

**COMMITTEE ON THE RIGHTS OF THE CHILD
GENERAL COMMENT ON
CHILDREN'S RIGHT TO ACCESS TO JUSTICE AND TO AN EFFECTIVE
REMEDY (GC.27)**

**FACILITATOR'S GUIDE FOR CONSULTATIONS WITH CHILDREN
April 2025**

I. General Comment of the UN Committee on the Rights of the Child on children's right to access to justice and to an effective remedy

A. What is the UN Committee on the Rights of the Child and why are they developing General Comments?

The Committee on the Rights of the Child (CRC Committee) is the body of 18 independent experts that monitors implementation of the UN Convention on the Rights of the Child (CRC) by its State parties. It also monitors implementation of the Optional Protocols to the Convention, on involvement of children in armed conflict and on the sale of children, child prostitution and child pornography and receives and considers individual communications from or on behalf of an individual or group of individuals, within the jurisdiction of a State party to the Optional Protocol to the Convention on the rights of the child on a communications procedure.

The CRC Committee develops general comments to provide further guidance to State parties on various issues pertaining to children. This is also an opportunity to interpret the Convention as a living instrument protecting children's rights. As of August 2024, the Committee has adopted 26 general comments¹. Following the practice established during the drafting of 3 recent general comments which involved hundreds and thousands of children, the CRC Committee expressed its intention to ensure that the views of children are gathered genuinely and are given due consideration this time, too. This Guide aims to support this effort and provide civil society organisations with guidance and child-friendly resources for meaningful consultations with children.

B. What is scope of the General Comment on children's right to access to justice and to an effective remedy?

The General Comment No. 27 (GC. 27) aims to provide a comprehensive understanding of children's right to access to justice and to an effective remedy, specifically to:

(a) Clarify the obligations of States parties under the Convention and provide authoritative guidance to States parties and other actors on legislative and other appropriate measures to ensure access to justice and an effective remedy for children;

(b) Emphasize the importance of access to justice and an effective remedy in respecting, protecting and fulfilling children's rights;

¹ For the full list, see the website of the Committee: <https://www.ohchr.org/en/treaty-bodies/crc/general-comments>

(c) Reaffirm children’s right to access to justice and to an effective remedy as an obligation of States parties under the Convention, inherent to the recognition of the child as a subject of rights, regardless of the child’s age and capacities.

You are invited to read the full draft of the General Comment published by the CRC Committee [here](#).

C. How can children be involved in the drafting of the General Comment?

While working on a new General Comment, the CRC Committee consults the public in two rounds: first, based on the concept note, and second, based on the draft General Comment. In case of the GC.27, the first round of consultations took place between May and December 2024, including consultation with children. The second round will close 30th June 2025, which will be the deadline to submit the views of the children collected using [the online form](#). For reference, you can find the feedback template in the annex, too.

It is important that the aim of the consultation with children in this second round is to get their views on the draft GC.27, and not to collect experiences or general ideas. The Committee can consider the submissions if they are related to the draft GC., this means that the children can influence this document if they focus on the draft text.

D. Why should children participate in the drafting of the General Comment No. 27?

In accordance with Article 12 of the UN Convention on the Rights of the Child, children have the right to be heard in all matters that concerns them, including decision-making taking place on international level. This applies to the standard-setting procedures of the CRC Committee, too. Besides that, occasions like this encourages children’s views to be taken into account and considered by UN decision-makers, including governments, and it also empowers children to learn more about the work of the UN and to defend human rights.

II. Planning children’s consultations

A. Basic Requirements for Child Participation

It is important to be familiar with, and apply, the UN Committee on the Rights of the Child’s 9 basic requirements for child participation. Here is a [link](#) to the basic requirements which are summarised below in an everyone-friendly format.

1. Being able to **access information** about the child participant’s right to be listened to and for their views to be acted on.
2. It is children’s **choice to participate** and they can decide not to take part at any point.
3. Children’s views and ideas to be **respected** by adults.
4. The activities will be **interesting and familiar** to the child’s life, and there will be space for child participants to put forward any issues that are important to them.
5. There should be **preparations** so that all children will feel happy to participate in the activities, within **comfortable and friendly spaces**.
6. The activities should be **open equally to all children** to take part from all communities and backgrounds, including children with disabilities.

