

# **11. d) Optional Protocol to the Convention on the Rights of the Child on a communications procedure**

*New York, 19 December 2011*

**ENTRY INTO FORCE:** 14 April 2014, in accordance with article 19(1).

**REGISTRATION:** 14 April 2014, No. 27531.

**STATUS:** Signatories: 51. Parties: 43.

**TEXT:** [A/RES/66/138](#)

*Note:* The above Protocol, which was adopted at the sixty-sixth session of the General Assembly of the United Nations by resolution [66/138](#) of 19 December 2011, opened for signature in Geneva, Switzerland, on 28 February 2012 and remains open for signature thereafter at United Nations Headquarters in New York.

<i>Participant</i>	<i>Signature</i>	<i>Accession(a), Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Accession(a), Ratification</i>
Albania.....	24 Sep 2012	29 May 2013	Lithuania.....	30 Sep 2015	
Andorra.....	26 Sep 2012	25 Sep 2014	Luxembourg.....	28 Feb 2012	12 Feb 2016
Argentina.....	25 Jul 2012	14 Apr 2015	Madagascar.....	24 Sep 2012	
Austria.....	28 Feb 2012		Maldives.....	28 Feb 2012	
Belgium.....	28 Feb 2012	30 May 2014	Mali.....	28 Feb 2012	
Benin.....	24 Sep 2013		Malta.....	18 Apr 2012	
Bolivia (Plurinational State of).....		2 Apr 2013 a	Marshall Islands.....		29 Jan 2019 a
Bosnia and Herzegovina.....	11 Jul 2017	17 May 2018	Mauritius.....	13 Aug 2012	
Brazil.....	28 Feb 2012	29 Sep 2017	Monaco.....		24 Sep 2014 a
Cabo Verde.....	24 Sep 2012		Mongolia.....	4 Oct 2013	28 Sep 2015
Chile.....	28 Feb 2012	1 Sep 2015	Montenegro.....	28 Feb 2012	24 Sep 2013
Costa Rica.....	28 Feb 2012	14 Jan 2014	Morocco.....	28 Feb 2012	
Côte d'Ivoire.....	24 Sep 2013		North Macedonia.....	23 May 2012	
Croatia.....	27 Dec 2013	18 Apr 2017	Panama.....		16 Feb 2017 a
Cyprus.....	27 Jul 2012	11 Sep 2017	Paraguay.....	26 Sep 2012	20 Jan 2017
Czech Republic.....	30 Apr 2015	2 Dec 2015	Peru.....	28 Feb 2012	6 Jan 2016
Denmark <sup>1</sup> .....		7 Oct 2015 a	Poland.....	30 Sep 2013	
Ecuador.....	24 Apr 2013	19 Sep 2018	Portugal.....	28 Feb 2012	24 Sep 2013
El Salvador.....	25 Jul 2013	9 Feb 2015	Romania.....	13 Jun 2012	
Finland.....	28 Feb 2012	12 Nov 2015	Samoa.....		29 Apr 2016 a
France.....	20 Nov 2014	7 Jan 2016	San Marino.....		26 Sep 2018 a
Gabon.....		25 Sep 2012 a	Senegal.....	1 Oct 2012	
Georgia.....		19 Sep 2016 a	Serbia.....	28 Feb 2012	
Germany.....	28 Feb 2012	28 Feb 2013	Seychelles.....	24 Sep 2013	
Ghana.....	24 Sep 2013		Slovakia.....	28 Feb 2012	3 Dec 2013
Guinea-Bissau.....	24 Sep 2013		Slovenia.....	28 Feb 2012	25 May 2018
Ireland.....	24 Sep 2014	24 Sep 2014	Spain.....	28 Feb 2012	3 Jun 2013
Italy.....	28 Feb 2012	4 Feb 2016	Switzerland.....		24 Apr 2017 a
Liechtenstein.....	24 Sep 2012	25 Jan 2017	Thailand.....	25 Sep 2012	25 Sep 2012
			Tunisia.....		14 Dec 2018 a

<i>Participant</i>	<i>Signature</i>	<i>Accession(a), Ratification</i>	<i>Participant</i>	<i>Signature</i>	<i>Accession(a), Ratification</i>
Turkey.....	24 Sep 2012	26 Dec 2017	Uruguay .....	28 Feb 2012	23 Feb 2015
Ukraine .....	20 Nov 2014	2 Sep 2016			

***Declarations and Reservations***  
***(Unless otherwise indicated, the declarations and reservations were made upon ratification, acceptance, accession or succession.)***

**ALBANIA**

“According to article 12, first paragraph of the Optional Protocol, the Republic of Albania hereby declares it accepts the competence of the committee to receive and examine the communications in which a State party claims that another State party does not meet its obligations under the instruments referred to in this paragraph [to] which the State is a party.”

**BELGIUM**

*Declaration:*

“This signature engages also the French Community, the Flemish Community, the German-speaking Community, the Walloon Region, the Flemish Region and the Brussels-Capital Region.”

