Disaster Risk Management, Conflict and Climate Change in the Monitoring of the UN Convention on the Rights of the Child
A REVIEW OF DISASTER RISK MANAGEMENT, CONFLICT AND CLIMATE CHANGE IN THE MONITORING OF THE UN CONVENTION ON THE RIGHTS OF THE CHILD
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Acronyms

CSO Civil Society Organization
Committee Committee on the Rights of the Child
CRC Convention on the Rights of the Child
DRM Disaster Risk Management
DRR Disaster Risk Reduction
IASC Inter-Agency Standing Committee
ICRC International Committee of the Red Cross
ILO International Labor Organization
NGO Non-Governmental Organization
ODA Official Development Assistance
OHCHR Office of the United Nations High Commissioner for Human Rights
OP Optional Protocol to the Convention on the Rights of the Child
OPAC Optional Protocol to the CRC on the Involvement of Children in Armed Conflict
OPSC Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography
UN United Nations
UNFCC United Nations Framework Convention on Climate Change
UNGA United Nations General Assembly
UNICEF United Nations Children’s Fund
UNISDR United Nations International Strategy for Disaster Reduction
UNHCR United Nations High Commissioner for Refugees
EXECUTIVE SUMMARY

Children’s vulnerability to disasters is expected to increase in the coming years as the frequency and intensity of disasters caused by natural hazards rises. Greater recognition is needed of the impact of disasters and climate change on the realization of children’s rights. This study sought to examine to what extent the impacts of climate change and disasters on the realization of children’s rights were reported in State and NGO reports to the Committee on the Rights of the Child and what relevant recommendations for government responses to disaster and climate risks were proposed in the concluding observations of the Committee.

The study sought to analyze how stakeholders involved in the CRC monitoring and implementation process addressed and made reference to disasters and climate change and its implications on the realization of children’s rights. A review of State periodic reports, State reports under the two Optional Protocols, NGO alternative reports, list of issues and concluding observations from ten countries were conducted, covering the reporting period between 2005-2011. Countries where selected based on the following criteria; Disaster risk; Plan presence; Regular and recent reporting to the Committee and where information from civil society had also been submitted; Geographical representation to ensure that all regions and relevant issues were covered.

The study sought to show which disaster risk management (DRM) and climate change issues were generally well covered in State and NGO reports and the concluding observations; which issues were missing from State and NGO reports and the concluding observations; and which factors and drivers influenced States, NGOs and the Committee to include DRM and climate change issues in their reports.

Key Findings

- There were no references to climate change in any State or NGO reports and only one reference in the concluding observations. This may be due to the lack of direct references to climate change in the Convention, reporting guidelines, general comments, and recommendations from days of general discussion.

- There was little mention of natural hazards in State and NGO reports, even in countries that were regularly subjected to them. When included, there were only a few references to the impact of natural hazards, disaster mitigation or disaster prevention on children. Disasters were not always acknowledged in the concluding observations as a factor and difficulty impeding the implementation of the Convention in countries that experienced a high number of disasters and the Committee made very few specific recommendations with regards to disasters.

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1 Bangladesh, Cambodia, the Philippines, Mozambique, Niger, Sierra Leone, Bolivia, Ecuador, El Salvador and Japan
• Human-made hazards\(^2\) were not covered in any State or NGO reports and were not referred to in any concluding observations.

• Environmental degradation, particularly the impact of pollution on the health of children, was mentioned in many State and NGO reports. The Committee focused on recommending that businesses operate in socially and environmentally responsible ways and rarely made any other recommendations in this area.

• The issue of conflict was well covered by States, NGOs and the Committee. State and NGO reports contained a wealth of information on many different aspects of conflict. Conflict was also well covered in the concluding observations of the Committee. The Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict (OPAC) and its reporting guidelines cover the issue of children in armed conflict extensively, which had an impact on the availability of information and understanding of these issues.

• In terms of disaster risk reduction, issues involving conflict were mentioned most frequently, particularly within the context of the OPAC. Human rights and peace education was covered extensively in State and NGO reports and the concluding observations. Many different aspects of birth registration were included in State and NGO reports and the concluding observations. The global universal birth registration campaign could have had an impact on the availability of information and understanding of these issues.

• There were a few references to child protection in emergencies during or following an armed conflict, particularly in countries that had recently experienced armed conflict, but nothing with regards to child protection during or following a disaster. Education in emergencies was well covered in State and NGO reports, most of which had been submitted prior to the day of general discussion on education in emergencies. However, the concluding observations contained no recommendations on this issue, even for those reports that were considered after the day of general discussion.

• There were few, if any references to DRM and climate changes issues in the State and NGO reports and concluding observations for the Optional Protocol to the Convention on the Rights of the Child on Sale of Children, Child Prostitution and Child Pornography (OPSC).

**Conclusions**

\(^2\) A hazard originating from technological or industrial conditions, including accidents, dangerous procedures, infrastructure failures or specific human activities, that may cause loss of life, injury, illness or other health impacts, property damage, loss of livelihoods and services, social and economic disruption, or environmental damage. Examples of technological hazards include industrial pollution, nuclear radiation, toxic wastes, dam failures, transport accidents, factory explosions, fires, and chemical spills. Technological hazards also may arise directly as a result of the impacts of a natural hazard event. (Source UNISDR Terminology Guide 2007)
Findings of the study cannot be extrapolated on a global level, as only about 5% of countries that have ratified the CRC were included in the study (10 out of 193).

The study showed that although State and NGO reports reviewed in this study provided some information on DRM and climate change, in most cases this was related to conflict and not to disasters. The OPAC and its reporting guidelines had a strong impact on the amount and type of information that was submitted by States and NGOs and the concluding observations reflected this. The few references to other types of disasters did not provide much specific information with regards to the impact on children. State and NGO reports sometimes had an influence on the concluding observations in the area of DRM and climate change, but this influence was not consistent. The one report submitted by children was the most comprehensive in terms of the need to protect children during disasters and to provide support to child survivors of disasters, but this report had no discernible influence on the concluding observations. Although relevant to DRM and climate change, there were no indications in any State or NGO reports or in the concluding observations on the OPSC that this was the case.

Although the Committee sometimes included references to its general comments and recommendations from the days of general discussion in the concluding observations, this was not systematic. No State or NGO report made reference to these documents. There were also few references to General Assembly and Human Rights Council resolutions and reports on DRM and climate change, and reports of relevant Special Rapporteurs.

In order to improve reporting by States and NGOs on DRM and climate change and to strengthen the Committee’s concluding observations on these issues, the study compiled a list of potential follow-up activities for internal action for Plan country offices and national offices and recommendations for external action for CSOs/NGOs, the Committee on the Rights of the Child and the States. The results of this study will serve as a basis to inform Plan’s national and international advocacy around DRM and climate change and CRC monitoring.
I. INTRODUCTION

1. BACKGROUND

Disasters threaten the lives, the rights and the needs of millions of girls and boys around the world. In the coming years, children will be increasingly impacted by disasters, especially in developing countries. This is due to increased frequency and intensity of natural hazards and increased vulnerability of children due to climate change, population growth, urbanization, environmental degradation and other factors. Developing nations, where resilience to shocks is low and livelihoods are often highly dependent on natural resources, such as water and land, will be the most affected by climate change. Within these nations, children are disproportionately affected by disasters caused by natural hazards. Without concerted action, millions of children will be at increased risk from infectious disease, malnutrition, water scarcity, and the collapse of public services and infrastructure. Increased exposure to disaster risks will have an effect on children’s education and child protection risks such as psychosocial distress, separation from their parents or primary caregiver, sexual and gender-based violence, including early and forced marriages, physical harm and danger, and the worst forms of child labor. Yet children are not only potential victims of the impact of climate change and disasters, they are also important agents for change to promote and contribute to effective adaptation strategies.

Securing the rights of children is especially important in the face of risks from conflict, as conflict settings have a direct impact on the protection and wellbeing of girls and boys. A growing number of children are being killed and wounded physically and emotionally by conflicts, and this trend is expected to exacerbate given the impact of climate change on natural resources and food security. States have a responsibility to ensure that the rights of all girls and boys are safeguarded within conflict settings, and that interventions in fragile and conflict affected contexts take into account the realization of child rights. This includes establishing and acting on policies regarding: militarization/enrollment into armed forces; the manufacture, sale and distribution of landmines/other weapons, gender-based violence in conflict/post conflict settings and abuses of children's rights; and the establishment of safe zones for children in conflict areas.

Plan International (“Plan”), has been taking a lead role in developing a distinct rights-based approach to Disaster Risk Reduction 3 (DRR) and has been encouraging governments, donors and agencies at all levels to prioritize child-

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Disaster Risk Reduction – “The concept and practice of reducing disaster risks through systematic efforts to analyze and manage the causal factors of disasters, including through reduced exposure to hazards, lessened vulnerability of people and property, wise management of land and the environment, and improved preparedness for adverse events.”
centered Disaster Risk Management\(^4\) (DRM) and climate change adaptation within national and international child rights agendas. Today, frameworks tasked to guide and monitor DRM and climate change agendas are largely disconnected from the human rights ones. Plan believes that greater recognition is needed of the impact of disaster risks and climate change on the realization of children’s rights. In particular, Plan believes that this ought to be more explicitly reflected in the work of the Committee on the Rights of the Child including the Convention on the Rights of the Child\(^5\) (CRC) monitoring process.

Presently, there is little guidance in the CRC and Committee documents, such as concluding observations and general comments, on how States should work on the implementation of the CRC in relation to situations of disasters\(^6\) and the consequences of climate change – albeit greater coverage of man-made, complex and conflict emergencies is being observed. In light of this, Plan aimed to study to what extent the impacts of climate change and disasters (as well as environmental degradation and conflict) on the realization of children’s rights had been reported in State and NGO reports to the CRC Committee; and what relevant recommendations for government responses to disaster and climate risks had been proposed in the Committee’s concluding observations. The results of this study will serve as a basis to inform Plan’s national and international advocacy around DRM and climate change and child right’s monitoring.

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\(^4\) The term “disaster risk management” as used in this study includes disaster response, disaster risk reduction, conflict risk management and environmental risk management.


\(^6\) In this report, the term “disasters” encompasses all emergencies caused by natural hazards such as earthquakes, typhoons, landslides, tsunamis, volcanic eruptions, avalanches, floods, extreme temperatures, drought, wildfires, cyclones, or storms/wave surges. Conflict related emergencies were analyzed separately.
2. MONITORING THE IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD AND THE OPTIONAL PROTOCOLS

The Convention on the Rights of the Child (CRC), adopted by the United Nations General Assembly on 20 November 1989, is a comprehensive treaty which sets out children's fundamental human rights and freedoms and takes into account their need for special assistance and protection due to their vulnerability. In order to expand upon the obligations set out under specific articles of the Convention, two Optional Protocols (OPs) were adopted by the United Nations General Assembly (UN GA) in 2000:

- Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict (OPAC)

In 2011, the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure was adopted by the UN GA and provides for an international communications/complaints procedure for children. It has not yet entered into force. The Optional Protocols are separate legal instruments, which must be ratified independently of the CRC and are only legally binding on States that have ratified them.

The CRC and the OPs are monitored through a system of reporting by States parties to the Committee on the Rights of the Child (Committee). The Committee is composed of eighteen independent experts who are elected by States parties from amongst their nationals and serve in an independent capacity for four-year terms. The Convention requires that Committee members be of “high moral standing” and competent in the fields covered by the CRC. An equitable geographical distribution and representation of the principal legal systems is taken into consideration in their selection. The Committee’s approach is non-confrontational and attempts to engage States parties in a constructive dialogue with a view to obtaining an accurate assessment of the situation of children in a country.

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10 The Optional Protocol will enter into force three months after the tenth ratification.
## CRC Reporting Terms and Definitions

### State Party Report
Report that each State party to the CRC is required to submit regularly to the Committee, indicating measures adopted to implement the treaty and the difficulties encountered.

### NGO Report
Report that is submitted by non-governmental organizations that provides additional information relating to the implementation of the CRC in a particular country.

### List of Issues
Formulated by the Committee on the basis of a State report and other available information and transmitted to the State in advance of the plenary session. Provides the framework for the dialogue with the State.

### Concluding Observations
Issued by the Committee after it has considered a State report. Refers to both the positive aspects and to areas of concern, where the Committee recommends further action to be taken.

### General Comments
Committee's interpretation of a provision of the CRC, thematic issues or its methods of work. Often seeks to clarify the reporting duties of States with respect to certain provisions and suggest approaches to implementing treaty provisions.

### Day of General Discussion
A meeting to foster a deeper understanding of the contents and implications of the CRC as they relate to specific articles or topics.


States parties to the CRC are required to submit an initial report two years after ratification and periodic reports every five years thereafter.\(^\text{13}\) For the OPs, States are required to submit an initial report two years after ratification and any further information regarding the implementation of the OPs is to be included in the periodic reports that are submitted under the CRC. The

Committee has prepared reporting guidelines for States.\textsuperscript{14} In order to obtain a more comprehensive picture of the situation at national level, the Committee seeks written information from other sources, such as non-governmental and inter-governmental organizations and independent national human rights institutions. The Committee then conducts a preliminary review of the State party report and the supplemental information during a private meeting called the pre-sessional working group meeting (pre-session). This provides an opportunity for NGOs, national human rights institutions and UN agencies, notably UNICEF, to orally present their reports.

Following the pre-session, the Committee prepares a list of issues, which serves to supplement and update the information provided in the State report. The State is requested to respond in writing to the list of issues. The Committee then examines the State report and the responses to the list of issues in public during a plenary session. Government representatives are invited to respond to the questions and comments posed by Committee members in order to discern the actual situation in the country as well as their understanding of the relevant provisions of the CRC and the OPs. At the end of the dialogue, the Committee issues concluding observations that point out the positive aspects, the factors and difficulties impeding the implementation of the CRC and the OPs, the principal subjects of concern and concrete suggestions and recommendations for future action.\textsuperscript{15}

\textit{Reporting process of the Committee on the Rights of the Child}


In addition to examining State party reports, the Committee conducts other activities in order to promote the further implementation of the CRC and the OPs. The Committee holds an annual day of discussion in order to debate issues of general interest with regards to the implementation of the CRC. Each year, the discussion focuses on a specific provision of the CRC or related issues and the Committee prepares a set of recommendations at the end of the discussion.\textsuperscript{16} General discussions may also be used by the Committee to receive input from specialized agencies, NGOs, academics, and other interested parties in the preparation of a general comment. General comments set out the Committee’s interpretation of various provisions of the CRC based on the experiences and insights gained during the examination of State Party reports. The main purpose of general comments is to promote the implementation of the CRC and assist States to fulfill their reporting obligations by making the jurisprudence of the Committee more accessible.\textsuperscript{17}

\textsuperscript{16} For more information on the day of general discussion see: Days of General Discussion of the Committee on the Rights of the Child: Information for NGOs, NGO Group for the Convention on the Rights of the Child, 2008, \url{http://www.crin.org/docs/FileManager/ngogroup/Fact_sheet_CRC_DGD_EN.pdf}

\textsuperscript{17} For more information on general comments see: General Comments of the Committee on the Rights of the Child: Information for NGOs, NGO Group for the Convention on the Rights of the Child, 2008, \url{http://www.crin.org/docs/FileManager/ngogroup/Fact_sheet_CRC_GC_EN.pdf}
3. OBJECTIVES

In order to determine how relevant stakeholders in the CRC monitoring process have addressed and made reference to disasters and climate change and its implications on the realization of children's rights, an in-depth analytical study was carried out from March to July 2012. The study sought to analyze how stakeholders involved in the CRC monitoring and implementation process approached the issues of DRM and climate change in State periodic reports, State reports under the two Optional Protocols, NGO alternative reports, list of issues and concluding observations. Ten high-risk countries were selected covering the reporting period between 2005 and 2011.

A steering group composed of staff members from Plan International Headquarter, Plan Sweden, Plan Geneva and Plan UK provided advice and support for the study. The results of this study will be analyzed and will serve as a basis to inform Plan’s national and international advocacy around DRM and climate change and CRC monitoring; seeking to increase government’s accountability to realizing children’s rights in a changing climate.

4. METHODOLOGY

4.1 Compilations

This study compiled key sources of international law and policies relevant to DRM and climate change in order to inform Plan’s international advocacy and lobby work. In addition to basic climate change documents, such as the United Nations Framework Convention on Climate Change and its relevant Protocol, Action Plan, Agreements, and Guidelines, the compilation includes relevant resolutions on climate change by the General Assembly, Human Rights Council, and reports of the Special Procedure Mandate Holders. The compilation also includes basic documents related to DRM such as the Hyogo Framework for Action and relevant resolutions on disaster reduction by the General Assembly, Human Rights Council and other relevant documents on human rights and disasters.18

The Committee's working documents were analyzed in order to document evidence and gaps regarding information related to DRM and climate change. Information on DRM and climate change from the CRC, OPAC and OPSC as well as the guidelines for States on the submission of reports under these three documents19 was compiled. The study also compiled information on DRM and

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18 See Annex 1 for compilation of key sources of international law and policies relevant to DRM and climate change

19 Treaty-Specific Guidelines Regarding the Form and Content of Periodic Reports to be Submitted by States Parties under Article 44, paragraph 1 (b), of the Convention on the Rights of the Child http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.58.Rev.2.doc;
Revised guidelines regarding Initial Reports to be Submitted by States Parties under Article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in Armed Conflict http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.OPAC.2_en.pdf;
climate change from the Committee’s general comments\(^{20}\) and the recommendations from the days of general discussion\(^{21,22}\)

### Global Policy Commitments

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<th>Child Rights</th>
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<td>• Optional Protocol on the Involvement of Children in Armed Conflict</td>
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<td>• Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography</td>
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<tr>
<th>Disaster Risk Management</th>
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<tr>
<th>Climate Change</th>
<th>• United Nations Framework Convention on Climate Change</th>
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<td>• Kyoto Protocol</td>
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<td>• Bali Action Plan</td>
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<td>• Cancun Agreements</td>
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### 4.2 Mapping

Ten countries where Plan works on disaster risk reduction and climate change were selected for this study. Countries were chosen that had reported regularly and recently to the Committee and where information from civil society had also been submitted. Geographical representation was also taken into account to ensure that all regions and relevant issues were covered. Based on these selection criteria, Bangladesh, Cambodia, the Philippines, Mozambique, Niger, Sierra Leone, Bolivia, Ecuador, El Salvador and Japan were chosen for this study.\(^{23}\)

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<th>Plan’s Participation in NGO Reporting Process</th>
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<td>Country</td>
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<td>Bangladesh</td>
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<td>Bolivia</td>
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\(^{20}\) General comments can be found at [http://www2.ohchr.org/english/bodies/crc/comments.htm](http://www2.ohchr.org/english/bodies/crc/comments.htm)

\(^{21}\) Recommendations from the days of general discussion can be found at [http://www2.ohchr.org/english/bodies/crc/discussion2012.htm](http://www2.ohchr.org/english/bodies/crc/discussion2012.htm)

\(^{22}\) Extracts from the Committee documents can be found in Annex 2

\(^{23}\) Disaster profiles can be found in Annex 3
Cambodia | Yes  
---|---
Ecuador | Yes  
El Salvador | No  
Japan | No  
Mozambique | No  
Niger | No  
Philippines | Yes  
Sierra Leone | No  

The State periodic reports from these countries were submitted to the Committee between 2006 and 2008 and the concluding observations were adopted between 2008 and 2011. A few State reports under the Optional Protocols were submitted to the Committee between 2004 and 2005 and considered between 2006 and 2007, but most of the State reports under the Optional Protocols were submitted to the Committee in 2008 and the concluding observations adopted in 2010.

