

# **CRC Complaints Mechanism Toolkit**

## **Acknowledgment**

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# Background and Introduction

A children's rights complaints mechanism at the UN has been a long time in the making. More than 20 years have passed since the Convention on the Rights of the Child (CRC) entered into force, and almost every country in the world has now formally accepted its duty to respect and uphold children's international human rights. The body responsible for monitoring the Convention, the Committee on the Rights of the Child, was from the very beginning given the authority to review how countries met their children's rights obligations. Yet unlike under other UN human rights conventions, the Committee was powerless to provide child victims with redress when governments breached their rights.

There was, then, no international means for children to enforce their full range of rights, much less a forum designed to account for the unique difficulties that children face in bringing legal proceedings. Recognising this as a matter of discrimination, German NGO Kindernothilfe began in 2000 what would prove to be more than decade of lobbying to expand access to justice for child victims of rights violations. Momentum gathered, and in 2007, a wider campaign was formed to demand that the UN establish a complaints mechanism under the CRC. Following an official [launch](#) at the Human Rights Council, the Committee on the Rights of the Child [formally endorsed](#) the campaign in 2008.

The next spring, the UN [agreed to take up](#) the matter, and arranged for a [meeting](#) that December to discuss the idea of a CRC complaints mechanism. The plan to create a complaints mechanism was approved, and in September 2010, the [first draft](#) of an Optional Protocol to the CRC on a communications procedure was released. Governments from around the world debated the draft in [December](#) 2010 and [February](#) 2011, and the [final revised text](#) was published that May and [adopted](#) by the UN Human Rights Council in June. A committee of the UN General Assembly [approved](#) the new complaints mechanism in November, and it was [adopted by the full General Assembly](#) a few short weeks later. In February 2012, the new Optional Protocol was [opened for signature and ratification](#), and by the end of the year had been signed by 34 States and ratified by 2.

The complaints mechanism will now go into force with its tenth ratification. It isn't entirely clear when this will be, although the Committee on the Rights of the Child has recently finalised the Rules of Procedure that will govern how communications can be filed when children's rights have been violated. As such, the form and structure of the complaints mechanism are clear, and the time is right to consider how it can be used to advance children's rights. Along these lines, this Toolkit is designed to give advocates a better sense of the new complaints mechanism in the hopes that they will be prepared and inspired to help children bring violations of their rights to international attention.

The Toolkit sets out the Who, What, When, Where, Why and How of the CRC complaints mechanism. It is divided into three sections that correspond with the three ways that violations of children's rights can be raised with the Committee: individual complaints, inquiries and inter-state communications. Much like the complaints mechanism itself, the Toolkit's primary focus is on individual complaints. As these are addressed first, this section also provides extensive general information about the functioning of the Committee on the Rights of the Child. Following the body of the Toolkit, an annotated version of the Optional Protocol has been appended to provide plain English explanations of the adopted text, links with relevant provisions of the CRC and examples of how children have used existing international communications procedures. Lastly, to put the CRC complaints mechanism in the wider human rights context, a chart comparing all of the international communications procedures at the UN has been included as a second annex.

# Part I: Individual Complaints

## WHAT is the CRC complaints mechanism?

### What is an Optional Protocol?

The CRC complaints mechanism was created by treaty in 2011 with the adoption of the [Optional Protocol to the Convention on the Rights of the Child on a communications procedure](#). Optional Protocols are directly related to existing United Nations human rights “instruments”, also known as “treaties” or “conventions”. Optional Protocols don't make changes to instruments that have already been agreed, and not every country that has “ratified” or formally accepted a treaty has to do the same for an Optional Protocol. In terms of the CRC complaints mechanism, this means that children can't challenge violations of their rights unless their governments ratify the new Optional Protocol.

The Optional Protocol on the complaints mechanism is the third Optional Protocol to the CRC. The first two Optional Protocols, approved in 2000, are about the involvement of children in armed conflict and the sale of children, child prostitution and child pornography. Because these Optional Protocols expand children's rights in specific areas, they are sometimes referred to as “substantive.” The Optional Protocol on the complaints mechanism doesn't add new rights in the same way, and is sometimes referred to as “procedural” because it provides a process for bringing violations of existing children's rights to attention.

