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COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW (CAHDI)

**Terms of reference of the CAHDI for 2012-2013 adopted by the
Committee of Ministers at its 1127th (Budget) meeting from 22 to 24
November 2011**

43rd meeting
Strasbourg, 29-30 March 2012

Public International Law Division,
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TERMS OF REFERENCE OF THE CAHDI FOR 2012-2013 ADOPTED BY THE COMMITTEE OF MINISTERS AT ITS 1127TH (BUDGET) MEETING FROM 22 TO 24 NOVEMBER 2011

Committee of Legal Advisers on Public International Law (CAHDI)

Set up by the Committee of Ministers under Article 17 of the Statute of the Council of Europe and in accordance with Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods

Terms of Reference valid from **1 January 2012 until 31 December 2013**

Main tasks	
Under the authority of the Committee of Ministers, and within the framework of the Programme of Activities for 2012-2013, the CAHDI is instructed to:	
(i)	Examine questions related to public international law;
(ii)	Conduct exchanges and co-ordinate views of member states;
(iii)	Provide opinions at the request of the Committee of Ministers or at the request of other Steering Committees or Ad hoc Committees, transmitted via the Committee of Ministers.
Pillar / Sector / Programme	
Pillar:	Rule of Law
Sector:	Common standards and policies
Programme:	Development and implementation of common standards and policies
Expected results	
Expected results 2012-2013	
(i)	Examine topical questions of public international law ;
(ii)	Respond to requests for opinion or exchanges of views requested or transmitted by the Committee of Ministers ;
(iii)	Continue its active role as the European Observatory of Reservations to International Treaties ;
(iv)	Deepen exchanges of views on the work of the International Law Commission and of the Sixth Committee ;
(v)	Continue to update and improve databases managed by the Committee which are related to states practice on immunities of states; organisation and functions of the Office of the Legal Adviser of the Ministry for Foreign Affairs and implementation of United Nations sanctions ;
(vi)	Review recent developments regarding international disputes, namely cases before the European Court of Human Rights involving issues of public international law ;
(vii)	Maintain contacts with lawyers and legal services of other entities or international organisations.
Composition	
Members:	
Governments of member states are invited to appoint representatives, experts in the field of public international law, of the highest possible rank, preferably chosen among the Legal Advisers to the Ministries of Foreign Affairs.	
The Council of Europe budget will bear the travelling and subsistence expenses of one representative from each member state (two in the case of the state whose representative has been elected Chair).	
Member states may send other representatives without defrayal of expenses.	
Each member of the committee shall have one vote. Where a government designates more than one member, only one of them is entitled to take part in the voting.	
Participants:	
The following may send representatives to meetings of the Committee without the right to vote or defrayal of expenses:	
-	European Union;

- States with observer status with the Council of Europe: Canada, Holy See, Japan, Mexico and United States of America;
- The following intergovernmental organisations:
 - The Hague Conference on Private International Law;
 - North Atlantic Treaty Organisation (NATO);
 - The Organisation for Economic Co-operation and Development (OECD);
 - The United Nations and its specialised agencies;
 - European Organisation for Nuclear Research (CERN);
 - International Criminal Police Organisation (INTERPOL).
- The following non-governmental organisations:
 - International Committee of Red Cross (ICRC).

Observers:

The following may send representatives without the right to vote and without defrayal of expenses:

- Australia; Israel and New Zealand.

Working methods**Plenary meetings:**

48 members, 2 meetings in 2012, 2 days

48 members, 2 meetings in 2013, 2 days

The rules of procedure of the Committee are governed by Resolution CM/Res(2011)24 on intergovernmental committees and subordinate bodies, their terms of reference and working methods.