments protecting the victims of armed conflicts, and those concerning the implementation and the functioning of the Tribunals established by UN Security Council Resolutions 927 (1993) and 955 (1994) and the International Criminal Court.
9. The CAHDI considered the developments of the International Criminal Court, and had an exchange of views with Mr Kourula, member of the International Criminal Court.
10. The Secretariat informed the members of the CAHDI about new developments concerning the work undertaken by the Council of Europe in the field of the fight against terrorism.
11. The CAHDI postponed the election of the Vice-Chairman at the next meeting.

12. The CAHDI decided to hold its next meeting in Strasbourg, from 18 to 19 September 2003 and adopted the preliminary draft agenda in Appendix III.

APPENDIX I

AGENDA

A. INTRODUCTION

1. Opening of the meeting by the Chairman, Ambassador Michel
2. Adoption of the agenda and approval of the report of the 24th meeting (Bratislava, 9-10 September 2002)
3. Communication by the Director for Legal Cooperation, Mr Lamponi

B. ONGOING ACTIVITIES OF THE CAHDI

4. Decisions by the Committee of Ministers concerning the CAHDI and requests for CAHDI's opinion
5. The law and practice relating to reservations and interpretative declarations concerning international treaties: European Observatory of Reservations to international Treaties
 - a. Consideration of outstanding reservations and declarations to international Treaties
 - b. Consideration of reservations and declarations to international Treaties applicable to the fight against terrorism
6. Pilot Project of the Council of Europe on State practice regarding immunities of States and that property

C. GENERAL ISSUES ON PUBLIC INTERNATIONAL LAW

7. Exchange of views with Mr Gil-Robles, Commissioner for Human Rights of the Council of Europe
8. Exchange of views with Mr Mikulka, Director of the Codification Division at the UN Secretariat General
9. Implementation of international instruments protecting the victims of armed conflicts
10. Developments concerning the International Criminal Court
11. Implementation and functioning of the Tribunals established by United Nations Security Council Resolutions 827 (1993) and 955 (1994)
12. Fight against Terrorism – Information about work undertaken in the Council of Europe and other international Fora

D. OTHER

13. Election of the Vice-Chair for 2003
14. Date, place and agenda of the 26th meeting of the CAHDI
15. Other business

APPENDIX II

Mr MIKULKA's STATEMENT

Current status of implementation of the UN subprogram 3:
codification and progressive development of international law

Václav Mikulka
Director, Codification Division
Office of Legal Affairs

The Codification Division of the Office of Legal Affairs is responsible for the United Nations subprogram 3, namely codification and progressive development of international law. The general responsibilities of the Codification Division of the Office of Legal Affairs are set up by the medium term plan. They are:

- Facilitation of the progressive development and codification of international law by providing relevant United Nations bodies with substantive support,
- Promotion of the universal acceptance and implementation of instruments emanating from codification efforts (assistance to the Sixth Committee when considering the status of relevant conventions in order to enhance their broader acceptance and compliance with their provisions)
- Encouragement and facilitation of the dissemination and wider appreciation of international law, through the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law.

Codification Division provides substantive support, including, research on different topics of international law, compilation of background documentation, preparation of draft reports of the bodies concerned, legal advice and assistance in the conduct of proceedings, in the drafting of resolutions and decisions to a number of legal bodies, namely to the Sixth Committee, International Law Commission, Ad hoc Committee on Jurisdictional Immunities of States, Ad hoc Committee on Scope of Protection under UN Personnel Convention, Ad hoc Committee established by GA resolution 51/210 of 17 February 1996 (on International Terrorism), Special Committee on the UN Charter and the Assembly of States Parties of the ICC. In 2002 substantive servicing to these bodies amounted to 31 weeks; research work and preparation of numerous documents and reports represented still another challenge. In 2003 the pattern of the meetings will be similar – with the exception of the Ad hoc Committee on Convention against reproductive cloning of human beings.

