



Convention on the Rights of the Child

Distr.: General
16 October 2014

Original: English

Committee on the Rights of the Child

Working methods for the participation of children in the reporting process of the Committee on the Rights of the Child*

I. Introduction and objectives

1. The right of all children to be heard and taken seriously constitutes one of the fundamental values of the Convention on the Rights of the Child.¹ It is the right of every child, without exception. The Committee on the Rights of the Child has identified the right to be heard (article 12) as one of the four general principles of the Convention. As such, the right to be heard is not only a right in itself, but also should be considered in the interpretation and implementation of all other rights. At the international level, the involvement of children in the work of the Committee has particular relevance, including in the reporting process of States parties' implementation of the Convention and its Optional Protocols, the development of general comments,² the days of general discussion, in-country visits and other events. With regard to the reporting process, States parties have an obligation to ensure that children are encouraged and enabled to participate in the preparation of the State reports to the Committee.

2. Under article 45 (a) of the Convention, the Committee may invite specialized agencies, the United Nations Children's Fund (UNICEF) and other competent bodies to provide expert advice on the implementation of the Convention. Child-led organizations or groups fall within the definition of "competent bodies" that can provide expert advice on the actual implementation of the Convention. In its general comment No. 12 (2009) on the right of the child to be heard, the Committee explicitly recognized the role that child-led organizations and children's representatives play in the reporting process. In paragraph 131 of the general comment, the Committee "welcomes written reports and additional oral information submitted by child organizations and children's representatives in the monitoring process of child rights implementation by States parties, and encourages States parties and non-governmental organizations (NGOs) to support children to present their views to the Committee".

* Adopted by the Committee at its sixty-sixth session (26 May–13 June 2014).

¹ Children's participation rights are set out in articles 12, 13, 14, 15 and 17 of the Convention.

² The Committee publishes its interpretation of the content of human rights provisions in the form of general comments on thematic issues.



3. The present working methods were drawn up to define, facilitate and promote the meaningful participation of children in the reporting process. Guidelines for other areas of work of the Committee, such as children's participation in the days of general discussion, will be prepared at a later stage. The working methods are based on the Committee's general comment No. 12, as well as on its working methods, its rules of procedure, and the guidelines for the participation of partners (NGOs and individual experts) in the pre-session working group (CRC/C/90, annex VIII). They draw on the experience of the Committee in reviewing children's submissions, in meetings with children (see para. 23 below), and the day of general discussion in 2006 on the right of the child to be heard.

II. Basic requirements for child participation in the reporting process

4. For child participation to be effective and meaningful at international level, it must be understood as a process and not as a single event. To the extent possible, children should be given support and encouragement to form their own organizations and initiatives, which will create an environment for them to discuss their rights and express their own views on their State's progress in implementing the Convention and its Optional Protocols, as part of the ongoing monitoring process.

5. At the time of the country review, NGOs and UNICEF are strongly encouraged to ensure meaningful participation and representation of children in the reporting process.

6. All those facilitating children's participation in the reporting process, including States parties, NGOs and UNICEF, should ensure that the interests and priorities that are represented in the reporting process are those of the children themselves and not of the adults or organizations they work with.

7. In accordance with general comment No. 12, the following nine requirements must be respected for all processes in which children are heard and participate, including the reporting process:

(a) **Transparent and informative:** Children must receive full, accessible, diversity-sensitive and age-appropriate information about their right to express their views freely and to have their views given due weight, and about how this participation will take place, its scope, purpose and potential impact;

(b) **Voluntary:** Children should not be coerced into expressing views against their wishes and must be informed that they can cease involvement at any stage;

(c) **Respectful:** Children's views have to be treated with respect, and children should be provided with opportunities to initiate ideas and activities. Persons and organizations working for and with children should respect children's views with regard to participating in events and meetings;

(d) **Relevant:** Children should draw on their knowledge, skills and abilities to express their views on relevant issues. Space needs to be created to enable children to highlight and address issues they have identified as relevant and important;

(e) **Child-friendly environment:** Environments and working methods should be adapted to children's capacities. Adequate time and resources should be available to ensure that children are well prepared and have the confidence and opportunity to contribute their views to the process;

(f) **Inclusive:** Children are not a homogeneous group and participation needs to provide for equality of opportunity for all, including marginalized children, without discrimination on any grounds, including age, and be culturally sensitive to children from

all communities. Special measures should be taken to include very young children and children from marginalized communities;

(g) **Supported by training:** Adults need preparation, skills and support to facilitate children's participation effectively. Children also require capacity-building to strengthen their skills relevant to the reporting process, for example, in effective participation, awareness of their rights, public speaking and advocacy;

(h) **Safe and sensitive to risk:** Adults have a responsibility towards the children with whom they work and must take every precaution to minimize the risk of violence, exploitation or any other negative consequences of their participation. Organizations facilitating child participation in the reporting process must have a clear child-protection policy in place for all the children who take part in activities related to this process;

(i) **Accountable:** Child-led organizations, children's groups, NGOs and UNICEF should ensure that children have a clear understanding of their role in the reporting process and, more specifically, in meeting with the Committee. A commitment to follow-up and evaluation is essential. Children who have taken part in the reporting process — be it in research, consultations, drafting the report or meeting the Committee — should be informed about how their views will be interpreted and used.

