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# Convention on the Rights of the Child

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## Committee on the Rights of the Child

# Rules of procedure \*

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## **Part one General rules**

### **I. Sessions**

#### **Meetings of the Committee Rule 1**

The Committee on the Rights of the Child (hereinafter referred to as "the Committee") shall hold meetings as may be required for the effective performance of its functions in accordance with the Convention on the Rights of the Child (hereinafter referred to as "the Convention").

#### **Regular sessions Rule 2**

1. The Committee shall normally hold three regular sessions annually.

2. Regular sessions of the Committee shall be convened at dates decided by the Committee in consultation with the Secretary-General of the United Nations (hereinafter referred to as "the Secretary-General"), taking into account the calendar of conferences as approved by the General Assembly.

#### **Special sessions Rule 3**

1. Special sessions of the Committee shall be convened by decision of the Committee. When the Committee is not in session, the Chairperson may convene special sessions of the Committee in consultation with the other officers of the Committee. The Chairperson of the Committee shall also convene special sessions:

(a) At the request of a majority of the members of the Committee;

(b) At the request of a State party to the Convention.

2. Special sessions shall be convened as soon as possible at a date fixed by the Chairperson, in consultation with the Secretary-General and with the other officers of the Committee, taking into account the calendar of conferences as approved by the General Assembly.

#### **Place of sessions Rule 4**

Sessions of the Committee shall normally be held at the United Nations Office at Geneva. Another place for a session may be designated by the Committee in consultation with the Secretary-General, taking into account the relevant rules of the United Nations on the subject.

#### **Notification of opening date of sessions Rule 5**

The Secretary-General shall notify the members of the Committee of the date and place of the first meeting of each session. Such notification shall be sent, in the case of regular sessions, at least six weeks in advance, and in the case of a special session, at least three weeks in advance of the first meeting.

## **II. Agenda**

### **Provisional agenda for regular sessions Rule 6**

The provisional agenda for each regular session shall be prepared by the Secretary-General in consultation with the Chairperson of the Committee, in conformity with the relevant provisions of the Convention, and shall include:

- (a) Any item decided upon by the Committee at a previous session;
- (b) Any item proposed by the Chairperson of the Committee;
- (c) Any item proposed by a member of the Committee;
- (d) Any item proposed by a State party to the Convention;
- (e) Any item proposed by the Secretary-General relating to his functions under the Convention or these rules.

### **Provisional agenda for special sessions Rule 7**

The provisional agenda for a special session of the Committee shall consist only of those items which were proposed for its consideration at the special session.

### **Adoption of the agenda Rule 8**

The first item on the provisional agenda for any session shall be the adoption of the agenda, except for the election of the officers when required under rule 17 of these rules.

### **Revision of the agenda Rule 9**

During a regular session, the Committee may revise the agenda and may, as appropriate, add, defer or delete items. Only urgent or important items may be added to the agenda.

### **Transmission of the provisional agenda and basic documents Rule 10**

The provisional agenda and basic documents relating to items appearing thereon shall be transmitted to the members of the Committee by the Secretary-General as early as possible, and whenever possible simultaneously with the notification of the opening of a session under rule 5.

## **III. Members of the Committee**

### **Members Rule 11**

Members of the Committee shall be the 18 independent experts elected in accordance with article 43 of the Convention.

### **Independence and impartiality Rule 11 bis**

Members of the Committee shall exercise their functions in an independent and impartial manner in accordance with the Guidelines on the independence and impartiality of members of the human rights treaty bodies which are included as an annex of these rules of procedure and form an integral part thereof.

### **Term of office Rule 12**

The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated.

### **Beginning of term of office Rule 13**

The members of the Committee elected at the first election shall begin their term of office on 1 March 1991. In the case of members elected at subsequent elections, their term of office shall begin on the day following the date of expiry of the term of office of the members whom they replace.

### **Filling of casual vacancies Rule 14**

1. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform his or her Committee duties, the Chairperson of the Committee shall notify the Secretary-General who shall then declare the seat of that member to be vacant.

2. If, in the unanimous opinion of the other members, a member of the Committee has ceased to carry out his or her functions for any

cause other than absence of a temporary nature, the Chairperson of the Committee shall notify the Secretary-General, who shall then declare the seat of that member to be vacant.

