

**NGO GROUP FOR THE CONVENTION ON THE RIGHTS OF THE CHILD
GRUPO DE LAS ONGS PARA LA CONVENCION SOBRE LOS DERECHOS DEL NINO
GROUPE DES ONG POUR LA CONVENTION RELATIVE AUX DROITS DE L'ENFANT**

**A GUIDE FOR
NON-GOVERNMENTAL ORGANIZATIONS
Reporting to the
COMMITTEE ON THE RIGHTS OF THE CHILD**

**GENEVA 2006
THIRD EDITION**

The NGO Group for the Convention on the Rights of the Child

The NGO Group for the Convention on the Rights of the Child has been in existence since 1983 when the drafting of the Convention began. It was then known as the Informal Ad Hoc Group for the Convention on the Rights of the Child and was actively involved in the drafting process. After the Convention came into force in 1990 the Group changed its name to the present one and currently has a membership of more than 70 non-governmental organizations (NGOs).

The NGO Group's mission is to facilitate the promotion, implementation and monitoring of the Convention. Over the years the NGO Group has been a platform for action for members, primarily to influence the UN system but also regional and national forums.

One of the significant areas of the NGO Group's work is to enable national NGO and coalitions to participate in the UN Committee on the Rights of the Child reporting process. Another key area is the development and maintenance of a focal point to monitor global developments on child exploitation issues. The NGO Group also has several thematic subgroups that play an essential role in coordinating member's efforts to have greater impact on particular issues.

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I. Background

▪ **Convention on the Rights of the Child**

The Convention on the Rights of the Child was unanimously adopted by the United Nations General Assembly on 20 November 1989 and entered into force on 2 September 1990. The Convention, which contains 54 articles, is a comprehensive instrument which sets out rights that define universal principles and norms for children. It provides children with fundamental human rights and freedoms as well as takes into account their need for special assistance and protection due to their vulnerability. It was the first international human rights treaty to include civil, political, economic, social and cultural rights in a single comprehensive document. The Convention on the Rights of the Child is presently the most widely ratified international human rights instrument.

General Principles

The Committee on the Rights of the Child has identified four general principles which should be taken into consideration in the implementation of all articles of the Convention:

- **Non-discrimination (Article 2): the rights of each child should be respected without discrimination of any kind**
- **Best interests of the child (Article 3): the best interests of the child should be the primary consideration in all actions concerning children**
- **The right to life, survival and development (Article 6): all children have a right to life and their survival and development should be ensured to the “maximum extent possible”**
- **Respect for the views of the child (Article 12): children have the right to express their views freely and the views of the child should be taken into consideration**

▪ **Committee on the Rights of the Child**

The Convention on the Rights of the Child is monitored through a system of reporting by States parties to the Committee on the Rights of the Child. The Committee is composed of 18 independent experts who are elected in their personal capacity to four-year terms by States parties. An equitable geographical distribution and representation of the principal legal systems is taken into consideration in their selection. Each State party has the right to nominate one person from its country to serve on the Committee. Although the Convention only requires that Committee members be of “high moral standing” and competent in the fields covered by the Convention, other possible criteria could include: demonstrated

expertise in the field of human rights, particularly children's rights; the ability to devote sufficient time to the work of the Committee; representation from a wide variety of professional backgrounds; experience working with non-governmental organizations; awareness and sensitivity to cultural differences; and fluency in one of the three working languages (English, French or Spanish) of the Committee. The work of Committee members is not remunerated.

The Committee meets in Geneva (Switzerland) three times a year for a period of four weeks for each session. The Committee is responsible first and foremost for examining the progress made by States parties in fulfilling their obligations under the Convention and the Optional Protocols. It can only receive or consider information concerning countries which have ratified or acceded to the Convention or the Optional Protocols. The Committee's approach is non-confrontational and attempts to engage States parties in a constructive dialogue with a view to obtaining an accurate assessment of the situation of children in a country. A small permanent Secretariat at the Office of the High Commissioner for Human Rights in Geneva is responsible for providing support and advice to the Committee.

The Committee is not mandated to examine individual complaints concerning violations of the rights of a child. Other treaty bodies with individual complaint mechanisms (the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee on the Elimination of Discrimination against Women and the Committee against Torture) can, however, receive complaints from children.

▪ **Overview of Periodic Reporting Procedures**

The basis for the Committee's review is the report that each State party is required to submit two years after the ratification of the Convention. To date, almost all States parties have submitted their initial reports to the Committee. Progress reports are thereafter required every five years. The Committee may also request a complementary report or additional information between these periods. These obligations are contained in Article 44 of the Convention. In 1999, the Committee decided to allow, on an exceptional basis, a State party to combine its second and third or its third and fourth periodic reports if the next report is due within a year after the dialogue with the Committee or if it is already due at the time of the dialogue and the next report is due two years or more after the dialogue.

In January 2006, revised guidelines for periodic reports entered into force (see Annex 2) and replaced those adopted by the Committee in 1996. States parties are requested not to repeat detailed information that has been previously provided to the Committee. Instead, they are asked to provide the Committee with the following information (see box below):

Information to be provided in periodic reports

- **Measures adopted as a follow-up to the suggestions and recommendations made by the Committee upon examination of its previous report**
- **Measures taken to monitor progress including goals, timetables and actual impact the measures taken**
- **Allocation of budgets and other resources devoted to children**
- **Statistical data disaggregated by gender and age**
- **Obstacles encountered in the realization of their obligations under the Convention**

States parties should also inform the Committee of any major developments that have occurred during the reporting period with regards to the children's rights. State party reports should not exceed 120 pages.

▪ **Examination of State Parties' Reports**

Upon completion of the report, the latter should be sent electronically by the State party to the Secretariat of the Committee at the Office of the High Commissioner for Human Rights in Geneva, Switzerland. The Committee then schedules it for examination at the next available session. Priority is given, however, to the examination of initial reports. The Committee tries to examine all reports within one year of receipt based on the order in which they are received. Information on which reports have been submitted to the United Nations, the expected date of examination of country reports by the Committee as well as copies of State party reports are available at <http://www.ohchr.org/english/bodies/crc/sessions.htm> or from the NGO Group Liaison Unit Program (ngocrc-lup@bluewin.ch).

In order to obtain a more complete picture of children's rights in the country, the Committee seeks written information from other sources, such as non-governmental and inter-governmental organizations. Any complementary information received by the Committee, is then reviewed in the presence of these organizations during the pre-sessional working group. The latter is a private session composed of Committee members, where a preliminary review of the State party report is conducted and all available information is examined. The working group then prepares a list of issues to be submitted in advance to the government. Governments are requested to respond to these questions in writing before the plenary session.

The report is examined by the Committee in the presence of the government during the following plenary session. The Committee recommends that representatives of the government who are directly involved at the national level with the implementation of the Convention be present for such a discussion. Government representatives are invited to answer the questions and comments posed by Committee members in order to discern more fully the actual situation in the country. At the end of the dialogue, the Committee prepares concluding observations which reflect the main points of discussion and indicate concerns and issues which would require specific follow-up action at the national level.

▪ **Optional Protocols to the Convention on the Rights of the Child**

Two Optional Protocols to the Convention on the Rights of the Child were adopted by the General Assembly on 25 May 2000. The first Optional Protocol, which entered into force on 18 January 2002, is on the sale of children, child prostitution and child pornography (OPSC). The Optional Protocol requires that the sale of children, child prostitution and child pornography be prohibited and it defines the acts that should be consequently criminalized. It binds States to protect the rights and interests of child victims and to develop prevention, rehabilitation and international cooperation to ensure the protection of children from sexual exploitation.

The second Optional Protocol, which entered into force on 12 February 2002, is on the involvement of children in armed conflict (OPAC). The Optional Protocol raises the minimum age for direct participation in hostilities from 15 years of age to 18. It also

prohibits compulsory recruitment by government forces of anyone under 18 and all forms of recruitment or use by other armed groups of persons under 18.

▪ **Overview of Optional Protocol Reporting Procedures**

States parties are required to submit a report two years after ratification of the Optional Protocols. These reports should provide a comprehensive picture of the measures taken to implement the Optional Protocols. Thereafter, States parties should include any further information regarding the implementation of the Protocols in the periodic reports that are submitted to the Committee under article 44 of the Convention. In the case where the State party is not a party to the Convention but is a party to the Optional Protocols, the State party should submit reports on the implementation of the Protocols every five years.

The guidelines for reporting under the OPSC (CRC/OPSC/2)¹ and the OPAC (CRC/OP/AC/1)² request States parties to provide information on progress and obstacles encountered in fulfilling obligations under the Protocols, budget allocation, and detailed disaggregated statistical data. Reports should also provide information on legal status, coordination, dissemination and awareness-raising and whether, and in what ways, the implementation of the Protocols are in line with the general principles of the Convention. It should also provide information on the involvement of non-governmental organizations in the preparation of the report.

▪ **Examination of Reports under the Optional Protocols**

Most of the procedures mentioned above for the examination of periodic reports also hold true for the Optional Protocols. The main difference is with regard to the examination of reports in the presence of the government. When a State party submits reports under both Optional Protocols at the same time, the reports are scheduled for consideration at the next available session of the Committee. A maximum of six hours is allocated for the consideration of both these reports. If a State party only submits its report under the OPSC, the report will be scheduled for a half-day consideration at the next available session. The same does not hold true for reports submitted under the OPAC. The Committee will only automatically examine reports if it determines that the State party is “facing or has recently faced serious difficulties in respecting and implementing” the OPAC. All other States parties are given the option of an oral examination with a governmental delegation or a technical review which takes place in private with no governmental presence. NGOs may not observe technical reviews, as these are closed meetings.

▪ **NGOs and the Committee**

Under article 45(a) of the Convention, the Committee on the Rights of the Child may invite specialized agencies, UNICEF, and “other competent bodies” to provide expert advice on the implementation of the Convention. The term “other competent bodies” includes non-governmental organizations. This Convention expressly gives NGOs a role in monitoring its implementation. The Committee has systematically encouraged NGOs to submit reports, documentation or other information in order to provide it with a comprehensive picture of how the Convention is being implemented in a particular country. The Committee welcomes

¹ See Annex 4

² See Annex 6

written information from international, regional, national and local organizations. Individual NGOs or national coalitions or networks of NGOs may submit information on the implementation of the Convention, as well as the Optional Protocols.

The NGO Group has been promoting the creation and development of national coalitions of NGOs working for children. A national coalition often allows for more effective monitoring of the implementation of the Convention at national level due to the specialist knowledge of coalition members and the variety of points of view that may be represented. A national coalition that is broad based and representative allows NGOs working for children to cooperate and coordinate their work in certain areas. National coalitions should be composed of a wide range of organizations (including those working in human rights, humanitarian and development issues) which reflect the full range of issues raised by the Convention as well as the interdependence of economic, social, cultural, civil and political rights. In addition, members should represent diverse jurisdictional and geographic as well as ethnic and cultural differences that may exist in a country. Finally, it is equally important that the views of children be represented in the reporting process.

II. NGO Written Submissions

▪ Contributing to the Reporting Process

The Committee on the Rights of the Child has emphasized that the process of preparing the State party report should be a broad and participatory one which offers an opportunity to conduct a comprehensive review of national legislation, administrative rules and procedures and practices. Although responsibility for reporting lies with the State party, NGOs may contribute to this process. The Committee has recommended that the preparation of the report be an opportunity to conduct a comprehensive review of the various measures undertaken to harmonize law and policy with the Convention and that this process should “encourage and facilitate popular participation and public scrutiny of government policies”.³ The guidelines for the preparation of reports request States parties to provide information on cooperation with civil society organizations, including the extent to which NGOs were consulted in the preparation of the report and in the implementation of all aspects of the Convention. This line of thinking is pursued on a regular basis by the Committee, which systematically asks in its list of issues and during its plenary session about NGO cooperation with the State party.

In some countries, there has been consultation with NGOs in the preparation of the State party report and their contributions have been incorporated into the official State party report. This collaboration takes many forms including writing to NGOs with requests for information on the implementation of the Convention and the Optional Protocols, holding a meeting or meetings with NGOs to solicit their views or to discuss copies of a draft report, or creating joint government-NGO drafting committees. In most countries, however, NGOs do not have the possibility to contribute to the reporting process or their views are not taken fully into account. In addition, NGOs need to be cautious about maintaining their independence. Reporting to the Committee is an obligation of the State party and NGOs should not write the report for them.

▪ Preparation of an NGO report

The Committee on the Rights of the Child seeks specific, reliable and objective information from NGOs in order to obtain a serious and independent assessment of the progress and difficulties encountered in the implementation of the Convention and the Optional Protocols. This is due to the fact that the reports submitted by States parties tend to present the legislative framework and often do not consider the implementation process. It can be difficult for the Committee to obtain a complete picture of the situation of children in the concerned State. NGO information is therefore an essential element in the monitoring process. The Committee seeks information that deals with all the different areas covered by the Convention in order to effectively monitor its implementation in a country. The Committee is also interested in receiving information on areas where the government report does not give sufficient information and on areas of concern not covered or, in the opinion of the NGOs, covered incorrectly or misleadingly.

Reporting to the Committee provides NGOs a unique opportunity to bring concerns about the status of children to the international legal body responsible for monitoring the

³ CRC/C/58 - [www.unhcr.ch/tbs/doc.nsf/\(Symbol\)/CRC.C.58.En?Opendocument](http://www.unhcr.ch/tbs/doc.nsf/(Symbol)/CRC.C.58.En?Opendocument)

implementation of the Convention. Reporting can also empower national NGOs by offering a legitimate external source to which children's issues can be raised and addressed. At national level, the preparation of an NGO report encourages and facilitates public scrutiny of governmental policies and provides NGOs with a way in which to influence the agenda of the country. It opens a debate on the status of children in the country and creates an opportunity to have a serious dialogue with senior government officials about the State's efforts to comply with the Convention.

NGO reports prepared by coalitions rather than individual NGOs are much more difficult to disregard or discredit and therefore tend to lend greater legitimacy to information submitted on breaches of rights. Governments can easily claim that information submitted by one NGO should not be taken seriously because that particular NGO is politically motivated, linked to the opposition, not reliable, or is basing its criticism on fantasy rather than fact. It is much more difficult for a government to discredit a report prepared by a group of NGOs. In addition, a single comprehensive report allows Committee members (who are under intense time pressure) to familiarize themselves with the relevant issues, by studying only one NGO document from, say, 20 organizations – rather than 20 reports from 20 organizations.

▪ **Putting together a periodic report**

States parties undertake in article 44(6) of the Convention to “make their reports widely available to the public in their own countries”. Therefore NGOs (individual NGOs or national coalitions of NGOs) who are interested in preparing written information for the Committee should request a copy of the State party report from their government. If, for whatever reason, the government does not provide an NGO with a copy of the report, it may be requested from the NGO Group Liaison Unit or may be found in unedited format at <http://www.ohchr.org/english/bodies/crc/sessions.htm>. NGOs should not wait, however, until the State party has submitted its report to the Committee before establishing a structure to monitor the implementation of the Convention. Monitoring and analysis are ongoing processes that need to start early. The NGO report should not, however, be finalized until the State party has submitted its report to the Committee in order to be able to comment on its contents and avoid the need for an update.

The NGO report should contain a section-by-section analysis of the State party report. Rather than an article-by-article approach, reports should follow a specific thematic structure which is based on the following eight clusters of articles:

- general measures of implementation (Articles 4, 42, 44.6)
- definition of the child (Article 1)
- general principles (Articles 2, 3, 6, 12)
- civil rights and freedoms (Articles 7, 8, 13, 14, 15, 16, 17, 19, 37(a))
- family environment and alternative care (Articles 5, 9, 10, 11, 18, 20, 21, 25, 27.4)
- basic health and welfare (Articles 18, 23, 24, 26, 27)
- education, leisure and cultural activities (Articles 28, 29, 31)
- special protection measures (Articles 22, 30, 32, 33, 34, 35, 37, 38, 39, 40)

In this way, the Committee will be able to compare the government report with the NGO information.

The aim of the NGO report should be to undertake a systematic analysis of the extent to which law, policy and practice in the State party is in compliance with the principles and

standards of the Convention. The report should reflect the experience of children throughout the State party: differences in legislation, administration of services, culture and environment of different jurisdictions need to be incorporated into the report. The latter should also draw upon the widest possible sources of knowledge, expertise and experience – and the views and experiences of children should be identified and incorporated into the report.

The report should be based on the broadest possible range of information sources including:

- current legislation and government reports on its implementation
- government statistics
- verbatim records of parliamentary/legislative proceedings
- reports published by organizations and professional bodies working with children
- published research (government, academic, NGO), books and periodicals

The main issues should be identified through consultation with key organizations and individuals. The report should seek to analyze the implementation of legislation in order to give an accurate picture of the practice in the country. Governments have a tendency to prepare legalistic reports and NGOs have an important role in providing information on the practical implementation or lack of implementation of the Convention. The report should point out relevant legislation and statistics to support or contradict the information provided by the government. If there is a lack of statistical information, this can also be mentioned as a recommendation to improve the monitoring of the Convention.

The **concluding observations** from previous reports should be used as the basis for the NGO report – in order to inform the Committee about progress made in the areas already highlighted by the Committee and whether or not progress has been sufficient. The NGO report should also inform the Committee on the positive and negative changes in key areas since the last report. Any new areas of concern should be highlighted.

The information provided in the report should be directly linked to an analysis of the implementation of the Convention, with clear indications of which articles are being breached, in what way, and the consequences that this implies. It may be useful to refer to already established interpretations of what constitutes a breach of the Convention. The Committee has developed a number of **general comments** which set out its interpretation of various provisions of the Convention.

General Comments

To date, the Committee has issued nine general comments :

1. The aims of education
2. The role of independent human rights institutions
3. HIV/AIDS and the rights of the child
4. Adolescent health
5. General measures of implementation
6. Treatment of unaccompanied and separated children outside their country of origin
7. Implementing child rights in early childhood
8. Protection from corporal punishment and other cruel or degrading forms of punishment
9. The rights of children with disabilities

Additional general comments on indigenous children, the administration of juvenile justice, and a child's right to be heard are in the process of being elaborated.

