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COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW (CAHDI)

List of items discussed and decisions taken
Abridged report

52nd meeting
Brussels (Belgium), 15-16 September 2016

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

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

52nd meeting, Brussels (Belgium), 15 -16 September 2016

**List of items discussed and decisions taken
Abridged report**

1. The Committee of Legal Advisers on Public International Law (CAHDI) held its 52nd meeting in Brussels (Belgium) on 15-16 September 2016 with Mr Paul Rietjens (Belgium) as Chair.
2. The CAHDI adopted its agenda as set out in **Appendix I** to the present report.
3. The CAHDI adopted the report of its 51st meeting (Strasbourg, 3-4 March 2016) and authorised the Secretariat to publish it on the CAHDI's website.
4. The CAHDI took note of the developments within the Council of Europe since the last meeting of the Committee. In particular, the CAHDI took note of the priorities of the Estonian Chairmanship of the Committee of Ministers. With regard to the *European Convention on Human Rights* (ECHR), the CAHDI took note of the declarations of France, Ukraine and Turkey under Article 15 of the Convention, as well as the Secretary General's third report on the "State of Democracy in Europe, Human Rights and the Rule of Law in Europe: a security imperative for Europe" which was issued in May 2016. Furthermore, and in relation to the Secretary General's use of his powers under Article 52 of the ECHR concerning the execution of the judgments of the European Court of Human Rights on the detention of Mr Ilgar Mammadov in the case of *Ilgar Mammadov v. Azerbaijan*¹, the CAHDI took note of the Committee of Ministers' decision taken in June 2016 to examine the applicant's situation at each regular meetings and DH meetings until such time as he is released. Moreover, the Director informed the CAHDI that the judgment in the case of *Al-Dulimi and Montana Management Inc. v. Switzerland*² had been delivered on 21 June 2016. The CAHDI also took note of the report presented to the Secretary General on 11 April 2016 by the human rights mission led by Mr Gérard Stoudmann to Crimea from 25 to 31 January 2016. Lastly, the CAHDI was informed of the Council of Europe's actions with regard to the migration crisis in Europe, as well as the latest opinions adopted by the Venice Commission.

The CAHDI welcomed its new databases on "The Immunities of States and International Organisations", "The organisation and functions of the Office of Legal Adviser in the Ministry of Foreign Affairs" and "The implementation of United Nations sanctions and respect for Human Rights", which were set up by the Secretariat. The CAHDI thanked Germany and the Netherlands for their voluntary contributions which allowed for the setting up of these databases.

5. The CAHDI took note of the **decisions of the Committee of Ministers relevant to its work** and in particular the decision of 6 July 2016 communicating to the CAHDI *Recommendation 2095 (2016) of the Parliamentary Assembly of the Council of Europe – "Parliamentary immunity: challenges to the scope of the privileges and immunities enjoyed by members of the Parliamentary Assembly"* for information and possible comments. In reply to this decision, the CAHDI adopted its opinion on the abovementioned Recommendation as set out in **Appendix II** to the present report.
6. With regard to the question of "**Immunities of States and international organisations**", the CAHDI held an exchange of views on the possibility that all the answers to the questionnaires set under this item would be made public. The CAHDI agreed to examine further this question at its next meeting in March 2017.

¹ Eur.Court HR, [Ilgar Mammadov v. Azerbaijan](#), First Section Judgment of 22 May 2014, Application No. 15172/13.

² Eur.Court HR, [Al-Dulimi and Montana Management Inc. v. Switzerland](#), Grand Chamber judgment of 21 June 2017, Application No. 5809/08.

a. The CAHDI held an exchange of views on the issue of the “Settlement of disputes of a private character to which an international organisation is a party”, and in particular on the questions contained in the document presented to the CAHDI by the delegation of the Netherlands. This document aimed in particular at facilitating a discussion on the topical questions related to the settlement of third-party claims for personal injuries or death and property loss or damages allegedly caused by an international organisation and the effective remedies available for claimants in these situations.

