



European Committee of Social Rights
Comité européen des Droits sociaux

Rules

As amended on 11 September 2024

Note from the Secretariat

These Rules incorporate the most recent amendments adopted by the Committee on 11 September 2024.

These Rules were initially adopted and subsequently amended as follows:

adopted during the 169th session on 9 September 1999 and revised during the 201st session on 29 March 2004, during the 207th session on 12 May 2005, during the 234th session on 20 February 2009, during the 250th session on 10 May 2011, during the 251st session on 28 June 2011, during the 266th session on 12 September 2013, during the 268th session on 6 December 2013, during the 273rd session on 9 September 2014, during the 286th session on 6 July 2016, during the 297th session on 26 January 2018, during the 308th session on 10 September 2019 and during the 320th session on 19 May 2021, during the 328th session on 6 July 2022 and during the 343rd session on 11 September 2024.

The European Committee of Social Rights, committee of independent experts established pursuant to the European Social Charter, hereby adopts the following Rules:

PART I: THE COMMITTEE

Rule 1: Composition

The Committee is composed of 15 members in conformity with the decision of the Ministers' Deputies applying Article 25 paragraph 1 of the European Social Charter as amended by the Turin Protocol.[1]

Rule 2: Role of the Committee

1, The Committee rules on the conformity of the situation in States with the European Social Charter, the 1988 Additional Protocol and the Revised European Social Charter.

2. It adopts conclusions within the framework of the reporting procedure and decisions under the collective complaints procedure.

PART II: MEMBERS OF THE COMMITTEE

Rule 3: Duties of Committee Members

1. Members shall perform their duties in conformity with the requirements of independence, impartiality and availability inherent in their office and shall keep secret the Committee's deliberations.

2. In case of doubt as to the application of these principles in a given situation, a member should seek the advice of the President. The President may consult the Bureau, if necessary. In case of doubt as to the application of these principles in a given situation involving the President, they should seek the advice of the Bureau.

3. In case members do not perform their duties in terms of independence, impartiality, availability and confidentiality as provided in paragraph 1, the Committee is, on the basis of a report by the Bureau, required to take appropriate measures to address the situation, including by specifying to the member what must be done to address the non-performance, issuing an admonition, suspending the member from deliberations or, if necessary, referring the matter to the Committee of Ministers. If the member concerned is the President or another member of the Bureau, the report will be drafted by the Bureau sitting without the President or the member concerned.

Rule 4: Solemn declaration

[1] Decision taken during the 751st meeting of the Ministers Deputies (2-7 May 2001).

Before taking up duties, each member of the Committee shall, at the first meeting of the Committee at which the member is present after election, make the following declaration:

"I solemnly declare that I will exercise my functions as a member of this Committee in conformity with the requirements of independence, impartiality and availability inherent in my office and that I will keep secret the Committee's deliberations."

Rule 5: Incompatibility

1. Members of the Committee shall not during their term of office perform any function which is incompatible with the requirements of independence, impartiality or availability inherent in their office. Members shall avoid any conflict of interest, or being placed in a situation which might reasonably be perceived as giving rise to a conflict of interest.

2. If it appears that a member of the Committee has agreed to undertake functions which may be regarded as incompatible with the provisions of paragraph 1, they are obliged to draw the consequences thereof. Should the member fail to do so, the Committee is required to address the matter in line with the procedure outlined in Rule 3§3.

Rule 6: Term of Office – Resignation

1. The duration of the term of office of members of the Committee is six years. The date of take up of office shall be fixed by the Committee of Ministers.

2. A member's resignation shall be notified in writing to the President who shall transmit it to the Secretary General of the Council of Europe.

Rule 7: Order of precedence

1. Members of the Committee shall take precedence after the President, the Vice-President(s) and General Rapporteur according to the length of time they have been in office.

2. Members having the same length in office shall take precedence according to age.

3. Re-elected members shall take precedence having regard to the total length of time they have been in office, including the previous term of office.

Rule 7bis: Freedom of Expression

1. Members shall exercise their freedom of expression in a manner which may not undermine the authority and reputation of the Committee (or of individual members of the Committee) or give rise to reasonable doubt as to their independence or impartiality.

2. While members are free to participate in public debate on matters pertaining to legal subjects or to social rights issues more generally, they shall not comment on on-going examinations of national situations or pending complaints.

3. In do not conform with this rule, the Committee will address the matter in line with the procedure outlined in Rule 3§3.

