

UM Human Rights Due Diligence Assessment Framework

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1 Aim and Scope

1.1 Motivation, values, and aim

Our University's Global Engagement Policy is based on a set of core principles including academic freedom, scientific integrity, protection of human rights, co-creation, mutual respect and mutual benefit. As autonomous knowledge institutions, universities have a certain space and freedom of manoeuvre for science diplomacy and academic cooperation that other organisations and governments may not have. Maastricht University uses this space for science diplomacy and international cooperation by sustaining relations or undertaking activities in line with our institutional mission.

In all our (potential) partnerships, including those in countries with challenging socio-political situations (e.g. relating to academic freedom or human rights), we carefully consider our participation in the context of our strategic goals and the added value to both UM and stakeholders in the partner country (such as students or academic staff). In making these considerations, we aim to find a balance between the importance of academic collaboration, the benefit that international cooperation can bring to academia and science diplomacy on the one hand, and academic freedom, scientific integrity, adherence to human rights and knowledge security considerations on the other.

We approach global engagement with countries where those values are under pressure with “yes, unless we have major concerns”. UM encourages global engagement in teaching, research and capacity and community building as international collaboration is crucial for the quality of our research and teaching. We are aware though that global engagement and international student and staff mobility may involve risks relating to academic freedom, knowledge security (e.g. development of knowledge and technologies that can in potential be misused for military or economic advantages by others), or other kinds of ethical risks (e.g. relating to scientific integrity or human rights violations). Our global engagement policy states that where we have concerns on these aspects when evaluating (existing and potential) education and research partnerships at central and decentral levels, extra checks will be carried out to limit such risks. At UM, the assessment of potential infringements on knowledge security dimensions (and ethical issues) are already included in the existing Assessment Framework International Collaboration and Knowledge Security – TISK.¹

In June 2024, Maastricht University's Executive Board (EB), in close consultation with the Deans and with the support of the University Council, decided to develop a Human Rights Due Diligence (HRDD) assessment tool to help make an informed assessment of whether, and if so, to what extent, partners with whom we enter into (a national or international) collaboration, are involved in human rights violations.

This HRDD assessment policy framework has been developed and updated in close cooperation with interested members of, and experts within, our central administration, academic community, the faculties, the Management Team² and the University Council. UM staff and students have been invited to participate in the development of this framework through a series of dialogue and working group sessions, and their perspectives have, as much as possible, been included in this framework. The

framework has also considered meaningful elements that are part of other HRDD frameworks in the Netherlands and abroad (both existing frameworks and those in development).³

1.2 Relation to related UM frameworks on sensitive partnerships

The HRDD assessment framework is closely linked to the *UM Assessment Framework International Collaboration and Knowledge Security* (in Dutch: *Toetsingskader Internationale Samenwerking en Kennisveiligheid, TISK*), a framework enabling UM to assess the added value of, and potential knowledge security risks involved in, an international collaboration. The framework is also closely linked to UM's fossil industries assessment framework. The HRDD, TISK and fossil industries assessment framework help UM to make well-considered choices on the basis of which we can select our partnerships but also use them as a framework for dialogue with our partners.

In order to lower the burden of administrative processes for our staff and organisation as much as possible, the processes of the three frameworks have been aligned in the following ways:

1. The Sensitive Partnerships Unit (SPU) acts as the first point of contact for the UM community to ask advice or raise concerns on a (potential or existing) partnership, for any questions/concerns on knowledge security, human rights violations, or partnerships with fossil industries. The SPU will function as a 'gatekeeper' and advisory unit, making an initial assessment of the risks involved in a partnership, and – where necessary – passing the case on to the relevant committee for a more elaborate assessment.
2. One core committee – the Sensitive Partnerships Committee –oversees three sub-committees for Knowledge Security, Human Rights Due Diligence, and Fossil Industries (see *figure 1*). The overarching Sensitive Partnerships Committee includes four members: the chairs of the three sub-committees and an ethical expert. It will be supported by a SPU secretary.
 - The chair of the Sensitive Partnerships Committee is a member of one of the subcommittees and appointed by the EB.
 - The ethical expert forms the linking pin between the three sub-committees: the ethical expert is a member of each sub-committee, ensuring that similar ethical considerations are taken into account in each sub-committee. The SPU secretary ensures that the same process is followed.
 - Each sub-committee will be able to consult additional experts that can be asked for advice on a case-by-case basis. Any costs incurred in this regard will be considered on a case-by-case basis, taking into account the resources available to the Committee.
 - The three sub-committee chairs meet twice a year as the sensitive partnership committee to discuss their working principles, and to ensure that they continue to follow the same principles. The use of one core committee helps the sub-committees to follow the same principles. It also allows each committee to deal with the different content of their partnership cases; their