3. Pursuant to paragraphs 1 and 2 of this rule, the Secretary-General shall request the State party which had nominated that member to appoint another expert from among its nationals within two months to serve for the remainder of his or her predecessor's term.

4. The name and the curriculum vitae of the expert so appointed shall be transmitted by the Secretary-General to the Committee for approval by secret ballot. Upon approval of the expert by the Committee, the Secretary-General shall notify the States parties to the Convention of the name of the member of the Committee filling a casual vacancy.

5. Except in the case of a vacancy arising from a member's death or proven disability, the Secretary-General and the Committee shall act in accordance with the provisions of paragraphs 1, 3 and 4 of this rule only after receiving from the member concerned written notification of his or her decision to cease to function as a member of the Committee.

### **Solemn declaration Rule 15**

Upon assuming his or her duties, each member of the Committee shall make the following solemn declaration in open Committee:

"I solemnly declare that I will perform my duties and exercise my powers as a member of the Committee on the Rights of the Child honourably, faithfully and conscientiously and observe the principles of independence and impartiality of the human rights treaty bodies adopted by the Committee."

## **IV. Bureau**

### **The Bureau Rule 16**

1. The Bureau is composed of the Chairperson, the four Vice-Chairpersons and the Rapporteur.
2. The Bureau is led by the Chairperson. Every officer of the Bureau has the same rights.
3. The Bureau informs the Committee of items under consideration and their outcomes.

### **Officers Rule 17**

1. The Committee shall elect from among its members a Chairperson, four Vice-Chairpersons and a Rapporteur.
2. In order to ensure an equitable geographic distribution among the officers, the Chairperson and the four Vice-Chairpersons must represent, in principle, different geographic regions and the three different working languages of the Committee.

### **Eligibility Rule 18**

Every member is eligible for every position in the Bureau. However, the positions cannot be held concurrently.

### **Elections Rule 19**

1. Elections shall take place during a formal meeting of the Committee, at the opening of the May/June Session, every two years (*odd years*), in a closed meeting.
2. The election of the Chairperson is conducted in plenary by the most senior Member (by age) of the Committee. Elections of the other members of the Bureau are conducted in plenary by the elected Chairperson.
3. The quorum for elections is two thirds of the members. Should there not be a quorum, the election is postponed to a later date, announced to all members, during the same session. During this next meeting, a simple majority constitutes the quorum to elect officers of the Committee.
4. In case of postponement of the elections for whatever reason, the outgoing Chairperson, if available, will conduct the Committee; if not, one of the outgoing Vice-Chairpersons, after consultation among themselves, will act as Chairperson in his or her place.
5. At the close of the elections meeting, the Committee issues a communiqué, through the Secretary-General, for the use of States, non-governmental organizations, the United Nations agencies, the information media and the general public.

### **Method of elections Rule 20**

1. The Committee shall vote by secret ballot.
2. The presiding Chairperson will draw a list of candidates.
3. The officers are elected by the simple majority of the votes expressed. Each member of the Committee shall have one vote.

### **Conduct of elections when only one elective place is to be filled Rule 21**

1. When only one officer is to be elected and no candidate in the first ballot obtains the majority required, a second ballot shall be

taken, which shall be restricted to the two candidates who obtained the greatest number of votes.

2.If the second ballot is inconclusive, a third ballot shall be taken in which votes may be cast for any eligible candidate. If the third ballot is inconclusive, the next ballot shall be restricted to the two candidates who obtained the greatest number of votes in the third ballot and so on, with unrestricted and restricted ballots alternating until a member is elected.

### **Conduct of elections when two or more elective places are to be filled Rule 22**

1.When two or more elective places are to be filled at one time under the same conditions, those candidates obtaining the majority required in the first ballot shall be elected.

2.If the number of candidates obtaining such majority is less than the number of persons or members to be elected, there shall be additional ballots to fill the remaining places. The voting then shall be restricted to the candidates obtaining the greatest number of votes in the previous ballot and to a number not more than twice the places remaining to be filled, provided that, after the third inconclusive ballot, votes may be cast for any eligible candidates.

3.If three such unrestricted ballots are inconclusive, the next three ballots shall be restricted to the candidates who obtain the greatest number of votes in the third of the unrestricted ballots and to a number not more than twice the places remaining to be filled. The following three ballots shall be unrestricted, and so on, until all the places have been filled.

### **Term of office Rule 23**

1.The officers of the Committee shall be elected for a term of two years.

