



# THE RIGHT OF CHILDREN TO PARTICIPATE IN PUBLIC DECISION-MAKING PROCESSES



**Save the Children**



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We stand side by side with children in the toughest places  
to be a child. We do whatever it takes to make sure they  
survive, get protection when they're in danger, and have  
the chance to learn.

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The photographs in this report show children involved in Save the Children's Child Rights Governance and participation work, in various contexts and countries, separate from this research.

Published by  
Save the Children International  
St Vincent House  
30 Orange Street  
London  
WC2H 7HH  
United Kingdom  
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[www.savethechildren.net](http://www.savethechildren.net)

First published 2020

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Cover photo: Children at a group meeting in Bangladesh (Photo: Save the Children in Bangladesh)

Design and editorial: [GrasshopperDesign.net](http://GrasshopperDesign.net)

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PHOTO: MALAYA MWILA, SAVE THE CHILDREN IN ZAMBIA

National children's  
parliament in  
Lusaka, Zambia

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# Foreword

My career in child rights began when I was just 12 years old. I helped set up a youth association focusing on reducing violence and crime among young people where I lived in Sweden. It was at this young age that I experienced first-hand the role children can play in challenging the status quo, influencing change and holding decision-makers to account.

This report highlights the views and experiences of children and young people on their right to be heard in public decision-making processes. During the report's final stages of development the world was hit by the coronavirus pandemic, the worst global crisis of our lifetime. As I write, children's lives are being turned upside down. Governments and communities around the world are fighting an unstoppable virus alongside rising poverty as economic recession looms. The sense of urgency is clear: failure to act now to protect the most deprived and marginalised children could reverse 30 years of progress in reducing poverty, cutting child deaths, expanding access to learning and reducing violence against children. We need to act now to protect a generation of children.

In this current environment, we might ask ourselves whether focusing on the right of children to participate in public decision-making should be a priority. The answer is yes, and now more than ever.

We have a legal and moral obligation to ensure children's civil rights and freedoms are supported and respected. Empowering children to participate and have their views heard in decisions affecting their lives is a core principle of the Convention on the Rights of the Child (Article 12). The right to be heard is a human right, binding on us all, irrespective of the crisis.

We must also understand that children are the true experts of their lived experiences, and although we have all once been young, every generation faces new and different realities. We simply cannot understand their perspective without dialogue and joint decision-making. Children have unique insights and recommendations on how to solve the challenges they are facing and they are often ready

to take action and create the change that is needed. It is therefore imperative that governments be open and transparent, and involve children in the many policy decisions that are impacting their lives, today and for many years to come.

The pandemic further emphasises the necessity of investing in sustainable structures and systems that support the child's right to be heard. In reference to State measures to control the virus, the UN Secretary-General recently observed that "securing compliance depends on building trust, and trust depends on transparency and participation".<sup>1</sup> I cannot agree more. Where children have access to good information and can shape decision-making processes, better decisions will be made. What is more, having mechanisms that embed the right to participate in public decision-making will ensure our human rights are met, even during times of crisis.

As lockdowns and school closures continue, we want to see governments and communities protect the spaces that support children's participation and visibility in community life. Children need our support to bridge the gap, otherwise we will see a significant negative impact on the social contract between today's children and the State.

Let us therefore recognise the role that children have and, in certain instances, are already having in the global response against COVID-19. In doing so, we can turn this crisis into a lifetime opportunity and put in place the building blocks to support children's participation in public decision-making processes.

I commend this timely and important report, congratulate the authors, thank the children who participated, and urge you all to implement its recommendations.

**Inger Ashing**  
CEO, Save the Children  
International





# Executive Summary

The right of children to participate in decision-making in all matters that affect their lives is a well-established legal principle and international research indicates growing evidence that states are implementing this principle in the sphere of public decision-making. Processes and structures that ensure children's voices are heard in public decision-making include children's parliaments, children's councils, children's clubs, conferences, ad hoc consultations, politicians' 'surgeries' and engagement through social media.

This report was commissioned by the Child Rights Governance team at Save the Children and was undertaken by the Centre for Children's Rights and Family Law at University College Cork and the Centre for Children's Rights at Queen's University Belfast. It brings together the research literature and the experience of civil society organisations working around the world to promote effective engagement with and participation by children and young people in decisions by national and local governments. Drawing on examples from a variety of countries representing diverse economic, social, political and cultural circumstances, it identifies the building blocks that are conducive to the effective participation of children in public decision-making.