PART III: PRESIDENCY AND BUREAU OF THE COMMITTEE

Rule 8: Elections

1. The Committee shall elect the President, one or more Vice-Presidents and a General Rapporteur, who shall together constitute the Bureau of the Committee. The members of the Bureau shall be elected for a period of two years. Until such time as the President is elected, the meeting shall be chaired by the outgoing President or the oldest member of the Committee present.

The members of the Bureau are eligible for re-election.

2. If a member of the Bureau withdraws from office before their term of office in the Bureau has expired, the Committee shall elect a successor for the remainder of that term.

3. Elections shall be held for each position by secret ballot. Only the members present shall take part. The member who has obtained an absolute majority of the votes cast shall be elected. If no member receives such majority, a second ballot shall take place. The member receiving the most votes shall then be elected. In the event of a tie, the longest serving member shall be elected. If the members concerned have the same length of time in office, the oldest of them shall be elected.

Rule 9: President and Vice-Presidents

1. The President shall direct the work and chair the meetings of the Committee. They retain all their voting and other rights as a member of the Committee. They fulfil all other functions bestowed on them by these Rules and by the Committee.

2. In these Rules, the term “President” shall refer to any member fulfilling the office of President.

3. The Vice-President shall take the place of the President if the latter is unable to carry out their duties or if the office of President is vacant. If the Committee has elected another or several other Vice-Presidents, each of them shall replace the other Vice-Presidents if they are unable to carry out their duties or if their offices are vacant according to the order of precedence laid down in Rule 8. If the President and Vice-President(s) are at the same time unable to carry out their duties or if their offices are at the same time vacant, the duties of President shall be carried out by another member of the Committee according to the order of precedence laid down in Rule 8.

4. The President may delegate certain of their duties to the Vice-President(s).

Rule 10: Role of the General Rapporteur

The General Rapporteur ensures the consistency of the conclusions and decisions on the various articles and informs the Committee about case law, if necessary. The General Rapporteur also oversees the examination of follow-up to decisions in

collective complaints and presents draft findings on such follow-up for adoption by the Committee.

Rule 11: Role of the Bureau

1. The Bureau shall direct the work of the Committee and shall perform all other functions conferred upon it by these Rules and by the Committee.

2. If one or more members of the Bureau are temporarily unable to carry out their duties, they shall be replaced by other members of the Committee whether or not they are members of the Bureau in accordance with the rules of precedence laid down in Rule 8.

PART IV: THE REPRESENTATIVE OF THE INTERNATIONAL LABOUR ORGANISATION

Rule 12: Participation

1. Having regard to Article 26 of the European Social Charter, the Committee holds a periodic exchange of views with a senior official of the International Labour Office. The frequency of meetings is decided by mutual agreement.

2. The Secretariat exchanges information with the International Labour Office and keeps the Committee informed of developments within the International Labour Organisation.

PART V: THE SECRETARIAT

Rule 13: Staff

The Secretary General shall provide the Committee with the necessary staff, including the Executive Secretary to the Committee, as well as with the administrative and other services required for the fulfilment of its duties.

PART VI: THE WORKING OF THE COMMITTEE

Rule 14: Sessions

1. The Committee shall fix the number and dates of its sessions, taking into account existing budgetary allocations. The sessions shall be convened by the Executive Secretary in accordance with the President’s instructions.

2. The draft agenda is prepared by the Executive Secretary in agreement with the President.

3. The notice of each session shall indicate its place, date and starting time and its probable duration, and be accompanied by the draft agenda. Except in cases of

emergency, the notice shall be sent to the members at least one month before the starting date of the session.

4. Members who are unable to attend a session shall give notice thereof, as soon as possible, to the Executive Secretary, who shall inform the President.

Rule 15: Secrecy

Subject to the provisions of Rule 33, the sessions and deliberations of the Committee shall be held in private. All working documents are destined for the use of the Committee only.

Rule 16: Quorum and voting

1. A quorum for holding a session of the Committee shall be constituted by a majority of members entitled to sit. Each member shall have one vote. The decisions of the Committee shall be taken by a majority of those present.

1bis. A quorum for holding a meeting of a sub-committee shall be constituted by three members.

2. The President shall have a deciding vote only in respect of decisions relating to collective complaints (admissibility, merits, immediate measures and striking out of the list).

3. When a decision has been taken by the Committee on a particular question, that question shall be re-examined only if a member of the Committee so requests and if that request is approved by a two-thirds majority of votes cast.

Rule 17: Synopsis and Notes of the Session

1. After each session, the Executive Secretary shall prepare a draft synopsis for submission to the members of the Committee, who shall adopt the final text at the end of the session. This document shall be public.