members must have different kinds of expertise. For instance, there is a Dutch national guideline on the specific type of experts that ideally should be included in the Knowledge Security Committee. So far, half of the cases that are assessed by the Knowledge Security Committee concern the hiring of individual staff members – which is an issue that is not relevant for HRDD or fossil industries committee members. By using three sub-committees, we can keep the committees focussed, small and efficient.

3. The HRDD assessment tool (which is provided in Template Parts I, II and III⁴) has been aligned with the TISK checklist, both in terms of approach and focus. As is the case with the TISK, the HRDD assessment tool does not take the form of a ‘decision tree’ (in the form of ‘yes’ or ‘no’ questions with a standard outcome) as considerations will often not lead to a clear ‘yes’ or ‘no’ answer.

More details on the establishment of the mandate, composition, selection and working procedures of the Human Rights Advisory Committee (HRAC) are given in Chapter 3.

Figure 1: The Sensitive Partnerships Committee

Sensitive Partnerships Committee <i>Members:</i> Chairs of the three sub-committees and an ethical expert <i>Support:</i> Secretary (i.e. the Advisor Knowledge Security) <i>Role:</i> Ensuring alignment between the subcommittees The Sensitive Partnerships Unit <i>Members:</i> Coordinator Knowledge Security, the Secretary (Advisor Knowledge Security), plus additional staffing <i>Role:</i> Gateway to the subcommittees, data collection for assessment (with MUO-AA)		
Knowledge Security	Human Rights Due Diligence	Fossil industries
KS1 (<u>chair</u>) Coordinator Knowledge Security	HR1 (<u>chair</u>) (to be selected from list of applicants)	F1 (<u>chair</u>)
KS2 Ethical expert	HR2 Ethical expert	F2 Ethical expert
KS3 Information Expert	HR3	F3
KS4 Internationalisation Advisor	HR4	F4
KS5 HR staff member	HR5	F5
KS6 Vice-dean research		
KS7 Legal Advisor		
SPU Secretary	SPU Secretary	SPU Secretary

N.B. ‘KS’ refers to a member of the Knowledge Security sub-committee; ‘HR’ refers to a member of the HRDD sub-committee (HRAC); and ‘F’ refers to a member of the Fossil industries sub-committee.

1.3. Scope of violations

Maastricht University will apply the HRDD assessment tool when there are serious indications that **international crimes and serious violations of human rights** are taking place in a specific country in which the (potential) partner is located. International crimes are the four crimes defined by the International Criminal Court⁵ and include:

1. ***Aggression***
2. ***War crimes***
3. ***Crimes against humanity***
4. ***Genocide***

Besides these international crimes, this framework also includes gross and serious violations of human rights. Gross violations are perpetrated on behalf of a state or other entity and may have a political purpose, and often require certain organisational structures (such as units, structures or services). Though serious violations of human rights cover violations of human rights that are international crimes, its scope is broader and includes serious violations of social, economic, and cultural as well as civil and political rights. In terms of criteria, it refers to a range of human rights violations and takes account of, amongst others, the nature of obligations engaged, the scale/magnitude of the violations and the impact of the violations on victims.⁶

When there are sufficient indications that international crimes or serious violations of human rights are committed in a country by state or non-state actors, this will trigger an HRDD assessment of the UM institutional strategic partnerships in that country (following the checklist provided in Template Part II: HRDD Partner Assessment Tool).

1.4 Scope of partnerships

The HRDD assessment will be applied to the following partnerships: Executive Board (EB) and Faculty Board (FB) institutional strategic partnerships (ISPs).

