

Implementing the Convention on the Rights of the Child+: The role of the treaty bodies

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April 2024

1. First things first

- Objectives of the presentation
- A few words on terminology
- What this presentation does not intend to do
- The Committee on the Rights of the Child
- “A western import” ...or “just incomplete”?
- Context matters! – “a universal but differentiated standard”?
- Ratification record and reservations
- 34th anniversary of the CRC coming up- reflections?

“An open letter to the world’s children *8 reasons why I’m worried, and hopeful, about the next generation*” Henrietta Fore (2019)

1. You need clean water, clean air and a safe climate

2. One in four of you are likely to live, and learn, in conflict and disaster zones

3. We must make it OK to talk about mental health

4. Over 30 million of you have migrated from your place of birth

5. Thousands of you will officially never exist, unless we act

6. You need twenty-first century skills for a twenty-first century economy

7. Your digital footprint must be protected

8. You might be the least trusting generation of citizens ever

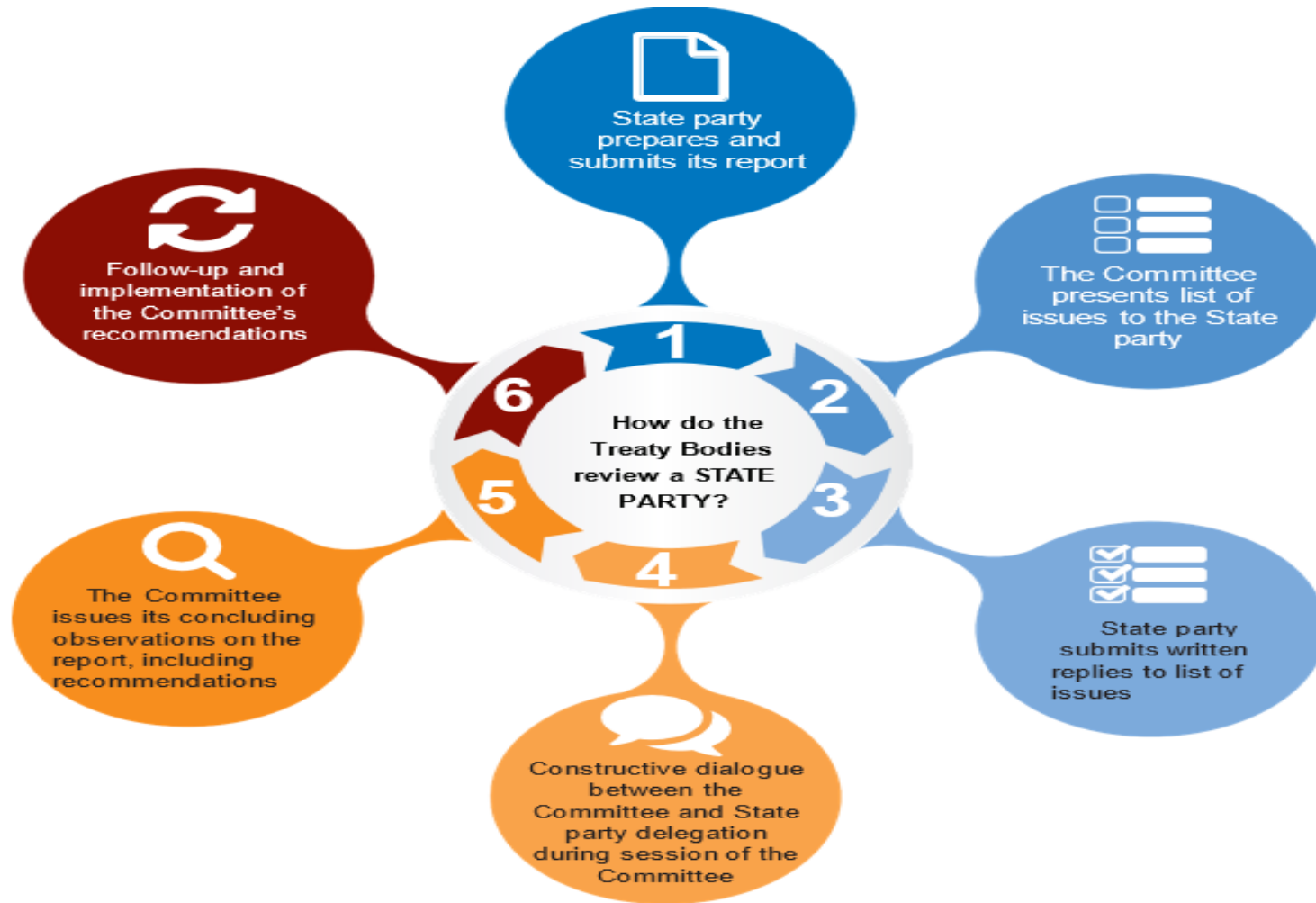
2. Oversight through Reporting

- Reporting is a **legal obligation**- and an opportunity for **critical self-assessment**
- Comprehensive **review** of measures taken to harmonize laws and policies
- Monitor **progress** and Identify **problems and shortcomings**
- Plan and develop **policies** to achieve goals
- **Intergovernmental** response and coordination
- Consultation with **civil society – public scrutiny**
- Enable Governments to **know their own national situations** through:
 - Legislative review
 - Meaningful data collection
- **Raise awareness** among, **enlist assistance** from **civil society+**
- Create an opportunity for **national dialogue**
- Enable countries to **benefit from the experience of international experts**

2. What are State parties reporting on?

1. General measures of implementation (arts. 4, 42 and 44, para. 6)
2. Definition of a child (art 1)
3. General principles (arts. 2, 3, 6 and 12)
4. Civil rights and freedoms (arts. 7, 8, and 13–17)
5. VAC (arts. 19, 24, para. 3, 28, para. 2, 34, 37 (a) and 39)
6. Family environment and alternative care (arts. 5, 9–11, 18, paras. 1 and 2, 20, 21, 25 and 27, para. 4)
7. Disability (art 23)
8. Basic health and welfare (arts. 6, 18, para. 3, 24, 26, 27, paras. 1–3, and 33)
9. Education, leisure and cultural activities (arts. 28–31)
10. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d), and 38–40)