2. After the end of each session, the Executive Secretary will produce Notes of the session, reporting the deliberations of the Plenary Committee and the work of sub-committees with a view to their examination by the Plenary Committee at the next session. These Notes are destined for the use of the Committee only and are not public.

Rule 18: Working languages

The working languages of the Committee shall be English and French, without prejudice to the application of Rule 24 of the present Rules.

PART VII: THE PROCEDURE FOR EXAMINATION OF REPORTS

Rule 18bis: Reports

The Committee examines reports on the accepted provisions of the Charter pursuant to Article 21 of the 1961 Charter. In addition, it examines ad hoc reports on a particular

topic when such reports are requested on the basis of a joint decision of the Committee and the Governmental Committee (see also Rule 22bis). It examines reports on follow-up to decisions in collective complaints (see also Rule 22quater below). It also examines reports on non-accepted provisions pursuant to Article 22 of the 1961 Charter (see also Rule 22ter).

Rule 19: Rapporteurs

The Committee shall designate a Rapporteur for each provision of the 1961 Charter, the 1988 Additional Protocol to the Charter, and the Revised Charter. Rapporteurs may also be designated for different elements of the ad hoc reports.

Rule 20: Sub-Committees

1. The Committee may form sub-committees, composed of members of the Committee, with a view to preparing its conclusions.

2. The meetings of the sub-committees are chaired by a member of the Bureau or by default by another member chosen by the sub-committee.

Rule 21: Meetings with representatives of States

1. The Committee may decide to organise meetings with representatives of a State, as provided for in Article 24§3 of the Charter as amended by the 1991 Amending Protocol, either on its own initiative or at the request of the State concerned. The Committee shall decide whether or not to act upon a request made by a State.

2. The international organisations of employers and trade unions referred to in Article 27§2 of the Charter shall be informed of the meetings and will, in certain cases, be invited to participate. In this case, they are invited to inform their national member organisations.

3. National organisations of employers and trade unions may also be invited to participate in these meetings on condition that the State concerned agrees.

Rule 21A: Comments on national reports

1. Comments and other information relating to the national reports referred to in Rule 18bis submitted by trade unions and employers' organisations in pursuance of Article 23§1 of the Charter (as amended by the Turin Protocol), as well as by non-governmental organisations, national human rights institutions, equality bodies and others shall be submitted to the Secretariat by a deadline fixed by the Committee (usually no later than 30 June of the year during which the Committee examines the national reports concerned).

2. Comments registered and submitted to the Committee shall be forwarded to the Government concerned who shall be given six weeks to submit a response, if it so wishes.

3. The Executive Secretary may, in appropriate cases and after consultation with the President, derogate from the deadline laid down in paragraph 1.

Rule 22: Examination and adoption of conclusions on accepted provisions

1. After each session, the Executive Secretary will prepare the provisional conclusions emanating from the work of the sub-committees for their adoption by the Plenary Committee.

2. The Committee shall adopt the conclusions in respect of each State Party at the end of each year.

3. Any member of the Committee may formulate a separate opinion, dissenting or concurrent, which will be appended to the Committee's conclusions.

4. Following adoption of the conclusions, the Committee shall instruct the Executive Secretary to transmit them to the States and to make them public.

Rule 22bis: Examination and adoption of the review of ad hoc reports

1. Examination of ad hoc reports takes place on the basis of written national reports on new or critical issues with a broad or transversal scope or a pan-European dimension.

2. Examination of ad hoc reports takes place in Plenary or in sub-committees as appropriate. The Committee's review is adopted. The review shall be transmitted to the States and made public.

Rule 22ter: Examination and adoption of reports on non-accepted provisions

1. The procedure on non-accepted provisions takes place on the basis of written national reports and any other relevant information. Where deemed appropriate, meetings may be held with the States Parties concerned.

2. Examination and adoption of the Committee's reports on non-accepted provisions take place in Plenary. The Committee's report shall be transmitted to the State concerned and made public.

Rule 22quater: Examination and adoption of findings on follow-up to decisions in collective complaints

1. In cases where a violation of the Charter has been found on the basis of a collective complaint, the Committee will examine a report presented by the respondent State on measures taken to bring the situation into conformity. This report is to be requested two years after the adoption of the recommendation (or the resolution, as the case may be) by the Committee of Ministers and/or in the ordinary reports on the provisions concerned in the complaint.