2.They shall be eligible for re-election in the same role, in principle one time.

3.None of them, however, may hold office if he or she ceases to be a member of the Committee.

### **Position of the Chairperson in relation to the Committee Rule 24**

1.The Chairperson shall perform the functions conferred upon him or her by the Convention, by these rules of procedure and the Guidelines on the independence and impartiality of members of the Committee included in the annex to the present rules of procedure.

2.In exercising his or her functions, the Chairperson shall remain under the authority of the Committee.

### **Acting Chairperson Rule 25**

If the Chairperson is unable to be present at a meeting or any part thereof, he or she shall designate one of the Vice-Chairpersons to act in his or her place. In the absence of such a designation, one of the Vice-Chairpersons, after consultation among themselves, will act as Chairperson in his or her place.

### **Powers and duties of the Acting Chairperson Rule 26**

A Vice-Chairperson acting as Chairperson shall have the same powers and duties as the Chairperson.

### **The Committee working in two chambers Rule 27**

1.When the Committee is working in two chambers, the Chairperson acts as Chairperson of one of the chambers, and one of the four Vice-Chairpersons acts as Chairperson of the other chamber.

2.The Chairperson, in consultation with the Bureau, will designate the Vice-Chairperson who will chair the second chamber.

### **Replacement of officers Rule 28**

If any of the officers of the Committee ceases, or declares his or her inability, to continue serving as an officer of the Committee, a new officer shall be elected for the unexpired term of his or her predecessor, respecting the rules of elections.

## **V.Secretariat**

### **Duties of the Secretary-General Rule 29**

1.The secretariat of the Committee and of such subsidiary bodies as may be established by the Committee under rule 67 shall be provided by the Secretary-General.

2.The Secretary-General shall provide the Committee with the necessary staff and facilities for the effective performance of its functions under the Convention.

### **Statements Rule 30**

The Secretary-General or his representative shall be present at all sessions of the Committee. Subject to rule 46, the Secretary-

General or his representative may make oral or written statements at meetings of the Committee or its subsidiary bodies.

### **Servicing of meetings Rule 31**

The Secretary-General shall be responsible for all the necessary arrangements for meetings of the Committee and its subsidiary bodies.

### **Keeping the members informed Rule 32**

The Secretary-General shall be responsible for keeping the members of the Committee informed of any questions which may be brought before it for consideration or of any other developments that may be of relevance to the Committee.

### **Financial implications of proposals Rule 33**

Before any proposal which involves expenditures is approved by the Committee or by its subsidiary bodies, the Secretary-General shall prepare and circulate to its members, as early as possible, an estimate of the cost involved in the proposal. It shall be the duty of the Chairperson to draw the attention of the members to this estimate and to invite discussion on it when the proposal is considered by the Committee or by a subsidiary body.

## **VI.Languages**

### **Official and working languages Rule 34**

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages and English, French and Spanish the working languages of the Committee.

### **Interpretation from an official language Rule 35**

Statements made in any of the official languages shall be interpreted into the other official languages.

### **Interpretation from an unofficial language Rule 36**

Any person addressing the Committee and using a language other than one of the official languages shall provide for interpretation into and from one of the working languages. Interpretation into the other official languages by interpreters of the secretariat shall be based upon the interpretation given in the first working language.

### **Languages of records Rule 37**

Concerning the language of the summary records, rule 42 will apply.

### **Languages of decisions and official documents Rule 38**

All decisions of the Committee shall be made available in the official languages. All official documents of the Committee shall be issued in the working languages and any of them may be issued in the other official languages upon decision of the Committee.

## **VII.Public and private meetings**

### **Public and private meetings Rule 39**

The meetings of the Committee and its subsidiary bodies shall be held in public, unless the Committee decides otherwise.

### **Issue of communiqués concerning private meetings Rule 40**

At the close of each private meeting, the Committee or its subsidiary bodies may issue a communiqué, through the Secretary-General, for the use of the information media and the general public.

### **Participation in meetings Rule 41**

1. In conformity with article 45, subparagraph (a), of the Convention, representatives of the specialized agencies, the United Nations Children's Fund and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the Convention as fall within the scope of their mandate. Representatives of the specialized agencies, the United Nations Children's Fund and other United Nations organs may participate in private meetings of the Committee or its subsidiary bodies, when invited by the Committee to do so.