The texts are available at

<http://www.ohchr.org/english/bodies/crc/comments.htm>

NGOs may also submit information that complements or supplements the State party report, particularly in areas where the government report lacks information. This information may take the form of recent reports that NGOs have produced on thematic issues (i.e. street children, working children, children in armed conflict, refugee children, the girl child, sexually exploited children etc.). Reports that only focus on one issue or on the situation of a particularly vulnerable group may also be useful.

Thematic reports should also include, where appropriate, information regarding follow-up activities to global conferences on human rights and social development such as the World Summit for Children (New York), the World Conference on Human Rights (Vienna), the World Conference on Women (Beijing), the Earth Summit (Rio), the World Summit for Social Development (Copenhagen), and the World Congress on Commercial Sexual Exploitation (Stockholm) as well as the Millennium Development Goals.

▪ **Putting together a report under the Optional Protocols**

It is also extremely important for the Committee to receive information from NGOs on the implementation of the two Optional Protocols. The NGO Group has published a Guide for NGOs reporting to the UN Committee on the Rights of the Child on the implementation of the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography.⁴

⁴ Available from the NGO Group's Focal Point on the Sexual Exploitation, Violence and Abuse of Children at

[http://www.againstsexualexploitation.org/mm/File/NGO_Group_Guide_on_OPSA_Reporting\(1\).pdf](http://www.againstsexualexploitation.org/mm/File/NGO_Group_Guide_on_OPSA_Reporting(1).pdf)

This Guide provides background information on the drafting of the protocol, a commentary on some of the first States Parties' reports, and information on the initial reporting processes.

The Coalition to Stop the Use of Child Soldiers has published a Guide to the Optional Protocol on the Involvement of Children in Armed Conflict.⁵ This Guide provides information on the drafting of the protocol, a commentary on key provisions, information on ratification and accession, and some basic information on monitoring, reporting, implementing and taking action.

For both Optional Protocols, the Committee would like to receive specific information from NGOs on the actual implementation of the Protocols. The Committee is seeking information on legal reforms and implementation, policies and programs, protection of all children, status and treatment of victims, status and treatment of perpetrators, and contributing factors. The information prepared and submitted under the Optional Protocols should follow the respective reporting guidelines regarding initial reports.⁶

For the OPSC, information should be provided on:

- general measures of implementation,
- prohibition of the sale of children, child pornography, and child prostitution,
- penal/criminal procedure,
- protection of the rights of child victims,
- prevention of the sale of children, child prostitution and child pornography, and
- international assistance and cooperation and other legal provisions.

Under the OPAC, information should be provided on an article-by-article basis and include information relating to:

- legislative and administrative measures taken to ensure that children do not take direct part in hostilities and are not compulsorily recruited into the armed forces,
- voluntary recruitment into the armed forces, including on schools operated by or under the control of the armed forces,
- the recruitment of children by non-state armed groups,
- provisions of national and other laws,
- measures adopted to ensure implementation and enforcement, and
- technical cooperation and financial assistance.

▪ **Participation of Children in the Reporting Process**

The active participation of children in the reporting process is becoming more common. There is no specified method for them to take part in the process and, so far, the ways in which they have contributed to the process have been varied. Consultations with children have been held in most countries, either through youth groups, clubs or on an ad hoc basis. Activities have included surveys and local, regional or national consultations.

⁵ Available from the Coalition to Stop the Use of Child Soldiers at http://www.child-soldiers.org/document_get.php?id=972

⁶ See CRC/OP/SA/1 and CRC/OP/AC/1 included in Annexes

The main ways that children have participated in reporting to the Committee are as follows:

- Children have prepared their own reports which have been submitted directly to the Committee. This has been done either by children's organizations or associations which gathered information from a broader audience to present the Committee with some key concerns and issues about the implementation of children's rights. However, this type of reporting is quite rare.
- The main NGO coalitions have sometimes organized and facilitated meetings for children to draft their own reports, which are sent separately to the Committee but with the guidance and financial support of an NGO or coalition.
- Children have been involved as participants in the comprehensive NGO report. During consultations for the preparation of reports, the views of children have been collected. They might be incorporated throughout the report at the same level as any information submitted by the adults, or their views are sometimes included in a separate section or an annex to highlight the key issues from their perspectives.
- In a few countries, DVDs have been prepared at national level in order to allow children to express themselves more directly. These are shown to the Committee so that its members get an idea of the key issues on which the children would like them to focus.

▪ **Key Issues and Recommendations**

NGOs should make concrete recommendations on how to improve the situation of children in their country, if necessary with an indication of where there is a need to modify current legislation in order to bring it inline with the Convention. The recommendations should focus on a limited number of priority issues. NGOs may also indicate questions or issues that the Committee may wish to raise with the government.

They should also prepare concrete recommendations about the role NGOs can play in the implementation of the Convention and the Optional Protocols. The Committee is particularly interested in knowing the extent to which NGOs can advocate for change. In its concluding observations, the Committee often recommends that governments work with national NGOs.

▪ **Practical Information**

NGO reports should be no longer than 30 pages. An abstract or a summary of the report is helpful to highlight the key issues and point out the principal preoccupations related to the implementation of the Convention or the Optional Protocols. Written information should be supported by facts and should not be worded in a tone that may be considered to be overly political. Subjective opinions should not be included. The aim is for a constructive dialogue rather than conflict. On the other hand, do not hesitate to point out problems and suggest concrete measures to be taken. Reports should be submitted in one of the three official working languages of the Committee (English, French, Spanish). As English is the working language of the majority of Committee members, documents submitted in French and Spanish should, whenever possible, be translated into English. **The United Nations will not translate any documents submitted by NGOs.**

Ideally, a written report should be submitted within six months after the government report has been received by the Office of the High Commissioner for Human Rights (in Geneva) to

ensure that it is taken into account during the pre-sessional working group meeting. NGO reports may be submitted to the NGO Group Liaison Unit which will ensure that the information reaches the Committee, or directly to the Office of the High Commissioner for Human Rights⁷. Whenever possible, 25 copies of the NGO report should be submitted for distribution to all Committee members and the Secretariat of the Committee. The NGO Group may be able to photocopy NGO reports when this is not possible.

The NGO report should also be submitted electronically for ease of distribution and so that it can be entered into the electronic database of NGO reports submitted to the Committee (<http://www.crin.org/docs/resources/treaties/crc.25/annex-vi-crin.shtml>). **As parts of this database will be accessible to any interested persons through the Internet, please indicate whether or not the NGO Group has permission to include the report in this resource**⁸. The service is free and no remuneration will be received nor retained by the NGO Group. The report will only be made public after the completion of the pre-sessional working group meeting. NGOs should also indicate whether or not the members of the Committee may refer to the source of the information during their discussions with the government. As the NGO reports are considered to be 'confidential documents', they may only be consulted by the Committee if the NGOs do not want them to be more broadly disseminated.

Main Points to Remember when Preparing a Report

- Follow Committee guidelines
- Highlight key issues of concern
- Make concrete recommendations
- Prepare no more than 30 pages
- Write reports in English, French, or Spanish
- Provide an abstract or a summary in English
- Send report to the Committee within six months after the government report has been submitted

⁷ If NGOs send electronic versions of their reports to the Committee, the latter will only make 2 copies of it – one for the Secretariat and one for the country rapporteur. In order to ensure that each member of the Committee receives the report, send 25 copies to the Committee Secretariat or the NGO Group for distribution.

⁸ The NGO Group sends the NGOs a permission letter to sign prior to putting the report on the CRIN website.

III. Pre-Sessional Working Group of the Committee

■ Composition

The pre-sessional working group of the Committee is an opportunity to conduct a preliminary review of the State party report and to examine supplementary and alternative information. The working group meets three times a year to identify, in advance, the main questions to be discussed with States parties which will appear before the Committee during the following session. The working group normally meets in Geneva during a five-day period directly following a plenary session of the Committee. As it is a working group, all members of the Committee may not be present.

The pre-sessional working group meets in private and only those invited may attend. NGOs who submit written information in advance, considered relevant by the Committee, may be invited to participate in the working group. In principle, NGOs are only invited to attend the meeting related to the country on which they are able to provide expert advice. Independent national human rights institutions, particularly those specialized in children's rights, may also submit written information and be invited to attend the meeting. These meetings last approximately three hours for each country, either from 10 am to 1pm or from 3pm to 6pm.

■ NGO Participation

Interested NGOs should state clearly in the cover letter accompanying their report that they wish to participate in the working group meeting. Only a limited number of NGOs from each country will be invited to attend. The Committee will base its decision on an evaluation of the written information on the country provided in advance by NGOs or coalitions. It will examine which information seems relevant for the examination of the State party report and which NGOs or coalitions seem to be in a position to provide factual information on specific aspects of the implementation of the Convention or the Optional Protocols in the country. The Committee will then issue a letter acknowledging receipt of the written information and inviting the NGO to be present at the date and time when the working group will consider the relevant report.

Participation of NGOs or coalitions in the working group allows Committee members to ask follow-up questions and obtain an alternative view of the government report. NGOs are encouraged to provide the Committee with a constructive, critical analysis of both the government report and the actual situation in the country. NGOs can also help to set priorities and identify key issues for discussion with the government. NGOs should bring copies of statistics or studies that might be referred to during an oral presentation or that may interest Committee members. The information provided by NGOs may be used in the elaboration of the list of issues which will be sent to the government. The list of issues contains additional questions to which States parties are requested to respond in writing before the plenary session.

Unfortunately, the Committee is unable to provide funding for travel expenses or assist in making travel arrangements. In some instances, however, the NGO Group may be able to provide limited financing for travel and subsistence expenses for representatives of national NGOs or coalitions from developing countries who have been invited by the Committee to participate in the pre-sessional working group. If possible, NGOs should send two or three representatives from their organization to meet with the Committee. An ideal NGO

delegation consists of at least one person who has a comprehensive understanding of the situation of the rights of children in their country, as Committee members often ask a wide range of detailed questions that only an expert can answer. Additional representatives should include a lawyer who can respond to the various legal aspects of the implementation of the Convention and a specialist in at least one of the key areas of concern.

The NGO delegation may also include children as this provides an opportunity for children to speak out and express their views directly to members of the Committee. It should be noted, however, that – as a technical meeting in a fairly formal setting – the pre-sessional working group may not be the best place for children to express their views. Older children who have been well trained in children’s rights, represent a wider constituency or group of children and have taken an active role in the elaboration of the report, are generally most able to interact with the Committee. It is also essential that the children feel comfortable speaking one of the official languages of the Committee (English, French or Spanish) or one of the other three UN languages (Arabic, Chinese or Russian). Due to the limited time available during the meeting, it is difficult for accompanying adults to act as interpreters as this cannot be done simultaneously.⁹ It is very important that children are well briefed in advance as to the limits of their participation in order to avoid arriving with unrealistic expectations. Efforts can be made to arrange a separate informal meeting between youth participants and Committee members outside of formal meeting time to allow for a more informal, flexible environment in which children may feel more comfortable expressing their views.

▪ Working Group Procedures

There is no fixed procedure or approach set out for the Committee’s consideration of a State party report during the working group session. This will depend largely on the adequacy or insufficiency of each report and how much information it has been possible to secure. The Chairperson will ask the NGOs to make a short introductory statement which should highlight a limited number of key issues of concern. Committee members will have been provided with copies of the NGO reports in advance so it is not necessary to summarize or read out the report in full. The oral presentation should not provide information about the work of the NGO itself although this information may be distributed in writing to the members of the Committee. Interpretation is available in English, French and Spanish and, on request, Arabic, Russian and Chinese.

In this initial intervention, NGOs should not speak for more than ten minutes¹⁰. NGOs should give their opinion on the State party report, point out the main problems that children are facing in their country, and provide an update of any new information since the submission of written documentation. The Committee is also interested in knowing whether the government consulted with NGOs in the preparation of the report, if the report reflects NGO concerns and if it was made widely available within the country. Copies of oral statements must be submitted in advance for the interpreters and may also be submitted to Committee members for future reference. Currently, the Committee does not allow the use of PowerPoint projectors during the pre-sessional meetings. NGOs who prefer this style of presentation should submit copies of the presentation in advance so that they can be distributed to Committee members and interpreters. Only one person from the NGO delegation should

⁹ For more information on the participation of children at international meetings, see [So you want to consult with Children: A toolkit of good practice](#); “Having children on your delegation”, pp. 49-53, International Save the Children Alliance, November 2003.

www.savethechildren.net/alliance/resources/childconsult_toolkit_final.pdf

¹⁰ If more than one person wishes to make a presentation, the 10 minutes allocated to NGO presentations must be shared. This allows NGOs to have more time to answer the Committee’s questions.

make the opening presentation. Speakers should signal visually to the Chair to request the floor and, when invited to speak, press the button in front of the microphone. Wait until the light comes on before speaking. Remember to speak slowly and clearly to allow the interpreters to follow.

As stated above, the working group meets in private. This means that no governmental representatives, media or outside observers may attend. Other national or international NGOs as well as independent national human rights institutions¹¹ who have been invited to attend may be present. Representatives from relevant inter-governmental organizations (e.g. UNICEF, ILO, UNHCR, WHO, UNESCO) have an open invitation to participate and often do so. No press releases or summary records are issued for working group meetings and the official report of the Committee states that NGOs attended the pre-sessional meeting but does not mention the organizations or participants by name. As the meeting is private, all participants are asked to respect the confidentiality of those present. Information shared and opinions expressed by NGOs, national human rights institutions, UN agencies and Committee members should not be made public. The meeting provides an opportunity for Committee members to gather information and opinions but whether they choose to use the information and the way in which they do so will only be determined during the plenary session. This allows for a certain level of confidentiality and should permit NGOs and others to speak freely.

Following the NGO presentations, the Chairperson will then ask the national human rights institutions and inter-governmental organizations (IGOs) to make similar presentations. Thereafter, Committee members are invited to comment on or ask questions about the report and the presentations. Some comments will be general while others may be questions specifically directed at the NGOs or IGOs. Rather than asking one question at a time, Committee members will ask a series of questions (generally between 20 and 30) starting with the country rapporteur, who is the person responsible for taking the lead the examination of the report. Only after all Committee members have raised questions will the NGOs and others be given a chance to respond. The Chair will generally allow a ten-minute break to allow some time for those present to prepare their responses. Rather than responding to questions in the order that they were asked, the Committee prefers that the questions be grouped by theme and responded to by the person present who has the most expertise in that particular subject area. The break should be used to allocate the responses among the participants, remembering that the national human rights institutions and UN agencies, in particular UNICEF, should be included in discussions regarding the division of themes.

Once the meeting resumes, NGOs who wish to comment or to respond to questions of experts should signal visually to the Chairperson that they wish to take the floor. In responding to questions or comments, NGOs should try to answer without entering too much into the details and provide short concise comments whenever possible. If more information is required, a follow-up question will be asked. As others will wish to speak, no one person should speak for more than ten minutes at a time. It is always possible to return to unanswered questions once all participants have had an opportunity to speak.

¹¹ The Committee has encouraged national human rights institutions (NHRI) to contribute independently to the reporting process. See General Comment No. 2 (2002) on the role of independent human rights institutions in the promotion, and protection of the rights of the child, CRC/GC/2002/2

Main Points to Remember when Preparing an Oral Presentation

- Cover letter accompanying written information should include request to attend working group.
- Only NGOs who submit written information may be invited.
- Statements should be no longer than ten minutes.
- Give opinion on State party report, highlight key problems, and provide updated information.
- Provide information on government-NGO consultation on government report.
- All participants should be given the opportunity to speak during the meeting.

IV. Procedures for Follow-up Action

▪ **Between the Pre-Sessional Working Group and the Plenary**

Following the pre-sessional working group, the Committee formally invites the government to participate in the plenary session which normally takes place four months later. The information provided in writing and during the pre-sessional working group meeting may inform the list of issues. For periodic reports, the list of issues, which contains four sections, provides governments with the opportunity to update their written reports and respond in writing to questions of a more factual nature.

- The first section requests disaggregated statistical data that may be missing or incomplete and asks specific questions with regards to general measures of implementation.
- The second asks for copies of the text of the Convention in all official languages, as well as in other languages and dialects.
- The third section requests the government to update its report in terms of legislation adopted, new institutions, and newly implemented policies, programs or projects.
- The final section is a preliminary list of major issues, which do not require written responses but may be used as a guide to the dialogue with the government. This allows the State party to better prepare itself for the meeting with the Committee.

For the Optional Protocols, the list of issues contains a series of questions on which further clarification is sought. For countries granted a technical review under the OPAC, the list of issues will serve as the primary way in which additional information is obtained. The Committee sends the list of issues to the State party and requests a written response approximately one month before the plenary session.

The list of issues is made public shortly after the pre-sessional working group meeting. NGOs may be able to obtain the list of issues sooner, by requesting a copy directly from the government. NGOs may contribute to the preparation of the written replies, if such assistance is requested by the government or, if they so wish, may prepare their own brief replies to the list of issues and submit these to the Committee prior to the examination of the report. The responses to the list of issues are made public as soon as they are submitted by the government.

During this period, the government also selects the members of the official delegation. The composition of the delegation makes a critical difference to the success of the dialogue with the Committee. The delegation should be varied and include both high-level officials who have authority to speak on behalf of the government, as well as those whose work is more directly related to the implementation of the Convention. As a general rule, the Committee insists that the government sends an appropriate delegation from the home country and does not encourage the delegation to consist solely of their diplomats based in Geneva. NGOs should confirm the meeting dates with the relevant Ministries and emphasize the importance of sending a high-level knowledgeable delegation.

