



**Global Status  
of Engagement in Reporting to the  
UN Committee on the Rights of the Child**

**Child Rights Connect**

**July 2019**

## **Acknowledgments**

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This study constitutes a considerable piece of Child Rights Connect's institutional memory, whose history is linked to child rights developments and the work of the UN Committee on the Rights of the Child.

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## Executive Summary

Since the establishment of the Committee, Child Rights Connect (formerly the NGO Group for the Convention on the Rights of the Child) has been the strategic partner of the Committee and the Office of the High Commissioner for Human Rights (OHCHR) for the engagement of civil society in the reporting cycle. Its role is to strengthen the capacity of children's rights defenders, including children, to use the CRC reporting cycle as an advocacy tool and in connection with other relevant UN human rights entry points. It also has a unique position that allows it to collect experiences and feedback from national level, draw lessons and recommendations, and channel them back to the Committee in order to improve the space for civil society engagement. Its approach is to maximize the potential of the Child Rights Connect network to empower children's rights defenders in a sustainable way and with multiplying and long-term effect in order to influence and use the UN human rights system for change at national level.

The main goal of the review is to help Child Rights Connect to become more effective in discharging its mission; in particular, its core function of reinforcing children's rights advocacy on the national and regional level by empowering children's rights defenders worldwide to engage with the Committee, the other Treaty Bodies and the broader human rights system through information, knowledge and collaboration.

The main objective of this review is to provide a solid basis for the members of Child Rights Connect to jointly develop a new CRC reporting strategy, which will be a key component of the implementation of the Child Rights Connect Strategy 2020-2024. The CRC reporting strategy should establish effective coordination between the Secretariat of Child Rights Connect and its members, build and strengthen national coalitions through the creation of Child Rights Connect National and Regional Hubs, develop and implement regional and country focused actions, build members' technical knowledge and empowerment capacity and use the CRC reporting in connection to the broader work of the Committee and other UN human rights mechanisms.

### **Key Findings in relation to Engagement with the Convention on the Rights of the Child**

#### **Strong worldwide network of NGOs**

Child Rights Connect is a global network working for the realization of children's rights which advocates for and supports the full implementation of the CRC by convening and engaging with civil society and other relevant actors, fostering cooperation and empowering children's rights defenders, including children, to meaningfully participate in global advocacy for children's rights at different levels. In many countries, national coalitions were initially established through the initiative of members of the NGO Group and some members of Child Rights Connect are active members of national coalitions and in some cases are providing technical and/or financial support national coalitions. The network continues to expand its reach and build links at national, regional and international levels and members are

encouraged to act as regional or national hubs and support regional and national sharing, learning and coordination of actions as appropriate.

### **The establishment of strong national coalitions of NGOs**

Although many national coalitions were formed in response to the need for an alternative report to the Committee, today, national coalitions are the main actors engaging in CRC reporting by conducting comprehensive monitoring of the implementation of the Convention and its Optional Protocols as well as advocacy activities at national level and by submitting information to the Committee through alternative or supplementary reports.

### **Increase in child participation**

Although children have been participating in reporting to the Committee since 1994, the adoption of guidelines in 2011 for NGOs and children on involving children in the reporting process provided much needed direction and led to a substantial increase in children being involved in reporting, particularly in ensuring that their views were included in NGO reports being submitted to the Committee. Child participation has not been limited to written reports as children have used video reports, remote meetings, webcasts and other creative methods in order to make their views known to the Committee. Children's reports have been based on a number of different methodologies including interviews, questionnaires and group discussions.

### **Regular State and civil society reporting**

92% of States are reporting to the Committee on time or within four years of their due date. Civil society reports have been submitted on over 95% of all countries.

### **Evidence of positive impact of civil society engagement**

Impact assessments have shown that recommendations made by civil society were generally included in the Committee's concluding observations. A series of case studies on follow-up activities conducted by NGOs provide examples on the cyclical approach to engaging in the reporting process of the Committee and the use the Committee's recommendations in national level advocacy work.

### **Provision of awareness raising, technical assistance and capacity**

The Secretariat of Child Rights Connect supports NGOs, national children's rights coalitions, and children to participate in the reporting cycle through awareness raising, technical advice, as well as capacity building, including on CRC reporting and follow-up in order to link the recommendations of the Committee to national advocacy plans. Members of Child Rights Connect are also carrying out capacity building on children's rights.

## **Challenges in relation to Engagement with the Convention on the Rights of the Child**

### **Lack of updated and comprehensive information on the existence and functioning of national coalitions around the world**

The last mapping of children's rights coalitions was carried out in 2002. There is also a need to map Child Rights Connect's national outreach capacity in order to determine where support could be provided to national coalitions.

### **Lack of stability and sustainability of national coalitions**

Many national coalitions are faced with institutional and operational challenges, such as finding ways to maintain dynamic networks over an extended period of time. This is particularly true for coalitions formed around a specific issue. There remains a lack of participation, inputs or representation of marginalized groups such as girls, children with disabilities, younger children, children in remote areas, children in poor families, minority or indigenous children, refugee and asylum seeking children and children in detention amongst others, in national coalitions.

### **Lack or limited engagement in countries where civil society is weak and civil society space is restricted**

Few reports arrive from national NGOs or national children's rights coalitions in countries where civil society is weak. In terms of civil society reporting in smaller countries, reports are more often submitted by only one national NGO rather than a coalition or group of NGOs. Often these NGOs do not report more than once. Regionally, there are fewer national civil society reports from African and Asian-Pacific countries than from other regions. The submission of reports from national NGOs in a State where the space for civil society is closed or restricted is even more limited. In this case, the Committee has come to depend on reports from regional or international NGOs, who are often reporting with a focus on a fewer number of rights and, in certain instances, with a political bias.

### **Competition and lack of coordination at national level**

Traditionally, the NGO Group relied on members of the Group to initiate the formation of coalitions at national level and requested that the sections, offices and partners of members of the NGO Group collaborate at national level in order to prepare one comprehensive report for the Committee. However, coalitions sometimes struggle with different members' interests and agendas, a lack of trust and common objectives and a lack of strategy and credibility. In some countries, there is more than one national children's rights coalition with members of Child Rights Connect supporting competing coalitions. The lack of coordination at national level often leads to repetition of issues being presented and makes it more difficult to identify the key issues of concern in a country.

### **Increase in number and variety of reports and type of submitter**

Years of experience has shown that a group of NGOs working together to write one comprehensive report allows for more effective monitoring at national level due to the specialized knowledge of members and the variety of points of view that may be represented. Yet even when coalitions exist and function well, additional reports are submitted by national NGOs who bypass the coalition in order to ensure that their organization or their views are recognized by the Committee. The lack of cooperation and agreement around national priorities has also led to an increase in the number of reports being submitted by national NGOs. In addition, over time, there has been an increase in the number of international NGOs who submit information, mostly of a thematic nature, directly to the Committee. The increase in the number of reports has meant that rather than the national level setting out the priority concerns, the Committee must make this determination.

### **Lack or limited participation of children, especially child led initiatives, and lack of quality engagement of children**

National coalitions recognized early on the importance of enabling children to be full participants in advocating for their rights, but few had any experience in this area. Some national coalitions have however worked closely with children and tried to integrate their views into their reports. Although there has been an increase in child participation in the reporting process, it continues to remain limited and is rarely child led.

### **Lack of ongoing engagement, particularly on follow-up**

Although reporting is presented as a continuous cycle, there is still limited engagement at national level on the follow-up to the concluding observations. Although coalitions often come together to prepare a report, the absence of an advocacy strategy often causes coalitions to dissolve between reports. The terms of reference of coalitions do not always include a follow-up component which is budgeted from the start and individual organizations are often too specialized to see the whole picture and make connections. In addition, the national context is not necessarily easily linked to the international level. There are limited advocacy tools for national level follow-up, limited efforts to document and share knowledge and lessons learned, and a lack of comprehensive monitoring mechanisms to measure the effectiveness of advocacy work.

### **Lack of internal capacity and institutional knowledge within Child Rights Connect**

There is a need to maintain a team of committed staff to carry out long-term capacity building both amongst members of Child Rights Connect and at national level. There is a need for sufficient and well trained staff in order to develop tools, carry out capacity building activities, identify, document and share good practices and share expertise through trainings and webinars.

## Conclusions

Child Rights Connect's historical role is to strengthen the capacity of civil society organizations, including children, to use the CRC reporting cycle as an advocacy tool in order to achieve positive change at national level. This has been done through awareness raising, technical advice, capacity building and financial support. By working in close collaboration with its members and maximizing the potential of the network, Child Rights Connect can empower children's rights defenders in a sustainable way and with multiplying and long-term effects.

In order to achieve effective CRC reporting, the following needs to occur at national level:

- National coalitions are strong and inclusive and speak with one voice with members reinforcing each other's work
- National coalitions engage in the full reporting cycle based on a long-term advocacy plan
- National coalitions use the CRC reporting cycle with the awareness of and engagement in the Committee's other areas of work such as individual communications, general comments, days of general discussion, Committee elections, and child participation
- National coalitions use CRC reporting in connection with other UN human rights mechanisms including other treaty bodies, Universal Periodic Review, Human Rights Council, Special Rapporteurs and the Sustainable Development Goals (SDG) and with regional mechanisms
- National coalitions and other actors empower children through CRC reporting and the Committee's standards to become human rights defenders
- Children of different ages, backgrounds and regions define their own way of engaging in CRC reporting and other UN mechanisms and empower their peers
- National coalitions partner with key stakeholders (such as bar associations, judges' associations, academia, media, the business sector) to reinforce competencies and capacities
- National coalitions partner with key stakeholders, such as national mechanisms for reporting and follow-up, human rights NGOs, national human rights institutions, Ombudspersons, UNICEF, OHCHR, and other relevant UN agencies
- National coalitions use the SDG framework to advance the realization of children's rights
- National coalitions institutionalize learnings and good practices from CRC reporting experiences and share it with other coalitions

The development of a CRC Reporting Strategy would allow Child Rights Connect to build on what already exists and assist children's rights defenders to move towards this ideal. The strategy should establish effective coordination between the Secretariat and its members, build and strengthen national coalitions through the creation of Child Rights Connect National and Regional Hubs, develop and implement regional and country focused actions, build members' technical knowledge and empowerment capacity, and use the CRC reporting in connection to the broader work of the Committee and other UN human rights mechanisms.



## **Recommendations for Child Rights Connect**

Establish effective coordination between the Child Rights Connect Secretariat and members and improve coordination by:

- Mapping Child Rights Connect's national outreach capacity
- Mapping the work of children's rights defenders at national level
- Mapping existing resources on a regional level and identifying needs and challenges in order to develop capacity building programs

Build/Strengthen national coalitions by creating Child Rights Connect national and regional hubs in order to:

- Support the building of national coalitions in countries without any
- Strengthen coalitions which suffer from institutional and operational instability
- Pilot children's participation or advance children's participation from consultative to child-led

Develop and implement regional/country focused actions by:

- Developing online tools
- Carrying out in-country capacity building activities through cooperation with other partners
- Identifying, documenting and sharing good practices, as well as challenges, including on a regional basis
- Conducting impact studies

Build Child Rights Connect members' technical knowledge and empowerment capacity by:

- Identifying topics which need further development
- Sharing expertise through trainings and webinars organized jointly with the Child Right Connect Secretariat and members/national hubs/regional hubs
- Exchanging existing resources within and amongst regions
- Conducting trainings of trainers
- Carrying out thematic workshops in collaboration with Child Rights Connect working groups

Use CRC reporting in connection with the broader work of the Committee and other UN mechanisms to:

- Promote strategic engagement at the national level of other UN mechanisms
- Develop resources, tools, advice and capacity building to identify opportunities and priorities for linking the different mechanisms to CRC reporting

## Introduction

The Committee on the Rights of the Child (Committee) is the United Nations (UN) treaty body with the highest number of ratifications and reporting states. It also has the highest level of civil society participation in the UN treaty body system. Even countries which rarely report at international level – either because they have not ratified the treaties or because they do not send their periodic reports to the treaty bodies – are involved in reporting to the Committee. The Convention on the Rights of the Child (CRC) is therefore an important entry point for the human rights accountability of States.

Since the establishment of the Committee, Child Rights Connect (formerly the NGO Group for the Convention on the Rights of the Child)<sup>1</sup> has been the strategic partner of the Committee and the Office of the High Commissioner for Human Rights (OHCHR) for the engagement of civil society in the reporting cycle. Its role is to strengthen the capacity of children’s rights defenders, including children, to use the CRC reporting cycle as an advocacy tool and in connection with other relevant UN human rights entry points. It also has a unique position that allows it to collect experiences and feedback from national level, draw lessons and recommendations, and channel them back to the Committee in order to improve the space for civil society engagement. Its approach is to maximize the potential of the Child Rights Connect network to empower children’s rights defenders in a sustainable way and with multiplying and long-term effect in order to influence and use the UN human rights system for change at national level.

2019 marks thirty years since the adoption of the CRC. Child Rights Connect wishes to seize this unique momentum to take stock of progress and shortfalls of engagement with the CRC and use it as a basis for an internal discussion on how to become more impactful and effective, together as a network, particularly in the implementation of its 2020-2024 strategic plan in relation to CRC Reporting.

The main goal of the review is to help Child Rights Connect to become more effective in discharging its mission; in particular, its core function of reinforcing children’s rights advocacy on the national and regional level by empowering children’s rights defenders worldwide to engage with the Committee, the other Treaty Bodies and the broader human rights system through information, knowledge and collaboration.

The main objective of this review is to provide a solid basis for the members of Child Rights Connect to jointly develop a new CRC reporting strategy, which will be a key component of the implementation of the Child Rights Connect Strategy 2020-2024. The CRC reporting

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<sup>1</sup> Child Rights Connect was originally formed in 1983 as the informal Ad Hoc NOG Group for the Drafting of the Convention on the Rights of the Child. From 1983 to 1988, members of the NGO Group were actively involved in the drafting of the CRC. After the CRC was adopted in 1989, the group became the NGO Group for the Convention on the Rights of the Child, a network of international NGOs working together to facilitate the monitoring and implementation of the CRC. In 2013, the name of the organization was changed to Child Rights Connect in order to better reflect the organization’s work of bringing together actors from national, regional and international levels to advance child rights through engagement with the UN human rights system. Throughout this document, both the NGO Group (1989-2013) and Child Rights Connect (2013 to present) are used.

strategy should establish effective coordination between the Secretariat of Child Rights Connect and its members, build and strengthen national coalitions through the creation of Child Rights Connect National and Regional Hubs, develop and implement regional and country focused actions, build members' technical knowledge and empowerment capacity and use the CRC reporting in connection to the broader work of the Committee and other UN human rights mechanisms. In order to achieve this, this review will systematize and add to the knowledge that already exist in the network.

Taking into consideration all the steps and entry points of the reporting cycle, from alternative reports to follow-up and advocacy activities, this review will provide an overview of the status of the CRC reporting engagement along with a mapping of the main developments in terms of progress and gaps, both in relation to the process and impact of the CRC reporting. This will be used as a starting point to explore solutions to identified challenges and obstacles from the point of view of the network. An additional objective of this review is to provide a basis for further in-depth analysis of topics relevant for the network. The results of this and any subsequent reviews will also be used externally to inform work with our partners, such as the Committee, or raise awareness of the wider public.

