



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### Model form for the submission of individual communications to the Committee on the Rights of the Child under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure\*

1. The Optional Protocol to the Convention on the Rights of the Child on a communications procedure entered into force on 14 April 2014. It entitles the Committee on the Rights of the Child, a body of 18 independent experts, to receive and consider communications (complaints) submitted by or on behalf of an individual or group of individuals within the jurisdiction of a State party. The authors of such communications are persons who claim to be the victims of violations of any of the rights protected by the Convention, the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography or the Optional Protocol to the Convention on the involvement of children in armed conflict.

2. For a communication to be considered by the Committee, it must:

- (a) Be in writing;
- (b) Not be anonymous;
- (c) Concern a State that is party to the Optional Protocol to the Convention on a communications procedure and to any of the instruments mentioned in paragraph 1 above, which protect the rights that have allegedly been violated;
- (d) Be submitted by one of the following:
  - (i) An individual or a group of individuals within the jurisdiction of the State party in question, regardless of whether the legal capacity of the person or group is recognized in the State party against which the communication is directed;
  - (ii) A designated representative of the individual or group of individuals;
  - (iii) Others acting on behalf of the alleged victims, with their express consent;
  - (iv) Others acting on behalf of the alleged victims without their express consent, provided that the authors can justify their action.<sup>1</sup>

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\* Adopted by the Committee at its seventieth session (14 September-2 October 2015).

<sup>1</sup> See rule 13 of the Committee's rules of procedure under the Optional Protocol.

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3. A communication will not normally be considered by the Committee:
  - (a) Unless all available domestic remedies have been exhausted;
  - (b) When the same matter has already been examined by the Committee or has been or is being examined under another procedure of international investigation or settlement;
  - (c) If the communication concerns facts that occurred prior to the entry into force of the Optional Protocol for the State concerned;
  - (d) If the communication is submitted more than one year after the exhaustion of domestic remedies.
4. In order for communications to be considered by the Committee, the victims must agree to disclose their identity to the State alleged of having committed a violation.
5. The names of the authors and alleged victims of communications shall not be published in any final decision taken by the Committee, except where, in view of the age and maturity of the victims, express consent may be provided to publish their names.<sup>2</sup>
6. Further information on the Convention and its Optional Protocols and the text of the rules of procedure of the Committee can be found at [www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx](http://www.ohchr.org/EN/HRBodies/CRC/Pages/CRCIndex.aspx).

**Guidelines for submission**

7. The annex contains guidance to those wishing to submit a communication for consideration by the Committee under the Optional Protocol. Authors of communications should provide as much information as possible on the items listed and address the communication to:

Petitions Team  
Office of the United Nations High Commissioner for Human Rights  
United Nations Office at Geneva  
1211 Geneva 10, Switzerland  
E-mail: [petitions@ohchr.org](mailto:petitions@ohchr.org)

8. Authors are also encouraged to submit any relevant information that may become available after the initial communication has been sent.

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<sup>2</sup> See rule 29, paragraph 4, of the Committee's rules of procedure under the Optional Protocol.

## Annex

### Information to be included in individual communications

#### A. Information concerning the authors of the communication

1. Authors should provide the following information about themselves:
  - (a) Family name;
  - (b) First name;
  - (c) Date and place of birth;
  - (d) Nationality/citizenship;
  - (e) Passport or identity card number (if available);
  - (f) Sex;
  - (g) Occupation or activity;
  - (h) Ethnic background, religious affiliation or social group (if relevant);
  - (i) Present address;
  - (j) Mailing address for confidential correspondence (if other than the present address);
  - (k) Telephone number and e-mail (if available).
2. Authors should also indicate whether the communication is being submitted:
  - (a) By the alleged victim or victims (should the communication be submitted by a group of individuals, basic information about each individual is required);
  - (b) On behalf of the alleged victim or victims (evidence must be provided demonstrating that the consent of the alleged victim or victims has been secured; otherwise, the reasons justifying submitting the communication without such consent must be provided).

#### B. Information concerning the alleged victims (if other than the authors)

3. Authors acting on behalf of victims should provide the following information about the victims:
  - (a) Family name;
  - (b) First name;
  - (c) Date and place of birth;
  - (d) Nationality/citizenship;
  - (e) Passport or identity card number (if available);
  - (f) Sex;
  - (g) Occupation or activity;
  - (h) Ethnic background, religious affiliation or social group (if relevant);

- (i) Present address;
- (j) Mailing address for confidential correspondence (if other than the present address);
- (k) Telephone number and e-mail (if available).

**C. Information on the State party concerned**

- 4. Authors should provide the name of the State party (country) concerned.

**D. Facts about the complaint and the nature of the alleged violations**

- 5. Authors should detail, in chronological order, the facts and circumstances of the alleged violations, including the relevant dates, places and perpetrators.
- 6. If possible, authors should indicate which articles of the Convention, of the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography and of the Optional Protocol to the Convention on the involvement of children in armed conflict have allegedly been violated. If more than one article is invoked, the authors should explain the link between each article and the specific facts.

**E. Steps taken to exhaust all domestic remedies**

- 7. Authors should describe the steps taken to exhaust all domestic remedies. For example, they should provide information on all attempts made to obtain legal, administrative, legislative, policy or programmatic remedies, including information on the following:
  - (a) The types of remedies sought;
  - (b) The dates on which the steps were taken;
  - (c) The places where the steps were taken;
  - (d) Who initiated the action;
  - (e) Which authorities or bodies were addressed;
  - (f) The names of courts hearing their cases (if applicable);
  - (g) Key points of the final decision of the authority, body or court addressed;
  - (h) Whether all domestic remedies have not been exhausted on the grounds that doing so would take an unduly long time, that the remedies would not be effective, that the remedies would not be available to the victims or for any other reason, explaining those reasons in detail.
- 8. Copies of all decisions issued by the authorities in question should be provided.

**F. Examination under other procedures of international investigation or settlement**

- 9. The authors should indicate whether the same matter has already been or is being examined under another procedure of international investigation or settlement. If it has been or if it is being examined under such a procedure, the authors should provide information on the following:

- (a) The body or bodies addressed;
- (b) The dates concerned;
- (c) The places concerned;
- (d) The results, if any.

10. Copies of all relevant documentation should be provided. Pursuant to rule 16, paragraph 3 (d), of the rules of procedure under the Optional Protocol, non-written materials could be provided to supplement the written submissions.

#### **G. Requests or remedies**

11. The authors can, if they so wish, include information on any requests or remedies that they would like the Committee to consider.

#### **H. Disclosure of the authors' names**

12. Pursuant to article 4 (2) of the Optional Protocol, the names of the authors will be disclosed to the State party but will not appear in the public decision adopted by the Committee, unless otherwise requested.

#### **I. Date and signature**

13. Communications should bear the date and place of drafting and be signed by the authors and/or victims.

#### **J. Documents**

14. A list of the documents accompanying the initial submission should be included in the communication. Only copies of the documents, not the originals, should be sent to the Committee.

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