

APPENDIX II  
RULES OF PROCEDURE

Article 1

1. The purpose of these Rules is to regulate the organization and establish the procedures of the Court.
2. The Court may adopt such other Rules as are necessary to carry out its functions.
3. In the absence of a provision in these Rules, or in the case of doubt as to their interpretation, the Court shall decide.

Article 2  
(Definitions)

For the purposes of these Rules:

- a. the term "Convention" means the American Convention on Human Rights (Pact of San José, Costa Rica);
- b. the term "Statute" means the Statute of the Inter-American Court of Human Rights;
- c. the term "Court" means the Inter-American Court of Human Rights;
- d. the expression "Permanent Commission" means the commission composed of the President, Vice President and third Judge;
- e. the expression "Titular Judge" means any Judge elected in pursuance of Articles 53 and 54 of the Convention;
- f. the expression "Ad Hoc Judge" means any Judge appointed in pursuance of Article 55 of the Convention;
- g. the expression "Interim Judge" means any Judge appointed in pursuance of Articles 6.3 and 19.4 of the Statute;
- h. the expression "States Parties" means the States which have ratified or adhered to the Convention;
- i. the expression "Member States" means the Member States of the Organization of American States;
- j. the expression "Parties to the case" means the parties in a case before the Court;
- k. the term "Commission" means the Inter-American Commission on Human Rights;

- l. the expression "Delegates of the Commission" means the persons designated by the Commission to represent it in proceedings before the Court;
- m. the expression "Report of the Commission" means the report provided for in Article 50 of the Convention;
- n. the expression "General Assembly" means the General Assembly of the Organization of American States;
- o. the expression "Permanent Council" means the Permanent Council of the Organization of American States;
- p. the term "Secretary" means the Secretary of the Court;
- q. the term "Deputy Secretary" means the Deputy Secretary of the Court.

## TITLE I

### ORGANIZATION AND FUNCTIONING OF THE COURT

#### CHAPTER I THE PRESIDENCY

##### Article 3 (Election of the President and Vice President)

1. The President and Vice President are elected for a period of two years. Their terms begin on July 1 of the corresponding year. The elections shall be held on July 1 or as soon as possible thereafter.
2. The elections referred to in this Article shall be by secret ballot of the titular Judges who are present. If no Judge receives an absolute majority, a ballot shall take place between the two Judges who have received the most votes. In the case of a tie vote, the Judge having precedence in accordance with Article 13 of the Statute shall be deemed elected.

##### Article 4 (Functions of the President)

1. The functions of the President are:
  - a. to represent the Court legally and officially;
  - b. to preside over the meetings of the Court and to submit for its consideration the topics of the agenda;

- c. to rule on points of order that may arise during the discussions of the Court. If any Judge so requests, the point of order shall be submitted to a majority vote;
  - d. to direct and promote the work of the Court;
  - e. to present, at the beginning of each regular or special session, a report on the manner in which, during the recess between sessions, he has discharged the functions conferred upon him by these Rules;
  - f. to exercise such other functions as are conferred upon him by the Statute, these Rules or the Court.
2. The President may delegate the official representation of the Court to the Vice President or any of the Judges or, in their absence, to the Secretary or Deputy Secretary.

Article 5  
(The Vice Presidency)

1. The Vice President shall take the place of the President in the latter's temporary absence or if the office of President becomes vacant. In the latter case, the Court shall elect a new Vice President to serve out the term of the previous Vice President. The same procedure shall be followed if the Vice President is no longer a member of the Court or if he resigns before the end of his term.
2. In the absence of the President and the Vice President, their functions shall be assumed by the other Judges in the order of precedence established in Article 13 of the Statute.
3. The President shall not preside in proceedings before the Court when he is a national of one of the parties or in special situations in which he considers it appropriate. The same rule shall apply to the Vice President or any Judge who is called upon to exercise the presidency.