III. Methods of participation in the reporting process

8. The main ways that children can participate in the reporting process of the Committee are as follows:

- (a) Children's submissions, either their own or through NGOs, for the adoption of lists of issues and review of States party reports;
- (b) Oral presentations during the meetings of the pre-sessional working groups;
- (c) Private meetings with the Committee members during the meetings of the pre-sessional working groups;
- (d) Participation in videoconferencing;
- (e) Participation in plenary sessions of the Committee.

A. Background information

9. The Committee emphasizes that due consideration of children's views and other forms of information from children, in accordance with article 12, must be an integral part of its reporting functions. It strongly encourages children to participate in the reporting process either by contributing to NGO reports or submitting their information through child-led organizations, informal children's groups or NGOs, in order to provide their perspectives on how the Convention and its Optional Protocols are being implemented in their country. This will enable the Committee to better understand the implementation of the Convention and its Optional Protocols in the country and provide information that will feed into the list of issues, the dialogue with the State and the concluding observations.

10. Child-led organizations, children's groups, NGOs and UNICEF should take special measures to ensure that children in marginalized and vulnerable situations — such as girls, young children, children affected by poverty, children in street situations, children in institutions, children with disabilities, refugee and displaced children, children in conflict with the law and children belonging to indigenous and minority groups — should be encouraged and enabled to participate in the reporting process on an equal basis with other children.

11. The Committee counts on the accompanying NGO and UNICEF representatives to ensure that the children and adults in their delegations are informed about, and respect, the confidentiality and privacy of the children, as is the case for other people present in the meetings.

B. Children's submissions to the Committee

12. The Committee welcomes information from child-led organizations and children's groups, such as children's reports, films, studies, photographs and drawings,³ that reflect children's views and recommendations in the same vein as reports or other forms of information from other non-governmental stakeholders, such as NGOs' alternative reports.

13. The Committee requests that submissions prepared by children, or reflecting children's views, detail the process by which children were selected to participate in a meaningful way in the reporting process in line with its basic requirements, as well as about the methods used to collect, interpret and articulate the children's views. While the Committee welcomes the details of the process, children should not be identifiable by name or photo.

14. The Committee also requests that information provided by child-led organizations or children's groups, or through NGOs or UNICEF, be submitted to the Committee secretariat at least two months before the beginning of the pre-sessional working group meeting. In the case of written information, twenty copies of each document should be provided to the secretariat, if possible.⁴ The information is presumed to be confidential unless the submission contains a clear indication otherwise and written consent to make it public.

C. Pre-sessional working group

15. The pre-sessional working group meeting is an opportunity for the Committee to conduct a preliminary review of the State party report and obtain additional information from non-governmental stakeholders, including children, on the situation of children's rights in a particular country. The Committee meets three times a year for four weeks (three weeks in session and one week in a pre-sessional working group). It conducts its preliminary review during its pre-sessional meeting, usually two sessions ahead of the scheduled examination of the report of the State party.

16. During the pre-sessional working group meeting, the Committee meets with representatives of specialized agencies of the United Nations, child-led organizations, NGOs and national human rights institutions, as well as children's representatives, to hear from them about the pressing issues that will be used for the list of issues, the dialogue with the State and the concluding observations.⁵ The list of issues is a series of questions or queries drawn up by the Committee to clarify or supplement the information provided in the State party report or to request the State party to update the Committee on any recent changes since the submission of its report.

17. The pre-sessional working group meetings are private, closed to the public and no observers are allowed. Everything discussed during these meetings and the identity of

³ A children's report should only reflect the views of children under the age of 18, as defined by the Convention. The views of young adults may be reflected in the NGO report.

⁴ For assistance with logistics in this process, refer to Child Rights Connect.

⁵ For more information on the pre-sessional working group, its working methods and rules of procedure, see www.ohchr.org/EN/HRBodies/CRC/Pages/WorkingMethods.aspx#a2a.

people or organizations present should remain confidential and should not be communicated to anyone who did not participate in the meetings. This confidentiality clause ensures that all those present can speak openly, which is especially important as it may be dangerous to disclose who was present and what was said. If children want to give feedback to their peers, they can tell them about the topics that were discussed, without going into detail.

1. Children's participation in the pre-sessional working group

18. While the pre-sessional working group is more technical and less child-friendly than a children's meeting (see subsection 2 below), children have the opportunity to attend the working group meeting along with other non-governmental stakeholders and to make presentations to the Committee. They can give their opinion on the State party report and highlight the key concerns and problems that children are facing in their country. The Chair will ask child representatives to make a short introductory statement highlighting a limited number of key issues of concern and recommendations.

