



Convention on the Rights of the Child

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Committee on the Rights of the Child

Guidelines for oral hearings in the context of the Committee's consideration of communications under the Optional Protocol on a communications procedure*

1. Pursuant to rule 19 of the Committee's rules of procedure on the Optional Protocol to the Convention on the Rights of the Child on a communications procedure,¹ when the Committee deems it necessary, in particular owing to the complexity of a given case or in order to hear from a child directly, it may decide to invite the parties to a communication to provide oral statements on the admissibility and/or the merits of the communication. The Committee will send a written invitation to the parties, at least 30 days in advance of the meeting, specifying the proposed time and date thereof and asking the parties to confirm whether they will attend the meeting in person or through means of a videoconference. The Committee will include a list of questions to which the parties will be asked to provide oral responses and will specify the initial time frame allocated to respond to the questions.
2. The oral hearings will take place in the format outlined herein, with any necessary changes being agreed upon by the parties or approved by the Committee. Oral hearings will be convened during one of the Committee's sessions, will have interpretation in the working languages of the Committee and will be conducted in an accessible format. The alleged victim or victims may choose to participate either directly and/or through their representatives.
3. When the alleged victim or victims participate directly, such meetings will only be in the presence of State party representatives if the alleged victim or victims so decide and the Committee deems it to be in the best interests of the child or children concerned. The Committee will ensure that meetings comply with the principles enshrined in its general comment No. 12 (2009) on the right of the child to be heard and that the views of the alleged victim or victims are given due weight in accordance with their age and maturity.
4. The non-appearance of a party will not prejudice the Committee's consideration of the communication. In such cases, information that a hearing will take place or has taken place, and the contents thereof, will be transmitted to the other party, who will be allowed to make written submissions.
5. The oral hearing will be conducted in a closed meeting, unless both parties agree to having a public hearing and the Committee considers it to be in the best interests of the child or children concerned. The secretariat will keep a confidential record of the meeting. A summary of the oral statements will be included in the Committee's final decision or views on the communication.
6. Each party will be allocated the time frame specified in the Committee's invitation to address the written questions orally. Thereafter, each party will be assigned an additional time frame to respond to the other party's oral statements. The Chair of the Committee will moderate the discussions. The rapporteur or rapporteurs for the communication, the Chair of

* Adopted by the Committee at its eighty-eighth session (6–24 September 2021).

¹ [CRC/C/62/3](#).



the Committee and the Chair of the Working Group on Communications will formulate follow-up questions and/or request clarifications on the parties' responses, if necessary. The parties will be assigned a specific time frame to respond to each follow-up question. At the end of the hearing, the parties will be invited to make brief concluding statements. The Committee may decide, after consultation with the parties, to permit a third party that has submitted a written intervention to make an oral presentation.