The CAHDI took note of the written comments submitted by 15 delegations – namely Albania, Andorra, Armenia, Austria, Canada, Czech Republic, Denmark, Germany, Greece, Hungary, Israel, Mexico, Slovenia, Switzerland and United Kingdom – to the questions contained in the document and invited other delegations to also reply to these questions in writing.

b. The CAHDI furthermore addressed the issue of the “Immunity of State owned cultural property on loan” and examined in this regard the replies submitted by 24 delegations – namely Albania, Andorra, Austria, Armenia, Belarus, Belgium, Canada, Croatia, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Mexico, Netherlands, Norway, Romania, Switzerland, United Kingdom and United States of America – to the questionnaire prepared on this topic.

On this issue, the CAHDI furthermore encouraged delegations which had not yet done so to consider signing the *Declaration on Jurisdictional Immunities of State Owned Cultural Property* which to date (16 September 2016) had been signed by the Ministers of Foreign Affairs of 18 States (Albania, Armenia, Austria, Belarus, Belgium, Czech Republic, Estonia, Finland, France, Georgia, Hungary, Ireland, Latvia, Luxembourg, Netherlands, Romania, Russia and Slovakia). This declaration, presented by the delegations of the Czech Republic and Austria and supported by the delegation of the Netherlands, had been drafted in support of the recognition of the customary nature of the pertinent provisions of the 2004 *United Nations Convention on Jurisdictional Immunities of States and Their Property* in order to guarantee the immunity of State cultural property on loan. It had been elaborated as a non-legally binding document expressing a common understanding of *opinio juris* on the basic rule that a certain kind of State property (cultural property on exhibition) enjoyed jurisdictional immunity. The CAHDI noted that the Secretariat of the CAHDI performed the functions of “depository” of this Declaration and that the text of this Declaration was available on the website of the CAHDI.

c. The CAHDI also addressed the issue of the “Immunities of special missions” and examined in this regard the replies submitted by 24 delegations (Albania, Andorra, Armenia, Austria, Belarus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Ireland, Italy, Latvia, Mexico, Netherlands, Norway, Romania, Serbia, Sweden, Switzerland, United Kingdom and United States of America) to the questionnaire prepared on this topic. The CAHDI encouraged delegations which had not yet done so, to submit or update their contribution to the questionnaire in order to prepare an analysis outlining the main trends arising from these replies.

d. The CAHDI furthermore addressed the issue of “Service of process on a foreign State” and examined in this regard the replies submitted by 27 delegations (Albania, Austria, Belarus, Belgium, Canada, Cyprus, Czech Republic, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Latvia, Mexico, Netherlands, Norway, Portugal, Romania, Serbia, Slovenia, Switzerland, United Kingdom and United States of America) to the questionnaire prepared on this topic. The CAHDI encouraged delegations which had not yet done so, to submit or update their contribution to the questionnaire in order to prepare an analysis outlining the main trends arising from these replies.

e. The CAHDI took stock of the state of ratifications of the *United Nations Convention on Jurisdictional Immunities of States and Their Property* by the States represented within the CAHDI. It noted that since its last meeting, no State represented within the CAHDI had signed, ratified, accepted, approved or acceded to the convention.

f. With regard to its *Database on “State practice regarding State Immunities”*, the CAHDI noted that to date (16 September 2016) 35 States (Andorra, Armenia, Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Mexico, Netherlands, Norway, Poland, Portugal, Romania, Russia, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and United Kingdom) and one organisation (European Union) had submitted a contribution to this database.

The CAHDI furthermore considered national practices and case-law regarding immunities of States and international organisations on the basis of information provided by the delegations and invited delegations to submit or update their contributions to the relevant CAHDI database.

g. The CAHDI pursued its exchange of views on the *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*.

