



# International Convention for the Protection of All Persons from Enforced Disappearance

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## Committee on Enforced Disappearances

### Rules of procedure\*

#### Part one. General rules

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## **Part one. General rules**

### **I. Sessions**

#### **Rule 1 Sessions**

The Committee on Enforced Disappearances (hereinafter referred to as “the Committee”) shall hold such sessions as may be required for the effective performance of its functions in accordance with the International Convention for the Protection of All Persons from Enforced Disappearance (hereinafter referred to as “the Convention”).

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

1. The Committee shall hold such regular sessions each year as authorized by the General Assembly of the United Nations (hereinafter referred to as “the General Assembly”) in consultation with the Secretary-General of the United Nations (hereinafter referred to as “the Secretary-General”).
2. Regular sessions of the Committee shall be convened on dates decided upon by the Committee in consultation with the Secretary-General, taking into account the calendar of conferences and meetings.
3. A pre-sessional working group may be convened by the Committee as authorized by the General Assembly in consultation with the Secretary-General.

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

1. Special sessions of the Committee shall be convened by decision of the Committee. The Chairperson of the Committee may also convene special sessions:
  - (a) At the request of a majority of 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 the Committee, taking into account the calendar of conferences and meetings.

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

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.

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

The Secretary-General shall notify members of the Committee of the date, duration and place of the first meeting of each session. Such notification shall be sent, in the case of a regular session, 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**

### **Rule 6**

#### **Provisional agenda**

The provisional agenda for each regular or special 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 her or his functions under the Convention or these rules.

### **Rule 7**

#### **Transmission of the provisional agenda**

The provisional agenda and the basic documents relating to each item thereof shall be prepared in the working languages of the Committee by the Secretary-General, who shall endeavour to have the documents transmitted to members of the Committee at least six weeks prior to the opening of the session.

### **Rule 8**

#### **Adoption of the agenda**

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 15.

### **Rule 9**

#### **Revision of the agenda**

During a session, the Committee may amend the agenda and may, as appropriate, delete or defer items by the decision of a majority of the members. Additional items of an urgent nature may be included in the agenda by a majority of the members.

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

### **Rule 10**

#### **Members of the Committee**

1. Members of the Committee shall be the 10 experts elected in accordance with article 26 of the Convention, who will be independent and impartial.
2. The independence of the members requires that they serve in their personal capacity and shall neither seek nor accept instructions from anyone concerning the performance of their duties. Members are accountable only to the Committee and their own conscience.
3. In their duties under the Convention, members of the Committee shall proceed in a victim-oriented and timely manner and maintain the highest standards of impartiality and integrity, and apply the standards of the Convention equally to all States and all individuals, independently, objectively, honourably, faithfully, conscientiously and without prejudice.

**Rule 11**  
**Solemn declaration**

Upon assuming their duties, members of the Committee shall make the following solemn declaration in open Committee:

“I solemnly declare that I shall perform my duties and exercise my powers as a member of the Committee on Enforced Disappearances independently, objectively, honourably, faithfully, impartially and conscientiously.”

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

1. The term of office of members begins on 1 July 2011 for those members elected at the first election. The term of office of members elected at subsequent elections shall begin on the day after the date of expiry of the term of office of the members whom they replace.
2. The Chairperson, members of the Bureau and Rapporteurs may continue performing the duties assigned to them until one day before the first meeting of the Committee, composed of its new members, at which it elects its officers.

**Rule 13**  
**Casual vacancies**

1. A casual vacancy may occur through death, the resignation of a member of the Committee or the inability of a Committee member to perform her or his function as a member of the Committee. The Chairperson shall immediately notify the Secretary-General, who shall inform the State party of the member so that action may be taken in accordance with article 26, paragraph 5, of the Convention.
2. A member of the Committee who intends to resign shall submit a written notification to that end to the Chairperson and the Secretary-General.
3. A member who is unable to attend meetings of the Committee shall inform the Chairperson and the Secretary-General as early as possible and, if this inability is likely to be extended, the member should resign.
4. When a member of the Committee is consistently unable to carry out her or his functions for any cause other than absence of a temporary nature, the Chairperson shall draw the above rule to her or his attention. If the member refuses to resign, the Chairperson shall notify the Secretary-General, who shall then inform the State party of the member to carry out her or his replacement in accordance with article 26, paragraph 5, of the Convention.

**Rule 14**  
**Filling casual vacancies**

1. When a casual vacancy within article 26, paragraph 5, of the Convention occurs in the Committee, the Secretary-General shall immediately request the State party that had nominated that member to appoint, within a period of two months, in accordance with the criteria set out in paragraph 1 of article 26, another candidate from among its nationals to serve for the remainder of the predecessor's term, subject to the approval of the majority of the States parties.
2. The name and curriculum vitae of the expert proposed for appointment shall be transmitted by the Secretary-General to the States parties for their approval, in accordance with article 26, paragraph 5, of the Convention. Upon expiration of the term in accordance with the provision of article 26, paragraph 5, of the Convention, the Secretary General of

the United Nations shall inform the States parties whether the proposed candidate has filled the casual vacancy.

## **IV. Officers**

### **Rule 15**

#### **Election of officers of the Committee**

The Committee shall elect from among its members a Chairperson, three Vice-Chairpersons and a Rapporteur, with due regard to equitable geographical representation. In electing its officers, the Committee shall also give consideration to appropriate gender balance and, to the extent possible, rotation among members.

### **Rule 16**

#### **Term of office**

The officers of the Committee shall be elected for a term of two years and be eligible for re-election provided that the principle of rotation is upheld. None of them, however, may hold office if she or he ceases to be a member of the Committee.

### **Rule 17**

#### **Functions of the Chairperson**

1. The Chairperson shall perform the functions conferred upon her or him by these rules of procedure and the decisions of the Committee.
2. In the exercise of those functions, the Chairperson shall remain under the authority of the Committee and shall consult as broadly as possible with the officers of the Committee (Bureau) and other members of the Committee.
3. Between sessions, at times when it is not possible or practical to convene a special session of the Committee in accordance with rule 3, the Chairperson is authorized to take action to promote compliance with the Convention on the Committee's behalf if she/he receives information which leads her/him to believe that it is necessary to do so. The Chairperson shall report on the action taken to the Committee as soon as possible, no later than at its following session.
4. The Chairperson shall represent the Committee at United Nations meetings in which the Committee is officially invited to participate. If the Chairperson is unable to represent the Committee at such a meeting, she or he may designate another officer of the Committee or, if no officer is available, another member of the Committee, to attend on her or his behalf.