In order to determine if relevant stakeholders had addressed and made references to climate change, information related to DRM and climate change was compiled from most recent State periodic reports, NGO reports, list of issues, and concluding observations. When available, information was also compiled from the same documents under the two Optional Protocols. Separate reports on the two Optional Protocols were submitted by six of the countries under review: Bangladesh, Ecuador, El Salvador, Japan, the Philippines and Sierra Leone.

**List of Selected Countries**

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<tr>
<th>Country</th>
<th>CRC</th>
<th>Optional Protocols</th>
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<td>Bolivia</td>
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24 The State Party reports submitted to the Committee are available on the website of the Office of the High Commissioner for Human Rights at: [http://www2.ohchr.org/english/bodies/crc/sessions.htm](http://www2.ohchr.org/english/bodies/crc/sessions.htm)

25 The NGO alternative reports submitted to the Committee are available on the website of the Child Rights Information Network (CRIN) at: [http://www.crin.org/Alternative-reports/index.asp](http://www.crin.org/Alternative-reports/index.asp)

26 The List of Issues are available on the website of the Office of the High Commissioner for Human Rights at: [http://www2.ohchr.org/english/bodies/crc/sessions.htm](http://www2.ohchr.org/english/bodies/crc/sessions.htm)

27 The concluding observations are available on the website of the Office of the High Commissioner for Human Rights at: [http://www2.ohchr.org/english/bodies/crc/sessions.htm](http://www2.ohchr.org/english/bodies/crc/sessions.htm)

28 Although the other four countries; Bolivia, Cambodia, Mozambique and Niger; ratified the Optional Protocols, they had not yet submitted their initial reports to the Committee. All reports, except the OPAC report from Niger, are overdue.
The table below outlines dates for when the relevant global policy commitments (on child rights, DRM, and climate change), and when CRC State reporting took place.

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*See Annex 4, Key documents consulted.*

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<td>1989</td>
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<tr>
<td>Day of General Discussion on Children in Armed Conflict</td>
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<td>1998</td>
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<td>2000</td>
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<td>Involvement of Children in Armed Conflict</td>
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<td>Optional Protocol to the Convention on the Rights of the Child on the</td>
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<td>Sale of Children, Child Prostitution and Child Pornography</td>
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<td>2005</td>
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<td>General Comment No. 6 Treatment of Unaccompanied and Separated Children outside their County of Origin</td>
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<td>General Comment No. 7 Implementing Child Rights in Early Childhood</td>
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<tr>
<td>Day of General Discussion on Children without Parental Care</td>
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<td>Bangladesh OPSC Initial Report</td>
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<td>2006</td>
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<td>Bangladesh OPAC Concluding Observations</td>
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<td>Sierra Leone Second Periodic Report</td>
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<tr>
<td>2007</td>
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<tr>
<td>Bangladesh OPSC Concluding Observations</td>
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<td>Bangladesh Consolidated Third and Fourth Periodic Report</td>
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4.3 Analysis

Once compiled, the information was then analyzed. First, an assessment was carried out on the information that was submitted by the State and NGOs. On a country-by-country basis, a list of the key issues on DRM and climate change that were covered in the State and NGO reports was prepared. In order to
assess whether the actual situation in the selected countries was adequately reflected in the State and NGO reports and the concluding observations, the main disasters during the reporting period were identified, according to ReliefWeb\textsuperscript{29} and PreventionWeb\textsuperscript{30}. Second, the concluding observations were categorized by type of recommendation (legislation; policies; resources; capacity building and training; data collection; technical assistance and references to international instruments). Finally, the information contained in the list of issues and in the concluding observations was cross-referenced with the information made available by States and NGOs to the Committee prior to the review.

This report is an analysis of CRC reporting trends to determine:

- which DRM and climate change issues were generally well covered in the State and NGO reports and the concluding observations;
- which DRM and climate change issues were missing from State and NGO reports and the concluding observations; and
- which factors and drivers influenced States, NGOs and the Committee to include DRM and climate change issues in their reports.

The use of written information in the elaboration of the concluding observations was also examined to determine if there were any trends and to try to draw some conclusions if there was any correlation between the State and NGO reports and the issues raised in the concluding observations (see section V). Finally, a series of follow-up activities within Plan, with other NGOs, with the Committee on the Rights of the Child and with States are proposed in Section VI.

This report takes into account a number of key areas of interest which have been applied to structure the analysis of the findings. These include:

1. Impact of disasters on children’s rights within DRM and climate change; taking into account natural hazards, man-made hazards, environmental degradation and conflict;
2. Disaster risk reduction (DRR) and the five priority areas as outlined in the Children’s Charter for Disaster Risk Reduction\textsuperscript{31}:
   a. Education
   b. Child protection
   c. Participation in DRR processes
   d. Community infrastructure and reconstruction
   e. Targeting vulnerable groups in DRR

\textsuperscript{29} ReliefWeb: http://reliefweb.int/
\textsuperscript{30} PreventionWeb: http://www.preventionweb.net/english/
\textsuperscript{31} The Children’s Charter for DRR was developed through consultations with more than 600 children in 21 countries in Africa, Asia, the Middle East and Latin America and identifies children’s priorities for DRR. The Charter was launched during the 2011 Global Platform for DRR in Geneva and is endorsed by UNISDR and over 20 governments. For more information see: http://www.childreninachangingclimate.org/library_page.htm?metadata_value=Children%27s%20Charter%20for%20Disaster%20Risk%20Reduction&wildmeta_value=
3. Children’s rights in disaster response

a. Education in Emergencies

b. Targeting vulnerable groups in disaster response

c. Child protection in emergencies - taking into account six priority areas for children affected by emergencies; psychosocial distress, separation of children from parents and primary caregivers, sexual and gender-based violence, physical danger, child labor and recruitment and use by armed forces or armed groups.

5. LIMITATIONS

The compilation of international instruments focused on International Treaties, the General Assembly and the Human Rights Council. No regional treaties or other regional instruments were reviewed. There was also no review of any international policies coming from any of the UN agencies.32 There was also no review of the general comments or recommendations from the days of general discussion from any of the other UN human rights treaty bodies.

Trends and conclusions were based on a mapping of only ten countries, which is a small subset of the 193 States parties to the CRC. Although the mapping had a spread of countries across Asia, Latin America and Africa, no European countries were examined. In addition, only one of the countries was a high-income country. Only six of the ten countries included in the mapping had reported under the Optional Protocols,33 which led to an uneven amount of information to be analyzed. The quality and number of NGO reports varied between countries, which also led to an imbalance in the information to be analyzed.

The analysis was based on an incomplete evaluation of the information that was submitted to the Committee. It does not take into consideration additional information that may have been provided by NGOs during the pre-session, information submitted by other stakeholders (in particular, UNICEF) in written form or during the pre-session, or information presented by the State during the dialogue with the Committee.

A team of staff members of the Office of the High Commissioner for Human Rights (OHCHR)34 who are not specialized specifically in child rights drafted the concluding observations. The members of this team are not constant and the

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32 According to Disaster Risk Reduction in the United Nations: Roles, mandates and areas of work of key United Nations entities, there are twenty-eight UN entities working on disaster risk reduction. See http://www.unisdr.org/files/18933_directory.pdf

33 Although the other four countries ratified the Optional Protocols, they had not yet submitted their initial reports to the Committee. All reports, except the OPAC report from Niger, are overdue.

34 The Office of the High Commissioner for Human Rights is the principal United Nations office mandated to promote and protect human rights. OHCHR acts as the Secretariat to numerous human rights bodies including the Committee on the Rights of the Child. http://www.ohchr.org/EN/Pages/WelcomePage.aspx
head of the team (the Secretary of the Committee) has changed a number of times since 2010. This may have some impact on the inconsistencies within and between the concluding observations in terms of use of standard paragraphs, reference to days of general discussion and general comments and use of information submitted by NGOs.
II. COMPILATIONS

The issue of disasters and climate change has been gaining ground due to its increasing impact on at-risk countries and vulnerable groups. Relevant global policy mechanisms at UN level have taken different measures to respond to this, including the development of international law and policies. This section compiles key sources of international law and policies and information from the Committee on the Rights of the Child that contain numerous direct and indirect references to DRM and climate change.

1. COMPILATION OF KEY SOURCES OF INTERNATIONAL LAW AND POLICIES

- The General Assembly adopted a resolution on climate change every year since 2008. It adopted resolutions on the International Strategy for Disaster Reduction almost every year since 2002. The resolutions are quite similar from year to year and contain few substantive provisions.

- The Human Rights Council began considering the issue of climate change in 2008. It has taken a very practical approach proposing that OHCHR conduct studies and organize debates and seminars. The Human Rights Council has not adopted any resolutions on disaster reduction.

- Since 2009, there have been a few reports by special procedure mandate holders of the Human Rights Council on climate change and disasters. Reports to the General Assembly by two Special Rapporteurs focused on climate change and housing and climate change and internal displacement and two other Special Rapporteurs produced papers on climate change and food and climate change and water and sanitation. There were also reports by special procedure mandate holders.

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37 Contribution of the Special Rapporteur on the right to food to the meeting convened by the Friedrich-Ebert-Stiftung with the Committee on Economic, Social and Cultural Rights on “Climate change and the Human Right to Adequate Food” http://www2.ohchr.org/ENGLISH/Issues/Food/docs/climate-change-and-hr-adequate-food.pdf
holders on disasters which focused on housing and the protection of children from sale and sexual exploitation.

2. COMPILATION OF INFORMATION FROM THE COMMITTEE ON THE RIGHTS OF THE CHILD

- There are no direct references to DRM and climate change in the Convention or the reporting guidelines. The Convention and the guidelines do however cover issues relating to children and armed conflict and internally displaced children. The OPAC and its guidelines cover the issue of children in armed conflict extensively. The OPSC and its guidelines make no direct or indirect references to DRM and climate change.

- There were no references to climate change in any of the general comments, but environmental factors were mentioned in five general comments (aims of education, early childhood, indigenous children, right to be heard, violence).

- The general comment on violence made a direct reference to disasters and three general comments (unaccompanied and separated children, early childhood, the right to be heard) referred to emergencies.


- There were no references in any of the recommendations from the days of general discussions to climate change.

- The day of general discussion on HIV/AIDS made a direct reference to disasters and three days of general discussion (state violence private sector, right to be heard, education in emergency situations) made reference to emergencies.

- Recommendations from four days of general discussion referred to conflicts (HIV/AIDS, parental care, right to be heard, education in emergency situations).


III. STATE AND NGO REPORTS

1. TRENDS

In order to determine if there were any trends in reporting across the ten countries, twenty-two State party reports (10 periodic, 6 OPAC, 6 OPSC) and forty-eight NGO reports (39 periodic, 5 OPAC, 4 OPSC) were examined. As there was considerable overlap with regards to the issues covered under the State and NGO reports, it was decided to examine the trends together.

1.1. Impact of Disasters\(^{41}\) on Children’s Rights

1.1.1 Natural Hazards\(^{42}\)

Although all States examined for this study have experienced disasters to some degree, there were surprisingly few references to disasters in the State and NGO reports. In fact, the State report from the Philippines, which experienced the most disasters during the time frame under consideration, did not mention disasters due to natural hazards at all. Cambodia, which experienced devastating floods from 2000-2002, made no mention of this in the report that covered the period from 2000-2007. Ecuador and Sierra Leone State reports also made no reference to disasters, albeit these two countries had fewer disasters with fewer persons affected than some of the other countries (see Annex 3).

When disasters were mentioned in State reports, these references were few in number, lacked any substance and were scattered under various clusters. The periodic report from Bangladesh did however devote a short section (three paragraphs) on “Child victims of natural calamities” under the cluster on Family Environment and Alternative Care. The focus of these references was primarily on the wider impact of the disasters, rather than on the particular impact on child rights. This was the case for Bangladesh, El Salvador, Japan and Mozambique where issues such as support to child victims and reconstruction were highlighted. Disasters were also mentioned by El Salvador, Japan and Niger as being risk factors for trafficking and child prostitution. Bolivia mentioned that disasters were “one of the causes of the “cooling” of the economy” rather than reporting any particular impact on the realization of child rights.

\(^{41}\) Disaster – “A serious disruption of the functioning of a community or society involving widespread human, material, economic or environmental losses and impacts, which exceeds the ability of the affected community or society to cope using its own resources.”

\(^{42}\) Natural Hazard – “Natural process or phenomenon that may cause loss of life, injury or other health impacts, property damage, loss of livelihoods and services, social and economic disruption, or environmental damage.”
On the other hand, only two NGO reports - one from Bangladesh and one from the Philippines - provided information on disasters. Interestingly, it was the children's report from Bangladesh that contained information on disasters. The report highlighted the need to protect children during disasters, the need to provide support to child survivors of disasters and the need to ensure that education was provided to children following disasters. The NGO report from the Philippines provided information on the impact of disasters on children and the lack of basic services during disasters.

1.1.2 Human-made Hazards

No State or NGO reports mentioned human-made hazards.

1.1.3 Environmental Degradation

The impact of the environment was mentioned in many of the State reports. The main issue covered was that of the impact of pollution on the health of children, as was the case with Bangladesh, Cambodia and the Philippines. Water contamination was also mentioned in the above three countries along with Mozambique. Some of the State reports highlighted preventative measures, such as was the case with Ecuador and Mozambique, who both discussed environmental education and, Bangladesh and Sierra Leone, who noted the need for environmental protection. The Philippines also mentioned that the devolution of environmental health services to local government units had led to a deterioration of the health care system.

NGO reports focused less on environmental issues. The reports from Bangladesh and the Philippines noted environmental health hazards and the impact of pollution on the health of children. The NGO report from the Philippines also discussed the impact of the mining industry, which could have harmful effects on children. The NGO report from Japan referred to the use of chemical substances and pesticides in food production. The NGO report from Bolivia noted the importance of properly using natural resources.

Once again, it was the children’s report from Bangladesh that was the most poignant in discussing the impact of environmental issues on children, including separation of children due to environmental factors. The children emphasized their desire to live in a pollution-free environment and the need to raise awareness on the effects of pollution.

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43 Human-made disasters - “Events that are caused by humans and occur in or close to human settlements” International Federation of Red Cross and Red Crescent Societies http://www.ifrc.org/en/what-we-do/disaster-management/about-disasters/definition-of-hazard/

44 Environmental Degradation – “The reduction of the capacity of the environment to meet social and ecological objectives and needs.”

45 Sanitation was not covered by this study unless it was linked to environmental degradation.
1.1.4 Conflict

The area of conflict was well covered in the five countries (Bangladesh, El Salvador, Japan, Philippines and Sierra Leone) that reported under the Optional Protocol on the Involvement of Children in Armed Conflict (OPAC). As required by the OPAC, all State OPAC reports covered recruitment into the armed forces, criteria for recruitment, the minimum age of recruitment, voluntary recruitment and recruitment by armed groups. As the Philippines was the only country in this study undergoing armed conflict, it also provided information regarding the involvement of children in armed conflict. Ecuador and the Philippines discussed issues relating to forced recruitment and the Philippines also provided some information with regards to the prohibition and criminalization of the recruitment and use of children in armed conflict. Ecuador also pointed out problems with regards to trafficking of children for purposes of armed conflict. The report of Niger mentioned that it was working on the reintegration of ex-combatants.

NGO OPAC reports from Japan, Sierra Leone, and the Philippines also referred to the recruitment of children and the use of children by armed groups. The NGO report from Cambodia also mentioned the recruitment of children. As with the State OPAC report, the NGO OPAC report from the Philippines also covered issues relating to the prosecution of recruiters. The NGO report also contained information about the compulsory military training of children. The NGO OPAC report from Japan touched on the issue of asylum seeking children who may have been recruited or used in hostilities; an issue not referred to in the State report. The NGO reports from Mozambique, Niger, Sierra Leone and the Philippines provided information on disarmament, demobilization and the reintegration of children who had been recruited or used in armed conflict.

1.2 Children’s Rights and Disaster Risk Reduction (DRR)

None of the State or NGO reports made any mention of the Hyogo Framework for Action or any other United Nations or international and national instruments or documents regarding disaster risk management.

1.2.1 Education

There was no information included in State or NGO reports with regards to the inclusion of DRR knowledge and education in schools and teacher training; school safety, or school governance. There were however some references to peace and human rights education. The State report of the Philippines

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47 The trends were categorized according to the five priorities for DRR as outlined in the Children’s Charter for Disaster Risk Reduction. The aim of this charter is to raise awareness of the need for a child-centered approach to DRR and for stronger commitment from governments, donors and agencies to take appropriate steps to protect children and utilize their energy and knowledge to engage in DRR and climate change adaptation. [http://www.childreninachangingclimate.org/database/CCC/Publications/children_charter.pdf](http://www.childreninachangingclimate.org/database/CCC/Publications/children_charter.pdf)
emphasized the need to adapt education to the needs of children living in conflict areas; teaching of peace education in schools; and the teaching of human rights in conflict areas. The NGO report from Sierra Leone argued that education was a way to avoid future conflicts and the NGO report from Ecuador highlighted the codes for peaceful coexistence.

1.2.2 Child Protection

In terms of child protection, the main issues that were highlighted in the State reports were those that referred to peace processes, as was the case in Mozambique and the Philippines, or truth and reconciliation commissions or courts such as in Sierra Leone. The NGO reports from the Philippines and Sierra Leone raised similar issues. Strengthening the culture of peace and tolerance was pointed out in the State reports of Bangladesh and El Salvador. Training of the military on the OPAC was noted in the reports of Sierra Leone and the Philippines and training the military on the protection of children before, during and after armed conflicts was mentioned in Sierra Leone. Human rights education was also raised in the NGO report of Ecuador and the need for training on the Optional Protocols was mentioned in the NGO report of Sierra Leone. Birth registration as a form of child protection was raised in the State reports of Ecuador, Japan and the Philippines and the NGO reports from Ecuador and Sierra Leone.