2. The Committee shall adopt its finding on the follow-up in respect of each decision immediately upon completion of its examination of the report.

3. Any member of the Committee may formulate a separate opinion, dissenting or concurrent, which will be appended to the Committee's finding.

4. Following adoption of its finding, the Committee shall instruct the Executive Secretary to transmit it to the respondent State and to make it public.

PART VIII: THE COLLECTIVE COMPLAINTS PROCEDURE

CHAPTER I – INTRODUCTION

Rule 23: Submission of complaints and signature

1. Collective complaints submitted under the 1995 Additional Protocol providing for a system of collective complaints shall be addressed to the Executive Secretary acting on behalf of the Secretary General of the Council of Europe.

2. Complaints shall be signed by the person(s) with the competence to represent the complainant organisation.

Rule 24: Languages

1. Complaints made by the organisations listed in Article 1 paragraphs a and b of the Protocol shall be submitted in one of the official languages of the Council of Europe.

2. Complaints made by organisations listed in Article 1 paragraph c and Article 2 paragraph 1 of the Protocol may be submitted in an official language of the State concerned other than one of the official languages of the Council of Europe. For these complaints, the Executive Secretary is authorised in their correspondence with the complainants to use a language other than one of the official languages of the Council of Europe.

Rule 25: Representatives of the States and of the organisation that lodged the complaint

1. The States shall be represented before the Committee by the agents they appoint. These may have the assistance of advisers.

2. The organisations referred to in paragraphs 2 and 3 of the Protocol shall be represented by a person appointed by the organisation to this end. They may have the assistance of advisers.

3. The names and titles of the representatives and of any advisers shall be notified to the Committee.

Rule 26: Order of examination of complaints

Complaints shall be registered with the Secretariat in the order in which they are received. The Committee shall deal with complaints in the order in which they become ready for examination. It may, however, decide to give priority to the examination of a particular complaint.

Rule 26A: Joinder and parallel examination of complaints

1. The Committee may, at the request of a party, or on its own initiative, order the joinder of two or more complaints.

2. The Committee may decide that the proceedings in complaints be conducted in parallel without prejudice to its decision under paragraph 1.

Rule 27: Role of the Rapporteur

1. For each complaint, the President shall appoint a member of the Committee to act as Rapporteur.

2. The Rapporteur shall follow the proceedings. They shall inform the Committee at each of its sessions of the progress of the proceedings and of the procedural decisions taken by the President since the previous session.

3. The Rapporteur shall elaborate a draft decision on admissibility of the complaint for adoption by the Committee, followed by, as the case may be, a draft decision on the merits. Once the latter has been adopted, it will feature in the report to the Committee of Ministers as provided for in Article 8 of the Protocol.

Rule 28: Role of the President

1. The President shall take the decisions provided for in Rules 29, 31, 32, 32A and 36.

2. The President shall set the time limits mentioned under Article 6 and under Article 7 paragraphs 1, 2 and 3 of the Protocol. They may grant, in exceptional cases and following a well-founded request, an extension of these time limits.

3. The President may, in the name of the Committee, take any necessary measures in order to ensure the proper functioning of the procedure.

4. The President may especially, in order to ensure that complaints are dealt with within a reasonable time, decide to convene additional sessions of the Committee.

Rule 28bis: Inability to sit/recusal

1. A member has the duty to participate in deliberations on all complaints, unless, for the reasons set out in paragraph 2, they may not take part in the consideration of a complaint.

2. Members may not take part in the consideration of a collective complaint if

(a) they have a personal interest in the complaint, including a spousal, parental or other close family, personal or professional relationship, or a direct subordinate relationship, with any of the parties;

(b) they have previously acted in the complaint, whether as the Agent, advocate or adviser of a party or of a person having an interest in the complaint, or as a member of another national or international tribunal or commission of inquiry, or in any other capacity;

(c) they have expressed opinions publicly on the complaint at issue through the communications media, in writing, through their public actions or otherwise, that are objectively capable of adversely affecting their impartiality (or the perception of same);

(d) for any other reason, their independence or impartiality may legitimately be called into doubt.

3. Any member who considers themself to be unable to participate in deliberations on a complaint for one of the reasons listed in paragraph 2 of this Rule shall, as soon as possible, give notice to the President, who will decide whether the member concerned should be exempt from sitting. In the event of any doubt on the part of the member concerned or the President as to the existence of one of the grounds referred

to in paragraph 2 of this Rule, that issue shall be decided by a formation of the Committee. The formation will consist of the President and two members of the Committee to be nominated by the President and appointed by the Committee sitting in Plenary (sitting without the member concerned). After hearing the views of the member concerned, the formation shall deliberate and adopt a decision by vote, without that member being present. Where the situation relates to the ability of the President or a member of the bureau, the formation will be nominated by the Bureau (sitting without the President or the relevant Bureau) and appointed by the Committee sitting in Plenary (without the President or the relevant Bureau).