### What is a human rights complaints mechanism?

A human rights complaints mechanism is a means for someone whose rights have been violated to seek redress outside their national justice system. There is no single way to design a complaints mechanism, and these can be tailored for specific purposes or groups of people. Each complaints mechanism operates on its own terms, and mechanisms don't all have the same powers to receive, look at or respond to complaints. For these reasons, it's important to look at how the CRC complaints mechanism compares to other complaints mechanisms and what exactly it gives children and their advocates a chance to do.

### Where can human rights complaints mechanisms be found?

Human rights complaints mechanisms exist on the national, regional and international levels. National human rights complaints mechanisms are mostly offered by government “ombudspersons”, which are publicly funded independent institutions that make sure the government isn't abusing its power. Regional human rights complaints mechanisms are similarly designed to make sure that governments respect their citizens' rights, but are broader than national mechanisms because they cover more than one country in the same part of the world. International human rights complaints mechanisms are even more open than regional mechanisms, and can give people from around the globe a way to challenge violations of their rights. The CRC complaints mechanism, like the Convention itself, is part of the United Nations human rights system and hence international in nature.

### What is the difference between a complaints mechanism and a court?

Complaints mechanisms at the UN, also called “communications procedures”, are not the same as courts. They are, however, sometimes referred to as “quasi-judicial” because they have some things in common with the way that courts operate. In both national courtrooms and international communications procedures, a dispute between two or more parties can be raised for review before an independent body. Complaints relating to violations of human rights are brought by or on behalf of the person whose rights were breached, and the parties are each given a chance to present their arguments and basic documentary evidence about what happened. Once all information has been received, the reviewing body then issues a final opinion on the matter, including directions on what must or should be done to right any wrongs committed.

Unlike courts, however, international communications procedures only accept complaints against national governments, and these complaints can only relate to violations of human rights in international conventions. Given this limitation, communications procedures tend to be far less complicated and involved than typical court cases, and are by and large conducted on paper rather than in person. They are governed by often simple and straightforward rules of procedure, and set clear, universal time limits for response and review. Communications procedures are in many ways more accessible and user-friendly than national justice systems, but are also less authoritative as the recommendations they issue are without the binding legal force of court orders or decisions.

What is special about a children's rights complaints mechanism?

Because it was designed with children in mind, the CRC complaints mechanism is different from other human rights communications procedures. For one thing, special child-sensitive guidelines for how complaints are submitted and reviewed, known as “[Rules of Procedure](#)”, have been written to make sure that children are able to use the mechanism. Complaints are also examined with children's rights and best interests in mind, and child victims' views are taken into consideration throughout the process in line with their age and maturity. In addition, there are special safeguards in place to make sure that children genuinely want to file complaints before these are accepted for review, and that doing so wouldn't clearly run against their best interests.

## **WHERE are complaints heard?**

Where can individual complaints be filed?

Individual complaints, also known as “communications” and “petitions”, are filed with the [Petitions Unit](#) of the [United Nations Office of the High Commissioner of Human Rights](#) in Geneva, Switzerland. Communications must be submitted in writing in one of the UN's six working languages, namely Arabic, Chinese, English, French, Russian and Spanish. The person who drafts and files a complaint is known as the “author”, and the child whose rights have been violated is often referred to as the “victim”. Child victims can also be thought of as “complainants”, and are empowered to prepare and submit complaints without the assistance of a separate author.

What does a complaint look like?

Complaints don't have to be written in any specific way, but must fully set out the case for review and supply certain basic details about the authors and victims involved. The Office of the High Commissioner for Human Rights provides general [guidance](#) on submitting communications to UN treaty bodies, and also offers a [model complaint form](#). When a complaint is filed, the Petitions Unit will make sure that it contains all of the information required for consideration, and can reach out to authors as necessary to request more details in an appropriate, accessible way. Once the complaint is complete, the Unit will then pass it along to the relevant UN “treaty body” to determine whether it can be reviewed.

### What is a treaty body?

Treaty bodies are groups of independent experts at the UN, each associated with a particular international human rights convention. Treaty bodies are responsible for monitoring whether countries that have ratified a convention, known as “States parties”, live up their responsibilities. Some treaty bodies can also receive complaints about violations of rights in the conventions they oversee, as is the case with the CRC communications procedure. Importantly, any treaty body can review complaints that are submitted by children. Where a complaint alleges violations of the CRC or its two substantive Optional Protocols, though, it will be examined by the Committee on the Rights of the Child.

