

## **Optional Protocol to the UN Convention on the Rights of the Child (UNCRC) on a communications procedure**

Ireland ratified the Optional Protocol to the UN Conventions on the Rights of the Child (UNCRC) on a communications procedure on 17<sup>th</sup> September 2014 (full text is available at <http://www.ohchr.org/EN/HRBodies/CRC>). It came into effect on 24<sup>th</sup> December 2014. The protocol allows for a direct communication to the United Nations Committee on the Rights of the Child<sup>1</sup>, where a child's rights as set out in the UNCRC and optional protocols are violated.

The Protocol provides for three separate communication procedures:

- The Individual Communications Procedure
- The Inter-State Communications Procedure
- The Inquiry Procedure

Not all communications are admissible. Article 7 of the Protocol sets out the admissibility of communications. For example, communications are inadmissible when they are anonymous. They are also inadmissible when the facts that are the subject of the communication occurred prior to the entry into force of the present Protocol for the State party concerned, unless those facts continued after that date.

In Ireland, there are currently a number of ways open to children and their parents or guardians to pursue redress in cases of alleged violations of children's rights. These are provided through the complaint procedures of various State bodies and agencies. In addition, independent statutory bodies have the power to investigate and determine complaints (such as the Ombudsman for Children's Office, the Garda Síochána Ombudsman Commission and the Equality Authority). There may also be the possibility of pursuing redress through a legal challenge in the courts.

While decisions by the UN Committee are non-binding on States, Ireland, as a party to the UNCRC, is answerable to the United Nations for its implementation of the Convention.

Further information is available on <http://www.ohchr.org/EN/HRBodies/CRC> Other useful links are:

- [www.ohchr.org](http://www.ohchr.org) Office of the High Commissioner for Human Rights
- [www.oco.ie](http://www.oco.ie) Ombudsman for Children's Office
- [www.equality.ie](http://www.equality.ie) Equality Authority

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<sup>1</sup>The United Nations Committee on the Rights of the Child is a group of 18 international children's rights experts established under the UNCRC who report to the United Nations General Assembly.