



# The UN Convention on the Rights of the Child and the periodic reporting process

## About CRAE

The Children's Rights Alliance for England (CRAE) works with over 150 organisations and individuals to promote children's rights – making us one of the biggest children's rights coalitions in the world.

Our vision is a country that upholds the rights of every child. We believe that human rights are the most powerful tool for improving children's lives, so we fight for children's rights through research, lobbying, and using the law to challenge violations. We campaign for those in power to change things and we empower children and those that care about them to push for change as well.

## About *See it, Say it, Change it*

The *See it, Say it, Change it* project aims to support children and young people in England to tell their side of the story to the UN Committee on the Rights of the Child (the UN Committee) as part of the 2016 examination of the UK Government. It also aims to support them to campaign for change. The project is run by CRAE and is funded by the Paul Hamlyn Foundation.

*See it, Say it, Change it* is led by a steering group of 22 children aged seven to 18 years-old from all over England. This is a diverse group which includes children whose rights are most at risk. With the support of CRAE the steering group carried out research with children and young people from across England to find out how well their rights are being met. This research formed the basis of the *See it Say it Change it submission*<sup>1</sup> to the UN Committee in July 2015. Members of the *See it, Say it, Change it* project met with members of the UN Committee to share their personal experiences and evidence of where children's rights are not being respected and protected.

This briefing paper on the UN Convention on the Rights of the Child (CRC) has been produced as part of the *See it, Say it, Change it* project. It gives an overview of the CRC and explains more about the reporting process – the process by which governments are held to account on their child rights obligations. This briefing will be useful for policy-makers, parliamentarians, professionals working with children and children and young people themselves.

## About the CRC

The UN Convention on the Rights of the Child (CRC) is now 26 years old. It was adopted by the UN on 20 November 1989 and was ratified by the UK Government in 1991. When a government ratifies the CRC it means they are making a promise to make sure these rights become a reality for all children in their country.

Although all international human rights treaties apply to under-18s, the CRC was developed with children in mind – taking into account their specific needs, vulnerabilities and status.

It applies to all children aged 17 and under and sets out the minimum standards for their treatment. It includes a wide-ranging set of rights – civil, political, economic, social and cultural. It covers all aspects of children's lives, such as:

- The right to health and access to health care
- The right to freedom of expression
- The right to an education
- The right to play
- The right to be protected from all forms of violence
- And the right to an adequate standard of living.

It also gives additional rights to children who are in particularly challenging situations - those in conflict with the law, disabled children, those who have suffered abuse, and refugee and asylum seeking children.

The CRC has four general or guiding principles. These are rights in themselves but are also the framework through which all the rights in the CRC should be interpreted. They are: non-discrimination (article 2); the best interests of the child (article 3); survival and development (article 6); and respect for the views of the child (article 12).

Read the full text of the [CRC](#).<sup>2</sup>

The CRC is the most widely ratified of all human rights treaties - only South Sudan and the USA have not ratified it.

The CRC also has three optional protocols – additional parts to a Convention:

- One optional protocol deals with children in armed conflict;
- One optional protocol covers the sale of children and sexual exploitation;
- The third – the newest optional protocol – establishes a complaints mechanism that can be used by individual children. The UK Government has not signed up to this yet.

The UN Committee was established in 1990. Its members are elected by countries that have ratified the CRC (known as States Parties). The Committee is based in Geneva and meets three times a year.

There are 18 members of the Committee – all independent experts on children’s rights – including academics, psychologists, social workers and lawyers.

The main purpose of the Committee is to monitor how well States comply with the CRC through constructive dialogue with government. The primary means of monitoring compliance is the **periodic reporting process**.