A number of approaches exist to support children's participation in public decision-making. Structures have been established at local, national and international levels to allow children to make their voices heard on important issues affecting them. These include, among others, issues around

education, healthcare, recreational facilities, violence against children, child marriage and budgeting. Many forums can be used to help children make their voices heard on these issues.

While numerous approaches exist to ensure children can exercise their right to participate under Article 12 of the UNCRC, each presents its own challenges and opportunities. This report highlights key learning from the experiences of stakeholders involved in these processes, supported by the research literature. Here, we identify seven key building blocks which must be present in any mechanism to support children's participation, as follows.

## **1. Recognising children's rights to take civic action**

States should expressly recognise the rights of children to engage in civic action, including the rights to assemble peacefully, to associate and to express themselves. Information about children's rights should be provided in a form that is easily accessible and understandable. Barriers to the exercise of these rights, both formal and informal, should be removed.

## **2. Children's participation should be secured through law and policy supported by sufficient investment**

States should enact laws that guarantee the rights of children to participate in all matters affecting them, including public decision-making processes. Legislation and policy should be specific and provide

**States should expressly recognise the rights of children to engage in civic action. Information about children's rights should be provided in a form that is easily accessible and understandable.**



Children at the children's parliament in Bangladesh

guidance on the format, structure, operation and evaluation of all child participatory mechanisms. Sufficient financial and other resources must be made available to ensure mechanisms are sustainable and effective.

### 3. Strengthening children's agency, self-esteem and knowledge to participate in public decision-making

States should include children's rights education as part of national curricula and promote engagement by young people in local, regional and national decision-making processes.

### 4. Creating a conducive political, social and cultural environment, including addressing adult attitudes

States should facilitate direct contact between children and decision-makers and provide adequate training and support to adults engaging with children. The benefits of child participation should be shared with the wider community in order to generate widespread acceptance of the practice and to transition societies to the systemic use of child participation mechanisms.

### 5. Building quality spaces and processes for child participation in public decision-making

States should make provision for dedicated spaces for children to come together to participate in decision-making processes. Children's involvement should be voluntary and they should always be

treated with respect. All processes should be fully transparent and clearly explained to all involved. Processes should be child-friendly, safe and sensitive to risk.

### 6. Structures should be inclusive and involve children from deprived and marginalised groups

States should seek to ensure participation by diverse groups of young people. Where necessary specific measures should be introduced to reduce discrimination or exclusion on the basis of gender, ethnicity, race, social status, sexual orientation, religion or disability.

### 7. Accountability, feedback and follow-up

States should include mechanisms for feedback, evaluation and monitoring in all child participation mechanisms. Feedback should be provided directly to children in a timely manner and in an easily accessible format. Independent evaluations of participation mechanisms should be undertaken and recommendations actioned where possible.

**“They come to us and listen to us, so that is proof that they take us seriously. If someone asks you questions about your ideas and repeats what you said, that means that person is listening. I believe we will achieve good results.”**

Boy, 17, Netherlands

**“I think we have been able to make a positive culture of sharing. Now the elders and community leaders hear what we say. I think this is a great success for us to bring that culture in our community.”**

Young person, gender and age not given, Bangladesh

**“Projects for children must be made based on the proposals we give and thus good results can emerge.”**

Boy, age not given, Nicaragua

**“If the children aren’t active, positive leaders and know that they have to demand their rights while they are young, they will not be active and innovators when they become adults.”**

Girl, 15, Yemen



# Introduction

Article 12 of the UN Convention on the Rights of the Child (UNCRC) recognises the child’s right to freely express his/her views in all matters concerning him/her and requires that due weight will be given to those views in accordance with the child’s age and maturity. In addition, the UNCRC sets out a range of civil and political rights to which children are entitled, including freedom of expression (Article 13), freedom of thought, conscience and religion (Article 14), freedom of association and peaceful assembly (Article 15) and access to information (Article 17). Taken together, these principles affirm the right of children to have a voice in all matters affecting them, including in public decision-making. The UN Committee on the Rights of the Child has emphasised that states have positive obligations to remove any barriers to children exercising their right to participate in decisions that affect them; to provide training on Article 12 for professionals who work with and for children; to support children by providing the necessary legislative and administrative resources to realise their rights and to challenge negative attitudes that may hinder the exercise of children’s rights to participate meaningfully in society.<sup>2</sup>