1.2.3 Participation of Children in DRR Processes

The right to participation and access to information in terms of DRR was not mentioned in any of the State or NGO reports, but the NGO report from the Philippines did raise issues with regards to the right to participation of children affected by disasters and conflicts. The NGO report from Japan mentioned that the State had a master plan for disaster prevention and reconstruction, but that it did not take into account the perspective of children.

1.2.4 Community Infrastructure and Reconstruction

There were no references to community infrastructure and reconstruction in any of the State or NGO reports. The NGO report from Mozambique noted that the government improved its organization to respond to disasters and prioritized children’s issues in contingency plans. It also maintained that Mozambique was a successful example of post-war reconstruction. The NGO report from Sierra Leone discussed poverty reduction as a means to ensure peace and security.

1.2.5 Targeting Vulnerable Groups in DRR Processes

There was no information in the State or NGO reports about groups of children who may be vulnerable to disasters such as disabled girls and boys; out of school children; ethnic minority children; adolescent girls; and infants.
1.3 Children’s Rights in Disaster Response

1.3.1 Education in Emergencies

Ensuring access to education during or following a disaster was discussed in a number of State and NGO reports. Sierra Leone mentioned the provision of educational support to war affected children. The need to provide refugee and asylum seeking children with better access to education was noted in the State report from Ecuador and the NGO report concurred with this point. The State report from the Philippines raised the issues of access to food and basic services such as education and health care in conflict areas. The NGO report from the Philippines noted the disruption of education for displaced children. The NGO report from Japan argued that the State should be providing more aid for education in conflict-affected countries. None of the reports mentioned DRR education being integrated into education in emergencies services.

1.3.2 Targeting Vulnerable Groups in Disaster Response

Various vulnerable groups that were being targeted in disaster response were mentioned frequently in the reports. These groups varied depending on the context of the particular country. The State report from Sierra Leone discussed the vulnerability of war affected children and that of the Philippines, children in conflict areas. Niger mentioned that displaced children required the provision of social services. The Philippines noted the outright discrimination against children living in conflict areas. El Salvador mentioned children with disabilities as a result of the armed conflict as a vulnerable group and Sierra Leone highlighted children living in the street. The NGO report from Ecuador mentioned asylum-seeking children from Colombia as a vulnerable group and the NGO report from the Philippines noted internally displaced children as being vulnerable. The NGO report from the Philippines also raised the issue of exploitation by the media of children who had been affected by disasters and conflicts. There were no mentions of ethnic minorities, girls or infants being made vulnerable by disasters.

1.3.3 Child Protection in Emergencies

Psychosocial Distress

A number of State and NGO reports highlighted the provision of psychosocial support as part of emergency response. Ecuador noted that it was providing psychosocial support to refugee and asylum seeking children, children who had been recruited or used in armed conflict, and demobilized combatants. In Sierra Leone and the Philippines psychosocial support was being given to children who had been involved or affected by armed conflict. Both the State and NGO

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48 Response – “The provision of emergency services and public assistance during or immediately after a disaster in order to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the people affected.”
reports from Sierra Leone also mentioned the increase in drug and alcohol consumption following the armed conflict.

**Separation of Children from Parents and Primary Caregivers**

States that had recently experienced armed conflict provided information in their reports on the separation of children from parents and primary caregivers. Efforts that had been made with regards to family reunification were highlighted in the reports of Cambodia and Mozambique and lengthy information with regards to missing children as provided in the El Salvador report. Sierra Leone and the Philippines also discussed the resettlement and reintegration of displaced and returnee children while Ecuador wrote about the resettlement of refugee children in third countries. The report of Sierra Leone highlighted support to separated war affected children and orphans. On the other hand, only the NGO report from Mozambique discussed family reunification issues.

**Sexual and Gender-Based Violence**

Sexual and gender-based violence of refugee and asylum-seeking children was raised in the Ecuador State report and the Sierra Leone State report referred to the provision of physical and psychosocial treatment for girls who had been sexually assaulted during and after the civil war. The NGO report from Sierra Leone noted that the armed conflict was one of the causes of widespread sexual exploitation. The NGO report from Cambodia suggested that increased domestic violence was a consequence of the civil war. There were no references to the impact of disasters or conflicts on early and forced marriages.

**Physical Harm and Danger**

Although there were only a limited number of references to physical harm and danger, both the State and NGO reports from Cambodia highlighted land mines as an issue of concern. The State report from Sierra Leone mentioned the issue of torture and other cruel, in human or degrading treatment of children during the armed conflict. Following the conflict, both the Truth and Reconciliation Commission and the Special Court for Sierra Leone examined these issues. Torture of children by the military was referred to in the NGO report from the Philippines.

Both the State and NGO reports from the Philippines discussed the vulnerability of children affected by armed conflict and displacement to prostitution and trafficking and the NGO report also pointed out that children affected by disasters were also at risk. The State and NGO reports from Sierra Leone mentioned the need to protect children from trafficking following the armed conflict.

**Child Labor**

The only references that were made to child labor were in the State report of the Philippines, which referred to using child soldiers as a worst form of child
labor, and that of Sierra Leone, which listed involvement in armed conflict as a prohibited form of child labor. There were no references in the NGO reports.

2. CONCLUSIONS

The trends amongst the ten countries allow the following conclusions to be made with regards to which DRM and climate change issues are being covered in the State and NGO reports and which issues are missing.

2.1 Issues Covered

- There was no clear pattern with regards to thematic issues that were covered in State vs. NGO reports.
- Pollution and its impact on children was an area that was covered in a number of reports. Preventative issues such as environmental education or environmental protection were also included.
- For States that reported under the OPAC, recruitment (compulsory, voluntary, forced, by armed groups) was well covered.
- In terms of DRR as prioritized in the Children’s Charter for Disaster Risk Reduction priority focus areas, information was included in some reports on:
  - Peace and human rights education and training
  - Birth registration
  - Inclusion of rights to safety and protection from harm during emergency settings in child rights policies
- The reports included a wealth of information on psychosocial support, particularly within the context of disarmament, demobilization and the reintegration of children who had been recruited or used in armed conflict.
- Providing support to vulnerable groups following armed conflict was covered in many State or NGO reports.
- Separation of children from parents and primary caregivers following armed conflict was well covered in the reports.
- Information on sexual and gender-based violence during or as a consequence of armed conflict was provided in a number of reports.
- Although there were few direct references made to child labor, some of the worst forms of child labor, such as child soldiers and child prostitution were well covered in the reports.
2.2 Missing Issues

- There was no clear pattern with regards to thematic issues that were not covered in State vs. NGO reports.

- The State and NGO reports under the OPSC contain few, if any, references to DRM and climate change issues.

- There were no references to international and national law or policies relevant to climate change and disaster risk management.

- There were no references to climate change or human-made hazards in any of the reports.

- There is little mention of natural hazards even in countries that were regularly subjected to them. When included, the information provided focused on the wider impact of the natural hazard on the country (such as damages and losses incurred) and no specific reference to the impact on children. There was also little mention of disaster mitigation or disaster prevention and once again, no references to the impact on children.

- Although some of the reports did provide information on improvements in disaster preparedness, no reference was made to how these advances were meeting the needs of girls and boys of different age groups.

- In terms of DRR, there was little or no information on the Children’s Charter for Disaster Risk Reduction priority focus areas. Information that could have relevance, depending on the context:
  - School safety and governance – there was no mention of the role of the Ministry of Education and of schools in DRM
  - Child protection systems in high-risk areas – there was no explicit mention of the role of the government ministries responsible for child protection in DRM, or of efforts to strengthen child protection systems in relation to disasters.
  - Life-saving knowledge and skills – there was no mention of risk assessment addressing the individual risks facing girls and boys of different age groups
  - Establishment of child-friendly spaces in high-risk areas
  - Helplines and other child protection interventions during emergencies
  - Child participation and access to information
  - Community infrastructure
  - Targeting vulnerable groups in DRR processes

- Separation of children from parents and primary caregivers following a disaster caused by a natural hazard was not covered in the reports.
• There were no references to DRR being integrated into education in emergencies services.

• Sexual and gender-based violence as during or as a consequence of disasters received little attention in the reports. There was no reference to the risk of early and forced marriages in relation to disasters.

• There were no references to physical harm and danger during or following disasters and only a few references were made for during or following an armed conflict.
IV. CONCLUDING OBSERVATIONS

1. TRENDS

In order to determine if there were any trends in issues of concern and recommendations made by the Committee across the ten countries, twenty-one concluding observations (10 periodic, 6 OPAC and 5 OPSC) were examined.

1.1. Impact of Disasters on Children’s Rights

1.1.1 Natural Hazards

Disasters were listed as a factor and difficulty impeding the implementation of the CRC in the case of Bangladesh, El Salvador and Mozambique. The concluding observations did not however contain any specific recommendations with regards to disasters in these countries. On the other hand, disasters were not mentioned as a factor and difficulty for Bolivia, but the Committee recommended that the State take into account the recommendations from the day of general discussion on the right of the child to education in emergency situations due to the numerous disasters and emergencies facing the country. The concluding observations for the nine other countries made no reference to this day of general discussion.

In all countries (with the exception of Japan and Sierra Leone), the concluding observations contained a similar recommendation that budget lines for disadvantaged or vulnerable children should be protected even in times of disasters or other emergencies. This was a standard recommendation that was not modified to fit the particular country situation and appeared even though there may have been no other mention of disasters or other emergencies in the concluding observations.

The concluding observations from Bolivia was the only one that included a number of references to emergencies, including the development of a comprehensive policy on prevention and effective responses to emergencies and a disaggregated data collection system that includes information on children in emergency situations. The only other reference to disasters or emergencies was in the concluding observations of the Philippines, where the Committee recommended that an action plan or strategy on assistance and protection of children affected by disasters be developed and implemented.

1.1.2 Human-made Hazards

There was only one reference to human-made hazards in the concluding observations. The Committee recommended that Official Development

Assistance (ODA) in Japan be increased for programs that benefit children; one of the current priorities being climate change.

1.1.3 Environmental Degradation

A number of concluding observations, (Bolivia, Ecuador, Japan, Mozambique, Philippines), included a similar recommendation that the business sector should operate in a socially and environmentally responsible way to safeguard children and their communities. Although the wording is slightly different, the recommendation was not modified to take into account the particular country situation and appeared even though there may have been no specific references to environmental issues in the concluding observations.

In terms of environmental and social impact, there were two references to international instruments. In the concluding observations of Cambodia, there was a reference to ensuring that standards on corporate social and environmental responsibility were in line with the United Nations Business and Human Rights Framework. There was also a reference to the recommendations of the Committee on the Elimination of Racial Discrimination on Ecuador with regards to ensuring that oil companies conduct environmental and social impact assessments. There was also a reference to the general comment on Indigenous children and their rights under the CRC with regards to the pollution of lands used by indigenous communities.

In terms of national initiatives, the Committee made a recommendation with regards to social responsibility and environmental protection towards children in the regulatory framework of the Mining Act of the Philippines and recommended that environmental health education programs be introduced in schools in the Philippines.

1.1.4 Conflict

The issue of armed conflict was well covered in the concluding observations, particularly in the five concluding observations (Bangladesh, El Salvador, Japan, Philippines and Sierra Leone) that related to the Optional Protocol on the Involvement of Children in Armed Conflict. As would be expected, the concluding observations made recommendations with regards to areas covered by OPAC such as recruitment into the armed forces, criteria for recruitment, the minimum age of recruitment, voluntary recruitment and recruitment by armed groups. Although Ecuador did not report under the OPAC, the concluding observations from the periodic report made a number of recommendations with regards to the recruitment, including voluntary recruitment, of children.

51 CERD: http://www2.ohchr.org/english/bodies/cerd/docs/co/CERD.C.ECU.CO.19.pdf
52 General Comment No. 11 Indigenous Children and their Rights under the Convention, 2009 http://www2.ohchr.org/english/bodies/crc/docs/CRC.GC.C.11.doc
Minimum age for recruitment was also covered in the concluding observations for Niger. The concluding observations of Bangladesh, Niger and the Philippines also contained recommendations with regards to ensuring that military schools or training programs respect the provisions of the OPAC.

The concluding observations also made a number of recommendations with regards to prohibiting and criminalizing the recruitment and use of children in hostilities including taking legislative measures to ensure that those who recruit children could be prosecuted. Establishing or enforcing extraterritorial jurisdiction for OPAC crimes was mentioned for Sierra Leone, El Salvador and the Philippines. Ensuring that military codes, manuals and other military directives were in accordance with the OPAC was recommended for Ecuador and Philippines and the concluding observations for Bangladesh and Sierra Leone included a recommendation to train all persons working with children, including military personnel, on the OPAC.

The allocation of resources for identifying children recruited by non-State forces (Ecuador) and for paying reparations to former child combatants (Sierra Leone) was also included in the concluding observations. In terms of technical assistance, the Committee recommended that Bangladesh seek assistance from United Nations Children’s Fund (UNICEF)\(^{53}\) and the International Committee of the Red Cross (ICRC)\(^{54}\) to ensure that no underage child is recruited and that Ecuador seek bilateral and multilateral cooperation to prevent and eradicate foreign non-State actor activities in its territory. The concluding observations also pointed out the need for data collection on various issues in Bangladesh, Ecuador, Japan, the Philippines and Sierra Leone. The most common data request was to collect and analyze data on the recruitment and use of children in armed conflict.

### 1.2 Children’s Rights and Disaster Risk Reduction

None of the concluding observations made any mention of the Hyogo Framework for Action or any other United Nations, international or national instruments or documents regarding disaster risk management or climate change adaption.

#### 1.2.1 Education

The concluding observations contained no recommendations with regards to the inclusion of DRR knowledge and education in schools and teacher training; school safety, or school governance. Access to education for children irrespective of their legal status (Ecuador); who were recruited by armed groups (Philippines); and who were living in conflict areas (Philippines) was however mentioned in the concluding observations. The teaching of human rights and peace education in school was included in the concluding observations of

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\(^{54}\) ICRC: [http://www.icrc.org/eng/index.jsp](http://www.icrc.org/eng/index.jsp)
Ecuador, Japan, the Philippines, and Sierra Leone and the dissemination of the OPAC in schools was mentioned for Sierra Leone.

### 1.2.2 Child Protection

There was no information in the concluding observations with regards to child protection before, during or after a disaster. Child protection issues did appear with regards to armed conflict. The link between recruitment into the armed forces and birth registration was an area that was well covered in the concluding observations. Various recommendations on this issue were made for Bangladesh, Ecuador, El Salvador, the Philippines, and Sierra Leone; particularly the need to establish and implement safeguards to verify the age of recruits and volunteers. Other birth registration recommendations included registering asylum-seeking children, ensuring that birth registration was free and compulsory, using mobile birth registration units, and conducting awareness raising campaigns to promote birth registration.

Other child protection issues that were covered in the concluding observations included the inclusion of the OPAC in peace negotiations and agreements (Philippines and El Salvador) and in strengthening regional cooperation in peace building (Sierra Leone). The ratification of the Rome Statute of the International Criminal Court appears twice (El Salvador and the Philippines) and the Philippines was also invited to ratify the Protocol I of the Geneva Conventions. There were also a number of recommendations with regards to child victims and/or witnesses of crimes, including during armed conflict, and El Salvador and the Philippines were asked to take into account the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime. The need to ensure the privacy of children in recovery and reintegration programs was mentioned for the Philippines.

There were no references to the particular needs of children of different age groups, sexes, children with disabilities or other vulnerable groups.

### 1.2.3 Participation of Children in DRR Processes

There was no mention of the right to participation and access to information in terms of DRR (via formal and informal learning mechanisms) in any of the concluding observations. There were no references made to the importance of children’s participation in disaster preparedness, risk management, DRR awareness raising and decision-making.

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1.2.4 Community Infrastructure

There were only two mentions of community infrastructure, both in the context of armed conflict. Ecuador was requested to provide access to quality services and a safe and protected environment to communities affected by the conflict and Niger was requested to ensure the rights to shelter, food and education for children affected by the armed conflict.

1.2.5 Targeting Vulnerable Groups in DRR Processes

Reference was made to a number of vulnerable groups, only one of which did not refer to armed conflict. In the case of Bolivia, the concluding observations make a reference to the recommendations of the Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people's mission to Bolivia58 that discussed the negative impact of mining activities and hydrocarbon production on the health and environment of indigenous communities. Indigenous children were also referred to as a vulnerable group in terms of recruitment into the armed forces in the Philippines. Unaccompanied, separated, asylum seeking, refugee and displaced children were considered to be vulnerable groups for Ecuador, the Philippines and Sierra Leone and children living in conflict areas were mentioned as a vulnerable group in the Philippines. There were no references to the particular needs and vulnerabilities of children of different age groups, sexes, or children with disabilities.

1.3. Children’s Rights in Disaster Response

1.3.1 Education in Emergencies

The concluding observations included no references to education in emergencies.

1.3.2 Targeting Vulnerable Groups in Disaster Response

The concluding observations included no references to targeting vulnerable groups in disaster response.

1.3.3 Child Protection in Emergencies

Psychosocial Distress

A number of concluding observations (Ecuador, El Salvador, Japan, Philippines, and Sierra Leone) referred to the need to take measures for the physical and psychological recovery and social reintegration of children who were recruited or used in hostilities. Sierra Leone received the most recommendations on this issue, including addressing the needs of girls who were victims of sexual violence during the armed conflict and establishing a comprehensive adolescent health policy to address the mental health concerns of adolescents affected by the conflict. The concluding observations suggested that Sierra Leone seek technical assistance from UN agencies and programs, strengthen bilateral and multilateral cooperation in the area of rehabilitation and social reintegration and take into account the General Comment on Adolescent Health. Disarmament, demobilization, rehabilitation and reintegration programs in El Salvador, the Philippines and Sierra Leone were also mentioned in the concluding observations. These States were asked to develop or strengthen measures for victims of armed conflict, provide additional resources for these programs and monitor the implementation of these programs. There was also a mention in the concluding observations of Mozambique and the Philippines with regards to the victimization of former child soldiers including a reference to the United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law in the case of Mozambique.

**Separation of Children from parents and primary caregivers**

The only references that appeared in the concluding observations on separation of children from parents and primary caregivers were related to El Salvador and Sierra Leone. For El Salvador, the recommendations focused on tracing and, if possible, reunifying children who disappeared during the conflict with their families and providing financial and human resources for the Commissions mandated to carry out this work. El Salvador was also asked to ratify the UN International Convention for the Protection of all Persons from Enforced Disappearances and the Inter-American Convention on the Forced Disappearances of Persons. Sierra Leone was asked to take into account the recommendations of the Day of General Discussion on Children without Parental Care and to provide care and support to families taking care of orphans and other children without parental care.