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Assembly of States Parties – held elections of Judges in early February 2003. Inauguration of the ICC took place on 11 March in the Hague. Next meeting of the Assembly will be held in New York, mainly to elect the Prosecutor and the members of the Committee on Budget and Finance. During the nomination period for the Prosecutor (September – early December) no nomination was received. It is our understanding that the States Parties are still considering the matter informally with a view to proposing a candidate who would have the support of all regional groups. The nomination period will be reopened on 24 March until 4 April 2003. The election of the Prosecutor will be held at the second resumption of the first session, from 21 to 23 April 2003. For 12 seats on the Committee on Budget and Finance only 9 nominations for candidates have been submitted at the close of the extended period on 7 March 2003. Accordingly, the President of the Assembly informed States Parties, by a letter dated 7 March that an insufficient number of nominations had been received, and he further extended the period for submission of nominations from 7 March to 21 March 2003. The Committee on Budget and Finance will meet in August 2003 in New York and will be serviced by the Codification Division, which assumes functions of the provisional Secretariat of the Assembly of States Parties of the ICC, its Bureau and the established subsidiary bodies. The Division also has custody of the archives of the Rome Conference and of the Preparatory Commission. These functions will be transferred to the permanent Secretariat in The Hague later this year.

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Ad hoc Committee on Jurisdictional Immunities of States - Under the chairmanship of Prof. Hafner of Austria, the Committee successfully completed its work. As you are aware, the General Assembly by its resolution 57/16 of 19 November 2002 decided to reconvene the Ad Hoc Committee with the mandate to make a final attempt at consolidating areas of agreement and resolving outstanding issues with a view to elaborating a generally acceptable instrument based on the draft articles on jurisdictional immunities of States and their property adopted by the International Law Commission at its forty-third session and also on the discussions of the open-ended working group of the Sixth Committee and the Ad Hoc Committee and their results, as well as to recommend a form for the instrument. Outstanding issues included:

- The criteria for determining the commercial character of a contract or transaction under paragraph 2 of article 2;
- Concept of a State enterprise or other entity in relation to commercial transactions under paragraph 3 of article 10;
- Contracts of employment under article 11;
- Pending issues relating to articles 13 and 14
- Pending issues relating to effect of an arbitration agreement under article 17; and
- Issues concerning measures of constraint against State property under article 18.

There were also issues concerning criminal proceedings in the context of the draft articles, as well as the relationship of the draft articles with other agreements.

Informal consultations on definition of commercial contracts in article 2, paragraph 2 were coordinated by Ambassador Chusei Yamada (Japan). Informal consultations on the question of State enterprises in article 10, paragraph 3, article 11, as well as criminal proceedings in the context of the draft articles, and the relationship of the draft articles with other agreements were coordinated by Mr. Michael Bliss (Australia). Informal consultations on questions concerning articles 13, 14, 17 and issues concerning measures of constraint against State property under article 18 were coordinated by Prof. Hafner.

The full text of draft articles and understandings are contained in the Report of Ad hoc Committee to the General Assembly. As far as the final form is concerned, the Ad hoc Committee referred the matter back to the General Assembly.

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Ad hoc Committee established by GA resolution 51/210 of 17 December 1996 (on International Terrorism) - By its resolution 57/27 of 19 November 2002, the General Assembly reaffirmed the mandate of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996, namely to continue the elaboration of a draft comprehensive convention on international terrorism, and draft international convention for the suppression of acts of nuclear terrorism. The Committee also keeps on its agenda the question of convening a high-level conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism. The work of the Ad Hoc Committee shall continue during its seventh session, to be held from 31 March to 2 April 2003.

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Certainly you are aware, that the Security Council recently held, on 20 January 2003, a special meeting on combating terrorism at the level of Ministers of Foreign Affairs. The main objective of that high-level meeting was to give new impetus to the struggle against terrorism. As a result of this ministerial meeting, the Security Council adopted resolution 1456 (2003) of 20 January 2003, to which was annexed the Declaration on the issue of combating terrorism. In that Declaration, the Security Council calls for a number of steps to be taken by all States. Among those steps, States are called on to become a party, as a matter of urgency, to all relevant international conventions and protocols

relating to terrorism, to assist each other, to the maximum extent possible, in the prevention, investigation, prosecution and punishment of acts of terrorism, wherever they occur and to bring to justice those who finance, plan, support or commit terrorist acts or provide safe havens, in accordance with international law, in particular on the basis of the principle to extradite or prosecute. Furthermore, States must ensure that any measure taken to combat terrorism comply with all their obligations under international law, and they should adopt such measures in accordance with international law, in particular international human rights, refugee, and humanitarian law. The Declaration also calls on international organizations to evaluate ways in which they can enhance the effectiveness of their action against terrorism, including by establishing dialogue and exchanges of information with each other and with other relevant international actors.