4. Only parties to the proceedings may request recusal of a member for the reasons listed in paragraph 2 of this Rule. Any such request must be duly reasoned and lodged as soon as possible after the party concerned learns about the existence of such reasons. It shall be decided by the Committee in accordance with the procedure described in paragraph 3 of the present Rule. The parties shall be informed whether or not their request has been accepted. Where a recusal request is manifestly ill-founded, the President shall summarily reject it. Where a recusal request relating to the President is manifestly ill-founded, the Bureau (sitting without the President) shall summarily reject it.

CHAPTER II – EXAMINATION OF THE ADMISSIBILITY OF THE COMPLAINT

Rule 29: Observations on the admissibility

1. Before the Committee decides on admissibility, the President may ask the respondent State for written observations, within a time limit that they decide, on the admissibility of the complaint.

2. If the President considers it appropriate, to ensure that complaints are processed within a reasonable time, they may, on the Rapporteur's proposal, ask the respondent State to make written submissions on the merits of the case on the assumption that the complaint will be declared admissible, at the same time as its observations on the admissibility of the complaint.

3. The President may also ask the organisation that lodged the complaint to respond, on the same conditions, to the observations made by the respondent State.

3.bis The President shall then invite the respondent State to submit a reply to the response of the complainant organisation.

4. The Committee has the possibility of declaring any complaint either admissible or inadmissible, without having invited the respondent State concerned to submit observations, when it considers that the admissibility conditions are either manifestly fulfilled or manifestly unfulfilled.

Rule 30: Examination by the Committee

1. The Rapporteur shall within the shortest possible time limit elaborate a draft decision on admissibility. It shall contain:

a. a statement of the relevant facts;

b. an indication of the issues raised by the complaint under the Charter;

c. a proposal on the admissibility of the complaint.

2. The Committee's decision on admissibility of the complaint shall be accompanied by reasons and be signed by the President, the Rapporteur and the Executive Secretary. Each member of the Committee may express a separate opinion, concurring or dissenting, which shall be joined to the Committee's decision.

3. The Committee's decision on admissibility of the complaint shall be notified to the complainant organisation and to the respondent State.

4. When the complaint is admissible, the decision is also transmitted to the Parties to the Protocol as well as to State Parties to the Revised Social Charter who have made a declaration under Article D paragraph 2.

5. The decision shall be made public and published on the internet site of the Council of Europe.

6. The publication of the decision on the internet site of the Council of Europe will be regarded as the notification of other States Parties to the Charter who have not accepted the collective complaints procedure.

7. In respect of complaints lodged by national organisations of employers or national trade unions or non-governmental organisations, the publication of the decision on the internet site of the Council of Europe will be regarded as notification of the international organisations of employers or trade unions referred to in Article 27§2 of the 1961 Charter.

8. Case documents are also published on the internet site of the Council of Europe. Appendices which are not in electronic format may be consulted at the Secretariat.

CHAPTER III – EXAMINATION OF THE MERITS OF THE COMPLAINT

Rule 31: Written procedure between the Parties

1. If a complaint has been declared admissible, the Committee shall ask the respondent State to make written submissions on the merits of the complaint within a time limit which it fixes.

2. The President shall then invite the organisation that lodged the complaint to submit, on the same conditions, a response to these submissions.

3. Following receipt of the response by the complainant organisation, the President then invites the respondent State to submit a reply.

4. When they consider this appropriate and after consultation with the Rapporteur, the President shall decide that the written procedure is closed. The parties shall be duly notified of any such decision. Following the closing of the procedure further documents may only be submitted exceptionally and with good reason.

Rule 32: Third party intervention

1. The States Parties to the Protocol as well as the States having ratified the Revised Charter and having made a declaration under Article D paragraph 2 shall be invited to make comments within the same time limit as that decided above under paragraph 1 of Rule 31.

2. The international organisations of employers and trade unions referred to in Article 27§2 of the Charter shall be invited to make observations on complaints lodged by national organisations of employers and trade unions or by non-governmental organisations.

3. The observations submitted in application of paragraphs 1 and 2 shall be transmitted to the organisation that lodged the complaint and to the respondent State.