The CAHDI noted that to date (16 September 2016), 29 delegations (Albania, Austria, Belgium, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Ireland, Israel, Italy, Japan, Latvia, Luxembourg, Montenegro, Netherlands, Norway, Portugal, Romania, Russia, Slovakia, Slovenia, Spain, Sweden and United States of America) had replied to the questionnaire on this matter. The CAHDI invited delegations which had not yet done so to submit or update their replies to the questionnaire.

7. Regarding the revised questionnaire on the **“Organisation and functions of the Office of the Legal Adviser of the Ministry of Foreign Affairs”** which contains additional questions on gender equality following the recommendations contained in the Council of Europe Gender Equality Strategy 2014-2017, the CAHDI examined the replies submitted by 35 delegations (Albania, Andorra, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Israel, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Norway, Serbia, Slovenia, Sweden, Switzerland, United Kingdom, United States of America and NATO) to this revised questionnaire. The CAHDI invited delegations to send to the Secretariat any further information in order to complete their replies.

8. With regard to the issue of **“National implementation measures of UN sanctions and respect for human rights”**, the CAHDI took note of the information regarding cases that had been submitted to national tribunals by persons or entities included in or removed from the lists established by the United Nations Security Council Sanctions Committee.

9. The CAHDI considered **cases brought before the European Court of Human Rights involving issues of public international law** and invited delegations to keep the CAHDI informed of any judgments, decisions or relevant forthcoming events. The CAHDI also welcomed the publication containing the jurisprudence of the European Court of Human Rights related to public international law.

10. In the context of its consideration of issues relating to the **peaceful settlement of disputes**, the CAHDI examined the document containing information on the International Court of Justice’s (ICJ) compulsory jurisdiction.

11. Within the framework of its activity as the **European Observatory of Reservations to International Treaties**, the CAHDI examined a list of 18 reservations and declarations to international treaties subject to objection.

In addition, the CAHDI took note of the reactions to reservations and declarations to international treaties previously examined by the CAHDI and for which the deadline for objection had already expired. It invited delegations to submit to the Secretariat any information relevant for the update of the summary table as set out in document CAHDI (2016) 18 Addendum prov.

Furthermore, the CAHDI held an exchange of views on *Recommendation No. R (99) 13 of the Committee of Ministers on responses to inadmissible reservations to international treaties* adopted by the Committee of Ministers on 18 May 1999 and agreed to make further use of it within the context of the European Observatory for Reservations and International Treaties of the CAHDI.

12. The CAHDI welcomed the presentation of the work of the International Law Commission (ILC) by the **special guest** Mr Pedro Commisário Afonso, Chairperson of the ILC.

The CAHDI also took note of the exchange of views which took place on 7 July 2016 between the ILC, the Chair of the CAHDI and the Secretary of the CAHDI.

13. The CAHDI welcomed its exchange of views with the **special guest** Mr Miguel de Serpa Soares, Under-Secretary-General for Legal Affairs and United Nations Legal Counsel.

14. With regard to the **consideration of current issues of international humanitarian law**, the CAHDI took note of the information provided by several delegations.

15. The CAHDI took note of the **developments concerning the International Criminal Court (ICC) and other international criminal tribunals**.

16. With regard to the examination of **topical issues of international law**, the CAHDI took note of the comments made by delegations.

17. In accordance with *Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and their working methods*, the CAHDI elected Ms Päivi KAU KORANTA (Finland) and Mr Petr VÁLEK (Czech Republic) respectively as **Chair and Vice-Chair of the Committee**, for a term of one year from 1st January 2017.

18. The CAHDI decided to hold its **53rd meeting** in Strasbourg (France), on 23-24 March 2017. The CAHDI instructed the Secretariat, in liaison with the Chair of the CAHDI, to prepare in due course the provisional agenda of this meeting.