### **Rule 18**

#### **Absence of the Chairperson**

1. If the Chairperson is unable to be present at a meeting or any part thereof, she or he shall designate one of the Vice-Chairpersons to act in her or his place.
2. In the absence of such a designation, the Vice-Chairperson to preside shall be chosen according to the seniority as members of the Committee; where they have the same seniority, the order of seniority in age shall be followed.
3. If the Chairperson ceases to be a member of the Committee in the period between sessions, the Acting Chairperson shall exercise this function until the beginning of the next ordinary or special session.

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

**Rule 19**

**Replacement of officers**

If any of the officers of the Committee ceases to serve or declares her or his inability to continue serving as a member of the Committee or for any reason is no longer able to act as an officer, a new officer shall be elected from the same region, to the extent possible, for the unexpired term of her or his predecessor.

**V. Secretariat**

**Rule 20**

**Duties of the Secretary-General**

The Secretary-General shall:

- (a) Provide the necessary staff and facilities for the effective performance of the functions of the Committee under the Convention;
- (b) Be responsible for all the necessary arrangements for meetings of the Committee and its subsidiary bodies;
- (c) Be responsible for informing the members of the Committee of any questions which may be brought before it for consideration.

**Rule 21**

**Statements**

The Secretary-General or her or his representative shall be present at all meetings of the Committee and may make oral or written statements at such meetings or at meetings of its subsidiary bodies.

**Rule 22**

**Financial implications**

Before any proposal which involves expenditure is approved by the Committee or by any of its subsidiary bodies, the Secretary-General shall prepare and circulate to the members of the Committee or subsidiary body, 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 members to this estimate and to invite discussion on it when the proposal is considered by the Committee or subsidiary body.

**VI. Languages**

**Rule 23**

**Official and working languages**

Arabic, Chinese, English, French, Russian and Spanish shall be the official languages of the Committee and, to the extent possible, also its working languages.

**Rule 24**  
**Interpretation**

1. Statements made in an official language shall be interpreted into the working languages.
2. Any speaker addressing the Committee in a language other than one of the official languages shall normally provide for interpretation into one of the official languages. Interpretation into the working languages by interpreters of the Secretariat shall be based upon the interpretation given in the first official language.

**Rule 25**  
**Language of documents**

1. All official documents adopted by the Committee shall be issued in the official languages of the United Nations.
2. All formal decisions of the Committee shall be made available in the official languages of the United Nations.

**VII. Records****Rule 26**  
**Records**

1. The Secretary-General shall provide the Committee with summary records of its proceedings, which shall be made available to the members of the Committee as soon as possible.
2. Summary records are subject to correction, to be submitted to the Secretariat by participants in the meetings, within three working days of the receipt of the records of the meetings, in the language in which the summary record is issued. Corrections to the records of the meetings shall be consolidated in a single corrigendum to be issued after the conclusion of the relevant session.
3. The summary records of public meetings shall be documents for general distribution unless in exceptional circumstances the Committee decides otherwise.
4. Sound recordings of meetings of the Committee shall be made and kept in accordance with the usual practice of the United Nations.

**VIII. Conduct of business****Rule 27**  
**Public and private meetings**

The meetings of the Committee and its subsidiary bodies shall be held in public unless it appears from the relevant provisions of the Convention or the Committee decides otherwise that the meeting should be held in private.

**Rule 28**  
**Quorum**

Six members of the Committee shall constitute a quorum.

**Rule 29**

**Powers of the Chairperson**

1. The Chairperson shall declare the opening and closing of each meeting of the Committee, direct the discussion, ensure observance of the present rules, accord the right to speak, put questions to the vote and announce decisions.
2. The Chairperson, subject to the present rules, shall have control over the proceedings of the Committee and over the maintenance of order at its meetings.
3. The Chairperson may, in the course of the discussion of an item, including the examination of reports submitted under article 29 of the Convention, propose to the Committee the limitation of the time to be allowed to speakers, the limitation of the number of times each speaker may speak on any question and the closure of the list of speakers.
4. The Chairperson shall rule on points of order. She or he shall also have the power to 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 her or his remarks are not relevant to the subject under discussion.
5. During the discussion of any matter, a member may, at any time, raise a point of order, and such a point of order shall immediately be decided upon by the Chairperson in accordance with these rules. 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.
6. During the course of the 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 member or representative if a speech delivered after he/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.

**IX. Voting**

**Rule 30**

**Voting rights**

1. Each member of the Committee shall have one vote.
2. For the purpose of these rules, “members present and voting” refers to the members casting an affirmative or negative vote.

**Rule 31**

**Adoption of decisions**

1. The Committee shall endeavour to reach its decisions by consensus.
2. If and when all efforts to reach consensus have been exhausted, decisions of the Committee shall be taken by a simple majority of the members present and voting.

**Rule 32**

**Equally divided votes**

If a vote is equally divided on a matter other than an election, the proposal shall be regarded as having been rejected.

**Rule 33****Method of voting**

1. Subject to rule 38 of the present rules, the Committee shall normally vote by show of hands, except that any member may request a roll-call, which shall then be taken in the alphabetical order of the names of the members of the Committee, beginning with the member whose name is drawn by lot by the Chairperson.
2. The vote of each member participating in a roll-call shall be inserted in the record.

**Rule 34****Conduct during voting and explanation of vote**

After voting has commenced, it shall not be interrupted unless a member raises a point of order in connection with the actual conduct of the voting. Brief statements by members consisting solely of explanations of vote may be permitted by the Chairperson before the voting has commenced or after the voting has been completed.

**Rule 35****Division of proposals**

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

**Rule 36****Order of voting on amendments**

1. When an amendment to a proposal is moved, the amendment shall be voted on 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 the proposal.

**Rule 37****Order of voting on proposals**

1. If two or more proposals relate to the same question, the Committee shall, unless it decides otherwise, vote on 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 on 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.

**X. Elections****Rule 38****Method of elections**

Elections shall be held by secret ballot, unless the Committee decides otherwise.