Article 6  
(Commissions)

1. The Permanent Commission is composed of the President, Vice President and a third Judge named by the President. The Permanent Commission assists and advises the President in the exercise of his functions.
2. The Court may appoint other commissions for special matters. In urgent cases, they may be appointed by the President.
3. In performing their functions, the commissions shall be governed, wherever relevant, by the provisions of these Rules.

CHAPTER II  
THE SECRETARIAT

Article 7  
(Election of the Secretary)

1. The Court shall elect its Secretary. The candidates must possess the legal knowledge and the experience necessary to carry out the functions of the position and must have a knowledge of the working languages of the Court.
2. The Secretary shall be elected for a period of five years and may be reelected. He may be freely removed at any time by the vote of no less than four Judges. The vote shall be by secret ballot.
3. The Secretary shall be elected in the manner provided for in Article 3.2 of these Rules.

Article 8  
(Deputy Secretary)

1. The Deputy Secretary shall be appointed at the proposal of the Secretary in the manner provided for in the Statute. He shall assist the Secretary in the performance of his functions and substitute for him in his temporary absence.
2. If the Secretary and the Deputy Secretary are absent, the President may appoint an Acting Secretary.

Article 9  
(Oath of the Secretary and Deputy Secretary)

The Secretary and the Deputy Secretary shall take an oath before the President of the Court.

Article 10  
(Functions of the Secretary)

The functions of the Secretary are:

- a. to communicate the decisions, advisory opinions, resolutions and other rulings and announce the times fixed for the hearings of the Court;
- b. to deal with the correspondence of the Court;

- c. to act as administrative head of the Court, under the authority of the President;
- d. to plan, direct and coordinate the work of the staff of the Court;
- e. to prepare, under the authority of the President, the draft programs, regulations, and budgets of the Court;
- f. to attend all meetings of the Court held at the seat or away from it;
- g. to carry out the decisions assigned to him by the Court or the President;
- h. to ensure that minutes are taken of all meetings of the Court;
- i. to perform any others established by the Statute, these Rules, the Court, or the President.

CHAPTER III  
INTERNAL FUNCTIONING OF THE COURT

Article 11  
(Regular sessions)

The Court shall meet in two regular sessions each year, one at the beginning of each semester, on the dates decided upon by the Court at the immediately preceding session. In exceptional circumstances, the President may change the dates of the meeting.

Article 12  
(Special sessions)

1. Special sessions may be convoked by the President or at the request of a majority of the Judges.
2. In the cases mentioned in Article 63.2 of the Convention, any Judge may request that the Court be convened in the manner specified in the preceding paragraph.

Article 13  
(Quorum)

The quorum for the deliberations of the Court is five Judges.

Article 14  
(Hearings, deliberations and decisions)

1. The hearings shall be public, unless the Court shall in exceptional circumstances decide otherwise.
2. The Court shall deliberate in private. Its deliberations shall remain secret, unless the Court decides otherwise. Only the Judges shall take part in the deliberations. The Secretary or his substitute may be present. No other person may be admitted except by special decision of the Court and after having taken an oath.
3. Any question which is to be voted upon shall be formulated in precise terms in the working languages. If a Judge so requests, the text shall be distributed before the vote is taken.
4. The minutes of the deliberations of the Court shall be limited to a record of the subject of the discussions and the decisions taken. They shall also record the dissenting votes, if any, as well as the declarations made for the record that do not refer to the basis of the vote.

Article 15  
(Decisions of the Court - Voting)

1. The President shall present, point by point, matters for discussion and for a vote. Each Judge shall vote either in the affirmative or the negative; abstentions shall not be permitted.
2. The votes shall be cast in the inverse order to the order of precedence established in Article 13 of the Statute.
3. The decisions of the Court shall be made by a majority of the Judges present.
4. If there is a tie vote, the President shall have a second and casting vote.

Article 16  
(Interim Judges)

Interim Judges, appointed in pursuance of Articles 6.3 and 19.4 of the Statute, shall, during the period of their appointment, enjoy the same rights and functions as titular Judges, except for the limitations expressly established.

