

ANNEXE 1: Documentation template to submit the outcomes of the consultation with children on the CRC Committee's General Comment on children's rights to access to justice and effective remedies (gc.27)

PLEASE NOTE THAT YOU WILL FIND THE SAME QUESTIONS BY GOING ON THE LINK [HERE](#) in English, French and Spanish You can submit the replies in English, French and Spanish.

If the children expressed their opinions in different ways, such as drawings, poems, or other expressive methods, please upload them to the online form at the end.

1. Please share with us the following background information!

- **Name of the supporting organisation:** Child Rights Coalition Cambodia (CRC-Cambodia)
- **Contact person and their email address:** Mr. Yan Lay (ed@crc-cambodia.org), Ms. Smiljana Frick (smiljanafrick@gmail.com)
- **Date of consultation:** 19 & 20 November (with a validation workshop on 22 Dec)
- **Where the consultation took place (country, city):** Phnom Penh, Cambodia
- **Name of facilitator(s):** Smiljana (Jana) Frick (lead), Bopha Hour and Lay Yan from CRC-Cambodia, Chhengla Leap & Zoe de Melo from Terre des Hommes Netherlands, Phanna Chim & Sony Sy from Plan International Cambodia

2. Please share with us the following information about the child participants!

- **Total number of children involved:** 21 children and 6 youth
 - 19 Nov: 2 children + 1 youth (19 years of age)
 - 20 Nov: 18 children + 5 youth (18 and 19 years of age)
 - 22 Dec (Validation Workshop) 6 children + 4 youth (Note - all participants took part in the consultations, except for one girl, 17 years of age)
- ***Gender of child participants:**
 - Children: Female (10) / Male 11
 - Youth: Female 2, Male 4

(Note - one participant preferred not to identify their gender during the validation workshop. however, we are not sure if it was a child or a youth participant)

- **Ages of the children (age range):** From 13-19 years old
- **Representation:** *Please note any other relevant background details about the children who have participated. This might include, but not be limited to, being a member of a minority group, having a disability, living in alternative care, being out of school, children on the move, etc.*
 - Indigenous children group (Jarai, Bunong, Kroul, and Kreung)
 - Care leavers
 - Most of the participants were coming from families and communities experiencing poverty and social exclusion.
- **Selection:** Please describe how the children were gathered and selected to take part in this activity. Are they part of an existing project(s) run by your organisation?

Participants were selected by CRC-Cambodia members based on the agreed criteria such as:

- Interest in discussing this topic,
- 10 to 17 years of age
- from different provinces and different backgrounds
- have signed consent forms

See [Invite](#). An online meeting was organised with invited interested members and agreed that each organization selects 2 participants one girl and one boy and/or a SOGISEC diverse child. However, some members were not able to select younger children; facilitators believe that this is related to concerns related to the capacity of children to discuss this complex and new/under-discussed topic by members.

Please note – We specified when the information included in the report was shared by those older than 18 **only** or when it is coming from facilitators.

3. Please share with us the summary of the children's views by questions. You can go into details as much as you want and we welcome direct quotes from the children, too. In case the children did not want to discuss any of the questions, please just indicate that the group decided to skip that question.

3.1. What do children think about justice and effective remedies?

The participants emphasized the importance of justice and effective remedies, focusing on actions of those in the position of power and highlighting rule of law, accountability, fairness and child-centered approach. Justice and effective remedy is

When adults (those in power/ decision-makers)

- make laws and decisions that are fair/just/right for all, including children, respect these laws, and follow through decisions and promises they made
- take responsibility and correct mistakes they made
- treat everyone the same way, and are being fair to everyone, including children no matter where they come from
- do not apply special rights for some and do not misuse power, make threats or request informal payments (corruption and bribery)

When children

- are safe, respected, and get support and care they need during the process. When decisions made (remedies/solutions) in this process are suitable/good for children and they are carried out (made happen).