**Rule 39**

**Conduct of elections**

1. Where there is only one candidate for election for one of its officers, the Committee may decide to elect that person by acclamation.
2. Where there are two or more candidates for election for one of its officers, or where the Committee otherwise decides to proceed with a ballot, the person who obtains a simple majority of the votes cast shall be elected.
3. If no single candidate receives a majority of the votes cast, the members of the Committee shall endeavour to reach a consensus before holding a further ballot.
4. Elections shall be conducted by secret ballot.

**Rule 40**

**Conduct of elections for filling two or more elective places**

1. When two or more elective places are to be filled at one time, those candidates who obtained in the first ballot the majority required shall be elected.
2. If the number of candidates who obtained such majority is smaller than the number of persons or members to be elected, there shall be additional ballots to fill the remaining places. In such case, the voting shall be restricted to the candidates who obtained the largest number of votes in the previous ballot, the number of whom should not exceed twice the number of places remaining to be filled. 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 obtained the largest number of votes in the third of the unrestricted ballots, the number of whom should not exceed twice the number of places remaining to be filled, and the following three ballots thereafter shall be unrestricted, and so on until all the places are filled.

**XI. Subsidiary bodies**

**Rule 41**

**Subsidiary bodies – Working groups and Rapporteurs**

1. The Committee may establish subsidiary bodies such as working group(s) to expedite its work and assist in implementing its obligations under the Convention. The Committee shall define their composition and mandates. Each subsidiary body shall elect its own officers and will, *mutatis mutandis*, apply the present rules of procedure.
2. The Committee may also designate one or more of its members as Rapporteurs to assist it in any manner in which the Committee may decide including by making recommendations to the Committee.

## **XII. Annual report of the Committee**

### **Rule 42**

#### **Annual report of the Committee**

As provided in article 36, paragraph 1, of the Convention, the Committee shall submit to the States parties and the General Assembly an annual report on its activities under the Convention.

## **XIII. Distribution of reports and other official documents**

### **Rule 43**

#### **Distribution of reports and other official documents**

1. Reports, formal 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 additional information submitted by States parties under article 29 of the Convention shall be documents for general distribution.

## **XIV. Cooperation and participation**

### **Rule 44**

#### **Cooperation with and participation of relevant organs, bodies, procedures, State institutions and non-governmental organizations**

1. In accordance with article 28 of the Convention, the Committee shall invite the relevant organs, offices and specialized agencies and funds of the United Nations, the treaty bodies instituted by international instruments, the special procedures of the United Nations, the regional intergovernmental organizations or bodies, and the State institutions, agencies or offices working towards the protection of all persons against enforced disappearances to submit to it reports, other information or documentation and oral and written statements, as appropriate, relevant to the Committee's activities under the Convention.
2. The Committee shall invite national human rights institutions, non-governmental organizations, associations of victims' families, and other relevant civil society organizations to submit to it reports, other information or documentation and oral and written statements, as appropriate, relevant to the Committee's activities under the Convention.
3. The Committee may receive, at its discretion, any other information, documentation and statements submitted to it, including from individuals and sources not mentioned in the previous paragraphs of this rule.
4. The Committee shall determine, at its discretion, how such information, documentation and written statements are made available to the members of the Committee, including by devoting meeting time at its sessions for such information to be presented orally or through the use of video-conferencing.

### **Rule 45**

#### **United Nations bodies and mechanisms**

1. As it discharges its mandate, the Committee shall consult other treaty bodies instituted by relevant international human rights instruments, in particular the Human Rights Committee instituted by the International Covenant on Civil and Political Rights, the

Committee against Torture instituted by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the Subcommittee on Prevention of Torture and other Cruel, Inhuman or Degrading Treatment or Punishment instituted by the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment with a view to ensuring the consistency of their respective observations and recommendations.

2. The Committee shall also regularly coordinate and exchange relevant information with the Working Group on Enforced or Involuntary Disappearances.
3. The Committee will also exchange information with other United Nations mechanisms.

## **XV. Information and documentation**

### **Rule 46**

#### **Submission of information, documentation and statements**

1. Information, documentation and statements referred to in rule 44 and received by the Committee in the context of article 29 of the Convention are made public through appropriate means and channels, including by posting on the Committee's web page. However, in exceptional cases, the Committee may consider, at its discretion, that information, documentation and statements received are confidential and decide not to make them public. In these cases, the Committee will decide on how to use such information.
2. Information, documentation and statements received by the Committee concerning the procedures under articles 30, 32, 33 and 34 of the Convention are made public through appropriate means and channels, including by posting on the Committee's web page. However, the Committee may consider, at its discretion, that such information, documentation and statements received are not public. In these cases, the Committee will decide on how to use such information.
3. All documents of the Committee relating to its functions under article 31 of the Convention are confidential until such time when the Committee decides, in accordance with the provisions of the Convention and the present rules, to make them public.

## **Part two. Rules relating to the functions of the Committee**

## **XVI. Conflicts of interest**

### **Rule 47**

#### **Obligatory non-participation or non-presence of a member in the exercise of the functions of the Committee**

1. A member shall not take part in the consideration of a report, a request for urgent action, an individual communication, an inter-state communication, a request for a visit or the information with indications of widespread or systematic enforced disappearances by the Committee or its subsidiary bodies if the member:
  - (a) Is a national of the State party concerned;
  - (b) Is employed by the State party concerned;

- (c) Has a personal interest in the case or situation under consideration;
  - (d) Has directly participated in the drafting and adoption of any decision on the case or situation concerned in any capacity other than under the procedures under the Convention; or if any other conflict of interest is present.
2. Such a member shall not be present during any non-public consultations or meetings between the Committee and the national human rights institutions, non-governmental organizations, or any other entities referred to in rule 44, nor during the discussion and adoption of the respective concluding observations, views or any other decisions.
  3. Any question that may arise under paragraph 1 above shall be decided by the Committee without the participation of the member concerned.

