

Thank you chair,

On behalf of DKA Austria, Child Rights Connect, ECPAT International, Clínica de Direitos Humanos UFMG and Clínica de Direitos Humanos PPGD/PUCPR.

Article 10 is crucial out of a child rights perspective.

In article 10 (statute of limitations) “prosecution and punishment” was changed for “legal proceedings”, a concept that encompasses also civil and administrative actions and proceedings, which is positive in principle. But in both 10.1 and 10.2 paragraphs, the draft continues using the ill-grounded concept of “most serious crimes of concern to the international community as a whole”, instead of the proposed term: “crimes under international law,” which is fairly well defined in international law This is an important proposal that should be restated.

We therefore propose to change article 10.2 like that:

10.2.-The States Parties to the present (Legally Binding Instrument) shall adopt any legislative or other measures necessary to ensure that statutory or other limitations applicable to civil claims or violations that do not constitute ~~the most serious crimes of concern to the international community as a whole under international law~~ shall not run for such a period as no effective remedy is available and shall not apply to civil or administrative actions sought by victims seeking reparation for their injuries. In all cases they must allow a reasonable period of time for the commencement of legal proceedings in relation to human rights abuses, particularly in cases where the abuses occurred in another State or when the harm may be identifiable only after a long period of time

We support Namibia’s statement during the 5<sup>th</sup> session: “ Time should not run against children during the investigation and prosecution of the violation”.

We would recommend that domestic statutes of limitations do not start before the alleged victim reaches the age of 18. And recommend to add new

**10.2bis. In the case of child victims, States Parties shall take all legislative or other measures necessary to ensure that statutory or other limitations will not deprive them from their right to access justice, remedy and reparation.**

Thank you chair for taking our proposal into consideration.