3.2. What are the barriers for children to access justice and get effective remedy?

Participants in the consultations identified numerous barriers for children to access and engage in the reporting and justice processes that are (on paper) available to them.

Barriers related to access are related to lack of information and these processes not being acceptable, affordable and as well as physically accessible.

Children are not informed:

- Children do not know where and how to report a problem related to their rights nor to file a complaint. They do not learn about this in schools nor are they getting such advice and

guidance from social workers, doctors etc. Many children find out about a hotline on their own on social media.

- There is a focal point for child protection in the villages, but children do not know about this.
- NGOs give legal advice to children when they need it. Information about what to do when rights are violated is not part of the usual information/learning about child rights that is provided by NGOs.
- When information is given, difficult words are used so that most children have difficulties understanding. This is even more difficult for indigenous children, children with disabilities and young children. They do not get information in the language they can understand well. Not only that the terminology is not adapted to children, but the police officers and others involved use offensive words and yell when explaining the process.

Reporting and justice mechanisms are not acceptable:

- In the villages, all the police officers are men. This makes girls feel uncomfortable/hesitant talking about what happened. There are not many female lawyers or prosecutors, and similar problems might happen at this level as well.
- Many children and their families are scared or don't want to report problems and start legal processes because they don't trust the system. Many are afraid that they will not be treated well and fair and that they will suffer more instead of getting help. Many are afraid of bribery.
- Children report feeling shy, and some even struggling to discuss problems with their parents. Facilitators attribute this to the dominant social norms. Following these norms children are typically encouraged to be shy, obedient, and submissive to adults. Children are not expected to express their opinions or concerns openly, leading to a suppression of their voices. Children report that SOGIESC-diverse, poor and children without parents are even more ashamed and less confident to raise concerns. (This is again related to intersectional social norms related to SOGIESC-diversity, poverty, children out of place etc).
- Facilitators comment: In addition, numerous child rights violations are normalized within many communities and/or accepted as the unfortunate 'status quo.' This includes widespread, for example acceptance of violence, child labor, and the burden of school fees on families.
- Facilitators comment: Furthermore, seeking justice through formal legal channels is often discouraged. There's a pervasive lack of trust in public systems, and a strong social stigma surrounding publicly admitting or discussing conflicts within the community

Court proceedings are not affordable

- Legal procedures are costly. Many children/families do not have money or do not want to risk spending a lot of money, without getting any (adequate) compensation or help.
- Children do not get free legal support.
- Unofficial and additional costs are required for some essential services. Poor children are neglected in hospitals and schools because they cannot pay unofficial and/or additional costs.
- Everything is even more expensive for children who are far away from centres because they need to pay for travel and accommodation to attend litigations (court cases).

Court proceedings are physically not accessible

- Generally available opportunities might be too far or too expensive for children living in rural and especially remote areas. These areas are typically deprived of services, options and support for children. Many indigenous children live in remote areas.
- Children in rural and remote areas do not have access to the internet and this means even fewer options to find information and advice when they need it.

- There are no ramps and equipment for children with physical disabilities and or children with audio-visual impairments.

Difficulties that are stopping children from engaging in the process - The ways for children to report problems, the response they get, and the court processes are not friendly nor effective for children. The issues are related to:

Long and complex processes

- The court process takes a long time and is complicated because there are many steps to follow. A 19-year-old female participant reported a case (own experience) in which police did not take any action for 4 years. There might be more such cases.
- There are no specific and separate avenues/options for children (like children's or family courts, ombudsperson for children)
- The process is slow, there are not enough officers, and some do not react to children's concerns. Because things are not moving forward, children are scared and worried. This has a considerable effect on their mental health, and some do not see a way out. Children report that this can lead to suicides.
- Bribery is another problem. People pay money to delay court cases and try to win unfairly.