Article 17  
(Ad Hoc Judges)

1. In a case arising under Article 10.2 or 10.3 of the Statute the President shall invite the States mentioned in that Article to appoint an ad hoc Judge within the thirty-day period specified in the Statute. He shall also inform them of the provisions relating thereto.
2. When it appears that two or more States have a common interest, the President shall invite them to appoint a single ad hoc Judge in conformity with Article 10 of the Statute. If within the thirty-day period specified in Article 10.4 of the Statute no agreement has been communicated to the Court, each State may submit a candidate within the next fifteen days. When this period has elapsed, the President shall choose by lot the ad hoc Judge to represent those States and he shall communicate the result to the interested parties.
3. A State which fails to exercise its rights within the period provided for shall be deemed to have waived them.
4. The Secretary shall communicate the appointment of the ad hoc Judges to the parties.
5. Ad hoc Judges shall take an oath at the opening of the first meeting devoted to the consideration of the case for which they have been appointed.

Article 18  
(Disqualifications)

Disqualifications of the Judges and related matters shall be governed by the provisions of Article 19 of the Statute.

TITLE II - PROCEDURE

CHAPTER I  
GENERAL RULES

Article 19  
(Official languages)

1. The official languages of the Court are those of the Organization of American States.

2. The working languages are those of the nationalities of the Judges and, whenever required, those of the parties as long as they are the official languages.
3. The working languages shall be determined at the beginning of the proceedings in each case.
4. The Court may authorize any party, agent, advocate, adviser, witness, expert, or other person who appears before it to use his own language if he does not have sufficient knowledge of an official language. The Court shall, in that event, make the necessary arrangements for the interpretation of the statements of such persons into the working languages mentioned in the preceding paragraph.
5. In all cases the authentic text shall be designated accordingly.

Article 20  
(Representation of the Parties)

The parties shall be represented by agents who may have the assistance of advocates, advisers, or any other person of their choice.

Article 21  
(Representation of the Commission)

The Commission shall be represented by the delegates whom it designates. These delegates may, if they so wish, have the assistance of any person of their choice.

Article 22  
(Communications, notifications and summonses addressed  
to persons other than the agents of the parties or  
delegates of the Commission)

1. If, for any communication, notification or summons addressed to persons other than the agents of the parties or delegates of the Commission, the Court considers it necessary to have the assistance of the government of the State on whose territory such communication, notification or summons is to have effect, the President shall address an appropriate request to that government to obtain the same.
2. The same procedure shall apply when the Court wishes to undertake or arrange for an investigation in the territory of a State for the purpose of establishing the facts or procuring evidence, or when it orders the appearance of a person resident in, or having to cross, that territory.



Article 23  
(Interim measures)

1. At any stage of the proceedings involving cases of extreme gravity and urgency and when necessary to avoid irreparable damage to persons, the Court may, in matters it has under consideration, adopt whatever provisional measures, based on the provisions of Article 63.2 of the Convention, it deems appropriate.
2. With respect to matters not yet submitted to it, the Court may act at the request of the Commission.
3. Such request may be presented to the President or any Judge of the Court by any means of communication.
4. If the Court is not sitting, the President shall convoke it immediately. Pending the meeting of the Court, the President, in consultation with the Permanent Commission or with the Judges, if possible, shall call upon the parties, whenever necessary, to act so as to permit any decision of the Court regarding the request for provisional measures to have its appropriate effect.
5. The Court may at any time determine, proprio motu or at the request of one of the parties, whether the circumstances of the case require the adoption of provisional measures.

Article 24  
(Procedure by default)

1. When a party fails to appear in or to continue with a case, the Court shall, proprio motu, subject to the provisions of Article 42 of these Rules, take whatever measures are necessary to complete consideration of the case.
2. When a party, having the right to enter a case, does so at a later stage, it shall take the proceedings at that stage.

CHAPTER II  
INSTITUTION OF THE PROCEEDINGS

Article 25  
(Filing of the application)

1. A State Party which intends to bring a case before the Court in accordance with the provisions of Article 61 of the Convention shall file with the Secretary an application, in twenty copies, indicating the object of the application, the human rights involved, and the name and address of its agent, including, if pertinent, its objections to the opinion of the Commission. On receipt of the application, the Secretary shall immediately request the report of the Commission.