NGOs may also wish to meet with members of the governmental delegation and any other key persons prior to the plenary session to discuss ways in which the NGO community could cooperate with the government in addressing critical problems affecting children. A

discussion of this kind, if possible, can help to clarify the role that NGOs can play in addressing children's welfare and rights issues – as well as reinforcing important issues which may not have received sufficient recognition in the government report.

NGOs may also want to organize a public event, such as a press conference, to bring the wider public's attention to the upcoming meeting and its possible implications, as well as the NGO recommendations to the Committee. Ensuring that the media has access to the State party report and, if appropriate, the NGO report, as well as encouraging ongoing media coverage of the meeting with the Committee can serve as a good opportunity for public education and debate on children's issues.

The Committee also welcomes receiving additional information from NGOs to clarify issues raised during the pre-session or to provide written responses to questions that remain unanswered. The Committee strongly welcomes information on any new developments that might have occurred in the period between the pre-session and the session in order to have the most up-to-date and relevant information prior to meeting the government. The NGO Group keeps the NGOs who submitted reports informed about the process, by sending the list of issues, the written replies and the dates of the session with the government.

▪ **Plenary Session**

The Committee meets for its formal (plenary) sessions three times a year during a three-week period, in January-February, May-June and September-October. Scrutiny of a periodic State report extends over a day (two meetings of three hours each) and that of a report under an Optional Protocol extends over half a day (one three-hour meeting). Where reports under both Protocols have been submitted, the consideration in plenary session may be extended to one full day (two meetings of three hours each). When the government comes before the Committee, experts may pose additional questions and comments based on information received from NGOs.

The governmental delegation will be invited to make a short opening statement which will be followed by a series of questions posed by Committee members. For periodic reports, the first series of questions will focus on the areas of general measures of implementation, general principles, definition of the child and civil rights and freedoms. Following a short break, the government will be expected to respond to the Committee's questions and concerns. The Committee will then pose a series of questions in the areas of family environment and alternative care, education, health and special protection measures. Following another break (generally over the lunch period), the government will be requested to respond to any unanswered questions from the morning session. For the Optional Protocols, there is no specific breakdown in the questions posed.

NGOs should consider attending the plenary session. The session is public virtually throughout and although NGOs do not have a right to speak during the meeting, they may participate as observers. Participation at the plenary session allows NGOs to obtain a comprehensive picture of the dialogue with the government. Although summary records of the discussion are produced, these contain a summary of the proceedings rather than a verbatim record of the discussion. In addition, the summary records are often not available in all languages until months after the discussion. To keep NGOs informed about the meeting between the Committee and the government, the NGO Group prepares summaries of the sessions¹². It may also be possible to meet with Committee members informally before and during the meeting with the government to present additional information, provide updates or

¹² The summaries are available at www.crin.org/resources/infoDetail.asp?ID=7599&flag=report

suggest possible questions. The Committee does not meet formally with NGOs during the plenary session.

▪ **Concluding Observations**

Following the discussion with the State party, the Committee will adopt concluding observations that point out the positive aspects, the factors and difficulties impeding the implementation of the Convention, the principal subjects of concern and concrete suggestions and recommendations for future action. The Committee tries to provide concrete recommendations that can actually be implemented in a country. These observations are made public on the last day of a Committee session¹³ and will be sent to both the government and the General Assembly of the United Nations. Concluding observations of the Committee can be an unparalleled tool for NGOs to stimulate a discussion at the national level, to exert pressure on the government to follow up on the recommendations of the Committee, and to lobby for changes in legislation and practice.

NGOs should also try to get the national mass media involved in reporting the concluding observations and the comments of Committee members in the press. The effectiveness of the proceedings is largely dependent on the publicity they attract. Scrutiny by the media and the public can help to ensure that the concerns raised by the Committee figure prominently on the national agenda.

The Committee is not able to enforce its recommendations and looks towards national-level mechanisms to ensure that their recommendations are taken into account by the State party. NGOs can play a key role in the short and long term to assist the government in following up on the concluding observations.

¹³ The NGO Group sends the Concluding Observations to the NGOs that prepared reports for the Committee. They are also available at www.ohchr.org/english/bodies/crc

Activities in relation to the Concluding Observations (COs)

Between the Pre-session and Plenary Session

- Meet with the NGOs and other stakeholders on present and future CRC advocacy work with the upcoming COs
- Where possible meet with Government about the CRC session
- Meet with inter-governmental organizations such as UNICEF on the CRC session, COs and follow-up activities
- Hold press conferences
- Send out press releases on the session and CRC issues
- Prepare response to the CRC list of issues from the Committee
- Prepare NGO delegation to attend CRC session
- Seek to influence the selection of the Governmental delegation to ensure sound representation at the CRC session
- Review/develop mechanisms for long term monitoring of the implementation of the COs
- Prepare list of organizations, persons and groups to receive the COs
- Identify key government institutions and officials responsible for implementing the COs

Immediate post session

(The first few months after the CRC session)

- Circulate widely the COs
- If necessary, make an un-official translation of the COs
- Meet Governmental officials and other key duty bearers regarding implementing the COs
- Hold press conferences on the CRC session and COs
- Examine the COs to determine the degree of compatibility between the NGOs' & the Committee's recommendations
- Send feedback to the NGO Group for the CRC and the CRC Secretariat on the pre-session and session
- Conduct briefings with duty bearers (governmental officials), stakeholders (NGOs) and rights holders (youth clubs) on the CRC reporting process, the outcome and the COs
- Create a website specifically on the CRC and COs

Short term

(Within the first year following the CRC session)

- **Develop methods/systems for monitoring the implementation of the COs**
- **Develop indicators for monitoring**
- **Get stakeholders involved in monitoring (eg. professional associations, service clubs, trade unions)**
- **Encourage the Government to widely circulate the COs & CRC**
- **Conduct a country (national, regional and local levels) analysis of the factors that aid or hinder the implementation of the COs and CRC**
- **Review current commitments (such as NPAs) and their compatibility with the COs**
- **Ensure that children/youth groups and institutions are aware of the COs**
- **Promote the inclusion of the COs in existing CRC trainings for professionals working with and behalf of children**
- **Submit relevant sections of the NGO report and COs to other treaty bodies, (e.g. the Human Rights Committee)**

Long Term

(Until the next State report is submitted)

- **Conduct an annual review of COs and CRC**
- **Create annual events around monitoring**
- **Do campaigns on COs related issues**
- **Conduct studies and inquiries related to the COs issues**
- **Promote the creation of a multi-sectoral committee (including government) to monitor the CRC and COs**
- **Develop an advocacy strategy on the COs**
- **Continuously build broad based alliances for CRC**
- **Get involved in Government initiatives for legal and policy reforms that affect children to ensure that the recommendations from the COs are included where relevant**
- **Seek to have annual meetings with government officials and local authorities on the COs and CRC**
- **Submit the NGO report and the relevant sections of the alternative report and COs to other treaty bodies, (e.g. the Human Rights Committee)**

Next periodic report
(A few months before the next CRC pre-session)

- **Strengthen/create a network to draft the next alternative report**
- **Actively plan to have children involved in the preparation of the report**
- **Use the COs as a reference for preparing the alternative report along with the CRC periodic reporting guidelines**

▪ **Periodic Reporting**

The periodic reporting process is the key way in which progress can be measured. States parties are required to submit periodic reports to the Committee every five years. These reports should provide information on the progress made since the last report was submitted. The preparation of each report should be an opportunity to conduct a comprehensive review of measures taken to harmonize law and policy with the Convention and to monitor progress made in the enjoyment of children's rights.

The main objectives for the preparation, submission and consideration of periodic reports are:

- to assess the positive and negative trends and changes regarding the status of children;
- to assess the consideration given by the State party to the concluding observations adopted by the Committee and the follow-up to the suggestions and recommendations made by the Committee to the State party; and
- to define future action and measures required in order to improve the situation of children.

The reporting process should be seen as one element in a process of continuous monitoring of the implementation of the Convention by both State parties and by NGOs. It is therefore important for NGOs to establish national-level monitoring processes which allow for continuous follow-up on progress made and regular reporting to the Committee on areas that require additional attention and follow-up.

V. Annexes

1. Convention on the Rights of the Child.
2. General Guidelines regarding the form and content of periodic reports to be submitted by States parties
3. Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.
4. Guidelines regarding initial reports of States Parties to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
5. Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict.
6. Guidelines regarding initial reports of States Parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Convention on the Rights of the Child
Adopted and opened for signature, ratification and accession by General Assembly resolution
44/25 of 20 November 1989
Entry into force 2 September 1990, in accordance with article 49

Preamble

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules); and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, Recognizing the importance of international co-operation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

PART I

Article 1

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 2

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

Article 6

1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

Article 8

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

Article 10

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (ordre public), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

Article 11

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.
2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others; or
 - (b) For the protection of national security or of public order (ordre public), or of public health or morals.

Article 14

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.
2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.
3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

Article 15

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.
2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

Article 16

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.
2. The child has the right to the protection of the law against such interference or attacks.

Article 17

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:

- (a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;
- (b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;
- (c) Encourage the production and dissemination of children's books;
- (d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;
- (e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

Article 18

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.
3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

Article 19

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.
2. States Parties shall in accordance with their national laws ensure alternative care for such a child.
3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 21

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

- (a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;
- (b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;
- (c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;
- (d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;
- (e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.
2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

Article 23

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.
2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.
3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

Article 25

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

Article 26

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

- (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.
3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

Article 29

1. States Parties agree that the education of the child shall be directed to:
- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
 - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
 - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;
 - (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
 - (e) The development of respect for the natural environment.
2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

Article 30

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

Article 31

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.
2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

Article 32

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.
2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:
- (a) Provide for a minimum age or minimum ages for admission to employment;
 - (b) Provide for appropriate regulation of the hours and conditions of employment;
 - (c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

Article 33

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

Article 34

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

Article 35

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

Article 36

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

Article 37

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

Article 38

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.
4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

Article 40

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.
2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:
 - (a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;
 - (b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:
 - (i) To be presumed innocent until proven guilty according to law;
 - (ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;
 - (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;
 - (iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;
 - (v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;
 - (vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;
 - (vii) To have his or her privacy fully respected at all stages of the proceedings.
3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:
 - (a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected. 4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

Article 41

Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

- (a) The law of a State party; or
- (b) International law in force for that State.

PART II

Article 42

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.

Article 43

1. For the purpose of examining the progress made by States Parties in achieving the realization of the obligations undertaken in the present Convention, there shall be established a Committee on the Rights of the Child, which shall carry out the functions hereinafter provided.

2. The Committee shall consist of eighteen experts of high moral standing and recognized competence in the field covered by this Convention.^{1/} The members of the Committee shall be elected by States Parties from among their nationals and shall serve in their personal capacity, consideration being given to equitable geographical distribution, as well as to the principal legal systems.

3. The members of the Committee shall be elected by secret ballot from a list of persons nominated by States Parties. Each State Party may nominate one person from among its own nationals.

4. The initial election to the Committee shall be held no later than six months after the date of the entry into force of the present Convention and thereafter every second year. At least four months before the date of each election, the Secretary-General of the United Nations shall address a letter to States Parties inviting them to submit their nominations within two months. The Secretary-General shall subsequently prepare a list in alphabetical order of all persons thus nominated, indicating States Parties which have nominated them, and shall submit it to the States Parties to the present Convention.

5. The elections shall be held at meetings of States Parties convened by the Secretary-General at United Nations Headquarters. At those meetings, for which two thirds of States Parties shall constitute a quorum, the persons elected to the Committee shall be those who obtain the largest number of votes and an absolute majority of the votes of the representatives of States Parties present and voting.

6. The members of the Committee shall be elected for a term of four years. They shall be eligible for re-election if renominated. The term of five of the members elected at the first election shall expire at the end of two years; immediately after the first election, the names of these five members shall be chosen by lot by the Chairman of the meeting.

7. If a member of the Committee dies or resigns or declares that for any other cause he or she can no longer perform the duties of the Committee, the State Party which nominated the member shall appoint another expert from among its nationals to serve for the remainder of the term, subject to the approval of the Committee.

8. The Committee shall establish its own rules of procedure.

9. The Committee shall elect its officers for a period of two years.

10. The meetings of the Committee shall normally be held at United Nations Headquarters or at any other convenient place as determined by the Committee. The Committee shall normally meet annually. The duration of the meetings of the Committee shall be determined, and reviewed, if necessary, by a meeting of the States Parties to the present Convention, subject to the approval of the General Assembly.

11. The Secretary-General of the United Nations shall provide the necessary staff and facilities for the effective performance of the functions of the Committee under the present Convention.

12. With the approval of the General Assembly, the members of the Committee established under the present Convention shall receive emoluments from United Nations resources on such terms and conditions as the Assembly may decide.

Article 44

1. 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 herein and on the progress made on 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.

2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.

3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.
4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
6. States Parties shall make their reports widely available to the public in their own countries.

Article 45

In order to foster the effective implementation of the Convention and to encourage international co-operation in the field covered by the Convention:

- (a) The specialized agencies, the United Nations Children's Fund, and other United Nations organs shall be entitled to be represented at the consideration of the implementation of such provisions of the present Convention as fall within the scope of their mandate. The Committee may invite the specialized agencies, the United Nations Children's Fund and other competent bodies as it may consider appropriate to provide expert advice on the implementation of the Convention in areas falling within the scope of their respective mandates. The Committee may invite the specialized agencies, the United Nations Children's Fund, and other United Nations organs to submit reports on the implementation of the Convention in areas falling within the scope of their activities;
- (b) The Committee shall transmit, as it may consider appropriate, to the specialized agencies, the United Nations Children's Fund and other competent bodies, any reports from States Parties that contain a request, or indicate a need, for technical advice or assistance, along with the Committee's observations and suggestions, if any, on these requests or indications;
- (c) The Committee may recommend to the General Assembly to request the Secretary-General to undertake on its behalf studies on specific issues relating to the rights of the child;
- (d) The Committee may make suggestions and general recommendations based on information received pursuant to articles 44 and 45 of the present Convention. Such suggestions and general recommendations shall be transmitted to any State Party concerned and reported to the General Assembly, together with comments, if any, from States Parties.

PART III

Article 46

The present Convention shall be open for signature by all States.

Article 47

The present Convention is subject to ratification. Instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 48

The present Convention shall remain open for accession by any State. The instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 49

1. The present Convention shall enter into force on the thirtieth day following the date of deposit with the Secretary-General of the United Nations of the twentieth instrument of ratification or accession.
2. For each State ratifying or acceding to the Convention after the deposit of the twentieth instrument of ratification or accession, the Convention shall enter into force on the thirtieth day after the deposit by such State of its instrument of ratification or accession.

Article 50

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties, with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly for approval.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly of the United Nations and accepted by a two-thirds majority of States Parties.
3. When an amendment enters into force, it shall be binding on those States Parties which have accepted it, other States Parties still being bound by the provisions of the present Convention and any earlier amendments which they have accepted.

Article 51

1. The Secretary-General of the United Nations shall receive and circulate to all States the text of reservations made by States at the time of ratification or accession.
2. A reservation incompatible with the object and purpose of the present Convention shall not be permitted.

3. Reservations may be withdrawn at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall then inform all States. Such notification shall take effect on the date on which it is received by the Secretary-General

Article 52

A State Party may denounce the present Convention by written notification to the Secretary-General of the United Nations. Denunciation becomes effective one year after the date of receipt of the notification by the Secretary-General.

Article 53

The Secretary-General of the United Nations is designated as the depositary of the present Convention.

Article 54

The original of the present Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations. In witness thereof the undersigned plenipotentiaries, being duly authorized thereto by their respective Governments, have signed the present Convention.

1/ The General Assembly, in its resolution 50/155 of 21 December 1995 , approved the amendment to article 43, paragraph 2, of the Convention on the Rights of the Child, replacing the word "ten" with the word "eighteen". The amendment entered into force on 18 November 2002 when it had been accepted by a two-thirds majority of the States parties (128 out of 191).

GENERAL GUIDELINES REGARDING THE FORM AND CONTENT OF PERIODIC REPORTS TO BE SUBMITTED BY STATES PARTIES

Introduction and purpose of reporting

1. These guidelines for periodic reports replace those adopted by the Committee at its thirteenth session on 11 October 1996 (CRC/C/58). The present guidelines do not affect any request the Committee may make under article 44, paragraph 4, of the Convention on the Rights of the Child for States parties to provide further information relevant to the implementation of the Convention.
2. These guidelines will cover all periodic reports submitted after 31 December 2005. The present guidelines include an overview of the purpose and organization of the report and the substantive information required under the Convention. Finally the annex provides more detail on the type of statistical data required by the Committee in accordance with the substantive provisions of the Convention.
3. The present guidelines group the articles of the Convention in clusters with a view to assisting States parties in the preparation of their reports. This approach reflects the holistic perspective on children's rights taken by the Convention: i.e. that they are indivisible and interrelated, and that equal importance should be attached to each and every right recognized therein.
4. The periodic report should provide the Committee with a basis for constructive dialogue with the State party about the implementation of the Convention and the enjoyment of human rights by children in the State party. Consequently, reports must strike a balance in describing the formal legal situation and the situation in practice. Therefore the Committee requests that for each cluster the State party provide information with regard to: follow-up, monitoring, resource allocation, statistical data and challenges to implementation, as stated in paragraph 5, below.