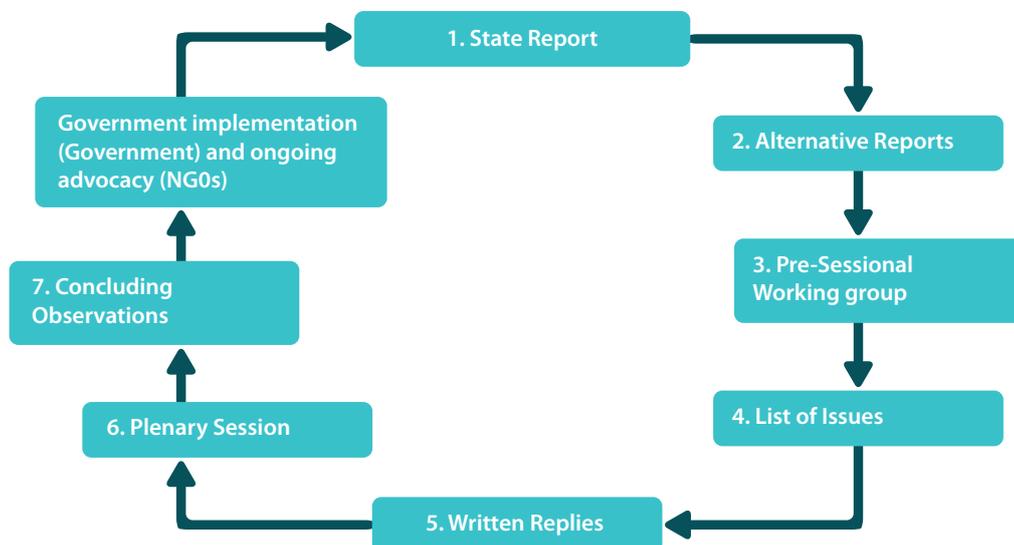
The reporting process is also a crucial means of mobilising civil society (charities, NGOs and children and young people) to push for changes to ensure children’s rights are being met and ultimately children’s lives improved.

**The reporting process**

Following the ratification of the CRC, States are required to report to the UN Committee two years after the CRC has entered into force, and then every five years.

In practice the length of time between reporting cycles is often longer than five years. The UK Government was last examined in 2008, and will next be examined in summer 2016.

**Overview of reporting process**



### 1. The State Report

The reporting process begins with the development of the State Report. The UN Committee has provided guidelines on what should be included and good practice (for example involving and consulting with civil society). It should provide the UN Committee with a comprehensive review of the child rights situation in the country and cover all measures undertaken to implement the CRC, backed up with detailed statistics. Governments must also say how they have responded to the Committee's previous recommendations. The report must be divided into nine thematic "clusters" of rights. This "cluster" format is followed throughout the reporting process.

### 2. Alternative Reports

The CRC specifically allows for reports from "other competent bodies", including civil society, independent human rights institutions and children's groups, to gain a more detailed understanding of child rights in the country. These reports help to fill in the gaps in the State Report and clarify misleading or incorrect information.

The civil society report is an opportunity to include children's voices in the reporting process (governments are also expected to include children's voices in their reports), help organisations engage in the process, and raise concerns and make recommendations at the international level.

Alternative Reports should be submitted at least three months before the Pre-Session (see below) to ensure they are taken into account and translated.

### 3. The Pre-Sessional Working Group ("The Pre-Session")

The Pre-Sessional Working Group is a private meeting between the UN Committee, NGOs, independent human rights institutions, other international organisations and children. It takes place around four months before the Plenary Session with the Government (see below).

It is a chance for NGOs and children to highlight the main areas of concern, give their opinions of the State Report and add any information since the submission of their reports. Only NGOs that have submitted written information will be invited to attend. Meetings are confidential and no records are produced - this enables participants to speak freely.

### 4. List of Issues

The Pre-Session enables the UN Committee to identify a "List of Issues" which identifies further information required. This frequently focuses on more information, including statistics, on violations of children's rights, and lists the key areas of concern that the UN Committee will address at the Plenary Session.

You can read the latest List of Issues for the UK [here](#).<sup>3</sup>

### 5. Written Replies

This document contains the written answers to the "List of Issues" by the Government and must be submitted at least one month before the Plenary Session. NGOs may feed into the Written Replies or they may submit their own supplementary information. All this information frames the discussion between the UN Committee and the Government.