## **XVII. Reports of States parties under article 29 of the Convention**

### **Rule 48**

#### **Submission of reports under article 29, paragraph 1, of the Convention**

1. Each State party shall submit to the Committee, through the Secretary-General, a report, in accordance with article 29, paragraph 1, of the Convention, on the measures taken to give effect to its obligations under the Convention, within two years after the entry into force of the Convention for the State party concerned.
2. The Committee shall examine the implementation of the obligations of States parties under the Convention through the consideration of their reports submitted to the Committee.
3. In order to assist States parties in their reporting obligations, the Committee may issue general guidelines as to the form and contents for the preparation of reports, taking into account the consolidated guidelines relating to the reports required under United Nations human rights treaties.
4. If, in the opinion of the Committee, a report of a State party does not contain sufficient or accurate information, it may request the State party concerned to submit additional information as required, indicating the time limit within which the information should be submitted.
5. The information submitted by the State party under the previous paragraph of the present rule shall be circulated to members of the Committee prior to the session at which the report is to be considered.

### **Rule 49**

#### **Request for additional reports under article 29, paragraph 4, of the Convention**

1. The Committee may request States parties to provide additional reports on the implementation of the Convention in accordance with article 29, paragraph 4, of the Convention and indicate the areas on which the State party has to focus its attention.
2. Rule 48, paragraph 4, of the present rules applies mutatis mutandis to the additional reports requested by the Committee.

### **Rule 50**

#### **Failure to submit reports and additional information**

1. At each session of the Committee, the Secretary-General shall notify the Committee of all cases of non-submission of reports and additional information under rules 48 and 49 of the present rules. In such cases, the Committee may transmit to the State party

concerned, through the Secretary-General, a reminder concerning the submission of the report or the additional information.

2. If, after the reminder referred to in paragraph 1 of the present rule, the State party concerned does not submit the report or the additional information required under the rules 48 and 49, the Committee shall include a reference to this effect in its annual report.

3. The Committee may notify the State party concerned, through the Secretary-General, that it intends, on a date specified, to examine in public session the measures taken by the State party to implement its obligations under the Convention in the absence of a report, and adopt concluding observations.

#### **Rule 51**

##### **Consideration of reports**

1. 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 considered.

2. Representatives of the States parties shall be invited to attend the meetings of the Committee at which their reports are considered.

3. If a State party fails to respond to an invitation to have representatives attending the meeting of the Committee at which its report is being considered, the Committee may decide to act as follows:

(a) Proceed at the session originally specified to consider the report and thereafter adopt and submit to the State party concluding observations; or

(b) Notify the State party through the Secretary-General that, at a later specified session, it intends to consider the report.

#### **Rule 52**

##### **Consideration of alternative reports**

The Committee may, through the Secretary-General, receive alternative reports, documentation or other information from national human rights institutions, non-governmental organizations, associations of families of victims, other relevant civil society organizations, and individual experts, in order to build up a more comprehensive picture of how a State party is implementing the Convention.

#### **Rule 53**

##### **Concluding observations**

1. In accordance with article 29, paragraph 3, of the Convention, and on the basis of its consideration of reports and additional information received from States parties, the Committee shall issue such comments, observations or recommendations (hereinafter referred to as “the concluding observations”) as it may deem appropriate and shall communicate these, through the Secretary-General, to the State party concerned with a view to assisting the State party in implementing its obligations under the Convention.

2. Such concluding observations shall be communicated to the State party concerned, which may respond to them, on its own initiative or at the request of the Committee.

3. Once transmitted to the State party concerned, the concluding observations will be made public and posted on the website of the Office of the High Commissioner for Human Rights (OHCHR). They will also be included in the Committee’s annual report to the General Assembly.

**Rule 54****Follow-up to concluding observations**

1. The Committee may, in particular, indicate whether, on the basis of its consideration of the report and additional information supplied by the State party, it appears that some of its obligations under the Convention have not been discharged or that sufficient information have not been provided and, therefore, request the State party to provide the Committee with follow-up information to concluding observations by a specified date.
2. In order to further the implementation of the Committee's concluding observations, including the information to be provided by the State party under the previous paragraph of the present rule, the Committee may designate one or more Rapporteurs to follow-up with the State party on its implementation of the concluding observations.
3. The follow-up Rapporteur(s) shall assess the information provided by the State party in consultation with the country Rapporteurs, if any, and report at every session to the Committee on her/his activities. The Committee may set guidelines for such assessment.

**XVIII Days of general discussion****Rule 55****Days of general discussion on the Convention**

1. 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 an article or articles of the Convention or a related subject.
2. The Committee, through the Secretary-General, may invite representatives of Governments, United Nations human rights mechanisms, United Nations Special Procedures, United Nations bodies and specialized agencies, national human rights institutions and non-governmental organizations, as well as individual experts and victims, to take part in the discussion.

**XIX. General comments of the Committee****Rule 56****General comments on the Convention**

1. The Committee may prepare and adopt general comments on the provisions of the Convention with a view to promoting its implementation or to assisting States parties in fulfilling their obligations.
2. Where appropriate, the Committee may circulate the draft general comments for comment among United Nations human rights mechanisms, United Nations Special Procedures, United Nations bodies and specialized agencies, national human rights institutions, non-governmental organizations, as well as individual experts, before their finalization.
3. The Committee shall include such general comments in its annual report.

## **XX. Urgent action under article 30 of the Convention**

### **Rule 57**

#### **Rapporteur(s) on urgent action**

The Committee may designate one or more of its members as Rapporteurs to assist it in exercising its mandate under article 30 of the Convention, in particular by seeking clarifications from the authors of a request for urgent action, requesting the State party to provide information on the situation of the person(s) sought, and to take interim or protection measures, as necessary, and by making recommendations to the Committee.

### **Rule 58**

#### **Transmission of requests to the Committee**

1. The Secretary-General shall bring to the attention of the Committee, in accordance with the present rules, requests for urgent action that are, or appear to be, submitted for consideration by the Committee under article 30 of the Convention.
2. The Committee may seek clarification from the author(s) of a request as to whether the request is meant to be submitted to the Committee for consideration under article 30 of the Convention.
3. The Committee shall examine a request, submitted as a matter of urgency, that a disappeared person should be sought and found, in order to ascertain whether the case of enforced disappearance is sufficiently documented and clearly identified.

### **Rule 59**

#### **Record and list of requests**

1. The Secretary-General shall maintain a record of all requests submitted for consideration by the Committee under article 30 of the Convention.
2. The Secretary-General shall prepare a list of the requests for urgent action registered by the Committee, together with a brief summary of their contents. The full text of any such request may be made available in the language of submission, to any member of the Committee upon request by that member.
3. The Secretary-General shall maintain a database including all relevant information related to each request submitted for consideration by the Committee.