# Overview of Key Changes in the Working Methods of the Committee on the Rights of the Child on Reporting

## I. State Party Reporting

The Convention on the Rights of the Child (CRC) establishes in Article 43(1) a Committee on the Rights of the Child (Committee) “for the purposes of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the... Convention”. Article 44(1) sets out that “States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized therein and the progress made in the enjoyment of those rights: a) Within two years of the entry into force of the Convention for the State Party concerned; b) Thereafter every five years.” Article 44(2) states that reports submitted to the Committee shall “indicate factors or difficulties, if any, affecting the degree of fulfilment of the obligations under the...Convention” and shall contain “sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.”<sup>2</sup>

### Initial Reports under the CRC

At its 1st session (1991), the Committee adopted guidelines regarding the form and content of initial reports.<sup>3</sup> The guidelines grouped the articles of the Convention into eight different sections; general measures of implementation, definition of the child, general principles, civil rights and freedoms, family environment and alternative care, basic health and welfare; education, leisure and cultural activities; and special protection measures. States parties were requested to provide information about the factors and difficulties encountered and progress achieved, as well as implementation priorities and specific goals for the future, and were encouraged to provide relevant statistical information and indicators.

In these initial guidelines the Committee noted that the report preparation process was an opportunity to conduct a comprehensive review of the measures taken to harmonize national law and policy with the CRC and to monitor progress made in the enjoyment of the rights set out in the CRC. The process should also encourage and facilitate civil society participation and public scrutiny of government policies. The Committee noted that the reporting process served as “an essential vehicle for the establishment of a meaningful dialogue” between the State party and the Committee.

### Periodic Reports under the CRC

During its 13<sup>th</sup> session (1996), the Committee adopted guidelines regarding the form and contents of periodic reports. The guidelines requested that periodic reports provide information on measures adopted by the State and changes which have occurred in

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<sup>2</sup> [Convention on the Rights of the Child](#), adopted by the General Assembly on 20 November 1989, entered into force on 2 September 1990

<sup>3</sup> [General Guidelines on the Form and Content of Initial Reports Submitted by States Parties under Article 44, Paragraph 1\(a\), of the Convention](#), CRC/C/5, 30 October 1991

legislation and practice at the national, regional and local levels and, where appropriate, at the federal and provincial levels; the progress achieved in the enjoyment of children's rights; the factors and difficulties encountered in the full implementation of the CRC and steps taken to overcome them; and plans envisaged to improve further the realization of the rights of the child. The reports should include information on the areas of concern identified by the Committee and the measures adopted as a follow-up to the suggestions and recommendations made during the examination of the previous report. In accordance with Article 44(3) of the CRC, the guidelines stressed that periodic reports did not need to reflect basic information previously provided in the initial reports. Reports should however clearly reference information previously transmitted and indicate the changes that may have occurred during the reporting period.

The guidelines maintained the cluster system, but requested from States detailed substantive information on every article of the CRC.<sup>4</sup> The Committee requested that States focus on a limited range of issues in their periodic reports, in particular those issues identified in the concluding observations adopted by the Committee in relation to the previous report.<sup>5</sup> The Committee stressed that the main objectives of the periodic report were to assess the positive and negative trends and changes regarding the status of children during the period covered by the report; the consideration given by the State party to the concluding observations adopted by the Committee in relation to the previous report and the follow-up to the suggestions and recommendations addressed by the Committee to the State party; and to define future action and measures required to improve the situation of children.<sup>6</sup>

The guidelines were extremely detailed and States that attempted to respond to all the information requested were submitting reports well over 200 pages. At the 30<sup>th</sup> session (2002), the Secretariat pointed out that the length of certain State party reports was creating budgetary problems in terms of translation and reproduction of documents. In addition, a number of Committee members felt that the reports contained too much detailed information which was not always relevant to the work of the Committee. Others argued, however, that the detailed reports allowed members to evaluate the situation of children in a country.<sup>7</sup> The Committee decided to review the guidelines for periodic reporting in order to encourage States not to submit over lengthy reports. They requested that States submit reports that were "concise, analytical and focus on key implementation issues" not exceeding 120 pages and that the reports focus on the factors and difficulties, measures taken to implement the Committee's concluding observations and fundamental developments in the State party.<sup>8</sup>

During the 40<sup>th</sup> session (2005), the revised guidelines for periodic reporting were adopted. The revised guidelines requested that for each cluster (rather than each article) the State party provide information regarding concrete measures taken to follow-up on the previous concluding observations; information on comprehensive national programs; allocation of

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<sup>4</sup> [General Guidelines Regarding the Form and Contents of Periodic Reports](#), CRC/C/58, 20 November 1996

<sup>5</sup> [Report on the sixteenth session](#), CRC/C/69, 26 November 1997

<sup>6</sup> [Report on the seventeenth session](#), CRC/C/73, 17 February 1998

<sup>7</sup> Internal Report, NGO Group for the Convention on the Rights of the Child, Report of the 30<sup>th</sup> session, 5 July 2002

<sup>8</sup> [Report on the thirtieth session](#), CRC/C/118, 3 September 2002

budgetary and other resources; statistical data; and factors and difficulties affecting the implementation of the CRC.<sup>9</sup> Section II of the guidelines set out the substantive information required under the CRC which served to remind States as to which articles should be covered under the various clusters. A detailed annex requested statistical information that the Committee wanted States to provide under each cluster.

During the 55<sup>th</sup> session (2010), the reporting guidelines were again revised to take into account developments made to harmonize guidelines on reporting to the international human rights treaty bodies. State party reports were to be composed of two parts; a common core document and a document that related to the implementation of the CRC and its Optional Protocols. The revised guidelines complemented the guidelines on a common core document and integrated information on the implementation of the Optional Protocols. The Common Core document was to provide general information about the State, the general framework for the protection and promotion of human rights, as well as information on non-discrimination, equality and effective remedies. Information contained in the common core document should not be repeated in the treaty-specific document, but States could cross-reference the Committee to information provided in the common core document.<sup>10</sup> The treaty specific report, which was limited to 60 pages, should make specific reference to the previous recommendations of the Committee and include details on how the recommendations were addressed in practice. Explanations for non-implementation of recommendations, principal obstacles encountered and measures envisaged to overcome these obstacles should be provided. The guidelines also noted that the report should cover the period between the consideration of the previous periodic report and the submission of the current report. The Annex to the guidelines enumerated the specific statistical information and data under each article that the Committee would like to receive.<sup>11</sup>

A new cluster on violence against children was added during the 62<sup>nd</sup> session (2013) and the guidelines were revised once again during the 68<sup>th</sup> session (2015) in order to reflect the new cluster on violence against children and to update references to general comments. Sections on the two optional protocols were also added as the majority of States needed to incorporate information on the optional protocols into their periodic report. In keeping with the General Assembly Resolution on treaty body strengthening,<sup>12</sup> the guidelines limit State party reports to 21,200 words. The treaty specific document should contain information according to the clusters and should indicate progress made and challenges encountered and provide specific information on actions taken to implement the recommendations in the Committee's previous concluding obligations as they relate to each cluster of rights.<sup>13</sup>

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<sup>9</sup> [General guidelines regarding the form and content of periodic reports](#), CRC/C/58/Rev.1, 29 November 2005

<sup>10</sup> [Compilation of guidelines on the form and content of reports to be submitted by States parties to the international human rights treaties](#), HRI/GEN/2/Rev.6, 3 June 2009

<sup>11</sup> [Treaty-specific guidelines regarding the form and content of periodic reports](#), CRC/C/58/Rev.2, 25 November 2010

<sup>12</sup> [Strengthening and enhancing the effective functioning of the human rights treaty body system](#), General Assembly, Resolution 68/268, 9 April 2014

<sup>13</sup> [Treaty-specific guidelines regarding the form and content of periodic reports](#), CRC/C/58/Rev.3, 3 March 2015

## Initial Reports under the Optional Protocols

At its 28<sup>th</sup> session (2001), the Committee adopted guidelines for the initial reports under the Optional Protocol on the involvement of children in armed conflict (OPAC).<sup>14</sup> States parties were asked to provide information on legislative, administrative or other measures taken to give effect to the rights set out in OPAC. The guidelines followed an article by article structure and requested detailed information on practice as well as legislation. At its 46<sup>th</sup> session (2007), the Committee adopted revised reporting guidelines for initial reports under OPAC.<sup>15</sup> The revised guidelines group the articles into six sections: general measures of implementation; prevention of the recruitment and use of children in hostilities; criminalization of these practices and related matters; protection of the rights of child victims; international assistance and cooperation; and other relevant provisions of national or international law.<sup>16</sup>

At its 29<sup>th</sup> session (2002), the Committee adopted guidelines for initial reports under the Optional Protocol on the sale of children, child prostitution and child pornography (OPSC).<sup>17</sup> The guidelines requested States to provide information on existing criminal or penal laws and procedures including in terms of jurisdiction extradition and seizure and confiscation; measures adopted to protect the rights and interests of child victims; policies and programs aimed at prevention; and information in the area of international assistance and cooperation.

In its early experiences with reports being submitted under the OPSC, the Committee found that the information provided by States parties was often incomplete and not relevant (for example focused on sexual abuse). In addition, many States seemed to equate the sale of children with trafficking. The Committee therefore decided, as a matter of urgency, to revise the guidelines for initial reports.<sup>18</sup> At its 43<sup>rd</sup> session (2006), the Committee adopted revised reporting guidelines for initial reports under OPSC in order to clarify the information and data needed to understand and evaluate the progress made in implementing OPSC. The revised guidelines were more detailed than those previously adopted and included an annex which provided additional “guidance” on definitions, references to relevant international conventions and treaties, and details as to the type of information the Committee was seeking. The revised guidelines focused on: data collection; general measures of implementation; prevention of the sale of children, child prostitution and child pornography; criminalization of these practices and related matters; protection of the rights of child victims;

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<sup>14</sup> [Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict](#), CRC/C/OPAC/2, adopted by the General Assembly on 25 May 2000, entered into force 12 February 2002

<sup>15</sup> [Report on the forty-sixth session](#), CRC/C/46/3, 22 April 2008

<sup>16</sup> [Revised Guidelines regarding initial reports to be submitted by States parties under Article 8, paragraph 1 of the Optional Protocol to the Convention on the Rights of the Child on Children in Armed Conflict](#), CRC/C/OPAC/2, 19 October 2007

<sup>17</sup> [Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography](#), CRC/C/OPSC/2, adopted by the General Assembly on 25 May 2000, entered into force 18 January 2002

<sup>18</sup> Internal Report, NGO Group for the Convention on the Rights of the Child, Report of the 43<sup>rd</sup> Session, 19 October 2006

international assistance and cooperation; and other relevant provisions of national or international law.<sup>19</sup>

In light of developments in the digital environment as well as the increased knowledge and experience developed with regards to the sale and sexual exploitation of children since the adoption of OPSC, the Committee decided at its 81<sup>st</sup> session (2019) to adopt Guidelines on the implementation of OPSC in order to foster a deeper understanding of the substantive provisions of this Optional Protocol to enable its better implementation by States parties.<sup>20</sup>

### List of Issues

At its 2<sup>nd</sup> session (1992), the Committee decided to establish a pre-sessional working group meeting to identify the main questions to be discussed with representatives from States parties. It thought that it would facilitate the task of States Parties if a list of the main issues that might be raised during the consideration of reports was provided to States in advance<sup>21</sup> and would facilitate a “constructive dialogue” with States.<sup>22</sup> The list of issues was transmitted to States with a note informing them that the list was not intended to be exhaustive and “should not be interpreted as limiting or in any other way prejudging the type and range of questions” that Committee members might ask. Responses to the list of issues were requested in writing and in advance of the session, to allow for them to be translated into the working languages of the Committee. The Committee decided that pre-sessional meetings were not open to the public and there were to be no formal records of the meetings.<sup>23</sup> This was meant to allow for a certain level of confidentiality and permit non-governmental organizations (NGOs) and UN agencies to speak freely.<sup>24</sup> One maximum three hour meeting was dedicated to each country on the Committee’s agenda.

During its 26<sup>th</sup> pre-sessional meeting (2000), the Committee decided to reduce the list of issues to a limited number of strategic questions which would then be used as the basis for discussions with the State party. The State was given a list of approximately ten major issues that it was asked to prepare to discuss orally. The State was only requested to provide in writing data and statistics, responses to questions regarding general measures of implementation and an update with regards to new bills or enacted legislation, new institutions, newly implemented policies and newly implemented programs. It was hoped that by limiting the number of questions, it would reduce the vast amount of information provided to the Committee at the last minute.<sup>25</sup>

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<sup>19</sup> [Revised Guidelines regarding initial reports to be submitted by States parties under Article 12, paragraph 1 of the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography](#), CRC/C/OPSC/2, 3 November 2006

<sup>20</sup> Guidelines on the implementation of OPSC, February 2019 (not yet available)

<sup>21</sup> [Report on the second session](#), CRC/C/10, 19 October 1992

<sup>22</sup> [Report on the third session](#), CRC/C/16, 5 March 1993

<sup>23</sup> Overview on the Reporting Procedures, [Report on the seventh session](#), CRC/C/34, 8 November 1994

<sup>24</sup> A Guide for Non-Governmental Organizations Reporting to the Committee on the Rights of the Child, NGO Group for the Convention on the Rights of the Child, 1998

<sup>25</sup> Internal Report, NGO Group for the Convention on the Rights of the Child, Report of the 25<sup>th</sup> session, October 2000



The structure of the list of issues was again revised at its 54<sup>th</sup> pre-sessional meeting (2010) to request that the State respond in writing to questions on selected issues to clarify issues with regards to legislation, policies and programs. The State party was also asked to update their report in terms of new laws, institutions, policies, programs and action plans, and recent ratifications of human rights instruments and to provide specific data and statistics. The Committee noted that the list of issues covered only some priority questions on which the Committee would like additional information before the dialogue. Responses to the list of issues by States are now limited to 10,700 words.

For the initial reports under the Optional Protocols, the list of issues contains a series of questions on which further clarification is sought.

The Committee initially established a system of country rapporteurs to act as focal points for introducing and coordinating the dialogue with the State, but this was discontinued due to what was considered to be pressure and lobbying from States parties. Due to the growing backlog of reports, the Committee decided at its 21<sup>st</sup> session (1999) to reestablish this system and began appointing two of its members to act as country rapporteurs to lead the discussions with the State party.<sup>26</sup> Other Committee members followed the country rapporteurs with their own comments or observations and raised additional questions with the delegation. The Committee currently appoints either two country rapporteurs or a task force made up of four to five members to lead the dialogue during the country pre-session and the plenary session with the State party. The rapporteurs/task force is responsible for the preparation of the dialogue with the State party, “with a view to encouraging members of the Committee to avoid both repetition and gaps in coverage”.<sup>27</sup> Other Committee members may raise supplementary questions if necessary.

### **Meetings and composition of the Committee**

The Committee was formed in 1991 following the first elections. It met for one two-week session in 1991 and 1992 to develop its working methods. Beginning in 1993, the Committee was granted two sessions a year of three weeks as well as two one-week pre-sessional working group meetings. In 1994, it requested and was granted an additional “special session” preceded by a pre-sessional working group meeting. Following a request by the Committee, three sessions a year were held as from 1995.