The Security Council encouraged Member States of the United Nations to cooperate in resolving all outstanding issues with a view to the adoption, by consensus, of the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism, and decided to review actions taken towards the realization of the Declaration at further meetings of the Security Council.

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Counter-Terrorism Committee meeting with international organizations - The Counter-Terrorism Committee of the Security Council held a one day meeting with representatives of 60 international, regional and sub-regional organizations in order to exchange views on having a coordinated approach in combating international terrorism. The Secretary-General in his opening address, stressed the need to develop an international program of action to fight terrorism, that would uphold the rule of law; he also noted that the importance of fighting poverty and injustice so as to address the conditions that may be used as justifications by terrorists.

Given the high number of organizations present, few took the floor and those that did so, made a summary of the activities they had undertaken or problems they had encountered. The question of defining terrorism was raised by the League of Arab States and also by a representative of the Financial Action Task Force for South America. The former also highlighted the need to differentiate terrorism from the struggle against foreign occupation. Besides the action taken to suppress the financing of terrorism, numerous references were made to promoting the ratification of the 12 anti-terrorism conventions and their adequate implementation. While several speakers mentioned the need to respect human rights in the anti-terrorism campaign, the representative of Europol called for bearing in mind the victims of terrorism as well. A communiqué issued at the end of the meeting emphasized the importance of a cooperative approach based on the exchange of information, complementarity and giving counter-terrorism initiatives priority. A follow-up meeting of regional and sub-regional organizations, to be held in Washington DC sometime in the summer, will be hosted by the Organization of American States.

Ad hoc Committee on Scope of Protection under UN Personnel Convention will meet for one week in March to continue the discussion on measures to enhance the existing protective legal regime for United Nations and associated personnel. The Committee will focus on the Secretary-General's recommendation to extend the scope of the Convention to all United Nations operations. In that connection, it will, in particular, address definitions of United Nations personnel and United Nations operations, examine implications of extending the application of the Convention to all United Nations operations and look at different modalities for implementation. The Committee will have before it, apart from relevant report of the Secretary-General, a proposal by New Zealand containing the text of a draft Protocol to the Convention to provide for the automatic application of the Convention to all United Nations operations.

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Special Committee on UN Charter – will meet in April 2003. It will continue its consideration of proposals concerning:

- the maintenance of international peace and security (i.e. proposal of Russian Federation on conditions for the introduction of sanctions and its proposal concerning the legal basis for UN

peacekeeping operations; the Libyan proposal on the impact and application of sanctions (para-by-para discussion) and its proposal on strengthening the role of the UN; the Cuban proposal on the strengthening of the role of the Organization and the draft resolution by Belarus and Russia requesting an advisory opinion of ICJ as to the legal consequences of the resort to the use of force;

- assistance to third States affected by the application of sanctions;

- the peaceful settlement of disputes between States;

- proposals concerning the Trusteeship Council (proposal by Malta);

- ways and means of improving the working methods of the Committee (proposal by Japan);

- identification of new subjects for future work with a view to contributing to the revitalization of the Organisation.

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International Law Commission (split session) – will continue its work, on the following topics: Reservations to treaties, Diplomatic protection, Unilateral acts of States, International Liability and will also start work on new topics, namely Responsibility of international organizations, Fragmentation of International law, Shared natural resources.

Concerning the topic Reservations to treaties the Commission, thus far, dealt with seven reports of the Special Rapporteur, Mr. Alain Pellet, and on their basis adopted 53 guidelines on definitions and interpretative declarations and procedure for their formulation. 15 guidelines are still before the Drafting Committee. This year the Commission expects the eighth report of the Special Rapporteur. As the Special Rapporteur indicated, he intends to address questions of permissibility of reservations and interpretative declarations and their effects as well as effects of their acceptance or objections thereto. Also in connection with this topic you may recall the letter that the Chairman and the Special Rapporteur addressed to a number of human rights bodies (HRC, CAT, CERD, CESCR, RC, CEDAW), proposing that the Commission and these human rights bodies proceed with a discussion of the matter of reservation to the human rights conventions, namely problems arising from the General observation No 24 of the Human Rights Committee contravening preliminary conclusion drawn by the ILC in 1997. [i.e. that the regime of reservations is uniform for all treaties, irrespective of their subject matter]. The Committee against the Torture confirmed the proposed date for an exchange of views between its members and the members of the ILC during the first week of the Commission's session.