Public decision-making is understood to refer to decisions made by government officials at local, regional and national level. It may also include decisions made in settings such as schools that are publicly funded and subject to centrally-mandated policies. Such decisions can range from everyday topics such as school recreation programmes to critically important matters such as national budgets for education or healthcare. Where these decisions impact on the lives of children, the UN Committee envisages that children will be consulted and their opinions and input considered prior to any decisions being finalised.<sup>3</sup> In addition to fulfilling the rights of the child, involving children in public decision-making also serves to improve services, promote citizenship and social inclusion and contribute to children’s personal development and social education.<sup>4</sup>

Children can participate actively in decision-making processes in a variety of ways. This participation can happen at multiple levels, including local, national and international levels. Across different countries worldwide, a variety of approaches and vehicles is utilised to ensure children’s voices are heard in

**Children from across Zambia discussing the contents of the national budget**



PHOTO: MALAMA MWILA, SAVE THE CHILDREN IN ZAMBIA

public decision-making. These include children's parliaments,<sup>5</sup> children's councils,<sup>6</sup> the inclusion of child representatives in public decision-making,<sup>7</sup> children's clubs,<sup>8</sup> conferences,<sup>9</sup> ad hoc consultations,<sup>10</sup> politicians' 'surgeries'<sup>11</sup> and through social media platforms.<sup>12</sup>

Regardless of the approach taken, children's participation in these structures must be meaningful and not tokenistic – defined by the Committee on the Rights of the Child as those 'which limit children's expression of views, or which allow children to be heard, but fail to give their views due weight'.<sup>13</sup> This requires active efforts by governments, policy-makers and other actors to create a space where this is possible.<sup>14</sup> Despite the strong emphasis on ensuring that children's voices are heard in public decision-making, a number of barriers continue to exist to giving full effect to this right. The extent to which children's voices are sought varies from one country to the next and there is considerable variation in the implementation of Article 12 within jurisdictions. A significant problem arises where children feel that their views are not taken seriously and where there is a lack of visible action taken in response to children's expression of their views. Other barriers arise where children do not have enough information to support them becoming involved, where there is a lack of budgetary support to fund the continuity of processes established, or because of negative cultural attitudes to children.

This study aims to document international learning on ways to support and encourage children's participation in public decision-making processes at local, national and international levels. It discusses the variety of approaches used around the world and aims to highlight ways that children's participation can be made more effective. Drawing on the experience of stakeholders that support children's participation, and on the experiences of children themselves, it identifies the key factors that states need to take into account when establishing mechanisms and structures to facilitate children's participation in public decision-making. In particular, the study takes account of the experience of over 20 Save the Children country offices in identifying the building blocks that are key to establishing and developing effective platforms for all children, particularly those from marginalised and excluded groups, to participate fully in public decision-making.

Children have the right to participate in decision-making that affects them. In addition, much can be

gained by ensuring children can make their voices heard in public decision-making processes. Children's participation presents an important opportunity for states to consider the views, needs, rights and wishes of children in developing policy that has a significant impact on children's lives.<sup>15</sup> Children can contribute significantly to policy development by offering ideas and opinions, which can increase the 'relevance and effectiveness' of policies affecting children.<sup>16</sup> The right to express views and to have these views taken seriously can be a 'powerful tool' to address situations of violence, abuse, injustice or discrimination.<sup>17</sup> This report highlights key successes achieved by children participating in these processes, alongside reporting the key learning and challenges encountered.

In providing guidance on the development of public participation structures for children, this study seeks to support states and policymakers in the promotion of the rights of children under the UNCRC and to enhance the participation of children in all aspects of society.

## METHODOLOGY

This was a small-scale study that involved a combination of desk-based and empirical research, including interviews with stakeholders involved in supporting the participation of children in public decision-making. Five countries were selected as case studies – Bangladesh, Kenya, the Netherlands, Nicaragua and Yemen – and in every country but Kenya focus groups were used to gather children's views and experiences of participating in public decision-making processes. These countries were chosen by Save the Children to highlight the work being undertaken around the world in this area and to identify the various challenges and opportunities that can be encountered in the implementation of children's right to participate in public decision-making processes.

The desk research involved a review of the relevant international standards and academic and grey literature<sup>18</sup> to highlight key components of effective public decision-making processes involving children. This approach helped to ensure that both theoretical and practical perspectives were considered, with an emphasis on identifying approaches and resources that enhanced children's participation in public decision-making structures, as well as the opportunities and challenges arising.