Lack of safety and security

- There is no separate room for children to ask for advice, report problems and give testimonies. Testimonies have to be repeated many times. It is very uncomfortable for children to talk about problems in front of all. It is even worse for girls in front of all male officers.
- Information from children is not kept confidential. Children are in constant fear that their information will be leaked and stigmatization/exclusion from school and communities they might suffer because of that. In one case the accused person was invited to the process at the same time as a child.
- Some officers misuse power. Children are sometimes not treated well by the police and others involved, for example bad words, yelling, threats are used.
- Children are not protected from threats during or after the process.
- This all affects children's mental health negatively.

Lack of respect

- Police and others belittle, ridicule or ignore children's concerns - they do not react at all or not on time on children's reports.
- Children from poor families are even less respected and cared for

Lack of support

- Generally, people expect children should be quiet and not speak up about problems or complain to adults. This stops children from sharing their concerns and reporting problems. This also makes it very difficult for children to participate in court procedures.
- Children usually do not get the support they need (such as explanations and advice) before, during or after any court process. Most children do not know where to seek such support. Support is crucial since children are not allowed by law to initiate court cases on their own, they need support - parents, lawyers.
- Children are not told what is happening during the process, which makes them feel worried. Because children do not have enough information during the process, they can not participate.

- Children do not get psychological support during or after the process.

Barriers related to effective remedies:

Lack of effectiveness:

- The court processes last long, decisions/remedy is often late. Bribery can make it even worse. In one case a child had to wait 3 years for the court decision.
- Remedy is often only on paper. The solutions are just written down and not really followed. An apology or an agreement might be made, but this does not make any change in children's lives, and they continue to feel scared. People who do bad things (wrongdoers/perpetrators/abusers) only get a short punishment, and children still feel scared.
- Children do not get any support after the process. There is nobody to check up on them or provide mental health support and help get back to school.

Lack of fairness:

- Sometimes there is pressure from powerful people to accept the decision although children and their families disagree, but they do not have means (money and support) to complain.
- The court process is costly and at the end children do not get any compensation (remedy).
- Bribery is another problem. People pay money to delay court cases and try to win unfairly.

3.3. What do children need to access justice and effective remedy if their rights got violated?

First, children need child friendly justice – see 3.4 for the more concrete suggestions. In addition, children need:

Greater awareness. More specific suggestions:

- Raise children awareness on children's rights, reporting and justice procedures
- This information should be easy to understand, complete and available everywhere, including online and in different languages and formats
- All professionals, in schools, in hospitals, police and so on, should inform all children about what can be done when their rights are violated
- NGOs should provide this information too on a more regular basis as part of general information on children's rights.
- Child rights education in schools should include information about what to do when children's rights are violated
- Peer education is important in this context. Support peer education programs around the country. Make sure children with different backgrounds can join.

More supportive immediate environment. Children suggest that parents should be provided with various types of support:

- Raise awareness and skills of parents to be able to support children in reporting and justice processes
- Provide support to parents to increase their communication skills and enable them to listen and talk to their children
- Support parents to be able to solve problems without violence
- Raise awareness of parents that resorting to bribery and out-of court settlements is harmful to children

Finally, to make sure that children are adequately support and their specific needs are met, children should be involved in the design. Specifically:

Prioritize children's best interests by involving them actively in decisions in different settings - family, school, community and so on.

Consult with children regularly:

- Continue consultations with children about the issues they face when accessing justice and remedies and act on their suggestions. Increase opportunities for children to voice their concerns.
- Invite children to the meetings of authorities at local level (commune, province) regularly and ask for feedback about how services work and what can be improved including in respect of reporting and responding to cases.
- Regular meetings with children, for example once a month will help build better relationships, learn from each other and make better decisions that respect the best interests of children.
- Make sure that children are safe and supported before, during and after the consultations. Address their needs promptly.
- Integrate children's needs and inputs into the Commune Investment/Budgetary Plan through meaningful children's participation.
- Provide regular updates to children regarding the progress and responses to their suggestions, ensuring they are informed about the outcomes. Provide clear and timely updates on the progress of their cases or reports.

3.4. What ways should the bodies delivering justice work with the cases of children?

Adults should work in a way that is child friendly, that means respectful of children's rights.