Section I: Organization of the report

5. ACCORDING TO ARTICLE 44, PARAGRAPH 3, OF THE CONVENTION, WHEN A STATE PARTY HAS SUBMITTED A COMPREHENSIVE INITIAL REPORT TO THE COMMITTEE OR HAS PREVIOUSLY PROVIDED DETAILED INFORMATION TO THE COMMITTEE, IT NEED NOT REPEAT SUCH INFORMATION IN ITS SUBSEQUENT REPORTS. IT SHOULD, HOWEVER, CLEARLY MAKE REFERENCE TO THE INFORMATION PREVIOUSLY TRANSMITTED AND INDICATE ANY CHANGES THAT HAVE OCCURRED DURING THE REPORTING PERIOD.
6. Information provided in States parties' reports on each cluster identified by the Committee should follow the present guidelines and in particular the annex, with regard to form and content. In this regard States parties should provide information for each cluster, or where appropriate for individual articles where relevant, on:
 - (a) *Follow-up*: The first paragraph on each cluster should systematically include information on concrete measures taken with regard to the concluding observations adopted by the Committee in relation to the previous report;
 - (b) *Comprehensive national programmes - monitoring*: The subsequent paragraphs should contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned as well as the mechanisms established within the Government to monitor progress. States parties shall provide relevant information, including on the principal legislative, judicial, administrative or other measures in force or foreseen. This section should not be confined to merely listing measures adopted in the country in recent years, but should provide clear information on the goals and timetables of those measures and how they have had an impact on the actual economic, political and social realities and general conditions existing in the country;
 - (c) *Allocation of budgetary and other resources*: States parties shall provide information on the amount and percentage of the national budget (at central and local levels) devoted annually to children, including, where appropriate, the percentage of external financing (through donors, international financial institutions and private banking) of the national budget, with respect to relevant programmes under each cluster. In this regard, where appropriate, States parties should provide information on poverty reduction strategies and programmes and other factors which impact or may impact on the implementation of the Convention;
 - (d) *Statistical data*: States parties should provide, where appropriate, annual statistical data disaggregated by age/age group, gender, urban/rural area, membership of a minority and/or indigenous group, ethnicity, disability, religion, or other category as appropriate;
 - (e) *Factors and difficulties*: The last paragraph should describe any factors and difficulties, if any, affecting the fulfilment of the obligations of States parties' obligations for the cluster concerned, as well as information on the targets set for the future.
7. Reports should be accompanied by copies of the principal legislative texts and judicial decisions, as well as detailed disaggregated data, statistical information, indicators referred to therein and relevant research. The data should be disaggregated as described above and changes that have occurred since the previous report should be indicated. This material will be made available to the members of the Committee. It should be noted, however, that for reasons of economy, these documents will not be translated or reproduced for general distribution. It is therefore desirable that when a text is not actually quoted in or annexed to the report itself, the report should contain sufficient information to be clearly understood without reference to those texts.
8. The Committee requests that the report include a table of contents and numbered sequentially through to the end and that it be printed on A4-sized paper, in order to facilitate distribution of the report and thus its availability for consideration by the Committee.

Section II: Substantive information to be contained in the report

I. General measures of implementation (arts. 4, 42 and 44, para. 6, of the Convention)

9. Under this cluster, States parties are requested to follow the provisions in paragraphs 5 and 6 above, general comment No. 2 (2002) on the role of independent national human rights institutions and general comment No. 5 (2003) on general measures of implementation of the Convention on the Rights of the Child.

10. States parties that have entered reservations to the Convention should indicate whether they consider it necessary to maintain them. They should also indicate whether they have plans to limit the effects of reservations and ultimately to withdraw them, and, whenever possible, specify the timetable for doing so.

11. States parties are requested to provide relevant information pursuant to article 4 of the Convention, including information on the measures adopted to bring domestic legislation and practice into full conformity with the principles and provisions of the Convention.

12. (a) States parties that provide international assistance or development aid should provide information on human and financial resources allocated to programmes for children, in particular within bilateral assistance programmes;

(b) States parties receiving international assistance or development aid should provide information on the total resources received and the percentage allocated to programmes for children.

13. Recognizing that the Convention represents a minimum standard for children's rights, and in the light of article 41, States parties should describe any provisions of the domestic legislation that are more conducive to the realization of the rights of the child as enshrined in the Convention.

14. States parties should provide information on remedies available and their accessibility to children, in cases of violation of the rights recognized by the Convention, as well as information on existing mechanisms at national or local level for coordinating policies relating to children and for monitoring the implementation of the Convention.

15. States parties should indicate whether there is an independent national human rights institution and describe the process of appointing its members and explain its mandate and role with regard to the promotion and protection of children's rights as outlined in the Committee's general comment No. 2 (2002). Also indicate how this national human rights institution is financed.

16. States parties should describe the measures that have been taken or are foreseen, pursuant to article 42 of the Convention, to make the principles and provisions of the Convention widely known to adults and children alike.

17. States parties should also describe the measures undertaken or foreseen, pursuant to article 44, paragraph 6, to make their reports widely available to the public at large in their own countries. These measures should also include, when appropriate, the translation of the concluding observations of the Committee adopted after the consideration of the previous report into official and minority languages and their wide dissemination, including through the print and electronic media.

18. States parties should provide information on cooperation with civil society organizations, including non-governmental organizations and children's and youth groups, with regard to implementation of all aspects of the Convention. In addition, please describe the manner in which the present report was prepared and the extent to which non-governmental organizations (NGOs), youth groups and others were consulted.

II. Definition of the child (art. 1)

19. States parties are also requested to provide updated information with respect to article 1 of the Convention, concerning the definition of a child under their domestic laws and regulations, specifying any differences between girls and boys.

III. General principles (arts. 2, 3, 6 and 12)

20. Under this cluster, States parties are requested to follow the provisions in paragraphs 5 and 6, above.

21. States parties should provide relevant information in respect of:

(a) Non-discrimination (art. 2);

(b) Best interests of the child (art. 3);

(c) The right to life, survival and development (art. 6);

(d) Respect for the views of the child (art. 12).

22. Reference should also be made to the implementation of these rights in relation to children belonging to the most disadvantaged groups.

23. With regard to article 2, information should also be provided on the measures taken to protect children from xenophobia and other related forms of intolerance. With regard to article 6, information should also be provided on the measures taken to ensure that persons under 18 are not subject to the death penalty; that the deaths of children are registered, and, where appropriate, investigated and reported, as well as on the measures adopted to prevent suicide among children and to monitor its incidence; and to ensure the survival of children at all ages, in particular adolescents, and that maximum efforts are made to ensure the minimization of risks to which that group may be exposed particularly (for example, sexually transmitted diseases or street violence).

IV. Civil rights and freedoms (arts. 7, 8, 13-17 and 37 (a))

24. Under this cluster, States parties are requested to follow the provisions in paragraphs 5 and 6, above.

25. States parties should provide relevant information in respect of:

(a) Name and nationality (art. 7);

- (b) Preservation of identity (art. 8);
- (c) Freedom of expression (art. 13);
- (d) Freedom of thought, conscience and religion (art. 14);
- (e) Freedom of association and of peaceful assembly (art. 15);
- (f) Protection of privacy (art. 16);
- (g) Access to appropriate information (art. 17);
- (h) The right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment, including corporal punishment (art. 37 (a)).

States parties should refer, inter alia, to children with disabilities, children living in poverty, children born out of wedlock, asylum-seeking and refugee children and children belonging to indigenous and/or minority groups.

V. Family environment and alternative care (arts. 5, 9-11, 18, paras. 1 and 2; 19-21, 25, 27, para. 4 and 39)

27. Under this cluster, States parties are requested to follow the provisions in paragraphs 5 and 6, above.

28. States parties should provide relevant information, including the principal legislative, judicial, administrative or other measures in force, particularly on how the principles of the "best interests of the child" (art. 3) and "respect for the views of the child" (art. 12) are reflected in addressing the questions of:

- (a) Parental guidance (art. 5);
- (b) Parental responsibilities (art. 18, paras. 1 and 2);
- (c) Separation from parents (art. 9);
- (d) Family reunification (art. 10);
- (e) Recovery of maintenance for the child (art. 27, para. 4);
- (f) Children deprived of a family environment (art. 20);
- (g) Adoption (art. 21);
- (h) Illicit transfer and non-return (art. 11);
- (i) Abuse and neglect (art. 19), including physical
- (j) Periodic review of placement (art. 25).

The report should also provide information on any relevant bilateral or multilateral agreements, treaties or conventions concluded by the State party or to which it may have acceded, particularly with regard to articles 11, 18 or 21, and their impact. and psychological recovery and social reintegration (art. 39);

VI. Basic health and welfare (arts. 6, 18, para. 3, 23, 24, 26, and 27, paras. 1-3)

30. Under this cluster, States parties are requested to follow the provisions in paragraphs 5 and 6 above, and general comment No. 3 (2003) on HIV/AIDS and the rights of the child and general comment No. 4 (2003) on adolescent health and development in the context of the Convention on the Rights of the Child.

31. States parties should provide relevant information in respect of:

- (a) Survival and development (art. 6, para. 2);
- (b) Children with disabilities (art. 23);
- (c) Health and health services (art. 24);
- (d) Social security and childcare services and facilities (arts. 26 and 18, para. 3);
- (e) Standard of living (art. 27, paras. 1-3).

32. With regard to article 24, the report should contain information on measures and policies for the implementation of the right to health, including efforts to combat diseases such as HIV/AIDS (see general comment No. 3 (2003)), malaria and tuberculosis particularly among special groups of children at high risk. In the light of general comment No. 4 (2003), information on the measures undertaken to promote and protect the rights of young people in the context of adolescent health should also be included. Further, the report should also indicate the legal measures promulgated to prohibit all forms of harmful traditional practices, including female genital mutilation, and to promote awareness-raising activities to sensitize all concerned parties, including community and religious leaders, on the harmful aspects of these practices.

VII. Education, leisure and cultural activities (arts. 28, 29 and 31)

33. Under this cluster, States parties are requested to follow the provisions in paragraphs 5 and 6 above, and general comment No.1 (2001) on the aims of education.

34. States parties should provide relevant information in respect of:

- (a) Education, including vocational training and guidance (art. 28);
- (b) Aims of education (art. 29) with reference also to quality of education;
- (c) Rest, leisure, recreation and cultural and artistic activities (art. 31).

35. With regard to article 28, reports should also provide information on any category or group of children who do not enjoy the right to education (either due to lack of access or because they have left or been excluded from school) and the circumstances in which children may be excluded from school temporarily or permanently (for example, disability, deprivation of liberty, pregnancy, or HIV/AIDS infection), including any arrangements made to address such situations and to provide alternative education.

36. States parties should specify the nature and extent of cooperation with local and national organizations of a governmental or non-governmental nature, such as teachers' associations, concerning the implementation of this part of the Convention.

VIII. Special protection measures (arts. 22, 30, 32-36, 37 (b)-(d), 38, 39 and 40)

37. Under this cluster, States parties are requested to follow the provisions in paragraphs 5 and 6 above, and general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin.

38. States parties are requested to provide relevant information on measures taken to protect:

(a) Children in situations of emergency:

Refugee children (art. 22);

Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39);

(b) Children in conflict with the law:

The administration of juvenile justice (art. 40);

Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b), (c) and (d));

The sentencing of juveniles, in particular the prohibition of capital punishment and life imprisonment (art. 37 (a));

Physical and psychological recovery and social reintegration (art. 39);

(c) Children in situations of exploitation, including physical and psychological recovery and social reintegration (art. 39):

Economic exploitation, including child labour (art. 32);

Drug abuse (art. 33);

Sexual exploitation and sexual abuse (art. 34);

Other forms of exploitation (art. 36);

Sale, trafficking and abduction (art. 35);

(d) Children belonging to a minority or an indigenous group (art. 30);

(e) Children living or working on the street.

39. In relation to article 22, reports should also provide information on the international conventions and other relevant instruments to which the State is party, including those relating to international refugee law, as well as relevant indicators identified and used; relevant programmes of technical cooperation and international assistance, as well as information on infringements that have been observed by inspectors and sanctions applied.

40. Reports should further describe the training activities developed for all professionals involved with the system of juvenile justice, including judges and magistrates, prosecutors, lawyers, law enforcement officials, immigration officers and social workers, on the provisions of the Convention and other relevant international instruments in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) (General Assembly resolution 40/33), the United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines) (General Assembly resolution 45/112) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (General Assembly resolution 45/113).

41. With regard to article 32, reports should also provide information on the international conventions and other relevant instruments to which the State is party, including in the framework of the International Labour Organization, as well as relevant indicators identified and used; relevant programmes of technical cooperation and international assistance developed, as well as information on infringements that have been observed by inspectors and sanctions applied.

IX. Optional Protocols to the Convention on the Rights of the Child

42. States parties that have ratified one or both Optional Protocols to the Convention on the Rights of the Child - Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography - should, after they have submitted their initial report for each of the two Optional Protocols (see respective guidelines, CRC/OP/AC/1 and CRC/OP/SA/1), provide detailed information about measures taken with regard to the recommendations made by the Committee in its concluding observations on the last report submitted to the Committee.

Annex
ANNEX TO THE GENERAL GUIDELINES REGARDING THE FORM AND CONTENTS OF
PERIODIC REPORTS TO BE SUBMITTED BY STATES PARTIES UNDER ARTICLE 44,
PARAGRAPH 1 (B), OF THE CONVENTION

Introduction

1. In preparing their periodic reports States parties should follow the General Guidelines regarding the form and content and include, as requested by the present annex, where appropriate, information and disaggregated statistical data and other indicators. In the present annex, references to disaggregated data include indicators such as age and/or age group, gender, location in rural/urban area, membership of minority and/or indigenous group, ethnicity, religion, disability or any other category considered appropriate.

2. Information and disaggregated data provided by States parties should cover the reporting period since the consideration of their last report. They should also explain or comment on significant changes that have taken place over the reporting period.

I. General measures of implementation (arts. 4, 42 and 44, para. 6)

3. States parties should provide statistical data on training provided on the Convention for professionals working with and for children, including, but not limited to:

- (a) Judicial personnel, including judges and magistrates;
- (b) Law enforcement personnel;
- (c) Teachers;
- (d) Health-care personnel;
- (e) Social workers.

II. Definition of the child (art. 1)

4. States parties should provide disaggregated data as described in paragraph 1 above, on the number and proportion of children under 18 living in the State party.

III. General principles (arts. 2, 3, 6 and 12)

Right to life, survival and development (art. 6)

5. It is recommended that States parties provide data disaggregated as described in paragraph 1 above, on the death of those under 18:

- (a) As a result of extrajudicial, summary or arbitrary executions;
- (b) As a result of capital punishment;
- (c) Due to illnesses, including HIV/AIDS, malaria, tuberculosis, polio, hepatitis and acute respiratory infections;
- (d) As a result of traffic or other accidents;
- (e) As the result of crime and other forms of violence;
- (f) Due to suicide.

Respect for the views of the child (art. 12)

6. States parties should provide data on the number of child and youth organizations or associations and the number of members that they represent.

7. States parties should provide data on the number of schools with independent student councils.

IV. Civil rights and freedoms (arts. 7, 8, 13-17 and 37 (a))

Birth registration (art. 7)

8. Information should be provided on the number and percentage of children who are registered after birth, and when such registration takes place.

Access to appropriate information (art. 17)

9. The report should contain statistics on the number of libraries accessible to children, including mobile libraries.

The right not to be subjected to torture or other cruel inhuman or degrading treatment or punishment (art. 37 (a))

10. States parties should provide data disaggregated as described in paragraph 1 above, and type of violation, on the:

- (a) Number of children reported as victims of torture;
- (b) Number of children reported as victims of other cruel, inhuman or degrading treatment or other forms of punishment, including forced marriage and female genital mutilation;
- (c) Number and percentage of reported violations under both (a) and (b) which have resulted in either a court decision or other types of follow-up;
- (d) Number and percentage of children who received special care in terms of recovery and social reintegration;

(e) Number of programmes implemented for the prevention of institutional violence and amount of training provided to staff of institutions on this issue.

V. Family environment and alternative care

Family support (arts. 5 and 18, paras. 1 and 2)

11. States parties should provide data disaggregated as described in paragraph 1, above, on the:

(a) Number of services and programmes aimed at rendering appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and the number and percentage of children and families that benefit from these services and programmes;

(b) Number of available childcare services and facilities and the percentage of children and families that have access to these services.

Children without parental care (arts. 9, paras. 1-4, 21 and 25)

12. With reference to children separated from parents, States parties should provide data disaggregated as described in paragraph 1, above, on the:

(a) Number of children without parental care disaggregated by causes (i.e. due to armed conflict, poverty, abandonment as a result of discrimination, etc.);

(b) Number of children separated from their parents as a result of court decisions (inter alia, in relation to situations of detention, imprisonment, exile or deportation);

(c) Number of institutions for these children disaggregated by region, number of places available in these institutions, ratio of caregivers to children and number of foster homes;

(d) Number and percentage of children separated from their parents who are living in institutions or with foster families as well as the duration of placement and frequency of its review;

(e) Number and percentage of children reunited with their parents after a placement;

(f) Number of children in domestic (formal and informal) and intercountry adoption programmes disaggregated by age and with information on the country of origin and of adoption for the children concerned.

Family reunification (art. 10)

13. States parties should provide data disaggregated by gender, age, national and ethnic origin on the number of children who entered or left the country for the purpose of family reunification, including the number of unaccompanied refugee and asylum-seeking children.

Illicit transfer and non-return (art. 11)

14. States parties should provide data disaggregated as described in paragraph 1, above, as well as by national origin, place of residence, family status on the:

(a) Number of children abducted from and to the State party;

(b) Number of perpetrators arrested and percentage of those that were sanctioned in (criminal) courts.

Information on the relationship between the child and the perpetrator of the illicit transfer should also be included.

Abuse and neglect (art. 19), including physical and psychological recovery and social reintegration (art. 39)

15. States parties should provide data disaggregated as described in paragraph 1, above, on the:

(a) Number and percentage of children reported as victims of abuse and/or neglect by parents or other relatives/caregivers;

(b) Number and percentage of those cases reported that resulted in sanctions or other forms of follow-up for perpetrators;

(c) Number and percentage of children who received special care in terms of recovery and social reintegration.

VI. Basic health and welfare

Children with disabilities (art. 23)

16. States parties should specify the number and percentage of children with disabilities disaggregated as described in paragraph 1, above, as well as by nature of disability:

(a) Whose parents receive special material or other assistance;

(b) Who are living in institutions, including institutions for mental illnesses, or outside their families, such as in foster care;

(c) Who are attending regular schools;

(d) Who are attending special schools.

