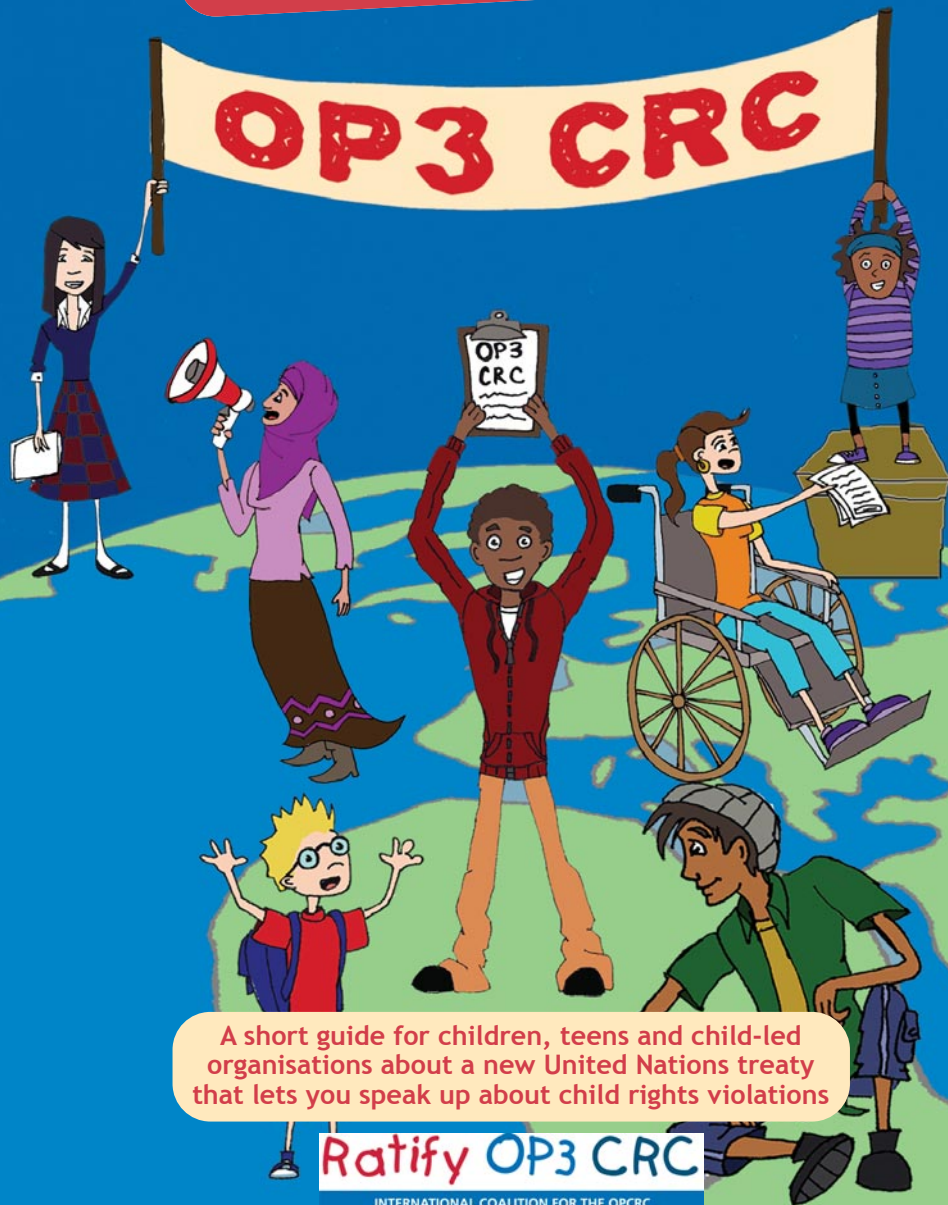


SPEAK UP

FOR YOUR RIGHTS

OP3 CRC



A short guide for children, teens and child-led organisations about a new United Nations treaty that lets you speak up about child rights violations

Ratify OP3 CRC

INTERNATIONAL COALITION FOR THE OPCRC
ON A COMMUNICATIONS PROCEDURE

This leaflet is written to help **YOU** understand what this new treaty, the *Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure*, called the OP3 CRC for short, is all about. But first, it's important that you understand how your rights are defined by the United Nations (or UN) in a very important treaty called the *Convention on the Rights of the Child*.



