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MEDIA RELEASE

**Child Rights: What Australia can do to be a world leader in better protecting the rights of children**

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“Australia should seek to play a leading role in helping to ensure the rights of children are better protected and promoted by signing and ratifying the Third Optional Protocol to the International Convention on the Rights of the Child **(the Protocol)**”, Stephen Keim, President of Australian Lawyers for Human Rights (‘ALHR’), said today.

“The Protocol is designed to bring into operation a new communications procedure by which complaints may be submitted to a United Nations Committee by or on behalf of individual children or groups of children. This new process allows complaints to be made regarding specific violations of a child’s rights under the International Convention on the Rights of the Child **(the Convention)**”, said Mr. Keim.

“These complaints are received and assessed by the expert UN Committee on the Rights of the Child **(the Committee)**. By allowing complaints to be made and received, the Protocol will allow children to be placed on a par with rights holders under other international human rights documents. By allowing complaints to be made on behalf of as well as by individual children or groups of children, the Protocol makes a unique provision and, thereby, recognises the unique situation of powerlessness in which children often find themselves”, said Mr. Keim. “The extra flexibility is clearly better suited to the special needs of children.”

ALHR is a national network of over 2000 Australian lawyers and law students active in practising and promoting awareness of human rights. ALHR has made a submission to the Attorney General’s Department **(the Department)** in the Department’s Public Consultation on the Protocol.

Mr Keim noted, “The Australian Government can do much more to recognise the special place of children as our leaders of tomorrow and that their development and learning is critical to our universal future. These important measures can start with increased legal protection of the rights of children by incorporating the Convention into Australian domestic law, developing a National Plan of Action for Children and Young People and by the creation of a position as the National Children’s Commissioner. These measures would complement the purpose of the Protocol to strengthen national mechanisms to provide redress and remedies for children. Resort to international mechanisms, like the Committee’s complaints function, is only available when domestic remedies

are exhausted.<sup>1</sup> Accordingly, the more accessible and appropriate structure Australia has in place for matters to be appropriately investigated and dealt with Australia, the less likely it is that complainants within Australia will need to use the Committee's complaints procedure. That is, a good domestic structure will not only provide accessible remedies within Australia. It will enhance Australia's reputation as a country who effectively responds to protect the rights of children by taking proactive steps."

The full text of ALHR's submission is now available on the Attorney General's Department [website](#): (Submission number 8 at bottom of page).

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<sup>1</sup> Third Optional Protocol, article 7(e).