A key aspect of this study was interviews with key stakeholders. This part of the study was granted ethical approval by the University College Cork Social Research Ethics Committee on 8 May 2018. 33 Save the Children staff, identified by Save the Children (Denmark), were interviewed about their experiences of children's participation. These participants came from Albania, Armenia, Colombia, Guatemala, India, Lebanon, Mozambique, Nepal, Norway, Pakistan, the Philippines, Sierra Leone, South Sudan, Vietnam and Zambia. In addition, interviews were carried out with representatives of Save the Children regional offices in South and East Africa and Latin America, as well as from the global Save the Children team. In the five case study countries, interviews were also carried out with three government officials at the local and national level, and six staff of partner organisations.

In advance of the interviews, a question frame was developed for all interviewees. This sought to identify particular practices in each country and to allow participants to share their experiences of challenges, opportunities, and ways forward. Semi-structured interviews were carried out via Skype and participants were invited to complete a questionnaire to provide any additional information.

Save the Children staff in four of the five case study countries undertook focus groups with children on their experiences of participation in public decision-making structures. A total of 65 children participated in these. To support this engagement with children, a child-friendly toolkit was developed by the Centre for Children's Rights, Queen's University Belfast and provided to the facilitators of the child focus groups.

## ABOUT THIS REPORT

This report contains an account of the experiences and contributions of those interviewed, and identifies key components for effective children's participation in public decision-making processes, based on these experiences. This is supplemented by the evidence and key learning from the available research literature, providing both practical and academic insights into children's participation in public decision-making processes.

The report begins by setting out the international human rights standards that are applicable to the participation of children in public decision-making processes, based on the realisation of children's rights to take civic action, particularly those set out under the UNCRC.

Effective participation by children in public decision-making is then discussed in a general way, including some overall reflections on key issues that arise. In particular, the report considers the opportunities and challenges for states seeking to develop platforms for children's participation and considers how national and local contexts may impact on the development of these structures.

The report then outlines the specific key components and building blocks that states need to take into account in order to ensure that children can participate effectively in public decision-making processes at all levels: local, national and international. This draws on both the research from the literature in this area and the experiences and insights of interviewees.

**“I think government should arrange regular dialogue sessions with the children and hear the problems from the perspective of the children.”**

Young person, gender and age not given, Bangladesh



# International Standards on Children's Right to Participate in Decision-Making

The United Nations Convention on the Rights of the Child (UNCRC) sets out a range of provisions relevant to children's participation in public decision-making processes. Central to these is Article 12, which provides that children capable of forming their own views have a right to express those views freely in all matters affecting them and that these views should be given due weight in accordance with the age and maturity of the child.

Beyond Article 12, the UNCRC recognises that children have a variety of other civil and political rights.<sup>19</sup> It recognises children's rights to freedom of expression (Article 13), freedom of thought, conscience and religion (Article 14) and freedom of association and assembly (Article 15). The UNCRC acknowledges that the mass media have an important role to play in ensuring children have adequate access to information (Article 17).

**CRC@30 in Geneva, Inger Ashing, CEO of Save the Children International, with Fat (Kosovo), Masud (Bangladesh), Ericka (Philippines), and Fleta (Kosovo)**



The full enjoyment and the effective realisation of these civil and political rights is thus necessary to enable children's meaningful participation in public decision-making.

A number of other UNCRC articles also have an impact on ensuring that children's participation in public decision-making is effective and meaningful in practice. Article 7, which sets out the child's right to birth registration and to a nationality is key to the enjoyment of full civil and political rights. Article 16 guarantees the child's right to privacy, and in particular protects children from unlawful interference with his or her home or correspondence. Article 23 specifically requires states to protect the rights of children living with disabilities, including the need to support and facilitate the child's active participation in his/her community. Finally, Article 29, which sets out the aims of education, makes reference to the development of respect for human rights and the preparation of the child for responsible life in a free society.