2. If the Commission intends to bring a case before the Court in accordance with the provisions of Article 61 of the Convention, it shall file with the Secretary, together with its report, in twenty copies, its duly signed application which shall indicate the object of the application, the human rights involved, and the names of its delegates.

Article 26  
(Communication of the application)

1. On receipt of the application provided for in Article 25 of these Rules, the Secretary shall notify the Commission whenever the application is submitted under Article 25.1 as well as the States concerned in the case, transmitting copies thereof to them.

2. The Secretary shall inform the other States Parties and the Secretary General of the OAS of the receipt of the application.

3. When giving the notice provided for in paragraph 1, the Secretary shall request the States concerned to designate, within a period of two weeks, an agent who shall have an address for service at the seat of the Court to which all communications concerning the case shall be sent. If the State does not do so, a decision shall be deemed to have been notified twenty-four hours after it was rendered.

Article 27  
(Preliminary objections)

1. A preliminary objection must be filed, in twenty copies, no later than the expiration of the time fixed for the beginning of the written proceedings with respect to the party making the objection.

2. The preliminary objection shall set out the facts and the law on which the objection is based, the submissions and a list of the documents in support; it shall mention any evidence which the party may wish to produce. Copies of the supporting documents shall be attached.

3. The receipt by the Secretary of a preliminary objection shall not cause the suspension of the proceedings on the merits. The Court, or the President if the Court is not sitting, shall fix the time-limit within which the other party may present a written statement of its observations and submissions.

4. The Court shall, after having received the replies or comments of every other party and of the delegates of the Commission, give its decision on the objection or join the objection to the merits.

CHAPTER III  
EXAMINATION OF THE CASES

Article 28  
(Stages of the proceedings)

The proceedings before the Court shall consist of a written and an oral part.

Article 29  
(Fixing of time-limits)

Before the Court meets, the President shall ascertain the views of the agents of the parties and the delegates of the Commission or, if they have not yet been appointed, the Chairman of the Commission, regarding the procedure to be followed. He shall then direct in what order and within what time-limits, memorials, counter-memorials and other documents are to be filed.

Article 30  
(Written proceeding)

1. The written part of the proceedings in a case shall consist of a Memorial and a Counter-Memorial.
2. The Court may, in special circumstances, authorize additional written submissions consisting of a Reply and a Rejoinder.
3. A Memorial shall contain a statement of the relevant facts, a statement of law, and the submissions.
4. A Counter-Memorial shall contain an admission or denial of the facts stated in the Memorial; any additional facts, if necessary; observations concerning the statement of law in the Memorial; a statement of law in answer thereto; and the submissions.
5. The Reply and Rejoinder, whenever authorized by the Court, shall not merely repeat the contentions of the parties, but shall be directed to bringing out the issues that still divide them.
6. The Memorials, Counter-Memorials and accompanying documents shall be deposited with the Secretary in twenty copies. The Secretary shall send copies of this documentation to the agents of the parties and the delegates of the Commission.

Article 31  
(Joinder of cases)

1. In the event that two cases are presented which have common elements, the Court shall decide whether to join the cases.
2. The Court may at any time direct that the proceedings in two or more cases be joined.

Article 32  
(Oral proceedings)

When the case is ready for hearing, the President shall, after consulting the agents of the parties and the delegates of the Commission, fix the date for the opening of the oral proceedings.

Article 33  
(Conduct of the hearings)

The President shall direct the hearings. He shall prescribe the order in which the agents, the advocates or advisers of the parties, and the delegates of the Commission, as well as any other person appointed by them in accordance with Article 21, shall be called upon to speak.