CRC Reporting Cycle



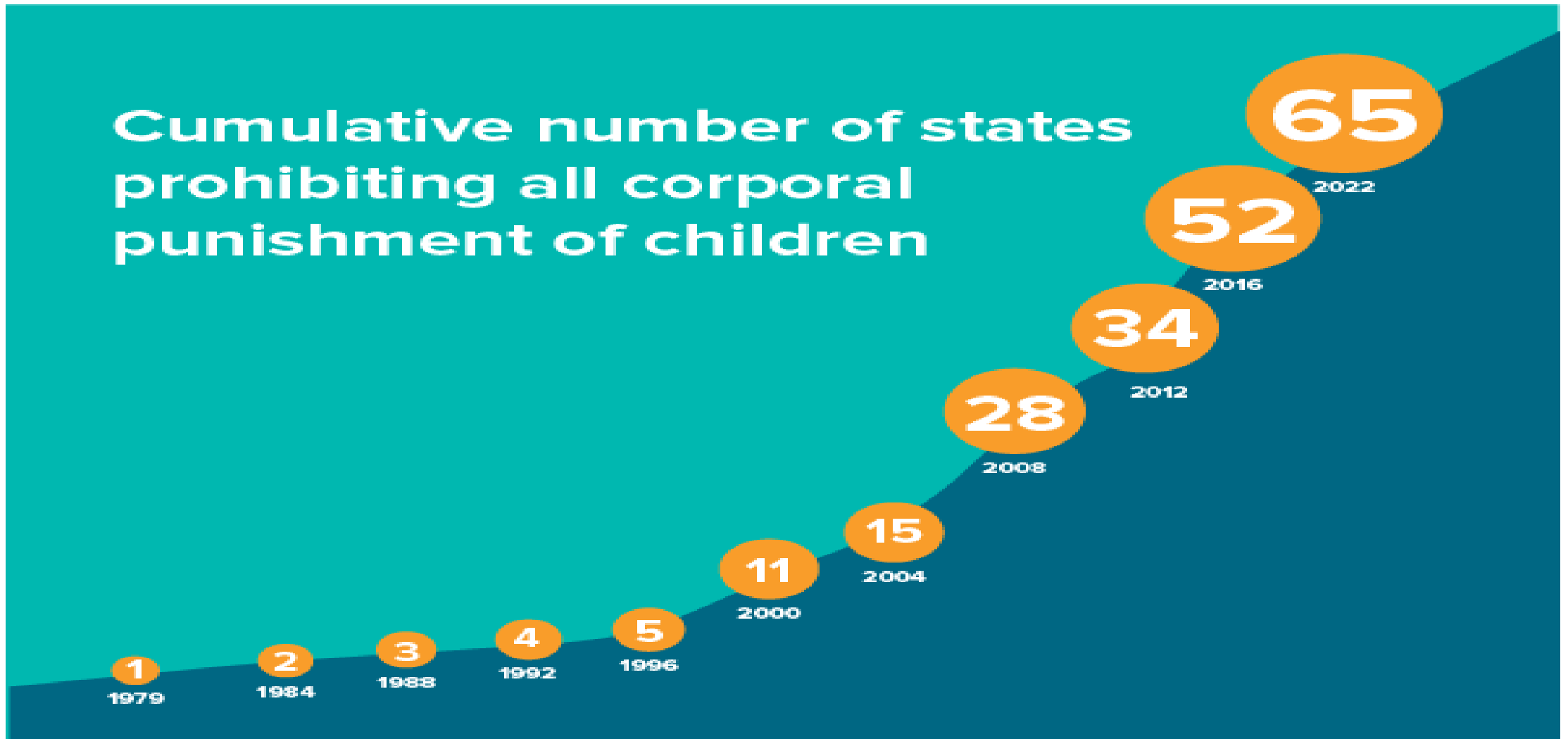
Recipes for a good process including constructive dialogue?

Political Will	Use of multiple sources and wide range of participants, adequate preparation, and prioritisation
Human and material resources and time	Good coordination