In General Comment No.12, the Committee on the Rights of the Child ('the Committee') provides guidance on the implementation of Article 12 in practice. Here the Committee supports a broad definition of the phrase 'all matters' to ensure that children are included in the social processes of their community and society as a whole.<sup>20</sup> It emphasises the need for a range of approaches to ensure that children can engage in their communities at local and national level to the greatest extent possible, through local youth parliaments, municipal children's councils,

**Article 12 of the UNCRC provides that children capable of forming their own views have a right to express those views freely in all matters affecting them.**

ad hoc consultations, extending consulting hours of politicians and officials, and school visits.<sup>21</sup> States have a duty to systematically create appropriate conditions to support children to express their views, through the development of institutionalised structures,<sup>22</sup> and anchored in law and policy.<sup>23</sup> 'Meaningful participation' requires that states budget for 'appropriate materials, mechanisms and institutions'<sup>24</sup> and that participation is a continuous and ongoing process, rather than a one-off event.<sup>25</sup>

In line with Article 12, decision-makers must give due weight to the child's views.<sup>26</sup> The Committee has emphasised that a tokenistic approach to listening to children will not be sufficient, highlighting the need to ensure that, where a child is capable of forming his/her own views, these views must be taken seriously.<sup>27</sup> States should consider the evolving capacities of children and be able to demonstrate how and why they have taken the views of children into account in the development of law, policy and programmes.<sup>28</sup>

The Committee has highlighted nine basic requirements (reflecting the 2005 Practice Standards in Children's Participation identified by Save the Children<sup>29</sup>) that support the implementation of Article 12 in an effective and ethical way. These are that:

- Participation processes should be *transparent* and children should be fully *informed* about the process and its potential impact;
- Processes should be entirely *voluntary* at all stages;
- Children should be treated with *respect* throughout the course of any consultations;
- Children should be given the opportunity to express views on issues that are *relevant* to their lives, and space created for children to identify important issues themselves;
- Both spaces and working methods should be *child-friendly*;
- Processes should be *inclusive*, avoid discrimination, and include marginalised children;

- Processes should be *supported by training* for both children and adults;
- Processes should be *safe and sensitive to risk*;
- Processes should be *accountable*, and there should be a follow-up mechanism, involving feedback, monitoring and evaluation.<sup>30</sup>

The UN Convention on the Rights of Persons with Disabilities adapts Article 12 of the UNCRC for children with disabilities, dropping the reference to capacity and requiring that children's views are given due weight in accordance with their age and maturity "on an equal basis with other children" and that they are provided with disability- and age-appropriate assistance to realise that right.<sup>31</sup> In addition to UN measures, some regional instruments also recognise the civic rights of children and promote their right to participate in decision-making. Article 24 of the Charter of Fundamental Rights of the European Union states that children "may express their views freely" and that their "views shall be taken into consideration on matters which concern them in accordance with their age and maturity."<sup>32</sup> In Africa, the African Charter on the Rights and Welfare of the Child mirrors many of the UNCRC provisions that enable participation by children. These include the right to freely express opinions (Article 7); freedom of association and peaceful assembly (Article 8) and freedom of thought, conscience and religion (Article 9).<sup>33</sup>

Highlighting the importance of participation by all members of society, including children, albeit not explicitly, the UN's Sustainable Development Goals, which detail the 2030 Agenda for Sustainable Development, include a target of "responsive, inclusive, participatory and representative decision-making at all levels."<sup>34</sup> This is further supported by a commitment to "ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements."<sup>35</sup>

**“The government should be aware that it is the right for the children to participate.”**

Boy, 14, Yemen



# Effective Participation by Children in Public Decision-Making Processes

Developing mechanisms and structures that support the effective participation of children in public decision-making processes is possible in all countries and in all contexts.<sup>36</sup> This can take a number of forms adapted to national and local contexts and needs. Participation can take place in schools, at home and at local, regional, national and international level.<sup>37</sup>

Lansdown has identified three basic forms of participation involving children – *consultative* participation processes, led primarily by adults; *collaborative* participation, where adults and children work together; and *child-led* participation, led by children and where adults primarily play a supportive role.<sup>38</sup> These models highlight the different relationships that exist between adults and children in different models of participation. While adult-led processes are entirely designed, developed and implemented by adults, processes where children play a greater role in setting agendas and making decisions may bring to light issues and ideas that the adults involved have not considered. One is not necessarily better than the other from a rights-based perspective; the approach used must be appropriate in the context provided that children are involved as much as possible.

Lundy's model of participation identifies the core qualities of rights-based participation and provides a robust children's rights framework for participation in public decision-making based on the need to ensure *space, voice, audience* and *influence*.<sup>39</sup> This model highlights the core elements that *must* be present if children's participation is to be effective and meaningful and compliant with the UNCRC.