7. **Adults will be prepared** for the different activities so that all children are comfortable and feel supported and listened to.
8. Children must be **safe** and know who to talk to if they feel unsafe and have access to support services if needed
9. Children should get **feedback** on how their views have been acted on by adults, and the chance to give your opinion on the results of this project and the activities.

B. Practical preparations

- ✓ First, **consider the size of the group** depending on the different factors such as the number of facilitators, the venue, and the particular needs of the children participating. Groups of 10-15 children may work well for children who do not have specific or complex support needs, or where the topic is not particularly sensitive, but smaller groups should be considered where children do have additional support needs (e.g. they have disabilities, communication challenges, etc.) and where a higher ratio of adults is also needed to support children and keep them safe. The age, profile and experience of the children should be considered for the composition of the groups.
- ✓ **Identify the children who will participate** and ensure that they will take part voluntarily. It is recommended that these children are already connected to existing groups / networks that have been learning about child rights or want to learn about them. This is an important opportunity to **promote inclusivity and diversity**, mobilising children from as many interested groups and networks as possible and ensuring that the voices of the most marginalised children are heard. This also means that you need to be aware of any situations of vulnerability the participants might be in and adjust the framework and setting of the consultations to ensure their meaningful and safe participation.²
- ✓ **Use the child-friendly resources** to inform the children about the process and the scope of the consultations as well as about the content of the draft General Comment. In case you want to translate it, please reach out to us to have an editable copy.
- ✓ **Please read the original text of the draft GC [here](#)**. The child-friendly version is a summary, so the children might rely on you to better understand some parts of the text they want to focus on. The role of the facilitator is important, so it can be avoided that the children come up with a proposal based on the child-friendly version, which is not in line with the original text of the draft GC.
- ✓ **Apply all the necessary child safeguarding measures, including ensuring that consent has been given** by children and parents/caregivers (for all the information on child safeguarding see below). Consent should be sought individually before children are in the group together (where it should be re-confirmed) to avoid peer pressure.
- ✓ All staff involved in the organisation and implementation of the consultations need to **respect the principle of confidentiality**. Children in care or other vulnerable situations who are exposed to the justice or state care systems may need additional safeguards and assurances regarding confidentiality. At the same time, it is also

² Useful resource to plan consultation with children with disabilities: <https://www.unicef.org/documents/take-us-seriously>

important to remind children not to share other's perspectives and comments beyond the consultation.

- ✓ **Arrange the logistics for the consultation.** It can be online or in-person. E.g. locate a safe space, provide refreshments (taking account of any dietary issues), and make sure writing materials are available for children to make or record notes if they want to.
- ✓ **Make arrangements for children** to arrive and leave from the location at the planned time, being clear with caregivers about their role in ensuring children's safe transportation and any collection arrangements. Ensure any necessary measures are taken to ensure the safe participation of all children.
- ✓ **Identify a facilitator**, ensuring that they are familiar with the purpose of the consultation and the subject of the General Comment.
- ✓ **Identify a documenter**, preparing them with the discussion questions and the reporting templates.
- ✓ In line with the Safeguarding Policy of the organisation and the national legislations, **the facilitator(s) and the documenter need to be appropriately screened and vetted** to make sure they have the right skills to work directly with children. The facilitators need to check that only authorized project staff are in the room and listening before starting the consultation and keep checking that throughout the process.
- ✓ Arrange for **interpretation** during the session, if necessary, and **translation** of the outcome document into either English, French or Spanish (to be submitted via [the online form](#)).

C. Child Safeguarding

All members and partners who will hold or support children's consultations are expected to develop and follow **their child safeguarding protocols**, keep them updated and relevant (see as an example [Child Rights Connect's Child Safeguarding Policy and Procedure](#) and the child-friendly version [here](#)). A risk assessment should be completed ahead of any activities taking place that includes describing the type of activities that are planned, the risks that these activities may present, the actions being taken to mitigate these risks and the person responsible for ensuring these actions are taken. This should be completed in collaboration with relevant stakeholders and their accountabilities should be clear.³

Safeguarding Focal Point should be appointed for the consultations who is introduced to the children at the beginning of the consultation and available during and after the consultation as well. The Child Safeguarding Focal Point need to work closely with the facilitator(s) to prevent and mitigate risks and to respond to safeguarding concerns and incidents.⁴

Develop **Codes of conduct** for everyone involved including child-friendly versions for children, make sure adults are not left alone with children and that supervision ratios reflect the needs and complexities of the group.

