

pattern of gross and reliably attested violations of the agreement in question.

51. In international human rights law, such mechanisms are usually subsidiary organs of the bodies responsible for implementing and monitoring compliance with specific treaties or conventions. So, for example, the so-called 1503 Procedure authorises the Sub-Commission on Prevention of Discrimination and Protection of Minorities (a subsidiary organ of the UN Commission on Human Rights) to establish a five member working-group to receive and examine communications and complaints in order to determine "whether to refer to the Commission on Human Rights particular situations which appear to reveal a consistent pattern of gross and reliably attested violations of human rights...."<sup>5</sup> Those communications which the working-group deems to fulfil the conditions of admissibility are forwarded to the Sub-Commission, which then considers the complaint. Where warranted, the Sub-Commission then refers the case to the Commission on Human Rights, which in turn is empowered to authorize a "thorough study" or investigation of the situation.

52. The 1503 Procedure is a relatively complicated, multi-stage process. In principle, however, there is no reason why generically similar processes could not work -- as they sometimes do in the field of international human rights law -- with a single "special rapporteur in new communications" (perhaps with a small secretariat or with the assistance of the UN secretariat) screening frivolous and otherwise inadmissible complaints. Perhaps this function could even be performed by the UN secretariat itself. To a certain extent, of course, the size of the screening committee and/or secretariat is dependent on the number of complaints filed. If complaints are received regularly and in large numbers, then a larger committee and/or secretariat might be needed.

### C. *A States-Based Initial Review Procedure*

53. An alternative to an independent body would be a committee of states representatives. This may be a standing "verification commission" comprising states representatives (see Chairman's Rolling Text Appendix I, Article 10, first para. 1) or a committee convened on a case-by-case basis (see Chairman's Rolling Text, Appendix I, Article 10, second para. 1). Such a committee/commission would also be responsible for deciding whether an allegation warrants further investigation. It should be noted that a verification regime in which the screening committee is convened on a case-by-case basis would seem to be workable only if the volume of complaints were very low. One approach might be to convene a verification committee on a case-by-case basis unless and until the volume of complaints made this unworkable, at which point a standing commission might be established. Over time (if

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<sup>5</sup>For the terms of reference of the Sub-Commission see Resolution 1503, 2-18.