Timeline for submitting communications under Rule 9 on cases on the agenda of the CMDH meetings

All communications received from NHRIs and NGOs are sent immediately by the Council of Europe Secretariat to the state concerned.

If the state responds within five working days, both the communication and the response are brought to the attention of the CM and made public.

If there is no response within these five days, the communication is transmitted to the CM but is not made public. It is only made public ten working days after it was sent to the state, together with any response received within this time limit.

A state response received after these ten working days is circulated and published separately upon receipt.

As a result, NHRIs and NGOs need to ensure that any communication relating to a case due to be examined at a specific CMDH meeting is sent to the Secretariat in due time for the meeting or at least five days before that meeting, to allow it to be taken into consideration by the CM, and more than ten days if the intention is for the communication to be published by the CM.

*If the NHRI or NGO wishes to have its communication taken into account in the drafting notes on the agenda prepared by the Secretariat in respect of each case, thus allowing good preparation of the meeting, it is important that communication be submitted well in advance, whenever possible at least five weeks before the CMDH meeting.*
EXEC receives a communication from an NHRI/NGO

EXEC sends it to the state concerned
(and an acknowledgment of receipt to the NHRI/NGO)

Has the state replied within 5 working days of notification?

YES
Communication and reply are made public and published jointly

NO
After these 5 working days, NHRI/NGO communication is made available to CM*

Has the state replied between 5 and 10 working days of notification?

YES
Communication and reply are made public and published jointly

NO
After the 10 working day deadline, NHRI/NGO communication is published and made public

If and when a reply arrives (after the 10-day deadline) it is published separately and made public

*restricted document