In a working paper at its 3<sup>rd</sup> session, the Committee discussed the possibility of increasing the membership of the Committee from ten to eighteen members, “like the majority of the other human rights treaty bodies”.<sup>28</sup> In May 1995, the government of Costa Rica proposed that Article 43(2) be amended to increase the membership of the Committee from ten to eighteen members.<sup>29</sup> The amendment was adopted at a States parties meeting and approved by the

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<sup>26</sup> Internal Report, NGO Group for the Convention on the Rights of the Child, Report of the 21<sup>st</sup> session, July 1999

<sup>27</sup> [Guidance note for States parties on the constructive dialogue with the human rights treaty bodies](#), A/69/285

<sup>28</sup> [Report on the third session](#), CRC/C/16, 5 March 1993

<sup>29</sup> [Consideration of the Amendment to Article 43, Paragraph 2 of the Convention](#), proposed by Costa Rica under Article 50, Paragraph 1, of the Convention, 1 November 1995

General Assembly in December 1995.<sup>30</sup> In November 2002, the amendment to Article 43(3) entered into force and in May 2003, the first session with 18 members took place.<sup>31</sup>

Due to a two year backlog of periodic reports and faced with the submission of initial reports under the Optional Protocols, the Committee decided at its 34<sup>th</sup> session (2003) that it would consider the reports of States parties in two parallel chambers, each consisting of 9 members of the Committee, taking into account equitable geographical distribution.<sup>32</sup> The General Assembly agreed to allow the Committee to work simultaneously in two chambers during 2006<sup>33</sup> in order to increase the working capacity of the Committee and decrease the existing backlog of reports. The Committee was divided into two chambers and States reports were assigned to chambers on a random basis by lottery.

During its 48<sup>th</sup> session (2008), the Committee decided again to request to work in two chambers for a period of four sessions due to an almost three-year delay between submission of reports and their consideration by the Committee. The General Assembly agreed to allow the Committee to work in two parallel chambers for three sessions during 2010.<sup>34</sup> The Committee considered the reports in two parallel chambers, each consisting of nine members, taking into account equitable geographical distribution.<sup>35</sup> During its 56<sup>th</sup> session (2011), the Committee again decided to request to work in two chambers at one of its three annual sessions every year in order to address the backlog and encourage timely reporting. The General Assembly agreed to allow the Committee to work in two parallel chambers during two sessions in 2015.<sup>36</sup>

In the context of strengthening treaty bodies, the General Assembly decided to adopt a flexible allocation of meeting time for treaty bodies. Meeting time was to be based on a mathematical formula which took into consideration the meeting time needed for State party reviews (ongoing as well as addressing the backlog), meeting time needed for the examination of individual communications (ongoing as well as addressing the backlog) and a standard two weeks for other mandated activities. As a result of this resolution, the Committee was allocated three additional weeks of meeting time in 2016 and one additional week of meeting time in 2017.<sup>37</sup> The meeting time was to be analyzed every two years and adjusted according to the current backlog. By meeting in chambers, the Committee managed to stabilize its pending reports at around 40 and did not require any additional meeting time in 2018-2019.

Although States parties meet on a biennial basis to elect new members of the Committee, it is rare that other matters are discussed at these meetings. During its 32<sup>nd</sup> session (2003), the Committee held its first informal meeting with States parties to the CRC in order to review procedures and answer questions with regards to changes in country reporting procedures

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<sup>30</sup> [Amendment to Article 43\(2\) of the Convention on the Rights of the Child](#), adopted 12 December 1995, entered into force 18 November 2002

<sup>31</sup> [Report on the thirty-third session](#), CRC/C/132, 23 October 2003

<sup>32</sup> [Report on the thirty-fourth session](#), CRC/C/133, 14 January 2004

<sup>33</sup> The Committee worked in parallel chambers for sessions 41 and 42

<sup>34</sup> The Committee worked in parallel chambers for sessions 53, 54 and 55

<sup>35</sup> [Report on the forty-third session](#), CRC/C/48/3, 16 November 2009

<sup>36</sup> The Committee worked in parallel chambers for sessions 68 and 69

<sup>37</sup> The Committee worked in parallel chambers for sessions 71 and 74

and the expansion of the Committee's membership to deal with the backlog of reports. Since then, the Committee has held a total of eleven meetings with States parties,<sup>38</sup> generally to discuss working methods. Following a recommendation by the General Assembly that treaty bodies organize discussions on matters related to the implementation of each treaty,<sup>39</sup> informal meetings with States parties have been scheduled on an annual basis since 2016.

## Plenary Session

For initial reports, the Committee hoped that with the “factual situation largely clarified in writing”, the dialogue would focus on progress achieved and factors and difficulties encountered in the implementation of the CRC.<sup>40</sup> For periodic reports, the Committee stressed that the main objective was to assess the positive and negative trends and changes regarding the status of children during the period covered by the report; to assess the consideration given by the State party to the concluding observations adopted by the Committee; and to define future action and measures required in order to improve the situation of children and ensure a better enjoyment of their rights.<sup>41</sup> State party reports have always been examined in open and public meetings of the Committee. Summary records are issued and the press are free to attend.

Initially, the Committee allocated nine hours for an initial report and six for a periodic report but, due to an increasing backlog of reports, starting at its 23<sup>rd</sup> session (2000), the Committee reduced the examination of initial reports to six hours. At first, the Committee examined each cluster independently, then it began grouping the clusters together so that questions were asked in three groups, general measures of implementation, definition of a child and general principles in one group, civil rights and freedoms and family environment and alternative care in a second and education, health and special protection measures in a third. Starting in 2006, the Committee began by asking questions on the first four clusters and just before the lunch break asking questions on the remaining four clusters. Since its 65<sup>th</sup> session (2014), the examination of reports generally takes place in two sessions of three hours over two consecutive working days with questions on the first five clusters being asked at the beginning of the afternoon of the first day and questions on the remaining four clusters being asked at the end of the afternoon of the first day in order to give the State party “reasonable time” to answer the questions posed by Committee members.<sup>42</sup>

At its 39<sup>th</sup> session (2005), the Committee decided that initial reports received under the Optional Protocols that are submitted at the same time as a regular periodic report would be considered at the session at which the regular periodic report is considered. Additional time would be allocated if the State submitted reports under both Optional Protocols. Due to the backlog of reports, the Committee decided that if the State was only party to OPAC, the initial

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<sup>38</sup> Informal meetings with States parties were organized at the [32<sup>nd</sup>](#) (2003), [35<sup>th</sup>](#) (2004), [41<sup>st</sup>](#) (2006), [44<sup>th</sup>](#) (2007), [50<sup>th</sup>](#) (2009), [56<sup>th</sup>](#) (2011), [69<sup>th</sup>](#) (2015), [71<sup>st</sup>](#) (2016), [74<sup>th</sup>](#) (2017), [77<sup>th</sup>](#) (2018) and [80<sup>th</sup>](#) (2019) sessions of the Committee.

<sup>39</sup> [Strengthening and enhancing the effective functioning of the human rights treaty body system](#), General Assembly, Resolution 68/268, 9 April 2014

<sup>40</sup> Overview on the Reporting Procedures, [Report on the seventh session](#), CRC/C/34, 8 November 1994

<sup>41</sup> [Report on the seventeenth session](#), CRC/C/73, 17 February 1998

<sup>42</sup> Report of the Chairs of the human rights treaty bodies, [Guidance note for States parties on the constructive dialogue with the human rights treaty bodies](#), A/69/285, 11 August 2014

report would only be considered at a regular session of the Committee if the State was facing or had recently faced serious difficulties in respecting and implementing the provisions of OPAC. For other States, the Committee offered a choice of an examination in writing (technical review)<sup>43</sup> or one at a regular session. If the State was only party to the OPSC, the initial report would be examined by the Committee during a regular session.<sup>44</sup> The Committee currently examines an initial report under the Optional Protocols over a three hour time period with each report being considered separately. If the initial reports are submitted at the same time as a periodic report, an extra three hours are granted to consider one or both of the reports under the Optional Protocols.

During its 64<sup>th</sup> session (2013), the Committee became the first treaty body to conduct the examination of a State party report<sup>45</sup> via video link. In order to facilitate wider participation in the dialogue with treaty bodies, the General Assembly requested that States parties be provided an opportunity to participate in the consideration of their reports by videoconference.<sup>46</sup> The Committee has since reviewed via video link the report of one Pacific island State during its 76<sup>th</sup> session (2017) and three Pacific island States during its 77<sup>th</sup> session (2018).

Based on an initiative of a group of NGOs active to support the work of different treaty bodies, Child Rights Connect provided a live webcast in the most relevant language of the examination of State party reports from the 60<sup>th</sup> to the 72<sup>nd</sup> session of the Committee. As from the 73<sup>rd</sup> session (2016), live webcasts of the examination of State party reports, as well as the opening and closing meetings, are carried out by UN Web TV.<sup>47</sup> As from the 75<sup>th</sup> session (2017), the webcast is done in English and the national language, even if it is not a UN language.

## **Concluding Observations**

The Committee decided during its 2<sup>nd</sup> session (1992) that it would issue concluding observations at the end of the consideration of each report that reflect the main points of discussion and indicate issues that require a specific follow-up. The concluding observations were to follow a common structure with a general introduction, progress achieved, factors and difficulties impeding the implementation of the CRC, principal subjects of concern, and finally suggestions and recommendations.<sup>48</sup> The Committee decided to adopt written concluding observations during a closed meeting and to make them public on the last day of the Committee session. Once adopted, they were made available to the State party.<sup>49</sup> Since 2014, the concluding observations are adopted on the last day of the session, then on the following Monday an “advance courtesy copy” is sent to the State party for factual verification

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<sup>43</sup> The last time that a technical review was offered under OPAC was in 2008.

<sup>44</sup> [Report on the thirty-ninth session](#), CRC/C/150, 21 December 2005

<sup>45</sup> [Initial Report of Tuvalu](#), 20 September 2013

<sup>46</sup> [Strengthening and enhancing the effective functioning of the human rights treaty body system](#), General Assembly, Resolution 68/268, 9 April 2014

<sup>47</sup> [UN Web TV](#), The United Nations Live & On Demand

<sup>48</sup> [Report on the second session](#), CRC/C/10, 19 October 1992

<sup>49</sup> Overview on the Reporting Procedures, [Report on the seventh session](#), CRC/C/34, 8 November 1994

and given 24 hours to respond. The concluding observations are then made public, generally in conjunction with a press conference.<sup>50</sup>

As from its 20<sup>th</sup> session (1999), the Committee changed the format of its concluding observations. Instead of having a section on principal subjects of concern and another on suggestions and recommendations, it combined the two categories. This meant that the concern was listed and was immediately followed by a recommendation to address the concern. During the 21<sup>st</sup> session (1999), this technique was further refined with the subjects of concern and recommendations being listed by cluster. During the 22<sup>nd</sup> session (1999), sub-headings under each cluster were introduced.

The Committee agreed in 2014 to follow the format of concluding observations proposed by the meeting of the chairs and to work to reduce the word length of concluding observations by 20% from the current average length.<sup>51</sup> At its 73<sup>rd</sup> session (2016), the Committee adopted a new format for concluding observations for States appearing before the Committee for the third or any consecutive time. While emphasizing the importance of all recommendations, the Committee draws the State party's attention to a maximum of six areas in respect of which urgent measures must be taken. The Committee provides context paragraphs with its concerns before the recommendations only for the topics requiring urgent measures. For the other topics, the Committee tries to integrate its concerns in the recommendations. The section of follow-up has been shortened and the Committee no longer mentions non-child rights instruments and legislation. The aim of the new format is to produce more action oriented recommendations and to improve their quality while reducing their length.<sup>52</sup> In 2017, the average word length of the concluding observations was around 6,500 words, down from an average of over 9,000 words in 2014.<sup>53</sup>

The Committee established a follow-up procedure in 1993 in order to request progress reports on specific issues within a deadline set out in the concluding observations. This procedure was discontinued in 1999 due to its extensive backlog of reports and the "significant role" that UNICEF was playing at national level in the follow-up to the concluding observations.<sup>54</sup> The Committee currently does not have a formal follow-up procedure which provides for the periodic assessment of the implementation of certain recommendations. Rather, the Committee expects to receive written information on the follow-up measures taken by the State party to address the issues of concern identified in the previous concluding observation in its next report. Requests for technical assistance are transmitted to relevant agencies and bodies.<sup>55</sup>

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<sup>50</sup> [Identifying progress achieved in aligning the working methods and practices of the treaty bodies](#), HRI/MC/2018/3, 2018

<sup>51</sup> [Decision No. 11](#), Follow-up of resolution 68/268 on strengthening and enhancing the effective functioning of the human rights treaty body system, A/71/41, 19 September 2014

<sup>52</sup> [Report of the Committee on the Rights of the Child](#), General Assembly, A/73/41, 2018

<sup>53</sup> [Identifying progress achieved in aligning the working methods and practices of the treaty bodies](#), HRI/MC/2018/3, 2018

<sup>54</sup> [Procedures of the human rights treaty bodies for following up on concluding observations, decisions and views](#), HRI/MC/2017/4, 2017

<sup>55</sup> Committee on the Rights of the Child, [Working Methods](#)

## Periodicity of Reporting

The CRC sets out in Article 44 (1) that States must report within two years after the entry into force of the Convention and thereafter periodic reports are to be submitted every five years. However, by 2002, the Committee was faced with the reality that many States were presenting their initial reports when their periodic report was already overdue.<sup>56</sup> In order to deal with this situation, the Committee decided during its 29<sup>th</sup> session (2002) that when a periodic report was due within the year following the dialogue with the Committee, the State would be requested to submit that report combined with the next one. When the next report was already due at the time of the dialogue and the following report was due two years or more after the dialogue, the State was requested to combine the two reports at the time when the next report was due. The Committee stressed that these rules applied as an “exceptional measure” in order to allow the State to respect the “strict reporting periodicity” foreseen in Article 44(1) of the CRC.<sup>57</sup>

At its 32<sup>nd</sup> session (2003), the Committee decided to inform States parties in the concluding observations of the deadline for the submission of their next report. In order to further reduce the lengthy time period between submission of a State party report and its consideration by the Committee, the Committee decided that when a periodic report was due between one and two years following the dialogue that the State should submit a consolidated report 18 months before the due date of the following report. Once again, this rule was an “exceptional measure, for one time only”.<sup>58</sup>

At its 55<sup>th</sup> session (2010), the Committee decided that States would systematically be informed of the next due date for their reports in their concluding observations. This date would normally be five years after the date of the Committee’s adoption of concluding observations. For States parties whose reports were delayed, the Committee would continue to allow combined periodic reports.<sup>59</sup>

## Non-Reporting

In the case of persistent non-reporting, the Committee may decide to consider the situation in a country in the absence of a report, on the basis of all available information. The State party would be notified in advance about such a decision.<sup>60</sup> At its 17<sup>th</sup> session (1998), the Committee decided that, although the rules of procedure of the Committee state that representatives of the State shall be invited to attend the meeting, it had the right to examine reports “even in the absence of a positive reaction on the part of the State party” in order to “enable the Committee to meet its mandate and heavy workload expeditiously and efficiently.”<sup>61</sup>

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<sup>56</sup> <sup>56</sup> Internal Report, NGO Group for the Convention on the Rights of the Child, Report of the 29<sup>th</sup> session, 1 March 2002

<sup>57</sup> [Report on the twenty-ninth session](#), CRC/C/114, 14 May 2002

<sup>58</sup> [Report on the thirty-second session](#), CRC/C/124, 23 June 2003

<sup>59</sup> [Decision No. 9](#) of the Committee on the Rights of the Child on periodicity and format adopted at its fifty-fifth session, 1 October 2010