2. Representatives of other competent bodies concerned, which are not included among those in paragraph 1 of this rule, may participate in public or private meetings of the Committee or its subsidiary bodies, when invited by the Committee to do so.

## **VIII.Records**



## **Correction of summary records Rule 42**

1. As a general rule, public sessions will be recorded and transmitted online. In the event of a technical impossibility or at the express request of a member of the Committee or any other participants in the meetings, written summary records will be issued. Concerning private meetings, only minutes of the decisions shall be kept, unless a member of the Committee or any other participants in the meeting explicitly requests a summary record.

2. If summary records are taken, they will be written in the working languages. All participants in the meetings may, within three working days of the receipt of such records, submit corrections to the secretariat in the languages in which the records have been issued. Corrections to the records of the meetings shall be consolidated in a single corrigendum to be issued at the end of the session concerned. Any disagreement concerning such corrections shall be decided upon by the Chairperson of the Committee or, in the case of continued disagreement, by decision of the Committee.

## **Distribution of summary records Rule 43**

1. The recordings of public meetings shall be accessible to the public, both during the session and afterwards. In the case that written summary records are taken, they shall be available for general distribution.

2. The summary records of private meetings shall be distributed to the members of the Committee and to other participants in the meetings. They may be made available to others upon decision of the Committee at such time and under such conditions as the Committee may decide.

# **IX. Distribution of reports and other official documents of the Committee**

## **Distribution of official documents Rule 44**

1. Without prejudice to the provisions of rule 43 and subject to paragraphs 2 and 3 of this rule, reports, decisions and all other official documents of the Committee and its subsidiary bodies shall be documents for general distribution, unless the Committee decides otherwise.

2. Reports and information furnished to the Committee by the specialized agencies, the United Nations Children's Fund, or other United Nations organs and competent bodies pursuant to article 45, subparagraph (a), of the Convention and to rule 74 shall be distributed by the secretariat to all members of the Committee and, if so decided by the Committee, to members of its subsidiary bodies, States parties concerned and other participants at the meetings. Such reports and information shall normally be made available to the Committee in the language in which they have been submitted, unless otherwise decided by the Committee or the Chairperson.

3. Reports and additional information submitted by States parties pursuant to article 44 of the Convention and to rules 70 and 73 shall be documents for general distribution.

# **X. Conduct of business**

## **Quorum Rule 45**

Twelve members of the Committee shall constitute a quorum.

## **Powers of the Chairperson Rule 46**

1. In addition to exercising the powers conferred upon the Chairperson by the Convention, elsewhere by these rules and by the Guidelines on the independence and impartiality of members of the Committee, the Chairperson shall declare the opening and closing of each meeting of the Committee, direct the discussion, ensure observance of these rules, accord the right to speak, put questions to the vote and announce decisions.

2. The Chairperson, subject to these rules, shall have control of the proceedings of the Committee and over the maintenance of order at its meetings.

3. In the course of the discussion of an item, the Chairperson may propose to the Committee a limitation on the time to be allowed to speakers and on the number of times each person may speak on any question, and the closure of the list of speakers.

4. The Chairperson shall rule on points of order.

5. The Chairperson may also propose adjournment or closure of the debate or adjournment or suspension of a meeting. Debate shall be confined to the question before the Committee, and the Chairperson may call a speaker to order if his or her remarks are not relevant to the subject under discussion.

## **Points of order Rule 47**

During the discussion of any matter, a member may, at any time, raise a point of order, and such point of order shall immediately be decided upon by the Chairperson in accordance with these rules of procedure. Any appeal against the ruling of the Chairperson shall immediately be put to the vote, and the ruling of the Chairperson shall stand unless overruled by a majority of the members present. A member raising a point of order may not speak on the substance of the matter under discussion.

### **Time limitation Rule 48**

The Committee may limit the time allowed to each speaker on any question. When debate is limited and a speaker exceeds his or her allotted time, the Chairperson shall call him or her to order without delay.

### **List of speakers Rule 49**

During the course of a debate, the Chairperson may announce the list of speakers and, with the consent of the Committee, declare the list closed. The Chairperson may, however, accord the right of reply to any speaker if a speech delivered after he or she has declared the list closed makes this desirable. When the debate on an item is concluded because there are no other speakers, the Chairperson shall declare the debate closed. Such closure shall have the same effect as closure by consent of the Committee.