19. a. On the basis of the document prepared by the delegation of the United Kingdom as well as the assessment of the views of the experts of the CAHDI on the need and usefulness of an update of the "*Amended Model Plan for the Classification of Documents concerning State practice in the Field on Public International Law*" contained in the appendix to Recommendation No. R (97) 11 adopted on 12 June 1997 by the Committee of Ministers, the CAHDI decided that an update of this Model Plan was not necessary.

b. The CAHDI held an exchange of views on the document prepared by the Treaty Office of the Council of Europe concerning the "*Draft model final clauses for conventions, additional protocols and amending protocols concluded within the Council of Europe*" in light of the comments submitted by six delegations to this document, as well as written observations to these comments by the Treaty Office of the Council of Europe. The CAHDI entrusted the Secretariat to prepare a revised version of these draft model final clauses following this exchange of views and to include in this revised version the alternative wordings suggested by some delegations. This revised version of the draft model clauses will be sent to all CAHDI experts for further consideration at its next meeting.

APPENDIX I

AGENDA

I. INTRODUCTION

- 1. Opening of the meeting**
- 2. Adoption of the agenda**
- 3. Adoption of the report of the 51st meeting**
- 4. Information provided by the Secretariat of the Council of Europe**
 - Statement by Mr Jörg Polakiewicz, Director of Legal Advice and Public International Law
 - Presentation of the new CAHDI databases

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**
- 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
 - b. UN Convention on Jurisdictional Immunities of States and Their Property*
 - c. State practice, case-law and updates of the website entries*
- 7. Organisation and functions of the Office of the Legal Adviser of the Ministry of Foreign Affairs**
- 8. National implementation measures of UN sanctions and respect for human rights**
- 9. Cases before the European Court of Human Rights involving issues of public international law**
- 10. Peaceful settlement of disputes**
- 11. Law and practice relating to reservations and interpretative declarations concerning international treaties: European Observatory of Reservations to International Treaties**
 - List of reservations and declarations to international treaties subject to objection

III. GENERAL ISSUES OF PUBLIC INTERNATIONAL LAW

12. 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 Pedro Comissário Afonso, Chairperson of the ILC
- Exchange of views between the ILC, the Chair of the CAHDI and the Secretary of the CAHDI, Geneva (Switzerland), 7 July 2016

13. Exchange of views with Mr Miguel Serpa Soares, Under-Secretary-General for Legal Affairs and United Nations Legal Counsel

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

18. Place, date and agenda of the 53rd meeting of the CAHDI: Strasbourg, 23-24 March 2017

19. Other business

- a. *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*
- b. *Exchange of views on the “Draft model final clauses for conventions, additional protocols and amending protocols concluded within the Council of Europe”, prepared by the Treaty Office of the Council of Europe*

APPENDIX II

OPINION OF THE CAHDI

ON RECOMMENDATION 2095 (2016) OF THE PARLIAMENTARY ASSEMBLY OF THE COUNCIL OF EUROPE – “PARLIAMENTARY IMMUNITY: CHALLENGES TO THE SCOPE OF PRIVILEGES AND IMMUNITIES ENJOYED BY MEMBERS OF THE PARLIAMENTARY ASSEMBLY”

1. On 6 July 2016, the Ministers’ Deputies at their 1262nd meeting agreed to communicate *Recommendation 2095 (2016) of the Parliamentary Assembly of the Council of Europe (PACE) on “Parliamentary immunity: challenges to the scope of the privileges and immunities enjoyed by members of the Parliamentary Assembly”* to the Committee of Legal Advisers on Public International Law (CAHDI), for information and possible comments by mid-September 2016¹.

2. The CAHDI examined the above-mentioned Recommendation at its 52nd meeting (Brussels, Belgium, 15-16 September 2016) and made the following comments concerning those aspects of Recommendation 2095 (2016) which are of particular relevance to the Terms of Reference of the CAHDI.

3. From the outset, the CAHDI recalls its Opinion on *Recommendation 2083 (2016) of the Parliamentary Assembly of the Council of Europe (PACE) on “Introduction of sanctions against parliamentarians”* adopted on 4 March 2016 during its 51st meeting. The CAHDI underlines that the comments on the main legal arguments concerning the scope of the privileges and immunities enjoyed by members of the PACE made in its Opinion on Recommendation 2083 are equally relevant for the present Recommendation 2095. Furthermore, the CAHDI recalls the Reply to Parliamentary Assembly *Recommendation 2083 (2016) on “Introduction of sanctions against parliamentarians”* adopted by the Committee of Ministers on 6 July 2016 at its 1262nd meeting².