19. Although these pre-sessional meetings are not open to the public, representatives of national human rights institutions, United Nations agencies and NGOs may also be present. Children may, in addition or instead, request a private meeting with the Committee (see subsection 2 below).

20. Child-led organizations or groups that wish to participate in the working group meeting should clearly state so in a letter to the Committee. The Committee will then issue a letter acknowledging receipt of the written information and inviting child representatives to be present on the date and at the time when the working group will consider the particular report. Priority will be given to children who can provide submissions to the Committee (see section III B above). In exceptional cases, the Committee reserves the right to limit the number of children who are invited. The secretariat, in collaboration with Child Rights Connect, will, on request, provide technical assistance to children who are invited to attend.

21. If more than one child representative is attending a meeting, they should as far as possible represent different groups and concerns of the children in their country. Special efforts should be made by all actors, including NGOs and UNICEF, to ensure that children in marginalized and vulnerable situations are able to participate in the pre-sessional working group and children's meeting. The Committee will take all measures possible to facilitate their attendance.

22. As the Committee cannot intervene directly to improve the lives of individual children who participate in the children's meeting or pre-sessional meeting, children should be fully informed by accompanying NGOs or UNICEF that these meetings are a place to provide their perspectives on various problems affecting the implementation of the Convention and/or its Optional Protocols in a specific State party and that their contribution enables the Committee to have a more complete understanding of the situation of children's rights in the State party. Accompanying or supporting child-led organizations, NGOs and UNICEF should ensure that children attending the pre-sessional working group meeting have realistic expectations and are provided with clear information on how their participation in the working group or private meetings can influence the outcomes. Children should also be permitted to take part in follow-up activities.

2. Children's meeting during the pre-sessional working group

23. In addition to attending the pre-sessional working group meeting, children's groups or organizations may request a private meeting with the Committee or country rapporteurs during the meeting of the pre-sessional working group (referred to here as the "children's

meeting”). The private meeting allows children to have informal interactions with the Committee members. The request for the meeting should be sent to the secretariat of the Committee, and the Committee will decide whether or not to accede to the request.

24. The children’s meeting is exclusively for children who are under the age of 18 at the time of the meeting. If young adults were involved in preparing the children’s submission when they were under the age of 18, they can, like any other adult representative, either provide the children with support during the children’s meeting — if the children request it — or take part in the pre-sessional meeting. The Committee reserves the right to limit the number of adults present in the children’s meeting.

25. The children’s meeting lasts up to one hour and is scheduled for the same week as the pre-sessional meeting for the State under review. The meeting focuses on the information submitted by children and has a more child-friendly format than the pre-sessional meeting. While there is no formal structure for these meetings, they usually consist of children presenting the key issues and recommendations either orally or through a video. Time is allotted for Committee members to ask the children questions in order to enable them to gain a better understanding of the situation in the country.

26. The United Nations does not provide interpretation for the children’s meetings, as they are scheduled outside the official meeting time of the Committee. If the children do not speak English, adults accompanying the children should ensure interpretation from the children’s mother tongue into English.

27. The main interlocutors of the children’s meeting are the children themselves. The accompanying adults providing support to the children during these meetings should not speak unless they are interpreting or giving explanations to the children, where there is a need for essential information to be clarified and the child invites an adult to do so, or whenever the child needs and explicitly requests support. Accompanying adults should focus on supporting the children and refrain from giving their own opinions or trying to influence the opinions of the children. They should also ensure that children are able to communicate and participate in discussions outside the meeting.

28. The Committee recognizes the critical role of accompanying adults, and it counts on the national stakeholders facilitating child participation to ensure that the accompanying adults uphold their primary responsibility for the safety and welfare of the children in their care at all times. The Committee recalls that this responsibility starts from the time when children leave their parents/carers to travel and ends only when they are safely handed over to their parents/carers upon their return. The way in which accompanying adults take care of children should be appropriate to the children’s age and maturity.

D. Children’s participation through videoconferencing

29. Technology enables children to engage with the Committee through various channels and mitigates the barriers created by distance or economic status. The Committee is particularly concerned that children from marginalized groups and remote areas have limited resources and opportunity to interact with the Committee in Geneva. The Committee will endeavour to conduct children’s meetings distantly using the most effective and appropriate tools. For instance, through phone or videoconferencing, the Committee may be able to include children based in other locations in the reporting process and enable them to share their views and recommendations. The Committee will give due consideration to the protection of children when deciding whether or not to engage with them through technology, especially when the engagement poses a security risk to the children and their families.

E. Plenary sessions of the Committee

30. The State party report will be discussed in open, public meetings of the Committee, during which both the State representatives and Committee members take the floor. Representatives of relevant United Nations bodies and agencies, NGOs and the press attend the session in Geneva to observe it in person, or follow it through the live webcast in their country. The Committee encourages children to attend the plenary sessions and/or follow the interactive dialogue with the various States through the webcast.

31. Children may also request an informal meeting with the Committee's rapporteurs or the members of the Committee in charge of the country under review (the country task force) during the Committee's sessions in Geneva before the official review with the State party.