### **Suspension or adjournment of meetings Rule 50**

During the discussion of any matter, a member may move for the suspension or adjournment of the meeting. No discussion on such motions shall be permitted, and they shall immediately be put to the vote.

### **Adjournment of debate Rule 51**

During the discussion of any matter, a member may move for the adjournment of the debate on the item under discussion. In addition to the person who proposed the motion, one member may speak in favour and one against the motion, after which the motion shall immediately be put to the vote.

### **Closure of debate Rule 52**

A member may, at any time, move for the closure of the debate on the item under discussion, whether or not any other member or representative had signified his or her wish to speak. Permission to speak on the closure of the debate shall be accorded only to two members opposing the closure, after which the motion shall immediately be put to the vote.

### **Order of motions Rule 53**

Subject to rule 47, the following motions shall have precedence in the following order over all other proposals or motions before the meeting:

- (a) To suspend the meeting;
- (b) To adjourn the meeting;
- (c) To adjourn the debate on the item under discussion;
- (d) To close the debate on the item under discussion.

### **Submission of proposals Rule 54**

Unless otherwise decided by the Committee, substantive proposals, amendments and motions submitted by the members shall be introduced in writing and handed to the secretariat and their consideration shall, if so requested by any member, be deferred until the next meeting on a following day.

### **Decisions on competence Rule 55**

Subject to rule 53, any motion by a member calling for a decision on the competence of the Committee to adopt a proposal submitted to it shall immediately be put to the vote before a vote is taken on the proposal in question.

### **Withdrawal of motions Rule 56**

A motion may be withdrawn by the member who proposed it at any time before voting upon it has commenced, provided that the motion has not been amended. A motion thus withdrawn may be reintroduced by any member.

### **Reconsideration of proposals Rule 57**

When a proposal has been adopted or rejected, it may not be reconsidered at the same session unless the Committee, by a two-thirds majority of its members present, so decides. Permission to speak on a motion to reconsider shall be accorded only to two members in favour of and two members in opposition to the motion, after which it shall immediately be put to the vote.

## **XI. Voting**

### **Voting rights Rule 58**

Each member of the Committee shall have one vote.

## **Adoption of decisions Rule 59**

Except as otherwise provided in the Convention and elsewhere in these rules, decisions of the Committee shall be made by a majority of the members present.

## **Equally divided votes Rule 60**

If a vote is equally divided on matters other than elections, the proposal shall be regarded as rejected.

## **Method of voting Rule 61**

Unless otherwise decided by the Committee, and subject to rules 14 and 20, the Committee shall vote by a show of hands. Any member may request a roll-call, which shall be taken in the English alphabetical order of the names of the members of the Committee, beginning with the member whose name is drawn by lot by the Chairperson.

## **Roll-call votes Rule 62**

The vote of each member participating in any roll-call shall be inserted in the record.

## **Conduct during voting and explanation of votes Rule 63**

After the voting has commenced, there shall be no interruption of the voting except on a point of order by a member in connection with the actual conduct of the voting. Brief statements by members consisting solely of explanations of their votes may be permitted by the Chairperson before the voting has commenced or after the voting has been completed.

## **Division of proposals Rule 64**

Parts of a proposal shall be voted upon separately if a member requests that the proposal be divided. Those parts of the proposal which have been approved shall then be put to the vote as a whole. If all of the operative parts of the proposal have been rejected, the proposal shall be considered to have been rejected as a whole.

## **Order of voting on amendments Rule 65**

1. When an amendment to a proposal is moved, the amendment shall be voted upon first. When two or more amendments to a proposal are moved, the Committee shall first vote on the amendment furthest removed in substance from the original proposal and then on the amendment next furthest removed therefrom and so on, until all amendments have been put to the vote. If one or more amendments are adopted, the amended proposal shall then be voted upon.

2. A motion is considered an amendment to a proposal if it merely adds to, deletes from or revises part of that proposal.

## **Order of voting on proposals Rule 66**

1. If two or more proposals relate to the same question, the Committee shall, unless it decides otherwise, vote upon the proposals in the order in which they have been submitted.

2. The Committee may, after each vote on a proposal, decide whether to vote upon the next proposal.

3. Any motions requiring that no decision be taken on the substance of such proposals shall, however, be considered as previous questions and shall be put to the vote before those proposals.