Concerning the topic Diplomatic protection the Commission will have before it the Fourth report of Special Rapporteur, Mr. John Dugard. The three previous reports already considered by the Commission, have dealt with the diplomatic protection of natural persons and the exhaustion of local remedies rule. Three articles pertaining to the latter issue are still before the Drafting Committee. Although the subject of diplomatic protection of legal persons has been raised from time to time in the course of debates in the Commission, no direct attention has been given to this subject. In 2002 the Commission held informal consultations on the diplomatic protection of corporations. The fourth report will provide an analysis of the Barcelona traction case and the Special Rapporteur will propose four draft articles dealing with diplomatic protection of corporations and of shareholders in such corporations.

Concerning the topic Unilateral acts of States, the Special Rapporteur, Mr. Victor Rodriguez-Cedeño will submit his sixth report, which would focus on a particular type of unilateral act: recognition. The report would deal with its definition, the conditions for validity of the act and its legal effects. In addition, he will explore the possibility of developing guidelines in lieu of a set of draft articles on the topic.

Concerning the topic International liability for injurious consequences arising out of acts not prohibited by international law (case of loss from transboundary harm arising out of hazardous activities) - In light of the fact that the Commission concluded its work on the prevention aspects of the topic, the Special Rapporteur, Mr. P.S. Rao will submit his first report on the liability aspects. The report will present an

overview of how the problems and issues on the subject were handled by the Commission in its earlier phase of consideration of the topic as a whole. He will also look at recent models of allocation of loss agreed upon in respect of specific regions of the world, or in respect of a specific sector of harm, which may serve as models of allocation of loss for the Commission's work on the topic. Furthermore, since several of these models have also relied on civil liability, the report will discuss the elements of that system which might be deemed appropriate for inclusion in the endeavour.

Concerning the new topic Responsibility of International organizations, the Special Rapporteur Mr. Giorgio Gaja will submit his first report. As he indicated, the report will comprise of a brief historical survey and the text leading to three draft articles. His comprehensive report on attribution has been announced for the next year. By that time the Special Rapporteur should receive information on practice of international organizations (requested through the Legal Counsel's letter).

Also concerning the topic Shared natural resources, the Special Rapporteur, Mr. Chussei Yamada promised his first report which, as he indicates, will be dealing exclusively with the confined groundwater. He will have a series of discussions with experts who would attend the Third World Water Forum in Kyoto in late March. Due to the submission of the report somewhere towards the end of April, its consideration by the Commission cannot be envisaged earlier than during the second part of the session.

Finally, concerning the topic Fragmentation of international law, as you are aware, the Chairman of the Study Group on this topic was elected to the ICJ and accordingly the Commission will first have to appoint either a new Chairman of the Study Group or a Special Rapporteur.

In conformity with its Statute, the Commission undertakes contacts with regional bodies. Those with the Council of Europe and in particular with CAHDI, are both regular and very enriching. Mr. Benitez always provided with great competence a comprehensive illustration of your activities. This year, as I have been informed, we will welcome in the Commission the Director General for Legal Affairs, Mr. Guy De Vel. The Commission also regularly receives the representatives of the Asian African Legal Consultative Organisation and of the Legal Committee of the Organisation of American States. For a couple of years, the Commission also undertakes informal exchanges of views with the experts of the International Committee of the Red Cross. By coincidence, this year the colloque of the Société française du droit international will be held in Geneva. This event provides another opportunity for the Commission to strengthen its links with academic institutions in terms of its Statute. The subject matter which is envisaged for a possible exchange of views with the members of the Société française, is the Fragmentation of international law.

L'hospitalité du Gouvernement Fédéral et l'attention que vous, Mr. le Président, personnellement payez à la Commission contribuent, sans doute à la réunion des meilleures conditions dont la Commission peut bénéficier pour son travail à Genève.