- All ***existing and future ISPs*** with academic and non-academic institutions. An ISP is a partnership where the EB or FB needs to agree upon the partnership that transcends individual collaborative activities between academics, often including strategic university and/or faculty strategic objectives and that is formalised through a contract signed by the EB or FB.

It may include:

- Formalised UM-wide participation in academic networks
- Faculty-to-faculty partnerships
- Commercial partnerships
- Partnerships on student and staff exchange

With regard to ***current and future individual activities*** between academics (such as one-to-one joint research projects, joint publications, an individual guest lecture, and individual consultancies), the SPU will facilitate the self-assessment of potential implications of individual activities to the contribution of

international crimes or serious violations of human rights, first of all by raising awareness that in certain contexts or countries ISPs of Maastricht University are being assessed, and secondly, by allowing individual staff members to use the self-assessment tool (template part III) or directly ask for advice by the HRAC. Staff who start a new individual activity with an international partner and who take the opportunity to conduct a HRDD self-assessment, will be able to receive support in doing the self-assessment. The SPU will support the self-assessment and can advise on individual cases based on the questions included in the self-assessment tool. In cases of substantiated concerns or a negative advice by the SPU, the case will be passed on to the HRAC for discussion.

2 Human Rights Due Diligence Assessment Process

2.1 Triggers and process

1. **Current institutional strategic partnerships**

As mentioned earlier, UM is required to conduct an internal overview of all partnerships that carry knowledge security risks. UM will add current institutional partnerships that carry human rights risks to this overview, based on an HRDD assessment.

Process to be followed

The assessment process of current ISPs is based on the following steps:

Step 1.

- (i) In consultation with the EB and the HRAC, the SPU decides for which countries in which UM has institutional strategic partners an initial country analysis will be conducted; and
- (ii) the SPU discusses these initial country analyses with the HRAC, which decides whether a detailed country assessment needs to be performed by the committee based on the country assessment tool (template part I). The SPU informs the UM community which country will be assessed, including how members of the community can get in touch to share relevant input.
- (iii) The HRAC determines if, according to the country assessment, there are serious indications that in a certain country international crimes or serious violations of human rights are taking place in a given country.

If so:

Step 2.

- (i) The SPU shares a list of partnerships in the relevant countries with faculty directors, who review the list and ensure completeness;
- (ii) the SPU categorises the partnerships as ISP, not ISP, unclear (“grey area”);
- (iii) the SPU shares the categorised list with UM Legal Affairs for their advice on grey area cases;
- (iv) the SPU discusses the list with the HRAC, which decides which partnerships need to be assessed.
- (v) the list and selection of partnerships to be assessed is shared by SPU with the EB for information;

Step 3.(optional)

If the HRAC determines that, according to the country assessment, there are serious indications that international crimes or serious violations of human rights are taking place in a given country, the UM EB may contact the partner’s Executive Board to notify the partner institution that UM will carry out an HRDD assessment.

Step 4.

The HRAC assesses partners’ contribution to international crimes and/or serious violations of human rights, and formulates an advice to the EB.

Step 5.

Legal Affairs provides advice to the EB on the legal possibilities and/or consequences relating to the Committee's advice.

Step 6.

The EB presents the HRAC's findings to the partner, taking into account the advice of Legal Affairs, in order to allow a possibility for a response to these findings.

Step 7.

The EB decides whether to continue, temporarily put on hold, end, renew or not to start or renew a partnership (and, where relevant, under which conditions), based on the Committee's advice, the advice of Legal Affairs, and, where applicable, the partners' response. If the EB deviates from the HRAC's advice, the EB must present substantiated arguments for this deviation.

Step 8.

The EB will again approach the partner to communicate the final decision on whether the partnership will be continued and the considerations upon which this decision is based on.

Step 9.

The EB's decision and motivation and the HRAC's advice will be published internally on UMPLOYEE and via student communication lines. The EB may choose to publish the partners' response alongside this communication.

The EB will decide on a case-by-case basis whether, and in what form, external communication will take place, taking into account advice from Legal Affairs and Marketing & Communications. In making this decision, the EB may consider factors such as the level of public interest, potential legal and reputational risks, and the interest of the university and its stakeholders.

Step 10.