Reflecting extensive experience with the development and implementation of effective participatory mechanisms, Save the Children staff have highlighted the importance of states being cognisant of a range of factors in this regard. In particular, they note the importance of: advocacy and systems strengthening; creating social conditions and attitudes that respect all children and their rights; capacity building with

children and adults; and resourcing activities and programmes that provide space and opportunity for children's participation.<sup>40</sup> General examples of forums and processes that can be used to hear children's voices in public decision-making include children's parliaments,<sup>41</sup> children's councils,<sup>42</sup> the inclusion of child representatives in public decision-making,<sup>43</sup> children's clubs,<sup>44</sup> conferences,<sup>45</sup> ad hoc consultations,<sup>46</sup> politicians' 'surgeries'<sup>47</sup> and through social media platforms.<sup>48</sup> This study presented an opportunity to learn about what constitutes effective participation directly from those working with children and from children themselves. Given the wide variety of mechanisms shared by participants, they will be discussed based on the reach or range of influence of the forum, whether local, national or international.

## LOCAL LEVEL

This study indicates that local decision-making processes and structures close to where children live can be especially important in supporting children's participation. Local structures have the advantage of reaching a greater number of children and decision-making at this level can be especially relevant to children's day-to-day lives. In Norway, municipal governments are required to consult with children and young people when making planning and building decisions. In the Philippines, children participate in local governance, presenting their opinions at local meetings with adults on diverse issues such as teenage pregnancy, online bullying and violence associated with the war on drugs.

Local structures often feed into national structures and linkages can be formed between local and national councils and parliaments in this way. In Kenya, the Children's Assembly structure is replicated from local level up to a national forum, with local assemblies electing those who will sit at sub-county and county level and two girls and two boys from each county then elected to the National Assembly.

Local platforms can include children's councils that are actively engaged with local or municipal governments. In Armenia, for example, youth councils work in conjunction with local and municipal governors' offices, in committees of 7 to 12 people, on issues affecting young people in the region.

Children's clubs or children's groups can play an active role in their communities with the support of civil society organisations and they can also serve to bring recommendations to decision-makers. For instance, 10% of children in Nepal are members of children's clubs, either in their local community or through their school, that are registered and recognised at local government level. Through these clubs, topics such as child marriage and the accountability of school management committees have been addressed.

School councils can also give children a voice in decision-making in their schools. Albanian schools, for example, are required by law to ensure a student governance structure is in place. While these structures are generally concerned with school issues, they have the potential to link with children's platforms in the wider community. In India, it is envisaged that mandated school cabinets would engage with the local women's and children's meetings, ahead of local village meetings.

## NATIONAL LEVEL

Structures that enable children to participate at the national level exist in a number of countries. These can take the form of child parliaments, which often mirror the structure of adult parliaments and provide children with an opportunity to make recommendations and engage directly with politicians and policy-makers. These structures can



PHOTO: SAVE THE CHILDREN IN BANGLADESH

Children's parliament in Bangladesh

either be supported directly by the government or take the form of networks facilitated by civil society organisations. In Mozambique, a National Child Parliament, funded by the government, has met regularly since 2013. It is recognised as an effective platform for children in Mozambique to engage with decision-makers as concerns raised through this forum are more likely to be addressed. The national Children's Forum Network in Sierra Leone is officially under the auspices of the Ministry for Social Welfare, Gender and Children Affairs, but its practical activities are largely facilitated by NGOs such as Save the Children and its partners.

Advocacy is taking place in several countries to promote the establishment of a structure that enables children to participate in decision-making at a national level. In Lebanon, the Higher Council for Childhood, a national institution, offers a structure where children's participation can take place. Funding from the national government to support this structure is under consideration, highlighting the importance of government, not just civil society support for such structures.

**Children's clubs or children's groups can play an active role in their communities with the support of civil society organisations and they can also serve to bring recommendations to decision-makers.**



**CRC@30 in Geneva, Roundtable on Children as Human Rights Defenders with Chaperone, Interpreter, and Carlos from Brazil (World Vision International), Ulrika Cilliers (Save the Children International), Amal Aldoseri (Member of the Committee on the Rights of the Child), Michel Forst (Special Rapporteur on the situation of Human Rights Defenders), Joséphine from Senegal, Masud from Bangladesh and Ekramul Kabir (Save the Children in Bangladesh)**