<sup>60</sup> Overview on the Reporting Procedures, [Report on the seventh session](#), CRC/C/34, 8 November 1994

<sup>61</sup> [Report on the seventeenth session](#), CRC/C/73, 17 February 1998

At its 29<sup>th</sup> session (2002), the Committee sent a letter to six States parties whose initial reports were due in 1992 and 1993, requesting them to submit their report within one year and at its 33<sup>rd</sup> session (2003), the Committee sent similar letters to an additional two States whose initial reports were due in 1994. The States were informed that should they not report within one year, the Committee would consider the situation of child rights in the State in the absence of the report.<sup>62</sup> At its 37<sup>th</sup> session (2004), the Committee sent letters to the twelve remaining States with overdue initial reports requesting that they submit their overdue reports. Unlike in previous years, the Committee did not threaten these States with examination in the absence of a report if the report was not received within a year. No report has ever been considered in the absence of a report or in the absence of a delegation, with the exception of a few technical reviews under OPAC, and the Committee no longer sends reminder letters to non-reporting States. Instead, reporting compliance by States parties is addressed on an annual basis at the meeting of the Chairs of the human rights treaty bodies.<sup>63</sup>

### **Simplified Reporting Procedure**

The Committee made the simplified reporting procedure (SRP) available to States parties whose reports were due from September 2019 onwards through quarterly invitations with the first invitations being issued in November 2016. More recently, States with reports overdue for more than 10 years have also been offered the SRP. Under the SRP, States are not required to submit both a report and responses to the list of issues. Instead, the Committee sends to the State party a request for specific information, known as the List of Issues Prior to Reporting (LOIPR) containing up to 30 questions. The aim of the LOIPR is to provide an outline for the State party review that is focused and effective. The LOIPR asks the State party to provide information about measures and developments relating to the implementation of the CRC and, if they have already submitted an initial report, the Optional Protocols. It also allows the State party to mention any other issue it considers relevant. The State is requested to submit its replies to the LOIPR one year after the adoption of the LOIPR and the State party's replies to the LOIPR constitute the State party's report to the Committee. The word limit for the State party report is 21,200 words.<sup>64</sup>

The first LOIPR were adopted at the 80<sup>th</sup> pre-sessional working group meeting (2018). In Section I, the LOIPR requested that the State party provide information on new developments and any other information that the State party considers relevant, including information on obstacles and challenges faced. Section II requests specific information under each cluster and the Optional Protocols (if ratified), often with sub-questions. Section III requests specific statistical information and disaggregated data. As the replies to the LOIPR constitute a report, once submitted it can be immediately scheduled for consideration.

States deciding not to use the simplified reporting procedure are reviewed under the standard reporting procedure and submit their report in accordance with the treaty specific guidelines regarding the form and content of periodic reports.

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<sup>62</sup> [Report on the twenty-ninth session](#), CRC/C/114, 14 May 2002

<sup>63</sup> [Decisions and Recommendations](#), 25<sup>th</sup> Chairpersons Meeting, 2013

<sup>64</sup> Committee on the Rights of the Child, Simplified Reporting Procedure, [Information note for States parties](#)

## Communications Procedure

At its 62<sup>nd</sup> session (2013), the Committee adopted rules of procedure under the Optional Protocol on a communications procedure (OPIC).<sup>65</sup> At its 70<sup>th</sup> session (2015), the Committee adopted working methods to deal with communications received under OPIC, as well as a model form for filing a complaint.<sup>66</sup> The working methods were revised by the Working Group on communications in 2017. The working methods set out separate ways of dealing with communications submitted by children and those submitted by adults. All communications submitted by children are forwarded without delay to the working group on communications, including those that appear to be *prima-facie* inadmissible. Confirmation of receipt will be sent within two weeks and responses to letters received from children will be drafted using child-friendly language. Communications from adults are first screened by the Petitions Unit which can reject those that are *prima-facie* inadmissible. Although the Committee or its working group may receive relevant written information and/or documentation from third parties which may assist in the examination of the communication, third-parties are not considered parties to the communication.<sup>67</sup> The Committee publishes a table with pending cases on OPIC to encourage third party interventions.<sup>68</sup> The Committee also set out guidelines in accordance with Article 6(1) of OPIC for interim measures that are necessary in exceptional circumstances to avoid possible irreparable damage to the victim or victims of alleged violations.<sup>69</sup>

## II. Civil Society Reporting

During its 1<sup>st</sup> session (1991), the Committee adopted rules of procedure which allowed representatives of other competent bodies to participate in public or private meetings of the Committee or its subsidiary bodies, when invited by the Committee to do so (rule 34). The Committee also decided that it could invite other competent bodies to provide it with expert advice on the implementation of the CRC in areas falling within their mandates (rule 70) and to transmit to other competent bodies reports and information received from States parties that contain a request or indicate a need for technical advice or assistance (rule 74).<sup>70</sup>

At its 2<sup>nd</sup> session (1992), the Committee adopted a decision on sources of information where it encouraged United Nations bodies, specialized agencies and other competent bodies to provide the Committee with relevant information concerning each State party whose report is scheduled to be considered by the Committee “in order to foster the effective implementation of the Convention”.<sup>71</sup> The Committee also suggested that an “informal technical advisory group” be created with representatives from UN bodies, specialized agencies and other competent bodies.

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<sup>65</sup> [Rules of Procedure under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure](#), CRC/C/62/3, 16 April 2013

<sup>66</sup> [Model Form for submission of individual communications to the Committee on the Rights of the Child under OPIC](#), 2 October 2015

<sup>67</sup> [Working methods to deal with individual communications received under OPIC](#), 2 June 2017

<sup>68</sup> [Table of pending cases before the Committee on the Rights of the Child](#)

<sup>69</sup> [Guidelines for Interim measures under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure](#), 2019

<sup>70</sup> Rules of Procedure, CRC/C/4, 1991

<sup>71</sup> [Report on the second session](#), CRC/C/10, 19 October 1992



Starting at its 1<sup>st</sup> pre-sessional working group meeting (December 1992), the Committee was assisted in developing the list of issues by the informal technical advisory group composed of UN bodies, specialized agencies and other competent bodies. The draft list of issues were “revised and supplemented on the basis of observations and comments made at the meetings”.<sup>72</sup> The technical advisory group was only operational for two pre-session meetings as instead national NGOs began to participate in the pre-sessional working group meeting in 1993 to provide expert advice to the Committee.

At its 4<sup>th</sup> session (1993), the Committee held a working meeting with the NGO Group on the Convention on the Rights of the Child to discuss “the important contribution” national coalitions might play in the implementation of the CRC.<sup>73</sup> At its 5<sup>th</sup> session (1994), the Committee stressed that cooperation with non-governmental organizations was “an essential element of the implementation process of the Convention” in light of its “comprehensive national approach”.<sup>74</sup> At its 8<sup>th</sup> session (1995), the Committee acknowledged the crucial role played by the NGO Group in enhancing the system of promotion and protection of children’s rights through the comprehensive national approach followed by the Committee.<sup>75</sup>

### **Written Information from Civil Society**

During its 2<sup>nd</sup> session (1992), the Secretariat of the Committee was requested to prepare a country file for the pre-session containing relevant information on each of the countries being examined and encouraged UN bodies and specialized agencies, non-governmental organizations and other competent bodies to submit relevant information concerning each State party whose report was scheduled to be considered by the Committee.<sup>76</sup> In preparation for the examination of its first initial reports during its 3<sup>rd</sup> session (1993), the Committee received written comments on the initial reports of Sweden (Save the Children Sweden) and on Bolivia (national coalition). The Committee placed “special emphasis” on receiving relevant documentation from UN bodies and agencies and from non-governmental organizations, both domestic and international.<sup>77</sup>

At its 7<sup>th</sup> session (1994), the Committee established that the working group may invite representatives from non-governmental organizations to attend the pre-sessional working group meeting to provide information.<sup>78</sup> During its 8<sup>th</sup> session (1995), the Committee noted that NGOs “contributed to strengthening the capacity to use the reporting process at national level as an occasion to mobilize attention on the situation and rights of children, while ensuring a serious assessment of progress and difficulties encountered”. NGOs were encouraged to provide expert advice to the Committee, and submit reports, documentation or other information, both in writing or orally. Their cooperation during the pre-session “proved to be essential”. Committee therefore decided that NGOs would be invited to the pre-session with a view to provide “expert advice”.<sup>79</sup>

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<sup>72</sup> [Report on the second session](#), CRC/C/10, 19 October 1992

<sup>73</sup> [Report on the fourth session](#), CRC/C/20, 25 October 1993

<sup>74</sup> [Report on the fifth session](#), CRC/C/24, 8 March 1994

<sup>75</sup> [Report on the eighth session](#), CRC/C/38, 20 February 1995

<sup>76</sup> [Report on the second session](#), Recommendation 2, CRC/C/10, 19 October 1992

<sup>77</sup> Overview on the Reporting Procedures, [Report on the seventh session](#), CRC/C/34, 8 November 1994

<sup>78</sup> Overview on the Reporting Procedures, [Report on the seventh session](#), CRC/C/34, 8 November 1994

<sup>79</sup> [Report on the eighth session](#), CRC/C/38, 20 February 1995

NGOs were to be provided with information as to which countries had submitted reports, when they were scheduled for consideration by the Committee, and a time-limit for the submission of written information. State party reports would be made available upon request.<sup>80</sup> Recently, a word limit for NGO reports has been set at a maximum of 20,000 words (about 30 pages) and the organization submitting the report would decide if the report was to be made public or remained confidential. Additional submissions such as comments on the List of Issues and Written Replies or any other relevant resources may be submitted between the pre-session and the session. In 2017, a confidential and secured online platform for children's rights defenders for the effective transmission of written information to the Committee was developed by Child Rights Connect. The Committee requests that all reports by children, NGOs, National Human Rights Institutions and Ombudspersons be submitted electronically through this platform. The information is provided in a confidential manner, except for submissions that are authorized for publication on the OHCHR website.

### **Participation at Pre-sessional Working Group Meetings**

The procedure for participation in the pre-session was set out by the Committee whereby the Committee would address an invitation to attend the pre-session on the basis of written information submitted in advance by international, regional, national or local NGOs. NGOs would be expected to provide factual information on the level of their involvement in the preparation of the State report as well as on the implementation of the CRC.

During its 22<sup>nd</sup> session (1999), the Committee adopted guidelines for the participation of partners (NGOs and individual experts) in the pre-sessional working group meeting. The Committee welcomed written information from international, regional, national and local organizations from individual NGOs or national coalitions or committees of NGOs. The Committee requested that information be submitted two months prior to the beginning of the pre-session and indicate whether they wish the Committee to keep their information or its source confidential. Requests to participate in the pre-session should be submitted two months in advance. Based on the written information, the Committee would issue written invitations to selected NGOs whose information is "particularly relevant" to participate in the pre-session. Priority is given to those who submitted information within the requested time-frame, who are working in the State party and who can provide first-hand information that is complementary to the information already available to the Committee and are able to respond to the questions posed by Committee members. The Committee reserved the right to limit the number of participants in order to engage in a constructive dialogue with all participants. The pre-session is a closed meeting and no observers are allowed to attend.<sup>81</sup> In 2017, the Committee began using video conferencing facilities to allow civil society representatives from national level to participate remotely in the pre-session.

The Committee is currently in the process of revising its guidelines for the participation of civil society organizations in the pre-sessional working group meeting.

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<sup>80</sup> [Report on the eighth session](#), CRC/C/38, 20 February 1995

<sup>81</sup> [Report on the twenty-second session](#), CRC/C/90, 7 December 1999

## **Simplified Reporting Procedure**

The Committee developed specific guidelines for the submission of written reports from stakeholders. Written reports from stakeholders before the LOIPR can be comprehensive (maximum 10,000 words) or thematic (maximum 3,000 words). Comprehensive reports should follow the cluster format of the CRC, but may also be cross-cutting. Submissions from children's own organizations can use other communication formats and when in writing, do not have a word limit.

The reports should identify emerging trends and highlight key issues to be included in the LOIPR, which may or may not be related to the previous concluding observations. The reports should propose a set of questions with contextual information on the issues raised and statistical data, where relevant and available. Stakeholders reports are to be submitted three months before the LOIPR and should clearly state whether they are confidential or public.

When the State party report is received, stakeholders may submit reports or comments on the State party's report as well as questions for the constructive dialogue and proposed recommendations for the State party. Reports are due one month before the Committee's pre-session. The reports can be comprehensive (maximum 20,000 words) or thematic (maximum 6,000 words). Submissions from children's organizations can use multiple formats and when in writing do not have a word limit. The pre-sessional meeting takes place three months before the session and children's organizations and selected stakeholders may be invited to participate.<sup>82</sup>

## **Support to Civil Society Reporting**

In 1993, the NGO Group for the Convention on the Rights of the Child set out to ensure an optimum information flow between the NGO community and the Committee on the Rights of the Child. In light of the decision by the Committee in 1994 to invite NGOs to participate in the pre-sessional working group meeting, the NGO Group decided to identify and facilitate contributions from the NGO community, particularly concerning country reports, and to disseminate widely to the NGO community all relevant documentation from the Committee with particular emphasis on documents, such as the concluding observations, related to the reporting process and on the needs of NGOs at national level. The NGO Group also set out to provide advice to the NGO community on the procedures and methods of work of the Committee and to develop materials in order to enable the NGO community to contribute effectively to the work of the Committee. With the support of a group of international NGOs, particularly Save the Children Sweden and Defence for Children International, a Coordinator was employed in 1994 to enhance cooperation and interaction between the global NGO community and the Committee. In 1996, the NGO Group established a Liaison Unit and employed a second staff member to advise and assist NGOs on ways to monitor the CRC and use it as a tool for promoting children's rights.

Meetings between the Committee and the NGO Group were held on a regular basis to discuss issues of common concern. The NGO Group was requested and provided input into drafts of

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<sup>82</sup> Simplified Reporting Procedure, [Information note for stakeholders](#)

guidelines for periodic and Optional Protocol reporting and worked closely with the Committee in the development of guidelines for civil society reporting. It contributed to the development of the rules of procedure for the Optional Protocol on a communications procedure and the development of the simplified reporting procedure. It continues to meet regularly with the Committee to discuss and provide input on developments in the Committee's working methods. It also works closely with human rights organizations on treaty body strengthening and harmonization in order to represent a child rights position and to draw on best practices.

The NGO Group developed its first Guide for Non-Governmental Organizations Reporting to the Committee on the Rights of the Child in 1994. The Guide was revised in 1998 to include guidelines for periodic reporting and again in 2006 to take into account the revised guidelines and the Optional Protocols. In 2012, Child Rights Connect produced a guide for NGOs and national human rights institutions on the reporting cycle of the Committee on the Rights of the Child. Thematic reporting guides were produced by the NGO Group on NGO reporting on violence against children (2007), on the implementation of the OPSC (2006), and on the OPSC and OPAC (2010). Child Rights Connect launched in 2016 a dedicated frequently asked questions website on engaging in the reporting cycle of the Committee. The website is updated to take into account changes in the Committee's working methods. Guidelines for civil society reporting mirror the guidelines for State reporting and are updated whenever the State guidelines have been modified. The updates also take into account best practices. In order to facilitate participation of national NGOs, particularly national child rights coalitions, at the pre-session, the NGO Group began providing funding in 1994 for one representative from each country to attend the pre-session. Currently, Child Rights Connect provides funding based on the availability of funds.