### What is the Committee on the Rights of the Child?

The [Committee on the Rights of the Child](#) is the treaty body responsible for monitoring the Convention on the Rights of the Child. The Committee has been in existence for as long as the Convention itself, and is tasked with reviewing the children's rights record of every country that has ratified the CRC or its substantive Optional Protocols. The Committee is made up of 18 children's rights experts, and currently meets 3 times a year. The Committee oversees the “periodic reporting procedure” for the CRC, during which governments provide information about national laws, policies and programmes that relate to children's rights and the Committee responds with recommendations to improve respect for these rights.

The Committee also presides over the CRC Complaints Mechanism, and holds the primary responsibility for reviewing communications about violations of children's rights. The Optional Protocol sets out the basic framework for reviewing complaints, and the Committee's Rules of Procedure more clearly set out how complaints are processed. Once a communication reaches the Committee for consideration, the Optional Protocol and Rules of Procedure together determine whether and how it will be admitted and examined.

## **WHO can file a complaint?**

### Who is permitted to file a complaint?

The CRC complaints mechanism is available to children who believe that one or more of their rights under the Convention on the Rights of the Child or its substantive Optional Protocols have been violated. Children can file complaints either individually or together as a group, and can do this by themselves or with the help of a representative. There aren't any limits on who can help children write

complaints, but children have to give their consent before someone else can file a complaint on their behalf.

If it isn't possible to get a child victim's consent, a complaint might still be accepted for review if the author can justify this and explain why it's in the best interests of the child to proceed. In these circumstances, the Committee may still request that the child victim be informed about the complaint and asked to give his or her opinion on the matter. In addition, where there are concerns as to whether a child victim's consent is genuine, the Committee may seek out further information to ensure that the child in question is not being improperly pressured or manipulated.

#### Against whom can complaints be filed?

Complaints can be filed against any national government that has ratified the Optional Protocol on a communications procedure. Complaints cannot be directed at specific government agencies or regional or municipal authorities, but it is often the case that national governments are responsible for all public actions that take place within their territory. A complainant must also be “within the jurisdiction” of a country to file a complaint against the national government. While victims don't have to be citizens, this usually means that they live in or are at least physically present in that country.

#### Who will know that a complaint has been filed?

Because complaints cannot be filed anonymously, the defending national government will always find out who the author and child victim or victims are. The CRC complaints mechanism does, however, guarantee confidentiality. While the Committee maintains a permanent record of every complaint it receives, its review process is conducted behind closed doors. Complaints found admissible are sent securely to the government concerned, and neither the Committee nor the government can publicly identify any person named or referenced in relation to the complaint without their explicit permission. Even when the Committee's final views, decisions and recommendations are published, this is done without revealing authors' or victims' names.

In addition, governments are obligated to protect the rights of authors, victims and anyone else who helps out with a complaint, and must try their hardest to make sure that no person is threatened or mistreated because of their involvement with the complaints mechanism. If it comes to the attention of the Committee that a country has failed to do this, the Committee can remind the government of its obligation and demand that the right to protection be respected. Where this happens, the Committee will continue to monitor the situation on the ground, and can make public statements or take other steps to hold the government accountable for its actions.

#### What are the requirements for filing a complaint?

Complaints are required to name at least one individual child victim, and must allege a violation of one or more of the rights contained in the Convention or its substantive Optional Protocols. Because governments are only obligated to respect the treaties that they have accepted as binding, potential violations are limited to rights set out in the conventions that a government has ratified. If a government has not ratified the Optional Protocol on the involvement of children in armed conflict, for instance, a complaint against that government cannot talk about violations of rights described in that Optional Protocol.



The Committee will also require further details about the circumstances giving rise to the complaint. Communications must explain how the child victim or victims' rights were violated, and show why the defending national government is responsible. Complaints typically set out the facts on which they are based in the order in which they happened, and attach additional documents to support the complainant's story. Complaints that could be described as “manifestly ill founded” or “not sufficiently substantiated” are not accepted, which means that a complaint won't be reviewed if there is not enough information provided or if the events described don't seem to make sense.

#### Is legal aid or assistance available to complainants?

While the Office of the High Commissioner for Human Rights provides general guidance and support to complainants, it does not offer or fund legal assistance. Nonetheless, many child victims will already have had contact with lawyers by the time they consider approaching the Committee, and most complaints are filed with some kind of legal advice. There may be local, national, regional or international networks or organisations that offer assistance free or charge, and some national legal aid systems also pay for lawyers to work with international human rights mechanisms. For more information on obtaining legal assistance, CRIN's [Legal Assistance Toolkit for Children and Children's Rights Organisations](#) gives an overview of how children and those acting on their behalf can secure the advice or representation of a lawyer.