WHAT ARE YOUR RIGHTS?

A treaty, also called a convention, is a formal agreement or a contract that can be accepted by countries. If a country agrees to, or **ratifies**, the treaty, it agrees to do what the treaty says.

The UN has several treaties to protect the rights of children (all people under 18 years-old), but the main treaty that protects children's rights is the Convention on the Rights of the Child or the CRC. Under the CRC, children have many rights, like the right to grow up in a protective environment, to express themselves and have their views heard.

The rights apply to many aspects of your life, including family, community, education, and health.

Some examples of **violations** of the rights in the CRC could include:

- ✳ Being excluded from going to school, because of things like your sex, race, a disability or even because the school uniform or books are too expensive.
- ✳ Being separated from one or both of your parents, such as through a divorce or being placed in care, without being consulted to see how you feel about the situation and where you would prefer to live.

"All children have these rights, no matter who they are, where they live, what their parents do, what language they speak, what their religion is, whether they are a boy or girl, what their culture is, whether they have a disability, whether they are rich or poor. No child should be treated unfairly on any basis" (UNICEF).

In order to further explain the rights in the CRC, the United Nations has drafted three shorter treaties called **Optional Protocols**. These Optional Protocols (or OPs) add to certain rights included in the CRC and clarify how to better protect them. The first two OPs are on children in situations involving war (OPAC) and on children who are sold or sexually exploited through prostitution or pornography (OPSC).

The new OP that this leaflet is about - the *Optional Protocol on a Communication Procedure*, or **OP3 CRC** - allows children to submit a complaint to the United Nations when their rights are not fully protected in their countries. These complaints are officially called "communications."



Check to see which treaties your country has agreed to at this website:

www.ratifyop3crc.org/SpeakUp

Words to know:

UNITED NATIONS (or UN): The UN was set up in 1945 to help keep peace around the world, develop friendships between countries, to help solve problems between countries and to promote respect for everyone's rights.

VIOLATE / VIOLATION: Your rights are violated when two things happen. First, someone does something that goes against or ignores your rights; and government authorities, such as the police or a judge, do not take action to protect your rights or solve your situation.

RATIFY: When a government agrees to follow an international treaty. A government can sign a treaty before ratifying it, as a promise that it will ratify in the future.

REMEDY: A remedy is something that makes things better after they have gone wrong or provides a solution to a problem. For example, being allowed to go to school may be a remedy if you were unfairly expelled.

WHAT IS OP3 CRC AND HOW IS IT CONNECTED TO YOUR RIGHTS?

When we say children have rights, this means that people around them, for instance their family, teachers, the law enforcers, members of the community, and the government have the responsibility to make sure those rights are protected. But for this to work, children need to be able to speak out if their rights are not respected and to have help to make things better with a remedy or compensation.

Governments that have ratified (or agreed to follow) the CRC, the OPAC or the OPSC, must put in place systems that work to protect the children's rights included in these treaties.

However, this does not always work as it should. There are instances when children's rights are not properly protected by people working for the government or when there is no one in the country helping to find a solution. There are also cases when children have tried their best to make their complaints/concerns known to their government, but the government does not react in a reasonable amount of time or does not resolve the problem.

OP3 CRC gives children the option to complain to the United Nations about violations of their rights - like violence, being exploited or being discriminated against, if a solution cannot be found in their country.



Thanks to OP3 CRC, you and children like you will be able to:

- ★ Take your case to a UN Committee made up of 18 independent child rights experts called the *Committee on the Rights of the Child*. These experts know a lot about children's rights and come from all over the world.
- ★ Ask the Committee on the Rights of the Child to tell the people working for your government how they can respect and protect children's rights.
- ★ Get the UN to take notice of the violations you or other children suffered.

HOW CAN OP3 CRC HELP PROTECT YOUR RIGHTS?