Suggestions:

Make justice child-friendly

- Create a specific law for children with a clear and child-friendly mechanism so that every child can report violations of their rights. Speed up adoption of the Child Protection Law [in Cambodia]
- Create a special court (children's or family court) with specialized judge, prosecutor, lawyer, social workers
- Create effective reporting and response mechanisms to cover all settings for a speedy and effective reaction on children's concerns
- Make sure reporting procedures are clear/understandable, confidential and include diverse channels so that they can be used by children in different situations and in remote areas. For example, by writing a letter and giving it through a trusted person to the local authorities or through a phone call to local authorities at all levels (village, commune, district, provincial). Investigate and respond to reports/cases raised by children's clubs as well. Provide a separate room for children to report their cases to safeguard their privacy.
- Train law enforcement officers at all levels in child-friendly justice procedures, including how to communicate effectively with every child no matter their background
- Use child-friendly words and keep children informed all the time during the process.
- Provide a free lawyer to children. In addition, provide a person of trust for children during testimony (it could be a teacher)
- Keep children safe and their information confidential during and after the process. Stop abusive and discriminatory language
- Use child-friendly methods when asking children for their testimonies
- Make sure that children get psychological support before, during and after court procedures

Train everyone involved

- Train all professionals (including in health) at all levels on children's rights, reporting and justice processes so that they can give this information and advice to children
- Train all professionals on child-friendly and inclusive methods of work with all groups of children, including the most vulnerable
- Train focal points for child protection and make sure that they are in each village. Ensure that child protection focal points have stronger connections with children's clubs and continue raising awareness about the child protection focal points in the commune, including information on where children can seek support and report cases. (these recommendations were made by youth, ie. a group of participants of 18 years of age during the validation workshop).
- Increase the number of skilled officers working with children. For example, the capacity of local and district Women's and Children's Consultative Committees (WCCC).

3.5. How can adults make sure that when justice is delivered, it has a positive impact on the life of the child or children?

- Make sure that remedies are transparent, fair, good and effective for children
- Make sure that remedies include psychological support, and other support children need
- Provide the budget and follow through with the decisions made by courts
- Increase collaboration between services at local level so that children can get all kinds of help and support they need after the process
- Raise awareness of parents that resorting to bribery and out-of court settlements is harmful to children [see other recommendations regarding parents and increasing parental support above]

3.6. Other comments

Here are a few general reflections from the facilitators, supporting organizations and partners:

Engaging children on this complex and under-discussed topic in Cambodia within a limited timeframe (and other resources) presented significant challenges.

Lack of own experience and/or previous discussion/engagement with the topic that is considered complex was a bit off-putting for many children and a challenge for the organisers and facilitators. We could not support children to draw and reflect on their own experiences to form their own opinions. Most participants have had issues with violations of their rights, but not with reporting such concerns and filing a complaint let alone taking further part in any such process. This was evident in the data we collected, with children providing more information on barriers to accessing justice mechanisms than on available remedies.

To address these challenges, we collaborated with members and partners in the design of the consultations. We also conducted a separate interview with a small group of children who had prior experience with court proceedings to make sure we collect their insights while keeping them safe (protecting their identities).

The design of the consultations was based on the methodology provided by CRCt. Its main approach was defined by

- Gathering input from children starting from their current understanding, gradually increasing their knowledge on access to justice and remedies.

- Each session builds on previous, using similar resources and reminders to generate input and increase learning gradually.

The presentation with tools we used for the consultations could be accessed here: [link](#).

Using the same approach, we organised a validation workshop with children where we presented the findings based on a child friendly version of the summary outcome report from the consultations. Besides presenting and discussing the first draft of the summary report, the validation workshop was used to deepen some of the emerging topics such as - how can children's participation in the design of reporting and justice mechanisms.

- Final version of the report can be accessed here: [link](#).