If the EB decides to end or not to start the partnership, the partnership will, in principle, be suspended for at least one year. After that year, until the moment when a new partnership initiative has been proposed with this institution, a new HRDD assessment will have to be completed, after which the EB will decide (based on the advice of the HRAC) that a partnership may be initiated.

2. Entering into new institutional strategic partnerships or partnership renewal

Process to be followed

The assessment process of new ISPs and partnership renewals includes the following steps:

Step 1: Analysis at country level by the Sensitive Partnership Unit

- The SPU makes an initial assessment of the human rights risks involved in given country. It will conduct research to find the data needed for the HRDD country and partner assessment (data on the partner institution will only be collected when there are grounds for initiating an HRDD

assessment at the country level) and submit the partnership case and research findings to the HRAC.

- The HRAC determines whether there are sufficient indications to proceed with an HRDD assessment at partner level.

Step 2. Assessment by the HRAC:

- The HRAC carries out the country and partner assessment by answering the questions in the country and partner assessment tool (template part I and part II), considering the case, and formulating its advice.
- The HRAC submits its advice to the EB.
- Legal Affairs provides advice to the EB on the legal possibilities and/or consequences relating to the HRAC's advice.

Step 3. Decision by the Executive Board:

- The EB presents the HRAC's findings to the partners in order to allow a possibility for a response to these findings.
- The EB takes the final decision on whether to start, renew, or not to start or renew the partnership (and, where relevant, under which conditions), based on the HRAC's advice, the advice of UM Legal Affairs, and, where applicable, the partner's response.
- If the EB deviates from the HRAC's advice, the EB must present substantiated arguments for this deviation.

Step 4. Communication and publication of the decision and motivation

- The EB will approach the partner to communicate the final decision on whether the partnership will be started or renewed and the considerations upon which this decision is based.
- The EB decision and motivation and the HRAC's advice will be published internally on UMPLOYEE and via student communication lines.

The EB will decide on a case-by-case basis whether, and in what form, external communication will take place, taking into account advice from Legal Affairs and Marketing and Communications. In making this decision, the EB may consider factors such as the level of public interest, potential legal and reputational risks, and the interests of the university and its stakeholders.

3. Changes in the geopolitical situation

The SPU will – on a regular basis – monitor the changing human rights situations in the world, as is already being done with a view to monitoring the safety of UM students and staff who are studying or working abroad. The SPU may raise a concern on a country during its scanning of worldwide developments. The SPU can also be a trigger, as it may bring cases to the HRAC.

4. A staff member considering working with a new partner

A staff member who is considering working with a new partner but is insecure on the potential consequences for human rights issues, may ask for non-binding *advice* by contacting the SPU. The process is as following:

- The staff member contacts the SPU for advice.
- The staff member conducts a self-assessment of the *activity* by applying the individual activity assessment and submits the self-assessment to the SPU.

The SPU then makes an initial assessment of the risks involved in a partnership. Only when the SPU finds the signals credible, the partnership case is submitted to the HRAC for a full assessment.

5. A whistle blower

A whistle blower – i.e. a staff member, student or external stakeholder – can trigger a HRDD assessment when raising a human rights concern about a partner. These cases first go to a credibility check by the SPU. The unit functions as a ‘gatekeeper’, making an initial assessment of the risks involved in a partnership. Only when the SPU finds the signals credible, the partnership case is submitted to the HRAC for a full assessment. At the moment when the partnership case is submitted to the HRAC, the Committee informs the EB and the UM community (via Umployee and student communication channels) that the partnership case will undergo a HRDD assessment.

3 Human Rights Due Diligence Assessment Committee

A UM Human Rights Due Diligence (HRDD) Assessment Sub-Committee (hereafter, 'the Human Rights Advisory Committee' - 'HRAC') will be established to carry out the assessment and provide advice. The mandate, composition, selection and working procedures of the Committee are as follows.

