



Strasbourg, 20 March 2026

CAHDI (2026) 7

COMMITTEE OF LEGAL ADVISERS ON PUBLIC INTERNATIONAL LAW (CAHDI)

List of items discussed and decisions taken
Abridged report

70th meeting (hybrid meeting)

19 - 20 March 2026

Strasbourg, France

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

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1. Introducing the meeting

1.1. The Committee of Legal Advisers on Public International Law (CAHDI) held its 70th meeting in Strasbourg on 19–20 March 2026, with Ms Kerli Veski (Estonia) as Chair.

1.2. The CAHDI adopted its agenda (Appendix I), the report of its 69th meeting and authorised its publication. It took note of information provided by the Director of Legal Advice and Public International Law on the most important developments within the Council of Europe since the last meeting of the Committee. The CAHDI also took note of the information provided by its Chair concerning her exchange of views with the Committee of Ministers.

2. The CAHDI took note of decisions of the Committee of Ministers relevant to its work, as contained in document CAHDI (2026) 1.

3. CAHDI databases

3.1. The CAHDI took note of its questionnaires and databases covering, in particular, issues relating to the immunities of States and international organisations, the immunities of special missions, the service of process on foreign States, the settlement of disputes involving international organisations, as well as the organisation of legal advisory services within Ministries of Foreign Affairs and the implementation of United Nations sanctions. It underlined that these are publicly accessible on its website and stressed the importance of keeping them regularly updated.

4. Human rights and international law

4.1. The CAHDI took note of information provided by delegations on cases before the European Court of Human Rights involving issues of public international law and invited delegations to keep it informed of relevant developments.

5. Treaty law and soft law instruments

5.1. The CAHDI took note of the progress report presented by the Chair of the Drafting Group on non-legally binding instruments. It welcomed the progress made in refining the methodology and testing different analytical approaches based on selected replies to the questionnaire.

5.2. The CAHDI encouraged the Group to continue its work towards the preparation of a compendium of practices, including identified best practices, based on a flexible and non-prescriptive approach, and took note of the envisaged next steps. It also noted that the Group will benefit from academic support, while preserving its intergovernmental character.

5.3. The CAHDI took note of the replies and trends relating to treaties not requiring parliamentary approval and invited further contributions. It decided to move this item under “CAHDI databases and questionnaires” and to make the related documents publicly available. In this context, it instructed the Secretariat to consult delegations on this matter and to set a deadline for the possible updating of their replies.

5.4. The CAHDI took note of the replies to the questionnaire on “International soft law: implications for Legal Departments of Ministries for Foreign Affairs” and encouraged delegations to submit further replies. It invited the Drafting Group to examine these replies within the framework of its work, with particular attention to terminology.

5.5. The CAHDI held a discussion on the suspension of multilateral treaties and decided that no further discussion was required at this stage. Within the framework of its role as the European Observatory of Reservations to International Treaties, it examined a list of five reservations and declarations subject to objection, included in document CAHDI (2026) 3.

6. Current issues of public international law

6.1. The CAHDI took note of presentations by Professor Danae Azaria on State silence in international law, by Ambassador Arjen Uijterlinde, Special Envoy of the Netherlands, on the Special Tribunal for the Crime of Aggression against Ukraine, and by Professor Chiara Giorgetti, member of the Board of the Register of Damage, on its decision-making practice and recent decisions, followed by an exchange of views.

6.2. Many delegations reported on progress made towards their participation in the Enlarged Partial Agreement on the Special Tribunal for the Crime of Aggression against Ukraine, as well as on the signature or ratification of the Convention establishing the International Claims Commission for Ukraine.

6.3. The CAHDI also held exchanges of views on the peaceful settlement of disputes, taking note of information provided by the Permanent Court of Arbitration and other delegations, as well as on the work of the International Law Commission and current issues of international humanitarian law, on the basis of information provided by delegations and the International Committee of the Red Cross.

7. Other issues

7.1. The CAHDI decided to hold its 71st meeting in Tallinn (Estonia) on 24–25 September 2026 and instructed its Chair, in co-operation with the Secretariat, to prepare the provisional agenda. The CAHDI expressed its sincere gratitude appreciation to the Director of Legal Advice and Public International Law for his outstanding service over 12 years.

7.2. The CAHDI adopted the present abridged report and instructed the Secretariat to submit it to the Committee of Ministers for information.

APPENDIX I

1. INTRODUCTION

- 1.1. Opening remarks
- 1.2. Adoption of the agenda
- 1.3. Adoption of the report of the 69th meeting
- 1.4. Information provided by the Secretariat of the Council of Europe

2. COMMITTEE OF MINISTERS' DECISIONS WITH RELEVANCE FOR THE CAHDI INCLUDING REQUESTS FOR CAHDI'S OPINION

- 2.1. Committee of Ministers' decisions of relevance to the CAHDI's activities

3. CAHDI DATABASES AND QUESTIONNAIRES

- 3.1. Settlement of disputes of a private character to which an international organisation is a party
- 3.2. Immunity of state-owned cultural property on loan
- 3.3. Immunities of special missions
- 3.4. Service of process on a foreign State
- 3.5. Possibility 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
- 3.6. Organisation and functions of the Office of the Legal Adviser of the Ministry of Foreign Affairs
- 3.7. The implementation of United Nations sanctions

4. IMMUNITIES OF STATES AND OF INTERNATIONAL ORGANISATIONS, DIPLOMATIC AND CONSULAR IMMUNITY

- 4.1. Exchanges of views on topical issues in relation to the subject matter of the item
- 4.2. State practice and relevant case-law

5. THE EUROPEAN CONVENTION ON HUMAN RIGHTS, CASES BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS AND OTHER HUMAN RIGHTS ISSUES INVOLVING PUBLIC INTERNATIONAL LAW

- 5.1. Cases before the European Court of Human Rights involving issues of public international law
- 5.2. National implementation measures of UN sanctions and respect for human rights

6. TREATY LAW AND SOFT LAW INSTRUMENTS

- 6.1. Exchanges of views on topical issues related to treaty law
- 6.2. Law and practice relating to reservations and interpretative declarations concerning international treaties: European Observatory of Reservations to International Treaties

7. CURRENT ISSUES OF PUBLIC INTERNATIONAL LAW

- 7.1. Topical issues of public international law
- 7.2. Peaceful settlement of disputes
- 7.3. The work of the International Law Commission
- 7.4. Consideration of current issues of international humanitarian law

8. OTHER

- 8.1. Place, date and agenda of the 71st meeting of the CAHDI: Tallinn (Estonia), 24-25 September 2026
- 8.2. Any other business
- 8.3. Adoption of the Abridged Report and closing of the 70th meeting