A briefing handbook was developed in 1999 and has been updated regularly to assist those invited to participate in the pre-session. Targeted briefings and debriefings are provided to civil society organizations and children who are attending the pre-session and sessions of the Committee. The NGO Group also provided training to national and international NGOs on the international processes and mechanisms relevant to children's rights. Trainings were tailored to the needs of each audience to assist them to make the most of their advocacy on children's rights and their engagement with the UN system. More recently, webinars or videoconferencing have been used by Child Rights Connect as part of expert meetings or trainings throughout the world. NGO representatives who attended the pre-sessions were given the opportunity to meet and learn from each other's experience as well as to develop their expertise in follow-up to the concluding observations, involving children in monitoring and using other human rights mechanisms. These Best Practice Exchange Forums<sup>83</sup> combined a training component from experts on how to improve advocacy and incorporated international level advocacy in their national activities with best practices and experiences being shared by the NGO participants.

A database of civil society reports submitted to the Committee was developed in 1995 in collaboration with the Child Rights Information Network (CRIN) and was made public on the internet in 1998. Today, all the public reports submitted by civil society from 1991-2014 can

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<sup>83</sup> The Forums were discontinued in 2016.

be found on the website of Child Rights Connect<sup>84</sup> and all public reports from civil society subsequent to 2014 can be found on the OHCHR website. In 2017, Child Rights Connect developed an online platform for children's rights defenders for the effective transmission of written information to the Committee. A report submission form accompanies the report to include all relevant contact details and to provide consent for the report to be made publicly available on the OHCHR website. The platform also facilitates the participation of civil society at the pre-session by requesting all necessary information on each individual participant to the pre-session.

The NGO Group systematically prepared reports on each country through the 69<sup>th</sup> session (2015). These comprehensive records of the discussions were disseminated to national NGOs from the State under review as well as more broadly to other civil society actors. The reports from the 39<sup>th</sup> session (2005) to the 69<sup>th</sup> (2015) are posted on the website of Child Rights Connect.<sup>85</sup> Between 2010 and 2013, Child Rights Connect also contributed reports to the Human Rights Monitor of the International Service for Human Rights.<sup>86</sup> Since the 74<sup>th</sup> session (2017), Child Rights Connect posts an information pack for each session on its website which contain a short evaluation of the character of the dialogue, the main issues raised and the recommendations of the Committee as well as links to the State party and civil society reports and the concluding observations. For each session, an analysis of how children's participation was addressed by the Committee is also provided. The information pack also includes information on the status of ratifications, general comments, individual communications, and recent activities of the Committee.<sup>87</sup>

In 2017, the group of NGOs who was ensuring the webcast was formalized under the name of TB-Net (the NGO Network for the UN Treaty Bodies). TB-Net is an informal group which comprises the expert NGOs on treaty bodies: Centre for Civil and Political Rights (CCPR Centre), Child Rights Connect, the Global Initiative for Economic, Social and Cultural Rights (GI-ESCR), the International Disability Alliance (IDA), the International Movement Against All Forms of Discrimination and Racism (IMADR), International Women's' Rights Action Watch Asia Pacific (IWRAP-Asia Pacific) and the World Organisation Against Torture (OMCT). TB-Net's mission is to support and enhance the effectiveness of the UN Treaty Bodies as one system so that they can better contribute to the realisation of the human rights of all persons.<sup>88</sup>

### **III. Children's participation in the reporting process**

In 2006, the Committee held a day of General Discussion on the right of the child to be heard. One of the recommendations from the day was that States and NGOs were encouraged to include children directly in the monitoring process of the implementation of the CRC.<sup>89</sup> A study conducted by the NGO Group in 2009 on maximizing children's engagement in the reporting process for the CRC led to the development of a guide for non-governmental

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<sup>84</sup> [Data-base of civil society reports to the Committee on the Rights of the Child](#), 1991-2014

<sup>85</sup> [Summary country reports](#) are available as from the 39<sup>th</sup> session (2005) to the 69<sup>th</sup> session (2015)

<sup>86</sup> [Human Rights Monitor Quarterly](#), International Service for Human Rights

<sup>87</sup> [Information packs](#) are available as from the 74<sup>th</sup> session (2017)

<sup>88</sup> [TB-Net](#), NGO Network on UN Treaty Bodies

<sup>89</sup> [Day of General Discussion on the Right of the Child to be Heard](#), 29 September 2006

organizations accompanying children in CRC reporting<sup>90</sup> and a pocket guide for children and adolescents on CRC Reporting<sup>91</sup> in 2011. The guides were based on the experiences of NGOs and children and were the result of collaboration with the Committee and an international advisory group of NGOs and children who had previously engaged in the reporting process. The NGO Group worked closely with the Committee to develop an overall approach to child participation, as well as specific working methods on child participation in the reporting process.

In 2014, following a retreat on child participation organized by Child Rights Connect, the Committee adopted working methods to define, facilitate and promote meaningful participation and representation of children in the work of the Committee, including in its monitoring functions. The working methods provide children with guidance and a framework for interacting with the Committee, primarily with respect to expressing their own views on the situation of children's rights in their countries and the progress made and challenges faced by their States in implementing the CRC and its Optional Protocols.<sup>92</sup> The Committee noted that child-led organizations or groups fall within the definition of "competent bodies" under Article 45(a). Also, in the general comment on the right of the child to be heard, the Committee recognized the role that child-led organizations and children's representatives play in the reporting process and welcomed written reports and additional oral information submitted by child organizations and children's representatives. In its working methods, the Committee welcomed information from child-led organizations and children's groups such as children's reports, films, studies, photographs and drawings that reflect children's views.<sup>93</sup>

The guidelines set out the nine basic requirements for child participation in the reporting process which were derived from the general comment.<sup>94</sup> The guidelines set out the different methods of participation including children's submissions, either their own or through NGOs, oral presentations during the pre-sessional, private meetings with the Committee during the pre-session, participation in videoconferencing and participation in the plenary sessions. Participation at the pre-session follows similar rules as for non-governmental organizations. In addition to attending the pre-session, children may request a private meeting with the Committee or country rapporteurs which would allow children to have informal interactions with Committee members ("children's meetings"). The Committee may be able to include children based in other locations through video conferencing to enable them to share their views and recommendations. Children may also request an informal meeting with the Committee's rapporteurs or the country task force during the Committee's session before the official review with the State party.

There is a standing working group within the Committee on child participation that works to advance working methods and practices. Since 2014, the Committee sends thank you letters

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<sup>90</sup> [Together with Children – for children](#), A guide for non-governmental organizations accompanying children in CRC reporting, NGO Group for the Convention on the Rights of the Child, 2011

<sup>91</sup> [Guide for non-governmental organizations accompanying children in CRC reporting and A pocket guide for children and adolescents on CRC Reporting](#), NGO Group for the Convention on the Rights of the Child, 2011

<sup>92</sup> [Working methods for the participation of children in the reporting process of the Committee on the Rights of the Child](#), CRC/C/66/2, 16 October 2014

<sup>93</sup> [Working methods for the participation of children in the reporting process of the Committee on the Rights of the Child](#), CRC/C/66/2, 16 October 2014

<sup>94</sup> [General Comment No. 12](#) (2009), The Right of the Child to be Heard, CRC/C/GC/12

to the children who participated in children's meetings. In 2018, the Committee developed an evaluation form for children who meet with the Committee to help the Committee to encourage children to share their views, in order to "learn from them and treat them with respect". Children are asked to rate the meeting on a number of criteria including its structure, the attention provided by Committee members and the Committee member's knowledge of the country. They are also to tell the Committee what they liked most about the meeting, what they like least and how easy it was for them to attend the meeting. There is also a question on how the Committee can improve its meetings. The responses to the evaluation are confidential and are only be shared with the Committee and the Secretariat.

A briefing handbook for children participating in the pre-session of the Committee was developed by Child Right's Connect in 2012.

## Reporting Sessions and Cycles

### I. Status of Ratifications and Reservations

The Convention on the Rights of the Child (CRC) was adopted by the General Assembly of the United Nations on 20 November 1989. By 20 September 1990, it had been ratified by twenty States and entered into force. To date,<sup>95</sup> the CRC has been ratified by 196 States.<sup>96</sup> The only State that has not ratified the CRC is the United States of America which signed the CRC in 1995. In 2009, the US State Department conducted an interagency review of the CRC, but no further action was taken.<sup>97</sup>

Forty-three States have made reservations to the CRC. The most frequently reserved articles are Article 14 on freedom of thought, conscience and religion; Article 37(c) on separation of children and adults deprived of liberty; and Article 21 on adoption.<sup>98</sup> Seven States (Brunei, Iran, Kuwait, Mauritania, Saudi Arabia, Somalia, Syria) have general reservations to the CRC on provisions that are incompatible with the laws of Islamic Shari'a.<sup>99</sup>

The Optional Protocol on the sale of children, child prostitution and child pornography (OPSC) has been ratified by 176 States. Of the 21 States that have not ratified the OPSC, 13 are small island developing countries with 9 from the Pacific (Cook Islands, Fiji, Nauru, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu), 3 from the Caribbean (Barbados, Saint Kitts and Nevis, Trinidad and Tobago) and 1 from the Atlantic, Indian Ocean, Mediterranean and South China Sea (Sao Tomé and Príncipe).<sup>100</sup> The remaining 8 States include 6 from Africa (Cameroon, Ghana, Kenya, Liberia, Somalia, Zambia), 1 from Asia (Singapore) and 1 from Europe (Ireland). Six States (Kuwait, Lao People's Democratic Republic, Oman, Syrian Arab Republic, United Arab Emirates, United States of America) have made reservations to OPSC.

The Optional Protocol on children in armed conflict (OPAC) has been ratified by 168 States. Of the 29 States that have not ratified the OPAC, 18 are small island developing countries with 10 from the Pacific (Cook Islands, Fiji, Marshall Islands, Nauru, Niue, Palau, Papua New Guinea, Solomon Islands, Tonga, Tuvalu), 6 from the Caribbean (Antigua and Barbuda, Barbados, Haiti, Saint Kitts and Nevis, Suriname, Trinidad and Tobago) and 2 from the Atlantic, Indian Ocean, Mediterranean and South China Sea (Comoros, Sao Tomé and Príncipe). The remaining 11 States include 6 from Africa (Equatorial Guinea, Gambia, Liberia, Mauritania, Somalia, Zambia) and 5 from Asia (Democratic People's Republic of Korea, Iran, Lebanon,

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<sup>95</sup> As at 1 July 2019

<sup>96</sup> The United Nations (UN) counts 193 sovereign States as members of the UN and 2 non-member States (Holy See and the State of Palestine). The Cook Islands and Niue are States in free associations with the Realm of New Zealand, and, although not members of the UN, they participate in international organizations and have ratified the CRC.

<sup>97</sup> [US: Ratify Children's Treaty](#), Human Rights Watch, 18 November 2009

<sup>98</sup> Girls Rights Fact Sheet, [Reservations in International Law](#), Plan International, 2017

<sup>99</sup> [Declarations and Reservations](#), UN Convention on the Rights of the Child

<sup>100</sup> Regions are based on [UN Regional Groups of Member States](#) for Africa, Asia-Pacific, and Latin America. For the purposes of this study, the Eastern European and Western European and others Groups have been combined. Small island developing states are divided into [three regions](#).



Myanmar, United Arab Emirates). Two States (Oman, Turkey) have made reservations to OPAC.

Sixteen States have not ratified either of the two Optional Protocols (Barbados, Cook Islands, Fiji, Liberia, Nauru, Niue, Palau, Papua New Guinea, Saint Kitts and Nevis, Sao Tomé and Príncipe, Solomon Islands, Somalia, Tonga, Trinidad and Tobago, Tuvalu, Zambia).

The Optional Protocol on individual communication (OPIC) has been ratified by 44 countries; 25 of which are from Europe, 11 from Latin American and the Caribbean, 6 from Asia-Pacific and 2 from Africa.

Treaty	Ratifications	States with at least one reservation	Non-Ratifications	Comments on non-ratification
CRC	196	43	1	only non-ratification from USA
OPSC	176	6	21	13 from small island developing countries, 6 from Africa, 1 from Asia, 1 from Europe
OPAC	168	2	29	18 from small island developing countries, 6 from Africa, 5 from Asia
OPIC	44	n/a	153	6 ratifications from Asia-Pacific and 2 from Africa

## II. Status of State Reporting

Under Article 44 of the CRC, States parties are obliged to submit an initial report two years after ratification and thereafter every five years. The first initial reports were due in September 1992 and the Committee began examining reports during its third session in March 1993. In total, 796 reports have been submitted to the Committee on the Rights of the Child.<sup>101</sup> There were 565 reports submitted on the implementation of the CRC (initial and periodic), 119 initial reports under the OPAC and 112 initial reports under the OPSC.

Forty-three States have reported regularly<sup>102</sup> to the Committee with 17 coming from Europe and Central Asia, 12 from Asia-Pacific, 10 from Latin America and the Caribbean and 4 from Africa. Four States have submitted 5 periodic reports and the 2 initial reports under the Optional Protocols (Costa Rica, Mexico, Norway, and Sweden).

There are 49 State reports (2 initial and 47 periodic) which are currently overdue. 19 of the overdue reports are from Africa, with an additional 13 being overdue from Europe, 9 being overdue from Asia-Pacific, and 8 being overdue from Latin America and the Caribbean. There are 8 reports overdue between 5 and 10 years, 5 of which are from Africa (Chad, Democratic Republic of the Congo, Equatorial Guinea, Mali, Uganda), 2 from Europe (Liechtenstein,

<sup>101</sup> As at 1 May 2019

<sup>102</sup> Submitted at least 4 periodic reports and 2 initial reports under the Optional Protocols with no overdue reports

Serbia) and 1 from Asia (Malaysia). Of the 8 reports that are overdue for more than 10 years, 6 are small island developing States (Bahamas, Comoros, Dominican Republic, Papua New Guinea, St. Kitts and Nevis, Trinidad and Tobago), 1 from Europe (San Marino) and 1 from Latin America (Belize).<sup>103</sup>

For the OPAC, 42 initial reports are currently overdue, 23 of which are from Africa. 19 initial reports are overdue by more than 10 years (Afghanistan, Bahrain, Belize, Bolivia, Botswana, Cabo Verde, Chad, Dominica, Eritrea, Jamaica, Kenya, Lesotho, Libya, Mali, Mauritius, Mozambique, Namibia, Romania, Togo). For the OPSC, 57 States have failed to submit their initial report, 26 of which are from Africa. 20 reports are overdue between 5 and 10 years and 30 are overdue for more than 10 years.<sup>104</sup>

Seven States with periodic reports overdue for more than five years also had Optional Protocol reports overdue for more than five years (Belize, Chad, Comoros, Dominica, Equatorial Guinea, Mali, San Marino).