³ You can find an example of a risk assessment template and safeguarding protocol in Our Safeguarding Policy and Procedure.

⁴ You can find an example of a risk assessment template and safeguarding protocol in Our Safeguarding Policy and Procedure.

Make sure you receive **informed consent** from children for their participation in the consultation, and from their parents/caregivers. Using the child-friendly information leaflet, share information with the children about what is happening and why, how they can take part and how their views will be taken into account and what kind of follow-up and feedback there will be. Children should be provided with a range of ways to agree to giving their consent, these might include verbal agreement (via audio recording), thumbprints and writing their name or providing a signature. You can find an example of consent form [here](#) for inspiration.

If your focus group is taking place **online**, take time to make sure you are using a secure platform and put all necessary measures in place to protect and secure the space.

Facilitators and other adult participants should always **treat children with respect**, and ensure they are not asked to comment on matters inappropriate to their age or where they are being asked to specifically disclose any sensitive personal information or any other information that might put them at risk. Even though the questions will be designed not to ask children to disclose abuse, the discussion might trigger some children to share that they have experienced abuse or that they have been involved in, or subject to criminal behaviour. Facilitators and Child Safeguarding Focal Points need to plan how any such issues will be dealt with in the moment they are disclosed, and also afterwards in terms of any need or duty to escalate or follow up. Relevant agencies for escalation or support should be identified ahead of the consultation as part of the safeguarding risk assessment and planning. Children need to know that support is available and that they can access it through the Child Safeguarding Focal Point.

III. FACILITATING THE CONSULTATION WITH CHILDREN

1. INTRODUCTION

- ✓ Welcome participants and thank them for coming.
- ✓ Start with an icebreaker / introduction.
- ✓ Explain why the consultation is taking place and what it will be about.
- ✓ Use the resource “Small readings before the consultations” to explain what the CRC Committee is, how they are working to protect children’s rights and what the General Comment is. You can use the child-friendly website of the CRC Committee.⁵ If needed, you can introduce children’s rights first along with the CRC Convention by using the child-friendly version of it.⁶
- ✓ Make sure they understand their role and where they are in the timeline of the drafting of the GC. 27. Furthermore, explain that the original document is more than 20 pages, but you as the facilitator have read the document and ready to help them to find the right paragraph if they are interested in anything. The paragraph numbers are also included in the title of the child-friendly version of the draft GC.27, to help both child and adult readers to connect the two documents. The reason behind that is the stakeholders (states, civil society, academia) are requested to provide specific recommendations linked to the relevant paragraph at the second round of consultations, while children need further support if they want to focus on a specific paragraph.
- ✓ Clarify confidentiality. Explain that notes will be made during discussions without identifying any of the participations or their identification will be removed afterwards, furthermore, the notes will only be used for a report sent to the Committee and treated with confidentiality. The information may be combined into a larger report covering all consultations held with children.
- ✓ Set and agree on ground rules for the session, including safeguarding. Explain that their participation is voluntary. Children can withdraw at any time or decide not to answer a question if they do not want to. You can use this example of [code of conduct](#) to set the ground rules for a safe space.

2. QUESTIONS FOR DISCUSSION

- ✓ Below you can find the objective of each chapter and some guiding questions and tips. It is important that the facilitator is familiar with the official text of the draft GC. 27, so they can look for information quickly and easily. The child-friendly version cannot embrace all the information that is included in the draft text, so the facilitator needs to be able to support the discussion of the children with further details whenever necessary.
- ✓ If it is possible and appropriate, you can share the “Small readings before child consultations” and the child-friendly version of the draft GC with the children before the consultation. This way you can make sure that they understand the activity they are

⁵ See here: <https://www.ohchr.org/en/treaty-bodies/crc/information-children>

⁶ <https://www.unicef.org/sop/convention-rights-child-child-friendly-version>

consenting to well and also have some knowledge about the topic. There is a table of content at the first page of the child-friendly version of the GC. This follows the structure of the original document, so children understand the scope. This resource was developed in consultation with the Children’s Advisory Team of Child Rights Connect, but the child advisors acknowledged that depending on their age and knowledge, children might find some words in the titles difficult. Check with the group if they understand all the words while introducing each chapter.

