His Excellency

…...

[Place and date]

**RE: RATIFICATION OF THE OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF THE CHILD ON A COMMUNICATIONS PROCEDURE (OP3CRC)**

Your Excellency,

We are writing to you on behalf of […]

The third Optional Protocol to the Convention on the Rights of the Child on a communications procedure was adopted by the UN General Assembly on 19 December 2011. It was opened for signature and ratification to UN Member States at an official signing ceremony on 28 February 2012, in parallel to the UN Human Rights Council in Geneva, Switzerland. The Optional Protocol will enter into force upon ratification by ten Member States.

***(For States that have already signed the Optional Protocol)***

From 24 to 26 September 2012 and on 1 and 2 October 2012, the annual treaty event of the United Nations will be held at United Nations Headquarters in New York. We strongly encourage *[name of your State]* to use this Treaty Event to advance the protection of children's rights by ratifying the third Optional Protocol to the CRC.

***(For all other States)***

From 24 to 26 September 2012 and on 1 and 2 October 2012, the annual treaty event of the United Nations will be held at United Nations Headquarters in New York. We strongly encourage *[name of your State]* to use this Treaty Event to advance the protection of children's rights by signing and ratifying the third Optional Protocol to the CRC.

***(For all States)***

The Convention on the Rights of the Child (CRC) is the last of the core human rights instruments to gain a communications procedure. As stated by the United Nations High Commissioner for Human Rights, Navi Pillay, after the General Assembly adoption: “Children will now be able to join the ranks of other rights-holders who are empowered to bring their complaints about human rights violations before an international body”.

**(*If your State already signed the Optional Protocol[[1]](#footnote-1), please use the following paragraph*:**

We particularly acknowledge [*name of your State*]’s support for this new instrument reflected by the signature of the Optional Protocol on [*date of signature*] and we very much appreciate the strong leadership and political commitment to protecting children’s rights it has demonstrated.

While this is an important first step, it is crucial that [*name of your State*] confirms its commitment by promptly ratifying the third Protocol.

**(*If your State has not signed the Optional Protocol but was a member of the core group of States***[[2]](#footnote-2) ***that led the initiative for a third Optional Protocol, please use the following paragraph*:**

We particularly acknowledge [*name of your State*]’s support for this new instrument since the beginning and we very much appreciate the role it has played as a member of the core group of States that led this process *[, including by co-sponsoring the resolution adopting the third OPCRC at the Human Rights Council in June 2011 and at the General Assembly in December 2011]*[[3]](#footnote-3).)

***(If your State has not signed the Optional Protocol and was not a member of the core group of States but has co-sponsored the Human Rights Council resolution***[[4]](#footnote-4) ***or the General Assembly resolution***[[5]](#footnote-5)***, you may want to add the following paragraph:***

We note that *[name of your State]* co-sponsored the resolution adopting the third OPCRC at *[the Human Rights Council in June 2011/the General Assembly in December 2011]* and welcome [*its/their*] support for this new instrument. )

***(If your State has already accepted international communications procedures***[[6]](#footnote-6) ***and is a party to the CRC, use the following paragraph:***

*[Name of your State]* has already accepted international communications procedures and is a party to the Convention on the Rights of the Child since [*year of ratification/accession to the CRC*].

The procedure established by the third Optional Protocol is in line with the international communications procedures to which [*name of your State*] is already a Party. It will enable children, or their representatives, claiming that their rights have been violated to bring a complaint to their committee of international experts, the UN Committee on the Rights of the Child, if they have not been able to get remedies for these violations before the domestic courts. By ratifying this new treaty, [*name of your State*] would therefore complement the measures [*it has/they have*] undertaken to respect and protect the rights and obligations [*it/they*] accepted when [*it/they*] became a party to the CRC.