## **WHEN can you file a complaint?**

#### When does the CRC complaints mechanism go into effect?

The CRC complaints mechanism will begin to operate three months after the tenth government ratifies the Optional Protocol on a communications procedure. Further governments may join at any time, although there will be a similar three-month waiting period before the Committee can start to receive complaints filed against them. For all countries, communications can only relate to violations of children's rights that happen after the complaints mechanism enters into force. In other words, children can't complain about violations of their rights that have already happened unless these violations continue after the communications procedure goes into effect for the government in question.

#### When will a complaint be accepted for review?

Complaints are not accepted for review until “domestic remedies have been exhausted.” This means that complainants must first try to resolve matters in a government's national justice system before they can bring the situation to the Committee's attention. Often this requires filing a claim in court and pursuing the case until it can no longer be appealed. Once domestic remedies have been exhausted, complainants will usually then have one year to raise violations with the Committee. The Committee will also not accept matters for review if they have already been submitted to or examined by another international communications procedure.

There are, however, exceptions to both the exhaustion of remedies requirement and the time limit for filing a complaint. Notably, complainants don't have to pursue their cases in national courts where

domestic remedies are “unreasonably prolonged” or “unlikely to bring effective relief.” This might be the case where it can be shown that the national justice system is corrupt or that it would take an exceptionally long time to receive a response from the courts. In addition, the Committee may accept communications more than one year after the exhaustion of domestic remedies where the author can demonstrate that it wasn't possible to file a complaint within this time limit.

#### When will a complaint be reviewed?

As above, the Petitions Unit at the Office of the High Commissioner for Human Rights does an initial screening of every complaint received to make sure that it gives the Committee all the information it will need to assess the situation. When this has been confirmed, complaints pass through two stages of review. In the first phase, the Committee determines “admissibility”, and looks at whether a complaint meets all the requirements set out in the Optional Protocol and Rules of Procedure. Once the Committee is satisfied that a communication is admissible, it can then move on to examine the complaint “on the merits.” During this stage, the Committee will determine whether the events described in the complaint amount to a violation of children's rights and, if so, what should be done to remedy it.

The admissibility and merits of a complaint are typically examined in the same review process, but it is possible for the Committee to separately determine a complaint's admissibility before engaging in any discussions on its merits. No matter what, where the Committee decides that a complaint is inadmissible, this decision and the reasons behind it are sent out to the parties. If the author of the complaint can later confirm in writing that these reasons no longer hold true, the Committee also has the power to reconsider its decision and admit the complaint for review on the merits.

#### What happens if there are urgent concerns?

If it appears that a child victim is in serious danger, the Committee may ask a government to take what are known as “interim measures”. These are designed to ensure that victims are not permanently harmed before the Committee has time to finish reviewing a complaint on the merits. The Committee actively monitors compliance with all requests for interim measures, and can revisit the suitability of these measures as it sees fit. Importantly, interim measures can only be requested in what are termed “exceptional circumstances”, and the Committee's asking for interim measures does not necessarily mean that children's rights have been violated.

## **HOW are complaints reviewed?**

#### How long will it take to get a response?

Once the Committee has decided to admit a complaint for consideration, it must provide the government concerned with a copy of the complaint and any supporting documents. The government will then begin to prepare a written response that details its views on the events described in the complaint. This must be submitted to the Committee as soon as possible, at the very latest within six months' time, and a copy of the response and any supporting documents will be passed along to the author.

When the complaint, the response and all other documents submitted by the parties have been received and distributed, the Committee can start its review process. In private meetings, the Committee will determine whether a violation of children's rights has occurred, and should try to reach a conclusion as quickly as possible. A fast turn-around is especially important if the Committee has already issued a request for interim measures. Once a decision has been reached, the Committee will then share its views and recommendations with everyone involved. These views are final, and decisions issued on the merits cannot be altered or appealed.

#### How does the Committee review complaints?

The Committee takes into account all of the written submissions it receives from the parties when reviewing a complaint, and can consult with other parts of the United Nations, regional human rights organisations, national human rights institutions, non-governmental organisations and independent children's rights experts. If it is in the best interests of the child, the Committee can also invite the author, child victim and/or defending government to a hearing where they will have a chance to answer questions about the complaint. These hearings are strictly optional, and have to be conducted in a child-sensitive manner whenever a child victim is involved. If a hearing is held, the Committee must also be sure to provide details about what was discussed and an opportunity to respond for any party that wasn't there.

