

Strasbourg, 21 September 2015

CAHDI (2015) OJ 2 prov

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

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## Draft agenda

**50<sup>th</sup> meeting**  
Strasbourg, 24-25 September 2015

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Public International Law Division and Treaty Office  
Directorate of Legal Advice and Public International Law, DLAPIL

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## I. **INTRODUCTION**

### 1. **Opening of the meeting by the Chair, Mr Paul Rietjens**

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

#### Working documents

- Draft agenda CAHDI (2015) OJ 2 prov
- Draft annotated agenda CAHDI (2015) OJ 2 annotated prov  
*Confidential*

### 3. **Adoption of the report of the 49<sup>th</sup> meeting**

#### Working document

- Draft report of the 49<sup>th</sup> meeting of the CAHDI CAHDI (2015) 8 prov 2  
*Confidential until approval*

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

- Statement by Mr Jörg Polakiewicz, Director of Legal Advice and Public International Law

## II. **ONGOING ACTIVITIES OF THE CAHDI**

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

#### Working documents

- Draft terms of reference of the CAHDI for 2016-2017 CAHDI (2015) 9  
*Confidential*
- Draft opinion of the CAHDI on Recommendation 2069 (2015) of the Parliamentary Assembly of the Council of Europe – "Drones and targeted killings: the need to uphold human rights and international law"<sup>\*</sup> CAHDI (2015) 10 prov  
*Confidential*
- Comments by delegations on the draft opinion of the CAHDI on the PACE Recommendation 2069 (2015) CAHDI (2015) 10 Addendum prov  
*Confidential*  
*Bilingual*
- Committee of Ministers' decisions of relevance to the CAHDI's activities CAHDI (2015) 11  
*Confidential*
- Appendices to Committee of Ministers' decisions of relevance to the CAHDI's activities CAHDI (2015) 11 Addendum  
*Confidential*

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<sup>\*</sup> At its 1227<sup>th</sup> meeting (12-13 May 2015), the Ministers' Deputies agreed to communicate Recommendation 2069 (2015) of the Parliamentary Assembly of the Council of Europe – "Drones and targeted killings: the need to uphold human rights and international law" to the CAHDI and to the Steering Committee for Human Rights (CDDH) for information and possible comments. In accordance with the usual procedure, the Chair, the Vice-Chair and the Secretariat of the CAHDI will prepare a preliminary draft opinion to be submitted to all CAHDI members prior to the meeting for comments.

- Statement by Mr Paul Rietjens, Chair of the CAHDI, at the 1232<sup>nd</sup> meeting of the Ministers' Deputies on 1<sup>st</sup> July 2015

CAHDI (2015) Inf 5  
*French only*

## 6. Immunities of States and international organisations

### a. Topical issues related to immunities of States and international organisations

- Settlement of disputes of a private character to which an international organisation is a party
- Immunity of State owned cultural property on loan
- Immunities of special missions
- Service of process on a foreign State

#### Working documents

- Settlement of disputes of a private character to which an international organisation is a party CAHDI (2014) 5  
*Confidential*
- Comments by States on "Settlement of disputes of a private character to which an international organisation is a party" CAHDI (2015) 20 prov  
*Confidential*  
*Bilingual*
- Immunity of State owned cultural property on loan CAHDI (2013) 10  
*Confidential*
- Replies by States to the questionnaire on "Immunity of State owned cultural property on loan" CAHDI (2015) 12 prov  
*Confidential*  
*Bilingual*
- Immunities of special missions CAHDI (2013) 15  
*Confidential*
- Replies by States to the questionnaire on "Immunities of special missions" CAHDI (2015) 13 prov  
*Confidential*  
*Bilingual*
- Analysis of the replies by States to the questionnaire on "Service of process on a foreign State" CAHDI (2014) 15  
*Confidential*
- Replies by States to the questionnaire on "Service of process on a foreign State" CAHDI (2015) 14 prov  
*Confidential*  
*Bilingual*

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

### c. State practice, case-law and updates of the website entries

#### Working document

- 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 (2015) 21  
*Confidential*  
*Bilingual*

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

### Working document

- Replies by States to the revised questionnaire on “The organisation and functions of the Office of the Legal Adviser of the Ministry of Foreign Affairs” CAHDI (2014) 16 prov  
*Confidential*  
*Bilingual*

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

### Working document

- Cases that have been submitted to national tribunals by persons or entities included in or removed from the lists established by the UN Security Council Sanctions Committees CAHDI (2014) 21  
*Confidential*  
*Bilingual*

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

## 10. Peaceful settlement of disputes

### Working document

- Compulsory jurisdiction of the International Court of Justice CAHDI (2015) 15

## 11. 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 (2015) 16 rev  
*Confidential*
- Table of objections CAHDI (2015) 16 Addendum prov  
*Confidential*  
*Bilingual*
- Reactions to reservations and declarations to international treaties previously examined by the CAHDI CAHDI (2015) Inf 2

## 12. Review of Council of Europe Conventions

### Working document

- Examination of the European Convention on State Immunity (ETS No. 74) and the Additional Protocol to the European Convention on State Immunity (ETS No. 74A) CAHDI (2015) 17  
*Confidential*

### 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) by Mr Narinder Singh, Chair of the ILC
- Exchange of views between the ILC, the Chair of the CAHDI and the Secretary to the CAHDI, Geneva (Switzerland), 10 July 2015

#### Working documents

- Presentation by Mr Paul Rietjens, Chair of the CAHDI, at the 67<sup>th</sup> Session of the ILC CAHDI (2015) Inf 3  
*French only*
- Presentation by Ms Marta Requena, Secretary to the CAHDI, at the 67<sup>th</sup> Session of the ILC CAHDI (2015) Inf 4  
*English only*
- Report of the ILC, 67<sup>th</sup> Session A/70/10  
*English only*  
*(advance unedited version)*

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

#### 15. **Developments concerning the International Criminal Court (ICC) and other international criminal tribunals**

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

### IV. **OTHER**

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

#### Working document

- Election of the Chair and Vice-Chair of the CAHDI CAHDI (2015) 18

#### 18. **Date and agenda of the 51<sup>st</sup> meeting of the CAHDI**

#### 19. **Other business**

- *Possible review and updating of the "Amended Model Plan for the Classification of Documents concerning State practice in the Field on Public International Law" adopted by the Committee of Ministers of the Council of Europe in Recommendation No. R (97) 11 of 12 June 1997*

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Working documents

- Recommendation No. R (97) 11 of the Committee of Ministers to member States on the Amended Model Plan for the Classification of Documents concerning State Practice in the Field of Public International Law
- Advantages of an updated Model Plan for the Classification of Documents concerning State Practice in the Field of Public International Law, prepared by the Delegation of the United Kingdom

[Recommendation No. R \(97\) 11](#)

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*Confidential*