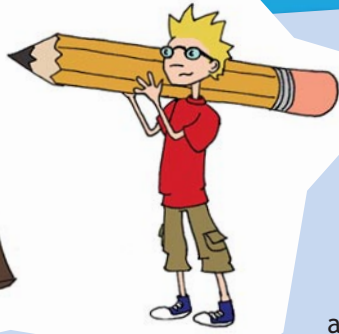


By ratifying OP3 CRC, governments agree that children should be allowed to go to the UN and ask for help if violations of their rights cannot be dealt with at national level.

If the Committee on the Rights of the Child finds that there was a violation of children's rights, it will make concrete recommendations and give advice to the government in the country where the violation happened.

These recommendations will name certain things that the people working for the government can do to provide a remedy, or solution, to make sure this violation of children's rights will not happen again.

While the recommendations that the UN gives to governments are not law, countries that ratify OP3 CRC have agreed that they will try to follow the advice and put things right for the children who have suffered.



HOW WILL OP3 CRC WORK?

For OP3 CRC to apply to your country and the children living in it, your government has to ratify it. This is how a government can agree to what it says and allow you to complain to the UN if your rights are violated.

OP3 CRC cannot apply in any country until 10 countries have ratified it. Once 10 countries ratify it, OP3 CRC will apply in all of these countries and in any country that ratifies it in the future.

OP3 CRC works in two different ways:

1. THE COMMUNICATIONS PROCEDURE

You or your representatives can bring a complaint about a violation of your rights to the Committee on the Rights of the Child, if:

- ✓ Your government has ratified OP3 CRC,
- ✓ You have already brought the same complaint before a national court and could not get a remedy, except if you can show that national systems do not work or take too long, and
- ✓ Your complaint concerns violations of rights agreed in a treaty ratified by your government. (See the “What are your rights?” section.)



2. THE INQUIRY PROCEDURE

Anyone, including a child, an adult or an organisation, who is not part of the government (such as a charity, association, foundation, or faith group), can send information to the Committee on the Rights of the Child about especially serious or repeated violations of rights and ask them to investigate it if:

- ✓ The government concerned has ratified OP3 CRC, and
- ✓ The violations concern rights included in a treaty that the government has ratified. (See the “What are your rights?” section.)

The Committee on the Rights of the Child can then decide to set up an investigation, called an inquiry, which may include a visit to the country concerned.

WHAT WILL HAPPEN IF YOU BRING A COMPLAINT TO THE COMMITTEE?

If the Committee on the Rights of the Child agrees that a violation has happened, it will make recommendations and give advice to the government, which may include:

- ✓ Providing care and support,
- ✓ Taking a child out of a dangerous situation,
- ✓ Paying some money as compensation, or
- ✓ Asking the government to take the people who violated children’s rights to court.

IMPORTANT POINT....

When examining a complaint or making an inquiry and deciding what to do, the Committee on the Rights of the Child takes into account what’s best for the child involved - his or her ‘best interests’ and the rights and views of the child.



DOES OP3 CRC APPLY IN YOUR COUNTRY?



WHAT CAN YOU DO?

If your country has not yet ratified OP3 CRC, you can encourage them to do so by telling them why you think it's important. Here are some things you can do:

- ★ Talk about OP3 CRC to your friends, in your school, in your club or organisation, and explain what it is about and why it matters to you;
- ★ Share information and provoke discussions on the Internet and via social networks;
- ★ Ask organisations or people you know, like your local children's rights contact person or your teacher, where you could bring up this issue in your town and encourage them to start a campaign for the ratification of OP3 CRC;
- ★ Join forces with friends and organisations involved in a national campaign to get your country to ratify OP3 CRC.

WHY SHOULD A COUNTRY RATIFY OP3 CRC?

- 1 To show that it cares about children as rights-holders.
- 2 To give children a way to speak up about violations of their rights.
- 3 To help it understand children's rights treaties and how they can be used to strengthen the protection of child rights.
- 4 To demonstrate to the rest of the world a strong commitment to respect, protect, and fulfil child rights and lead by example.

FIND OUT MORE INFORMATION AND HOW TO GET INVOLVED AT:

www.ratifyop3crc.org/SpeakUp