Health and health services (art. 24)

17. States parties should provide data disaggregated as described in paragraph 1, above, on the:

(a) Rates of infant and under-five child mortality;

- (b) Proportion of children with low birth weight;
 - (c) Proportion of children with moderate and severe underweight, wasting and stunting;
 - (d) Percentage of households without access to hygienic sanitation facilities and access to safe drinking water;
 - (e) Percentage of one-year-olds fully immunized for tuberculosis, diphtheria, pertussis, tetanus, polio and measles;
 - (f) Rates of maternal mortality, including its main causes;
 - (g) Proportion of pregnant women who have access to, and benefit from, prenatal and post-natal health care;
 - (h) Proportion of children born in hospitals;
 - (i) Proportion of personnel trained in hospital care and delivery;
 - (j) Proportion of mothers who practice exclusive breastfeeding and for how long.
18. States parties should provide data disaggregated as described in paragraph 1, above, on the:
- (a) Number/percentage of children infected by HIV/AIDS;
 - (b) Number/percentage of children who receive assistance including medical treatment, counselling, care and support;
 - (c) Number/percentage of these children living with relatives, in foster care, in institutions, or on the streets;
 - (d) Number of child-headed households as a result of HIV/AIDS.
19. Data should be provided with regard to adolescent health on:
- (a) The number of adolescents affected by early pregnancy, sexually transmitted infections, mental health problems, drug and alcohol abuse, disaggregated as described in paragraph 1, above;
 - (b) Number of programmes and services aimed at the prevention and treatment of adolescent health concerns.

VII. Education, leisure and cultural activities

Education, including vocational training (art. 28)

20. Data disaggregated as described in paragraph 1, above, should be provided in respect of:

- (a) Literacy rates of children and adults;
- (b) Enrolment and attendance rates for primary and secondary schools and vocational training centres;
- (c) Retention rates and percentage of dropout for primary and secondary schools and vocational training centres;
- (d) Average teacher:pupil ratio, with an indication of any significant regional or rural/urban disparities;
- (e) Percentage of children in the non-formal education system;
- (f) Percentage of children who attend preschool education.

VIII. Special protection measures

Refugee children (art. 22)

21. States parties should provide data disaggregated as described in paragraph 1, above, as well as country of origin, nationality and accompanied or unaccompanied status on the:

- (a) Number of internally displaced, asylum-seeking, unaccompanied and refugee children;
- (b) Number and percentage of such children attending school and covered by health services.

Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39)

22. States parties should provide data disaggregated as described in paragraph 1, above, on the:

- (a) Number and percentage of persons under 18 who are recruited or enlist voluntarily in the armed forces and proportion of those who participate in hostilities;
- (b) Number and percentage of children who have been demobilized and reintegrated into their communities; with the proportion of those who have returned to school and been reunified with their families;
- (c) Number and percentage of child casualties due to armed conflict;
- (d) Number of children who receive humanitarian assistance;
- (e) Number of children who receive medical and/or psychological treatment as a consequence of armed conflict.

The administration of juvenile justice (art. 40)

23. States parties should provide appropriate disaggregated data (as described in paragraph 1, above, including by type of crime) on the:

- (a) Number of persons under 18 who have been arrested by the police due to an alleged conflict with the law;
- (b) Percentage of cases where legal or other assistance has been provided;
- (c) Number and percentage of persons under 18 who have been found guilty of an offence by a court and have received suspended sentences or have received punishment other than deprivation of liberty;
- (d) Number of persons under 18 participating in probation programmes of special rehabilitation;
- (e) Percentage of recidivism cases.

Children deprived of their liberty, including any form of detention, imprisonment or placement in custodial settings (art. 37 (b)-(d))

24. States parties should provide appropriate disaggregated data (as described in paragraph 1, above, including by social status, origin and type of crime) on children in conflict with the law in respect of the:

(a) Number of persons under 18 held in police stations or pretrial detention after having been accused of committing a crime reported to the police, and the average length of their detention;

(b) Number of institutions specifically for persons under 18 alleged as, accused of, or recognized as having infringed the penal law;

(c) Number of persons under 18 in these institutions and average length of stay;

(d) Number of persons under 18 detained in institutions that are not specifically for children;

(e) Number and percentage of persons under 18 who have been found guilty of an offence by a court and have been sentenced to detention and the average length of their detention;

(f) Number of reported cases of abuse and maltreatment of persons under 18 occurring during their arrest and detention/imprisonment.

Economic exploitation of children, including child labour (art. 32)

25. With reference to special protection measures, States parties should provide statistical disaggregated data as described in paragraph 1, above, on the:

(a) Number and percentage of children below the minimum age of employment who are involved in child labour as defined by the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization disaggregated by type of employment;

(b) Number and percentage of those children with access to recovery and reintegration assistance, including free basic education and/or vocational training.

Drug and substance abuse (art. 33)

26. Information is to be provided on:

(a) The number of child victims of substance abuse;

The number that are receiving treatment, assistance and recovery services.

Sexual exploitation, abuse and trafficking (art. 34)

27. States parties should provide data disaggregated as described in paragraph 1, above, as well as by types of violation reported on the:

(a) Number of children involved in sexual exploitation, including prostitution, pornography and trafficking;

(b) Number of children involved in sexual exploitation, including prostitution, pornography and trafficking, who were provided access to rehabilitation programmes;

(c) Number of cases of commercial sexual exploitation, sexual abuse, sale of children, abduction of children and violence against children reported during the reporting period;

(d) Number and percentage of those that have resulted in sanctions, with information on the country of origin of the perpetrator and the nature of the penalties imposed;

(e) Number of children trafficked for other purposes, including labour;

(f) Number of border and law enforcement officials who have received training, with a view to preventing trafficking of children and to respect their dignity.

Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
Adopted and opened for signature, ratification and accession by General Assembly resolution A/RES/54/263
of 25 May 2000, entered into force on 18 January 2002

The States Parties to the present Protocol,

Considering that, in order further to achieve the purposes of the Convention on the Rights of the Child and the implementation of its provisions, especially articles 1, 11, 21, 32, 33, 34, 35 and 36, it would be appropriate to extend the measures that States Parties should undertake in order to guarantee the protection of the child from the sale of children, child prostitution and child pornography,

Considering also that the Convention on the Rights of the Child recognizes the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development,

Gravely concerned at the significant and increasing international traffic in children for the purpose of the sale of children, child prostitution and child pornography,

Deeply concerned at the widespread and continuing practice of sex tourism, to which children are especially vulnerable, as it directly promotes the sale of children, child prostitution and child pornography,

Recognizing that a number of particularly vulnerable groups, including girl children, are at greater risk of sexual exploitation and that girl children are disproportionately represented among the sexually exploited,

Concerned about the growing availability of child pornography on the Internet and other evolving technologies, and recalling the International Conference on Combating Child Pornography on the Internet, held in Vienna in 1999, in particular its conclusion calling for the worldwide criminalization of the production, distribution, exportation, transmission, importation, intentional possession and advertising of child pornography, and stressing the importance of closer cooperation and partnership between Governments and the Internet industry,

Believing that the elimination of the sale of children, child prostitution and child pornography will be facilitated by adopting a holistic approach, addressing the contributing factors, including underdevelopment, poverty, economic disparities, inequitable socio-economic structure, dysfunctioning families, lack of education, urban-rural migration, gender discrimination, irresponsible adult sexual behaviour, harmful traditional practices, armed conflicts and trafficking in children,

Believing also that efforts to raise public awareness are needed to reduce consumer demand for the sale of children, child prostitution and child pornography, and believing further in the importance of strengthening global partnership among all actors and of improving law enforcement at the national level,

Noting the provisions of international legal instruments relevant to the protection of children, including the Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, the Hague Convention on the Civil Aspects of International Child Abduction, the Hague Convention on Jurisdiction, Applicable Law, Recognition, Enforcement and Cooperation in Respect of Parental Responsibility and Measures for the Protection of Children, and International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour,

Encouraged by the overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists for the promotion and protection of the rights of the child,

Recognizing the importance of the implementation of the provisions of the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography and the Declaration and Agenda for Action adopted at the World Congress against Commercial Sexual Exploitation of Children, held in Stockholm from 27 to 31 August 1996, and the other relevant decisions and recommendations of pertinent international bodies,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, have agreed as follows:

Article 1

States Parties shall prohibit the sale of children, child prostitution and child pornography as provided for by the present Protocol.

Article 2

For the purposes of the present Protocol:

- (a) Sale of children means any act or transaction whereby a child is transferred by any person or group of persons to another for remuneration or any other consideration;
- (b) Child prostitution means the use of a child in sexual activities for remuneration or any other form of consideration;
- (c) Child pornography means any representation, by whatever means, of a child engaged in real or simulated explicit sexual activities or any representation of the sexual parts of a child for primarily sexual purposes.

Article 3

1. Each State Party shall ensure that, as a minimum, the following acts and activities are fully covered under its criminal or penal law, whether such offences are committed domestically or transnationally or on an individual or organized basis:

(a) In the context of sale of children as defined in article 2:

(i) Offering, delivering or accepting, by whatever means, a child for the purpose of:

- a. Sexual exploitation of the child;
- b. Transfer of organs of the child for profit;
- c. Engagement of the child in forced labour;

(ii) Improperly inducing consent, as an intermediary, for the adoption of a child in violation of applicable international legal instruments on adoption;

(b) Offering, obtaining, procuring or providing a child for child prostitution, as defined in article 2;

(c) Producing, distributing, disseminating, importing, exporting, offering, selling or possessing for the above purposes child pornography as defined in article 2.

2. Subject to the provisions of the national law of a State Party, the same shall apply to an attempt to commit any of the said acts and to complicity or participation in any of the said acts.

3. Each State Party shall make such offences punishable by appropriate penalties that take into account their grave nature.

4. Subject to the provisions of its national law, each State Party shall take measures, where appropriate, to establish the liability of legal persons for offences established in paragraph 1 of the present article. Subject to the legal principles of the State Party, such liability of legal persons may be criminal, civil or administrative.

5. States Parties shall take all appropriate legal and administrative measures to ensure that all persons involved in the adoption of a child act in conformity with applicable international legal instruments.

Article 4

1. Each State Party shall take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3, paragraph 1, when the offences are committed in its territory or on board a ship or aircraft registered in that State.

2. Each State Party may take such measures as may be necessary to establish its jurisdiction over the offences referred to in article 3, paragraph 1, in the following cases:

(a) When the alleged offender is a national of that State or a person who has his habitual residence in its territory;

(b) When the victim is a national of that State.

3. Each State Party shall also take such measures as may be necessary to establish its jurisdiction over the aforementioned offences when the alleged offender is present in its territory and it does not extradite him or her to another State Party on the ground that the offence has been committed by one of its nationals.

4. The present Protocol does not exclude any criminal jurisdiction exercised in accordance with internal law.

Article 5

1. The offences referred to in article 3, paragraph 1, shall be deemed to be included as extraditable offences in any extradition treaty existing between States Parties and shall be included as extraditable offences in every extradition treaty subsequently concluded between them, in accordance with the conditions set forth in such treaties.

2. If a State Party that makes extradition conditional on the existence of a treaty receives a request for extradition from another State Party with which it has no extradition treaty, it may consider the present Protocol to be a legal basis for extradition in respect of such offences. Extradition shall be subject to the conditions provided by the law of the requested State.

3. States Parties that do not make extradition conditional on the existence of a treaty shall recognize such offences as extraditable offences between themselves subject to the conditions provided by the law of the requested State.

4. Such offences shall be treated, for the purpose of extradition between States Parties, as if they had been committed not only in the place in which they occurred but also in the territories of the States required to establish their jurisdiction in accordance with article 4.

5. If an extradition request is made with respect to an offence described in article 3, paragraph 1, and the requested State Party does not or will not extradite on the basis of the nationality of the offender, that State shall take suitable measures to submit the case to its competent authorities for the purpose of prosecution.

Article 6

1. States Parties shall afford one another the greatest measure of assistance in connection with investigations or criminal or extradition proceedings brought in respect of the offences set forth in article 3, paragraph 1, including assistance in obtaining evidence at their disposal necessary for the proceedings.

2. States Parties shall carry out their obligations under paragraph 1 of the present article in conformity with any treaties or other arrangements on mutual legal assistance that may exist between them. In the absence of such treaties or arrangements, States Parties shall afford one another assistance in accordance with their domestic law.

Article 7

States Parties shall, subject to the provisions of their national law:

(a) Take measures to provide for the seizure and confiscation, as appropriate, of:

- (i) Goods, such as materials, assets and other instrumentalities used to commit or facilitate offences under the present protocol;
- (ii) Proceeds derived from such offences;
- (b) Execute requests from another State Party for seizure or confiscation of goods or proceeds referred to in subparagraph (a);
- (c) Take measures aimed at closing, on a temporary or definitive basis, premises used to commit such offences.

Article 8

1. States Parties shall adopt appropriate measures to protect the rights and interests of child victims of the practices prohibited under the present Protocol at all stages of the criminal justice process, in particular by:
 - (a) Recognizing the vulnerability of child victims and adapting procedures to recognize their special needs, including their special needs as witnesses;
 - (b) Informing child victims of their rights, their role and the scope, timing and progress of the proceedings and of the disposition of their cases;
 - (c) Allowing the views, needs and concerns of child victims to be presented and considered in proceedings where their personal interests are affected, in a manner consistent with the procedural rules of national law;
 - (d) Providing appropriate support services to child victims throughout the legal process;
 - (e) Protecting, as appropriate, the privacy and identity of child victims and taking measures in accordance with national law to avoid the inappropriate dissemination of information that could lead to the identification of child victims;
 - (f) Providing, in appropriate cases, for the safety of child victims, as well as that of their families and witnesses on their behalf, from intimidation and retaliation;
 - (g) Avoiding unnecessary delay in the disposition of cases and the execution of orders or decrees granting compensation to child victims.
2. States Parties shall ensure that uncertainty as to the actual age of the victim shall not prevent the initiation of criminal investigations, including investigations aimed at establishing the age of the victim.
3. States Parties shall ensure that, in the treatment by the criminal justice system of children who are victims of the offences described in the present Protocol, the best interest of the child shall be a primary consideration.
4. States Parties shall take measures to ensure appropriate training, in particular legal and psychological training, for the persons who work with victims of the offences prohibited under the present Protocol.
5. States Parties shall, in appropriate cases, adopt measures in order to protect the safety and integrity of those persons and/or organizations involved in the prevention and/or protection and rehabilitation of victims of such offences.
6. Nothing in the present article shall be construed to be prejudicial to or inconsistent with the rights of the accused to a fair and impartial trial.

Article 9

1. States Parties shall adopt or strengthen, implement and disseminate laws, administrative measures, social policies and programmes to prevent the offences referred to in the present Protocol. Particular attention shall be given to protect children who are especially vulnerable to such practices.
2. States Parties shall promote awareness in the public at large, including children, through information by all appropriate means, education and training, about the preventive measures and harmful effects of the offences referred to in the present Protocol. In fulfilling their obligations under this article, States Parties shall encourage the participation of the community and, in particular, children and child victims, in such information and education and training programmes, including at the international level.
3. States Parties shall take all feasible measures with the aim of ensuring all appropriate assistance to victims of such offences, including their full social reintegration and their full physical and psychological recovery.
4. States Parties shall ensure that all child victims of the offences described in the present Protocol have access to adequate procedures to seek, without discrimination, compensation for damages from those legally responsible.
5. States Parties shall take appropriate measures aimed at effectively prohibiting the production and dissemination of material advertising the offences described in the present Protocol.

Article 10

1. States Parties shall take all necessary steps to strengthen international cooperation by multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism. States Parties shall also promote international cooperation and coordination between their authorities, national and international non-governmental organizations and international organizations.
2. States Parties shall promote international cooperation to assist child victims in their physical and psychological recovery, social reintegration and repatriation.
3. States Parties shall promote the strengthening of international cooperation in order to address the root causes, such as poverty and underdevelopment, contributing to the vulnerability of children to the sale of children, child prostitution, child pornography and child sex tourism.
4. States Parties in a position to do so shall provide financial, technical or other assistance through existing multilateral, regional, bilateral or other programmes.

Article 11

Nothing in the present Protocol shall affect any provisions that are more conducive to the realization of the rights of the child and that may be contained in:

- (a) The law of a State Party;
- (b) International law in force for that State.

Article 12

1. Each State Party shall, within two years following the entry into force of the present Protocol for that State Party, submit a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Protocol.

2. Following the submission of the comprehensive report, each State Party shall include in the reports they submit to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, any further information with respect to the implementation of the present Protocol. Other States Parties to the Protocol shall submit a report every five years.

3. The Committee on the Rights of the Child may request from States Parties further information relevant to the implementation of the present Protocol.

Article 13

1. The present Protocol is open for signature by any State that is a party to the Convention or has signed it.

2. The present Protocol is subject to ratification and is open to accession by any State that is a party to the Convention or has signed it. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.

Article 14

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.

2. For each State ratifying the present Protocol or acceding to it after its entry into force, the Protocol shall enter into force one month after the date of the deposit of its own instrument of ratification or accession.

Article 15

1. Any State Party may denounce the present Protocol at any time by written notification to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the Convention and all States that have signed the Convention. The denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General.

2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Protocol in regard to any offence that occurs prior to the date on which the denunciation becomes effective. Nor shall such a denunciation prejudice in any way the continued consideration of any matter that is already under consideration by the Committee on the Rights of the Child prior to the date on which the denunciation becomes effective.

Article 16

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.

2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly and accepted by a two-thirds majority of States Parties.

3. When an amendment enters into force, it shall be binding on those States Parties that have accepted it, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments they have accepted.

Article 17

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.

2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States Parties to the Convention and all States that have signed the Convention.