Article 34  
(Inquiry, expert opinion and other  
measures for obtaining information)

1. The Court may, at the request of a party or the delegates of the Commission, or proprio motu, decide to hear as a witness, expert, or in any other capacity, any person whose testimony or statements seem likely to assist it in carrying out its functions.
2. The Court may, in consultation with the parties, entrust any body, office, commission, or authority of its choice with the task of obtaining information, expressing an opinion, or making a report upon any specific point.
3. Any report prepared in accordance with the preceding paragraph shall be sent to the Secretary and shall not be published until so authorized by the Court.

Article 35

(Convocation of witnesses, experts and other persons)

1. Witnesses, experts, or other persons whom the Court decides to hear, shall be summoned by the Secretary. If they are called by a party, the expenses of their appearance shall be fixed by the President and borne by that party. In other cases, such expenses shall be fixed by the President and borne by the Court.
2. The summons shall indicate:
  - a. the name of the party or parties;
  - b. the object of the inquiry, expert opinion, or any other measure for obtaining information ordered by the Court;
  - c. any provisions for the payment of the sum due to the person summoned.

Article 36

(Oath or solemn declaration by witnesses and experts)

1. After the establishment of his identity and before giving evidence, every witness shall take the following oath or make the following solemn declaration:

"I swear" - or "I solemnly declare upon my honor and conscience" -  
"that I will speak the truth, the whole truth and nothing but the  
truth."

2. After the establishment of his identity and before carrying out his task, every expert shall take the following oath or make the following solemn declaration:

"I swear" - or "I solemnly declare" - "that I will discharge my duty  
as an expert honorably and conscientiously."

3. This oath shall be taken or this declaration made before the Court or before any of its Judges who have been so delegated by the Court.

Article 37

(Objection to a witness or expert; hearing of a  
person for purpose of information)

The Court shall decide any dispute arising from an objection to a witness or expert. If the Court considers it necessary, it may nevertheless, hear, for purposes of information, a person who cannot be heard as a witness.

Article 38  
(Questions put during the hearing)

1. Any Judge may put questions to the agents, advocates, or advisers of the parties, to the witnesses and experts, to the delegates of the Commission, and to any other person appearing before the Court.
2. Subject to the control of the President, who has the power to decide as to the relevance of the questions put, the witnesses, experts, and other persons referred to in Article 34, may be examined by the agents, advocates or advisers of the parties, by the delegates of the Commission, and by any person appointed by them in accordance with Article 21.

Article 39  
(Failure to appear or false evidence)

1. When, without good reason, a witness or any other person who has been duly summoned, fails to appear or refuses to give evidence, the Secretary shall, on being so required by the President, inform the State to whose jurisdiction such witness or other person is subject. The same provision shall apply when a witness or expert has, in the opinion of the Court, violated the oath or solemn declaration mentioned in Article 36.
2. The States may not try any person on account of their testimony before the Court. The Court may, however, request the States to take the measures provided for in their domestic legislation against those who, in the opinion of the Court, have violated the oath or solemn declaration.

Article 40  
(Minutes of hearings)

1. Minutes shall be made of each hearing, they shall be signed by the President and the Secretary.
2. These minutes shall include:
  - a. the names of the Judges present;
  - b. the names of the agents, advocates, advisers, and delegates of the Commission present;
  - c. the names, description and residence of the witnesses, experts, or other persons heard;
  - d. the declarations expressly made for insertion in the minutes on behalf of the parties or the Commission;

- e. a summary record of the questions put by the Judges and the responses thereto;
  - f. any decision by the Court delivered during the hearing.
3. Copies of the minutes shall be given to the agents of the parties and the delegates of the Commission.
  4. The minutes shall be deemed to constitute the certified record.

Article 41  
(Transcript of the hearings)

1. The Secretary shall ensure that a transcript of the hearings be made.
2. The agents, advocates, and advisers of the parties, the delegates of the Commission and witnesses, experts, and other persons mentioned in Articles 21 and 34, shall receive the transcript of their arguments, statements or evidence, to enable them, subject to the control of the Secretary, to make corrections within the time-limits fixed by the President.