Sixth Committee of the 58th session of the General Assembly will start with a Working Group on Convention against reproductive cloning of human beings on 27 September. As you are no doubt aware, the French - German proposal that a convention against the reproductive cloning of human beings be negotiated, was first considered during the 56th session of the General Assembly and its consideration continued both in the Ad hoc Committee on this matter and in the Working Group of the Sixth Committee during the 57th session of the General Assembly. No agreement was reached on the scope of the proposed convention. The Assembly adopted procedural decision deferring consideration of the matter to its 58th session.

Concerning provisional schedule of the consideration of other agenda items by the Sixth Committee, it will be placed on the web site, as in the past years. The consideration of the report of the ILC will start on 27 October 2003.

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Important part of the mandate of the Codification Division is the encouragement and facilitation of the dissemination and wider appreciation of international law. It includes mainly three types of activities:

- organizing courses and seminars on various subjects of international law (under the Programme of Assistance in the Teaching, Study, Dissemination and Wider Appreciation of International Law);
- the preparation and issuance of recurrent and ad hoc legal publications;
- continuous updating of the web sites of the Codification Division and maintaining and expanding the United Nations audio visual library in international law;

Courses and seminars on different subjects of international law are intended for young government officials and teachers in international law, in particular from the developing countries. They are organized by the Codification Division in cooperation with UNITAR. The mandate of the Fellowship Programmes in International Law, for which there is a limited annual budget, is provided in General Assembly resolutions. The courses take place at The Hague at the same time as The Hague academy so that the fellows could benefit also from the courses offered at the academy. In designing the programme, we take account of the areas in international law on which participants from developing countries could have substantial interest. The other component of the programme is regional refresher courses. We have been able to organize a couple of such regional courses in recent years, through cost saving measures with regard to the Fellowship Programme in International Law and contributions by some States agreeing to host the event. In those courses, we focus on areas of international law of direct relevance to the region for which the course is organized.

Our most recent publications include: Proceedings of the Rome Conference on the ICC (I-III); National Legislation on International Terrorism (part I) (Legislative series 22); forthcoming are: Instruments against International Terrorism (F,S & rev.E); Report of Arbitral Awards (23) under preparation are: National Legislation on International Terrorism (part II) ; Judgment, Advisory opinions and orders of the ICJ, Supplement 2 (1997-2002); Work of the ILC – 6th edition;

[This edition brings up to date the previous one published in 1996 by incorporating therein a summary of the latest developments of the work of the Commission as well as the text of new Commission drafts and a new convention. It contains some revisions of the information and texts contained in the previous edition an updated and expanded bibliography which for the first time, includes relevant websites. It will be a more accurate and complete publication.]

Concerning Juridical Yearbook, since the backlog in its preparation was eliminated, there will be only one volume prepared per year (any delays may occur only with editors and printing). As far as the Repertory of Practice is concerned, our responsibility is coordination of preparation of studies emanating from several Departments. Our Division assumes the Chair of the Interdepartmental Committee on the Repertory. We also prepare studies on article 13 (1,a) namely on progressive development of international law and its codification for volume II of the Repertory and review all studies for all volumes of the Repertory prepared by other departments.

The Codification Division maintains a series of web sites dedicated to the various bodies that it services. These include: the “Sixth Committee”, the “International Law Commission” and under the heading “Codification of international law” are also web sites of the Special Committee on the Charter, the Ad Hoc Committees on terrorism, jurisdictional immunities, the scope of protection under the U.N. Personnel Convention, and on the convention against the reproductive cloning of human beings. The Division also maintains a web site on the “International Criminal Court”, due to our past or present functions as the Secretariat of the Rome Conference, the Preparatory Commission for the ICC and currently of the Assembly of States Parties to the Rome Statute.

The maintaining of these web sites is part of the Division’s mandate regarding the wider dissemination of information on codification and progressive development of international law. The Internet, a dissemination tool par excellence, offers the possibility of reaching a broader audience than print publications. Our web sites offer immediate free access to a whole range of information relating to the activities of the mentioned bodies, including downloading official documentation for free, in any of the six official languages of the United Nations.