The Committee will draw on all of this information to figure out whether the events described in the complaint amount to a children's rights violation. Where the complaint relates to certain kinds of rights, known as “economic, social or cultural rights”, the Committee will also look at what the government has done so far to realise these rights. Economic, social and cultural rights mostly require governments to provide public services like health care, education and housing, and not every government has the resources to do this easily. There are many different ways to design and deliver public services, and the Committee has to keep in mind that governments will not all take the same approaches to children's economic, social and cultural rights.

#### Is it possible to settle a complaint?

The CRC complaints mechanism allows for the “friendly settlement” of communications, which gives the parties a way to resolve a complaint before the Committee reaches its decision. If the complaint's author and the defending government want to get together and see whether they can figure out a solution, they have the option to do this with the Committee's support and assistance. If they end up reaching an agreement on how to address the situation, the Committee will also ensure that the author has freely consented before it approves the settlement. If the Committee is satisfied, it will stop examining the complaint and issue a decision that briefly describes the facts of the case and the solution reached.

#### What happens when the matter has been decided?

After the Committee has shared its final decision, whether it was reached on the merits or as the result of a friendly settlement, the defending government is expected to remedy any rights violations found. To make sure that recommendations and settlements are not ignored, the government must write out any steps it has already taken or plans to take in response to the Committee's decision. This information should be submitted to the Committee as soon as possible and in any case before six

months have passed. The Committee may also follow up on its decision and recommendations by issuing further requests for information at a later point or asking the government questions about the complaint during the regular CRC reporting process.

If the Committee's views and recommendations are particularly complicated, it can arrange for other parts of the United Nations to offer technical advice and assistance. With the defending government's consent, the Committee can also reach out to other international experts and specialists to share information about the complaint and discuss how its recommendations can best be followed. Similarly, the Committee can ask defending governments for permission to raise matters of special concern within the UN in order to figure out whether there are general steps that could be taken to help all governments better realise children's rights under the CRC and its substantive Optional Protocols.

## **WHY should you file a complaint?**

### Why is it important to file a complaint?

First and foremost, filing a complaint with the CRC communications procedure gives child victims an opportunity to seek redress. Children face many barriers in accessing justice, and often have no way to bring violations of their rights to attention. The Committee can recognise the violations children have endured and provide recourse to a remedy where domestic courts fail. Among many other possible solutions, the Committee can recommend that governments offer child victims rehabilitation, reparation, financial compensation or guarantees of non-repetition.

### How do complaints affect national governments?

Although complaints are limited to individual circumstances, they often indicate wider patterns of children's rights violations in a particular country. Complaints can draw attention to laws, policies and practices that violate children's rights and place pressure on governments to change these. In certain circumstances, the Committee can even explicitly recommend that a government amend its laws or revise its policies to prevent the same violations of children's rights from occurring in the future.

Similarly, the CRC complaints mechanism can push governments to improve children's access to justice in national courts. Because child complainants are required to exhaust domestic remedies, successful complaints often draw attention to flaws and gaps in domestic justice systems. By providing children with more effective ways to obtain redress on the national level, governments can avoid international complaints almost entirely. Complaints also inevitably raise the profile of children's rights with relevant national authorities, and can link in with larger civil society campaigns to encourage greater respect for the same.

### How do complaints help the Committee on the Rights on the Child?

Complaints provide a means for the Committee to examine children's rights in real-world scenarios. Reviewing complaints can deepen its practical understanding of children's rights, and helps the Committee to clarify governments' obligations to respect these rights. As more and more complaints are filed, the Committee will also begin to develop what is known as the “jurisprudence” or “case law”

of the CRC and its substantive Optional Protocols. These are terms to describe the full collection of the Committee's final decisions, and can guide the Committee in examining future complaints while at the same time giving child victims and governments a better sense of what kinds of complaints have been filed and what exactly makes for a violation of children's rights.

## **Part II: Inquiries**

### **WHAT is an inquiry?**

An inquiry is a way to draw attention to “grave” or “systematic” violations of children's rights. Unlike a complaint, which only looks at whether individual victim's rights have been violated, inquiries look at serious or widespread violations of children's rights happening across a country. Specific child victims do not have to be identified, and inquiries are more like investigations than court cases. Inquiries are run by the Committee on the Rights of the Child, and are very much a cooperative process for all parties involved.