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

Introduction

Pursuant to Article 12, paragraph 1, of the Optional Protocol, each State party shall, within two years following the entry into force of the Protocol for that State party, submit a report to the Committee on the Rights of the Child ('the Committee') containing comprehensive information on the measures it has taken to implement the provisions of the Protocol. Thereafter, pursuant to Article 12, paragraph 2, of the Protocol, States parties having submitted their initial report under this Protocol shall include in the reports they submit to the Committee in accordance with article 44, paragraph 1(b), of the Convention any further information with respect to the implementation of the Optional Protocol. States parties to the Optional Protocol that are not parties to the Convention shall submit a report within two years following the entry into force of the Protocol and then every five years.

Guidelines regarding initial reports to be submitted by States Parties under article 12, paragraph 1, of the Optional Protocol were adopted by the Committee at its 777th meeting on 1 February 2002. The process of reviewing the reports received has led the Committee to adopt revised guidelines, in order to assist the Parties that have not yet reported to better understand the kind of information and data it considers necessary to understand and evaluate the progress made by States parties in implementing their obligations and to enable it to provide them with appropriate observations and recommendations.

The revised guidelines are divided into eight Parts. Part I contains general guidelines about the reporting process, Part II concerns data and Part III concerns General Measures of Implementation relevant to this Protocol. Parts IV to VIII concern the substantive obligations recognized by the Protocol: Part IV concerns the prevention of the sale of children, child prostitution and child pornography; Part V concerns the criminalization of these practices and related matters; Part VI concerns protection of the rights of child victims; Part VII concerns international assistance and cooperation and Part VIII concerns other relevant provisions of national or international law.

The Committee particularly wants to draw attention of the States parties to the Annex to these Guidelines, which provides additional guidance on some issues and further indications as to the information needed for a comprehensive Report of the States Parties on the implementation of this Protocol.

I. General guidelines

1. Reports submitted pursuant to Article 12, para.1, of the Protocol should contain a description of the process of preparation of the report, including the contributions made by governmental and non-governmental organizations/bodies in its drafting and dissemination. Reports of federal States and States having dependent territories or autonomous regional governments, should contain summarized and analytical information on how they contributed to the report.
2. Reports should indicate how the general principles of the Convention, namely non-discrimination, the primacy of best interests of the child, the right to life, survival and development, and respect for the views of the child, have been taken into account in the design and implementation of the measures adopted by the State Party under the present Protocol. (See Annex)
3. Since the present Protocol is intended to further implementation of the Convention on the Rights of the Child, in particular Articles 1, 11, 21, 32, 34, 35 and 36, reports submitted pursuant to Article 12 of the Protocol should indicate how and to what extent the measures taken in order to implement the Protocol have contributed to the implementation of the Convention, in particular the articles listed above.
4. Reports should contain information on the legal status of the present Protocol in the internal law of the State party, its applicability in all relevant domestic jurisdictions.
5. States parties also are invited to include in the reports, when relevant, information about the intention of the State party to withdraw any reservation(s) it has made to the present Protocol;
6. Reports should include, in addition to information on the measures taken to implement the Protocol:
 - (a) information, including relevant quantifiable data where available, on the progress made in eliminating of the sale of children, child prostitution and child pornography and in ensuring the protection and enjoyment of the rights set forth in the present Protocol; and
 - (b) an analysis of the factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the Protocol.
 - (c) information from all autonomous regions or territories in the State Party in a summarized version (Full texts of the information concerning such entities may be annexed to the report.)
7. Reports should accurately describe the implementation of the Protocol with regard to all territories and persons over which the State party exercises jurisdiction, including all parts of federal states, dependent or autonomous territories, all military forces of the State party and all locations where such forces exercise de facto effective control.
8. States parties are invited to submit, together with their reports under Article 12, copies of the principal legislative, administrative and other relevant texts, judicial decisions and relevant studies or reports.

II. Data

9. Data included in the reports submitted pursuant to Article 12 of the Protocol should be disaggregated, to the extent possible, by sex, region, age and by nationality and ethnicity, if relevant, and any other criteria that the State party considers relevant and that would help the Committee come to a more accurate understanding of the progress made in implementing the Protocol and any remaining gaps or challenges. The report should also contain information on the mechanisms and procedures used to collect these data.

10. Reports should summarize available data on the incidence of sale of children in the State party, including:

- (a) the sale or transfer of children for purposes of sexual exploitation;
- (b) the transfer of the organs of children for profit;
- (c) the engagement of children in forced labour; (See Annex)
- (d) the number of children adopted through the efforts of intermediaries using methods incompatible with Article 21 of the Convention or other applicable international standards.
- (e) any other form of sale of children that occurs within the State party, including any traditional practices that involve the transfer of a child by any person or group of persons to another for any form of consideration, and any available indicators of the number of children affected by such practices;
- (f) the number of child victims of trafficking, whether within the territory of the State party, from the territory of the State party to other States or from other States to the territory of the State party, including information as to the type of exploitation for which such children are trafficked; (See Annex)
- (g) the data provided should also show increase or decrease in these practices over time, when possible.

11. Reports should summarize available data concerning child prostitution, including:

- (a) the number of persons under the age of 18 engaged in prostitution in the State party;
- (b) the increase or decrease of child prostitution or any specific forms of child prostitution over time (See Annex); and
- (c) the extent to which child prostitution is linked to sex tourism within the territory of the State party, or the State party has detected within its territory efforts to promote sex tourism involving child prostitution in other countries.

12. Reports should summarize available information concerning the extent to which pornography featuring persons actually or apparently under the age of 18 is produced, imported, distributed or consumed within the territory of the State party and any increases or decreases in the production, importation, distribution or consumption of child pornography that have been measured or detected, including:

- (a) photographs and other printed materials;
- (b) videos, motion pictures and electronically recorded materials;
- (c) internet sites containing photographs, videos, motion pictures or animated productions (e.g. cartoons) depicting, offering or advertising child pornography; and
- (d) live performances.

The report should contain any available data concerning the number of prosecutions and convictions for such offences, disaggregated by nature of offence (sale of children, child prostitution or child pornography).

III. General measures of implementation

13. Reports submitted should contain information on:

- (a) all laws, decrees and regulations adopted by the national, state or regional legislatures or other competent bodies of the State party in order to give effect to the present Protocol; (See Annex)
- (b) any significant jurisprudence adopted by the courts of the State party with regard to the sale of children, child prostitution and child pornography in particular jurisprudence that applies the Convention, the present Protocol or related international instruments referred to by these guidelines;
- (c) the governmental departments or bodies having primary responsibility for the implementation of this Protocol and the mechanism(s) that have been established or are used to ensure coordination between them and the relevant regional and local authorities, as well as with civil society, including the business sector, the media and academia;
- (d) the dissemination of this Protocol and the appropriate training offered to all relevant professional and paraprofessional groups, including immigration and law enforcement officers, judges, social workers, teachers and legislators;
- (e) the mechanisms and procedures used to collect and evaluate data and other information concerning implementation of this Protocol on a periodic or continuing basis;
- (f) the budget allocated to the various activities of the State party related to implementation of the present Protocol;
- (g) the overall strategy of the State party for the elimination of the sale of children, child prostitution and child pornography and the protection of victims, and any national or regional plans, or particularly significant local ones, that have been adopted in order to strengthen efforts to implement this Protocol, or any components of plans for advancing the rights of the child, the rights of women or human rights that contain components aimed at the elimination of these practices or protection of victims;

- (h) the contributions made by civil society to efforts to eliminate the sale of children, child prostitution and child pornography;
- (i) the role played by statutory ombudspersons for children or similar autonomous public institutions for the rights of children, if any, in implementing this Protocol or in monitoring its implementation; (See Annex).

IV. Prevention (Articles 9.1 and 9.2)

14. Bearing in mind that Article 9, para. 1 of the Protocol requires States parties to pay "particular attention" to the protection of children who are "especially vulnerable" to the sale of children, child prostitution or pornography, reports should describe the methods used to identify children who are especially vulnerable to such practices, such as street children, girls, children living in remote areas and those living in poverty. In addition, they should describe the social programmes and policies have been adopted or strengthened to protect children, in particular especially vulnerable children, from such practices (e.g. in the areas of health and education), as well as any administrative or legal measures (other than those described in response to the guidelines contained in Section V) that been taken to protect children from these practices, including civil registry practices aimed at preventing abuse. Reports also should summarize any available data as to the impact of such social and other measures.

15. Reports should describe any campaigns or other measures that have been taken to promote public awareness of the harmful consequences of the sale of children and child prostitution and pornography, as required by Article 9 paragraph 2 of the Protocol, including:

- (a) measures specifically aimed at making children aware of the harmful consequences of such practices, and of resources and sources of assistance intended to prevent children from falling victim to them;
- (b) programmes targeting any specific groups other than children and the general public (e.g. tourists, transportation and hotel workers, adult sex workers, members of the armed forces, correctional personnel);
- (c) the role played by NGOs, the media, the private sector and the community, in particular children, in the design and implementation of the awareness measures described above, and
- (d) any steps taken to measure and evaluate the effectiveness of the measures described above, and the results obtained.

V. Prohibition and related matters (Articles 3, 4.2, 4.3, 5, 6 and 7)

16. Reports should provide information on all criminal or penal laws in force covering and defining the acts and activities enumerated in Article 3, paragraph 1, of the Protocol, including:

- (a) the material elements of all such offences, including any reference to the age of the victim and the sex of the victim or perpetrator;
- (b) the maximum and minimum penalties that can be imposed for each of these offences; (See Annex)
- (c) any defences and aggravating or attenuating circumstances applicable specifically to these offences;
- (d) the statute of limitations for each of these offences;
- (e) any other offences recognized by the laws of the State party that it considers relevant to implementation of the present Protocol (See Annex); and
- (f) the sentences applicable under the law(s) of the State party for attempts to commit and complicity or participation in the offences described in response to this guideline.

17. Reports also should indicate any provisions of the law in force that the State party considers an obstacle to implementation of the present Protocol, and any plans it has to review them.

18. Reports should describe any law concerning the criminal liability of legal persons for the acts and activities enumerated in Article 3, paragraph 1 of the Protocol, and comment on the effectiveness of such laws as a deterrent to the sale of children, child prostitution and child pornography; if the law of the State party does not recognize the criminal liability of legal persons for such offences, the report should explain why this is so and the position of the State party on the feasibility and desirability of modifying it. (See Annex)

19. Reports of States parties whose law permits adoption should indicate the bilateral and multilateral agreements, if any, that are applicable and the measures it has taken to ensure that all persons involved in the adoption of children act in conformity with such agreements and with the Declaration of Social and Legal Principles relating to the Protection and Welfare of Children (UNGA Resolution 41/85 of 3 December 1986), including:

- (a) the legal and other measures taken to prevent illegal adoptions e.g. those that have not been authorized by the authorities competent for dealing with domestic and inter-country adoptions;
- (b) the legal and other measures taken to prevent intermediaries from attempting to persuade mothers or pregnant women to give their children for adoption, and to prevent unauthorized persons or agencies from advertising services concerning adoption;
- (c) the regulations and licensing of agencies and individuals acting as intermediaries in adoptions, as well as legal practices identified so far;
- (d) the legal and administrative measures taken to prevent the theft of young children and to prevent fraudulent birth registration, including applicable criminal sanctions;
- (e) the circumstances in which the consent of a parent for adoption can be waived and any safeguards in place that are designed to ensure that consent is informed and freely given; and

(f) measures to regulate and limit the fees charged by agencies, services or individuals in connection with adoption and the sanctions applicable for non-compliance with them.

20. States parties to this Protocol that recognize adoption and that are not parties to 1993 Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption are invited to indicate whether they have considered becoming parties to it and the reasons they have not yet done so.

21. Reports should indicate:

- (a) the laws in force prohibiting the production and dissemination of material advertising any of the offences described in the present Protocol;
- (b) the applicable sanctions;
- (c) any available data or information concerning the number of prosecutions and convictions for such offences, disaggregated by nature of the offence (sale of children, child prostitution or child pornography), and
- (d) whether such laws are effective in preventing the advertising of sale of children, child prostitution and child pornography and, if not, the reasons why and any plans the State has for strengthening such laws and/or their enforcement.

22. Reports should indicate the legal provisions that establish jurisdiction over the offences referred to in Article 3 of the Protocol, including information about the grounds for this jurisdiction (see Article 4, paras.1 and 3).

23. Reports also should indicate the legal provisions that establish extraterritorial jurisdiction over such offences on the grounds mentioned in Article 4, paragraph 2, and/or on any other grounds of jurisdiction recognized by the law of the State party.

24. Reports should describe the law, policy and practice of the State party concerning the extradition of persons accused of having committed one or more of the offences referred to by Article 3 of the Protocol, including:

- (a) whether or not extradition requires the existence of an extradition treaty with the requesting State and, if not, any conditions applied in considering requests for extradition (e.g. reciprocity).
- (b) if extradition is conditional on the existence of an extradition treaty in force for the State party and a requesting State, whether the competent authorities of the State party recognize Article 5 paragraph 2 as sufficient basis for granting an extradition request made by another Party to this Protocol, including in cases in which the extradition request concerns a national of the requested State;
- (c) whether the State party has entered into any extradition treaties since becoming a party to this Protocol or is presently negotiating any extradition treaties and, if so, whether or not such treaties recognize the offences corresponding to the offences referred to in the present Protocol as extraditable offences;
- (d) whether the State party, since entry into force of the Protocol, has refused any request(s) for the extradition of a person subject to its jurisdiction who was accused by another State of any of the offences referred to the present Protocol and, if so, the reason for the refusal(s) to extradite, and whether the person(s) concerned was referred to the competent authorities of the State party for prosecution;
- (e) the number of requests for extradition for any of the offences referred to the Protocol that have been granted by the State party since the entry into force of the Protocol or since its most recent report on implementation of the Protocol, disaggregated by the nature of the offences;
- (f) whether the State party has, since the entry into force of the Protocol, requested the extradition of any person accused of any of the offences referred to in this Protocol and, if so, whether such request(s) have been honoured by the requested State(s);
- (g) whether any new legislation, regulations or judicial rules concerning extradition have been proposed, drafted or adopted and, if so, their consequences, if any, for the extradition of persons accused of offences corresponding to the conduct described in Article 3 of this Protocol.

25. Reports should describe the legal basis, including international agreements, for cooperation with other States parties with regard to investigations and criminal and extradition proceedings brought with regard to the offences referred to by the Protocol, and the policy and practice of the State party with regard to such cooperation, including examples of cases in which it has cooperated with other States parties and any significant difficulties it has experienced in obtaining the cooperation of other States parties.

26. Reports should describe the law, policy and practice of the State party with regard to:

- (a) the seizure and confiscation of materials, assets and or other goods used to commit or facilitate any of the offences set forth in the Protocol;
- (b) the seizure and confiscation of proceeds derived from the commission of such offences; and
- (c) the closure of premises used to commit such offences.

including the execution of requests made by other States parties for the seizure and confiscation of any materials, assets, instrumentalities or proceeds described in Article 7(a) of the Protocol; the State party's experience concerning the response of other Parties to its requests for the seizure and confiscation of goods and proceeds; any legislation concerning these matters that has been proposed, drafted or enacted since the entry into force of the Protocol, and any judicial decisions concerning these matters of particular significance.

VI. Protection of the rights of victims (Articles 8, 9.3 and 9.4)

27. Reports should contain information on the measures adopted by the State party to implement Article 8 of the Protocol with a view to ensure that the rights and best interests of children who have been the victims of the practices prohibited under the

present Protocol are fully recognized, respected and protected at all stages of criminal investigations and proceedings which concern them. States also may wish to describe any efforts made to implement the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime adopted by ECOSOC in 2005. (See Annex)

28. Reports should describe the law, policy and practice throughout the territory of the State Party regarding the investigation of the offences referred to by the Protocol, in cases in which the victim appears to be below the age of 18 but his or her actual age is unknown. (See Annex)

29. Reports should describe any rules, regulations, guidelines or instructions that have been adopted by relevant authorities in order to ensure that the best interests of the child are a primary consideration in the treatment afforded by the criminal justice system to children who are victims of any of the offences described in the present Protocol. (See Annex)

30. Reports also should indicate which provisions of the existing laws, procedures and policies are meant to ensure that the best interests of child victims of such offences are adequately identified and taken into account in criminal investigations and proceedings and, if not, what steps it considers necessary or plans to take to improve compliance with Article 8 paragraph 3 of the Protocol. (See Annex)

31. Reports should indicate what measures are taken to ensure legal, psychological or other training for those who work with victims of the offences prohibited in this Protocol. (See Annex)

32. Reports should indicate the measures in place that provide the agencies, organizations, networks and individuals with the conditions necessary to carry out their work without fear of interference or reprisals and, if not, what measures are planned or considered necessary to ensure compliance with Article 8 paragraph 5 of the Protocol. (See Annex)

33. Reports should describe any special safeguards or compensatory measures that have been introduced or strengthened in order to ensure that measures designed to protect the rights of child victims of the offences referred to by this Protocol do not have any undue impact on the rights of accused persons to a fair and impartial trial. (See Annex)

34. Reports should describe existing public and private programmes that provide child victims of sale, prostitution and pornography with assistance in social reintegration, paying special attention to family reunification, and physical and psychological recovery. (See Annex)

35. Reports should also describe the measures taken by the State party to help the child recover his or her identity, when the exploitation to which the child has been exposed has adversely affected any elements of his or her identity, such as name, nationality and family ties. (See Annex)

36. Information contained in Reports concerning assistance in social reintegration, physical and psychological recovery and the recovery of identity should indicate any differences between the assistance provided to children who are nationals or presumed to be nationals of the State party and those who are not nationals, or whose nationality is unknown. (See Annex)

37. Reports should contain information on existing remedies and procedures that may be used by child victims of sale, prostitution or pornography to seek compensation for damages from those legally responsible. (See Annex)

VII. International assistance and cooperation (Article 10)

38. Reports should describe

- (a) any multilateral, regional and bilateral arrangements for the prevention, detection, investigation, prosecution and punishment of those responsible for any of the offences referred to by this Protocol that the State party has helped draft, or has negotiated, signed or become a party to;
- (b) the steps that have been taken to put in place procedures and mechanisms to coordinate the implementation of such arrangements; and
- (c) the results obtained through such arrangements, any significant difficulties encountered in implementing them and any efforts made or considered necessary to improve the implementation of such arrangements.