## **XII. Subsidiary bodies**

### **Establishment of subsidiary bodies Rule 67**

1. The Committee may, in accordance with the provisions of the Convention and subject to the provisions of rule 33 whenever applicable, set up such subcommittees and other ad hoc subsidiary bodies as it deems necessary and define their composition and mandates.

2. Each subsidiary body shall elect its own officers and may adopt its own rules of procedure. Failing the adoption of such rules, the present rules of procedure shall apply *mutatis mutandis*.

## **XIII. Reports of the Committee**

### **Reports to the General Assembly Rule 68**

The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years reports on its activities under the Convention and may submit such other reports as it considers appropriate.

### **Other reports Rule 69**

The Committee, or its subsidiary bodies, may issue for general distribution other reports on its activities. The Committee may also issue reports for general distribution in order to highlight specific problems in the field of the rights of the child.

## **Part two Functions of the Committee**

### **XIV. Reports and information under articles 44 and 45 of the Convention**

#### **Submission of reports by States parties Rule 70**

1. States parties shall submit reports, through the Secretary-General, pursuant to article 44 of the Convention.
2. States parties shall submit such reports within two years after the entry into force of the Convention for the State party concerned and thereafter they shall submit subsequent reports every five years and such additional reports or information in the intervening period as the Committee may request.
3. The Committee, through the Secretary-General, shall indicate to the States parties the form and contents of reports or information to be supplied to the Committee, in accordance with paragraphs 1 and 2 of this rule.

#### **Non-submission of reports Rule 71**

1. At each session, the Secretary-General shall notify the Committee of all cases of non-submission of reports or additional information under article 44 of the Convention and rule 70 of these rules. In such cases, the Committee shall transmit to the State party concerned, through the Secretary-General, a reminder concerning the submission of such report or additional information and undertake any other efforts in a spirit of dialogue between the State concerned and the Committee.
2. If, even after the reminder and other efforts referred to in paragraph 1 of this rule, the State party does not submit the required report or additional information, the Committee shall consider the situation as it deems necessary and shall include a reference to this effect in its report to the General Assembly.

#### **Attendance by States parties at the examination of reports Rule 72**

The Committee, through the Secretary-General, shall notify the States parties, as early as possible, of the opening date, duration and place of the session at which their respective reports will be examined. Representatives of the States parties shall be invited to attend the meetings of the Committee when their reports are examined. The Committee may also inform a State party from which it decides to seek additional information that the State party may authorize its representative to be present at a specified meeting; such representative should be able to answer questions which may be put to him or her by the Committee and make statements on reports already submitted by his or her State, and may also submit further information from his or her State.

#### **Request for additional reports or information Rule 73**

If, in the opinion of the Committee, a report submitted by a State party pursuant to article 44 of the Convention does not contain sufficient information, the Committee may request that State to furnish an additional report or additional information, indicating the time limit within which such additional report or information should be supplied.

#### **Request for other reports or advice Rule 74**

1. The Committee may invite the specialized agencies, the United Nations Children's Fund and other United Nations organs, pursuant to article 45, subparagraph (a), of the Convention, to submit to it reports on the implementation of the Convention in areas falling within the scope of their activities.
2. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies, as it may consider appropriate, to provide it with expert advice, pursuant to article 45, subparagraph (a), of the Convention, on the implementation of the Convention in areas falling within their respective mandates.
3. The Committee may indicate, as appropriate, the time limit within which such reports or advice should be supplied to the Committee.

#### **Suggestions and general recommendations on a State party's report Rule 75**

1. After its consideration of each report of a State party, together with such reports, information or advice, if any, received pursuant to article 44 and article 45, subparagraph (a), of the Convention, the Committee may make such suggestions and general recommendations on the implementation of the Convention by the reporting State as it may consider appropriate.
2. The Committee shall transmit, through the Secretary-General, suggestions and general recommendations it has decided upon to the State party concerned for its comments. The Committee may, where necessary, indicate the time limit within which such comments from States parties are to be received.
3. The Committee shall include in its reports to the General Assembly suggestions and general recommendations together with comments, if any, received from States parties.

#### **Other general recommendations Rule 76**

1. The Committee may make other general recommendations based on information received pursuant to articles 44 and 45 of the Convention.

2. The Committee shall include such other general recommendations in its reports to the General Assembly together with comments, if any, received from States parties.