- ✓ In terms of timing, you can prepare your own schedule about how much time you are planning to dedicate for each question, or you can simply go ahead with the discussions and stop for the breaks agreed with the group at the beginning of the consultation. If it fits the group better, the questions can be discussed in 2 or 3 meetings but try to avoid weeklong breaks because it is a difficult topic, and participants might forget about the discussions.
- ✓ Assure participants that it is fine if they do not know the answers to these questions. There is no right or wrong answer! It is important to remind them that they do not have to reply to all of the questions. Every group can be different and might want to spend longer or shorter time discussing the different chapters.
- ✓ Try to encourage discussion between participants and the active participation of all involved. Prompt if necessary but try not to give any answers.
- ✓ In case children are interested, you can encourage them to express themselves in different ways, not only verbally: this can include art, digital software or any other creatives methods.

1. INTRODUCTION (paragraphs 1-6 of GC.27) AND OBJECTIVES (paragraphs 7-8 of GC.27)	
Aim of the chapter:	<p>The first Chapter talks about the reasons why the General Comment was written and what children said at the first round of consultations, in 2024.</p> <p>The second Chapter sets the objective of the General Comment, which is to give a complete understanding of children’s right to access to justice and to an effective remedy. Thanks to this guidance, countries can understand what they have to do to protect and promote this right, and everyone is reminded how important it is..</p>
Questions proposed for the child consultations:	<ul style="list-style-type: none"> • Do you have any comment or question about the introduction and the objectives?
Tips for the facilitators:	<ul style="list-style-type: none"> • Addressing this chapter can help to recall the aim and framework of the consultation process, so it can be combined with the resource “Small readings before the child consultations”. If this already happened as part of the introduction of the consultations, it is enough to refer back to that. • It is worth taking time to share what the children said at the first round of consultations, especially, if the facilitator is working with a group which was involved in those consultations.
2. TERMINOLOGY AND SCOPE (paragraphs 9-12 of GC.27)	
Aim of the chapter:	This Chapter explains some of the important definitions used in the General Comment and clarifies how these definitions are understood by UN Committee on the Rights of the Child (CRC Committee).
Questions proposed for the child consultations:	<ul style="list-style-type: none"> • What do you think about the definition of <ul style="list-style-type: none"> ○ Access to justice ○ Remedy ○ Right to an effective remedy ○ Judicial and non-judicial ways to access justice and effective remedy?
Tips for the facilitators:	<ul style="list-style-type: none"> • If you mentioned in relation to the first chapter what children said about justice, you can easily build the rest of the definitions on this. • Even if the children confirm the definitions without proposing to change anything, this step is important to make sure that the group understands the subject.
3. GENERAL PRINCIPLES AND FOUNDATIONAL ELEMENTS (paragraphs 13-15 of GC.27)	

<p>Aim of the chapter:</p>	<p>This Chapter makes a list of the articles of the CRC Convention that promote and recognize children’s right to access to justice and to an effective remedy. It also mentions the recognition of this right in other international human rights laws. Then, it explains the general principles and the most important elements of the right to access to justice and to an effective remedy.</p>
<p>Questions proposed for the child consultations:</p>	<ul style="list-style-type: none"> • Do you agree with these principles and elements? • Is there anything missing? Is there anything you would change about them?
<p>Tips for the facilitators:</p>	<ul style="list-style-type: none"> • You can find the explanations of the principles and elements in the child-friendly draft GC, but here is the list: <ul style="list-style-type: none"> ○ Non-discrimination ○ Best interest of the child ○ Right to life, survival and development ○ Right to be heard ○ Respect for the evolving capacities of the child ○ Due process and respect for the rule of law. • If the group already learnt about children’s rights or you made an introduction at the beginning of this consultation, you can explain how these principles are relevant for access to justice and to an effective remedy. If the group has no previous knowledge, you need to start with the general approach and then specify why they are relevant and important here. • Please go through all 6 principles and elements briefly. If the group is interested in any of them, prompt further discussion around that. • Even though the children might not propose new principles, it is important that they agree with those that are mentioned or are able to express why they do not agree – you can come to this conclusion with the group at the end of this session.