The web sites have also created new expectations that we are consistently faced with, in particular the expectation of instantaneity. Such expectations continue to be at the forefront of our minds. Our web

sites are increasingly becoming more than just dissemination tools. They also offer new avenues of communication with the member States and as such, become part and parcel of the way the Division does its work. In the recent election of the judges of the International Criminal Court, the provision of timely information over the Internet, played a key role in the nomination process. In the resolution adopted by the Assembly of States Parties on the procedure for the election of the judges and the Prosecutor, the Secretariat was specifically requested to place any nominations it received on the Internet as soon as possible. Such information allowed States to be apprised of new developments on a daily basis. We developed a web site based on a database, and put into place a series of internal approval procedures for each nomination. Almost every nomination was thus approved, scanned and placed on the Internet within 24 hours of receipt. The benefit of such an undertaking is evident – it allowed greater flexibility in establishing a tighter period between the end of the nomination period and the election itself, than what would have been possible if States had to wait about six weeks after the end of the nomination period to receive the official document containing the list of nominees (usual practice until now). We will apply the same procedure once the nomination period for the Prosecutor is reopened in March.

We look also for new and innovative uses for web sites including placement of our publications on Internet. As such, publications are United Nations sales items, meaning that they are available for purchase, offering them for free on the Internet poses the risk of conflicting with the Organization's sales programme. We are currently testing one pilot project to deal with this.

With the agreement of the Sales Office, we have placed on the web site the report of the Assembly of States Parties to the Rome Statute, adopted at its first session in September 2002, in full text in all the official languages, despite the report being a United Nations Sales item. At the same time, as a marketing tool for the sales, we have placed a link on the relevant page to the corresponding page on the U.N. Sales web site, for those who wish to purchase a hardcopy of the report. This arrangement is subject to review. If viable, it may be a model in the future. We already plan placing as well, the proceedings of the Rome Conference on the Internet on the same basis.

Another pilot project involves creating a sub-page on the Codification Division's site containing the texts of the relevant chapter in the Repertory of Practice of United Nations Organs dedicated to the application of article 13(1)(a) of the Charter. The website includes the texts from the old printed Repertory supplements that are no longer available for purchase, but also the most recent, advance version of the most recent studies waiting for editing and print.

All our web site related activities are being undertaken within existing resources. No extra resources have ever been allocated for them. Therefore there are limits on our ability to multiply, in all the official languages of the Organization, our very "content-rich" so called "dynamic" parts of our sites. As you are well aware, all official documents placed on our websites are in all official languages and are placed on the web simultaneously.

The Division is also an active participant in the computerization project that has been recently initiated in the Office of Legal Affairs. Among other activities, the goal of the project is to digitize a series of documents and publications, so that they can be available to the whole office through a searchable electronic database. We have, at this initial stage, identified the Juridical Yearbook, the Yearbook of the International Law Commission, the Repertory of Practice of United Nations Organs and the summary records of the Sixth Committee for scanning, in all the languages in which these publications were published.

It is anticipated that this project will take one to two years, and that the end product will be also made available to the member States and to the public, either through the United Nations Optical Disk System or through the Division's web site.

APPENDIX III

PRELIMINARY DRAFT AGENDA OF THE 26th MEETING

A. INTRODUCTION

1. Opening of the meeting by the Chairman, Ambassador Michel
2. Adoption of the agenda and approval of the report of the 25th meeting (Strasbourg, 17-18 March 2003)
3. Communication by the Director General of Legal Affairs, Mr De Vel

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 - a. Consideration of outstanding reservations and declarations to international Treaties
 - b. Consideration of reservations and declarations to international Treaties applicable to the fight against terrorism
6. Pilot Project of the Council of Europe on State practice regarding immunities of States and that property

C. GENERAL ISSUES ON PUBLIC INTERNATIONAL LAW

7. Exchange of views with Mr Philippe Kirsch, Chairman of the International Criminal Court
8. Implementation of international instruments protecting the victims of armed conflicts
9. Developments concerning the International Criminal Court
10. Implementation and functioning of the Tribunals established by United Nations Security Council Resolutions 827 (1993) and 955 (1994)
11. Fight against Terrorism – Information about work undertaken in the Council of Europe and other international Fora

D. OTHER

12. Election of the Vice-Chair
13. Date, place and agenda of the 27th meeting of the CAHDI
14. Other business