3.1 Mandate

1. The Committee has an advisory role on whether to start/renew/continue an ISP or not, both to the EB and FBs, and to the Principal Investigator (or other type of UM staff member) involved in an individual activity.
2. Evaluate whether a partner is involved in violations falling under the HRDD framework.
3. During its research and assessment work, the Committee has the mandate to:
 - a. Gather relevant information from all UM staff and bodies;
 - b. Access documentary and correspondence that the Committee deems necessary;
 - c. If deemed necessary, the Committee can consult internal or external *ad hoc* experts. These *ad hoc* experts may include translators. The formulation of the final advice will be the sole responsibility of the five-member Committee (these additional *ad hoc* experts have a purely advisory role to the Committee);
 - d. Decide that it will not assess a case, based on a clear explanation of the reasons behind this decision.
4. The EB takes the final decision on whether to start, end or continue an ISP. If the EB deviates from the Committee's advice, the EB must present substantiated arguments for this deviation (as is the case with the workings of the UM knowledge security advisory committee and framework).

The EB will communicate its decision and substantiated motivation directly to the relevant stakeholders, the UM community (via Umployee and student communication lines), and – where relevant – to the person who indicated the concern about the partnership.

5. The EB will decide on a case-by-case basis whether, and in what form, external communication will take place, taking into account advice from Legal Affairs and Marketing and Communications. In making this decision, the EB may consider factors such as the level of public interest, potential legal and reputational risks, and the interests of the university and its stakeholders.

3.2 Composition

1. The Committee consists of five members, including a Chair and an ethical expert. The ethical expert – who is also a member of the UM Knowledge Security and Fossil industries Sub-Committees – functions as a permanent member of the HRAC to guarantee alignment in approach and in the ways in which (ethical) considerations and advice are being shaped. Also, the secretary that supports this

committee, will also support the other two subcommittees and the overarching committee on sensitive partnerships.

2. The Committee must be broadly and diversely composed, and represent the different disciplines at UM as much as possible. Permanent members have at least expertise in international and human rights law, research integrity and/or ethics, political and social sensitivity. While not all UM faculties can be represented in the Committee simultaneously (to avoid the Committee becoming too large), an effort will be made to have diverse faculty representation in the Committee. If the request relates to partnerships involving one of the Committee members (and thus a potential conflict of interest), that member will abstain from participating in the substantive review.

3.3 Selection and terms of office

1. The Committee members are nominated by the EB on the basis of an open application procedure. The open application procedure is initiated and coordinated by the SPU in collaboration with relevant units within the UM. The EB submits the proposed list of members to the Board of Deans for advice. After advice of the Board of Deans, the EB takes the final decision on which members are appointed. The EB may dismiss a committee member after proof of serious and consistent malfunctioning, preceded by a careful process in which this is assessed.
2. The Committee is supported by a Secretary (who is also Secretary of the Knowledge Security and Fossil industries Sub-Committees).
3. The ethical expert is appointed for a term of five years, with the possibility of one renewal for a three-year term. The other four Committee members are appointed for a term of three years; their Committee membership can be renewed with a one three-year term.
4. In case a committee member leaves the Committee, whether or not at their own request, the EB can select another member to join the Committee, following an open application process.

3.4 Working procedures

1. The Committee may receive input from the UM community.
2. The Committee members decide on the advice by majority vote.
3. The Committee follows the same principle as Knowledge Security Assessment Committee: “Yes, unless.....”.
4. The response time for submitting an advice is dependent on the scope of the partnership case, the number of partnership cases in different countries that are requested within the same time frame, and on the available capacity in terms of staff time. However, considering the sensitive nature of the

committee's work and the impact on potential partners, the final advice should be provided within a reasonable time frame.

5. The Committee will develop a further set of working principles and will submit these to the EB for approval. UM Legal Affairs will be contacted by the Committee and provide the Committee with advice on the working principles before they are submitted to the EB. Considerable additions or changes to the *scope of violations* and/or *type of partnerships* as presented in this document, or on the country, partner and individual activity tools (see further on) may be proposed by the Committee, but need formal approval by the EB, after advice by the Management Team and the University Council.