4. CHILD RIGHTS-BASED APPROACH TO CHILDREN’S RIGHT TO ACCESS TO JUSTICE AND TO AN EFFECTIVE REMEDY (PARAGRAPHS 16-68 of GC.27)	
Aim of the chapter:	<p>This Chapter explains how to make sure that children’s rights are at the core of justice processes and their outcomes, which is called a child rights-based approach. This works two ways: first, children need to be empowered to claim their rights, and second, the country needs to meet their obligations to ensure the availability, accessibility and effectiveness of mechanisms and remedies that are adapted to children.</p>
Questions proposed for the child consultations:	<ul style="list-style-type: none"> • What do you think about the four elements of access to justice and to an effective remedy: available, accessible, adapted to children and effective? Does it make sense for you? • Is what we mean by availability well-explained? Anything missing? • Is what we mean by accessibility well-explained? Anything missing? • Is it well-explained what we mean by saying that it is adapted to children? Anything missing? • Is it well-explained what we mean by saying it is effective? Anything missing?
Tips for the facilitators:	<ul style="list-style-type: none"> • This is a long chapter which was summarised in the child-friendly version of the draft GC. When you read this chapter as part of the preparations, mark paragraphs and ideas that you might think could be interesting for your group. For example, if you work with children who has been supporting the mandate of an ombudsman, you can point out for them that the GC. says that every country should have an ombudsman/national human rights institutions protecting children’s rights. • The child-rights based approach is using four requirements: available, accessible, adapted and effective. The group might be interested in one or some of them, it is worth checking after you explained briefly all four of them. If not, you can proceed discussing each of them one by one. • Please check with the group if it is clear what we mean by child-rights based approach, if needed, referring back to previous discussions about children’s rights and the Convention. • Please be mindful of potential trauma and response, while discussing this chapter. You can remind the children that you are not seeking individual experiences, but to reflect on the content and whether it’s sufficient. It is appropriate here to avoid disclosures.

5. ENABLING ENVIRONMENT FOR REALIZING CHILDREN’S RIGHT TO ACCESS TO JUSTICE AND TO AN EFFECTIVE REMEDY (PARAGRAPHS 69-84 of GC.27)	
Aim of the chapter:	This Chapter goes through the different steps and actions that States have to take to create an environment where children feel comfortable and able to exercise this right. It is repeated that children are the ones who have rights, and that States are the ones that have an obligation to make sure that children can access and practice them. Parents need to give direction, guidance and support for their children in the exercise of their rights.
Questions proposed for the child consultations:	<ul style="list-style-type: none"> • What do you think about the actions/steps that the document is asking from states? Is there anything we need to add here? • What is the most important action/step to start with it? • Do you see the role of children in these actions/steps? Here we are talking about using the General Comment within a country, on national level, so you can think about children in your own country.
Tips for the facilitators:	<ul style="list-style-type: none"> • This is a long chapter; however, you can find the summary of each subtitle in the child-friendly version of the draft GC. This can help you to walk the group through the chapter and focus on the elements they find interesting. • It is a long list of actions, but you can check with the group if there is anything missing that a state could do. You can also ask them how they see the role of children in the implementation of these actions/steps, if anything need to be emphasized. • Please remind children again that we’re not looking for specific experiences and about the confidentiality of the discussion. This can be particularly relevant for consultation with children in the justice system or in potentially authoritarian settings (parents and governments) where opinions on this topic could be risky. Facilitators should also remind children here that they can opt to answer only what is comfortable.

6. DISSEMINATION/ SHARING GC. 27 (PARAGRAPHS 85 of GC.27)	
Aim of the chapter:	The last Chapter stresses that this General Comment should be shared with everyone: authorities, professionals, children, parents, educators, business, media and civil society.
Questions proposed for the child consultations:	<ul style="list-style-type: none"> • What do you think about this plan to share the General Comment widely? • What do you think, how we can ensure that the General Comment reach children so they can learn about it?
Tips for the facilitators:	<ul style="list-style-type: none"> • This is the closing chapter which already includes a reference to prepare different language version and formats, including one which is accessible for children. While you mention this, you can also recall the timeline (using the “Small readings before child consultations”) and remind them that the child-friendly version of the GC will be probably published next year.