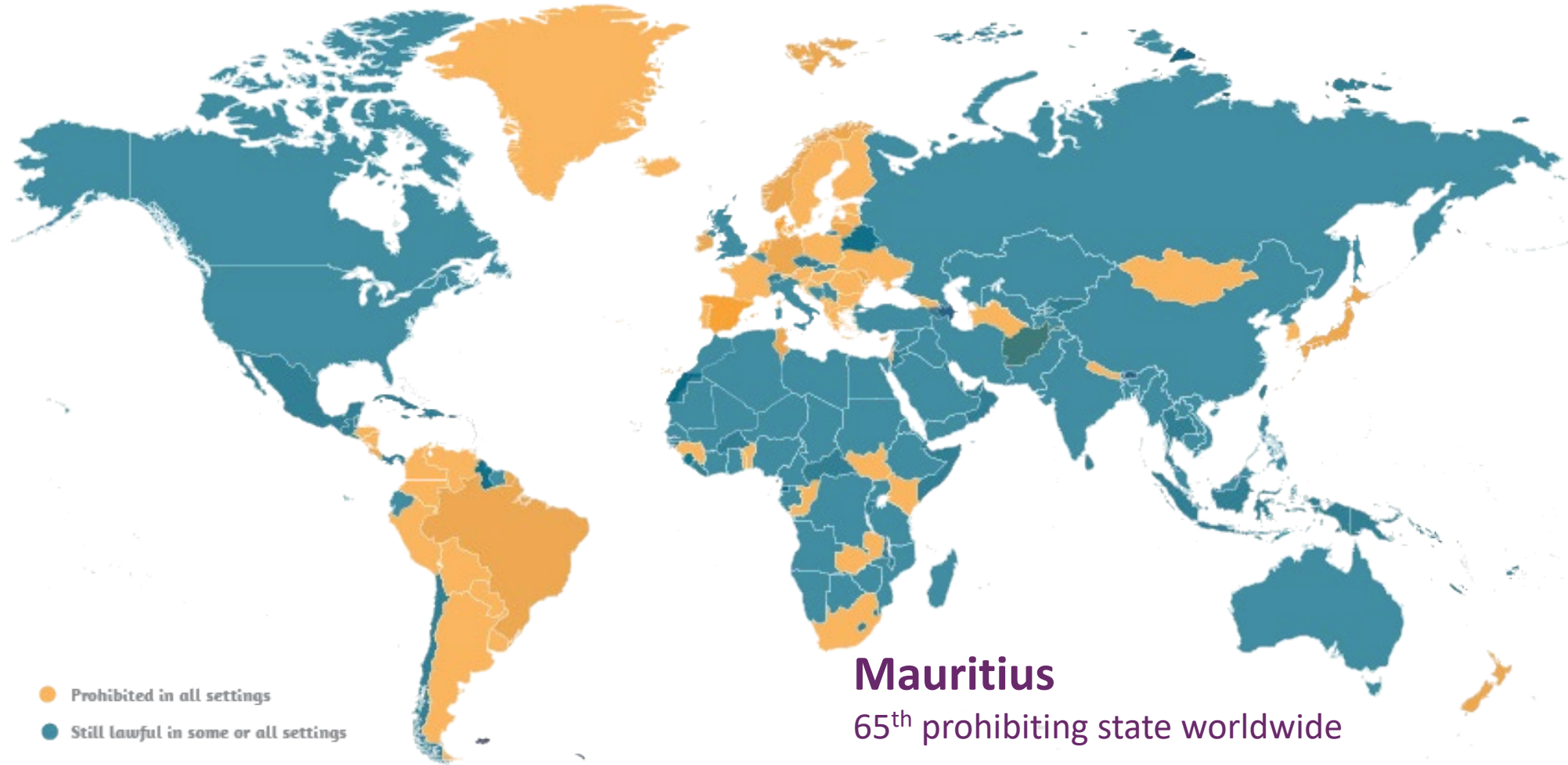
3. Some dos and don'ts for oversight and engagement...with a focus on child protection issues

- Understanding and managing “sensitivities”
 - Mandate “creep”
 - It is a “State party” review
 - Killings by law enforcement
 - Those deeply embedded in religion/culture
 - Voting record/commitment in other settings
 - Issues considered “more relevant” in other instruments
 - Corruption
 - Sexual and reproductive health rights
 - Issues done not as a legal obligation but as a good practice/moral duty
 - Anti-terrorism measures
 - Head of State/Government “issues”
 - Issues considered “purely internal” or of “purely political”
 - Timing
 - etc...

4. Some reflections on impact...



Prohibiting Corporal Punishment: Global progress



4. Some reflections on impact...cont'd

- Health care
- Child marriage and other harmful practices
- Education
- Child justice
- Persons with albinism
- Climate change
- Budgeting
- Migration etc...

5. Challenges in moving forward

- Children and armed conflict
- Reprisals
- CSO/NHRI engagement
- Data
- Resources
- Overpoliticization of issues
- Cooperation with other treaty bodies
- Getting the circle bigger
- Vernacularisation

6. At the regional level: Africa

- African Committee of Experts on the Rights and Welfare of the Child
- African Commission on Human and Peoples' Rights
- African Court on Human and Peoples' Rights

7. Concluding remarks

- Other roles of the CRC Committee
 - Optional Protocol on a communications procedure
 - General Comments
 - Days of General Discussion
 - Statements /press releases
- What does a 2.0 version of implementation/oversight of the CRC for the next decade+ look like?
- Is a child born today better off in terms of protection/rights than a child born in 1989?