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59 General Comment No. 4 Adolescent Health, 2003
http://www2.ohchr.org/english/bodies/crc/docs/GC4_en.doc

60 United Nations Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law
http://daccess-dds ny.un.org/doc/UNDOC/GEN/N05/496/42/PDF/N0549642.pdf?OpenElement

61 United Nations International Convention for the Protection of all Persons from Enforced Disappearances

62 Inter-American Convention on the Forced Disappearances of Persons
http://www.oas.org/juridico/english/treaties/a-60.html

63 Recommendations from the Day of General Discussion on Children without Parental Care, 2005
Sexual and Gender-based Violence

This issue received little attention in the concluding observations. Mozambique was asked to provide gender specific rehabilitation to former girl soldiers and girls who performed slave labor or sexual slavery in the armed forces and Sierra Leone was requested to protect children in refugee camps from rape and indecent assault and to prosecute perpetrators.

Physical Harm and Danger

The concluding observations from Cambodia, Mozambique and the Philippines recommended that mine-clearance and mine-awareness programs be either developed or strengthened. The Philippines also received a recommendation to prevent and investigate alleged cases of extrajudicial killings in the context of the armed conflict. There were no references to child trafficking in relation to disasters and conflicts.

Child Labor

There were no references in the concluding observations related to child labor in terms of DRM and climate change.

2. CONCLUSIONS

The trends amongst the ten countries allow the following conclusions to be made with regards to which DRM and climate change issues were covered in the concluding observations and which issues were missing.

2.1 Issues Covered

- Disasters were acknowledged as a factor and difficulty impeding the implementation of the Convention in three countries; Bangladesh, El Salvador and Mozambique

- There were a few references to various general comments in the context of DRM and climate change, but this was not done frequently or systematically. The general comment on the Treatment of Unaccompanied and Separated Children outside their Country of Origin was mentioned twice (Ecuador, Sierra Leone) and the general comment on Adolescent Health (Sierra Leone) and the general comment on

http://www2.ohchr.org/english/bodies/crc/docs/discussion/recommendations2005.doc

64 General Comment No. 6 Treatment of Unaccompanied and Separated Children outside their Country of Origin, 2005

http://www2.ohchr.org/english/bodies/crc/docs/GC6_en.doc

65 General Comment No. 4 Adolescent Health, 2003
Indigenous Children and their Rights (Bolivia) were mentioned once each.

- There were also sporadic references to other international instruments such as the Rome Statute of the International Criminal Court, Protocol I of the Geneva Conventions, the International Convention for the Protection of All Persons from Enforced Disappearances, the Inter-American Convention on the Forced Disappearances of Persons, the United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime and the United Nations Business and Human Rights Framework.

- The protection of budget lines for disadvantaged or vulnerable children in times of disasters was mentioned in most of the concluding observations.

- Half the concluding observations included a recommendation that the business sector should operate in a socially and environmentally responsible way to safeguard children and their communities. There were no references made however to the day of general discussion on the private sector as service provider and its role in implementing children's rights. It is important to note that the Committee is currently drafting a general comment on Child Rights and the Business Sector.

- For States that reported under the OPAC, recruitment (compulsory, voluntary, forced, by armed groups) was well covered. Some aspect of recruitment was also mentioned in the other concluding observations.

- Other issues related to conflict that were covered in the concluding observations were:
  - Military schools or training programs

http://www2.ohchr.org/english/bodies/crc/docs/GC4_en.doc
66 General Comment No. 11 Indigenous Children and their Rights under the Convention, 2009
http://www2.ohchr.org/english/bodies/crc/docs/CRC.GC.C.11.doc
68 Protocol Additional to the Geneva Conventions (Protocol I)
69 United Nations International Convention for the Protection of all persons from enforced disappearances
70 Inter-American Convention on the Forced Disappearances of Persons
http://www.oas.org/juridico/english/treaties/a-60.html
71 United Nations Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime
72 United Nations Business and Human Rights Framework
73 An annotated outline of the General Comment can be found at: http://www2.ohchr.org/english/bodies/crc/docs/AnnotatedOutlineBroaderConsultations.doc
- Prohibition and criminalization of the recruitment and use of children in armed conflict
- Establishing or enforcing extra-territorial jurisdiction
- Training on OPAC of all persons working with children
- Data collection on the recruitment and use of children in armed conflict

- In terms of DRR as prioritized in the Children’s Charter for Disaster Risk Reduction priority focus areas, recommendations were included in the concluding observations on:
  - Peace and human rights education and training
  - Birth registration
  - Psychosocial support
  - Vulnerable groups (unaccompanied, separated, displaced and asylum seeking children)

- For countries that had recently experienced an armed conflict, the issues of physical harm and danger as it related to mine-clearance and mine-awareness programs was covered.

- Seeking technical assistance from UN agencies was raised on a few occasions, mostly in the area of psychosocial distress.

2.2 Missing Issues

- There were no references to international and national law or policies relevant to climate change and disaster risk management.

- There was only one reference (Bolivia) to the recommendations from the day of general discussion on the right of the child to education in emergency situations. The only other reference to a general comment in the context of DRM and climate change (Sierra Leone) was a reference to the recommendations from the day of general discussion on children without parental care regarding the reunification of separated children with their families. There were no other references to any of the other days of general discussion.

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• There was only one reference to a special procedure of the Human Rights Council (Bolivia) and this was in the context of recommendations made by a Special Rapporteur following a mission to a specific country.

• Disasters were not always acknowledged as a factor and difficulty impeding the implementation of the Convention in countries that experienced a high number of disasters.

• There was only one reference to climate change (Japan) which welcomed increased spending on measures against climate change in developing countries.

• Environmental degradation was rarely mentioned in the concluding observations.

• Child protection issues before, during or after a disaster were not covered in any of the concluding observations.

• In terms of DRR, there were few, if any, recommendations on the Children’s Charter for Disaster Risk Reduction priority focus areas of:
  - School safety
  - School governance
  - Child protection systems in high-risk areas
  - Lifesaving knowledge and skills
  - Establishment of child-friendly spaces in high-risk areas
  - Helplines and other child protection interventions during emergencies
  - Inclusion of rights to safety and protection from harm during emergency settings in child rights policies
  - Child participation and access to DRM information
  - Resilient community infrastructure
  - Vulnerable groups as defined by the priority focus points

• Psychosocial distress of children before, during or after a disaster was not covered in any of the concluding observations.

• Separation of children from parents and primary caregivers during or following a disaster was not covered in the concluding observations and there were only a few references made for during or following an armed conflict.
• Sexual and gender-based violence during or as a consequence of disasters was not covered in the concluding observations and only a few references were made for during or following an armed conflict.

• There were no references to physical harm and danger during or following disasters, including no reference to repercussions on child trafficking and on early and forced marriages.

• There were no references in the concluding observations related to child labor in relation to DRM and climate change.
V. CORRELATION BETWEEN THE STATE AND NGO REPORTS AND THE CONCLUDING OBSERVATIONS

1. TRENDS

The information contained in the State and NGO reports on DRM and climate change was compared with the Committee’s concluding observations for the selected 10 countries in order to determine if there was any correlation. An analysis was conducted to determine if there were any trends with regards to the use of the information submitted to the Committee by the State and NGOs within the concluding observations produced by the Committee during the reporting period.

1.1 Impact of Disasters on Children’s Rights

1.1.1 Natural Hazards

The concluding observations were inconsistent with regards to its use of information submitted in the State and NGO reports on natural hazards. Bangladesh, El Salvador, and Mozambique all mentioned that they were prone to disasters and this was noted as a factor and difficulty impeding the implementation of the CRC in the concluding observations. On the other hand, Bolivia, Cambodia and Niger also mentioned that they suffered from disasters, but this was not mentioned as a factor and difficulty in the concluding observations from these countries.

The amount of information provided in the State and NGO reports appeared to have no real impact as to whether the concluding observations referred to disasters. The Bangladesh State and NGO reports provided substantive information with regards to disaster risk management and response, but the concluding observations simply noted that disasters were a factor and difficulty impeding the implementation of the Convention and did not refer to children affected by natural hazards in any of its recommendations. This was also the case for Mozambique. On the other hand, the Bolivia State report noted in passing that the country was prone to disasters, but made no additional references to this issue and the NGO report made no references to disasters. The concluding observations however contained the largest number of substantive recommendations on emergencies, including a reference to the day of general discussion on the right of the child to education in emergency situations.

Although every concluding observation recommended that budgets should be protected during times of disasters, this issue was not referred to in any of the
State or NGO reports. This recommendation began appearing in the concluding observations in 2009, following the day of general discussion on the right of the child to education in emergency situations, which was held in September 2008.\(^\text{76}\) The recommendation appears in the concluding observations under the cluster on general measures of implementation with a sub-heading of allocation of resources. The concluding observations from Ecuador actually refer in this regard to the recommendations from the day of general discussion on resources for the rights of the child – responsibility of States that was held in 2007.\(^\text{77}\) However, the recommendations from these days of general discussion did not refer to protecting budget lines in times of disasters or other emergencies. It is therefore still unclear how this standard recommendation was developed.

1.1.2 Human-made hazards

State and NGO reports and the concluding observations did not refer to human-made hazards.

1.1.3 Environmental Degradation

The State and NGO reports from the Philippines included a separate section under basic health and welfare on environmental health. This appeared to have had an impact, as this was the only country where the concluding observations had a separate sub-heading on environmental health. On the other hand, although there was no shortage of information submitted by the State and NGO reports with regards to pollution and environmental damage in Bangladesh, this issue was not reflected in the concluding observations. Bolivia also made a number of references in its responses to the list of issues on the importance of the natural environment and the NGO report made similar comments about the centrality of the environment, but these issues were not picked up in the concluding observations.

The NGO report from the Philippines highlighted a number of issues with regards to mining that were referenced in the concluding observations. The NGOs noted that strategies to attract foreign investment allowed mining companies to abuse the environment and this point was reiterated in the concluding observations. The NGO report also pointed out that, children, particularly indigenous children, were being displaced from mining areas and, that highly polluting technology were being used by mining companies, which

\(^{76}\) Recommendations from the day of general discussion on the right of the child to education in emergency situations, 2008
http://www2.ohchr.org/english/bodies/crc/docs/discussion/RecommendationsDGD2008.doc

\(^{77}\) Recommendations from the day of general discussion on resources for the rights of the child – responsibility of States, 2007
http://www2.ohchr.org/english/bodies/crc/docs/discussion/recommendations2007.doc
affected the health of children. The Committee referred directly to this information as “reports from non-governmental and international sources”. The NGO report also highlighted the large number of health concerns of children living near mining sites and the NGO written, submission following the pre-session, provided additional details about the Philippine Mining Act. The concluding observations expressed its concern that the State had not addressed the social and environmental impact of the Mining Act.

The standard recommendation with regards to the environmental responsibility of businesses did not appear related to any particular information submitted by States or NGOs. The Committee is currently drafting a general comment on Child Rights and the Business Sector.78

1.1.4 Conflict

Recruitment was an area where there was a considerable amount of correlation between issues raised by States and NGO reports and the concluding observations. Bangladesh, Ecuador and El Salvador pointed out gaps in legislation regarding recruitment and the concluding observations recommended that legislation either be adopted or revised to deal with these issues. However, neither the State nor NGO reports for Niger mentioned the age of recruitment into the armed forces or enrollment of military schools, but the concluding observations made recommendations with regards to both of these issues.

Gaps in legislation and implementation in the criminalization of the use of children in hostilities by armed groups were noted in the NGO reports from the Philippines and Sierra Leone and these issues were referred to in the concluding observations. In Ecuador, it was the State report that noted that the use of children in armed conflicts was not a criminal offense and the concluding observations recommended that legislative penal measures be put in place to rectify this.

Data and information was another area where there was some correlation between the written information submitted by State and NGO reports and the concluding observations. The lack of information on children who entered Ecuador to escape from forced recruitment or who were involved in armed conflict was noted in both the State periodic and OPAC reports and the concluding observations regretted this lack of data and recommended that a data collection system be established.

In terms of involvement of children in armed conflict, there was a strong correlation between the information submitted by the State and NGO reports and the concluding observations. The State noted that there continued to be reports of children being involved in armed conflict despite initiatives against

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78 An annotated outline of the General Comment can be found at: http://www2.ohchr.org/english/bodies/crc/docs/AnnotatedOutlineBroaderConsultations.doc
this practice and the NGO OPAC report outlined some of the reasons why children joined armed groups. The concluding observations noted that children continue to join armed groups due to poverty, indoctrination, manipulation, neglect or absence of opportunities and recommended that the State take measures to eliminate the root causes and prevent the recruitment and use of children by armed groups. On the other hand, although no allegations were made in either the State or NGO reports, there was no correlation with the concluding observations for Ecuador, which requested that the State undertake research and investigate allegations of forced recruitment of children by armed groups.

The Philippines State report noted that students are required to do at least one year of Citizen’s Army Training to enhance civic consciousness and defense preparedness and the NGO OPAC report recommended that this training be abolished. The Committee made note of this requirement and recommended that the program be amended and its military content abolished.

1.2 Children’s Rights and Disaster Risk Reduction

1.2.1 Capacity Building and Education

On a number of occasions, the concluding observations contain references to including peace education in schools. The need to implement peace and human rights education was mentioned in the Philippines NGO OPAC report and appeared as a recommendation in the concluding observations. In its list of issues for the OPAC, the Committee requested that Ecuador and El Salvador provide information on the inclusion of human rights and peace education in schools. Neither State provided a response to this question.79 The Committee recommended that peace education be taught to all children in school in Ecuador, but did not refer to this issue in its concluding observations on El Salvador.

In its OPAC report, Sierra Leone noted that the public and armed forces had been provided with information on the prevention of the recruitment of children into the armed conflict and that training manuals and the curriculum of both the army and the police included information on child protection. The NGO OPAC reports noted that the OPAC was not available in local languages or in a child friendly version. The concluding observations welcomed these inputs, recommending that training continue and be made available to other groups working with children, and that the OPAC be published in all national languages and in a form easily accessible to children.

79 When a State does not provide a response to a question in the list of issues, the Committee may refer to the question orally during its discussion with the State. For this study, the oral discussion was not examined.
1.2.2 Child Protection

Issues with regards to birth registration were noted in a number of State and NGO reports and were included in the concluding observations. Weak birth registration systems were mentioned as issues of concern in the OPAC NGO reports from Ecuador and Sierra Leone and the concluding observations recommended that Ecuador put in place safeguards to ensure that children without birth certificates were not being recruited and provided Sierra Leone with a series of measures to improve birth registration. The OPAC State reports from El Salvador and the Philippines also mentioned issues related to birth certificates and received similar recommendations to improve their birth registration systems.

The concluding observations also picked up on specific issues raised in State and NGO reports with regards to promoting peace. Detailed information on peace agreements and negotiations between the State and armed groups was provided in the State and NGO OPAC reports from the Philippines. The NGO Report recommended that programs in relation to peace agreements have a special focus on children who have been affected or involved in armed conflict and the Committee recommended that during peace negotiations with armed groups, special attention be paid to children who have been recruited or used in hostilities. The NGO reports also mentioned the need to promote peace and development in Mindanao and the Committee expressed concern about the impact of armed conflict on children not involved in hostilities, such as those living in Mindanao. The Sierra Leone NGO OPAC report recommended that the State establish a mechanism with other countries in the Mano River Union to monitor and address risk factors involving children in armed conflict and the concluding observations recommended that the State strengthen its cooperation with other countries in the Union in order to monitor regional threats to security.

The NGO report from the Philippines pointed out that the identity of children in armed conflict in the media was not being protected and the concluding observations expressed concern that children had been exploited for propaganda purposes in breach of their right to privacy.

1.2.3 Participation of Children in DRR Processes

There was no information submitted in State or NGO reports on child participation in disaster preparedness, prevention and mitigation that was reflected in the concluding observations and the concluding observations did not contain any recommendations on these aspects.
1.2.4 Community Infrastructure

The concluding observations did not refer to any information included in State or NGO reports on safeguarding community infrastructure from disasters, in particular schools, hospitals, roads, bridges and dams.

1.2.5 Targeting Vulnerable Groups in DRR Processes

There was little correlation between information in State and NGO reports and the concluding observations on targeting vulnerable groups in DRR Processes. The only example was that of the State and NGO OPAC reports from the Philippines, which pointed out that the Indigenous People’s Rights Act prohibited the recruitment and involvement of children from indigenous communities into armed forces. The concluding observations recommended that the provisions of this Act be enforced. There were no references to the differentiated impact of disasters on girls and boys of different age groups, children with disabilities, affected by HIV/AIDS, street and working children or amongst other marginalized groups.

1.3 Children’s Rights in Disaster Response

1.3.1 Education in Emergencies

There were only a few references to education in State and NGO reports that had a correlation to the concluding observations. Although providing support to children who have been affected by conflicts and/or disasters was one of the priority areas for ODA in Japan and education was one of its priority areas in terms of ODA, the NGO report noted that ODA had decreased and that aid for basic education was not integrated into humanitarian responses. The concluding observations requested that ODA be increased and recommended that the State take into consideration the concluding observations of the Committee for the recipient country when targeting aid.

The State and NGO reports from Ecuador pointed out that only a small number of Colombian children had access to education and the concluding observations recommended that the State do more to provide refugee and asylum seeking children with access to school.80

1.3.2 Targeting Vulnerable Groups in Response

Information on vulnerable groups, such as displaced, refugee and asylum-seeking children and children living in conflict areas, were brought to the attention of the Committee by both the State and NGO reports and were

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80 No reference was made to the day of general discussion on Education in Emergency Situations (2008) although the concluding observations were adopted in 2010.
subsequently referred to in the concluding observations. The State and NGO reports from Niger referred to the need to provide social services for displaced children and the concluding observations recommended that measures be taken to protect the rights of displaced persons. The State and NGO reports from the Philippines provided information on the experiences of children who were displaced by armed conflict and the concluding observations expressed “deep concern” about the continuing and increasing displacement of children and their limited access to basic services.

Sierra Leone State and NGO reports highlighted the issue of the resettlement of refugees and the concluding observations recommended that steps be taken to complete the resettlement of refugees without delay. On the other hand, no mention was made in the State or NGO reports with regards to access to water, food and health care for refugee and asylum-seeking children, but the Committee mentioned these as areas needing attention. The Philippines State and NGO reports noted that children living in conflict areas had poor access to basic social services and that ongoing programs in these areas were having little impact in addressing the problem. The Committee reiterated this concern and recommended that a comprehensive strategy be adopted and implemented to address discrimination against vulnerable groups such as children in conflict areas.