4. As the PACE underlined in paragraphs 1 and 2 of its Recommendation 2095, the CAHDI notes that the scope of privileges and immunities enjoyed by the members of the PACE is governed by Article 40³ of the *Statute of the Council of Europe*, as further elaborated in the *General Agreement on Privileges and Immunities of the Council of Europe* (GAPI) and its *Protocol*. Furthermore, the CAHDI reiterates that the rights of members of the PACE when seeking to attend an official meeting in a member State, in particular in relation to the freedom of movement, are defined in Article 13⁴ of the GAPI. The immunities enjoyed by PACE members are defined in particular in Articles 14⁵ and 15⁶

¹ The Ministers’ Deputies specifically indicated in their decision that they “agreed to communicate it [Recommendation 2095 (2016)] to the Committee of Legal Advisers on Public International Law (CAHDI), for information and possible comments by 15 September 2016. However, taking into account that the 52nd meeting of the CAHDI will take place on 15 and 16 September, it was agreed to send the CAHDI opinion to the Secretariat of the Committee of Ministers on 19 September 2016.

² See the text at the following [link](#).

³ **Article 40 (ETS No.1):** “The Council of Europe, representatives of members and the Secretariat shall enjoy in the territories of its members such privileges and immunities as are reasonably necessary for the fulfilment of their functions. These immunities shall include immunity for all representatives to the Consultative Assembly from arrest and all legal proceedings in the territories of all members, in respect of words spoken and votes cast in the debates of the Assembly or its committees or commissions.”

⁴ **Article 13 (ETS No.2):** “No administrative or other restriction shall be imposed on the free movement to and from the place of meeting of Representatives to the Consultative Assembly and their substitutes.

Representatives and their substitutes shall, in the matter of customs and exchange control, be accorded:

- a. by their own government, the same facilities as those accorded to senior officials travelling abroad on temporary official duty;
- b. by the governments of other members, the same facilities as those accorded to representatives of foreign governments on temporary official duty.”

⁵ **Article 14 (ETS No.2):** “Representatives to the Consultative Assembly and their substitutes shall be immune from all official interrogation and from arrest and all legal proceedings in respect of words spoken or votes cast by them in the exercise of their functions”.

⁶ **Article 15 (ETS No.2):** “During the sessions of the Consultative Assembly, the Representatives to the Assembly and their substitutes, whether they be members of Parliament or not, shall enjoy:

- a. on their national territory, the immunities accorded in those countries to members of Parliament;
- b. on the territory of all other member States, exemption from arrest and prosecution.

of the GAPI. Moreover, Article 3⁷ of the *Protocol* to the GAPI extends the immunities defined in Article 15 of the GAPI to the representatives of the PACE and their substitutes attending or travelling to or from meetings of the PACE committees or sub-committees.

5. The CAHDI reiterates also that the Committee of Ministers of the Council of Europe has invited on several occasions the governments of member States to adopt specific measures in order to fully implement the above mentioned privileges and immunities enjoyed by the PACE members. For instance, in its Reply to PACE *Recommendation 1373 (1998) on freedom of movement and the issue of visas to members of the Parliamentary Assembly of the Council of Europe* adopted on 20 October 1998 at the 645th meeting, the Committee of Ministers invited the governments of member States to consider taking a series of measures, in conformity with their national legislation, to ensure that members of the Parliamentary Assembly on official journeys benefit from full entry facilities on the territory of member States⁸. These measures were recalled by the Chair of the Committee of Ministers in his reply to the written Question No. 501 by Lord Russell-Johnston: "Visa requirements for members of the Assembly attending Assembly committee meetings". The CAHDI further notes that since then the Committee of Ministers has replied to the PACE on different occasions on this issue (see for instance the Reply adopted at the 869th meeting of the Committee of Ministers on 21 January 2004⁹ and at its 911th meeting on 12 January 2005¹⁰ in relation to the PACE Recommendation 1602 (2003) on "Immunities of members of the Parliamentary Assembly"). The most recent reply has been the *Reply of the Committee of Ministers to the Parliamentary Assembly Recommendation 2083 (2016) on "Introduction of sanctions against parliamentarians"* adopted on 6 July 2016¹¹.

