**ADVANCE UNEDITED VERSION**

**Human Rights Committee**

Guidelines on third-party submissions

The present guidelines on third-party submissions adopted by the Committee on Human rights at its 127th session will be subject to an assessment within the next five years and could be revised if necessary and relevant.

When considering individual communications under the Optional Protocol to the International Covenant on Civil and Political Rights (the Optional Protocol), the Human Rights Committee or its special Rapporteur may, pursuant to rule 96 of its Rules of procedure[[1]](#footnote-1), accept information and documentation submitted by third parties which may be relevant for the proper determination of the case (amicus curiae briefs)[[2]](#footnote-2).

As per rule 96 (4), individuals or entities that are third parties shall not be considered parties to the communication.

The procedure for a third party to submit information and documentation is as follows:

1. A written request for authorization to provide an amicus curiae brief shall be submitted to the Committee, providing brief information about the individuals or entities submitting it, specifying the case concerned as well as the issue or issues to be addressed, the nature of the information or analysis to be submitted; and the reasons why the submission will be useful for the consideration of the communication *[maximum 2 pages].*
2. If the Committee or its special rapporteur grant authorization, a deadline for the submission, and if relevant, the issues on which the submission shall focus, shall be indicated. The submission should not exceed 5,350 words. The third party shall commit not to disclose information on the communication it has obtained in the course of its involvement in the proceedings, without the explicit permission of the Committee.
3. The Committee may on its own initiative request from an individual or entity a third-party submission (amicus curiae brief).
4. Third-party submissions shall be submitted in writing, preferably in the language of the communication, and imperatively in an official language of the United Nations. They should be addressed to the Committee through the Office of the High Commissioner for Human Rights, petitions@ohchr.org.
5. Pursuant to article 5, paragraph 3 of the Optional Protocol, the Committee shall not provide access to the case-file, copies of submissions, or any other documentation concerning the communication pending before it. Only the parties to a communication can disclose documentation related to it.
6. Pursuant to article 5, paragraph 3 of the Optional Protocol, the Committee shall not provide third parties with the identity of the author(s) of a communication or provide them with the contact details of the author(s), without the latter’s prior written consent. When a communication is submitted by two or more authors, the written consent of all the authors will be required.
7. If, pursuant to the above paragraph, the identity of the author(s) is released to the third party, the Committee may nevertheless request the third party not to disclose the identity of the author(s) and/or the victim(s) of the communication. The Committee may also request the third party not to disclose the contents of its submission while the communication is pending before the Committee.
8. If any of the above conditions are not complied with, the Committee may decide not to consider the submission and take any other appropriate measure.
9. If all requirements are met, the Committee will forward third-party submissions to the parties to the communication, who are entitled to submit written observations and comments in reply, including with regard to the relevance of the submission, within a period determined by the Committee.

If the Committee decides it is appropriate and relevant, the third-party submissions and observations of the parties of the communication related to them may be used in the Committee’s deliberation and reflected in the Committee’s final Views/decisions.

1. CCPR/C/3/Rev.11 [↑](#footnote-ref-1)
2. A list of cases registered by the Committee, indicating the State party and the claims raised are available on the Committee’s website [↑](#footnote-ref-2)