There was no correlation between information submitted by States and NGOs and the recommendations in the concluding observations on children with disabilities, on the particular needs of girls, children affected by HIV/AIDS, street and working children and other vulnerable groups.

1.3.3 Child Protection in Emergencies

Psychosocial Distress

Physical and psychological recovery and social reintegration of children was raised in the concluding observations, in the OPAC list of issues for Ecuador, the NGO OPAC report of Japan and the State OPAC report of Sierra Leone. For Ecuador and Japan, the Committee recommended that psychosocial services be provided to refugee and asylum-seeking children who may have been recruited or used in hostilities and for Sierra Leone, the concluding observations expressed its concern that inadequate attention had been paid to the psychosocial needs of former child combatants. On the other hand, the Cambodian NGO report referred to the issue of psychosocial rehabilitation of former child soldiers or children affected by armed conflict, but these issues were not picked up in the concluding observations.

Disarmament, demobilization, and reintegration (DDR) programs were also mentioned in a number of State and NGO reports and then raised in the concluding observations. The Philippine NGO OPAC report argued that children who had been demobilized should be treated as victims of human rights violations rather than perpetrators of crimes and the Committee recommended
that legislation be amended to ensure that these children were not criminalized. The Sierra Leone NGO OPAC report pointed out that DDR programs failed to address the needs of girl soldiers and recommended that the State expand the definition of children recruited in armed conflict to include children who were used in non-combatant activities. The Committee was concerned that the needs of girls had not been met because they were not being considered directly involved in hostilities and recommended that assistance be provided to those children who were not included in the DDR process.

Separation of Children from parents and primary caregivers

The El Salvador OPAC report provided detailed information on the work done with regards to missing children and a lengthy update was given in the periodic report. The Committee requested additional information in the list of issues and referred to this issue in some detail in the OPAC and periodic concluding observations. The Sierra Leone report described efforts being made to reunify separated children with their families and the concluding observations recommended that the State continue in its efforts.

On the other hand, the Cambodian State report referred to family tracing following the conflict and both the State and NGO reports from Mozambique mentioned family reunification following both the war and disasters as being a concern, but these issues were not included in the concluding observations.

Sexual and Gender-based Violence

The Sierra Leone State and NGO reports highlighted the issue of sexual violence and abuse. The State report pointed out that sexual abuse of children increased after the civil war and the concluding observations recommended that a comprehensive program of assistance and support be developed and implemented to aid girls who had been victims of sexual violence during or following the armed conflict.

Physical Harm and Danger

The NGO report of Sierra Leone provided information with regards to the growing numbers of displaced children being trafficked and reports that the police and army were accepting bribes at international borders and the concluding observations reiterated this concern.

The Cambodian State and NGO reports provided considerable information with regards to landmines and unexploded ordinances. The concluding observations recommended that programs to raise awareness of the risks of landmines and to reduce accidents be strengthened. On the other hand, there was no information in either the State or NGO OPAC reports from the Philippines on landmines, but the concluding observations recommended that a landmine and ordinances clearance program be developed.
The Philippine State OPAC report noted that allegations had been made about the mistreatment of detained child soldiers and non-compliance with guidelines on the handling of rescued or recovered child soldiers. The State report noted that these allegations had not yet been verified. The concluding observations expressed concern about the reports of ill treatment of children who were deprived of their liberty due to their involvement in armed conflict and recommended that they be treated with humanity and respect for their inherent dignity.

**Child Labor**

There was no reference in and thus no correlation between the information included in the State or NGO reports on child labor and the concluding observations.

**2. CONCLUSIONS**

The correlation or lack of correlation between the State and NGO reports and the concluding observations was examined in order to draw some conclusions as to how written information from States and NGOs was used by the Committee in its concluding observations.

- The quality of the State and NGO reports varied which may have had an impact on the use of the information in the concluding observations. One State report (Bolivia) did not follow the reporting guidelines and two of the NGO reports (Bolivia and El Salvador) were weak in terms of structure and content.

- The list of issues occasionally included questions of clarification with regards to armed conflict, but never requested any follow-up information with regards to DRM and climate change issues.

- The concluding observations sometimes referred to information submitted by the State and NGO reports, but sometimes did not. There were no consistent patterns to discern why this was the case.

- There were few direct references in the concluding observations to relevant information contained in the State or NGO reports.

- Information from State and NGO reports appeared in the concluding observations more often as a concern rather than as a recommendation.

- Specific recommendations made in NGO reports tended to appear more frequently in the concluding observations than general recommendations made in NGO reports.
• Issues that were raised in both State and NGO reports appeared more frequently in the concluding observations.

• The concluding observations sometimes referred to DRM and climate change issues, which were not mentioned in State and NGO reports. This often took the form of a stand-alone standard provision.

• Gaps in legislation noted in State and NGO reports were more often referred to in the concluding observations.

• Issues of armed conflict and birth registration were well covered in the State and NGO reports and the concluding observations. There were a number of examples where there was a correlation of information between these documents. In both cases, a wealth of information was provided to the Committee on these issues. The OPAC and the global universal birth registration campaign could have had an impact on the availability of information and understanding of these issues.

• Although not required in the reporting guidelines, the State report from the Philippines included a separate section on environmental health as did the NGO report. The concluding observations subsequently included a separate sub-heading on environmental health, which did not appear in any of the other concluding observations.
VI. SUGGESTIONS FOR FOLLOW-UP ACTIVITIES

Plan's 2009 program framework sets out as one of its priority areas that “Children and youth will realize their right to protection and assistance in emergency situations”. Plan’s Disaster Risk Management Strategy was developed in order to inform Plan's work in this area. Two strategic goals – that children and youth grow up safely in resilient communities and that children and youth realize all their rights in emergencies – aim to contribute to global efforts in these areas. In order to achieve these goals, Plan needs to conduct national and international advocacy around DRM, including in the area of CRC monitoring. The following is a list of possible follow-up activities for Plan, with recommendations for internal actions for Plan country offices and national offices and recommendations for external action for NGOs, the Committee on the Rights of the Child and States.

1. PLAN

- Plan should focus its efforts on including a DRM and climate change perspective into its advocacy work on the CRC as conflict is already well covered by other NGOs and the Committee, given the OPAC.

- Internal awareness of CRC mechanisms should be raised for DRM and climate change advisors and awareness of the impact of disasters and climate risks on child rights should be raised for Child Rights/Child Protection Advisors/advocacy staff to improve the synergies and understanding between CRC and DRM and climate change.

- Plan staff working on CRC and policy advocacy and those working on DRM should work closer together to better integrate DRM in the CRC monitoring cycle and to more broadly support the linkages between human rights framework (including the treaty bodies) and the DRM/climate change/emergency legal and policy framework and discourse.

- Most NGO reports are prepared by national coalitions, but very few Plan offices participated in the elaboration of the reports (in only three out of the ten mapped countries). Although efforts are already being made to increase Plan’s participation in the NGO reporting process at national level, it is important to ensure Plan is also contributing its substantive knowledge on DRM and climate change to the NGO reporting process. Country Office staff should be made aware that the CRC reporting mechanism is a monitoring and evaluation (M&E) indicator as part of Plan’s Global DRM

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81 Plan's Disaster Risk Management Strategy 2009-2013
A Review of Disaster Risk Management, Conflict and Climate Change in the Monitoring of the UN Convention on the Rights of the Child
Plan International Headquarters – Plan UN Liaison and Advocacy Offices

strategy. Plan’s recommendations on DRM and climate change should be as concrete as possible, respond to the country context, and be time bound and realistic in order to increase the chances of the recommendations being included in the Committee’s concluding observations.

- The list of upcoming State reports (see Annex 4) should be examined to identify countries where Plan works that will be coming before the Committee. Plan should ensure that DRM and climate change issues are being integrated into NGO submissions from these countries.

- Plan should ensure that recommendations on DRM and climate change are included in its submissions to the Universal Periodic Review mechanism of the Human Rights Council.

- In all areas, there is a lack of disaggregated data in terms of sex, age, children with disabilities, children affected by HIV/AIDS, street and working children and other marginalized groups of children and this is particularly true in the case of DRM and climate change. Plan should ensure that it is regularly conducting research and developing indicators and benchmarks. Disaggregated data and information on DRM and climate change should be systematically and continuously collected and analyzed over a period of time. This would allow Plan to determine the extent to which legislation, policy and practice are in compliance with the CRC and the Optional Protocols. This would also permit weaknesses to be identified and recommendations made through NGO reports to the Committee as to what could be done to remedy the situation.

- As the focus of the Count Every Child campaign is currently on vulnerable groups, the registration of children in areas of disasters and armed conflict should be highlighted. Plan should also ensure that the link between birth registration and recruitment into the armed forces is being made.

- Plan could prepare an external publication based on this study with key conclusions and recommendations for NGOs and the Committee and launch it at a side event during a session of the Committee. This could be done in collaboration with the High Commissioner for Human Rights who has recently spoken about the relationship between human rights and climate change. Plan could also send a letter with the outcomes of this study and recommendations directly to the Committee and the High Commissioner on Human Rights.

2. CSOs/NGOs

- There is a need to raise awareness amongst NGO child rights coalitions at national level on the impact of DRM and climate change on children and their rights. This would help to ensure that a disaster and climate change

perspective is included in their agenda. More opportunities for disaster and climate change networks and child rights networks to exchange ideas and to share strategies should be sought to align national CRC commitments with other national commitments made on DRM (Hyogo Framework for Action), climate change (United Nations Framework Convention on Climate Change, National Adaption Programs of Action) and conflict.

- National child rights coalitions/networks should be trained on DRM and climate change and mechanisms should be put into place to document and gather data on the impact of disasters on various groups of children. Information should be disaggregated in terms of sex, age, disabilities, children affected by HIV/AIDS, street and working children and other marginalized groups of children.

- Organizations that are working on DRM and climate change should work together to bring a DRM and climate change perspective into the work on CRC monitoring. A guide could be prepared which highlights the overlap between the two areas of work.

- In order to assist NGOs to include comprehensive information on DRM and climate change in their reports to the Committee, thematic guidelines on DRM and climate change could be prepared. As there are no specific articles in the CRC or the OPs related to DRM and climate change, this could be a tool that explains to NGOs how to mainstream the issue throughout the general NGO report.

- NGO reports need to make concrete and achievable recommendations as to the steps needed to ensure that children’s rights are being fulfilled within the context of DRM and climate change. The recommendations should respond to the country context, be time bound and realistically implemented. Recommendations that entail structural change, such as bringing national legislation into line with the provisions of the CRC or the OPs, should be made systematically and systems should be set up to ensure the monitoring, reporting on progress and accountability of these. The development of an implementation checklist on DRM and climate change could assist NGOs in evaluating progress and making concrete recommendations for change.

- Children have become more active in reporting to the Committee on the Rights of the Child and NGOs have, in some countries, supported the submission of a children’s report. NGOs are also assisting children to participate in data gather and analysis in relation to disasters.

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86 See Children’s Views from the Frontline reports 2009 http://uk.sitestat.com/plan/uk/s?Children_on_the_Frontline_GP_report&amp;ns_type=pdf&amp;ns_url=
already working with children to gather evidence on DRM and climate change issues could ensure that these findings are included in the children’s CRC report.\(^{87}\)

- NGOs could be encouraged to refer to relevant general comments and recommendations from days of general discussion in their reports in order to encourage the Committee to do the same in its concluding observations. NGOs should also be encouraged to raise relevant national, international and regional legal and policy frameworks on DRM and climate change and make reference to General Assembly and Human Rights Council resolutions and reports on DRM and climate change, as well as to reports of relevant Special Rapporteurs (such as Special Rapporteur on adequate housing, Special Rapporteur on the human rights of internally displaced children), in their reports.

- NGOs could also be encouraged to systematically refer to the non-ratification of international and regional instruments on DRM and climate change in order to draw the Committee’s attention to these gaps.

- NGOs could examine the OPSC more closely in order to identify the linkages between DRM and climate change and the issues covered under the OPSC. A document highlighting these issues could be prepared and shared with organizations working in the areas of sale of children, child prostitution and child pornography and those working on DRM and climate change in order to develop strategies to bring these issues to the attention of the Committee.

- NGOs could be encouraged to make written submissions that include information on DRM and climate change for days of general discussion and general comments.

- NGOs could seek collaboration with DRM stakeholders at national and global level in order to raise awareness of the Hyogo Framework for Action priorities and their linkage to CRC.

3. COMMITTEE ON THE RIGHTS OF THE CHILD

- Committee members and Secretariat staff may have little, if any, knowledge of DRM and climate change issues. Opportunities should be sought to raise awareness of these issues such as inviting them to participate in meetings on

\(^{87}\) The NGO Group for the Convention on the Rights of the Child has prepared a Guide for NGOs accompanying children in the CRC reporting process which aims to facilitate children’s engagement in all aspects of the CRC reporting process. There is also a companion guide for children and adolescents.

human rights and DRM and climate change. NGOs could also host a briefing with Committee members and Secretariat staff on children's rights and DRM and climate change. Due to the high turnover of both Committee members and staff, NGOs could also consider preparing a briefing book on children's rights and DRM and climate change that could be shared with new members and staff as needed.

- The concluding observations contain a number of “standard” paragraphs that appear in every concluding observation irrespective of the country situation. This is not an ideal situation but often appears as a follow-up to a general comment or a day of general discussion. An “ideal” paragraph of general recommendations on DRM and climate change issues could be elaborated and NGOs could lobby for its inclusion in the concluding observations.\(^{88}\) This is best done through informal, rather than formal channels.

- The Committee sometimes includes references to its general comments and days of general discussion in the concluding observations, but this is not systematic. None of the State or NGO reports made reference to these documents. This may be due to the fact that these documents are not disseminated widely and even if disseminated are often long and unwieldy containing formal language. A commentary or brief guide on the recommendations from the day of general discussion on education in times of emergencies could be prepared in order to make them more accessible and understandable to States, NGOs and Committee members. The same could be done for references to emergencies that are contained in other general comments and recommendations from the days of general discussion using the Compilation of Information from the Committee on the Rights of the Child\(^{89}\) as a basis for this work. Child friendly versions of these documents could also be developed.

- NGOs could lobby the Committee to hold a day of general discussion on the issue of how children's rights are affected by climate change. They could also ensure that DRM and climate change issues are included, where relevant, in other days of general discussion. For example, the 2012 day of general discussion on “The rights of all children in the context of international migration” has relevance to the issues of DRM and climate change.\(^{90}\)

- NGOs could lobby the Committee to prepare a general comment on the issue of children in emergencies as a follow-up to the day of general discussion on education in times of emergencies. They could also request the Committee to prepare a general comment on the specific issue of DRM and climate change. Proposals for general comments should be submitted to the Committee in writing and explain why a general comment on this issue is needed. The proposal should also contain an outline of the issues that might

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\(^{88}\) A good example of this is the standard recommendation on follow-up to the violence study, which is included in most recent concluding observations.

\(^{89}\) See Annex 2

\(^{90}\) [http://www2.ohchr.org/english/bodies/crc/discussion2012.htm](http://www2.ohchr.org/english/bodies/crc/discussion2012.htm)
be considered in the general comment and a list of experts who might be able to provide input and advise into the drafting of the general comment.

- NGOs could seek to provide input, when relevant, on DRM and climate change for draft general comments. For example, the draft general comment on Child Rights and the Business Sector could be an opportunity to include recommendations for States for industries that frequently contribute to disaster risks.

- NGOs could lobby for the nomination of Committee members that have expertise on DRM and climate change, to ensure that the Committee has in-house expertise on this issue.

- NGOs could develop guiding notes on DRM and climate change for the Committee to make sure that these issues are included in the monitoring cycle of the CRC in a systematical way.

4. STATES

- Although not required by the Convention, the Committee encourages States to hold national consultations with civil society, children and other stakeholders during the preparation of the State report to receive inputs, solicit their views or discuss a draft report. NGOs could engage with the State during the preparation of the State report in order to highlight issues with regards to DRM and climate change. NGOs could submit to the State research and studies, identify areas of concern and make recommendations for future action.

- The guidelines for reporting were last revised in 2010 and there are no plans for another revision in the near future. In the meantime, the list of issues, which is prepared following the submission of NGO information and the pre-sessional working group, could be targeted to raise issues on DRM and climate change.

- In order to improve State reporting on DRM and climate change, a handbook could be prepared for States. OHCHR has prepared a series of publications on special issues on a wide range of subjects. Topics are chosen “in light of their topicality, urgency and recent developments that have led to a change of perspective or emphasis.” and one could be proposed on DRM and climate change.

- In order to improve State reporting on DRM and climate change, NGOs could seek to ensure that draft general comments include references to these issues where relevant and appropriate. For example, the annotated outline for the draft general comment on child rights and business currently makes references to environmental pollution and the draft general comment on the right of the child to the enjoyment of the

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91 See http://www.ohchr.org/EN/PublicationsResources/Pages/SpecialIssues.aspx  
92 An annotated outline of the draft general comment is available at http://www2.ohchr.org/english/bodies/crc/docs/AnnotatedOutlineBroaderConsultations.doc
highest attainable of health\textsuperscript{93} (article 24) provides an opportunity to include health issues related to DRM and climate change.

- The Committee provides recommendations to States following each day of general discussion. NGOs could seek to ensure that references to DRM and climate change are made in written submissions and during working groups. The upcoming day of general discussion on the rights of all children in the context of international migration\textsuperscript{94} could be an opportunity to make recommendations on DRM and climate change issues.

- NGOs could bring to the attention of the State their findings from the State's Hyogo Framework for Action Progress Reports\textsuperscript{95} and the NGO's Views from the Frontline Reports\textsuperscript{96} and show how these could be integrated into the State reports on the CRC.

- NGOs could lobby States to ensure that relevant information on DRM and climate change included in reports submitted under other international instruments such as the Hyogo Framework for Action, the Framework Convention on Climate Change (UNFCCC) and the Millennium Development Goals is also included in reports on the implementation of the CRC and its Optional Protocols.