State Reports	Total Submitted	Total Overdue	Overdue between 5 and 10 years	Overdue more than 10 years
Initial	194	2	0	0
Periodic	371	47	8	8
OPAC	119	42	12	19
OPSC	112	57	20	30

Overdue Reports	Total	Africa	Asia-Pacific	Latin America and the Caribbean	Europe and Central Asia
CRC	49	19	9	8	13
OPAC	42	23	6	11	2
OPSC	57	26	11	13	7

Although some States should have completed six reporting cycles, the actual maximum number of periodic reports that have been submitted to the Committee is five. This is due to the Committee requesting that periodic reports to be combined (see above section on periodicity). This presents an inaccurate picture of reporting as it appears that 36 States have completed 6 reporting cycles and 1 State has completed 7. The reality is that no State has submitted six periodic reports. In fact, only four States (Costa Rica, Mexico, Norway, Sweden) have submitted five periodic reports. Of the above mentioned 36 States, 21 have actually only submitted four reports and 11 have submitted only three reports. The only State that has completed seven reporting cycles (Angola) has actually only submitted three reports. In 2017, the average gap between reviews by the Committee was 10.2 years with the longest gap being 18 years and the shortest gap being 6 years. In 2018, the average gap was 9.6 years with the longest gap being 17 years and the shortest gap being 7 years.<sup>105</sup>

<sup>103</sup> As at 1 July 2019

<sup>104</sup> As at 1 July 2019

<sup>105</sup> CRC review periodicity in reality 2017-2018, Mikkiko Otani, 2019

### III. Civil Society Reporting

Since 1993, an estimated 4800 reports<sup>106</sup> have been submitted by civil society organizations<sup>107</sup> to the Committee on the Rights of the Child for the examination of 796 State party reports. The number of civil society reports has grown exponentially from 4 reports being submitted in 1993 to 336 reports being submitted in 2017.

It is extremely rare that the Committee does not receive information from civil society for the consideration of periodic reports. In fact, there have been only three countries where no information has ever been received: Comoros, Monaco and St. Kitts and Nevis. There are a number of countries however where there have been no reports submitted by national NGOs. The majority of these countries (10) are in Asia Pacific: Brunei, Iraq, Kiribati, Lao PDR, Marshall Islands, Oman, Niue, Nauru, Papua New Guinea, and the United Arab Emirates and in Africa (6): Djibouti, Equatorial Guinea, Eritrea, Gabon, Libya, Sao Tome and Principe. There are two countries in Europe (Liechtenstein, San Marino) and one country in the Caribbean (Bahamas) where there has never been any information submitted by national NGOs. For all the above mentioned countries, present or past members of Child Rights Connect submitted information to the Committee. These reports were of a thematic nature and mostly covered the areas of corporal punishment, helplines, breastfeeding, child soldiers and asylum seeking and refugee children. Information submitted by non-member international NGOs addressed issues of children with disabilities and child labor. For most countries, reports are being submitted by international NGOs on a regular basis with information from national NGOs or national coalitions being received with less consistency.

A closer examination of civil society reports from a ten year period (2009-2018) shows that for 357 State party reports (CRC-206; OPSC-76; OPAC-75), 1384 civil society reports were submitted to the Committee.

Year	Total Number of Civil Society Reports	Comment
2009	128	
2010	157	two chambers during three sessions
2011	72	
2012	88	
2013	94	
2014	82	
2015	147	two chambers during two sessions
2016	197	three additional weeks meeting time (flexible allocation)
2017	186	one additional week meeting time (flexible allocation)
2018	233	

Although the majority (647) of reports over the ten year period have been submitted by international non-governmental organizations, civil society reports from national level (567)

<sup>106</sup> Reports include alternative reports and additional information.

<sup>107</sup> The total number of reports includes reports submitted by non-governmental organizations, children, national human rights institutions, ombudsmen and individual experts.

were not far behind. Although only 45 reports were submitted by children, an additional 30 reports noted that children had participated in the drafting of the national coalition report. Joint submissions between national and international civil society organizations were fairly prevalent with 84 reports identified as such.

<b>Type of Report</b>	<b>Number of Reports</b>
International NGO reports	647
National Coalition reports	305
National NGO reports	262
Children’s Reports	45
Joint Submissions	84
Other	41

UNICEF was identified as having supported or contributed to civil society reporting in 100 cases. The vast majority (60) involved the participation of a UNICEF National Committee, but civil society organizations thanked UNICEF for providing support to the process in 29 reports, for contributing financially in 4 cases, for contributing (unclear as to how) in 4 cases and as being a member of an international coalition in 3 cases.

Members of Child Rights Connect have been active in leading or actively supporting engagement in civil society reporting in 474 reports. Some members regularly submit information to the Committee which inflates these figures as more than half were submitted by four members. The Global Initiative to End all Corporal Punishment of Children submitted 107 reports, the International Baby Food Action Network (IBFAN) submitted 80 reports, End Child Prostitution Child Pornography and Trafficking (ECPAT) submitted 46 reports and Human Rights Watch submitted 45 reports. Former members of Child Rights Connect who submitted reports to the Committee included Child Helpline (31) and Child Soldiers International (30). In most cases, these reports were submitted by just the one organization, but sometimes were done in collaboration with a national level affiliate.

In terms of reports submitted by national coalitions, Save the Children was the lead organization in 59 reports, Defence for Children in 21 reports, Plan International in 16 reports, World Vision in 14 reports, Terre des Hommes in 5 reports, and SOS Children’s Villages in 5 reports. National Coalition members of Child Rights Connect (Children’s Rights Alliance, Conseil Français des Associations pour les Droits de l’Enfant, DCI Costa Rica, Plataforma de Organizaciones de Infancia, Society “Our Children” Opatija, Together Scotland) were the lead organization in their respective countries.

In addition to leading or actively supporting the engagement of reports, members of Child Rights Connect are often listed as having contributed to the preparation of a report submitted by a national coalition<sup>108</sup> or in a joint submission. Save the Children participated in the elaboration of 85 reports, Plan International in 55 reports, SOS Children’s Villages in 54 reports, World Vision in 47 reports, Defence for Children in 44 reports, and Terre des Hommes in 25 reports. Members who participated in 5 to 10 reports included Anti-Slavery International, ATD Fourth World, ChildFund Alliance, International Catholic Child Bureau,

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<sup>108</sup> Based on available information. Not all reports prepared by national coalitions list their members.

Consortium for Street Children, International Social Service, the Scouts, and War Child. Ten additional members of Child Rights Connect participated in under 5 reports.<sup>109</sup>

#### IV. Children’s Participation in the Reporting Process

The first experience with children participating in a written submission was in the United Kingdom in 1994. Children’s perspectives were included in NGO reports submitted in 1999 on the Netherlands and 2001 on Lesotho, Uzbekistan and the Netherlands Antilles, but it wasn’t until 2002 when the first children’s reports were submitted on Belgium and the United Kingdom. Although there has been an increase in the number of children’s reports, the methodology used most frequently is for NGO reports to the Committee to include a children’s perspective. Between the 18<sup>th</sup> (1999) and 49<sup>th</sup> session (2008), there were 17 children’s reports submitted to the Committee, 6 of which were from the United Kingdom. Children’s perspectives were included in an additional 11 reports. Between the 50<sup>th</sup> session (2009) and the 79<sup>th</sup> session (2018), there were 55 children’s reports and 80 reports that included a children’s perspective. This increase in including a children’s perspective in the civil society report may have been due to the publication in 2011 of two guides focused on facilitating children’s engagement in the CRC reporting process.<sup>110</sup>

Year	Children’s Report	Children’s Perspective
2009	5	0
2010	5	4
2011	1	6
2012	3	7
2013	2	1
2014	7	2
2015	9	11
2016	9	16
2017	10	17
2018	4	16

In 1998, a group of Japanese students gave a presentation during an open meeting (including the media) during the lunch break, but it was in 1999 that children first participated in the pre-sessional working group of the Committee. Three children participated in the meeting on India, one on Mali and four on the Netherlands. The experiences were varied. The children from India made a very short introductory statement and one child answered a few questions. In the case of Mali, the child responded to a few questions, particularly with regards to child participation. The children from the Netherlands prepared a fairly substantial introduction and answered the majority of the questions during the pre-session. Since then children have participated in the pre-sessional working group meeting for 29 countries.

<sup>109</sup> It was only possible to identify affiliates of member organizations with the same name as the member organization.

<sup>110</sup> [Guide for non-governmental organizations accompanying children in CRC reporting and A pocket guide for children and adolescents on CRC Reporting](#), NGO Group for the Convention on the Rights of the Child, 2011

Starting in 2002, special meetings were organized between the Committee and child participants where issues of concern could be raised in a more informal manner. Between 2010 and 2018, the Committee held informal meetings with children from 31 States parties, 3 of which (Peru, Gabon, Sri Lanka) were done through teleconferencing.

Year	Children’s Participation at the Pre-sessional Working Group
2008	48
2009	20
2010	10
2011	8
2012	7
2013	4
2014	26
2015	79
2016	35
2017	32
2018	8

## Progress and challenges in relation to process and impact of CRC Engagement

### I. Progress

#### The establishment of strong national coalitions of NGOs

The system of civil society reporting was initially based on the experiences of NGOs working on the drafting of the CRC during the 1980s. Presenting a unified front, drawing on a breadth of expertise, cohesion and careful preparation were all factors in ensuring that the point of view of NGOs was taken seriously during the drafting of the CRC and allowed NGOs to have a considerable impact on the final text of the CRC. The possibility of playing an active role in the monitoring of the CRC, as proposed by Article 45, motivated national and international NGOs working at national level to create coalitions in order to effectively promote and monitor the implementation of the CRC at national level.<sup>111</sup>

Once the CRC was adopted, the NGO Group wanted to ensure that the voices of non-governmental organizations working at national level directly with children were heard and that these NGOs were able to contribute effectively to the reporting process. It quickly recognized that national coalitions would be essential to assist and monitor governmental efforts to implement the CRC. In 1991, a Task Force on National Coalitions was established within the NGO Group which aimed to support the creation and development of broad based and representative national coalitions. The Task Force conducted a survey in 1991 and identified “national coalition-like entities” in twelve countries. NGO Group members were asked to encourage all their national affiliates to join and support existing coalitions or, where they do not exist, to promote the creation of coalitions. By 1994, the Task Force had identified one or more coalitions in 41 different countries<sup>112</sup> and by 2002, the NGO Group had identified approximately 100 coalitions spread unevenly throughout the world with the highest concentrations in Western Europe and Latin America. To assist NGOs to form and sustain child rights coalition, the NGO Group prepared a tool which provided information on developing a framework for action, organizing for impact, methods and approaches and monitoring and reporting.<sup>113</sup>

Although many national coalitions were formed in response to the need for an alternative report to the Committee, since then, national coalitions are the main actors engaging in CRC reporting by conducting comprehensive monitoring of the implementation of the CRC and its Optional Protocols as well as advocacy activities at national level and by submitting information to the Committee through alternative or supplementary reports. The Committee

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<sup>111</sup> The Impact of the Convention on the Rights of the Child on the Policy and Practice of Child-Focused NGOs, NGO Group for the Convention on the Rights of the Child, 25 February 2002

<sup>112</sup> *National children’s rights coalitions : Essential to implementation of the UN Convention on the Rights of the Child*, Stuart Hart, Laura Theytaz-Bergman, Peter Crowley, International Journal of Children’s Rights, Volume 3, No.2, 1995

<sup>113</sup> [Networking for Children’s Rights: A Guide for NGOs](#), NGO Group for the Convention on the Rights of the Child, 2004

particularly welcomes when civil society engagement is coordinated so that it receives one comprehensive report that covers all the rights in the CRC and Optional Protocols.

Working in a coalition has shown to also have advantages for the coalition itself as it allows for a comprehensive analysis that can support monitoring and advocacy work, enhances the legitimacy and credibility of civil society towards the government and gives an opportunity to strengthen cooperation with other human rights actors. Informal coalitions are given the opportunity to build capacity for coordination and smaller NGOs can overcome challenges related to capacity and resources.<sup>114</sup>

### **Regular State and Civil Society Reporting**

With 196 States Parties to the CRC, only 16 periodic reports have been overdue for more than five years. Overall, 27% of initial and periodic reports are overdue for any period of time. This means that 92% of States are reporting to the Committee on time or within four years of their due date. This is particularly worth noting as the Office of the High Commissioner for Human Rights counts only 34 States (17%) as being fully compliant with their overall reporting obligations to the human rights treaty bodies.

For countries that have submitted reports to the Committee on the Rights of the Child, civil society reports are submitted on over 95% of all countries. The majority of the reports are submitted by national NGOs or national children's rights coalitions. These reports are frequently supplemented by reports, often of a thematic nature, from international NGOs. International NGOs are also an important source of information on countries where civil society is weak or civil society space is restricted.

### **Evidence of positive impact of civil society engagement**

Analyses have been conducted in order to determine if the reports prepared by national coalitions were having an impact on the concluding observations.<sup>115</sup> The impact assessments were also used in order to develop guidance for NGOs on reporting to the Committee. Impact assessments showed that civil society reporting provided an independent assessment of progress made and difficulties encountered and that concrete recommendations made by civil society were generally included in the Committee's concluding observations.<sup>116</sup> Case studies developed in 2004 described the impact that the concluding observations had on monitoring and advocacy work. The studies found that capacity for monitoring hinged on whether there was funding for monitoring, the strength of the organizations initiating and coordinating monitoring activities, the ease with which members work together and the strength of the core group and secretariat in fostering and maintaining a degree of cooperation among members necessary for successful monitoring.<sup>117</sup> To promote a cyclical

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<sup>114</sup> Outcome Document, 7<sup>th</sup> Regional Meeting of NGOs Children's Rights Coalitions in Europe, 2014

<sup>115</sup> NGO impact on the concluding observations of the Committee on the Rights of the Child, NGO Group for the Convention on the Rights of the Child, 1995

<sup>116</sup> Implementation of the CRC from an NGO perspective: 15 years of NGO reporting, Laura Theytaz-Bergman, International Interdisciplinary Conference on Children's Rights, 18 May 2006

<sup>117</sup> [The Use of Concluding Observations for Monitoring the Implementation of the Convention on the Rights of the Child: The Experiences of NGO Coalitions in Nine Country Case Studies](#), NGO Group for the CRC, 2005



approach to engaging in the reporting process of the Committee and to encourage NGOs to use the Committee's recommendations to the fullest in their advocacy work, a series of twenty case studies on follow-up activities conducted by NGOs were developed in 2013-2014. Each case study provides a brief explanation about the activities undertaken and the results achieved.<sup>118</sup>

### **Increase in Children's Participation**

Although children have been participating in reporting to the Committee since 1994, this was done mostly on an ad hoc basis. The adoption of guidelines in 2011 for NGOs and children on involving children in the reporting process provided much needed direction and led to a substantial increase in children being involved in reporting, particularly in ensuring that their views were included in NGO reports being submitted to the Committee. The adoption of working methods for the participation of children in the reporting process by the Committee<sup>119</sup> formalized the participation of children. In the first year following the adoption of this institutional framework, the Committee spoke with 79 children from 13 countries who provided first-hand information to the Committee. The quality of children's reports has also generally improved over time, which has helped to overcome skepticism among some Committee members as to the value of children's participation and to put it at the core of the Committee's work.<sup>120</sup> The Committee subsequently made additional efforts to reach out and mobilize children such as through the 25<sup>th</sup> anniversary celebrations of the CRC on the Rights of the Child in 2014 where the Committee held online discussions with children from 14 different countries and during the 2018 day of general discussion on protecting and empowering children as human rights defenders which led to the development of working methods for the participation of children in its days of general discussion.<sup>121</sup>

The increasing wealth of experience of child participation in the CRC reporting is advancing the standards and strengthening the capacity of NGOs and children's rights coalitions to support children in an effective and meaningful way.<sup>122</sup> Some reports are child initiated, implemented and advocated. Others are adult-led supporting and cooperating with children throughout the process or adult led and written based on consultations or surveys. Child participation has not been limited to written reports as children have used video reports, remote meetings, webcasts and other creative methods in order to make their views known to the Committee. Children's reports have been based on a number of different methodologies including interviews, questionnaires and group discussions.