3.5 Tasks Sensitive Partnerships Unit

The SPU will have the task to:

- Conduct research that can support the Committee in answering the questions in the assessment tools, and send their fact findings to the HRAC.
- Identify geographical areas where international crimes and/or serious violations of human rights may be taking place, and where UM collaborations should undergo an HRDD assessment.
- Address incoming individual and/or voluntary assessment requests, only submitting them for advice by the HRAC if deemed necessary by the SPU.
- Provide general secretarial and logistical support to the Committee.
- Coordinate the process for the recruitment of new HRAC members.
- Facilitate communication to and from the HRAC, including gathering input and feedback and supporting communication between the Committee and the organisation.
- Raise UM-wide awareness of the importance and existence of the HRDD assessment framework.

4 Human Rights Clause in contracts

Following an Executive Board decision (based on memo C25.03092_RB), all contracts, including new contracts, renewals of existing contracts and adapted contracts with academic and non-academic partners include a human rights clause.

This clause is intended to provide a ground for termination, including in cases where there have been credible indications that either party is involved in international crimes and/or a serious violations of human rights.

The wording of this clause is governed by separate EB decisions rather than by this framework. The EB decision referred to above, together with any future decisions on this topic, determines the wording, application, possible exemptions, and any mandate to amend the clause.

Legal Affairs is further developing the (wording of the) human rights clause and its application, including by preparing lists of contract types for which it is or is not suitable. Any resulting decisions by the Executive Board will determine the future application of the clause.

5 Evaluation

The first version of this framework was approved by the UM EB in February 2025. Following a one-year pilot phase (2025-2026) and an initial evaluation conducted by MUO-IO, with contributions from relevant internal stakeholders, including the HRAC, the SPU, Legal Affairs, M&C, and the EB, this revised version of the framework has been agreed in April 2026.

Going forward, the HRDD framework will be subject to periodic evaluation, conducted at least every three years. The evaluation is initiated by the UM International Office. Each evaluation will, at a minimum, take into consideration the following conceptual and operational elements:

- a. Working with one core committee, consisting of three sub-committees: what works well, and what should be improved and why?
- b. The assessment process: what works well and what does not work well. What should be improved, and how?
- c. The dialogues with the partner Executive Board: how did these go, and what did we learn from these dialogues?
- d. The scope of violations we encountered in the cases that have been assessed.
- e. The scope of partnerships we included.
- f. How many (and what kinds of) cases did the HRAC assess, and what does this mean for the workload of staff involved?
- g. Are staff members able to conduct the (voluntary) HRDD self-assessment in a meaningful and efficient way? Is there a need for our researchers to have clearer indicators on which steps to take, and when?

6 List of abbreviations

EB	Executive Board
FB	Faculty Board
F	Fossil
HRAC	Human Rights Advisory Committee
HRDD	Human Rights Due Diligence
ICC	International Criminal Court
ISP	Institutional Strategic Partnership
KV	Knowledge Safety
MT	Management Team
MUO-AA	Maastricht University Office, Department of Academic Affairs
NGO	Non-Governmental Organisation
OCW	<i>Onderwijs, Cultuur en Wetenschappen</i>
SPU	Sensitive Partnerships Unit
TISK	<i>Toetsingskader Internationale Samenwerking en Kennisveiligheid</i> (Assessment Framework International Cooperation and Knowledge Security)
UM	Maastricht University
UN	United Nations

7 Endnotes

¹ For the TISK Framework (consisting of 4 documents), see <https://umpleyee.maastrichtuniversity.nl/en/research/research-support-um-wide/knowledge-security-yes-unless%E2%80%A6>.

² The Management Team consists of the Executive Board and the Deans.

³ Examples from other universities and organisations include:

- [Human Rights Impact Assessment Guidance and Toolbox](#), The Danish Institute for Human Rights
- [Human Rights Policy and Assessment Framework, KU Leuven](#), Belgium
- [Human Rights Policy and Assessment Framework, Ghent University](#), Belgium
- [The overarching Flemish Human Rights Assessment framework](#), VLIR, Flanders (NL and ENG versions)

⁴ The templates that are part of the UM HRDD Framework include:

- Template Part I: HRDD Country Assessment Tool,
- Template Part II: HRDD Partner Assessment Tool, and
- Template Part III: HRDD Individual Activity Assessment Tool (voluntary).

⁵ See <https://www.icc-cpi.int/about/how-the-court-works>.

⁶ The Subcommittee members will be asked to further define and delineate the scope of violations falling under the category ‘serious violations of human rights’