You can read the UK Government's reply to the latest List of Issues [here](#).<sup>4</sup>

### 6. The Plenary Session

This is the main meeting between the Government and the UN Committee that takes place over a full day (two three-hour sessions). The UN Committee will ask a series of questions in the thematic "cluster" format and the Government will be given the opportunity to respond. Although this meeting is public, civil society representatives may only attend as observers. In the UK this is typically attended by a delegation made up of senior civil servants led by a Director General. In some instances, a government Minister attends.

### 7. Concluding Observations

This is the outcome document of the reporting process. Following the thematic "cluster" format, the UN Committee first highlights positive developments, then goes on to outline its concerns and recommendations. The final paragraph of the Concluding Observations sets the date for the next State Party report.

**Important:** The Concluding Observations end the session, not the process. The Concluding Observations should set an agenda for action over the coming five years or more until the next report is due. As the recommendations aren't legally binding, civil society, including children and young people have an important role to play in ensuring the recommendations are fully implemented by the Government.

### CRAE's role in the reporting process

CRAE has played a leading role in influencing the UN Committee in all of the UK reporting cycles (1995, 2002, 2008 and 2016). We coordinate the England civil society alternative report and support children to make their own submissions. CRAE also gives evidence directly to the UN Committee and meets with individual Committee members to discuss key child rights breaches and we support children to do the same.

In the run up to the UK plenary session CRAE coordinates civil society to push for change. After the Concluding Observations are published, we hold government to account on the recommendations made by the UN Committee to make sure they are fully implemented. Every year we publish our *State of Children's Rights in England* report.<sup>5</sup> This sets out the progress being made on taking forward the Concluding Observations and where Government needs to do better. It is a key tool for civil society to use to push for change on children's rights.

Read our England civil society [report](#)<sup>6</sup> for the 2016 examination, which was endorsed by 76 organisations.

### Getting involved in *See it, Say it, Change it*

CRAE's *See it, Say it, Change it* project will be supporting children across England to campaign for change on children's rights.

For more information about the project please contact Maria Stephens, Participation Project Manager: [mstephens@crae.org.uk](mailto:mstephens@crae.org.uk), 07951 142105 or go to: [www.crae.org.uk](http://www.crae.org.uk)



**See it,  
Say it,  
Change it.**

#### Children's Rights Alliance for England

part of Just for Kids Law  
180 North Gower Street,  
London, NW1 2NB

**Telephone:** 020 3174 2279  
**Fax:** 020 7681 1393  
**Email:** [info@crae.org.uk](mailto:info@crae.org.uk)  
**Website:** [www.crae.org.uk](http://www.crae.org.uk)



Children's  
Rights Alliance  
for England

### Further reading

1. *See it Say it Change it* submission: [http://www.crae.org.uk/media/78664/crae\\_seeit-sayit-changeit\\_web.pdf](http://www.crae.org.uk/media/78664/crae_seeit-sayit-changeit_web.pdf)
2. Full text of the CRC: <http://www.ohchr.org/en/professionalinterest/pages/crc.aspx>
3. Latest List of Issues for the UK: <http://www.equalityhumanrights.com/about-us/our-work/human-rights/international-framework/un-convention-rights-child>
4. UK Government reply to the latest List of Issues: [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC%2fC%2fGBR%2fQ%2f5%2fAdd.1&Lang=en](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolNo=CRC%2fC%2fGBR%2fQ%2f5%2fAdd.1&Lang=en)
5. State of Children's Rights in England: <http://www.crae.org.uk/publications-resources/state-of-childrens-rights-in-england-2014/>
6. England civil society report: [http://www.crae.org.uk/media/78665/crae\\_civil\\_society\\_](http://www.crae.org.uk/media/78665/crae_civil_society_)

**phf** Paul Hamlyn  
Foundation