

JOINT PRESS RELEASE

## THE UNITED NATIONS CREATE A COMPLAINTS MECHANISM FOR CHILDREN

FOR IMMEDIATE RELEASE

**[NEW YORK, Monday 19 December 2011]** Today, in a landmark step for children's rights, the UN General Assembly has adopted a new Optional Protocol to the UN Convention on the Rights of the Child (CRC) establishing a complaints procedure for violations of children's rights.

The new treaty will enable children, or their representatives, claiming that their rights have been violated to bring a complaint to an international committee of children's rights experts if they have not been able to get remedies for these violations in their countries.

A coalition of over 80 international and national NGOs, coordinated by the NGO Group for the CRC, which has been actively campaigning for the treaty since 2006, welcomed the news.

*"It was high time to put children's rights on an equal footing with other human rights! Until today, the Committee on the Rights of the Child was the only UN treaty body that was denied the power to examine individual cases",* said Peter Newell, co-chair of the NGO coalition. *"Children's rights are no longer 'mini rights,'"* he added.

Cases concerning any violation of children's rights – from children who cannot access primary education to children forced into sexual exploitation, for instance – could be brought before the UN Committee on the Rights of the Child.

*"In the course of our work, we all come across numerous cases of violations of children's rights that couldn't be addressed before national courts",* observed Sara Austin, co-chair of the NGO coalition, *"This is why we have campaigned so hard for the past five years: to get the voices of all these children heard and compel States to remedy those situations."*

In order for a complaint to be reviewed, a State must have accepted the procedure. The NGO coalition will now turn its efforts to lobbying States to ratify the new treaty which must be accepted by ten countries before it can be used.

Chairperson of the UN Committee on the Rights of the Child, Jean Zermatten added his support for the new protocol *“I am truly delighted [...] and I hope it will enter into force without delay. The Committee looks forward to hearing from child victims and identifying precisely where national systems have failed to better help States with the implementation of their obligations.”*



## **Background note**

A complaints or “communications” procedure allows individuals, groups or their representatives, claiming that their rights have been violated by a State that is a party to a Convention, to bring a communication before the relevant UN Committee, provided that the State has accepted the procedure and that the complainants have exhausted domestic remedies.

How the CRC complaints procedure is unique:

- In reviewing communications, the Committee on the Rights of the Child must follow the principle of the best interests of the child and have regard to the rights and views of the child;
- The Rules of Procedure for using the complaints mechanism are to be child-sensitive;
- Safeguards must be introduced to prevent potential manipulation of children, and the Committee can decline to consider communications that are not in the child's best interests;
- The identity of any individuals involved in submitting a complaint, including child victims, cannot be revealed publicly without their express consent; and
- Communications must be submitted with the child victim's consent, unless the person submitting a complaint can justify acting on the child's behalf without that consent.

### **About the NGO Coalition and the campaign:**

[\(http://www.childrightsnet.org/NGOGroup/childrightsissues/ComplaintsMechanism/\)](http://www.childrightsnet.org/NGOGroup/childrightsissues/ComplaintsMechanism/)

The NGO coalition represents over 80 international and national NGOs and is supported by over 1,260 petitioners. It is currently organised as a Working Group of the NGO Group for the CRC co-chaired by Sara Austin (World Vision) and Peter Newell (Global Initiative to End All Corporal Punishment of Children) and coordinated by Anita Goh (NGO Group for the CRC).

A Core Group of members have been guiding the campaign, they include: Child Rights Information Network (CRIN), Global Initiative to End All Corporal Punishment of Children (GIEACP), International Commission of Jurists (ICJ), Kindernothilfe, NGO Group for the Convention on the Rights of the Child, Plan International, Save the Children, SOS Children's Villages International, Terre des Hommes International Federation (TDHIF) and World Vision International.

### **Notes to editors:**

Interview opportunities:

UN Committee on the Rights of the Child

- Jean Zermatten, Chairperson (in French only)
- Yanghee Lee, Vice-Chairperson (in English only)

NGO Coalition

- Peter Newell, Co-chair (in English only)

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