### **WHO can start an inquiry?**

The Committee on the Rights of the Child can initiate an inquiry when it receives “reliable” information that serious or widespread violations of children's rights are occurring. Anyone can submit this kind of information to the Committee's offices in Geneva, and all documents and proceedings are treated as confidential. As with individual complaints, inquiries can only be considered when a government is responsible for the apparent violations, and then only when that government has ratified the Optional Protocol on a communications procedure. It is assumed that governments that accept individual complaints will also accept inquiries, but governments can also say when or after they ratify that they won't respond to any inquiries about children's rights violations.

### **WHEN can an inquiry be launched?**

If the Committee receives information about potential children's rights violations in a country, it will ask the government involved for assistance in reviewing the situation. Governments are expected to promptly share their thoughts and observations on the information provided, and the Committee can also reach out to other parts of the UN, regional human rights systems, national human rights institutions, non-governmental organisations and children to put things in context. If the Committee decides that further investigation is in order, it can then initiate an inquiry to determine whether and how the government is responsible for the violations reported.

### **HOW does the inquiry process work?**

Once the Committee has decided to launch an inquiry, it will assign one or more of its members to quickly put together a report on the violations raised. If it makes sense and the government in question agrees, the members writing the report might also visit the country to get a fuller picture of what is happening on the ground. During a visit, the Committee can arrange hearings to speak directly with people who know firsthand about the events under discussion, including children.

When all information has been gathered and the report is ready, the Committee will then send its findings, comments and recommendations to the government for review. The government should try to

respond to these as soon as it can, and not wait any longer than six months before submitting a reply. To follow up, the Committee may later ask the government to share things it has done or plans to do in light of the inquiry, or ask questions about the inquiry during the regular CRC reporting process.

## **WHY would you seek an inquiry?**

Inquiries provide a simple, straightforward way to alert the Committee about large-scale violations of children's rights. Because anyone from around the world can submit information about potential violations and there are no specific requirements on what must be included, asking the Committee to start an inquiry can be much less work than filing an individual complaint. Inquiries also don't have to involve child victims directly, and provide greater anonymity for persons wishing to raise violations with the government responsible.

## **Part III: Inter-State Communications**

### **WHAT is an inter-state communication?**

In some instances, governments can use the CRC communications procedure to lodge complaints against other governments that have failed to live up to their children's rights obligations. These are known as “inter-state communications”, and tend to be a less involved procedure than either individual communications or inquiries.

### **WHO can file an inter-state communication?**

Governments can file inter-state communications against any other government that has given the Committee permission to receive and review these kinds of complaints. Governments must specifically say that they are willing to accept and respond to inter-state communications when or after they ratify the Optional Protocol on a communications procedure, and can only file communications against other governments if they have also agreed to accept them.

### **WHEN can an inter-state communication be filed?**

Inter-state communications can be filed whenever a government believes that another government is responsible for children's rights violations. They must specify which rights are being violated and which government is responsible, and set out the facts and circumstances around these violations. Complaining governments also have to explain what their objectives are in filing a communication. As with individual communications, governments can only be held responsible for failing to fulfill obligations they have already accepted by ratifying the Convention or its substantive Optional Protocols.

### **HOW are inter-state communications reviewed?**

The Committee is responsible for passing along any inter-state communication it receives to the government accused of violating children's rights. There is no automatic requirement that a government submit an official response to an inter-state communication filed against it, but the Committee may ask either government involved to provide additional information. If desired, the Committee can work with the governments to set out rules for whether and when submissions and responses should be filed, facilitate “friendly solutions” or establish special commissions to help governments reach an agreement.

Communications are then reviewed by the Committee in closed sessions. Once this process is complete, the Committee will issue a report and promptly provide copies to both of the governments involved. Where a friendly solution has been reached, the Committee will limit its report to a short statement of the facts and description of the solution. It can also share its views on the agreed solution with the complaining and defending governments, although these must remain confidential. The



Committee's reports are considered final, and there are no provisions for follow up.

### **WHY would you advocate for an inter-state communication to be filed?**

The inter-state communications procedure offers the broadest scope to raise potential violations of children's rights. Inter-state communications do not have to identify individual child victims, and aren't limited to serious or widespread rights violations. They also offer greater flexibility and simplicity in terms of review procedures. This said, inter-state communications are rarely used, and can risk being more about politics than children's rights. Nonetheless, advocating for a government to file an inter-state communication can give the Committee a chance to look at virtually any children's rights violation.