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Help

The Human Rights Committee (HRC) (under the First Optional Protocol to the ICCPR), the Committee on the Elimination of Racial Discrimination (CERD), the Committee against Torture (CAT), the Committee on the Elimination of Discrimination against Women (CEDAW), and the Committee on Migrant Workers (CMW), all may receive communications from individuals claiming to be victims of violations under the respective treaties which they monitor.

Such a competence has also been attributed the Committee on the Rights of Persons with Disabilities, under the Optional Protocol that accompanied the 2006 Convention itself, to the Committee on Economic, Social and Cultural Rights (CESCR), under the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, adopted on 10 December 2008, as well as to the Committee on the Rights of the Child, under the Optional Protocol to the 1989 Convention adopted on 19 December 2011. Whether the competence of the committees concerned to receive individual communications is stipulated in the main treaty itself, or whether it figures in an optional protocol to this instrument, the procedure is always subject to a declaration of acceptance of the State or to the State's ratification of the relevant optional protocol.

The admissibility of such communications, however, is subject to a number of conditions: the violation must not have taken place prior to the entry into force of the treaty concerned as regards the State against which the communication is addressed; the author of the communication must be a 'victim' of the violation he/she denounces; he/she must have exhausted the local remedies available; the communication may not be anonymous, nor may it constitute an abuse of the right to communication; the same matter must not have been examined under another procedure of international investigation or settlement or, at least – in the more flexible wording of the Optional Protocol to the International Covenant on Civil and Political Rights – it must not be under examination under such procedure at the time of the communication.



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Help