### **General comments on the Convention Rule 77**

1. The Committee may prepare general comments based on the articles and provisions of the Convention with a view to promoting its further implementation and assisting States parties in fulfilling their reporting obligations.

2. The Committee shall include such general comments in its reports to the General Assembly.

### **Transmission of States parties' reports that contain a request or indicate a need for technical advice or assistance Rule 78**

1. The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies reports and information received from States parties that contain a request or indicate a need for technical advice or assistance.

2. The reports and information received from States parties in accordance with paragraph 1 of this rule shall be transmitted along with observations and suggestions, if any, of the Committee on these requests or indications.

## **XV. General discussion**

### **General discussion Rule 79**

In order to enhance a deeper understanding of the content and implications of the Convention, the Committee may devote one or more meetings of its regular sessions to a general discussion on one specific article of the Convention or related subject.

## **XVI. Requests for studies**

### **Studies Rule 80**

1. As provided in article 45, subparagraph (c), of the Convention, the Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child.

2. The Committee may also invite the submission of studies from other bodies on topics of relevance to the Committee.

## **Part three Interpretation and amendments**

## **XVII. Interpretation and amendments**

### **Headings Rule 81**

For the purpose of the interpretation of these rules, the headings, which were inserted for reference purposes only, shall be disregarded.

### **Amendments Rule 82**

These rules of procedure and Guidelines on the independence and impartiality of members of the Committee may be amended by a decision of the Committee, without prejudice to the relevant provisions of the Convention.

## **Annex**

### **Guidelines on the independence and impartiality of members of the human rights treaty bodies ("the Addis Ababa guidelines")**

#### **I. Preamble**

*Recognizing* the importance of the human rights treaties in ensuring the independence and impartiality of the treaty body members and stressing the common will of the Chairs, at their twenty-fourth meeting convened in Addis Ababa in June 2012, to clarify and reinforce the treaty body provisions in this regard,

*Recalling* that the Secretary-General has affirmed that the United Nations human rights treaty body system is one of the greatest achievements in the history of the global struggle for human rights and that these bodies stand at the heart of the international human rights protection system,

*Noting* that the report of the United Nations High Commissioner for Human Rights on the strengthening of the United Nations human rights treaty body system (A/66/860), which is the outcome of extensive consultations with all stakeholders, underlined the powers of the treaty bodies to decide on their own working methods and rules of procedure and to guarantee their independence as defined in the respective treaties,

*Noting with appreciation* that the General Assembly has also recognized the important, valuable and unique role and contribution of each of the human rights treaty bodies to the promotion and protection of human rights and fundamental freedoms,

*Recalling* the right and statutory competence of each treaty body to adopt its own rules of procedure,

1. The Chairs of the United Nations treaty bodies, at their twenty-fourth meeting, following their decision at the twenty-third meeting in 2011 and after consulting their respective committees, discussed and endorsed guidelines on the independence and impartiality of treaty body members (“the Addis Ababa guidelines”), which they strongly recommend for prompt adoption by the respective treaty bodies, inter alia through inclusion, in an appropriate manner, in their rules of procedure.

## **II. General principles**

2. The independence and impartiality of members of the human rights treaty bodies is essential for the performance of their duties and responsibilities and requires that they serve in their personal capacity. Treaty body members shall not only be independent and impartial, but shall also be seen by a reasonable observer to be so.

3. Real or perceived conflicts of interest and challenges to the requirements of independence and impartiality may be generated by many factors, such as a member’s nationality, place of residence, current and past employment, membership of or affiliation with an organization, or family and social relations. In addition, conflicts of interest may also arise in relation to the interest of a State of which a member is a national or resident. Consequently, a treaty body member shall not be considered to have a real or perceived conflict of interest as a consequence of his or her race, ethnicity, religion, gender, disability, colour, descent or any other basis for discrimination as defined in the core international human rights treaties.

4. Treaty body members commit themselves to abide by the principles of independence and impartiality when making their solemn declaration under the relevant treaty.

5. The principle of independence requires that members not be removable during their term of office, except to the extent that the treaty in question so provides. They may not be subject to direction or influence of any kind, or to pressure from the State of their nationality or any other State or its agencies and they shall neither seek nor accept instructions from anyone concerning the performance of their duties. Consequently, members are accountable only to their own conscience and the relevant treaty body and not to their State or any other State.

