

**Presentation by Ms Kerli VESKI,
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Public International Law (CAHDI)**

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Madame la Présidente,
Monsieur le Secrétaire général,
Mesdames et Messieurs les Ambassadeurs,
Mesdames et Messieurs,

C'est un honneur pour moi de m'adresser au Comité des Ministres, pour la première fois en tant que Présidente du Comité des conseillers juridiques sur le droit international public (CAHDI). Mon premier mandat a débuté le 1er janvier 2025 à la suite des élections qui ont eu lieu en septembre 2024 et j'ai depuis présidé les deux réunions du CAHDI en 2025, la dernière ayant eu lieu les 25 et 26 septembre 2025. Lors de cette réunion, j'ai été réélue pour une nouvelle année et je suis ravie d'avoir l'opportunité de poursuivre cette fonction importante en 2026.

**I) LE DROIT INTERNATIONAL PUBLIC AUJOURD'HUI : INDISPENSABLE MAIS
DE PLUS EN PLUS FRAGILISE**

Le droit international public est aujourd'hui confronté à un paradoxe. Il est plus pertinent et plus nécessaire que jamais, alors que les États sont confrontés à des conflits armés, à des violations graves des droits humains, à la nécessité d'assurer la responsabilité pour des crimes internationaux graves, ainsi qu'à un nombre croissant de défis transnationaux. Dans le même temps, l'ordre juridique international subit des pressions accrues : les normes sont de plus en plus contestées, appliquées de manière sélective, voire ignorées.

Cette tension affecte non seulement l'effectivité du droit international, mais aussi la confiance dans la coopération entre États fondée sur des règles. Dans ce contexte, l'engagement de longue date du Conseil de l'Europe en faveur de l'État de droit, de la responsabilité et de la coopération juridique revêt une importance renouvelée. Il confère également une responsabilité particulière aux organes de l'Organisation qui œuvrent directement dans le domaine du droit international public.

In this regard, it is important to recall that the erosion of respect for international law is not an abstract concern. It has direct implications for security, trust between States, and the stability of the international system. As recently underlined by the Secretary General of the Council of Europe in a guest essay published earlier this year in the New York Times, the right of peoples to determine their own future, the protection of international law, and accountability for violations of sovereign rights are not optional principles: they form the very foundation of our shared security and values.

This assessment reinforces the responsibility of international organisations, and in particular of the Council of Europe, to ensure that law continues to prevail over power.

II) THE CAHDI'S ROLE AND ACTIVITIES: A CONCRETE CONTRIBUTION TO THE RULE OF LAW

Against this background, the CAHDI continues to play a central and practical role as a forum bringing together the legal advisers of the Ministries of Foreign Affairs of the member States, observer States and international organisations, providing a space for structured legal dialogue and cooperation.

In its advisory capacity, and at the request of the Committee of Ministers, the CAHDI adopted several opinions over the past year. These addressed, in particular, the need for a renewed rules-based international order, the risks posed by mercenaries and private military and security companies to human rights and the rule of law, as well as the feasibility, under international law, of certain measures envisaged in the context of anti-doping cooperation, following a request from CAHAMA.

At its biannual meetings, the CAHDI held structured exchanges of views on topical issues of public international law, including legal aspects arising from the aggression against Ukraine and questions of responsibility and accountability, allowing delegations to share assessments and remain informed of relevant developments.

In parallel, the CAHDI continued its thematic work equally of direct relevance to government legal advisers, notably on non-legally binding instruments in international law through a dedicated drafting group, as well as through complementary questionnaires on treaty practice and international soft law.

The Committee has also maintained its established dialogue with the International Law Commission and continued to serve as the European Observatory of Reservations to International Treaties, contributing in a very tangible manner to transparency, legal certainty and dialogue between States regarding their treaty obligations, in close cooperation with the Treaty Office of the Council of Europe.

III) FROM LEGAL REFLECTION TO COLLECTIVE ACTION: A BROADER PERSPECTIVE

Beyond these concrete activities, recent experience has demonstrated the broader potential of the CAHDI and of the Council of Europe in the field of public international law.

Without entering into operational detail, developments linked to accountability in relation to Ukraine have shown how legal expertise, shared analysis and political will can interact. Alongside formal intergovernmental processes, legal advisers from interested States have worked together, in close connection with the Council of Europe, to explore and develop legal responses to unprecedented challenges. This experience illustrates how the Organisation can serve as a catalyst for collective legal thinking and innovation, grounded in international law.

IV) THE INSTITUTIONAL DIMENSION: CONTINUITY AND VISIBILITY OF PUBLIC INTERNATIONAL LAW

These developments also invite a more general reflection on how public international law is anchored within the Organisation.

The current institutional framework has enabled the Council of Europe to develop and maintain a high level of expertise in public international law, notably through the support provided to the CAHDI. In a context where institutional changes and staff transitions are a natural part of organisational life, it is important in a forward-looking manner, to underline the need for continuity and reinforcement in this area.

Public international law cuts across many of the Council of Europe's activities and underpins its credibility as a guardian of more than 200 international treaties and the rule of law. Ensuring that this field continues to benefit from appropriate structures, visibility and expertise is therefore not only a technical matter, but also a strategic imperative. CAHDI's activities directly contribute to the Council of Europe Strategy on External Action which is currently being developed building on the Reykjavík Declaration and the Secretary General's orientations in [SG/Inf\(2025\)33](#). I fully agree that in a context of increasing legal complexity and challenges related to compliance with international law, we need a coherent, more proactive, and values-based external action, informed by the Organisation's past experience. The CAHDI is ready to play a major role in this strategy, contributing with its expertise and networks spanning around the world.

V) LOOKING AHEAD: STRENGTHENING STRATEGIC REFLECTION

In this spirit, one possible avenue for the future could be to further strengthen strategic reflection on public international law within or around the CAHDI. For example, informal think-tank-type formats, involving current or former members of the CAHDI with significant experience, could help identify emerging trends and contribute to longer-term thinking on how the Council of Europe can best position itself in a changing international legal landscape.

Such initiatives require adequate financial and human resources. In this context, I would like to underline the importance that public international law, and the work of the CAHDI retain appropriate visibility within the Organisation's strategic planning and resource allocation.

VI) CONCLUSION

To conclude, public international law remains a cornerstone of the Council of Europe's mission. At a time when it is both indispensable and under strain, the Organisation has a responsibility – and an opportunity – to reaffirm its commitment to a rules-based international order, grounded in cooperation and respect for legal norms.

In this context, the CAHDI will continue to serve as a vital forum for dialogue, expertise and cooperation among legal advisers, firmly anchored in its concrete work which directly contributes to the advancement of the Council of Europe's core objectives of human rights, democracy, and the rule of law. The effectiveness and future developments of this work depend on a clear and sustained institutional commitment to public international law within the Council of Europe.

I am confident that, with Declan Smyth of Ireland as Vice-Chair, the continued engagement of delegations and the support of the Secretariat, the CAHDI will continue to fulfil its important mission in the years ahead.

I thank you for your attention.