### **Rule 60**

#### **Request for clarification or additional information**

The Secretary-General may request any clarification necessary from the author(s) of a request, including the identity of the disappeared person, date and circumstances of disappearance, reliability of the source or consent or a legitimate interest to submit such request.

### **Rule 61**

#### **Authors of requests**

A request that a disappeared person should be sought and found may be submitted to the Committee by relatives of the disappeared person or their legal representatives, their counsel or any person authorized by them, as well as by any other person having a legitimate interest.

**Rule 62****Procedures with regard to requests received**

1. As soon as possible after the receipt of a request for urgent action, and provided that the Committee considers that the request for urgent action submitted in pursuance of article 30, paragraph 1, of the Convention:

- (a) Is not manifestly unfounded;
- (b) Does not constitute an abuse of the right of submission of such requests;
- (c) Has already been duly presented to the competent bodies of the State party concerned, such as those authorized to undertake investigations, where such a possibility exists;
- (d) Is not incompatible with the provisions of the Convention;
- (e) The same matter is not being examined under another procedure of international investigation or settlement of the same nature;

it shall request the State party concerned to carry out investigations in order to clarify the fate or whereabouts of the disappeared person and provide it with information on the situation of the persons sought, within a time limit set by the Committee.

2. In response to the Committee's request under the present rule, the State party shall submit to the Committee any written explanations, statements or documents which may help to clarify the fate or whereabouts of the disappeared person as well as any information in regard to the investigation thereof by the State party concerned.

3. The Committee shall continue its efforts to work with the State party concerned for as long as the fate of the person sought remains unresolved, including by requesting the State party to provide more detailed information or to take further specific measures in the search for the disappeared person.

**Rule 63****Transmission of recommendations**

1. In the light of the information provided by the State party concerned in accordance with paragraph 2 of article 30 of the Convention, the Committee may transmit recommendations to the State party, including a request that the State party should take all the necessary measures, including interim measures, to locate and protect the disappeared person in accordance with this Convention and to inform the Committee, within a specified period of time, of measures taken, taking into account the urgency of the situation. The Committee may, in situations where a State party does not comply with a request made under article 30(2), make further recommendations or requests.

2. Cases of intimidation, persecution or reprisal against relatives of disappeared persons, witnesses to disappearances or their families, members of organizations of relatives and other non-governmental organizations, human rights defenders or individuals concerned with disappearances shall be transmitted by the Committee to the pertinent authorities of the State party, with the request that they take steps to protect persons affected.

**Rule 64****Informing the authors of requests for urgent action**

The Committee shall inform the person submitting the request for urgent action of its recommendations to the State party concerned and of the observations thereto and any other information provided to it by the State party as they become available.

## **XXI. Procedures for the consideration of communications received under article 31 of the Convention**

### **Rule 65**

#### **Transmission of communications to the Committee**

1. The Secretary-General shall bring to the attention of the Committee, in accordance with the present rules, communications that are, or appear to be, submitted for consideration by the Committee under article 31 of the Convention.
2. The Secretary-General may request clarification from the author(s) of a communication as to whether the communication is meant to be addressed to the Committee for consideration under article 31 of the Convention. Where there is doubt as to the wish of the author(s), the Secretary-General will bring the communication to the attention of the Committee.
3. No communication shall be received by the Committee if it:
  - (a) Concerns a State party to the Convention that has not made a declaration under article 31, paragraph 1, of the Convention;
  - (b) Is anonymous;
  - (c) Constitutes an abuse of the right of submission of such communications or is incompatible with the provisions of the Convention;
  - (d) The same matter is being examined under another procedure of international investigation or settlement of the same nature; or where
  - (e) All effective available domestic remedies have not been exhausted. This rule shall not apply where the application of the remedies is unreasonably prolonged.

### **Rule 66**

#### **Record and list of communications**

1. The Secretary-General shall maintain a record of all communications submitted for consideration by the Committee under article 31 of the Convention.
2. The Secretary-General shall prepare a list of the communications registered by the Committee, together with a brief summary of their contents. The full text of any such communication may be made available in the language of submission, to any member of the Committee upon request by that member.

### **Rule 67**

#### **Request for clarification or additional information**

1. The Secretary-General may request clarification from the author(s) of a communication, including:
  - (a) The name, address, date of birth and occupation of the alleged victim and verification of the victim's/author's identity;
  - (b) The name of the State party against which the communication is directed;
  - (c) The objectives of the communication;
  - (d) The facts of the claim;

- (e) Steps taken by the author(s) and/or alleged victim(s) to exhaust domestic remedies;
  - (f) The extent to which the same matter is being examined under another procedure of international investigation or settlement of the same nature;
  - (g) The provision or provisions of the Convention alleged to have been violated.
2. When requesting clarification or information, the Secretary-General shall indicate to the author(s) of the communication a time limit within which such information should be submitted.
  3. The Committee may approve a questionnaire to facilitate requests for clarification or information from the victim(s) and/or author(s) of a communication.

#### **Rule 68**

##### **Authors of communications**

Communications may be submitted by individual(s), subject to the jurisdiction of a State party, claiming to be victim(s) of a violation of the provisions of the Convention by this State party, or by their designated representatives, or by others acting on behalf of the alleged victim(s).

#### **Rule 69**

##### **Withdrawal of a member**

If, for any reason, a member considers that she or he should not take part or continue to take part in the examination of a communication, the member shall inform the Chairperson of her or his withdrawal.

#### **Rule 70**

##### **Interim measures**

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may transmit to the State party concerned, for its urgent consideration, a request that it take such interim measures as the Committee considers necessary to avoid possible irreparable damage to the victim(s) of the alleged violations.
2. The Committee may designate a Rapporteur or a Working Group who may on behalf of the Committee request the State party concerned to take such interim measures as the Rapporteur or Working Group considers necessary to avoid possible irreparable damage to the victim(s) of the alleged violation. The Rapporteur or Working Group shall thereafter inform the Committee of the nature of the request and the communication to which it relates.
3. When the Committee, a Rapporteur or the Working Group request interim measures under this rule, the request shall state that it does not imply a determination on admissibility or on the merits of the communication.
4. The State party may present arguments at any stage of the proceedings on why the request for interim measures should be lifted or is no longer justified.
5. The Committee, a Rapporteur or the Working Group may withdraw a request for interim measures on the basis of information received from the State party and the author(s) of the communication.