6. Considering that within each treaty body, members are nationals of only a limited number of States parties, it is important that the election of one of its nationals to a given treaty body shall not result in, or be thought to result in, more favourable treatment for the State or States, as the case may be, of which the member is a national. In this regard, members holding multiple nationalities shall inform, on their own initiative, the chairperson of the relevant treaty body and its secretariat accordingly. Members holding multiple nationalities shall not participate in the consideration of reports, individual complaints, or take part in visits or inquiries relating to any of the States of which she or he is a national.

7. All members shall avoid any action in relation to the work of their treaty body which might lead to or might be seen by a reasonable observer to lead to bias against States. In particular, members shall avoid any action which might give the impression that their own or any given State was receiving treatment which was more favourable or less favourable than that accorded to other States.

## **III. Application of the general principles**

### **A. Participation in consideration of State party reports and other report-related procedures**

8. A member shall not participate or influence in any way the consideration of a State party report by the treaty body, or by any of its subsidiary bodies, if he or she may be seen by a reasonable observer to have a conflict of interest with respect to that State party. The same principle shall apply to any other treaty body procedure, such as follow-up, early warning, or urgent action, which is not specifically mentioned in these guidelines.

9. In case of a real or perceived conflict of interest with respect to a State party, a member:

(a) Shall not participate or influence in any way the preparation, course or outcome of dialogues, discussions, or any other public meetings of the treaty body but may be present as an observer;

(b) Shall not be present during any non-public consultations, briefings or meetings with a single country focus of his or her treaty body with other entities or partners, such as United Nations entities, national human rights institutions and civil society organizations. However, the member may receive the relevant documentation;

(c) Shall not be present during discussions, deliberations or any other non-public meetings of his or her treaty body, such as for the preparation, drafting, discussion and adoption of concluding observations or any other related treaty body documents.

### **B. Participation in the consideration of communications**

10. A member shall not participate in, be present during, or influence in any way the examination of a communication, either at the

admissibility or the merits stage, if:

(a) The member is a national of the State whose acts are impugned by the communication or has any personal or professional conflict of interest in the case, or if any other real or perceived conflict of interest is present;

(b) The member has participated in any capacity, other than as a member of his or her treaty body, in the making of any decision on the case covered by the communication.

### **C. Participation in country visits and inquiries**

11. A member shall not participate in the preparation or conduct of or follow-up to a country visit or inquiry or in the consideration of ensuing reports if any real or perceived conflict of interest is present.

### **D. Relationship with States**

12. The independence and impartiality of treaty body members is compromised by the political nature of their affiliation with the executive branch of the State. Members of treaty bodies shall consequently avoid functions or activities which are, or are seen by a reasonable observer to be, incompatible with the obligations and responsibilities of independent experts under the relevant treaties.

13. When acting as a consultant or as counsel for any State in connection with the process of reporting to the treaty body on which they serve or in any other matter that might come up for consideration before his or her treaty body, treaty body members shall take all necessary measures to ensure that they do not have, and are not seen by a reasonable observer as having, a conflict of interest.

### **E. Other situations which might entail a situation of a possible conflict of interest**

14. Individuals holding or assuming decision-making positions in any organization or entity which may give rise to a real or perceived conflict of interest with the responsibilities inherent in the mandate as a member of a treaty body shall, whenever so required, not undertake any functions or activities that may appear not to be readily reconcilable with the perception of independence and impartiality. Such organizations or entities may include private corporations or entities, civil society organizations, academic institutions or State-related organizations.

### **F. Participation in other human rights activities**

15. When treaty body members participate in other human rights activities of intergovernmental organizations, such as panels, training courses and seminars, they shall make it clear that the views they are expressing are their own and not those of the treaty body in question unless the members have been expressly mandated by the latter. The same applies to meetings organized by States, civil society organizations and national human rights institutions.

### **G. Accountability**

16. Observance of the above guidelines falls first and foremost within the individual responsibility of each treaty body member and his or her own conscience. If for any reason a member considers that he or she is facing a potential conflict of interest, he or she shall promptly inform the chairperson of the treaty body concerned. Furthermore, if and when necessary, it is the duty of the chairperson of the relevant treaty body to remind individual members of the content of these guidelines if the situation so requires. Ultimately the relevant committee as a whole shall take any measures deemed necessary to safeguard the requirements of independence and impartiality of its members.