

Guidelines on third-party interventions under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (OPIC)*

Pursuant to Rule 23, paragraph 1, of the Committee's *Rules of Procedure under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure*, "At any time after the receipt of a communication and before a determination on the merits has been reached, the Committee may consult or receive, as appropriate, relevant documentation emanating from all other 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 from regional human rights systems, as well as non-governmental organizations, National Human Rights Institutions and other relevant specialized institutions mandated to promote and protect the rights of the child, and all relevant State institutions, agencies or offices that may assist in the examination of the communication."

According to paragraph 18 of its *Working methods to deal with individual communications received under the OPIC*, the Committee's Working Group on communications will decide whether it accepts information or documentation submitted by third parties. The Working Group may also decide on its own initiative to request third party interventions.

Third parties shall not be considered parties to the communication in question (see paragraph 19 of the Committee's Working methods). Third party interventions should not focus on the facts and/or allegations of the case. Interventions challenging the facts and/or allegations presented by the parties or presenting new allegations will not be considered by the Committee.

The procedure for third party interventions will be the following:

1. Except for the cases where the Committee decides at its own initiative to request a third party intervention, a written request for intervention shall be submitted to the Committee, through the Petitions and Urgent Actions Section, Office of the High Commissioner for Human Rights (petitions@ohchr.org). The request should provide a brief introduction of the persons or entities submitting the request, the number(s) of the case(s) concerned, and the object and purpose of the intervention. Such request should be as brief as possible and in any case not exceed one (1) page.
2. If the Committee, acting through its Working Group on communications, authorizes an intervention, it will invite the third party to submit this intervention within a specific timeframe. The Committee may also invite the third party to focus on specific issues that it deems relevant. Interventions should not exceed ten (10) pages.
3. The Committee shall publish and regularly update a list of pending cases, including a short summary of their subject matter. Third parties shall make use of this information in the preparation of their interventions.
4. When a third party so requests, the Petitions Section shall put the third party in contact with the author(s) or their representatives so that these may agree to share any relevant documents contained in the file. The Committee will only facilitate to third parties contact details of the author(s) or representatives with their prior consent.
5. Third party interventions shall be delivered in writing in any of the Committee's working languages, preferably in the official language of the State party concerned if it is also a working language of the Committee.
6. The Committee may consider a departure from formal requirements for interventions submitted by children.

* Adopted by the Committee on the Rights of the Child at its eighty-third session (20 January – 7 February 2020)

7. Given that the names of children are kept confidential in the Committee's final decisions or Views, a third party who has access to the case file may not disclose the identity of any child who is the author(s) and/or the victim(s) in the communication at any time. A third party is also requested not to disclose any other information contained in the case file, including its own intervention, while the communication is pending before the Committee.
 8. If any of the aforementioned conditions are not complied with, the Committee may decide not to consider the intervention.
 9. The Committee shall forward third-party interventions to the parties to the communication, who shall be invited to submit, within one month, their written observations and comments.
 10. The third-party interventions, as well as the parties' comments on such interventions, may be reflected in the Committee's decisions or Views if the Committee considers it appropriate. In particular, the Committee will not include interventions that it deems irrelevant for the deliberation of the case, that contain offensive language, or that otherwise do not comply with the conditions established in these Guidelines.
 11. The third party may publish its intervention after the decisions or views have been made public without disclosing the identity of the author(s) and/or victim(s).
 12. When third-party interventions are reflected in decisions or views, such decisions or views will be transmitted to third parties upon adoption.
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