**Rule 71**

**Order of communications**

1. Communications shall be dealt with in the order in which they are received by the Secretary-General/Secretariat, unless the Committee, the Working Group or a Rapporteur decides otherwise.
2. The Committee may decide to consider two or more communications jointly.
3. The Committee may divide a communication and consider it separately, if it sets forth distinct facts, or if it refers to more than one person or to alleged violations not interconnected in time and place.

**Rule 72**

**Admissibility of communications**

1. The Committee shall, by a simple majority and in accordance with the following rules, decide whether the communication is admissible or inadmissible under article 31, paragraph 1 and 2, of the Convention.
2. The decision to declare a communication admissible may be taken by the Working Group provided that all its members so agree.
3. The Working Group or the Rapporteur may declare a communication inadmissible provided that all its members so decide. The decision is to be transmitted to the Committee plenary, which may confirm it without formal discussion.
4. Any Committee member may request a plenary discussion to examine the communication and take a decision on its admissibility.

**Rule 73**

**Procedures with regard to communications received**

1. As soon as possible after the receipt of a communication, and provided that the Committee considers that the communication meets the requirements set out in paragraph 2 of article 31 of the Convention, the Committee, the Working Group or a Rapporteur shall transmit the communication confidentially to the State party concerned and request that the State party provide written observations and comments.
2. Any request made in accordance with paragraph 1 of the present rule shall include a statement indicating that such a request does not imply that any decision has been reached on the question of admissibility or the merits of the communication.
3. Within a period of four months after receipt of the Committee's request under the present rule, the State party shall submit to the Committee written explanations or statements that relate to the admissibility and the merits of the communication, as well as to any remedy that may have been provided in the matter.
4. The Committee, the Working Group or a Rapporteur may request written explanations or statements that relate only to the admissibility of a communication but, in such cases, the State party may nonetheless submit written explanations or statements that relate to both the admissibility and the merits of a communication within the period established by the Committee.
5. A State party that has received a request for a written reply in accordance with paragraph 1 of the present rule may submit a request in writing that the communication be rejected as inadmissible, setting out the grounds for such inadmissibility, provided that such

a request is submitted to the Committee within two months of the request made under paragraph 1.

5. On the basis of the information provided by the State party to support its request under paragraph 4, the Committee, the Working Group or a Rapporteur may decide to consider the admissibility separately from the merits.

7. Submission by the State party of a request in accordance with paragraph 5 of the present rule shall not extend the period of four months given to the State party to submit its written explanations or statements, unless the Committee, the Working Group or a Rapporteur decides to consider the admissibility separately from the merits.

8. If the State party concerned disputes the allegations of the author(s), in accordance with article 31, paragraph 2 (d), of the Convention, that all effective available domestic remedies have been exhausted, the State party shall give details of the effective remedies available to the alleged victim or victims in the particular circumstances of the case.

9. The Committee, the Working group or a Rapporteur may request the State party or the author of the communication to submit, within fixed time limits, additional written explanations or observations relevant to the merits of a communication.

10. The Committee, the Working group or a Rapporteur shall transmit to each party the submissions made by the other party pursuant to the present rule and shall afford each party an opportunity to comment on those submissions within fixed time limits.

#### **Rule 74**

##### **Inadmissible communications**

1. Where the Committee decides that a communication is inadmissible, it shall, as soon as possible, communicate its decision and the reasons for it, through the Secretary-General, to the author(s) of the communication and to the State party concerned.

2. A decision of the Committee declaring a communication inadmissible may be reviewed by the Committee upon receipt of a written request submitted by or on behalf of the author(s) indicating that the reasons for inadmissibility no longer apply.

#### **Rule 75**

##### **Communications declared admissible prior to the submission of the State party's observations on merits**

1. Decisions declaring a communication admissible prior to the submission of the State party's observations on merits, in accordance with rule 73, paragraph 5, of the present rules, shall be transmitted, through the Secretary-General, to the author(s) of the communication and to the State party concerned.

2. The Committee may revoke its decision that a communication is admissible in the light of any explanation or statements submitted by the State party and the author(s).

#### **Rule 76**

##### **Examination of communications on their merits**

1. At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee, the Working Group or a Rapporteur, may consult, as appropriate, relevant documentation emanating from all relevant United Nations organs, bodies, specialized agencies, funds, programmes and mechanisms, including the other treaty bodies instituted by international instruments and the special procedures of the United Nations, and other international organizations, including the relevant regional intergovernmental organizations or bodies as well as all relevant State institutions, agencies

or offices that may assist in the examination of the communication, provided that the Committee shall afford each party an opportunity to comment on such third party documentation or information within fixed time limits.

2. The Committee shall formulate its Views on the communication in the light of all information made available to it by the author(s) of the communication, by the State party concerned, or by any other sources referred to in paragraph 1 of the present rule, provided that this information has been duly transmitted to the parties concerned.

3. Consideration by the Committee of information submitted by third parties, pursuant to paragraph 1 of the present rule, does not in any way imply that these third parties become a party to the proceedings.

4. The Committee may refer any communication to a Working Group to make recommendations to the Committee on the merits of the communication.

5. The Committee shall not decide on the merits of the communication without having considered the applicability of all of the admissibility grounds referred to in article 31, paragraphs 1 and 2, of the Convention.

6. The Committee shall, through the Secretary-General, communicate its Views, together with any recommendations, to the State party concerned and to the author(s) of the communication.

#### **Rule 77**

##### **Individual opinions**

Any member of the Committee who has participated in the decision may request that the text of her or his individual opinion be appended to the Committee's decision or Views. The Committee may fix time limits for the submission of such individual opinions.

#### **Rule 78**

##### **Discontinuation of communications**

The Committee may discontinue consideration of a communication, *inter alia* when the reasons for its submission for consideration under the Convention have become moot.

#### **Rule 79**

##### **Follow-up to Views of the Committee**

1. Within six months of the Committee's transmittal of its Views on a communication the State party concerned shall submit to the Committee a written response, including any information on any action taken in the light of the Views and recommendations of the Committee.

