

Committee on the Rights of the Child

Child safeguarding procedure

Approved 4 December 2020

A. Introduction

The Committee on the Rights of the Child (the Committee) values the contributions of children and emphasizes that their views and recommendations are an integral part of its work. In order to ensure that children's views are heard and taken into account, the Committee regularly interacts with children in fulfilling its mandate to monitor implementation of the Convention on the Rights of the Child (the Convention) by its States parties. This leads to systematic engagement of the Committee with children from different States parties through, inter alia, briefings, reports and correspondence by children to the Committee; in-person and online meetings during its sessions and public events, such as Days of General Discussion and anniversary events; and contributions to the development of the Committee's general comments.

B. Purpose

The Committee strives to ensure a safe, appropriate and child-friendly environment for children with whom it interacts. The Committee's child safeguarding procedure aims to prevent and safeguard against the possibility of any form of harm to children arising from and during their participation in the Committee's work, and to take appropriate action if such an incident occurs.

C. General principles

This procedure should be applied bearing in mind the best interests of the child (Article 3 of the Convention) and in accordance with the Committee's general comment No. 12 (2009) on the right of the child to be heard, as well as the Committee's working methods for the participation of children in the reporting process and in the days of general discussion. All processes in which a child or children are heard and participate must be: (1) transparent and informative, (2) voluntary, (3) respectful, (4) relevant, (5) child-friendly, (6) inclusive, (7) supported by training, (8) safe and sensitive to risk, and (9) accountable.¹

All children and adults under the scope of this procedure must be appropriately briefed on its contents. All reports of a child safeguarding concern must be made in good faith. All adults under the scope of this procedure must ensure strict confidentiality and the security of any sensitive information and personal data of children, and only share such information on a strictly need-to-know basis or when children are at risk of harm.

D. Scope

This procedure covers all interactions between children and Committee members and adults associated with the Committee, namely staff and interns of the Office of the High Commissioner for Human Rights (OHCHR), as well as children's accompanying adults and child facilitators. A child is defined as a person below the age of 18 years.

¹ These requirements are set out in the Committee's general comment No. 12 (2009) on the right of the child to be heard, and further elaborated in the Committee's working methods for the participation of children in the reporting process (CRC/C/66/2) and in the days of general discussion (CRC/C/155).

A child safeguarding concern is any situation or behaviour that places the child at risk or has the potential to harm a child physically or mentally through, inter alia, physical violence, sexual abuse, sexual exploitation, neglect or negligent treatment, emotional or verbal abuse, discourteous behaviour, threats or intimidation.

E. Roles and responsibilities

The Committee's **Working Group on Child Participation** has the overall responsibility for the promotion, awareness and implementation of the Committee's child safeguarding procedure, to ensure:

- Effective decision-making to address incidents or concerns that have been raised, and liaising with the relevant stakeholders (see below);
- Monitoring of the procedure and reporting on any developments to the Committee;
- Development and coordination of child safeguarding briefings and/or information, as required;
- Regular updates of this procedure, based on an analysis of lessons learned and consultations with partners and relevant stakeholders;
- Support and information on child safeguarding issues for all persons under the scope of the procedure.

The **Coordinator of the Working Group on Child Participation** ensures implementation of this procedure and the timely and appropriate response to any situation raising child safeguarding concerns. The Coordinator's alternate is the OHCHR's Secretary of the Committee, in case the Coordinator of the Working Group on Child Participation is in any way alleged to be personally compromised or is in any way associated with the incident or other child safeguarding concern.

Committee members and OHCHR staff and interns working with the Committee must immediately report to the Child Safeguarding Focal Point any child safeguarding concern that they witness or is brought to their attention.

The **Child Safeguarding Focal Point** and his or her alternate are staff members of OHCHR's Secretariat to the Committee. They participate in meetings with children ahead of and during the Committee's sessions and serve as the first contact to any child or adult who has a concern or is affected by an incident within the scope of this procedure.

Children can report a child safeguarding concern they have experienced or are aware of.

Child Rights Connect facilitates the participation of children in the Committee's work, and briefs children who meet with the Committee on relevant issues related to their participation, including on the importance of child safeguarding, the key elements of this procedure, and with whom and how to report any concerns. This information must be provided to children in a child-friendly manner.

Accompanying adults and child facilitators of children interacting with the Committee must take every precaution to protect children from any form of intimidation or physical, mental or other harm, and immediately report any child safeguarding concern to the Child Safeguarding Focal Point.

