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Nota di contenuto	Part I: Introduction to the Third Optional Protocol to the Convention on the Rights of the Child concerning a communications procedure: The Convention on the Rights of the Child Communication/ Complaints Procedure and the Convention General Implementation Articles -- Part II: Selected Weaknesses of the Convention on the Rights of the Child Optional Protocol on a Communications Procedure: The Inadmissibility of Collective Communications Under the OP3-CRC -- Reliance on the Best Interests of the Child Principle -- The Failure to Allow Communications Involving Jus Cogens Violations Where the Complaint is Against State Non-Parties to the OP3-CRC (Even if a State Party to the CRC and/or One or Both of the First Two Protocols to the CRC) -- Inter-State Communications under the OP3-CRC and the Requirement for an Opt In Declaration by the State Party -- Children's Age and Adjudged Maturity vs. Legal Principle as Factors in Taking Children's

Views into Account in OP3-CRC Decision-Making -- Weaknesses in the OP3-CRC Provisions Regarding Inquiries, Friendly Settlements and Follow-Up -- Communications Concerning Violations of Children's Economic, Social, or Cultural Rights -- Potential Obstacles Under OP3-CRC to Redress for Violation of Social and Cultural Rights: Case Examples Involving Indigenous Children -- Concluding Remarks and Summary.

Sommario/riassunto

This book considers the Optional Protocol to the Convention on the Rights of the Child on a communication procedure as a key contributor to the realization of children's Article 12 Convention on the Rights of the Child participation rights. Weaknesses in the current formulation of the CRC communication procedure (its first iteration since entry into force 14 April, 2014) are examined and suggestions for strengthening of the mechanism in various respects considered. Actual cases concerning children's fundamental human rights in various domains and brought under various international human rights mechanisms are considered as hypothetical OP3-CRC communications/complaints. In addition certain domestic cases brought to the highest State Court are considered as hypothetical OP3-CRC communications brought after exhaustion of domestic remedies. In this way various significant weaknesses of the OP3-CRC are illustrated in a compelling meaningful case context and needed amendments highlighted.