2. After the six-month period referred to in paragraph 1 of the present rule, the Committee may invite the State party concerned to submit further information about any measures the State party has taken in response to its Views or recommendations.

3. The Committee shall, through the Secretary-General, transmit the information received from the State party to the author(s) of the communication.

4. The Committee shall designate a Rapporteur or Working Group for follow-up on Views to ascertain the measures taken by States parties to give effect to the Committee's Views and recommendations.

5. The Rapporteur or Working Group may make such contacts and take such action as may be appropriate for the due performance of their assigned functions and shall make such recommendations for further action by the Committee as may be necessary.

6. In addition to written representations, meetings with duly accredited representatives of the State party, a Working Group or Rapporteur may seek information from the author(s) and victim(s) of the communications and other relevant sources.
7. The Rapporteur or Working Group shall report to the Committee on follow-up activities at each session of the Committee.
8. The Committee shall include information on follow-up activities in its annual report under article 36 of the Convention.

#### **Rule 80**

##### **Confidentiality of communications**

1. Communications submitted under the Convention shall be examined by the Committee, a Working Group or Rapporteur in closed meetings.
2. All working documents prepared by the Secretariat for the Committee, a Working Group or Rapporteur shall be confidential unless the Committee decides otherwise.
3. The Secretary-General, the Committee, a Working Group or Rapporteur shall not make public any communication, submissions or information relating to a communication prior to the date on which a decision on inadmissibility or Views is issued. This is without prejudice of the Committee's prerogatives under article 28 of the Convention.
4. The Committee may decide ex officio, upon request of the author(s) or alleged victim(s) or the State party concerned, that the names of the author(s) of a communication or the individuals who are alleged to be the victim(s) of a violation of provisions of this Convention not be published in its inadmissibility decision or Views.
5. The Committee, a Working Group or Rapporteur may request the author of a communication or the State party concerned to keep confidential the whole or part of any submission or information relating to the proceedings.
6. Subject to paragraphs 4 and 5 of the present rule, nothing in this rule shall affect the right of the author(s), alleged victim(s) or the State party concerned to make public any submission or information bearing on the proceedings.
7. Subject to paragraphs 4 and 5 of the present rule, the Committee's decisions on inadmissibility and Views shall be made public.
8. The Secretariat shall be responsible for the distribution of the Committee's final decisions to the author(s) and the State party concerned.
9. Unless the Committee decides otherwise, information related to follow-up to the Committee's Views and recommendations shall not be confidential.

## **XXII. Inter-State communications procedure under article 32 of the Convention**

#### **Rule 81**

##### **Transmission of communications to the Committee**

1. The Secretary-General shall bring to the attention of the Committee, in accordance with the present rules, communications that are, or appear to be, submitted for consideration by the Committee under article 32 of the Convention.
2. The Secretary-General may request clarification from the State party submitting a communication as to whether the communication is meant to be addressed to the Committee for consideration under article 32 of the Convention. Where there is doubt as to

the wish of the State party submitting a communication, the Secretary-General will bring the communication to the attention of the Committee.

3. A communication under article 32 of the Convention may be submitted to the Committee by a State party which claims that another State party is not fulfilling its obligations under the Convention, and which has made a declaration in accordance with article 32 of the Convention.

4. The communication shall contain the information regarding:

- (a) The name of the State party against which the communication is directed;
- (b) The declaration by the State party submitting a communication, in accordance with article 32 of the Convention;
- (c) The provision or provisions of the Convention alleged to have been violated;
- (d) The objectives of the communication;
- (e) The facts of the claim.

**Rule 82**

**Record of communications**

The Secretary-General shall maintain a record of all communications received by the Committee pursuant to article 32 of the Convention.

**Rule 83**

**Information to the members of the Committee**

The Secretary-General shall inform the members of the Committee without delay of any communications under rule 81 of these rules and shall transmit to them as soon as possible copies of the communications and relevant information.

**Rule 84**

**Requirement for the consideration of communications**

A communication shall not be considered by the Committee unless both States parties concerned have made declarations under article 32 of the Convention.

**Rule 85**

**Good offices**

Subject to the provision of rule 84 of these rules, the Committee shall proceed to make its good offices available to the States parties concerned with a view to a friendly solution to the matter on the basis of respect for the obligations provided for in the Convention.

**Rule 86**

**Request for information**

The Committee may, through the Secretary-General, request the States parties concerned, or either of them, to submit additional information or observations in writing. The Committee shall set a time limit for the submission of such written information or observations. Further modalities for making written submissions shall be decided by the Committee, after consultation with the States parties concerned.

**Rule 87****Report of the Committee**

1. The Committee may adopt a report concerning any communication received under article 32 of the Convention.
2. If a solution within the terms of rule 85 of these rules is reached, the Committee shall confine its report to a brief statement of the facts and of the solution reached; if a solution within the terms of rule 85 of these rules is not reached, the Committee shall, in its report, set forth the relevant facts concerning the issue between the States parties concerned. The written submissions made by the States parties concerned shall be attached to the report. The Committee may also communicate only to the States parties concerned any views that it may consider relevant to the issue between them.
3. In every matter, the Committee's report shall be communicated, through the Secretary-General, to the States parties concerned.

**XXIII. Visits under article 33 of the Convention****Rule 88****Transmission of information to the Committee**

In accordance with the present rules, the Secretary-General shall bring to the attention of the Committee information that is or appears to be submitted for the Committee's consideration under article 33 of the Convention.

**Rule 89****Record of information**

The Secretary-General shall maintain a permanent record of information brought to the attention of the Committee in accordance with rule 88 of the present rules and shall make the information available to any member of the Committee upon request in the language of submission.

**Rule 90****Summary of information**

The Secretary-General, as appropriate, shall prepare and circulate to members of the Committee a brief summary of the information submitted in accordance with rule 88 of the present rules.

**Rule 91****Preliminary consideration of information by the Committee**

1. The Committee may, through the Secretary-General, ascertain the reliability of the information and/or the sources of the information brought to its attention under article 33 of the Convention. It may seek to obtain additional relevant information substantiating the facts of the situation.
2. The Committee shall determine whether the information received contains reliable information indicating serious violations of the provisions of the Convention by the State party concerned.
3. The Committee may designate one or more of its members to assist it in discharging its duties under the present rule.