Translating legal terms from English to Khmer presented significant difficulties. For example, the English term "remedy" often translates directly to "compensation" in Khmer, potentially limiting the (children's) understanding to financial restitution. To address this, we employed more inclusive descriptions such as "decisions that make positive change" or "solutions" to broaden their understanding of the range of possible outcomes." Despite the difficulties in translation and lack of experience, children had a lot of valid (ie. rights based ideas) how the remedies could be improved and more effective.

4. We would like to hear also the feedback of the children and the facilitators about the consultation process itself.

4.1. FEEDBACK FROM CHILD PARTICIPANTS:

What worked well? What could be better next time? Any other comment?

The participants reported that they enjoyed games, discussions, food, feeling safe, attention and support from participants and facilitators, learning about rights, and the opportunity to express opinions.

- "Having a good relationship with friends in the group even if you meet them for the first time."
- "Connections with people from other provinces and getting to know each other"

The participants shared that they learned about problems children face, finding solutions, right to participate, justice, GC27, children's rights as well as

- "learning to discuss in team"
- "getting to know about interest of others without prejudices"

As one thing that the participants would change, many highlighted that they would like to have more time and some added a bigger place for the workshop, but also that they would like to try to increase their own confidence to speak in plenary. Some added:

- "I will share the experience I learned today with my friends"
- "Respect the rights and value the people around you because each of us has equal rights"

As any additional comment, a few participants shared the following:

- "It is great to have more space to raise about the issue and suggestion from children (beside justice and effective remedies.)"
- "If possible, this input collection should be done online and sent to partner NGOs so that other children can participate."

- “It would be good to invite children who have experience with reporting and the justice system to this workshop.”

A summary reflections and feedback of the participants:



Directions: Fill in the boxes below with a combination of text and drawings to

- ★ help you reflect on the workshop today!
- ★ help us improve next time!

which face fits best:			
I understood what was discussed today		2	18
I got enough support to help me give my opinions		1	20
I felt safe giving my views		3	18
My views were listened		2	19
I could give my opinions whatever way I wanted		3	18
I had enough time to exchange with others		7	14
We had enough fun together		1	20
I understood who wants to hear our views and why		7	14
I know how I will be told about the progress with the GC27		10	11

one thing that I enjoyed ...

... games, discussions, food, feeling safe, attention and support from participants and facilitators, learning about rights, opportunity to express opinions

“Having a good relationship with friends in the group even if you meet them for the first time.”

“connections with people from other provinces and getting to know each other”

one thing I learned...

about problems children face, finding solutions, right to participate, justice, GC27, children's rights

“learning to discuss in team”

“getting to know about interest of others without prejudices”

one thing that I would change ...

more time, bigger place, increase my confidence to speak in plenary

- “I will share the experience I learned today with my friends”
- “Respect the rights and value the people around you because each of us has equal rights”

... anything else to share?

- “It be great to have more space to raise about the issue and suggestion from children (beside justice and effective remedies.)”
- “If possible, this input collection should be done online and sent to partner NGOs so that other children can participate.”
- “It be good to invite children who had experience with reporting and justice system to this workshop.”

This feedback has infomed preparations for the validation workshop and the final child friendly version of this report (link above)

This feedback, particularly regarding unclarity who is interested in children's views and how they will be kept informed about the developments, has informed the preparations for the validation workshop and the creation of the final child-friendly version of this report.

4.2. FEEDBACK FROM FACILITATORS:

What worked well? What could be better next time? Any other comment?

- Methodology, tools developed worked well to structure and break this complex topic into parts that help understand various important aspects. Following the advice from the methodology we created visuals that we used throughout the process to facilitate consultations and learning.
- More time (and other resources) needed for a deeper exploration of the topic with children
- The collaborative work on this first round of consultations with children for the CRC General Comment 27 is an excellent opportunity to
 - learn from children, map issues and continue empowering them to contribute to advocacy on this important topic, including for the CRCOP3. (see also 2022 CRC COBs and 2024 UPR Recommendations)
 - to continue raising awareness of this important topic among child rights organisations.