



WHAT'S UP CROC - Non-Government Organisation Report to the United Nations Committee on the Rights of the Child

DCI (Australia) and the National Children and Youth Law Centre (NCYLC) are collaborating to prepare an alternative report to the UN Committee. DCI has standing with the UN Committee.

The UN Convention on the Rights of the Child (CROC) was signed and ratified by Australia in December 1990. As a signatory, Australia agreed to give children the same human rights as adults as well as other special rights due to their age. Aspects covered under CROC include protection, health, enjoyment of culture and education. While Australia has implemented many aspects of CROC successfully, the Government can still do much more. For example, the rights of child asylum seekers in detention are completely ignored, and both State and private education systems are not complying with Australia's obligations. Why are Indigenous youth over-represented in the juvenile justice system? Is this a human rights issue?

The Australian Government provided its combined second and third report to the United Nations Committee on the Rights of the Child in September 2003. A copy of the report can be downloaded from: <http://www.ag.gov.au/www/agdHome.nsf/Alldocs/RWPB07DC89BDAD0B2BECA256DA400227F90?OpenDocument>

The requirement to produce a report is the main way that the United Nations (UN) monitors whether a country is complying with the Convention on the Rights of the Child (CROC). The Federal Government's report was due in January 2003.

Obligations assumed by Australian government under international law

In ratifying CROC, the Australian government entered into an agreement with the United Nations and with all other parties to CROC. That agreement places an obligation on Australian governments to implement the

rights in CROC by taking all necessary legislative, administrative and other measures (Article 4). This agreement is binding on Australia in international law.

In practice Australia is required under CROC to:

- Review all existing laws and regulations to ensure that they comply with the rights set out in CROC and to repeal or pass amendments to any laws that are non-compliant
- Review all policies at Commonwealth, State and Territory and Local Government level to check that they conform with CROC and to review and amend any policies that fail to comply
- Develop systems for reviewing and monitoring new laws and policies to make sure that they do not breach CROC
- Prepare and implement a global policy and plan of action based on the rights set out in CROC
- Incorporate the rights in CROC into Australian Commonwealth State and Territory law.

Australia has not performed well in meeting these obligations and the aim of the alternative report is to make sure that the UN Committee has available to it information about the areas where Australia is not meeting its commitments.

DCI (Australia) and the National Children and Youth Law Centre (NCYLC) are collaborating to prepare an alternative report to the UN Committee. DCI and NCYLC and various other peak NGOs are seeking responses from interested NGOs across Australia and from children and young people to provide input into the Report.

A Consultation Paper and a Background Briefing paper have been prepared and are currently available, in both electronic and paper form from both the DCI-Australia and NCYLC websites. The aim is to get this information out to all peak youth bodies, youth advocates, community legal centres, Student

Representative Councils, and other youth services around Australia.

The Consultation paper outlines the main themes for consultation, the concerns of the UN Committee, the key aspects of the Australian Government's 2003 report and some suggested current issues; it also provides some specific questions for feedback:

- Participation in Decision Making: Article 12
- Civil rights and freedoms: Articles 2, 13,14,15,16
- Indigenous children: Article 30
- Education: Articles 28, 29
- Health and Disability: Articles 23, 24
- Child protection: Articles 3, 9, 19, 20, 25, 30
- Children and the Family: Articles. 3, 5, 11, 18, 21, 27
- Employment: Articles 32, 36
- Adequate standard of living: Articles 26, 27
- Immigration: Articles 10, 22, 37, 39
- Juvenile Justice: Articles 37, 40

A number of consultation meetings to plan and provide feedback have already been held (eg Victoria) or are planned (NSW in early June).

Most importantly, the voice of children and youth needs to be heard through this Report – it is noticeably absent from the Government report. DCI and the NCYLC urge youth groups across Australia to undertake consultations to provide an avenue for youth to respond. This is a chance for your youth organisation and its clientele to be heard internationally.

Once community feedback has been gathered, a Draft Report will be written, and the NGO Advisory Group will give some final input before it is lodged with the United Nations. The NCYLC will also produce a Community Report that will provide feedback to the community about the NGO Report and process.

Help us put together this NGO Report on CROC in Australia. We want to hear from you and your organisation in response to our Consultation Paper. If you would like to consult with children or youth, please let us know and we will send you out a resource kit to ask them directly.

KIDS : Have Your Say:
Survey for feedback from children and young people
[Fill in the survey and you could win a TEAC CD player!]



Similar call in Denmark

CHILD RIGHTS: Input to Research on NGO Participation in Monitoring and Reporting on the Implementation of the CRC [call for information]

Around the world NGOs, either as individual organisations or in NGO Coalitions, have participated in the monitoring and reporting process in relation to the Convention on the Rights of the Child. Save the Children Denmark is currently carrying out research on NGO participation in the work of the Committee on the Rights of the Child. The organisation is therefore interested in collecting information on examples of good practise where NGOs in connection with monitoring and reporting have carried out or participated in activities that have contributed to:

- Improve the data collection on children. Quite often information on children is unavailable, incomplete or inaccurate.
- Involve children in the process. Enabling children and youth to express their views and take part in the monitoring and reporting of the CRC is in line with the spirit of the convention, but it could also contribute to improve the quality of information on children.
- Enhance the dialogue and interaction between Government and NGOs on process, contents and quality of official report - and NGO Alternative reports.
- Ensure systematic follow-up measures on Concluding Observations issued by the Committee on the Rights of the Child.
- Promote the CRC and increase the general public's awareness on children's rights, the CRC and the UN treaty body monitoring mechanisms.
- Strengthen the accountability of State Parties as the main duty bearers in relation to implementation of the CRC.

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