6. The CAHDI also reiterates that international law grants States full sovereignty over their territory. This implies that States can also freely decide, in conformity with their obligations under international law, on the entry of foreign nationals into their territory.

7. The CAHDI considers that many political and legal issues are raised by the privileges and immunities of parliamentarians and their corresponding rights and obligations, which are governed by the applicable Council of Europe treaties. In relation to paragraph 4 of Recommendation 2095, the CAHDI reiterates its consideration that an efficient implementation of the rules currently into force would solve most of the issues highlighted by the PACE. In this respect, the CAHDI recalls that the Committee of Ministers in its recent *Reply to the Parliamentary Assembly Recommendation 2083 (2016) on "Introduction of sanctions against parliamentarians"* adopted on 6 July 2016 "reiterates its

This immunity also applies when they are travelling to and from the place of meeting of the Consultative Assembly. It does not, however, apply when Representatives and their substitutes are found committing, attempting to commit, or just having committed an offence, nor in cases where the Assembly has waived the immunity."

⁷ **Article 3 (ETS No.10):** "The provisions of Article 15 of the Agreement shall apply to Representatives to the Assembly, and their Substitutes, at any time when they are attending or travelling to and from, meetings of committees and sub-committees of the Consultative Assembly, whether or not the Assembly is itself in session at such time".

⁸ In its reply to PACE Recommendation 1373 (1998) on freedom of movement and the issue of visas to members of the Parliamentary Assembly of the Council of Europe, the Committee of Ministers "[...] invited the governments of member States to consider taking one or more of the following measures, in conformity with their national legislation, to ensure that members of the Parliamentary Assembly on official journeys benefit by full entry facilities on the territory of member States:

- i. according priority to or at least speedy treatment of requests for visas from members of the Parliamentary Assembly in connection with their official duties, in particular when supported by a Council of Europe card;
- ii. granting long-term multiple entry visas whenever possible;
- iii. when the granting of long-term multiple visas is not possible, according priority to the speedy processing of requests for single-entry visas;
- iv. authorising authorities at ports of entry, in cases of urgency when it has not been possible for the member of the Parliamentary Assembly to obtain a visa prior to departing on an official journey, and when notified of such impossibility by the appropriate domestic authorities, to grant the appropriate visas exceptionally at the port of entry;
- v. granting visas free of charge whenever possible [...]."

Reply adopted by the Committee of Ministers on 20 October 1998 at the 645th meeting of the Ministers' Deputies: See the full text at the following [link](#).

⁹ See the text at the following [link](#).

¹⁰ See the text at the following [link](#).

¹¹ See the text at the following [link](#).

invitation to member States to honour their commitments” (see in particular paragraph 3 of the Reply¹²). The decision to further call “member States to act in strict compliance with their obligations” under the above-mentioned rules as requested by the PACE rests with the Committee of Ministers.

¹² “The Committee of Ministers recalls that it has on several occasions invited the governments of member States to adopt specific measures in order to fully implement the above-mentioned privileges and immunities. For instance, in its reply to Parliamentary Assembly Recommendation 1373 (1998) on “Freedom of movement and the issue of visas to members of the Parliamentary Assembly of the Council of Europe”, it invited the governments of member States to consider taking a series of measures, in conformity with their national legislation, to ensure that members of the Parliamentary Assembly on official journeys benefit from full entry facilities on the territory of member States. The Committee reiterates its invitation to member States to honour their commitments”.