39. Reports also should describe any other steps taken by the State party to promote international cooperation and coordination concerning the prevention, detection, investigation, prosecution and punishment of the offences referred to by the present Protocol between their authorities and relevant regional or international organizations, as well as between the authorities and national and international non-governmental organizations.

40. Reports should describe any steps taken by the State party to support international cooperation to assist the physical and psychological recovery, social reintegration and repatriation of the victims of the offences referred to by this Protocol, including bilateral aid and technical assistance, and support for the activities of international agencies or organizations, international conferences and international research or training programmes, including support for the relevant activities and programmes of national or international non-governmental organizations.

41. Reports should describe the contributions of the State party to international cooperation designed to address root causes that contribute to children's vulnerability to sale, prostitution, pornography and sex tourism, in particular poverty and underdevelopment.

VIII. Other legal provisions (Article 11)

42. Reports should describe:

- (a) any provisions of domestic legislation in force in the State party that it considers more conducive to the realization of the rights of the child than the provisions of this Protocol;
- (b) any provisions of international law binding on the State party that it considers more conducive to the realization of the rights of the child than the provisions of this Protocol, or that it takes into account in applying the present Protocol;

(c) the status of ratification by the State party of the main international instruments concerning sale of children, child prostitution, child pornography, trafficking of children and sex tourism, as well as any other international or regional commitments undertaken by that State concerning these issues, and any influence their implementation has had on implementation of the present Protocol.

Annex

The link between the Optional Protocol and the implementation of the Convention referred to in [Guideline 2](#) is recognized by the first paragraph of the Preamble to the Protocol.

The term forced labour, referred to in [Guideline 10\(c\)](#), includes any substantial work or services that a person is obliged by a public official to perform, authority or institution under threat of penalty; work or services performed for private parties under coercion (e.g. the deprivation of liberty, withholding of wages, confiscation of identity documents or threat of punishment) and slavery-like practices such as debt bondage and the marriage or betrothal of a child in exchange for consideration. (See International Labour Convention No.29, Articles 2 and 11, and the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery, Art.1)

Trafficking of children, as referred to in [Guideline 10\(f\)](#), means the recruitment, transportation, transfer, harboring or receipt of persons under the age of 18 for the purpose of any form of exploitation, including sexual exploitation, the exploitation of child labour or adoption in violation of the relevant international standards, regardless of whether or not the children or their parents or guardian have expressed consent thereto. (See the Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, Article 3 (a), (b) and (c)).

Forms of prostitution that, according to [Guideline 11\(b\)](#), should be distinguished, if possible, include heterosexual and homosexual prostitution, and commercial or other forms of prostitution, such the delivery of children to temples or religious leaders for the purpose of providing sexual services, sexual slavery, the solicitation by teachers of sexual favors from students and sexual exploitation of child domestic workers.

States may wish to present the information referred to in [Guideline 13\(a\)](#) in the form of a table of relevant laws and their most relevant provisions.

The important role of children's ombudsmen and similar institutions, mentioned in [Guideline 13\(i\)](#), is described by the Committee in General Comment No.2 "The role of independent national human rights institutions in the promotion and protection of the rights of the child", adopted at its 31st session in 2002.

Information provided in response to the guidelines contained in Part IV, in particular in reports made by federal States, States having dependent territories and/or autonomous regions, and States whose legal order recognizes religious, tribal or indigenous law, should include information about the relevant law of all jurisdictions having competence over these matters, including the law applicable to the armed forces.

The reply to [Guideline 16](#), especially clause (b), should distinguish between the penalties applicable to adults convicted of such offences and juveniles who have committed them.

Article 3 paragraph 1 of the Protocol provides that States parties shall "as a minimum" ensure that the acts listed are covered by its criminal or penal law; the broader, generic obligation set forth in Article 1 is to "prohibit the sale of children, child prostitution and child pornography." Hence [Guideline 16\(e\)](#) indicates that reports should indicate any other forms of sale, or any other acts or omissions concerning child prostitution or child pornography, that are covered by its criminal or penal law. In addition, in some countries certain crimes may be used to prosecute the sale of children, child prostitution or child pornography even though they do not expressly prohibit those offences as such. Reports also should describe such offences and explain their application to the sale of children, child prostitution and/or child pornography.

Legal persons, referred to in [Guideline 18](#), are entities other than physical persons that have legal personality, such as corporations and other businesses, local or regional governments and legally recognized foundations, organizations and associations.

The term "applicable international legal instruments" in [Guideline 19](#), includes Articles 20 and 21 of the Convention, read together with the general principles recognized by Articles 2, 3, 6 and 12 of the Convention; the 1993 Hague Convention on Protection of Children and Cooperation in respect of Inter-country Adoption, which the Committee considers an appropriate instrument for meeting the obligation contained in Article 21, paragraph (e) of the Convention; the 1967 European Convention on the Adoption of Children (CETS No.058); the 1990 African Charter on the Rights and Welfare of the Child; the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally adopted by the UN General Assembly in 1986; and bilateral treaties on adoption. The Declaration on Social and Legal Principles, which is mentioned in the Preamble to the Convention on the Rights of the Child, is applicable to all States, including those that are not party to any of the treaties mentioned above.

The information referred to in [Guideline 27](#) should include, in particular:

any laws and other legal standards providing that the best interests of the child victim or child witness shall be a primary consideration in criminal justice matters concerning the sale of children, child prostitution and child pornography;

any laws or other legal standards, procedures and practices concerning the placement of children considered to be victims of sale, child prostitution or child pornography in protective custody in police or correctional facilities, or public child welfare facilities, during the duration of investigations or legal proceedings against the perpetrators of such acts, and information on the number of children are placed in such custody for the duration of such investigations or proceedings, disaggregated if possible according to the age, sex and place of origin of the child, the nature of the facility and the average duration of placement;

The principle that children shall not be deprived of liberty except as a last resort (See Article 37(b) of the Convention) means that child victims or witnesses should not be kept in police or correctional facilities nor, except in extreme circumstances, in closed child welfare facilities, in order to ensure their protection and availability in criminal proceedings;

any laws, procedures and practices allowing the placement of children considered to be victims of sale, child prostitution or child pornography in the temporary care of relatives, foster parents, temporary guardians or community based organizations during the investigations or legal proceedings against the perpetrators of such acts, and information on the number of children so placed, disaggregated if possible according to the age, sex and place of origin of the child, the type of care provider and the average duration of placement;

any legal standards that have been adopted recognizing the right of child victims of sale, child prostitution or child pornography to be informed about their legal rights and their potential role in criminal proceedings concerning such exploitation and the scope, timing and progress and outcome of such proceedings, and the practices and procedures that have been established in order to provide children with such information;

a) any legal standards that have been adopted that recognize the right of child victims of sale, child prostitution or child pornography to express or convey their views, needs and concerns about criminal proceedings concerning their exploitation and the duty of investigators, prosecutors and other relevant authorities to take their views and concerns into account; the methods and procedures used to ascertain the views, needs and concerns of child victims of different ages and backgrounds and to communicate them to the relevant authorities; and information regarding the progress made and difficulties encountered, if any, in implementation such standards and procedures;

b) any programmes and services that provide support to child victims during criminal proceedings against those responsible for their exploitation, the geographical location and nature of the agencies or organizations responsible (public, subsidized or non-governmental), the nature of the support services provided and the coverage; any available data concerning the age, sex, place of origin and other relevant characteristics of the beneficiaries; the results of any evaluations of the support provided; and the views of the State party as to the adequacy of the coverage, scope and quality of the services available and any plans to expand them.

c) any laws or regulations designed to protect the right to privacy and prevent the disclosure of the identity of victims of any of the offences referred to in the present Protocol, and any other measures taken by the State party to protect their privacy and prevent the disclosure of their identity, as well as the views of the State party on whether such laws, regulations and other measures are effective and, if not, the reasons why they are not and any plans it has to enhance the protection of their right to privacy and prevent the disclosure of their identity;

d) the policies, procedures, programmes, protocols or other measures that have been put in place in order to ensure the safety of child victims of sale, prostitution or pornography who may be at risk of retaliation or intimidation and to ensure the safety of their families and of witnesses vulnerable to such risks, as well as the views of the State party on whether such measures have been effective and, if not, the reasons why they have not been and any plans it has to reinforce them, modify them or to adopt new safeguards.

e) any laws, rules, regulations, guidelines or policies that have been adopted by the competent legislative, administrative or judicial authorities in order to avoid unnecessary delay in the disposition of cases involving the offences referred to by this Protocol and in the execution of orders or decrees granting compensation to child victims, as well as any jurisprudence that may have been adopted by the courts of the State party concerning the timely resolution of such matters.

The information referred to in [Guideline 28](#) should include, in particular:

- a) the measures are used to estimate the age of the victim when documentary proof is not available;
- b) the standard of proof for the age of the victim and the legal presumptions, if any, that apply;
- c) the agency or bodies that are responsible for carrying out investigations with a view to determining the age of the child and the methods used to this end.

The information provided in response to this Guideline also should indicate whether difficulties in determining the age of presumed victims of the offences referred to by the present Protocol to be a substantial obstacle to law enforcement and effective protection of children against such practices and, if so, why it does, and what plans, if any, the State Party has to overcome them or what action it considers necessary to address such difficulties. Information provided also should differentiate, when relevant, between offences that have been committed within the territory of a State party against a child who is a national, and offences in which the victim may not be a national of the State party or the act may have taken place in the territory of another State.

The information provided in response to [Guidelines 29 and 30](#) should:

(a) indicate whether the legislation of all relevant jurisdictions of the State Party recognizes the requirement that the best interests of the child shall be a primary consideration in the treatment afforded by the criminal justice system to children who are victims of any of the offences described in the present Protocol and, if not, what steps, if any, the State party has taken or plans to take to incorporate this principle into the relevant legislation;

(c) describe any rules, guidelines, policies or jurisprudence concerning how the best interests of children are defined in this context and the methods that are used to determine the best interests of individual child victims;

(d) describe, in particular, any rules, regulations, guidelines, policies or jurisprudence concerning the methods used to determine the child's views and the weight given to such views in establishing what the best interests of the child are in this context;

(e) describe, in addition, what steps have been taken and what mechanisms and procedures have been established to provide child victims with objective information, in language adapted to their age and background, about criminal investigations and proceedings regarding offences affecting them, their rights with regard to such investigations and proceedings, and any options or alternative courses of action they may have ; and

(f) describe any legislation, regulations, procedures, policies and jurisprudence regarding the legal standing of children with regard to decisions that must be made regarding criminal proceedings concerning offences against them, including any age limit concerning the child's decision whether to testify or otherwise participate in proceedings; the authority of parents or guardians to take such decisions for the child, and the appointment of temporary guardians to ensure that the best interests of the child are identified and respected in the absence of any parent or guardian or in the event of a possible conflict of interest between the child victim and her or his parent(s) or legal guardian.

(g) describe the role, if any, of child protection agencies or child rights bodies in criminal proceedings concerning the offences referred to by the present Protocol, in particular any role they may play in defending the best interests of the child victim or child witness in such proceedings.

Information requested by **Guideline 31** should be provided on the agency or agencies that are competent to investigate and or prosecute the offences referred to by the present Protocol and the courts competent over these offences throughout the territory or territories of the State party, and whether contact with child victims and witnesses by the staff of such agencies is limited to officials assigned especially to cases concerning children; any specific requirements regarding education on the rights of children and child psychology or development applicable to the recruitment or appointment of staff having contact with children; any entry-level or in-service training programmes that provide staff having contact with children and their supervisors with legal, psychological and other relevant training designed to ensure that child victims of receive treatment that is sensitive to their age, sex, background and experiences and respectful of their rights, and a brief description of the content and methodology of such training programmes; and the agencies or organizations, public or private, that provide care, shelter and psychosocial services to the victims of the offences referred to by this Protocol, and any applicable regulations concerning the qualifications and training of private service providers.

The information provided in response to **Guideline 32** should indicate the public or private agencies, organizations and networks most involved in efforts to prevent the sale of children, child prostitution and pornography and related practices, as well as those most involved in providing protection, rehabilitation and similar services to the victims of such practices; and describe any significant attacks or threats to the safety, security and integrity of the above mentioned bodies and their members or staff, as well as the types of measures the State party has adopted to protect the persons or bodies that have been the target of attacks and threats of the kind mentioned above, and the measures or policies that have been adopted as a precaution against such threats or attacks.

For purposes of **Guideline 33**, the rights of accused persons to a fair and impartial trial should be considered to be the rights set forth in Articles 14 and 15 of the International Covenant on Civil and Political Rights, in particular the right to be presumed innocent until proved guilty according to law, to have adequate facilities for the preparation of a defence and to examine, or have examined, the witnesses against him.

Such information provided in response to **Guideline 34** should include: identification of such programmes or services and the agencies or organizations that operate them, their geographical location and a description of the type of services provided; data on the number of children who receive such assistance, disaggregated according to the age and sex of the beneficiaries, the type of abuse suffered and whether the assistance is provided in a residential or non-residential setting; the results of any evaluation(s) that have been made of the assistance provided by existing programmes and information regarding the unmet demand for such services, if any, and any plans the State party has for increasing the capacity of existing programmes or expanding the type of services provided, as well as any other information that it considers relevant.

The right to assistance in social reintegration and psychological recovery referred to by **Guideline 35** and Article 9 paragraph 3 of the Protocol includes to the right of children deprived of any element of their identity to assistance in speedily re-establishing their identity, a right also recognized by Article 8 paragraph 2 of the Convention proper.

Information provided in response to **Guideline 36** should include:

(a) the number of children who are not nationals or whose nationality is unknown who are identified as victims of sale, child prostitution and child pornography annually, disaggregated to the extent possible by age, sex, type of exploitation and country of origin.

(b) the policy of the State party regarding the repatriation of child victims and reintegration with their families and community, including the way such policies address issues such as the best interests of the child, the right of the child to have his or her views taken into account, the child's participation in criminal proceedings against those responsible for his or her exploitation and the right of the child to protection against the risk of reprisals and to assistance in physical and psychological rehabilitation

(c) any existing legal or administrative agreements with other countries concerning the repatriation of children who have been victims of these forms of exploitation, mutual assistance in re-establishing their identity or relocating their families and for evaluating the appropriateness of return of the child to his or her family or community, as opposed to other forms of social reintegration;

(d) information on the progress made and difficulties encountered in safeguarding the right to social reintegration, identity and physical and psychological recovery of children who have been victims of these forms of exploitation and who are not nationals, or whose nationality is unknown, as well as any plans it may have for overcoming the difficulties encountered, if any.

The information provided in response to **Guideline 37** should include:

(a) whether the child's right to compensation is subordinated to or conditioned by a prior finding of criminal responsibility on the part of those responsible for his or her exploitation;

(b) procedures and standards regarding the appointment of a guardian or representative for the child for purposes of legal procedures of this kind, when there is a actual, possible or potential conflict between the interests of the child and those of his or her parents;

(c) standards and procedures concerning the voluntary settlement of cases or complaints involving the sale of children, child prostitution or pornography;

(d) whether there are any difference between the procedures applicable to cases involving children and those involving adults, in so far as the admissibility of evidence or the way evidence concerning the child victim is presented ;

(e) whether rules and guidelines concerning the management of cases recognize the importance of the need to avoid undue delay in the resolution of cases involving children, in accordance with Article 8, paragraph 1(g) of the Protocol;

(f) whether there is any difference in the statute of limitations applicable to claims of compensation for these forms of exploitation, when the victim is a child;

(g) any special features of the law that concern the use, disposition and safeguarding of damages awarded to children until such time as they reach the age of majority;

(h) any other special features of existing procedures that may be used by children to seek compensation in the type of cases referred to above that are designed to make them more sensitive to the special needs, rights and vulnerabilities of children;

(i) whether the information given in reply to the preceding paragraphs of this guideline is applicable to victims who may not be nationals of the State party, and any special measure that may exist to ensure that victims who are not or may not be nationals have equal access to remedies designed to obtain compensation for damages due to the forms of exploitation referred to above;

(j) any information concerning the number and amount of awards made to children for abuses of this kind, as a result of legal or administrative proceedings or settlements supervised by official bodies, that would help the Committee understand how existing remedies and procedures work in practice;

(k) whether the State party considers that existing remedies and procedures provide adequate protection to the right of children who have been victims of the above referenced forms of exploitation to obtain adequate compensation for damages and, if not, what improvements or changes it considers would enhance effective protection of this right.

Damages include physical or mental injury, emotional suffering, prejudice to moral interests (e.g. honour, reputation, family ties, moral integrity), denial of one's rights, loss of property, income or other economic loss and expenses incurred in treating any injury and making whole any damage to the victim's rights. (See Principles 19 and 20 of the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law).

