**Working Methods of the Committee on the Elimination of Discrimination Against Women and its Working Group on individual communications received under the Optional Protocol to the CEDAW Convention**

**Introduction**

The present working methods, which are subject to periodic review, were developed to guide the work of the CEDAW Working Group on Communications under the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (hereafter, Working Group) and to complement the Committee’s rules of procedure.

The present working methods reflect the practice developed by the Working Group in collaboration with the Petitions Unit.

1. **Working Group on Communications**
2. The Working Group shall be composed of five members pursuant to Rule 62 of the CEDAW Rules of Procedure (RoP). Members are designated by the Committee upon proposal by the regional groups for a period of two years.
3. It is desirable that the Working Group be composed mostly of members with a legal background.
4. Members of the Working Group will make themselves available inter-sessionally to deal with matters related to communications, as required, in particular regarding registration of new communications and issuance of interim measures of protection.
5. The Working Group shall hold meetings for a total of ten days per year, immediately prior to the Committee’s sessions. In principle, the Working Group shall meet for four days prior to the first session and three days for the sessions thereafter.
6. The Committee shall designate ad hoc members of the Working Group at the end of every biennium to serve on the Working Group on an interim basis for the first Working Group session in the following year.
7. **Correspondence received by the Secretariat (Petitions Unit)**
8. The Petitions Unit will maintain a permanent register of information with all correspondence and information on matters related to the Optional Protocol, for the Committee’s consideration, reference and consultation in accordance with Rule 57 CEDAW RoP.
9. Where appropriate, the Petitions Unit will prepare and circulate a brief summary of the information submitted on matters related to the Optional Protocol, in accordance with Rule 59 CEDAW RoP.
10. To apply the appropriate procedure to newly submitted communications, the Petitions Unit will verify that the communication contains all required information pursuant to Rule 58 CEDAW RoP and may seek clarifications and documentation from the author of the communication.
11. The Petitions Unit shall provide the Working Group with a note (Note by the Secretariat) containing information on newly registered cases and an update on pending cases and on follow up matters, prior to each session.
12. **Processing of Communications**
13. As a matter of principle, once a case is registered, the author of a communication and the State party would be restricted to two rounds of document exchange to update the Secretariat or provide comments on the case. In exceptional circumstances, the author and/ or the State party may submit additional information with the consent of the Working Group.
14. Case rapporteurs will have one week before draft decisions are sent to translation. The Working Group shall receive all final draft decisions at least one week before the start of the session.
15. When the Petitions Unit recommends a case for preliminary discussion by the Committee, the Petitions Unit should identify the elements/points on which clarity/guidance is being sought.
16. Deadlines set in reminders addressed to the author or state party shall not exceed two months.
17. After three reminders, the Working Group may decide to proceed on basis of the material on file or to discontinue a case.
18. **Friendly settlement**
19. The Committee through its Working Group 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.
20. Examination of the case in question shall be suspended throughout the negotiation process between the author of the communication and the state party concerned.
21. **Third party interventions**
22. 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.
23. The Working Group will decide whether it accepts specific third-party submissions. Third party interventions shall not exceed 7000 words. If accepted, these submissions shall be forwarded to both parties, which will be offered the possibility of submitting written comments in reply within two months.
24. Individuals or entities that are third parties shall not be considered parties to the communication.
25. **Functioning of the Working Group**

20(a) The Working Group shall adopt its decisions by majority, except for interim measures in extremely urgent cases, decided according to § 21, 2nd sentence.

20(b) The Working Group, acting under article 5 of the Optional Protocol and Rule 63 of the Committee’s Rules of Procedure, may make a request under Rule 63(2) at the request of the author or on the basis of information made available to it.

20(c) The Working Group shall take decisions as to whether to request interim measures by a simple majority of 3 of its members.

20(d) Where the Working Group requests provisional interim measures –

(a) it shall determine a short deadline for the State party’s observations strictly on the issue of interim measures and for the author’s comments thereon;

(b) it may subsequently review its decision in light of the State party’s specific observations on the matter; or

(c) it may, in the absence of the State party’s observations or comments by the author or in the light of such observations or comments, maintain its interim measures request and extend it for such longer period as it may determine.

1. Decisions on interim measures shall as far as possible be adopted within 24 hours after receipt of the case through the Petitions Unit. In an extremely urgent case where a decision may be 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.
2. For each registered communication, the Working Group will appoint one of its members to act as a case rapporteur. The 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 she or he considers appropriate, including recommendations on admissibility and merits. Drafts on admissibility and merits approved by the case rapporteur may exceptionally be transmitted to the other members of the Working Group, between sessions for information and comments.
3. The Working Group will examine the draft proposed by the case rapporteur as well as any additional information at its disposal and will submit proposals for amendments and recommendations on the draft to the case rapporteur. The files to all cases are made accessible by the Petition Unit during the Working Group session.
4. 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/or merits. The Working Group will endeavor to reach consensus on the draft. If consensus is not reached, the draft will reflect the views of the majority of the Working Group members. The recommendation made by the Working Group will be sent to the Plenary for adoption.
5. When determining which communications to place on the Working Group’s agenda for each session, priority may be given to cases with interim measures in place and the Working Group shall give consideration to the chronological order of registration, regional representation, and thematic issues of importance for the Committee’s jurisprudence. Special circumstances may also be taken into consideration.
6. The Working Group shall submit a report at the end of each of its sessions, to the Committee for endorsement.
7. **Decisions**
8. The draft decisions adopted by the Working Group will be submitted as recommendations to the Committee for discussion and final adoption. The recommendations will indicate whether they have been adopted by consensus or by majority of the Working Group members.
9. **Follow-up to Views**
10. Responses received pursuant to Rule 73 (1) CEDAW RoP are transmitted to the authors with a request to comment within three months.
11. If the State party’s response to the views and recommendations is deemed not satisfactory or if the State party does not provide its response within six months, the Working Group will remain in contact with the State party and review developments of its dialogue at each session.
12. The follow up procedure will be closed with an assessment of satisfactory, partially satisfactory or unsatisfactory implementation of the views and recommendations of the Committee or of no response.
13. Follow up dialogue shall, in principle, not continue beyond three years after the adoption of the views and recommendations.