\textsuperscript{93} NGO submissions are available at: http://www2.ohchr.org/english/bodies/crc/callsubmissionsCRC_received.htm
\textsuperscript{94} The day of general discussion will be held on 28 September 2012 at the UN in Geneva, Switzerland. http://www2.ohchr.org/english/bodies/crc/discussion2012.htm
\textsuperscript{95} http://www.preventionweb.net/english/hyogo/progress/
\textsuperscript{96} http://www.globalnetwork-dr.org/Views-from-the-frontline.html
ANNEX 1
COMPILATION OF KEY SOURCES OF INTERNATIONAL LAW AND POLICIES RELEVANT TO CLIMATE CHANGE AND DISASTER RISK MANAGEMENT

1. CLIMATE CHANGE

1.1 Basic Climate Change Documents

United Nations Framework Convention on Climate Change, United Nations, 1992

Aims to achieve stabilization of greenhouse gas concentrations

Adopted 1992, Entered into Force, 194 States Parties

http://unfccc.int/resource/docs/convkp/conveng.pdf

Convention at a Glance
http://unfccc.int/files/playground/application/pdf/unfccc_at_a_glance.doc.pdf


Sets greenhouse gas emission limitation targets for developed countries


http://unfccc.int/resource/docs/convkp/kpeng.pdf

Protocol at a Glance
http://unfccc.int/files/playground/application/pdf/kp_at_a_glance.doc.pdf


Comprehensive process to enable the full, effective and sustained implementation of the Convention through long-term cooperative action

Bali Action Plan at a Glance
http://unfccc.int/files/playground/application/pdf/bali_action_plan_at_a_glance.pdf

Cancun Agreements, United Nations Framework on Climate Change, Conference of the Parties, 2010

Set of decisions to address the long-term challenge of climate change and to take concrete action to speed up the global response
http://unfccc.int/resource/docs/2010/cop16/eng/07a01.pdf

Cancun Agreement at a Glance
http://unfccc.int/files/playground/application/pdf/cancun_agreements_at_a_glance.pdf

1.2 Guides to the UNFCC Convention and the Kyoto Protocol

Uniting on Climate: A Guide to the Climate Change Convention and the Kyoto Protocol, United Nations Framework on Climate Change, 2007
http://unfccc.int/resource/docs/publications/unitingonclimate_eng.pdf


1.3 General Assembly Resolutions on Climate Change

Protection of global climate for present and future generations of humankind

General Assembly Resolution, 65/159, 2011

General Assembly Resolution 64/73, 2010

General Assembly Resolution 63/32, 2009

General Assembly Resolution 62/86, 2008
1.4 Human Rights Council and Climate Change

Malé Declaration on the Human Dimension of Global Climate Change (Nov. 14, 2007)

Requests OHCHR to prepare a study on the effects of climate change on the full enjoyment of human rights and the Human Rights Council to convene a debate on human rights and climate change
http://www.ciel.org/Publications/Male_Declaration_Nov07.pdf


Requests OHCHR to prepare a study on the relationship between human rights and climate change


Human Rights and Climate Change, Human Rights Council Resolution 10/4, 2010

Decides to hold a panel discussion the implications of climate change for the full enjoyment of human rights, especially for members of vulnerable population groups, and the relevance of this for climate change policy (June 2009)

Summary of discussions
http://www.ohchr.org/Documents/Issues/ClimateChange/Panel_SummaryDiscussions.doc

Social Forum, Human Rights Council Resolution 13/17, 2010

Decides to hold a Social Forum on the adverse effects of climate change
on human rights; measures and actions to address the impact of climate change on the full enjoyment of human rights at the local, national, regional and international levels, including on most vulnerable groups, particularly women and children; and international assistance and cooperation in addressing the human rights related impact of climate change (October 2010)


Report of the Social Forum


Requests OHCHR to prepare a study on the relationship between human rights and the environment


Requests OHCHR to organize a seminar to address the adverse effects of climate change on human rights (February 2012)


Reports of Special Procedure Mandate Holders of the Human Rights Council

Report of the Special Rapporteur on adequate housing to the 64th session of the General Assembly on the impact of climate change on the fulfillment of the right to adequate housing (A/64/255)


Report of the Representative of the Secretary-General on the human rights of internally displaced persons to the 64th session of the General Assembly on the nexus between climate change and internal displacement (A/64/214)

Contribution of the Special Rapporteur on the right to food to the meeting convened by the Friedrich-Ebert-Stiftung with the Committee on Economic, Social and Cultural Rights on “Climate Change and the Human Right to Adequate Food”
http://www2.ohchr.org/english/issues/food/docs/climate-change-and-hr-adequate-food.pdf

Position Paper by the Independent Expert on water and sanitation on “Climate Change and the Human Right to Water and Sanitation”

2. DISASTER RISK MANAGEMENT

2.1 Basic Disaster Risk Management Documents

Hyogo Framework for Action 2005-2015: Building the resilience of nations and communities to disasters, 2005

Ten-year plan that outlines priorities for action and guidance for disaster risk reduction
http://www.unisdr.org/files/1037_hyogoframeworkforactionenglish.pdf

Summary of Hyogo Framework
http://www.preventionweb.net/english/professional/publications/v.php?id=8720

2.2 General Assembly Resolutions on Disaster Reduction

General Assembly Resolutions on International Strategy for Disaster Reduction

General Assembly Resolution 65/157, 2011

General Assembly Resolution 64/200, 2010

General Assembly Resolution 63/216, 2008
General Assembly Resolution 62/192, 2007

General Assembly Resolution 61/198, 2006

General Assembly Resolution 60/195, 2005

General Assembly Resolution 59/231, 2004

General Assembly Resolution 58/214, 2003

General Assembly Resolution 57/256, 2003

General Assembly Resolution 56/195, 2002

2.3 Reports of Special Procedure Mandate Holders of the Human Rights Council


Report of the Special Rapporteur on adequate housing to the 64th session of the General Assembly on the right to adequate housing in disaster relief efforts, 2011, (A/66/270)

http://www2.ohchr.org/english/bodies/hrcouncil/docs/16session/A-HRC-16-42.pdf
2.4 Human Rights and Natural Disasters


2.5 UN Entities Working on Disaster Reduction


Provides an overview of the roles, mandates and areas of work of a core set of United Nations agencies and the World Bank in support of national effort to reduce disaster risk

ANNEX 2

COMPILATION OF INFORMATION RELEVANT TO DISASTER RISK MANAGEMENT AND CLIMATE CHANGE EXTRACTED FROM DOCUMENTS RELATED TO THE COMMITTEE ON THE RIGHTS OF THE CHILD

1. Convention on the Rights of the Child
http://www2.ohchr.org/english/law/crc.htm

Note: All articles of the Convention have relevance to DRM/CC. Only a few with direct relevance are noted here.

Article 2

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.

Article 3

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

Article 6

1. States Parties recognize that every child has the inherent right to life.

2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

Article 7

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.
Article 9

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. ...

Article 12

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Article 20

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

Article 22

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or non-governmental organizations cooperating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.
Article 24

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

   (c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

Article 28

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall:

   (a) Make primary education compulsory and available free to all;

Article 29

1. States Parties agree that the education of the child shall be directed to:

   (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

   (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

   (e) The development of respect for the natural environment.

Article 38
1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.

2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.

3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

2. Treaty Specific Guidelines regarding the form and content of periodic reports to be submitted by States parties under article 44, paragraph 1 (b), of the Convention on the Rights of the Child

http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.58.Rev.2.doc

General Measures of Implementation

19 (j) Under this cluster, States parties are requested to provide information on whether the impact of activities by business corporations (extractive, pharmaceutical, agro-industry, among others) likely to affect the enjoyment by children of their rights are evaluated and whether measures are taken to investigate, adjudicate, repair and regulate.

Guidelines on the inclusion of statistical information and data in periodic reports to be submitted by States parties under article 44, paragraph 1 (b) of the Convention

E 2 Children without parental care

12. With reference to children separated from parents, States parties should provide data, disaggregated as described in paragraph 1 above, on:

(a) The number of children without parental care disaggregated by causes (i.e. due to armed conflict, poverty, abandonment as a result of discrimination, etc.);

H. Special protection measures
1. Children outside their country of origin seeking refugee protection (art. 22) and internally displaced children

23. States parties should provide data, disaggregated as described in paragraph 1 above as well as by country of origin, nationality and accompanied or unaccompanied status, on:
   (a) The number of internally displaced, asylum-seeking, and refugee children;
   (b) The number and percentage of such children attending primary and secondary school and vocational training and having access to health and other services;
   (c) The number of children who have disappeared during or after the status of determination proceedings.

2. Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39)

24. States parties should provide data, disaggregated as described in paragraph 1 above, on:
   (a) The number and percentage of persons under 18 who are recruited or enlist voluntarily in the armed forces and the proportion of those who participate in hostilities;
   (b) The number and percentage of children who have been demobilized from armed groups or forces and reintegrated into their communities, with the proportion of those who have returned to school and been reunified with their families;
   (c) The number and percentage of child casualties due to armed conflict;
   (d) The number of children who receive humanitarian assistance;
   (e) The number of children who receive assistance for their physical and psychological recovery following their involvement in armed conflict.

25. States parties to the Optional Protocol on the sale of children, child prostitution and child pornography should provide data disaggregated by sex, age and ethnic group on:
   (a) The number of students attending military schools and the minimum age of admission;
   (b) The number of asylum-seeking and refugee children coming to the State party from areas where children may have been recruited or used in hostilities;
   (c) The number of children who benefitted from physical and psychological recovery and social reintegration measures.
3. Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict

http://www2.ohchr.org/english/law/crc-conflict.htm

Preamble:

Reaffirming that the rights of children require special protection, and calling for continuous improvement of the situation of children without distinction, as well as for their development and education in conditions of peace and security,

Disturbed by the harmful and widespread impact of armed conflict on children and the long-term consequences it has for durable peace, security and development,

Article 1

States Parties shall take all feasible measures to ensure that members of their armed forces who have not attained the age of 18 years do not take a direct part in hostilities.

Article 2

States Parties shall ensure that persons who have not attained the age of 18 years are not compulsorily recruited into their armed forces.

Article 3

1. States Parties shall raise the minimum age for the voluntary recruitment of persons into their national armed forces from that set out in article 38, paragraph 3, of the Convention on the Rights of the Child, taking account of the principles contained in that article and recognizing that under the Convention persons under the age of 18 years are entitled to special protection.

2. Each State Party shall deposit a binding declaration upon ratification of or accession to the present Protocol that sets forth the minimum age at which it will permit voluntary recruitment into its national armed forces and a description of the safeguards it has adopted to ensure that such recruitment is not forced or coerced.

3. States Parties that permit voluntary recruitment into their national armed forces under the age of 18 years shall maintain safeguards to ensure, as a minimum, that:

(a) Such recruitment is genuinely voluntary;

(b) Such recruitment is carried out with the informed consent of the person's parents or legal guardians;

(c) Such persons are fully informed of the duties involved in such military
service;

(d) Such persons provide reliable proof of age prior to acceptance into national military service.

4. Each State Party may strengthen its declaration at any time by notification to that effect addressed to the Secretary-General of the United Nations, who shall inform all States Parties. Such notification shall take effect on the date on which it is received by the Secretary-General.

5. The requirement to raise the age in paragraph 1 of the present article does not apply to schools operated by or under the control of the armed forces of the States Parties, in keeping with articles 28 and 29 of the Convention on the Rights of the Child.

Article 4

1. Armed groups that are distinct from the armed forces of a State should not, under any circumstances, recruit or use in hostilities persons under the age of 18 years.

2. States Parties shall take all feasible measures to prevent such recruitment and use, including the adoption of legal measures necessary to prohibit and criminalize such practices.

3. The application of the present article shall not affect the legal status of any party to an armed conflict.

Article 6

1. Each State Party shall take all necessary legal, administrative and other measures to ensure the effective implementation and enforcement of the provisions of the present Protocol within its jurisdiction.

2. States Parties undertake to make the principles and provisions of the present Protocol widely known and promoted by appropriate means, to adults and children alike.

3. States Parties shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to the present Protocol are demobilized or otherwise released from service. States Parties shall, when necessary, accord to such persons all appropriate assistance for their physical and psychological recovery and their social reintegration.

Article 7

1. States Parties shall cooperate in the implementation of the present Protocol, including in the prevention of any activity contrary thereto and in the rehabilitation and social reintegration of persons who are victims of acts contrary thereto, including through technical cooperation and financial assistance. Such assistance and cooperation will be undertaken in consultation
with the States Parties concerned and the relevant international organizations.

2. States Parties in a position to do so shall provide such assistance through existing multilateral, bilateral or other programmes or, inter alia, through a voluntary fund established in accordance with the rules of the General Assembly.

4. Revised Guidelines regarding Initial Reports to be submitted by States Parties under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on Involvement of Children in Armed Conflict

http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.OPAC.2_en.pdf

II. PREVENTION

11. States parties are invited to indicate all the measures taken, including of a legislative, administrative or other nature, to ensure that persons who have not reached the age of 18 are not compulsorily recruited into the armed forces and do not take direct part in hostilities. In this regard, reports should provide information on:

(a) The process of compulsory recruitment (i.e. from registration up to the physical integration into the armed forces), indicating the minimum age linked to each step and at what point in that process recruits become members of the armed forces;

(b) The documents considered reliable to verify potential recruits’ age prior to their acceptance into compulsory military service (birth certificate, affidavit, ID card or any form of identification);

(c) Any legal provision enabling the age of conscription to be lowered in exceptional circumstances (e.g. state of emergency);

(d) For States parties where compulsory military service has been suspended but not abolished, the minimum age of recruitment set for compulsory military service and how, and under which conditions, compulsory service can be reactivated.

12. With regard to the minimum safeguards that States parties shall maintain concerning voluntary recruitment, reports should provide information on the application of these safeguards and indicate, among other things:

(a) A detailed description of the guarantees in place to ensure that the recruitment is genuinely voluntary and of the procedures used for such recruitment, from the expression of intention to volunteer to the physical integration into the armed forces;

(b) Medical examinations foreseen before volunteers can be recruited;
(c) The documentation considered reliable to verify the age of the volunteers (birth certificate, affidavit, ID card or any other form of identification);

(d) The effective minimum service time and the conditions for early discharge; the application of military justice or discipline to recruits under 18 and disaggregated data on the number of such recruits being tried or in detention; the minimum and maximum sanctions foreseen in case of desertion;

(e) Information that is made available to the volunteers and to their parents or legal guardians, allowing them to formulate their own opinion and to make them aware of the duties involved in the military service (a copy of any materials used for this purpose should be annexed to the report);

(f) The incentives used by the national armed forces for encouraging volunteers (financial incentives, scholarships, career prospects, advertising, meetings at schools, games, etc.).

13. In relation to article 3, paragraph 5, of the Optional Protocol, States parties are requested to provide information on:

(a) The minimum age of entry into schools operated by or under the control of the armed forces;

(b) Disaggregated data on schools operated by or under the control of the armed forces, including their number, the type of education provided and the proportions of academic education and military training in the curricula; length of the education; academic/military personnel involved, educational facilities, etc.;

(c) Efforts to ensure that education is provided in accordance with articles 28 and 29 of the Convention on the Rights of the Child and that the school curricula include human rights and humanitarian principles. The report should also contain information on the measures taken to ensure that school discipline is administered in a manner consistent with the child's human dignity and the Committee's general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment;

(d) Disaggregated data (for example, by sex, age, region, rural/urban areas and social and ethnic origin) on the students attending schools operated by or under the control of the armed forces; their status (members or not of the armed forces); their military status in the case of a mobilization or of an armed conflict, a genuine military need or any other emergency situation; their right to leave such schools at any time and not to pursue a military career;

(e) Whether independent complaint mechanisms are accessible for children attending military schools.

15. Reports should describe the methods used to identify children who are especially vulnerable to practices contrary to the Optional Protocol due to their
economic and social status, such as children living in poverty, those living in remote areas and, if applicable, refugee, internally displaced, minority and indigenous children.

16. If applicable to the State party, the report should contain information on measures taken to prevent attacks on civilian objects protected under international humanitarian law and other international instruments, including places that generally have a significant presence of children, such as schools and hospitals.

17. In accordance with article 6, paragraph 2, reports should describe any campaigns or other measures that have been taken to promote public awareness of the principles and provisions of the Optional Protocol, including:

(a) Measures, specifically aimed at making children aware of the harmful consequences of involvement in armed conflict, and of resources and sources of assistance intended to prevent children from falling victim to recruitment;

(b) Efforts undertaken to include peace education in the school curricula;

(c) Programs targeting any specific groups other than children and the general public (e.g. the armed forces and members of international peacekeeping forces, law enforcement and immigration officers, judges, social workers, teachers and legislators);

(d) The role played by non governmental organizations, the media, the private sector and the community, in particular children, in the design and implementation of the awareness measures described above;

(e) Any steps taken to measure and evaluate the effectiveness of the measures described above, and the results obtained.

III. PROHIBITION AND RELATED MATTERS

18. Reports should provide information on all regulations and criminal legislation in force, including details of the exact provisions, covering and defining the acts enumerated in articles 1 and 2 and of the Optional Protocol, including:

(a) The material elements of all such acts and offences, including the definition of the compulsory recruitment and use of children in hostilities and what constitutes direct participation;

(b) The maximum and minimum penalties that can be imposed for each of these offences;

(c) Available data or information concerning the number of prosecutions and convictions for such offences;

(d) Guarantees in place to ensure that superior orders cannot be invoked as
justification for acts contrary to the Optional Protocol and whether any
defences and aggravating or attenuating circumstances can apply to these
offences;

(e) The statute of limitations for each of these offences;

(f) Any other offences recognized by the laws of the State party that it considers
relevant to implementation of the Optional Protocol;

(g) The sentences applicable under the law(s) of the State party for attempts to
commit and complicity or participation in the offences covered by the Optional
Protocol.

19. Reports should provide information on all criminal legislation in force,
including details of the exact provisions, covering and defining the offences
enumerated in article 4, paragraphs 1 and 2, of the Optional Protocol, including:

(a) The material elements of all such acts and offences, including the definition
of the recruitment and use of children in hostilities and what constitutes direct
participation;

(b) If applicable, whether provisions covering such crimes have been included in
transitional justice measures such as war crimes tribunals or truth commissions;

(c) The maximum and minimum penalties that can be imposed for each of these
offences;

(d) Available data or information on the number of prosecutions and convictions
for such offences, including, if applicable, the existence of international
jurisprudence relating to the State party or its nationals;

(e) The statute of limitations for each of these offences;

(f) Any other offences recognized by the laws of the State party that it considers
relevant to implementation of the Optional Protocol;

(g) The sentences applicable under the law(s) of the State party for attempts to
commit and complicity or participation in the offences covered by the Protocol.

20. State party reports should contain information on:

(a) All relevant laws, decrees, military codes, manuals or regulations adopted by
the national, State or regional legislatures or other competent bodies of the
State party in order to give effect to the Optional Protocol;

(b) Any significant jurisprudence adopted by the courts of the State party, in
particular that applies to the Convention on the Rights of the Child, the
Optional Protocol or related international instruments referred to by the
present guidelines. States parties are invited to submit, together with their
reports under article 8, copies of the principal legislative, administrative and
other relevant texts, judicial decisions and relevant studies or reports.

21. Reports also should indicate any provisions of legislation currently in force that the State party considers an obstacle to the implementation of the Optional Protocol, and whether there are plans to review such provisions.