*Declaration:*

The Kingdom of Belgium recognizes the competence of the Committee on the Rights of the Child to receive, pursuant to article 12 of the Optional Protocol, communications from a State party which claims that another State is not fulfilling its obligations.

**CHILE**

The Republic of Chile declares, in accordance to article 12, entitled Inter-State Communications, of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, that it recognizes the competence of the Committee to receive and consider communications in which a State party claims that another State party is not fulfilling its obligations under any of the following instruments to which the State is a party: the Convention; the Optional Protocol to the Convention on the sale of children, child prostitution and child pornography; and to the Optional Protocol to the Convention on the involvement of children in armed conflicts.

**CZECH REPUBLIC**

Pursuant to Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on a Communication Procedure, the Czech Republic declares that it recognizes the competence of the Committee on the Rights of the Child to receive and consider communications according to this article.

**FINLAND**

“The Republic of Finland declares that it recognizes the competence of the Committee to receive and consider inter-state communications made against it provided for in Article 12 of the Protocol.”

**GERMANY**

“The Federal Republic of Germany recognizes the competence of the Committee to receive and consider communications pursuant to Article 12(1) of the Optional Protocol.”

**ITALY**

“... pursuant to Article 12 (1) of the Optional Protocol to the Convention on the Rights of the Child on a

Communications Procedure, done at New York on 19 December 2011, the Italian Republic declares that it recognizes the competence of the Committee on the Rights of the Child to receive and consider communications in which a State party claims that another State party is not fulfilling its obligations under the instruments referred to in this Article.”

**LIECHTENSTEIN**

“According to article 12 of the Optional Protocol from 19 December 2011 to the Convention on the Rights of the Child on a communications procedure, the Principality of Liechtenstein declares that it recognises the competence of the Committee on the Rights of the Child to receive and consider communications in which a State party claims that the Principality of Liechtenstein does not fulfil its obligations under any of the following instruments: the Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, or the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.”

**MONACO**

Pursuant to Article 13, paragraph 7, of the Protocol, the Principality of Monaco wishes to indicate that it does not recognize the competence of the Committee provided for in the present article in respect of the rights set forth in the Convention on the Rights of the Child, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

**PORTUGAL**

“The Portuguese Republic declares that it recognizes the competence of the Committee on the Rights of the Child in accordance and for the purposes of article twelve of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, adopted in New York, on the nineteenth of December of two thousand and eleven.”

**SLOVAKIA**

“The Slovak Republic recognizes the competence of the Committee on the Rights of the Child to receive and consider communications pursuant to Article 12 (1) of the Optional Protocol.”

**SLOVENIA**

“Pursuant to Article 12, paragraph 1, of the said Protocol, the Republic of Slovenia declares that it recognises the competence of the Committee on the Rights of the Child to receive and consider communications in which a State party claims that another State party is not fulfilling its obligations under the instruments in this paragraph.”

#### **SWITZERLAND**

Pursuant to article 12 (1) of the Protocol, Switzerland recognizes the competence of the Committee to receive and consider communications under this provision.

#### **TURKEY**

The Republic of Turkey declares with regard to the competence of the Committee on the Rights of the Child as provided for by the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, that the reservations and declarations it made to the Convention on the Rights of the Child, to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in armed conflict and to the Optional Protocol to the Convention on the Rights of the Child on the Sale of

Children, Child Prostitution and Child Pornography fully retain their validity.

#### **UKRAINE**

Ukraine states that for the period of temporary occupation of a part of the territory of Ukraine – the Autonomous Republic of Crimea and the city of Sevastopol – as a result of the armed aggression of the Russian Federation and until complete restoration of the constitutional order and effective control by Ukraine over such occupied territory, as well as over certain districts of the Donetsk and Luhansk oblasts of Ukraine, the application and/or implementation by Ukraine of the obligations under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, as applied to the aforementioned occupied and uncontrolled territory of Ukraine, is limited and is not guaranteed.

### ***Objections***

***(Unless otherwise indicated, the objections were made upon ratification or accession.)***

#### **CYPRUS**

“The Republic of Cyprus has examined the Declaration made by the Republic of Turkey on the 26th of December 2017, upon ratifying the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (2011), limiting the competence of the Committee on the Rights of the Child to those States Parties which it recognizes and with which it has diplomatic relations. In the view of the Republic of Cyprus, this Declaration amounts to a Reservation.

To this effect, the Republic of Cyprus would like to state that the Objections it has made in respect of the Declarations/Reservations of Turkey with regard to the Optional Protocol to the Convention on the Rights of the Child on the Involvement of Children in armed conflict and to the Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography, fully retain their validity and apply equally to the Reservation of Turkey in respect to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.”

---

#### ***Notes:***

<sup>1</sup> With Territorial exclusion with regard to Greenland and the Faroe Islands.