**Optional Protocol to the Convention on the Rights of the Child on the involvement of children
in armed conflict**

**Adopted and opened for signature, ratification and accession by General Assembly resolution
A/RES/54/263**

of 25 May 2000

entry into force 12 February 2002

The States Parties to the present Protocol,

Encouraged by the overwhelming support for the Convention on the Rights of the Child, demonstrating the widespread commitment that exists to strive for the promotion and protection of the rights of the child,

Reaffirming that the rights of children require special protection, and calling for continuous improvement of the situation of children without distinction, as well as for their development and education in conditions of peace and security,

Disturbed by the harmful and widespread impact of armed conflict on children and the long-term consequences it has for durable peace, security and development,

Condemning the targeting of children in situations of armed conflict and direct attacks on objects protected under international law, including places that generally have a significant presence of children, such as schools and hospitals,

Noting the adoption of the Rome Statute of the International Criminal Court, in particular, the inclusion therein as a war crime, of conscripting or enlisting children under the age of 15 years or using them to participate actively in hostilities in both international and non-international armed conflicts,

Considering therefore that to strengthen further the implementation of rights recognized in the Convention on the Rights of the Child there is a need to increase the protection of children from involvement in armed conflict,

Noting that article 1 of the Convention on the Rights of the Child specifies that, for the purposes of that Convention, a child means every human being below the age of 18 years unless, under the law applicable to the child, majority is attained earlier,

Convinced that an optional protocol to the Convention that raises the age of possible recruitment of persons into armed forces and their participation in hostilities will contribute effectively to the implementation of the principle that the best interests of the child are to be a primary consideration in all actions concerning children,

Noting that the twenty-sixth International Conference of the Red Cross and Red Crescent in December 1995 recommended, inter alia, that parties to conflict take every feasible step to ensure that children below the age of 18 years do not take part in hostilities,

Welcoming the unanimous adoption, in June 1999, of International Labour Organization Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour, which prohibits, inter alia, forced or compulsory recruitment of children for use in armed conflict,

Condemning with the gravest concern the recruitment, training and use within and across national borders of children in hostilities by armed groups distinct from the armed forces of a State, and recognizing the responsibility of those who recruit, train and use children in this regard,

Recalling the obligation of each party to an armed conflict to abide by the provisions of international humanitarian law,

Stressing that the present Protocol is without prejudice to the purposes and principles contained in the Charter of the United Nations, including Article 51, and relevant norms of humanitarian law,

Bearing in mind that conditions of peace and security based on full respect of the purposes and principles contained in the Charter and observance of applicable human rights instruments are indispensable for the full protection of children, in particular during armed conflicts and foreign occupation,

Recognizing the special needs of those children who are particularly vulnerable to recruitment or use in hostilities contrary to the present Protocol owing to their economic or social status or gender,

Mindful of the necessity of taking into consideration the economic, social and political root causes of the involvement of children in armed conflicts,

Convinced of the need to strengthen international cooperation in the implementation of the present Protocol, as well as the physical and psychosocial rehabilitation and social reintegration of children who are victims of armed conflict,

Encouraging the participation of the community and, in particular, children and child victims in the dissemination of informational and educational programmes concerning the implementation of the Protocol,

Have agreed as follows:

Article 1

States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

Article 2

States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.

Article 3

1. States Parties shall raise in years the minimum age for the voluntary recruitment of persons into their national armed forces from that set out in article 38, paragraph 3, of the Convention on the Rights of the Child, taking account of the principles contained in that article and recognizing that under the Convention persons under the age of 18 years are entitled to special protection.

2. Each State Party shall deposit a binding declaration upon ratification of or accession to the present Protocol that sets forth the minimum age at which it will permit voluntary recruitment into its national armed forces and a description of the safeguards it has adopted to ensure that such recruitment is not forced or coerced.

3. States Parties that permit voluntary recruitment into their national armed forces under the age of 18 years shall maintain safeguards to ensure, as a minimum, that:

- (a) Such recruitment is genuinely voluntary;
- (b) Such recruitment is carried out with the informed consent of the person's parents or legal guardians;
- (c) Such persons are fully informed of the duties involved in such military service;
- (d) Such persons provide reliable proof of age prior to acceptance into national military service.

4. Each State Party may strengthen its declaration at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall inform all States Parties. Such notification shall take effect on the date on which it is received by the Secretary-General.

5. The requirement to raise the age in paragraph 1 of the present article does not apply to schools operated by or under the control of the armed forces of the States Parties, in keeping with articles 28 and 29 of the Convention on the Rights of the Child.

Article 4

1. Armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years.

2. States Parties shall take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices.

3. The application of the present article shall not affect the legal status of any party to an armed conflict.

Article 5

Nothing in the present Protocol shall be construed as precluding provisions in the law of a State Party or in international instruments and international humanitarian law that are more conducive to the realization of the rights of the child.

Article 6

1. Each State Party shall take all necessary legal, administrative and other measures to ensure the effective implementation and enforcement of the provisions of the present Protocol within its jurisdiction.

2. States Parties undertake to make the principles and provisions of the present Protocol widely known and promoted by appropriate means, to adults and children alike.

3. States Parties shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to the present Protocol are demobilized or otherwise released from service. States Parties shall, when necessary, accord to such persons all appropriate assistance for their physical and psychological recovery and their social reintegration.

Article 7

1. States Parties shall cooperate in the implementation of the present Protocol, including in the prevention of any activity contrary thereto and in the rehabilitation and social reintegration of persons who are victims of acts contrary thereto, including through technical cooperation and financial assistance. Such assistance and cooperation will be undertaken in consultation with the States Parties concerned and the relevant international organizations.

2. States Parties in a position to do so shall provide such assistance through existing multilateral, bilateral or other programmes or, inter alia, through a voluntary fund established in accordance with the rules of the General Assembly.

Article 8

1. Each State Party shall, within two years following the entry into force of the present Protocol for that State Party, submit a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Protocol, including the measures taken to implement the provisions on participation and recruitment.

2. Following the submission of the comprehensive report, each State Party shall include in the reports it submits to the Committee on the Rights of the Child, in accordance with article 44 of the Convention, any further information with respect to the implementation of the Protocol. Other States Parties to the Protocol shall submit a report every five years.

3. The Committee on the Rights of the Child may request from States Parties further information relevant to the implementation of the present Protocol.

Article 9

1. The present Protocol is open for signature by any State that is a party to the Convention or has signed it.
2. The present Protocol is subject to ratification and is open to accession by any State. Instruments of ratification or accession shall be deposited with the Secretary-General of the United Nations.
3. The Secretary-General, in his capacity as depositary of the Convention and the Protocol, shall inform all States Parties to the Convention and all States that have signed the Convention of each instrument of declaration pursuant to article 3.

Article 10

1. The present Protocol shall enter into force three months after the deposit of the tenth instrument of ratification or accession.
2. For each State ratifying the present Protocol or acceding to it after its entry into force, the Protocol shall enter into force one month after the date of the deposit of its own instrument of ratification or accession.

Article 11

1. Any State Party may denounce the present Protocol at any time by written notification to the Secretary-General of the United Nations, who shall thereafter inform the other States Parties to the Convention and all States that have signed the Convention. The denunciation shall take effect one year after the date of receipt of the notification by the Secretary-General. If, however, on the expiry of that year the denouncing State Party is engaged in armed conflict, the denunciation shall not take effect before the end of the armed conflict.
2. Such a denunciation shall not have the effect of releasing the State Party from its obligations under the present Protocol in regard to any act that occurs prior to the date on which the denunciation becomes effective. Nor shall such a denunciation prejudice in any way the continued consideration of any matter that is already under consideration by the Committee on the Rights of the Child prior to the date on which the denunciation becomes effective.

Article 12

1. Any State Party may propose an amendment and file it with the Secretary-General of the United Nations. The Secretary-General shall thereupon communicate the proposed amendment to States Parties with a request that they indicate whether they favour a conference of States Parties for the purpose of considering and voting upon the proposals. In the event that, within four months from the date of such communication, at least one third of the States Parties favour such a conference, the Secretary-General shall convene the conference under the auspices of the United Nations. Any amendment adopted by a majority of States Parties present and voting at the conference shall be submitted to the General Assembly of the United Nations for approval.
2. An amendment adopted in accordance with paragraph 1 of the present article shall enter into force when it has been approved by the General Assembly and accepted by a two-thirds majority of States Parties.
3. When an amendment enters into force, it shall be binding on those States Parties that have accepted it, other States Parties still being bound by the provisions of the present Protocol and any earlier amendments they have accepted.

Article 13

1. The present Protocol, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited in the archives of the United Nations.
2. The Secretary-General of the United Nations shall transmit certified copies of the present Protocol to all States Parties to the Convention and all States that have signed the Convention.

Guidelines regarding initial reports of States Parties to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Introduction

Pursuant to article 8 paragraph 1 of the Optional Protocol, States Parties shall, within two years following the entry into force of this Protocol for the State Party concerned, submit a report to the Committee on the Rights of the Child providing comprehensive information on the measures it has taken to implement the provisions of the Optional Protocol. Thereafter, pursuant to article 8, paragraph 2 of the Optional Protocol, States Parties shall include in the reports they submit to the Committee on the Rights of the Child, in accordance with article 44, paragraph 1(b) of the Convention any further information with respect to the implementation of the Optional Protocol. States Parties to the Optional Protocol, who are not parties to the Convention, shall submit a report every five years, after the submission of the comprehensive report.

The Committee may, in the light of article 8, paragraph 3 of the Optional Protocol, request from States Parties further information relevant to the implementation of the Optional Protocol.

Reports should provide information on the measures adopted by the State Party to give effect to the rights set forth in the Optional Protocol and on the progress made in the enjoyment of those rights and should indicate the factors and difficulties, if any, affecting the degree of fulfilment of the obligations under the Optional Protocol.

Copies of the principal legislative texts and judicial decisions, administrative and other relevant instructions to the armed forces, both of a civil and military character, as well as detailed statistical information, indicators referred therein and relevant research should accompany reports. In reporting to the Committee, States Parties should indicate how the implementation of the Optional Protocol is in line with the general principles of the Convention on the Rights of the Child, namely non-discrimination, best interests of the child, right to life, survival and development, and respect for the views of the child. Moreover, the process of preparation of the report should be described to the Committee, including the involvement of governmental and non-governmental organizations/bodies in its drafting and dissemination. Finally, reports should indicate the date of reference used when determining whether or not a person is within an age limit (for instance, the date of birth of the person concerned or the first day of the year during which the person concerned reaches that age limit).

Article 1

Please provide information on all measures taken, including of a legislative, administrative or other nature, to ensure that members of the armed forces who have not attained the age of 18 years do not take a direct part in hostilities. In this respect, please provide information notably on:

- The meaning of "direct participation" in the legislation and practice of the State concerned;
- The measures taken to avoid that a member of the armed forces who has not attained the age of 18 years is deployed or maintained in an area where hostilities are taking place and the obstacles encountered in applying these measures;
- When relevant, disaggregated data on members of the armed forces below the age of 18 years who were made prisoners, whereas they did not directly participate in hostilities;

Article 2

Please indicate all the measures taken including of a legislative, administrative or other nature, to ensure that persons who have not attained the age 18 years are not compulsorily recruited into the armed forces. In this regard, reports should indicate among others:

- Detailed information on the process of compulsory recruitment (i.e. from registration up to the physical integration into the armed forces) indicating the minimum age linked to each step and, at what time in that process, recruits become members of the armed forces;
- The reliable documents to verify age, which are required prior to acceptance into compulsory military service (birth certificate, affidavit, etc.);
- Any legal provision enabling the age of conscription to be lowered in exceptional circumstances (e.g. state of emergency). In this respect, please provide information on the age it can be lowered to, the process and the conditions for that change.
- For States Parties where compulsory military service has been suspended but not abolished, the minimum age of recruitment set up in the previous regime and how, and under what conditions, this previous system can be reinstalled.

Article 3 para 1

Reports should notably indicate:

- The minimum age set out for voluntary recruitment into the armed forces, in accordance with the declaration submitted upon ratification or accession or any change thereafter;
- When relevant, disaggregated data on children below the age of 18 years voluntarily recruited into the national armed forces (for example, by gender, age, region, rural/urban areas and social and ethnic origin, and military ranks);
- When relevant, pursuant to article 38, paragraph 3 of the Convention on the Rights of the Child, the measures taken to ensure that in recruiting those persons who have attained the minimum age set out for voluntary recruitment but who have not attained the age of 18 years, priority is given to those who are the oldest. In this respect, please provide information on the measures of special protection adopted for the under-18-years-old recruits.

Article 3, paras 2 and 4

Reports should notably provide information on :

- The debate which has taken place in the State concerned prior to the adoption of the binding declaration and the people involved in that debate;
- When relevant, the national [or regional, local, etc.] debates, initiatives or any campaign aiming at strengthening the declaration if it set out a minimum age lower than 18 years.

Article 3, para 3

With regard to the minimum safeguards that States Parties shall maintain concerning voluntary recruitment, reports should provide information on the implementation of these safeguards and indicate among others:

- A detailed description of the procedure used for such recruitment from the expression of intention to volunteer until the physical integration into the armed forces;
- Medical examination foreseen before recruitment of volunteers;
- The reliable documentation used to verify the age of the volunteers (birth certificate, affidavit, etc.);
- Information that is made available to the volunteers, and to their parents or legal guardians allowing them to formulate their own opinion and to make them aware of the duties involved in the military service. A copy of any materials used for this information to be annexed to the report;
- The effective minimum service time and the conditions for early discharge; the use of military justice or discipline to under-18-years recruits and disaggregated data on the number of such recruits under-trial or in detention; the minimum and maximum sanctions foreseen in case of desertion;
- The incentives used by the national armed forces for encouraging volunteers to join the ranks (scholarships, advertising, meetings at schools, games, etc.).

Article 3, para 5

Reports should indicate, among others, information on:

- The minimum age of entry into schools operated by or under the control of the armed forces;
- Disaggregated data on schools operated by or under the control of the armed forces, including numbers, type of education provided, proportion between academic education and military training in the curricula; length of this education; academic/military personnel involved, educational facilities, etc.;
- The inclusion in the school curricula of human rights and humanitarian principles, including in areas relevant to the realisation of the rights of the child;
- Disaggregated data on the students in these schools (for example, by gender, age, region, rural/urban areas and social and ethnic origin); their status (members or not of the armed forces); their military status in the case of a mobilisation or of an armed conflict, a genuine military need or any other emergency situation; their right to leave such schools at any time and not to pursue a military career;
- All appropriate measures taken, to ensure that school discipline is administered in a manner consistent with the child's human dignity and any complaint mechanisms available in this regard.

Article 4

Please provide information on, *inter alia*:

- The armed groups operating on/from the territory of the State concerned or with sanctuary on that territory;
- Update on the status of the negotiations of the State Party with armed groups;
- Disaggregated data on children who have been recruited and used in hostilities by the armed groups, and on those who have been arrested by the State concerned (for example, by gender, age, region, rural/urban areas and social and ethnic origin, time spent in the armed groups, and time spent in hostilities);
- Any written or oral commitment made by armed groups aiming at not recruiting and using children below the age of 18 years in hostilities;
- Measures adopted by the state concerned aiming at raising awareness amongst armed groups and within the communities of the need to prevent recruitment of children below the age of 18 years and of their legal duties with regard to the minimum age set up in the Optional Protocol for recruitment and use in hostilities;
- The adoption of legal measures which aim at prohibiting and criminalizing the recruitment and use in hostilities of children under the age of 18 years by such armed groups and the judicial decisions applying to this issue;
- The programmes to prevent notably children who are at highest risk of recruitment or use by such armed groups, such as refugee and internally displaced children, street children, orphans (e.g. birth registration campaigns) from being recruited or used by armed groups.

Article 5

Please indicate any provision of the national legislation and of international instruments and international humanitarian law applicable in the State concerned, which are more conducive to the realization of the rights of the child. Reports should also provide information on the status of ratification by the State concerned of the main international instruments concerning children in armed conflict and on other commitments undertaken by that State concerning this issue.

Article 6, paras 1 and 2

Please indicate the measures adopted to ensure the effective implementation and enforcement of the provisions of the Optional Protocol within the jurisdiction of the State Party, including information on:

- Any review of domestic legislation and amendments introduced into it;
- The legal status of the Optional Protocol in national law and its applicability before domestic jurisdictions, as well as, when relevant, the intention of the State Party to withdraw existing reservations made to this Protocol;
- The competent governmental departments or bodies responsible for the implementation of the Optional protocol and their coordination with regional and local authorities as well as with civil society;
- The mechanisms and means used for monitoring and periodically evaluating the implementation of the Optional Protocol;
- Measures adopted to ensure the relevant training of peacekeeping personnel on the rights of the child, including the provisions of the Optional Protocol;
- The dissemination in all relevant languages of the Optional Protocol to all children and adults, notably those responsible for military recruitment, and the appropriate training offered to all professional groups working with and for children.

Article 6, para 3

When relevant, please indicate all measures adopted with regard to disarmament, demobilization (or release from service) and to the provision of appropriate assistance for the physical and psychological recovery and social reintegration of children, taking due account of the specific situation of girls, including information on:

- Disaggregated data on children involved in that proceeding, on their participation in such programmes, and on their status with regard to the armed forces and armed groups (e.g. when do they stop to be members of the armed forces or groups?);
- The budget allocated to these programmes, the personnel involved and their training, the organizations concerned, cooperation among them, and participation of civil society, local communities, families, etc.;
- The various measures adopted to ensure the social reintegration of children, e.g. interim care, access to education and vocational training, reintegration in the family and community, relevant judicial measures, while taking into account the specific needs of children concerned depending notably on their age and sex.
- The measures adopted to ensure confidentiality and protection of children involved in such programmes from media exposure and exploitation;
- The legal provisions adopted criminalizing the recruitment of children and the inclusion of that crime in the competence of any specific justice seeking mechanisms established in the context of conflict (e.g. war crimes tribunal, truth and reconciliation bodies). The safeguards adopted to ensure that the rights of the child as a victim and as a witness are respected in these mechanisms in light of the Convention on the Rights of the Child;
- The criminal liability of children for crimes they may have committed during their stay with armed forces or groups and the judicial procedure applicable, as well as safeguards to ensure that the rights of the child are respected;
- When relevant, the provisions of peace agreements dealing with the disarmament, demobilization and/or physical and psychological recovery and social reintegration of child combatants.

Article 7

Reports should provide information on cooperation in the implementation of the Optional Protocol, including through technical cooperation and financial assistance. In this regard, reports should provide information, inter alia, on the extent of the technical cooperation or financial assistance, which the State Party has requested or offered. Please indicate, if the State Party is in a position of providing financial assistance, the existing multilateral, bilateral or other programs that have been undertaken for that assistance.