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## **Committee on the Rights of the Child (CRC) : An Overview**

**Dr. Priyanka Samant**

Assistant Professor – Law

Govt. Law College, Alwar (Raj.)

The United Nations Convention on the Rights of the Child is a human rights treaty setting out the civil, political, economic, social, health and cultural rights of children. The convention generally defines a child as any human being under the age of eighteen, unless an earlier age of majority is recognized by a country's laws.

It was adopted by the General Assembly of the United Nations by its resolution 44/25 of 20 November, 1989. The Convention came into force 1 September, 1990.

The Convention on the Rights of the child is the main international instrument for the protection of children's rights, including from all forms of abuse, violence, neglect and exploitation.

### **Definition of the Child**

Article 1 of the Convention defines a 'child' as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger.

It recognizes rights of children in the form of obligation on the states. Article 2 of the concentration defines.

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any-kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.
2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

**The Committee-** The Committee has monitored implementation of the Convention on the Rights of the Child by its States parties, as well as two Optional Protocols to the CRC on child soldiers and child exploitation. State parties are required to submit reports to the Committee under article 44 as follows:

1. States Parties undertake to submit to the Committee, through the Secretary-General of the United Nations, reports on the measures they have adopted which give effect to the rights recognized herein and on the progress made on the enjoyment of those rights,



- a. Within two years of the entry into force of the Convention for the State Party concerned;
  - b. Thereafter every five years.
2. Reports made under the present article shall indicate factors and difficulties, if any, affecting the degree of fulfillment of the obligations under the present Convention. Reports shall also contain sufficient information to provide the Committee with a comprehensive understanding of the implementation of the Convention in the country concerned.
  3. A State Party which has submitted a comprehensive initial report to the Committee need not, in its subsequent reports submitted in accordance with paragraph 1 (b) of the present article, repeat basic information previously provided.
  4. The Committee may request from States Parties further information relevant to the implementation of the Convention.
  5. The Committee shall submit to the General Assembly, through the Economic and Social Council, every two years, reports on its activities.
  6. States Parties shall make their reports widely available to the public in their own countries.

**General obligations on the States-** In drafting its reporting guidelines for States, the Committee on the Rights of the Child placed emphasis on concrete implementation measures which would make a reality of the principles and provisions of the Convention. More specifically, the Committee paid special attention to necessary reforms within the spirit of the Convention and procedures for constant scrutiny of progress. Under article 4 of the Convention, States parties are required to undertake all appropriate legislative, administrative and other measures to implement the Convention. With regard to economic, social and cultural rights, they must "undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation".

An early step in the implementation process is for a State party to review its legislation and ensure that laws are consistent with the Convention. For instance, laws are needed for the protection of children against exploitation, in both the formal and informal labor market, and to ensure free and compulsory primary education. Mechanisms may be introduced at the national and local levels to coordinate policies and monitor the implementation of the Convention, including through an ombudsman's office. The political decision-making process is important. What procedures are there to ensure that children's affairs are taken seriously in all relevant governmental structures, as well as in both the parliament and local assemblies? Are there opportunities for children themselves and their representatives to make them heard?

The gathering of reliable and relevant information on the situation of children is another important step to be taken. With precise data, discussions regarding remedies will be better



informed and focused. Improvement of the capacity of the national statistical office can therefore be an essential contribution to the implementation of the Convention. Other means of genuine realization of the principles and rights enshrined in the Convention are education and training of personnel working with children, such as nursery school and other teachers, child psychologists, pediatricians and other health personnel, the police and other law enforcement personnel, social workers and others. A broader awareness and knowledge of the Convention among people at large can also serve as a basis for implementation. It is an obligation under the Convention (art. 42) for States parties to disseminate such information-to both children and adults-in understandable languages. States' reports on implementation must also be made "widely available to the public" (art. 44, para. 6). What is meant by the wording that States should implement economic, social and cultural rights "to the maximum extent of their available resources" (art. 4)? How does the Convention relate to financial constraints?

The Convention recognizes that some of the more costly reforms cannot take place overnight. It specifies, for instance, that the rights to health care (art. 24) and education (art. 28) may be achieved "progressively". It also makes it clear that there is an international duty to assist other States in their efforts to protect children's rights-although each State party always has its own obligations. Rich or poor, a State must allocate the maximum extent of its available resources for the implementation of the Convention: priority should be given to children. Donor countries are encouraged to review their development cooperation programmes in the light of the Convention. At the same time, developing countries may identify a need for international cooperation in their reports on their implementation of the Convention<sup>1</sup>.

The CRC is the first international treaty to place a comprehensive legal obligation on States Parties to protect children from all forms of sexual exploitation and abuse. This obligation is an important landmark because it implicitly recognizes that sexual exploitation of children is likely to occur in every country in the world.

### **Refereneeces:**

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<sup>1</sup> Fact Sheet No. 10 (Rev.I), The Rights of the Child, available at: [http://www.ohchr.org/Documents/Publications/FactSheet\\_10Rev.I.en.pdf](http://www.ohchr.org/Documents/Publications/FactSheet_10Rev.I.en.pdf) (Visited on June 18, 2014).