Since the 74<sup>th</sup> session (2017), Child Rights Connect conducts an analysis of how children's participation is being addressed by the Committee during the examination of reports. The analysis looks at the specific questions and comments on children's participation that were made by Committee members during the dialogue with a State party and what action the

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<sup>118</sup> Only 10 case studies have been made publicly available. [Set of 10 case studies](#), Child Rights Connect, 2013

<sup>119</sup> [Working methods for the participation of children in the reporting process of the Committee on the Rights of the Child](#), CRC/C/66/2, 16 October 2014

<sup>120</sup> Retreat workshop on Child Participation, Child Rights Connect, 2017

<sup>121</sup> [Working methods for the participation of children in days of general discussion of the Committee on the Rights of the Child](#), CRC/C/155, 12 September 2018

<sup>122</sup> Outcome Document, 7<sup>th</sup> Regional Meeting of NGOs Children's Rights Coalitions in Europe, 2014

Committee recommended to be undertaken by the State party in the concluding observations. There have not yet been any studies analyzing the impact of children's input on the dialogue with States or on the concluding observations.

### **Strong worldwide network of NGOs**

Child Rights Connect is a global network working for the realization of children's rights. The purpose of Child Rights Connect is to advocate for and support the full implementation of the CRC and its Optional Protocols for the realization of children's rights worldwide. This is done by convening and engaging with civil society and other relevant actors, fostering cooperation and empowering children's rights defenders, including children, to meaningfully participate in global advocacy for children's rights at different levels. Although membership was initially limited to international NGOs, in 2007 membership was opened to include NGO coalitions directly concerned with the application of the CRC and, as of 2016, membership is open to independent civil society organizations and networks of NGOs, which are committed to the CRC. With over 90 members<sup>123</sup>, Child Rights Connect constitutes a strong and credible voice on children's rights.

In many countries, national coalitions were initially established through the initiative of international NGOs.<sup>124</sup> Some members of Child Rights Connect are active members of national coalitions and in some cases are providing technical and/or financial support national coalitions. The Secretariat of Child Rights Connect works closely with its members to form strong children's rights coalitions, to build international expertise and connections and to engage children in the most meaningful, safe and effective way. The network continues to expand its reach and build links at national, regional and international levels. Members are encouraged to act as regional or national hubs and support regional and national sharing, learning and coordination of actions as appropriate.<sup>125</sup>

### **Provision of awareness raising, technical assistance and capacity building**

In 2014, OHCHR established a treaty body capacity building program to support States parties to build capacity to implement their treaty obligations. OHCHR has produced a training guide as part of a comprehensive training package on human rights reporting. The training package consists of a manual that provides information the UN human rights system, national mechanisms for reporting and follow-up<sup>126</sup>, the benefits of treaty body reporting, the reporting procedure, engagement of the UN system in the reporting procedure (implementing recommendations) and engagement of national human rights institutions and civil society organizations in the reporting procedure<sup>127</sup>. The package also includes a facilitator's guide and a corresponding online training.<sup>128</sup> The capacity building program and

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<sup>123</sup> <https://www.childrightsconnect.org/member-network/>

<sup>124</sup> [A Profile of National Child Rights Coalitions: Findings of the NGO Group for the CRC survey of national child rights coalitions](#), NGO Group for the CRC, 2004

<sup>125</sup> [Join and Be](#), Child Rights Connect, Network Concept, 2017

<sup>126</sup> [National Mechanisms for Reporting and Follow-up : A practical guide to effective State engagement with international human rights mechanisms](#), Office of the High Commissioner for Human Rights, 2016

<sup>127</sup> [Reporting to the United Nations human rights treaty bodies: Training Guide](#), Office of the High Commissioner for Human Rights, 2017

<sup>128</sup> [OHCHR Facilitators Guide](#) and [on-line training on treaty reporting](#)

technical assistance provided on specific human rights treaties and corresponding reporting obligations has led to a number of countries re-engaging with the treaty bodies.<sup>129</sup> Training programs for 12 States from the Pacific and 15 States from the Caribbean were held in 2015.

The Secretariat of Child Rights Connect supports NGOs, national children's rights coalitions, and children to participate in the reporting cycle through awareness raising, technical advice, as well as capacity building, including on CRC reporting and follow-up in order to link the recommendations of the Committee to national advocacy plans. Staff designed training modules and delivered training on request to regional and national training workshops. Video-conferencing and webinars have also been used to provide training. Members of Child Rights Connect are also carrying out capacity building on children's rights, particularly to NGOs, but also to staff in schools, social workers, health workers and State officials.<sup>130</sup>

Awareness raising by providing timely, accessible, multilingual public information first started with the development of guides for reporting and more recently with an online tool to learn how and when to engage with the reporting cycle of the Committee on the Rights of the Child. Technical assistance is provided through resources, tools and the facilitation of peer-to-peer exchanges. Capacity building on the human rights mechanisms is done through training and seminars to provide customized and in-depth expertise and to bring all relevant actors to the table. Financial support is provided for key meetings between the Committee and children's rights defenders.

## II. Challenges

### **Lack of updated and comprehensive information on the existence and functioning of national coalitions around the world**

The last mapping of children's rights coalitions was carried out by the NGO Group in 2002. Every time a State report is submitted, the Secretariat of Child Rights Connect needs time to identify and mobilize national NGOs for the submission of reports leaving less time for developing more substantive activities such as monitoring and evaluating the impact on the ground. There is also a need to map Child Rights Connect's national outreach capacity in order to determine where support could be provided to national coalitions.<sup>131</sup>

### **Lack of stability and sustainability of national coalitions**

The first national children's rights coalitions were established in Latin America, followed by Western Europe. In 2004, a survey found that national coalitions were faced with institutional and operational challenges, such as finding ways to maintain dynamic networks over an extended period of time and that internal processes for ensuring sustainability, coupled with

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<sup>129</sup> [Status of the human rights treaty body system](#), Report of the Secretary General, A/73/309, 6 August 2018

<sup>130</sup> 2019 Child Rights Connect Member Survey

<sup>131</sup> According to the 2019 Child Rights Connect Member Survey, over 70% of members who responded to the survey work in Europe, 65% work in Africa, 58% work in Asia, 50% work in South America, and 33% work in North America.

the capacities to carry out core tasks were fundamental to their existence.<sup>132</sup> Ten years later, national coalitions were still struggling with poor management and coordination. This was particularly true for coalitions that were formed on an ad hoc basis or formed around a specific issue, such as preparing an alternative report, whereby there were difficulties in maintaining momentum. There remains a lack of participation, inputs or representation of marginalized groups such as girls, children with disabilities, younger children, children in remote areas, children in poor families, minority or indigenous children, refugee and asylum seeking children and children in detention amongst others, in national coalitions.

The lack and/or mismanagement of resources and unrealistic expectations were also cited as challenges for national coalitions in Europe.<sup>133</sup> These issues also appeared in a 2014 study of the coalitions in Asia.<sup>134</sup> There is a lack of institutional knowledge within some coalitions leading NGOs which have engaged with several reporting cycles to come back with the same basic questions and challenges.

### **Lack or limited engagement in countries where civil society is weak and civil society space is restricted**

The majority of States with overdue periodic or Optional Protocol reports are small countries which have few human and financial resources. States who do not report regularly are not reviewed by the Committee which creates both unequal treatment between States and a protection gap for children in those countries.<sup>135</sup>

Few reports arrive from national NGOs or national children's rights coalitions in countries where civil society is weak. In terms of civil society reporting in smaller countries, reports are more often submitted by only one national NGO rather than a coalition or group of NGOs. Often these NGOs do not report more than once. Regionally, there are fewer national civil society reports from African and Asian-Pacific countries than from other regions.

The submission of reports from national NGOs in a State where the space for civil society is closed or restricted<sup>136</sup> is even more limited. Increased exposure to risks in advocacy work such as being labelled as "not patriotic", safety of members during political unrest, or being identified as a political group have caused some coalitions to suspend their advocacy actions.<sup>137</sup> In this case, the Committee has come to depend on reports from regional or international NGOs, who are often reporting with a focus on a fewer number of rights and, in certain instances, with a political bias.

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<sup>132</sup> [A Profile of National Child Rights Coalitions: Findings of the NGO Group for the CRC survey of national child rights coalitions](#), NGO Group for the CRC, 2004

<sup>133</sup> Outcome Document, 7<sup>th</sup> Regional Meeting of NGOs Children's Rights Coalitions in Europe, 2014

<sup>134</sup> [All Rights for All Children: Mapping and Analysis of Advocacy Initiatives Pursued by the Civil Society Coalitions and Plan Country Offices in Asia](#), Plan Asia Regional Office, 2014

<sup>135</sup> Fixed calendar, Mikiko Otani, 2019

<sup>136</sup> CIVICUS lists 23 States as having a closed civic space and 35 States as having a repressed civic space. CIVICUS Monitor, [Tracking Civic Space](#), March 2019

<sup>137</sup> [All Rights for All Children: Mapping and Analysis of Advocacy Initiatives Pursued by the Civil Society Coalitions and Plan Country Offices in Asia](#), Plan Asia Regional Office, 2014

The simplified reporting procedure with its list of issues prior to reporting could provide an opportunity to engage States (and subsequently civil society) with poor reporting records in the reporting process. The working methods need to be shared in a transparent and easily understandable and accessible manner and consideration needs to be given as to how this process could be used in order to strengthen civil society reporting from countries where civil society is weak.

### **Competition and lack of coordination at national level**

Traditionally, the NGO Group relied on members of the Group to initiate the formation of coalitions at national level and requested that the sections, offices and partners of members of the NGO Group collaborate at national level in order to prepare one comprehensive report for the Committee.<sup>138</sup> However, coalitions sometimes struggle with different members' interests and agendas, a lack of trust and common objectives and a lack of strategy and credibility.<sup>139</sup> In some countries, there is more than one national children's rights coalition with members of Child Rights Connect supporting competing coalitions. The lack of coordination at national level often leads to repetition of issues being presented and makes it more difficult to identify the key issues of concern in a country. Regular and strategic planning and coordination meetings between members of Child Rights Connect who work directly with or support national coalitions could be organized on an annual or multiannual basis to identify which countries need technical and financial support and where support is already being provided.

### **Increase in number and variety of reports and type of submitter (NGOs, national and regional coalitions, children, ombudspersons, national human rights institutions)**

Since 1993, the NGO Group has strongly recommended that, whenever possible, NGOs with different areas of expertise and representing all regions of a country should prepare a joint report. Years of experience has shown that a group of NGOs working together to write one comprehensive report allows for more effective monitoring at national level due to the specialized knowledge of members and the variety of points of view that may be represented.

By preparing a joint report, NGOs increase the representativeness and credibility of the submission and are more likely to cover a comprehensive range of children's rights issues by building on different member's expertise. It allows NGOs with limited resources to engage in the reporting process, regardless of their size and capacity and provides the opportunity to strengthen cooperation with other child rights actors or the broader national civil society to facilitate coherent and collaborative advocacy at national level, including on the follow-up to the Committee's recommendations. It also allows for reflection on the key issues of concern for the country overall, rather than on the priorities for each NGO.<sup>140</sup>

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<sup>138</sup> *State Reporting and the Role of Non-Governmental Organizations*, The UN Human Rights Treaty System in the 21<sup>st</sup> Century, 2000.

<sup>139</sup> Outcome Document, 7<sup>th</sup> Regional Meeting of NGOs Children's Rights Coalitions in Europe, 2014

<sup>140</sup> [The Reporting Cycle of the Committee on the Rights of the Child: A Guide for NGOs and NHRIs](#), Child Rights Connect, 2014

Yet even when coalitions exist and function well, additional reports are submitted by national NGOs who bypass the coalition in order to ensure that their organization or their views are recognized by the Committee.<sup>141</sup> The lack of cooperation and agreement around national priorities has also led to an increase in the number of reports being submitted by national NGOs. In addition, over time, there has been an increase in the number of international NGOs who submit information, mostly of a thematic nature, directly to the Committee. This is particularly true for an increasing number of members of Child Rights Connect who are systematically submitting information of a thematic nature either directly to the Committee or jointly with their national affiliate rather than through the national coalition. The issues being presented to the Committee are not always the most relevant ones. Instead, they are dependent on the existence, capacity and knowledge of civil society organizations. The increase in the number of reports has meant that rather than the national level setting out the priority concerns, the Committee must make this determination.

The increase in the number of reports has resulted in a subsequent increase in the number of participants at the pre-sessional working group meeting. This has led to competition within that space, especially in terms of speaking time. It has also caused the Secretariat of Child Rights Connect to increase its focus, coordination and logistics around the pre-sessions rather than on other phases of the reporting cycle.

### **Lack or limited participation of children, especially child led initiatives, and lack of quality engagement of children**

National coalitions recognized early on the importance of enabling children to be full participants in advocating for their rights, but few had any experience in this area.<sup>142</sup> Some national coalitions have however worked closely with children and tried to integrate their views into their reports. Although there has been an increase in child participation in the reporting process, it continues to remain limited and is rarely child led. Preparation for and follow-up to children's participation is crucial, but is not always being carried out. The absence of a child-friendly environment within the UN also impedes the full participation of children in the reporting process.

A number of members of Child Rights Connect are working directly with children<sup>143</sup> and could be more involved in strengthening child participation in the reporting process. The impact and quality of child participation should be assessed in order to develop best practices. The simplified reporting procedure could potentially lead to an increase in child participation as once the list of issues prior to reporting has been sent to the State, it provides a clear agenda upon which children could work. The feedback received from children following meetings with the Committee should be used in order to refine the Committee's working methods to better engage with children in-person or remotely through virtual engagement.

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<sup>141</sup> *State Reporting and the Role of Non-Governmental Organizations*, The UN Human Rights Treaty System in the 21<sup>st</sup> Century, 2000

<sup>142</sup> [A Profile of National Child Rights Coalitions: Findings of the NGO Group for the CRC survey of national child rights coalitions](#), NGO Group for the CRC, 2004

<sup>143</sup> 68.75% of organizations responding to the 2019 Child Connect Member Survey said that they worked directly with children.

### **Lack of ongoing engagement, particularly on follow-up**

Although reporting is presented as a continuous cycle, there is still limited engagement at national level on the follow-up to the concluding observations. Although coalitions often come together to prepare a report, the absence of an advocacy strategy often causes coalitions to dissolve between reports. The terms of reference of coalitions do not always include a follow-up component which is budgeted from the start and individual organizations are often too specialized to see the whole picture and make connections. In addition, the national context is not necessarily easily linked to the international level.<sup>144</sup> There are also limited advocacy tools for national level follow-up, limited efforts to document and share knowledge and lessons learned, and a lack of comprehensive monitoring mechanisms to measure the effectiveness of advocacy work.<sup>145</sup> Members of Child Rights Connect are carrying out advocacy on children's rights at national and regional levels<sup>146</sup> and could assist with capacity building and documenting and sharing experiences.

### **Lack of internal capacity and institutional knowledge within Child Rights Connect**

There is a need to maintain a team of committed staff to carry out long-term capacity building both amongst members of Child Rights Connect and at national level. There is a need for sufficient and well trained staff in order to develop tools, carry out capacity building activities, identify, document and share good practices and share expertise through trainings and webinars.