**Rule 92**

**Examination of information**

1. If the Committee is satisfied that the information received is reliable and appears to indicate serious violations of the provisions of the Convention by the State party concerned, the Committee, through the Secretary-General, shall invite the State party to submit observations with regard to that information within fixed time limits.
2. The Committee shall take into account any observations that may have been submitted by the State party concerned, as well as any other relevant information.
3. The Committee may obtain additional information from all relevant sources including the entities referred to in rule 44 of the present rules.
4. The Committee shall decide the form and manner in which such additional information will be obtained.

**Rule 93**

**Undertaking a visit**

1. Taking into account any observations that may have been submitted by the State party concerned, as well as other reliable information, the Committee may designate one or more of its members to undertake a visit to the territory of the State party concerned and to report back to it without delay.
2. The Committee shall, through the Secretary-General, notify the State party concerned, in writing, of its intention to organize a visit, indicating the composition of the delegation and the purpose of the visit, while seeking the consent of the State party to such a visit. The State party shall answer the Committee within a reasonable time, no later than within a time to be established by the Committee from the receipt of the notification. The Committee shall also inform the State party concerned of its wishes regarding the timing of the visit and the facilities required to allow those members designated by the Committee to conduct their tasks.
3. A visit shall be conducted in accordance with any modalities determined by the Committee. The Committee may decide to postpone or cancel its visit upon a substantiated request by the State party.
4. Taking into account the Convention and the present rules, the members designated by the Committee to conduct the visit shall determine their own methods of work.
5. During the period of the visit, the Committee may defer the consideration of any report that the State party concerned may have submitted pursuant to article 29 of the Convention.

**Rule 94**

**Cooperation of the State party concerned**

1. The Committee shall seek the cooperation of the State party concerned at all stages of a visit.
2. If the State party concerned agrees to the visit, the Committee and the State party shall work together to define the modalities of the visit and the State party shall provide the Committee with all the facilities needed for the successful completion of the visit, including the access to information and persons concerned.
3. The Committee may request the State party concerned to nominate a representative to meet with the member or members designated by the Committee.

4. The Committee may request the State party concerned to provide the member or members designated by the Committee with any information that they or the State party may consider relevant to the visit.

#### **Rule 95** **Hearings**

1. Visits may include hearings to enable the designated members of the Committee to determine facts or issues relevant to the assessments of the situation.
2. The conditions and guarantees concerning any hearings held in accordance with paragraph 1 of the present rule shall be established by the designated member or members of the Committee visiting the State party in connection with the assessments of the situation.
3. Any person appearing before the designated members of the Committee for the purpose of giving testimony shall make a solemn declaration as to the veracity of her or his testimony.
4. The Committee shall request that the State party take all appropriate steps to ensure that individuals under its jurisdiction are not subjected to reprisals as a consequence of providing information or participating in any hearings or meetings in connection with the visit.

#### **Rule 96** **Assistance during a visit**

1. In addition to the staff and facilities that shall be provided by the Secretary-General in connection with a visit to the State party concerned, the designated members of the Committee may, through the Secretary-General, invite interpreters and/or such persons with special competence in the fields covered by the Convention as are deemed necessary by the Committee to provide assistance at all stages of a visit.
2. Where such interpreters or other persons of special competence are not bound by the oath of allegiance to the United Nations, they shall be required to declare solemnly that they will perform their duties honestly, faithfully and impartially.

#### **Rule 97** **Transmission of findings, comments or suggestions**

1. After examining the information submitted and received in connection with or during the visit in accordance with rules 93 and 95 of the present rules, the Committee shall communicate the findings of its designated members, through the Secretary-General, to the State party concerned, together with any observations and recommendations.
2. The State party concerned shall submit its observations on the findings, observations and recommendations to the Committee, through the Secretary-General, within a time limit established by the Committee.

#### **Rule 98** **Follow-up action by the State party**

The Committee may, after the end of the time limit referred to in paragraph 2 of rule 97, request the State party concerned to provide it with additional information on measures taken in response to a visit, with a view to implementing the recommendations by the Committee.

**Rule 99****Protection measures**

Where the Committee receives reliable information that a State party has been implicated in reprisals against individuals under its jurisdiction as a consequence of providing information or participating in any hearings or meetings in connection with a visit, it may request the State party concerned to adopt urgently measures to ensure protection of the concerned individuals and submit written explanations or clarifications thereon to the Committee.

**XXIV. Mechanism under article 34 of the Convention to address widespread or systematic enforced disappearances****Rule 100****Transmission of information to the Committee**

1. In accordance with the present rules, and pursuant to article 34 of the Convention, the Secretary-General shall bring to the attention of the Committee information received which contains or appears to contain well-founded indications that enforced disappearance is being practised on a widespread or systematic basis in the territory under the jurisdiction of a State party.

2. The Committee shall seek from the State party all relevant information on the situation in order to urgently address incidents of enforced disappearance which it deems to be practised on a widespread and systematic basis in the territory under the jurisdiction of a State party.

**Rule 101****Record of information**

The Secretary-General shall maintain a permanent record of information brought to the attention of the Committee in accordance with rule 100 of the present rules and shall make the information available to any member of the Committee upon request in the language of submission.

**Rule 102****Summary of information**

The Secretary-General, as appropriate, shall prepare and circulate to members of the Committee a brief summary of the information submitted in accordance with rule 100 of the present rules.

**Rule 103****Transmission of information to the General Assembly**

1. Taking into account any observations that may have been submitted by the State party concerned, the Committee may undertake consultations and other measures as necessary in order to take a decision whether to urgently bring the matter to the attention of the General Assembly, through the Secretary General.

2. The Committee shall, through the Secretary-General, notify in writing the State party concerned that the matter has been brought to the attention of the General Assembly in order to address the situation.

**XXV. Communiqués****Rule 104****Issue of communiqués concerning public and closed meetings**

The Committee may issue communiqués, through the Secretary-General, for the use of the media and the general public regarding the activities of the Committee under articles 29-34 of the Convention.

**Part three. Interpretative rules****XXVI. Adoption of the rules of procedure and amendments****Rule 105****Adoption of the rules of procedure and amendments**

The present rules have been adopted in accordance with article 26, paragraph 6, of the Convention, and may be amended by the Committee, after the proposal has been duly circulated, provided that the amendment is not inconsistent with the provisions of the Convention.

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