Article 42  
(Discontinuance)

1. When the party which has brought the case before the Court notifies the Secretary of its intention not to proceed with the case and when the other parties agree to such discontinuance, the Court shall, after having obtained the opinion of the Commission, decide whether it is appropriate to approve the discontinuance and, accordingly, to strike the case off its list.
2. When, in a case brought before the Court by the Commission, the Court is informed of a friendly settlement, arrangement or other fact of a kind to provide a solution of the matter, it may, after having obtained the opinion, if necessary, of the delegates of the Commission, strike the case off its list.
3. The Court may, having regard to its responsibilities, decide that it should proceed with the consideration of the case, notwithstanding the notice of discontinuance, friendly settlement, arrangement or other fact referred to in the two preceding paragraphs.

Article 43  
(Question of the application of Article 63.1 of the Convention)

If proposals or observations on the question of the application of Article 63.1 of the Convention have not been presented to the Court in the

document instituting the proceedings, they may be presented by a party or by the Commission at any stage of the written or oral proceedings.

Article 44  
(Decisions)

1. The judgments, advisory opinions, and the interlocutory decisions that put an end to a case or proceedings, shall be decided by the Court.
2. The other decisions shall be taken by the Court, if it is sitting or, if not, by the President, pursuant to the instructions of the Court.

CHAPTER IV  
JUDGMENTS

Article 45  
(Contents of the judgment)

1. A judgment shall contain:
  - a. the names of the Judges and the Secretary;
  - b. the date on which it was delivered at a hearing in public;
  - c. a description of the party or parties;
  - d. the names of agents, advocates or advisers of the party or parties;
  - e. the names of the delegates of the Commission;
  - f. the statement of the proceedings;
  - g. the submission of the party or parties and, if any, of the delegates of the Commission;
  - h. the facts of the case;
  - i. the legal arguments;
  - j. the operative provisions of the judgment;
  - k. the allocation, if any, of compensation;
  - l. the decision, if any, in regard to costs;
  - m. the number of Judges constituting the majority;
  - n. a statement as to which text is authentic.



2. Where the Court finds that there is a breach of the Convention, it shall give in the same judgment a decision on the application of Article 63.1 of the Convention if that question, after being raised under Article 43 of these Rules, is ready for decision; if the question is not ready for decision, the Court shall decide on the procedure to follow. If, on the other hand, the matter has not been raised under Article 43, the Court shall determine the period within which it may be presented by a party or by the Commission.

3. If the Court is informed that an agreement has been reached between the victim of the violation and the State Party concerned, it shall verify the equitable nature of such agreement.

#### Article 46

(Delivery and communication of the judgment)

1. When the case is ready for a decision, the Court shall meet in private, take a preliminary vote, name one or more rapporteurs among the Judges of the respective majority and minority, and fix the date of the deliberations and final vote.

2. In the final deliberation, the Court shall take a final vote, approve the wording of the judgment, and fix the date of the public hearing at which it shall be communicated to the parties.

3. Until the aforementioned communication, the votes and details thereof, the texts, and the legal arguments shall remain secret.

4. The judgments shall be signed by all of the Judges who participated in the voting and the dissents and concurring opinions shall be signed by the Judges supporting them. A judgment shall, however, be valid if signed by a majority of the Judges.

5. An order of communication and execution, sealed and signed by the President and the Secretary, shall appear at the end of the judgment.

6. The originals of the decisions shall be placed in the archives of the Court. The Secretary shall send certified copies to the party or parties, the Commission, the Chairman of the Permanent Council, the Secretary General, and any other person directly concerned.

7. The Secretary shall transmit the judgment to all the States Parties.

#### Article 47

(Publication of judgments, decisions and other documents)

1. The Secretary shall be responsible for the publication of:

a. judgments and other decisions of the Court;

- b. documents relating to the proceedings, including the report of the Commission, but excluding any particulars relating to the attempt to reach a friendly settlement;
  - c. the transcripts of the public hearings;
  - d. any other document whose publication the President considers useful.
2. Documents deposited with the Secretary and not published shall be accessible to the public unless otherwise decided by the President, either on his own initiative, at the request of a party, the Commission, or any other person concerned.