***(If your State has not accepted any other international communications procedure but it is a party to the CRC, use the following paragraph:***

[*Name of your State*] is a party to the Convention on the Rights of the Child since [*year of ratification/accession to the CRC*]. The procedure established by the third Optional Protocol will enable children, or their representatives, claiming that their rights have been violated to bring a complaint to their committee of international experts, the UN Committee on the Rights of the Child, if they have not been able to get remedies for these violations before the domestic courts. By ratifying this new treaty, [*name of your State*] would therefore complement [*its/their*] measures to respect and protect the rights and obligations [*it/they*] accepted when [*it/they*] became a party to the CRC.

***(For all States)***

We look forward to hearing from you and the ratification process in [*name of your State*] and would be happy to provide you with more information on the third Optional Protocol and on the UN treaty event, if needed.

Yours sincerely,

1. As of 2 August 2012, signatories of OP3 CRC are : Argentina, Austria, Belgium, Brazil, Chile, Costa Rica, Cyprus, Finland, Germany, Italy, Luxembourg, the former Yugoslav Republic of Macedonia, the Maldives, Mali, Malta, Montenegro, Morocco, Peru, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain and Uruguay.

 Please check the signatures and ratifications at the time of your letter here: <http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-11-d&chapter=4&lang=en> [↑](#footnote-ref-1)
2. The core group of States was composed of: Austria (became a member of the core group in June 2011), Chile, Egypt, Finland, (France was a member of the core group until June 2011), Germany (became a member of the core group in June 2011, Kenya, the Maldives, Slovakia, Slovenia, Thailand and Uruguay.

 [↑](#footnote-ref-2)
3. Add this last phrase for Austria, Chili, Finland, Germany, the Maldives, Slovakia, Slovenia, Thailand and Uruguay. Do not add this last part for France. Only mention the Human rights Council resolution and not the General Assembly resolution for Kenya and Egypt. [↑](#footnote-ref-3)
4. 50 States co-sponsored the Human Rights Council resolution: Albania, Andorra, Austria, Bangladesh, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Chile, Costa Rica, Croatia, Cyprus, Czech Republic, Ecuador, Equatorial Guinea, Estonia, Finland, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Japan, Jordan, Kazakhstan, Kenya, Liechtenstein, Luxembourg, Maldives, Macedonia, Montenegro, Morocco, Panama, Paraguay, Peru, Portugal, Senegal, Serbia, Slovakia, Slovenia, Spain, Thailand, Timor-Leste, Turkey, Ukraine, United States of America, Uruguay and Zambia. [↑](#footnote-ref-4)
5. States co-sponsored the General Assembly resolution: Albania, Austria, Bangladesh, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Chile, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, Germany, Greece, Guatemala, Honduras, Hungary, Ireland, Italy, Japan, Jordan, Kazakhstan, Liechtenstein, Luxembourg, Maldives, Mali, Montenegro, Morocco, Panama, Peru, Poland, Portugal, Senegal, Serbia, Slovakia, Slovenia, Spain, Thailand, the former Yugoslav Republic of Macedonia, Timor-Leste, Turkey, Ukraine, United States of America and Uruguay. [↑](#footnote-ref-5)
6. States that have accepted at least one international communications procedure include : Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Congo (Rep.), Cook Islands, Costa Rica, Côte d’Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Djibouti, Dominican Republic, Democratic Republic of Congo, Ecuador, El Salvador, Equatorial Guinea, Estonia, Finland, France, Gabon, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Honduras, Hungary, Iceland, Ireland, Italy, Kazakhstan, Kyrgyzstan, Latvia, Lesotho, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Maldives, Mali, Malta, Mauritius, Mexico, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, San Marino, Saudi Arabia, Senegal, Serbia, Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, St Kitts and Nevis, St Vincent and the Grenadines, Sudan, Suriname, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, TFYR Macedonia, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Turkmenistan, Uganda, United Kingdom, Ukraine, UR Tanzania, Uruguay, Uzbekistan, Vanuatu, Venezuela, Yemen, Zambia. [↑](#footnote-ref-6)