

Working methods to deal with individual communications received under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure¹

A. General issues

1. These working methods are developed on the basis of the provisions contained in the Rules of procedure under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OPIC RoP)².
2. The Committee will develop Guidelines on the protection policy adopted by the Committee for children who submit communications or are the alleged victims in communications submitted on their behalf.
3. Upon registration of a communication or at any time during the procedure the Committee may take measures, in conformity with article 4, paragraph 1 of the Optional Protocol and rule 4 of the OPIC RoP, urging the State party concerned to ensure the integrity and security of the children who are the authors and/or the alleged victims in the communication.

B. Working Group on communications

4. Under rule 6 of OPIC RoP, the Committee will establish a Working Group to make recommendations to the Committee and to assist it in any manner in which the Committee may decide.
5. The Working Group will be composed by nine members, with a biannual rotation of four/five of its members.
6. When the Committee is not in session, members of the Working Group will make themselves available to deal with matters related to communications, as required.

C. Correspondence received by the Secretariat

7. The Secretariat (Petitions Unit) will keep a file with all existing correspondence on matters related to the Optional Protocol, for the Committee's reference and consultation.
8. In order to apply the appropriate procedure to newly submitted communications, as indicated below, the Secretariat will check that the date of birth of the author(s)/alleged victim(s) is indicated in the submission. If the date is not indicated, the Secretariat will ask the author(s) to provide it.

¹ These working methods were adopted by the Committee on the Rights of the Child on 2 October 2015 and revised by the Working Group on communications on 2 June 2017.

² (CRC/C/62/3)

D. Communications submitted by children

9. All communications received under the Optional Protocol submitted by children will be forwarded without delay by the Secretariat (Petitions Unit) to the Committee's Working Group on Communications, including those that seem to be clearly *prima-facie* inadmissible.
10. The Petitions Unit will transmit those communications to the Working Group in the original language.
11. The Petitions Unit will confirm receipt of these communications to the author/s as soon as possible, within maximum two weeks.
12. Responses to letters received from children will be drafted using child-friendly language.

E. Communications submitted by adults

13. Communications received from adults, including representatives of children, should be first screened by the Petitions Unit, which can reject those that are *prima-facie* inadmissible, such as anonymous communications, communications that do not concern the CRC or its Optional Protocols, communications against a non-State party or manifestly unfounded communications.
14. When examining communications submitted by representatives of children, the Working Group will examine whether there are reasons to believe that the child(ren) is/are subject to improper pressure or inducement by those acting on her/his/their behalf.

F. Friendly settlements

15. The Committee may provide its good offices for a friendly settlement if requested by either of the parties. The Committee may also offer the parties a friendly settlement if it deems it necessary and appropriate, at its own initiative or at the initiative of the Working Group.
16. Negotiations to facilitate a friendly settlement can be conducted by the Working Group. The Working Group will make recommendations to the Committee, who will take a decision regarding acceptance of the settlement, in conformity with rule 25 OPIC RoP.

G. Third party interventions

17. Pursuant to Rule 23 of the Committee's OPIC RoP, the Committee or its Working Group may receive relevant written information and/or documentation emanating from third parties, which may assist in the

examination of a communication. To that effect, a list of cases pending consideration by the Committee will be published on the Committee's website.

18. The Working Group will decide whether it accepts specific third-party submissions. If accepted, these submissions shall be forwarded to both parties, who will be offered the possibility of submitting written comments in reply, within a fixed time-limit.
19. Individuals or entities that are third-parties shall not be considered parties to the communication.

H. Functioning of the Working Group

20. The Working Group will adopt its decisions by majority, except for decisions on interim measures, which shall be adopted by at least three members of the Working Group.
21. Decisions on interim measures shall be adopted within 24 hours. In very urgent cases where a decision is required within less than 24 hours, the Petitions Unit will contact the Chair of the Working Group for an executive decision, and the rest of the Working Group members will be informed accordingly.
22. For each registered communication the Working Group chair will appoint one of the Working Group members to act as case rapporteur, in consultation with Working Group members. The case rapporteur will examine all information contained in the case file, carry out the necessary research and propose to the Working Group the course of action that s(he) considers appropriate, including recommendations on admissibility and merits. Drafts on admissibility and merits approved by the case rapporteur will be transmitted to the other members of the Working Group, between sessions, for information and comments. Where relevant, the Working Group may also appoint a Committee member who is not part of the Working Group to provide technical assistance to the case rapporteur.
23. The Working Group will examine the draft submitted by the case rapporteur as well as any additional information at its disposal and submit proposals and recommendations on the draft to the case rapporteur.
24. On the basis of the comments received from members of the Working Group, the case rapporteur will prepare a consolidated draft decision on admissibility and merits in order to reach consensus on a recommendation to be addressed to the Committee. If consensus is not reached, the decision will be taken by majority of the Working Group members.
25. In conformity with rule 10 OPIC RoP, the Working Group may decide to consult with independent experts in order to obtain information which may be relevant for the examination of a communication. The Working Group may also consult with informed Committee members who may have relevant experience on the specific country or thematic issue concerned.

I. Decisions

26. The draft decision adopted by the Working Group will be submitted to the Committee for discussion and final adoption. The draft decision will indicate whether it was adopted by consensus or by majority of the Working Group members.
27. When examining the Working Group's draft decision, the Committee can decide to seek additional information from experts, UN documentation and other sources as established under OPIC and rule 10 OPIC RoP.
28. In order to implement rule 27 of the Rules of Procedures, the case rapporteur and the Working Group in general will ensure that the language of decisions on individual communications is adapted as much as possible to the age and maturity of the alleged victims.

J. Follow up to Views and friendly settlement agreements

29. The implementation of the recommendations contained in Views where the Committee found that violations of the Convention or the Optional Protocols had taken place, or in agreements reached by a friendly settlement will be monitored by the case rapporteur together with other members of the Committee from the relevant region or who have expertise on the issues dealt with in the specific communication.
30. The Committee members involved in the follow-up of specific cases will inform the plenary of the progress made by State parties on implementation and propose the appropriate course of action.