#### Article 48

(Request for an interpretation of a judgment)

1. Requests for an interpretation allowed under the terms of Article 67 of the Convention shall be presented in twenty copies and shall indicate precisely the points in the operative provision of the judgment on which interpretation is requested. It shall be filed with the Secretary.
2. The Secretary shall communicate the request to any other party and, where appropriate, to the Commission, and shall invite them to submit, in twenty copies, any written comments within a period fixed by the President.
3. The nature of the proceedings shall be determined by the Court.
4. A request for interpretation shall not suspend the effect of the judgment.

#### CHAPTER V ADVISORY OPINIONS

#### Article 49

(Interpretation of the Convention)

1. The request for an advisory opinion provided for in Article 64.1 of the Convention shall be instituted by means of an application that shall state the specific questions on which the opinion of the Court is sought.
2. If an interpretation of the Convention is requested by:
  - a. A Member State - the application shall indicate the provisions to be interpreted, the considerations giving rise to the consultation, and the name and address of the agent of the applicant;

- b. An OAS organ - the application shall indicate the provisions to be interpreted, how the consultation relates to its sphere of competence, the considerations giving rise to the consultation, and the name and address of its delegates.

#### Article 50

(Interpretation of other treaties)

1. If an interpretation is requested of other treaties concerning the protection of human rights in the American states, as provided for in Article 64.1 of the Convention, the application shall indicate the name of, and parties to, the treaty, the specific questions on which the opinion of the Court is sought, and the considerations giving rise to the consultation.
2. In case of an application submitted by one of the OAS Organs referred to in Article 64.1 of the Convention, the provisions of Article 49.2 (b) of these Rules shall apply, mutatis mutandis.

#### Article 51

(Interpretation relating to domestic laws)

1. The request for an advisory opinion, provided for in Article 64.2 of the Convention, shall be instituted by means of an application that shall identify:
  - a. the domestic laws, the provisions of the Convention and/or international treaties forming the subject of the consultation;
  - b. the specific questions on which the opinion of the Court is sought;
  - c. the name and address of the applicant's agent.
2. Ten copies of the domestic laws referred to in the preceding paragraph shall accompany the application.

#### Article 52

1. Upon receipt of the request for an advisory opinion, under Articles 49 and 50 of these Rules, the Secretary shall transmit copies thereof to any State which might be concerned in this matter, as well as to the Secretary General of the OAS for transmission to the organs mentioned in Article 64.1 of the Convention. He shall likewise inform the aforementioned and the Commission that the Court is prepared to receive within a time-limit fixed by the President their written observations. These observations or other relevant documents shall be filed with the Secretariat in forty copies and shall be transmitted to the Commission, to the States and to the other bodies mentioned in Article 64.1 of the Convention.

2. At the conclusion of the written proceedings, the Court shall decide upon the format of the oral proceedings, and fix the order of presentation and time-limits for the hearing.

#### Article 53

When the circumstances require, the Court may apply any of the rules governing contentious proceedings to advisory proceedings.

#### Article 54

1. The hearings on advisory opinions shall be public.
2. When the court has completed its deliberations and adopted its advisory opinion, it shall be read in public and shall contain:
  - a. a statement of the questions submitted to the Court;
  - b. the date on which it is delivered;
  - c. the names of the Judges;
  - d. a summary of the proceedings;
  - e. a summary of the considerations giving rise to the request;
  - f. the conclusions of the Court;
  - g. the legal arguments;
  - h. a statement indicating which text of the opinion shall be deemed authoritative.
3. A Judge may, if he so wishes, attach his individual opinion to the advisory opinion of the Court, whether he dissents from the majority or not, and may record his concurrence or dissent.

#### FINAL TITLE

#### CHAPTER VI AMENDMENTS TO THE RULES

#### Article 55

These Rules may be amended or supplemented by the vote of an absolute majority of the titular Judges of the Court.

(These Rules are a corrected version of the Provisional Rules of Procedure which appear in the English version of OAS document OEA/Ser.G/CP/doc. 1113/80 of October 15, 1980.)