4. Any observations received by the Committee in application of Article 7 paragraphs 1, 2 and 3 of the Protocol shall be transmitted to the respondent State and to the organisation that lodged the complaint. They shall be invited to respond to the observations referred to in paragraphs 1 and 2 of the above Article 7 within a time-limit set by Committee.

Rule 32A: Request for observations

1. Upon a proposal by the Rapporteur, the President may invite any organisation, institution or person to submit observations.

2. Any observations received by the Committee in application of paragraph 1 above shall be transmitted to the respondent State and to the organisation that lodged the complaint. They shall be invited to respond to the observations within a time-limit set by the Committee.

Rule 33: Hearing

1. The hearing provided for under Article 7§4 of the Protocol may be held at the request of one of the parties or on the Committee's initiative. The Committee shall decide whether or not to act upon a request made by one of the parties. A hearing may be requested at any time during the written procedure, but no later than two weeks after the closing of the written procedure pursuant to Rule 31§4.

2. The respondent State and the organisation that lodged the complaint shall be invited to the hearing.

3. The hearing shall be public unless the President decides otherwise.

4. The States and organisations referred to in Article 7 of the Protocol and who have indicated that they wish to intervene in support of the complaint or for its rejection are invited to take part in the hearing.

Rule 34: Participation in the deliberations

1. Any member who is not present at the hearing cannot participate in the deliberations on the merits of the complaint.

2. Any member who has not participated in the essential parts of the deliberations shall not vote on the decision on the merits.

3. The President shall take any decisions necessary regarding paragraph 2 of this Rule.

Rule 35: The Committee's decision on the merits

1. The Committee's decision on the merits of the complaint contained in the report provided for in Article 8 of the Protocol shall be accompanied by reasons and be signed by the President, the Rapporteur and the Executive Secretary. Any separate opinions shall be appended to the Committee's decision.

2. The report containing the decision on the merits is transmitted to the parties to the procedure, who may not publish it before the expiry of the time limit provided in Article 8 of the Protocol.

3. The report containing the decision shall be transmitted to the Committee of Ministers.

4. The Committee's decision on the merits of the complaint shall be made public at the moment of the adoption of a resolution by the Committee of Ministers in conformity with Article 9 of the Protocol or at the latest four months after the report was transmitted to the Committee of Ministers.

5. When the decision becomes public, it is published on the internet site of the Council of Europe.

6. The publication of the decision on the internet site of the Council of Europe will be regarded as transmission to the Parliamentary Assembly.

CHAPTER IV – IMMEDIATE MEASURES

Rule 36: Immediate measures

1. At any stage of proceedings, the Committee may, at the request of a party, or on its own initiative, indicate to the parties any immediate measure, the adoption of which is necessary to avoid irreparable injury or harm to the persons concerned.

2. In case of a request for immediate measures made by a complainant organisation, the request shall specify the reasons therefore, the possible consequences if it is not granted, and the measures requested. A copy of the request shall forthwith be transmitted to the respondent State. The President shall fix a date for the respondent State to make written submissions on the request of immediate measures.

3. The Committee's decision on immediate measures shall be accompanied by reasons and be signed by the President, the Rapporteur and the Executive Secretary. It shall be notified to the parties. In the decision, the Committee shall fix a deadline for the respondent State to provide comprehensive information on the implementation of the immediate measures.

CHAPTER V – PUBLIC NATURE OF THE PROCEDURE

Rule 37: Public nature of the case documents

The text of each registered complaint as well as any appendices and also all submissions, responses or observations submitted by virtue of Rules 31, 32, 32A, 35 and 36 shall be public on their transmission to the Committee, unless the Committee decides otherwise on a case-by-case basis.

Rule 38: Secrecy of deliberations

All documents prepared for the deliberations of the Committee are destined for the use of the Committee only and shall never be made public, except under the conditions laid down in Rule 15.

CHAPTER VI – STRIKING OUT A COMPLAINT

Rule 39: Striking out a complaint

If the conditions for upholding a complaint are no longer met, the Committee may take a decision to strike it out from the list of pending complaints.

[*The former Chapter VII and its Rule 40 have been integrated into the new Rule 22quater*]

PART IX: AMENDMENTS TO THE RULES OF PROCEDURE

Rule 41: Amendments

Any rule may be amended by a majority of Committee members during a session of the Committee, on the basis of a proposal by one or more members of the Committee. The proposed amendment shall be submitted in writing and communicated to all members of the Committee at least one month before the session at which it is to be discussed.