22. States parties to the Optional Protocol that are not parties to the following treaties are invited to indicate whether they have considered becoming parties to them:

(a) The Additional Protocols I and II to the 1949 Geneva Conventions, (1977);

(b) The Rome Statute of the International Criminal Court (1998);

(c) The International Labour Organization Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999).

23. Reports should contain a description of any law concerning the criminal liability of legal persons, such as private military and security companies (PMCs and PSCs), for the acts and activities enumerated in the Protocol, and comments on the effectiveness of such laws as a deterrent to the recruitment of children. If the law of the State party does not recognize the criminal liability of legal persons for such offences, the report should explain why this is so and the position of the State party on the feasibility and desirability of modifying it.

24. Reports should indicate the legal provisions that establish jurisdiction over the acts and offences referred to in articles 1, 2, 4 of the Optional Protocol, including information about the grounds for this jurisdiction (see article 4, paragraphs 1 and 3).

25. Reports also should indicate what national legal provisions provide for the establishment of extraterritorial jurisdiction over serious violations of international humanitarian law and whether to date the State party has exercised its jurisdiction over child recruitment as a war crime. Furthermore, reports should indicate the age at which such jurisdiction on crimes of child recruitment applies.

26. Reports should describe the law, policy and practice of the State party concerning the extradition of persons accused of having committed offences referred to in the Optional Protocol. In particular, reports should describe the legal basis, including international agreements, for cooperation with other States parties with regard to investigations and, if applicable, details of criminal and extradition proceedings brought with regard to the offences referred to by the Optional Protocol, including examples of cases in which it has cooperated with other States parties and any significant difficulties it has experienced in obtaining the cooperation of other States parties.

IV. PROTECTION, RECOVERY AND REINTEGRATION
27. Reports should contain information on the measures adopted by the State party to implement article 6, paragraph 3, of the Optional Protocol with a view to ensuring that the rights and best interests of children who have been the victims of the practices prohibited under the Optional Protocol are fully recognized, respected and protected at all stages of demobilization processes as well as in criminal investigations and proceedings where they are victims or witnesses. States also may wish to refer to any efforts made to implement the Guidelines on Justice in Matters involving Child Victims and Witnesses of Crime adopted by the Economic and Social Council in its resolution 2005/20.

28. Reports should indicate what measures are taken to ensure legal, psychological or other training for those who work with victims of the offences prohibited in this Protocol.

29. Reports should describe existing public and private demobilization programmes that provide child victims of recruitment with assistance in social reintegration, paying special attention to family reunification, and physical and psychological recovery. Information should be provided on:

(a) Budget allocations for such programmes;

(b) The level of cooperation between public entities and civil society in this regard;

(c) The degree of participation of children in their design and implementation;

(d) To what extent such programmes are gender sensitive.

30. Reports should also describe the measures taken by the State Party to ensure that the child’s identity is protected, in accordance with article 16 of the Convention on the Rights of the Child, in order to maintain confidentiality and prevent media exposure and stigmatization of victims.

31. If unaccompanied foreign children who have been involved in armed conflict are in the jurisdiction of the State party, reports should indicate measures taken to ensure that they are treated in accordance with paragraphs 54 to 60 of the Committee’s general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside their country of origin.

32. Reports should contain information on existing remedies and reparations that may be sought by child victims of recruitment and in particular on the role of the State in enforcing such measures. States parties are encouraged to describe efforts made to promote and implement the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law adopted by the General Assembly in 2006 in its resolution 60/147.

V. INTERNATIONAL ASSISTANCE AND COOPERATION
33. Reports should provide information on measures to strengthen international cooperation regarding the implementation of the Optional Protocol, including in the prevention and investigation of any activity contrary to the Optional Protocol and in the recovery and reintegration of children victims of acts contrary to the Optional Protocol, through for example technical cooperation and financial assistance. When applicable, States parties are requested to provide information on their cooperation with international tribunals.

34. The State party should indicate whether its national legislation prohibits the trade and export of small and light arms as well as military assistance to countries where children are involved in armed conflict. If not, it should indicate whether consideration is given to the possibility of adopting such legislation.

35. Reports should provide information on whether the State party has cooperated with the Office of the Special Representative of the Secretary-General for Children in Armed Conflict.

36. Reports should provide information on whether the situation in the State party has been identified in reports of the Secretary-General to the Security Council in accordance with resolution 1612 (2005).


http://www2.ohchr.org/english/law/crc-sale.htm
No Direct References


http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.OPAC.2_en.pdf
No Direct references

7. Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure

No Substantive Provisions

8. General Comments

General Comment No. 1 The Aims of Education
13. Fifth, it emphasizes the need for education to be designed and provided in such a way that it promotes and reinforces the range of specific ethical values enshrined in the Convention, including education for peace, tolerance, and respect for the natural environment, in an integrated and holistic manner. This may require a multidisciplinary approach. The promotion and reinforcement of the values of article 29 (1) are not only necessary because of problems elsewhere, but must also focus on problems within the child’s own community. Education in this regard should take place within the family, but schools and communities must also play an important role. For example, for the development of respect for the natural environment, education must link issues of environment and sustainable development with socio-economic, sociocultural and demographic issues. Similarly, respect for the natural environment should be learnt by children at home, in school and within the community, encompass both national and international problems, and actively involve children in local, regional or global environmental projects.

16. The values embodied in article 29 (1) are relevant to children living in zones of peace but they are even more important for those living in situations of conflict or emergency. As the Dakar Framework for Action notes, it is important in the context of education systems affected by conflict, natural calamities and instability that educational programmes be conducted in ways that promote mutual understanding, peace and tolerance, and that help to prevent violence and conflict. Education about international humanitarian law also constitutes an important, but all too often neglected, dimension of efforts to give effect to article 29 (1).

19. In addition, the school environment itself must thus reflect the freedom and the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin called for in article 29 (1) (b) and (d). … The term “human rights education” is too often used in a way which greatly oversimplifies its connotations. What is needed, in addition to formal human rights education, is the promotion of values and policies conducive to human rights not only within schools and universities but also within the broader community.

General Comment No. 3 HIV/AIDS and the Rights of the Child

38. Programmes must be specifically adapted to the environment in which children live, to their ability to recognize and report abuses and to their individual capacity and autonomy. The Committee considers that the relationship between HIV/AIDS and the violence or abuse suffered by children in the context of war and armed conflict requires specific attention. Measures to prevent violence and abuse in these situations are critical, and States parties must ensure the incorporation of HIV/AIDS and child rights issues in addressing
and supporting children - girls and boys - who were used by military or other uniformed personnel to provide domestic help or sexual services, or who are internally displaced or living in refugee camps. In keeping with States parties’ obligations, including under articles 38 and 39 of the Convention, active information campaigns, combined with the counselling of children and mechanisms for the prevention and early detection of violence and abuse, must be put in place within conflict- and disaster-affected regions, and must form part of national and community responses to HIV/AIDS.

**General Comment No. 4 Adolescent Health**
http://www2.ohchr.org/english/bodies/crc/docs/GC4_en.doc

34. In ensuring respect for the right of adolescents to health and development, both individual behaviours and environmental factors which increase their vulnerability and risk should be taken into consideration. Environmental factors, such as armed conflict or social exclusion, increase the vulnerability of adolescents to abuse, other forms of violence and exploitation, thereby severely limiting adolescents’ abilities to make individual, healthy behaviour choices...

38. Additionally, adolescents experiencing poverty, armed conflicts, all forms of injustice, family breakdown, political, social and economic instability and all types of migration may be particularly vulnerable. These situations might seriously hamper their health and development. By investing heavily in preventive policies and measures States parties can drastically reduce levels of vulnerability and risk factors; they will also provide cost-effective ways for society to help adolescents develop harmoniously in a free society.

**General Comment No. 6 Treatment of Unaccompanied and Separated Children outside their County of Origin**
http://www2.ohchr.org/english/bodies/crc/docs/GC6_en.doc

2. The issuing of this general comment is motivated by the Committee's observation of an increasing number of children in such situations. There are varied and numerous reasons for a child being unaccompanied or separated, including: persecution of the child or the parents; international conflict and civil war; trafficking in various contexts and forms, including sale by parents; and the search for better economic opportunities.

46. When implementing the right to enjoy the highest attainable standard of health and facilities for the treatment of illness and rehabilitation of health under article 24 of the Convention, States are obligated to ensure that unaccompanied and separated children have the same access to health care as children who are ... nationals...
47. In ensuring their access, States must assess and address the particular plight and vulnerabilities of such children. They should, in particular, take into account the fact that unaccompanied children have undergone separation from family members and have also, to varying degrees, experienced loss, trauma, disruption and violence. Many such children, in particular those who are refugees, have further experienced pervasive violence and the stress associated with a country afflicted by war. This may have created deep-rooted feelings of helplessness and undermined a child’s trust in others. Moreover, girls are particularly susceptible to marginalization, poverty and suffering during armed conflict, and many may have experienced gender-based violence in the context of armed conflict. The profound trauma experienced by many affected children calls for special sensitivity and attention in their care and rehabilitation.

48. The obligation under article 39 of the Convention sets out the duty of States to provide rehabilitation services to children who have been victims of any form of abuse, neglect, exploitation, torture, cruel, inhuman and degrading treatment or armed conflicts. In order to facilitate such recovery and reintegration, culturally appropriate and gender-sensitive mental health care should be developed and qualified psychosocial counselling provided.

91. States must have full respect for the preconditions provided under article 21 of the Convention as well as other relevant international instruments, including in particular the Hague Convention on Protection of Children and Cooperation in Respect of Inter-Country Adoption and its 1994 Recommendation Concerning the Application to Refugee and other Internationally Displaced Children when considering the adoption of unaccompanied and separated children. States should, in particular, observe the following:…

- Unaccompanied or separated children must not be adopted in haste at the height of an emergency;…

General Comment No. 7 Implementing Child Rights in Early Childhood

http://www2.ohchr.org/english/bodies/crc/docs/GC7.Rev.1_en.doc

10. Right to life, survival and development. Article 6 refers to the child's inherent right to life and States parties’ obligation to ensure, to the maximum extent possible, the survival and development of the child… Ensuring survival and physical health are priorities, but States parties are reminded that article 6 encompasses all aspects of development, and that a young child’s health and psychosocial well-being are in many respects interdependent. Both may be put at risk by adverse living conditions, neglect, insensitive or abusive treatment and restricted opportunities for realizing human potential. Young children growing up in especially difficult circumstances require particular attention (see section VI below). The Committee reminds States parties (and others concerned) that the right to survival and development can only be implemented in a holistic manner, through the enforcement of all the other provisions of the
Convention, including rights to health, adequate nutrition, social security, an adequate standard of living, a healthy and safe environment, education and play (arts. 24, 27, 28, 29 and 31), as well as through respect for the responsibilities of parents and the provision of assistance and quality services (arts. 5 and 18). From an early age, children should themselves be included in activities promoting good nutrition and a healthy and disease-preventing lifestyle.

13 (b) *Best interests of young children as a group or constituency.* All law and policy development, administrative and judicial decision-making and service provision that affect children must take account of the best interests principle. This includes actions directly affecting children (e.g. related to health services, care systems, or schools), as well as actions that indirectly impact on young children (e.g. related to the environment, housing or transport).

34. Right to rest, leisure and play. The Committee notes that insufficient attention has been given by States parties and others to the implementation of the provisions of article 31 of the Convention, which guarantees “the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts”. Play is one of the most distinctive features of early childhood. Through play, children both enjoy and challenge their current capacities, whether they are playing alone or with others. The value of creative play and exploratory learning is widely recognized in early childhood education. Yet realizing the right to rest, leisure and play is often hindered by a shortage of opportunities for young children to meet, play and interact in child-centred, secure, supportive, stimulating and stress-free environments. Children’s right-to-play space is especially at risk in many urban environments, where the design and density of housing, commercial centres and transport systems combine with noise, pollution and all manner of dangers to create a hazardous environment for young children. Children’s right to play can also be frustrated by excessive domestic chores (especially affecting girls) or by competitive schooling. Accordingly, the Committee appeals to States parties, non-governmental organizations and private actors to identify and remove potential obstacles to the enjoyment of these rights by the youngest children, including as part of poverty reduction strategies. Planning for towns, and leisure and play facilities should take account of children’s right to express their views (art. 12), through appropriate consultations. In all these respects, States parties are encouraged to pay greater attention and allocate adequate resources (human and financial) to the implementation of the right to rest, leisure and play.

36 (b) *Children without families (art. 20 and 21).* Children’s rights to development are at serious risk when they are orphaned, abandoned or deprived of family care or when they suffer long-term disruptions to relationships or separations (e.g. due to natural disasters or other emergencies, epidemics such as HIV/AIDS, parental imprisonment, armed conflicts, wars and forced migration). These adversities will impact on children differently depending on their personal resilience, their age and their circumstances, as
well as the availability of wider sources of support and alternative care. Research suggests that low-quality institutional care is unlikely to promote healthy physical and psychological development and can have serious negative consequences for long-term social adjustment, especially for children under 3 but also for children under 5 years old. To the extent that alternative care is required, early placement in family-based or family-like care is more likely to produce positive outcomes for young children. States parties are encouraged to invest in and support forms of alternative care that can ensure security, continuity of care and affection, and the opportunity for young children to form long-term attachments based on mutual trust and respect, for example through fostering, adoption and support for members of extended families. Where adoption is envisaged “the best interests of the child shall be the paramount consideration” (art. 21), not just “a primary consideration” (art. 3), systematically bearing in mind and respecting all relevant rights of the child and obligations of States parties set out elsewhere in the Convention and recalled in the present general comment;

General Comment No. 9 The rights of children with disabilities
http://www2.ohchr.org/english/bodies/crc/docs/GC9_en.doc

23. Countries that have endured, or continue to endure, internal or foreign conflict, during which land mines were laid, face a particular challenge. States parties are often not privy to plans of the sites where the land mines and unexploded ordnance were planted and the cost of mine clearance is very high. The Committee emphasizes the importance of international cooperation in accordance with the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, in order to prevent injuries and deaths caused by landmines and unexploded ordnance that remain in place. In this regard the Committee recommends that States parties closely cooperate with a view to completely removing all landmines and unexploded ordnance in areas of armed conflict and/or previous armed conflict.

54. [...] Hazardous environment toxins also contribute to the causes of many disabilities. Toxins, such as lead, mercury, asbestos, etc., are commonly found in most countries. Countries should establish and implement policies to prevent dumping of hazardous materials and other means of polluting the environment. Furthermore, strict guidelines and safeguards should also be established to prevent radiation accidents.

55. Armed conflicts and their aftermath, including availability and accessibility of small arms and light weapons, are also major causes of disabilities. States parties are obliged to take all necessary measures to protect children from the detrimental effects of war and armed violence and to ensure that children affected by armed conflict have access to adequate health and social services, including psychosocial recovery and social reintegration. In particular, the Committee stresses the importance of educating children, parents and the
public at large about the dangers of landmines and unexploded ordnance in order to prevent injury and death. It is crucial that States parties continue to locate landmines and unexploded ordnance, take measures to keep children away from suspected areas, and strengthen their mine clearance activities and, when appropriate, seek the necessary technical and financial support within a framework of international cooperation, including from United Nations agencies.

78. As previously noted above, armed conflicts are a major cause of disabilities whether children are actually involved in the conflict or are victims of combat. In this context, Governments are urged to ratify and implement the Optional Protocol on the involvement of children in armed conflict (OPAC). Special attention should be paid to the recovery and social re-integration of children who suffer disabilities as a result of armed conflicts...

79. Certain disabilities result directly from the conditions that have led some individuals to become refugees or internally displaced persons, such as human-caused or natural disasters. For example, landmines and unexploded ordnance kill and injure refugee, internally displaced and resident children long after armed conflicts have ceased. Refugee and internally displaced children with disabilities are vulnerable to multiple forms of discrimination, particularly refugee and internally displaced girls with disabilities, who are more often than boys subject to abuse, including sexual abuse, neglect and exploitation. The Committee strongly emphasizes that refugee and internally displaced children with disabilities should be given high priority for special assistance, including preventative assistance, access to adequate health and social services, including psychosocial recovery and social reintegration. The Office of the United Nations High Commissioner for Refugees (UNHCR) has made children a policy priority and adopted several documents to guide its work in that area, including the Guidelines on Refugee Children in 1988, which are incorporated into UNHCR Policy on Refugee Children. The Committee also recommends that States parties take into account the Committee’s general comment No. 6 (2005) on the treatment of unaccompanied and separated children outside of their country of origin.

**General Comment No. 11 Indigenous Children and their Rights under the Convention**

http://www2.ohchr.org/english/bodies/crc/docs/CRC.GC.C.11.doc

35. The Committee reiterates its understanding of development of the child as set out in its general comment No. 5, as a “holistic concept embracing the child’s physical, mental, spiritual, moral, psychological and social development”. The Preamble of the Convention stresses the importance of the traditions and cultural values of each person, particularly with reference to the protection and harmonious development of the child. In the case of indigenous children whose communities retain a traditional lifestyle, the use of traditional
land is of significant importance to their development and enjoyment of culture. States parties should closely consider the cultural significance of traditional land and the quality of the natural environment while ensuring the children’s right to life, survival and development to the maximum extent possible.

51. States parties should take the necessary steps to ensure ease of access to health-care services for indigenous children. Health services should to the extent possible be community based and planned and administered in cooperation with the peoples concerned. Special consideration should be given to ensure that health-care services are culturally sensitive and that information about these is available in indigenous languages. Particular attention should be given to ensuring access to health care for indigenous peoples who reside in rural and remote areas or in areas of armed conflict or who are migrant workers, refugees or displaced. States parties should furthermore pay special attention to the needs of indigenous children with disabilities and ensure that relevant programmes and policies are culturally sensitive.

64. Through its periodic reviews of States parties’ reports, the Committee has concluded that indigenous children are particularly vulnerable in situations of armed conflict or in situations of internal unrest. Indigenous communities often reside in areas which are coveted for their natural resources or that, because of remoteness, serve as a base for non-State armed groups. In other situations, indigenous communities reside in the vicinity of borders or frontiers which are disputed by States.

65. Indigenous children in such circumstances have been, and continue to face risks of being, victims of attacks against their communities, resulting in death, rape and torture, displacement, enforced disappearances, the witnessing of atrocities and the separation from parents and community. Targeting of schools by armed forces and groups has denied indigenous children access to education. Furthermore, indigenous children have been recruited by armed forces and groups and forced to commit atrocities, sometimes even against their own communities.

66. Article 38 of the Convention obliges States parties to ensure respect for the rules of humanitarian law, to protect the civilian population and to take care of children who are affected by armed conflict. States parties should pay particular attention to the risks indigenous children face in hostilities and take maximum preventive measures in consultation with the communities concerned.