Supporting organizations should have in place clear and comprehensive child safeguarding policies and frameworks for children's involvement in international events that recognize the particular risks faced by some groups of children and the additional barriers they face in obtaining assistance. In addition, they must ensure that children are aware of their right to be protected from harm, and must take every precaution to prevent any negative consequence of their participation and to protect them from any form of intimidation or reprisals, or fear of such. They are also responsible for obtaining the

written consent of children and their parents or guardians, as applicable, to the interaction with the Committee.²

F. Steps to be taken by the Working Group on Child Participation to address child safeguarding concerns

1. Incidents that occur during Committee sessions, events or other interactions between the Committee and children

In case of any abusive incidents affecting their physical or mental well-being, children should approach any adult who they feel most comfortable with, who then reports the concern to the **Child Safeguarding Focal Point**. Equally, adults should approach the Child Safeguarding Focal Point if they observe or suspect such an incident or other child safeguarding concern. *(If the person implicated is the Child Safeguarding Focal Point, the case is reported directly to the Alternate Child Safeguarding Focal Point.)*

If the concern involves a harmful situation, immediate steps should be taken to remove the child from the harmful situation and ensure his or her safety. Immediate assistance should also be provided to the child, including referral to appropriate medical or psychological support services, the child protection services or the police, in accordance with the nature of the incident.

The Child Safeguarding Focal Point reports the incident to the **Coordinator of the Working Group on Child Participation**. The Child Safeguarding Focal Point collects the necessary information and writes a report that summarizes, as precisely as possible, relevant details of the incident, such as location, dates, times and the persons involved, including potential witnesses and their contact details. *(If the person implicated is the Coordinator of the Working Group on Child Participation, the case is reported to the Secretary of the Committee.)*

The **Coordinator of the Working Group on Child Participation**, in consultation with the Working Group, assesses the concern or incident and decides on the course of action, including the following steps:

- **Determine whether further investigation is necessary.**
- **Ensure that parents and guardians are informed of the incident** and seek necessary assistance for the child, where appropriate.
- **Refer the case for further investigation to:**
 - The relevant organization, if the concern relates to an accompanying adult, staff member or non-staff personnel of that organization;
 - The Chair of the Committee if the concern relates to a Committee member;
 - The Secretary of the Committee and the OHCHR Chief of Section, if the concern relates to an OHCHR staff member or intern;
 - The local authorities, including the police, if the action would be deemed a criminal offence.
- **Recommend referral to long-term support services** for children and others directly affected by or involved in the incident, as appropriate, such as supportive counselling and medical support.

The Child Safeguarding Focal Point informs the child(ren) or adult(s) who reported the child safeguarding concern of the actions that were taken. If a child disagrees with the actions taken, he or she may contact the **Child Safeguarding Focal Point** or **Child Rights Connect** within one

² In accordance with the Committee's working methods for the participation of children in the days of general discussion (CRC/C/155, paras. 7 and 10).

week of the actions taken to respond to the incident. If an adult concerned disagrees with the actions taken, he or she may contact the **Secretary of the Committee** within one week of the actions taken to respond to the incident.

All reports should be kept confidential within the Working Group on Child Participation. A report can be released to the concerned child upon his or her request.

2. Use of images of children and submissions prepared by children

In accordance with the Committee's working methods on the participation of children,³ submissions prepared by children are presumed to be confidential unless the submission contains a clear indication otherwise or written consent to make it public. Children participating in public events of the Committee must be duly informed that such events are public, filmed, potentially webcast and recorded for online posting and other uses, and that their participation is conditional on their consent (and that of their parents or guardians, as applicable) to be filmed in a group or individually.⁴ Children who participate in the Committee's work are named only by their first names. Any related concerns are reported to the **Child Safeguarding Focal Point**.

3. Negative consequences of child participation in the work of the Committee, including reprisals or intimidation

Any reports of negative consequences experienced by children as a result of their participation or interaction with the Committee are referred to the Committee's focal point for reprisals.

G. Relevant contact details

Child Safeguarding Focal Point:

Chanmi Kim
+41 22 928 94 31 | ckim@ohchr.org

Alternate Child Safeguarding Focal Point:

Monica Nascimento e Silva
+41 22 917 96 62 | mnascimentoesilva@ohchr.org

Coordinator of the Working Group on Child Participation:

Renate Winter
renatewinter@gmx.net

Secretary of the Committee:

Allegra Franchetti
+41 22 727 93 40 | afranchetti@ohchr.org

Any concerns about the immediate safety of a child should be directed to the local authorities (in Geneva, 117 for the police or +41 22 917 29 00 for the United Nations Security and Safety Services).

³ The Committee's working methods for the participation of children in the reporting process (CRC/C/66/2) and in the days of general discussion (CRC/C/155).

⁴ In accordance with the Committee's working methods for the participation of children in the days of general discussion (CRC/C/155, paras. 9 and 25) and in the reporting process (CRC/C/66/2, para. 14).