



# International Covenant on Civil and Political Rights

Distr.: General  
3 September 2020

Original: English

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## Human Rights Committee

### Guidelines on information and documentation submitted by third parties\*

1. When considering individual communications under the Optional Protocol to the International Covenant on Civil and Political Rights, the Human Rights Committee or its special rapporteur may, pursuant to rule 96 of the Committee's rules of procedure,<sup>1</sup> accept information and documentation submitted by third parties which may be relevant for the proper determination of the case (amicus curiae briefs).<sup>2</sup>
2. In accordance with rule 96 (4) of the Committee's rules of procedure, individuals or entities that are third parties shall not be considered parties to the communication.
3. The procedure for a third party to submit information and documentation is as follows:
  - (a) A written request for authorization to provide an amicus curiae brief shall be submitted to the Committee, providing information about the individuals or entities submitting it, specifying the case concerned, the issue or issues to be addressed and the nature of the information or analysis to be submitted and including an explanation of how the submission would be useful for the Committee in its consideration of the communication concerned (two pages maximum);
  - (b) If the Committee or its special rapporteur grants authorization, a deadline for the submission and, if relevant, the issues on which the submission should focus, shall be indicated to the amicus curiae. The submission should not exceed 5,350 words. The third party shall commit to not disclosing information regarding the communication that it has obtained in the course of its involvement in the proceedings, without the explicit permission of the Committee;
  - (c) The Committee may on its own initiative request from an individual or entity a third-party submission;
  - (d) Third-party submissions shall be submitted in writing, preferably in the language of the related communication, and must be submitted in one of the official languages of the United Nations. They should be sent by email addressed to the Committee through the Office of the United Nations High Commissioner for Human Rights at [petitions@ohchr.org](mailto:petitions@ohchr.org);
  - (e) Pursuant to article 5 (3) of the Optional Protocol, the Committee shall not provide access to the case file, submissions or any other documentation concerning the communication under consideration. Only the parties to a communication can disclose documentation related to it;

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\* Adopted by the Committee at its 127th session (14 October–8 November 2019).

<sup>1</sup> CCPR/C/3/Rev.12.

<sup>2</sup> A list of cases registered by the Committee, indicating the State party and the claims raised, is available on the Committee's website.



(f) Pursuant to article 5 (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 is required;

(g) If, pursuant to subparagraph (f) above, the identity of the author(s) is released to a third party in the course of its involvement in the proceedings, 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 that the third party not disclose the contents of its submission while the communication is pending consideration by the Committee;

(h) If a third party does not comply with the above conditions, the Committee may decide not to consider the third-party submission and take any other appropriate measure;

(i) If all the requirements set out above are met, the Committee will forward third-party submissions to the parties to the communication, which 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.

4. If the Committee decides that it is appropriate and relevant, the third-party submissions and observations and comments of the parties to the communication concerned may be used in the Committee's deliberations and reflected in the Committee's Views or decision on the communication.

5. The present guidelines will be subject to assessment over the next five years and revised if necessary.

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