67. Indigenous children who have been victims of recruitment in armed conflict should be provided with the necessary support services for reintegration into their families and communities. Consistent with article 39 of the Convention, States parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of any form of exploitation, abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment or armed conflicts. In the case of indigenous children,
this should be done giving due consideration to the child’s cultural and linguistic background.

68. Indigenous children who have been displaced or become refugees should be given special attention and humanitarian assistance in a culturally sensitive manner. Safe return and restitution of collective and individual property should be promoted.

General Comment No. 12 The Right of the Child to be Heard
http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.doc

87. The practice of implementation deals with a broad range problems, such as health, the economy, education or the environment, which are of interest not only to the child as an individual, but to groups of children and children in general. Consequently, the Committee has always interpreted participation broadly in order to establish procedures not only for individual children and clearly defined groups of children, but also for groups of children, such as indigenous children, children with disabilities, or children in general, who are affected directly or indirectly by social, economic or cultural conditions of living in their society.

125. The Committee underlines that the right embodied in article 12 does not cease in situations of crisis or in their aftermath. There is a growing body of evidence of the significant contribution that children are able to make in conflict situations, post-conflict resolution and reconstruction processes following emergencies. Thus, the Committee emphasized in its recommendation after the day of general discussion in 2008 that children affected by emergencies should be encouraged and enabled to participate in analysing their situation and future prospects. Children’s participation helps them to regain control over their lives, contributes to rehabilitation, develops organizational skills and strengthens a sense of identity. However, care needs to be taken to protect children from exposure to situations that are likely to be traumatic or harmful.

126. Accordingly, the Committee encourages States parties to support mechanisms which enable children, in particular adolescents, to play an active role in both post-emergency reconstruction and post-conflict resolution processes. Their views should be elicited in the assessment, design, implementation, monitoring and evaluation of programmes. For example, children in refugee camps can be encouraged to contribute to their own safety and well-being through the establishment of children’s forums. Support needs to be given to enable children to establish such forums, while ensuring that their operation is consistent with children’s best interests and their right to protection from harmful experiences.
General Comment No. 13 The Right of the Child to Freedom from all Forms of Violence
http://www2.ohchr.org/english/bodies/crc/docs/CRC.C.GC.13_en.doc

34. Definition of care settings. Care settings are places where children spend time under the supervision of their “permanent” primary caregiver (such as a parent or guardian) or a proxy or “temporary” caregiver (such as a teacher or youth group leader) for periods of time which are short-term, long-term, repeated or once only...Usual care settings include family homes, schools and other educational institutions, early childhood care settings, after-school care centres, leisure, sports, cultural and recreational facilities, religious institutions and places of worship. In medical, rehabilitative and care facilities, at the workplace and in justice settings children are in the custody of professionals or State actors, who must observe the best interests of the child and ensure his or her rights to protection, well-being and development. A third type of setting in which children's protection, well-being and development also must be secured, are neighbourhoods, communities and camps or settlements for refugees and people displaced by conflict and/or natural disasters.

72 (g) Children in potentially vulnerable situations. Groups of children which are likely to be exposed to violence include, but are not limited to, children: not living with their biological parents, but in various forms of alternative care; not registered at birth; in street situations; in actual or perceived conflict with the law; with physical disabilities, sensory disabilities, learning disabilities, psychosocial disabilities and congenital, acquired and/or chronic illnesses or serious behavioural problems; who are indigenous and from other ethnic minorities; from minority religious or linguistic groups; who are lesbian, gay, transgender or transsexual; at risk of harmful traditional practices; in early marriage (especially girls, and especially but not exclusively forced marriage); in hazardous child labour, including the worst forms; who are on the move as migrants or refugees, or who are displaced and/or trafficked; who have already experienced violence; who experience and witness violence in the home and in communities; in low socio-economic urban environments, where guns, weapons, drugs and alcohol may be easily available; living in accident- or disaster-prone areas or in toxic environments; affected by HIV/AIDS or who are themselves HIV infected; who are malnourished; looked after by other children; who are themselves carers and heads of households; born to parents who are themselves still under 18; who are unwanted, born prematurely or part of a multiple birth; hospitalized with inadequate supervision or contact with caregivers; or exposed to ICTs without adequate safeguards, supervision or empowerment to protect themselves. Children in emergencies are extremely vulnerable to violence when, as a consequence of social and armed conflicts, natural disasters and other complex and chronic emergencies, social systems collapse, children become separated from their caregivers and caregiving and safe environments are damaged or even destroyed;

76. Regional and international cross-border cooperation. In addition to development assistance, cooperation is also needed to address child protection
issues which cut across national borders such as: cross-border movement of children – either unaccompanied or with their families – either voluntarily or under duress (for example due to conflict, famine, natural disasters or epidemics) which can put children at risk of harm; cross-border trafficking of children for labour, sexual exploitation, adoption, removal of body parts or other purposes; conflict which cuts across borders and which may compromise a child’s safety and access to protection systems, even if the child remains in the country of origin; and disasters that impact several countries simultaneously. Specific legislation, policies, programmes and partnerships may be required to protect children affected by cross-border child protection issues (for example cybercrime and extraterritorial prosecution of those who sexually abuse children through travel and tourism and traffickers of families and children), whether these children are in traditional caregiving situations or where the State is the de facto caregiver, as in the case of unaccompanied children.

9. Recommendations from Days of General Discussion

**HIV/AIDS**
http://www2.ohchr.org/english/bodies/crc/docs/discussion/HIV_AIDS.pdf

(I) Prevention and care strategies designed to deal with the epidemic should focus on children in need of special protection, including those living in institutions (whether social welfare ones or detention centres), those living or working in the streets, those suffering from sexual or other types of exploitation, those suffering from sexual or other forms of abuse and neglect, those involved in armed conflict, etc...

**State Violence against Children**

10. The Committee recommends that States parties review emergency and/or national security legislation to ensure that it provides appropriate safeguards to protect the rights of children and prevent violence against them, and that it is not used inappropriately to target children (for example, as threats to public order or in response to children living or working on the streets).

**The Private Sector as Service Provider and its Role in Implementing Child Rights**

20. The Committee encourages all international organizations or donors providing services or providing financial support to service providers, particularly in complex emergencies or politically unstable situations, to act in
compliance with the provisions of the Convention and ensure compliance by their partners delivering services. In particular, organizations and donors providing financial support to service deliverers should regularly evaluate their services in terms of availability, accessibility, adaptability and quality and ensure that all beneficiaries, in particular children and their families, have access to remedies.

*Children without Parental Care*


668. However, there are few obstacles standing in the way of this ideal path towards individualization of solutions, such as the lack of time, including no time to carry out assessment of the actual situation, the lack of personnel, places in families, temporary and emergency measures and reception homes. Time should always be a key consideration in the decision-making process for a child. The extent of the problem and the high number of children in need of out-of-home care and the need for an early intervention seem to be a challenging equation to be solved. In addition, there are several new challenges, such as the HIV/AIDS pandemic and severe natural disasters like tsunami in South and South-East Asia in 2004. Response to these kinds of challenges requires more financial, human, material and technical resources. However, the Committee notes with concern that one important obstacle is often our pattern of thought, among other things, the lack of creativity, the lack of will to change old habits and customs and gaps in the training or in the knowledge of existing resources.

687. While welcoming the efforts made by regional and inter-agency bodies to define principles and standards of care for children without parental care, notably the Recommendation of the Council of Europe's Committee of Ministers to Member States on Children’s Rights in Residential Institutions, and the Inter-Agency Guiding Principles on Unaccompanied and Separated Children, the Committee notes with concern that a significant number of children are currently orphaned or otherwise separated from their parents due to a large variety of reasons, including conflict, violence, poverty, HIV/AIDS and social breakdown, and that it is certain that this number will grow. It recognizes that, notwithstanding the existence of the Convention on the Rights of the Child and certain other international instruments, precise guidance available to States working to meet their obligations with respect to suitable alternative care remains partial and limited. Notwithstanding the positive steps taken by many States parties in the field of domestic laws and policies, the Committee is concerned at the insufficient number of implementation measures, which tend to form a gap between laws, policies and practice.

*The Right of the Child to be Heard*

[http://www2.ohchr.org/english/bodies/crc/docs/discussion/Final_Recommendations_after_DGD.doc](http://www2.ohchr.org/english/bodies/crc/docs/discussion/Final_Recommendations_after_DGD.doc)
8. The Committee stresses that appropriate measures need to be undertaken in order to address discrimination of vulnerable or marginalised groups of children such as those affected by poverty or armed conflict, children without parental care, including children in institutions, children with disabilities, refugee and displaced children, street children and children belonging to indigenous and minority groups, in order for all children to enjoy the right enshrined in article 12.

39. The Committee reminds States parties that the right of the child to be heard in judicial and administrative proceedings applies to all relevant settings without limitation, including children separated from their parents, custody and adoption cases, children in conflict with the law, children victims of physical violence, sexual abuse or other violent crimes, asylum seeking and refugee children and children who have been the victims of armed conflict and in emergencies.

55. The Committee urges States parties to ensure that the view of the child and the best interests of the child be given due consideration in all circumstances, including in traditional justice procedures and in post-conflict resolution processes and that all efforts seek to avoid victimisation of the child.

*The Right Of The Child To Education In Emergency Situations*
http://www2.ohchr.org/english/bodies/crc/docs/discussion/RecommendationsDGD2008.doc

*Note: Most of this document is relevant to DRM. Direct references to conflicts and disasters are noted here.*

2. For the purpose of the Day of General Discussion “emergency situations” are defined as all situations in which man-made or natural disasters destroy, within a short period of time, the usual conditions of life, care and education facilities for children and therefore disrupt, deny, hinder progress or delay the realisation of the right to education. Such situations can be caused by, inter alia, armed conflicts - both international, including military occupation, and non international, post-conflict situations, and all types of natural disasters.

23. The Committee recalls that education is an inalienable right that is inextricably linked to other fundamental rights and must be guaranteed to all children both in and outside of emergency situations. The Committee recalls that for the purpose of this Day of General Discussion, “emergency situations” are defined as all situations in which man-made or natural disasters destroy, within a short period of time, the usual conditions of life, care and education facilities for children. Children affected by emergencies are amongst those most vulnerable and marginalized in the world, and constitute one of the largest groups of out-of-school children. For education for all to become a reality, the right of children to education in emergencies needs to be respected, protected and fulfilled.
29. The Committee considers that in situations of emergency, the child’s need to enjoy his/her right to education is reinforced by the fact that it is a protection measure, as well as a relief measure and a life saving measure that provides physical, psychosocial and cognitive protection. Education mitigates the psychosocial impact of conflicts and disasters by giving a sense of normalcy, stability, structure and hope for the future. The Committee therefore calls upon States parties to honor their obligation to fully ensure the right to education for every child within their jurisdiction, without any discrimination, throughout all stages of emergency situations, including the emergency preparedness phase and the reconstruction and the post emergency phases. The Committee also calls upon States parties, donors and relief agencies to include education as an integral component of the humanitarian relief response from the outset.

34. The Committee urges all States parties, in particular those that are prone to natural disasters or in areas likely to be affected by armed conflict, to prepare a plan of action for the provision of the right to education in emergency situations. This should include the appointment of a focal point within the Ministry of Education in charge of coordination between governmental bodies, civil society, humanitarian relief agencies and donors; the allocation of adequate sustained resources to ensure the fulfillment of the right to education should an emergency occur; adaptation of curricula; the training of teachers to enable them to cope with emergencies; and the identification and training of volunteers.

42. The Committee highlights the importance of quality education which increases social cohesion and supports conflict resolution and peace building. Quality education can also mitigate state fragility and can help to achieve social, economic and political stability of societies. Quality education can save lives by protecting against exploitation and harm, including abduction, recruitment of children into armed forced and/or groups and sexual and gender-based violence. By disseminating life-saving information on such issues as hygiene, landmine safety and HIV/AIDS prevention, quality education also provides the knowledge and skills to survive in emergencies.

43. The Committee recalls the General Comment No. 1 which states that the quality, content and values of education described in the Convention are relevant to children living in zones of peace, “but they are even more important for those living in situations of conflict or emergency”. The Committee underscores that the quality of education should be guided by article 29 (1) of the Convention and must meet the agreed INEE Minimum Standards for education in emergencies in order to serve as a protection and a life saving measure.
## ANNEX 3
### DISASTER PROFILE OF COUNTRIES STUDIED

<table>
<thead>
<tr>
<th>WRI Rank</th>
<th>Country</th>
<th>WRI %</th>
<th>Top Risk (country ranking)</th>
<th>Recent Disasters (# of affected people)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Bangladesh</td>
<td>17.45</td>
<td>Flood 1st out of 162</td>
<td>Flood 2007 13,771,380 people affected (Cyclone Sidr)</td>
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<td></td>
<td></td>
<td></td>
<td>Tsunami 3rd out of 76</td>
<td>Flood 2004 36,000,000 people affected</td>
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<td>Cyclone 6th out of 89</td>
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<td></td>
<td>Earthquake 17th out of 153</td>
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<td>Landslide 35th out of 162</td>
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<td></td>
<td></td>
<td></td>
<td>Drought 63rd out of 184</td>
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<tr>
<td>112</td>
<td>Bolivia</td>
<td>5.16</td>
<td>Flood 48th out of 162</td>
<td>Flood 2010 227,860 people affected</td>
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<td></td>
<td>Earthquake 61st out of 153</td>
<td>Flood 2007 485,000 people affected</td>
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<td></td>
<td>Drought 78th out of 184</td>
<td>Flood 2007 339,495 people affected</td>
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<td>Landslide 83rd out of 162</td>
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<td>9</td>
<td>Cambodia</td>
<td>16.58</td>
<td>Flood 5th out of 162</td>
<td>Border Conflict with Thailand 2010-2011</td>
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<tr>
<td></td>
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<td></td>
<td>Drought</td>
<td>Flood 2011 - affected more than 331,776 households in 18 provinces</td>
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<td>Flood 2002 - 1,470,000 people affected</td>
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<td>Flood 2001 - 1,669,182 people affected</td>
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<td>Drought 1994 - 5,000,000 people affected</td>
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<tr>
<td>54</td>
<td>Ecuador</td>
<td>8.69</td>
<td>Tsunami 11th out of 76</td>
<td>Drought 2009 107,500 people affected</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Earthquake 26th out of 153</td>
<td>Flood 2008 289,122 people affected</td>
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<td></td>
<td></td>
<td></td>
<td>Landslide 27th out of 162</td>
<td>Volcano 2006 300,013 people affected</td>
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<td></td>
<td>Drought 71st out of 184</td>
<td>Volcano 2002 128,150 people affected</td>
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<td></td>
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<td></td>
<td>Flood 71st out of 162</td>
<td>Epidemic 2000 100,000 people affected</td>
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<td>10</td>
<td>El Salvador</td>
<td>16.49</td>
<td>Earthquake 19th out of 153</td>
<td>Gang Violence</td>
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<td>Landslide 22nd out of 162</td>
<td>Storm 2009 - 90,000 people affected</td>
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<td>Tsunami 26th out of 76</td>
<td>Hurricane Stan 2005</td>
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<td></td>
<td>Two Earthquakes in 2001 – 1,590,550 people affected</td>
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<td></td>
<td></td>
<td></td>
<td>Drought 2001 - 400,000 people affected</td>
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<tr>
<td>35</td>
<td>Japan</td>
<td>11.13</td>
<td>Earthquake 1st out of 153</td>
<td>Earthquake and Tsunami 2011 15,836 killed</td>
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<td></td>
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<td></td>
<td>Cyclone 1st out of 89</td>
<td>Storm 2004 180,050 people affected</td>
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<td>Tsunami 2nd out of 76</td>
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<td>Landslide 8th out of 162</td>
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<tr>
<td>40</td>
<td>Mozambique</td>
<td>9.98</td>
<td>Cyclone 21st out of 89</td>
<td>Drought 2007 520,000 people affected</td>
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<td>Flood 24th out of 162</td>
<td>Drought 2005 1,400,000 people affected</td>
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<td></td>
<td></td>
<td>Drought 46th out of 184</td>
<td>Drought 2002 600,000 people affected</td>
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<td>Tsunami 46th out of 76</td>
<td>Flood 2001 549,326 people affected</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td>Flood 2000 4,500,000 people affected</td>
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<tr>
<td>Rank</td>
<td>Country</td>
<td>GNI (2013)</td>
<td>Natural Disasters</td>
<td>People Affected</td>
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<tr>
<td>3</td>
<td>Philippines</td>
<td>24,32</td>
<td>Cyclone 2nd out of 89 Earthquake 2nd out of 153 Landslides 4th out of 162 Tsunami 5th out of 76 Floods 8th out of 162</td>
<td>Storm 2009 4,910,763 people affected Storm 2008 4,785,460 people affected Storm 2009 4,478,491 people affected</td>
</tr>
<tr>
<td>33</td>
<td>Sierra Leone</td>
<td>11,25</td>
<td>Landslide 37th out of 162 Floods 98th out of 162</td>
<td>Flood 2007 - 4,500 people affected Flood 2005 - 15,000 people affected</td>
</tr>
</tbody>
</table>

Source: UNISDR – CRED-DATA

WRI: World Risk Index.

The WRI consists of indicators in four components:
- exposure to natural hazards such as earthquakes, storms, floods, droughts and sea level rise;
- susceptibility as a function of public infrastructure, housing conditions, nutrition and the general economic framework;
- coping capacities as a function of governance, disaster preparedness and early warning, medical services, social and economic security;
- adaptive capacities to future natural events and climate change.
## ANNEX 4

**Upcoming State Reports**

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<tr>
<th>State Party</th>
<th>Report</th>
<th>Link to State Report</th>
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ANNEX 5

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A. Committee on the Rights of the Child

Convention on the Rights of the Child, 1989
http://www2.ohchr.org/english/law/crc.htm

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General Comment No. 9 The Rights of Children with Disabilities, 2006
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General Comment No. 10 Children’s Rights in Juvenile Justice, 2007
http://www2.ohchr.org/english/bodies/crc/docs/GC10_en.doc

General Comment No. 11 Indigenous Children and their Rights under the Convention, 2009
http://www2.ohchr.org/english/bodies/crc/docs/CRC.GC.C.11.doc

General Comment No. 12 The Right of the Child to be Heard, 2009
http://www2.ohchr.org/english/bodies/crc/docs/AdvanceVersions/CRC-C-GC-12.doc

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Recommendations from the Day of General Discussion on the Role of the Family, 1994
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Manusher Jonno Foundation

Report prepared by group of NGOs supported by Save the Children Sweden-Denmark

Report prepared by a group of children’s organizations

Adolescent Development Foundation

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