7. CLOSING

- ✓ At the end of the discussion, thank all the participants for their valuable contributions.
- ✓ Remind them that their views will contribute to the finalisation of the General Comment of the CRC Committee. The final document will be published this year, but probably the child-friendly version only next year.
- ✓ Furthermore, remind the children not to share/attribute views raised in the consultation with others. It is good to point out again that if they are distressed or concerned, they can have access to support and specify that where and how.
- ✓ Before the consultation comes to an end, ask children for their feedback about the session. What went well? What did not go so well? Do they have any other comment?

8. AFTER THE CONSULTATION

- ✓ Ensure that the documenter records what children say during the session, using the documentation template in Annex 1.
- ✓ If the documenter has not used this template during the session, please make sure that the notes are recorded in this format as soon as possible.
- ✓ Don't forget to record any important quotes or specific recommendations, if the children consented to that. For each quote, please include the child's age, gender, and nationality, if possible.
- ✓ Please record the number of participants, their genders, and any other important information.
- ✓ Please send all the information collected through [the online form](#) by 30th June 2025.
- ✓ Should you have any questions regarding the methodology, please contact Child Rights Connect: rutai@childrightsconnect.org. If you have question about the General

Comment, you can reach out to the Secretariat of the CRC Committee: ohchr-crc@un.org.

ANNEXE 1:

Documentation template to submit the outcomes of the consultation with children on the draft CRC Committee's General Comment on children's rights to access to justice and to an effective remedy (GC. 27)

PLEASE NOTE THAT YOU WILL FIND THE SAME QUESTIONS BY GOING ON THE LINK [HERE](#) in English, French and Spanish. You can submit the replies in English, French and Spanish.

1. PLEASE SHARE WITH US THE FOLLOWING BACKGROUND INFORMATION!

*Name of the supporting organisation:

*Contact person and their email address:

*Date of consultation:

*Where the consultation took place (country, city):

*Name of facilitator(s):

2. PLEASE SHARE WITH US THE FOLLOWING INFORMATION ABOUT THE CHILD PARTICIPANTS!

*Total number of children involved:

*Gender of child participants: Female / Male / Other

*Ages of the children (age range):

3. REPRESENTATION: *Please note any other relevant background details about the children who have participated. This might include, but not be limited to, being a member of a minority group, having a disability, living in alternative care, being out of school, children on the move, etc.*

4. SELECTION: Please describe how the children were gathered and selected to take part in this activity. Are they part of an existing project(s) run by your organisation?

5. PLEASE SHARE WITH US THE VIEW OF THE CHILDREN ON THE DRAFT GC.27, BOTH THE POSITIVE FEEDBACK AND PROPOSALS TO IMPROVE THE DOCUMENT. IN CASE THE CHILDREN DID NOT WANT TO DISCUSS ANY OF THE CHAPTER, PLEASE JUST INDICATE THAT YOU SKIPPED THAT.

5.1. What was the feedback of the children about Introduction (paragraph 1-6 of GC.27) and Objectives (paragraph 7-8 of GC.27)?

5.2. What was the feedback of the children about Terminology and scope (paragraph 9-12 of GC.27)?

5.3. What was the feedback of the children about the General principles and foundational elements (paragraph 13-15 of GC.27)?

5.4. What was the feedback of the children about the Child rights-based approach to children's right to access to justice and to an effective remedy (paragraph 16-68 of GC.27)?

5.5. What was the feedback of the children about the Enabling environment for realizing children's right to access to justice and to an effective remedy (paragraph 69-84 of GC.27)?

5.6. What was the feedback of the children about the Dissemination/ Sharing GC.27 (paragraph 85 of GC.27)?

6. WE WOULD LIKE TO HEAR ALSO THE FEEDBACK OF THE CHILDREN AND THE FACILITATORS ABOUT THE CONSULTATION PROCESS ITSELF.

6.1. FEEDBACK FROM CHILD PARTICIPANTS:

What worked well? What could be better next time? Any other comment?

6.2. FEEDBACK FROM FACILITATORS:

What worked well? What could be better next time? Any other comment?