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<sup>144</sup> Child Rights Connect, Open Space Reports, General Assembly 2016

<sup>145</sup> [All Rights for All Children: Mapping and Analysis of Advocacy Initiatives Pursued by the Civil Society Coalitions and Plan Country Offices in Asia](#), Plan Asia Regional Office, 2014

<sup>146</sup> According to the 2019 Child Rights Connect Member Survey, 90% of respondents carry out advocacy at the national level and 84% carry out advocacy at the regional level.

## Conclusions

Child Rights Connect's historical role is to strengthen the capacity of civil society organizations, including children, to use the CRC reporting cycle as an advocacy tool in order to achieve positive change at national level. This has been done through awareness raising, technical advice, capacity building and financial support. By working in close collaboration with its members and maximizing the potential of the network, Child Rights Connect can empower children's rights defenders in a sustainable way and with multiplying and long-term effects.

In order to achieve effective CRC reporting, the following needs to occur at national level:

- National coalitions are strong and inclusive and speak with one voice with members reinforcing each other's work
  - All Child Rights Connect members should be members of national coalitions
- National coalitions engage in the full reporting cycle based on a long-term advocacy plan
  - CRC reporting and follow-up to the concluding observations should be integrated into national coalitions strategies and plans as an ongoing monitoring and advocacy framework rather than as a stand-alone activity
- National coalitions use the CRC reporting cycle with the awareness of and engagement in the Committee's other areas of work such as individual communications, general comments, days of general discussion, Committee elections, and child participation
- National coalitions use CRC reporting in connection with other UN human rights mechanisms including other treaty bodies, Universal Periodic Review, Human Rights Council, Special Rapporteurs and the Sustainable Development Goals (SDG) and with regional mechanisms
- National coalitions and other actors empower children through CRC reporting and the Committee's standards to become human rights defenders
- Children of different ages, backgrounds and regions define their own way of engaging in CRC reporting and other UN mechanisms and empower their peers
- National coalitions partner with key stakeholders (such as bar associations, judges' associations, academia, media, the business sector) to reinforce competencies and capacities
- National coalitions partner with key stakeholders, such as national mechanisms for reporting and follow-up, human rights NGOs, national human rights institutions, Ombudspersons, UNICEF, OHCHR, and other relevant UN agencies
- National coalitions use the SDG framework to advance the realization of children's rights
- National coalitions institutionalize learnings and good practices from CRC reporting experiences and share it with other coalitions

The development of a CRC Reporting Strategy would allow Child Rights Connect to build on what already exists and assist children's rights defenders to move towards this ideal. The strategy should establish effective coordination between the Secretariat and its members, build and strengthen national coalitions through the creation of Child Rights Connect National



and Regional Hubs, develop and implement regional and country focused actions, build members' technical knowledge and empowerment capacity, and use the CRC reporting in connection to the broader work of the Committee and other UN human rights mechanisms.

## Recommendations for Child Rights Connect

Establish effective coordination between the Child Rights Connect Secretariat and members and improve coordination by:

- Mapping Child Rights Connect's national outreach capacity (direct, indirect, no presence)
- Mapping the work of children's rights defenders at national level (organization, capacities for reporting)
- Mapping existing resources on a regional level and identifying needs and challenges in order to develop capacity building programs

Build/Strengthen national coalitions by creating Child Rights Connect national and regional hubs in order to:

- Support the building of national coalitions in countries without any
- Strengthen coalitions which suffer from institutional and operational instability
- Pilot children's participation or advance children's participation from consultative to child-led

Develop and implement regional/country focused actions by:

- Developing online tools
- Carrying out in-country capacity building activities through cooperation with other partners
- Identifying, documenting and sharing good practices, as well as challenges, including on a regional basis
- Conducting impact studies

Build Child Rights Connect members' technical knowledge and empowerment capacity by:

- Identifying topics which need further development
- Sharing expertise through trainings and webinars organized jointly with the Child Right Connect Secretariat and members/national hubs/regional hubs
- Exchanging existing resources within and amongst regions
- Conducting trainings of trainers
- Carrying out thematic workshops in collaboration with Child Rights Connect working groups

Use CRC reporting in connection with the broader work of the Committee and other UN mechanisms to:

- Promote strategic engagement at the national level of other UN mechanisms
- Develop resources, tools, advice and capacity building to identify opportunities and priorities for linking the different mechanisms to CRC reporting

## Annexes

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## I. Landmarks for Child Rights

Includes key milestones in relation to the UN and CRC Committee's work, child participation and Child Rights Connect (Formerly the Ad Hoc NGO Group and the NGO Group for the Convention on the Rights of the Child until 2013).

**1959**

**[Declaration of the Rights of the Child](#)**

**1979**

**[International Year of the Child](#)** to provide a framework for advocacy on behalf of children and to promote recognition that programs for children should be a fundamental part of economic and social development plans

**Working Group on a draft convention on the rights of the child** established by the Commission on Human Rights, open to all members of the UN, intergovernmental organizations and non-governmental organizations with consultative status, following a proposal submitted by the government of Poland

**1983**

**Formation of the Ad Hoc NGO Group** with over twenty NGOs to better influence the drafting of the UN Convention on the Rights of the Child. The Group would meet to analyze the articles of the Convention and submit changes or the inclusion of new articles to the Working Group. The Ad Hoc NGO Group became the NGO Group for the Convention on the Rights of the Child in 1990, and Child Rights Connect in 2013

**1985**

**[UN Standard Minimum Rules of the Administration of Juvenile Justice \(The Beijing Rules\)](#)** which set the minimum conditions for the treatment of children who are in conflict with the law and emphasize that imprisonment should only be used as a measure of last resort and for the shortest time possible

**1989**

**[UN Convention on the Rights of the Child](#)**, the most comprehensive document on the rights of children, unanimously adopted by the General Assembly and opened for signature on 20 November, recognizing for the first time children as rights holders in an international treaty. The Convention entered into force in 1990

**1990**

**[African Charter on the Rights and Welfare of the Child](#)** adopted by the Organisation of African Unity (now the African Union), entered into force in 1999

**[World Summit for Children](#)** with 27 measurable goals set in the World Declaration on the Survival, Protection and Development of Children

[UN Rules for Juveniles Deprived of their Liberty](#) reaffirming the Beijing Rules and emphasizing that imprisonment of juveniles should be a last resort and for the shortest possible amount of time

[UN Guidelines for the Prevention of Juvenile Delinquency \(Riyadh Guidelines\)](#) focused on the prevention of juvenile delinquency as well as protection measures for children who are at risk

**1991**

[First election of 10 members of the CRC Committee by States Parties](#), who adopted guidelines regarding the form and content of initial reports at its first session

[Special Rapporteur on the sale of children, child prostitution and child pornography](#) appointed by the Commission on Human Rights to consider matters relating to the sale of children, child prostitution and child pornography, including the problem of adoption of children for commercial purposes

**1992**

[UN Conference on Environment and Development \(Rio Conference\)](#) which adopted Agenda 21, a wide-ranging blueprint for action to achieve sustainable development, and required that children's interests be taken into account

[First General Day of Discussion of the CRC Committee](#) dedicated to children in armed conflict, followed-up by a preliminary draft of an optional protocol to the Convention which would raise the age of recruitment into the armed forces to 18

**First State Party reports and first written comments by NGOs submitted to the CRC Committee** for Sweden and Bolivia

**First regional meeting of national child rights coalitions** held in Lima, Peru to strengthen the child rights movement and focused on monitoring the CRC at national level, followed by Western Europe

**1993**

[First examination by the CRC Committee of the State party reports and first concluding observations](#) for Bolivia (Plurinational State of), Egypt, Russian Federation, Sudan, Sweden, Viet Nam

[Convention on Protection of Children and Co-Operation in Respect of Inter-country Adoption](#) by the Hague Conference on Private International Law, which protects children and their families against the risks of illegal, irregular, premature or ill-prepared adoptions abroad, and reinforces Article 21 of the CRC as it seeks to ensure that inter-country adoptions are made in the best of interests of the child

[World Conference on Human Rights](#) with unprecedented participation of governments and NGOs, and the adoption of the Vienna Declaration and Programme of Action for strengthening human rights work around the world. The declaration included a section on the

rights of the child, which called for the universal ratification of the CRC Convention and supported the proposal that the Secretary General initiate a study on the protection of children in armed conflicts

**First participation of NGOs in the pre-sessional working group meeting** in order to present information on the situation of children in their country, to assist the CRC Committee to set priorities and identify key issues for discussion with the government

**1994**

[First comprehensive alternative report submitted to the CRC Committee](#) by the national coalition the Child Rights Development Unit to inform the consideration of the initial report of the United Kingdom of Great Britain and Northern Ireland, which took place in January 1995

[UNHCR Guidelines on Protection and Care on Refugee Children](#) for UNHCR's staff and partners on refugee children that combined the concept of children's rights with UNHCR's efforts to protect and assist refugee children

**1996**

[Guidelines regarding the form and contents of periodic reports adopted by the CRC Committee](#)

[Study on the Impact of Armed Conflict on Children by the appointed expert Ms. Graça Machel](#), which described the impact of armed conflict on children and included a number of concrete recommendations for the protection of children in armed conflict

**First World Congress against Commercial Sexual Exploitation of Children** convened in Stockholm, with the participation of a broad range of stakeholders including governments, NGOs, and children. It adopted the Stockholm Declaration and Agenda for Action, tools for mobilizing and monitoring action to protect children from sexual exploitation

**1997**

[Creation of the Office of the Special Representative of the Secretary-General for Children and Armed Conflict and appointment of Mr. Olara Otunnu](#) as the first Special Representative for Children and Armed Conflict, mandated to promote the protection, rights and welfare of children at every phase of conflict

[International Conference on Child Labor](#) in Oslo during which a global agenda for eliminating the worst forms of hazardous and exploitative employment of children was adopted and a global strategy for eliminating the most intolerable or extreme forms of child labor was proposed

**1998**

**First presentation to the CRC Committee by children** delivered by a group of Japanese students during an open meeting (including the media) during the lunch break

[Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor \(ILO 182\)](#) adopted by the General Conference for the International Labor Organisation, which defines which situations should be classified as the worst forms of child labor and specifies what governments must do to prohibit and eliminate them

**1999**

**Child participation during pre-sessional working group meeting** on India, one on Mali and the Netherlands

[Convention on the Worst Forms of Child Labour](#)

**2000**

[Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography \(OPSC\)](#) which sets out specific acts that must be criminalized within the areas of sale of children for purposes of sexual exploitation, transfer of organs, forced labor, or adoption, as well as child prostitution and child pornography. Entered into Force in 2002

[Optional Protocol on the Involvement of Children in Armed Conflict \(OPAC\)](#) which strengthens article 38 of the CRC by raising the minimum age of direct participation in hostilities from 15 to 18 and prohibiting anyone under 18 from being compulsorily recruited into the armed forces. Entered into Force in 2002

[Millennium Summit and Declaration](#) which contained values, principles and objectives for the international agenda for the twenty-first century, and set out eight goals to be achieved by 2015 including eradicating extreme poverty and hunger, achieving universal primary education and reducing child mortality

**2002**

**First children's reports** submitted on Belgium and the United Kingdom

[UN General Assembly Special Session on Children](#) convened to review progress since the 1990 World Summit for Children. The General Assembly adopted of World Fit for Children which outlined four key priorities; promoting healthy lives, providing quality education for all, protecting children against abuse, exploitation and violence and combatting HIV/AIDS

**2003**

**First session with 18 members in the CRC Committee**

**2006**

[UN Study on Violence against Children by the appointment of the expert Mr. Paulo Pinheiro](#) the first comprehensive global study conducted on all forms of violence against children, provided a global picture of violence against children and proposed recommendations to prevent and respond to this issue

## 2007

[Machel Study 10-Year Strategic Review – the Impact of Armed Conflict on Children](#) reviewed the current situation faced by children in armed conflict including the impact of the changing nature of conflict, also highlighted priorities and the responses required for the next decade. A more in-depth publication, Children and Conflict in a Changing World was released in 2009

## 2008

[Special Representative on Violence against Children](#) established to promote the elimination of all forms of violence against children in all regions, promote and support the implementation of the recommendations of the study on violence, and identify and share good practices to prevent and respond to violence against children

[UNHCR Guidelines on Determining the Best Interests of the Child](#) released after two years of field-testing. The Guidelines provided a formal mechanism to determine the best interests of the child as part of a comprehensive child protection system

## 2009

[First annual full-day meeting on the Rights of the Child at the Human Rights Council](#) to discuss, negotiate and adopt a resolution about the specific theme or children's rights in general (an Omnibus Resolution)

[Guidelines for the Alternative Care of Children](#) intended to enhance the implementation of the CRC regarding the protection and wellbeing of children who are deprived of parental care or who are at risk of being so

## [General Comment on the right of the child to be heard](#)

## 2010

[Establishment of a working group for an optional protocol on a communication procedure](#) by the Human Rights Council and following a proposal for a draft optional protocol from the government of Slovakia

## 2011

[Optional Protocol to the convention on the Rights of the Child on a communications procedure \(OPIC\)](#) which allows children to submit complaints regarding violations of their rights and provides for an inquiry procedure for grave or systematic violation of child rights. Entered into force in 2014 first ratified by the States of Gabon and Thailand in 2012

## 2013

**CRC Committee was the first treaty body to conduct the examination of a State party report via [video](#) for Tuvalu, 64th session**

The NGO group became [Child Rights Connect](#) at the occasion of its 30<sup>th</sup> anniversary

## 2014

[Working methods on child participation in the reporting process of the CRC Committee](#)



## [First joint General Comment in the Treaty Body System CRC-CEDAW](#)

**2016**

[First UN live webcast of a session](#), during the CRC 73<sup>rd</sup> session

## [Implementation of the Simplified Reporting Procedure by the CRC Committee](#)

**2018**

First collaboration of the CRC Committee with a [Children's Advisory Team to organize its DGD](#), composed of 21 children from all around the world

[Day of General Discussion on protecting and empowering children as human rights defenders](#) with unprecedented child participation and the adoption of [Working methods for the participation of children in the days of general discussion of the CRC Committee](#)

[First Adopted Views on individual communication against Denmark](#) during the 77th Session

## [Report on first Inquiry Procedure against Chile](#)

**2019**

UNICEF-Child Rights Connect official child-friendly version of the CRC Convention (soon available)

[OPSC implementation guidelines](#) focusing on the implementation

## **II. Non exhaustive list of follow-up and complementary research projects**

Members and partners are encouraged to make suggestions and informed us about their own researches.

### **1. Mapping of child rights coalitions**

Key guiding questions:

- How many national, regional, international formalised child rights coalitions exist?
- In which countries or regions?
- With or without Child Rights Connect members?
- Are there more than one coalition in a country or a region?
- What are the challenges to sustainability for coalitions?

### **2. Impact and quality assessment of child participation in the CRC reporting process**

Key guiding questions:

- What is qualitative child participation in the context of the CRC reporting?
- Are children participating in all stages of the reporting cycle, including in the development of the State Party reports?
- How do children's inputs impact the dialogue between the State Party and the CRC Committee, as well as the Concluding Observations?
- How empowering is the experience from the children's perspectives (including the evaluation of children's meetings)?

### **3. Content and process of civil society organisations' reports and analysis of gaps**

Key guiding questions:

- What are the most recurrent themes covered by NGOs, which articles and clusters?
- How comprehensive are coalitions reports?
- How alternative reports impact the Concluding Observations and how the gaps in the alternative report are visible in the Concluding Observations?
- What are the specificities of reports within the Simplified Reporting Procedure?
- How the methodology and the process of developing alternative reports differ and impact their content?