## INTERNATIONAL LEVEL

Although UNCRC obligations apply to state parties, rather than international organisations, respect for children’s rights means that children should nonetheless be involved in public decision-making at the international level, including in the reporting processes to the Committee on the Rights of the Child<sup>49</sup> and the Universal Periodic Review (UPR). The African Committee of Experts on the Rights and Welfare of the Child, the ASEAN Children’s Forum, the World Health Organization (WHO) and United Nations High Level Political Forum (HLPF) are further examples of forums where children can and should be heard. International workshops have provided space for children to be heard at the international level<sup>50</sup> and civil society plays a crucial role in facilitating these processes.<sup>51</sup> In Guatemala, for instance, children have been supported to be part of civil society delegations expressing their views to the UN Committee and similarly, in Kenya, Save the Children assisted a delegation of young people to travel to Geneva for that state party’s reporting process.

To ensure children’s concerns and issues are reflected in recommendations made by the UN Committee, for example, Save the Children has worked with children in countries including Lebanon and South Sudan to draft alternative reports. This

involves children in data collection and engaging in their own monitoring and evaluation activity. Engagement can also take place between children in different countries, where children engage with others on important regional issues and share their experiences in international meetings. Advocacy events have been held at regional level involving children from Lebanon, Palestine and Syria. Officials operating at international level such as the UN are sometimes more amenable to engagement with civil society and international non-governmental organisations when children are directly involved. Experiences with these international forums demonstrate that such processes can be more meaningful, representative, safe and sustainable if they build on the activities and processes established at the national and community levels.

## OBSTACLES AND OPPORTUNITIES

A number of obstacles and barriers can prevent children’s meaningful participation in public decision-making, leading to variations in the implementation of Article 12 at a national level.<sup>52</sup> Problems include where children’s views are not taken seriously,<sup>53</sup> where there is a lack of visible action on children’s views<sup>54</sup> and where societal attitudes devalue or limit children’s voices. Strong social and cultural norms that view children as dependent or incapable

**“They were motivating us little by little and it was something that allowed us to lose the shame of expressing ourselves.”**

Girl, age not given, Nicaragua

can impede children's participation in these processes. Children themselves may also lack the agency, confidence and knowledge to engage in a meaningful way. Individual children's capacities will also vary. Children therefore need to be supported in these processes to ensure that their participation is facilitated appropriately.

Other barriers include where children lack sufficient information to support their involvement,<sup>55</sup> or where inadequate budgetary support frustrates the continuity of such processes.<sup>56</sup> In some contexts, there are practical or legal barriers to organisations established and led by children, including registration requirements that are limited to adults only. In addition, there are concerns about the possibility of the manipulation of children's participation processes to advance particular political interests or engagement only on issues that align with existing agendas. In Armenia, the politicisation of youth groups and political parties influencing the youth agenda has been identified as a concern.

However, there is also evidence of positive opportunities for engagement. For instance, many interviewees reported that policy-makers, government officials and politicians are increasingly supportive and enthusiastic about hearing the voices of children, and many countries are taking the voice of the child more seriously in public decision-making processes, including in policy formation. States are establishing or developing structures to support children's participation, even if many of the initiatives referred to here are in their early stages, have not yet been rolled out across the country as a whole, or have yet to become permanent fixtures. At the same time, while these efforts may be constrained by a lack of capacity in some countries,

the increasing openness of adult decision-makers to hearing children's views provides an important opportunity to enhance the extent to which children are heard in a meaningful and effective way.

The specific country context is also a very important consideration in developing participatory mechanisms for children. It was noted by participants that what might work well for one country may not always work well for others. According to this study, where countries were experiencing broader crises or challenges, this can impact negatively on children's ability to participate meaningfully. However, children can also be seen as active agents in these circumstances, and they have the capacity to act as peace-builders in post-conflict situations.<sup>57</sup>

Framing children's rights within a broader human rights context and asking decision-makers to consider vulnerable groups as a whole, rather than isolating children as a group, has also provided opportunities to enhance the participation rights of children and to ensure that their views are sought and acted upon.

While a wide variety of approaches can be taken to securing children's participation in public decision-making, a number of key criteria emerge from the research as being essential in any process that purports to be compliant with the UNCRC. These represent the minimum standards to be observed in any process that aims to facilitate children's participation in public decision-making processes. While these criteria are discussed in more detail in the remainder of this document, in short it is essential that children's participation is carried out in a way that is voluntary, safe, respectful and ethical.

**“Yes, we have influence. I experienced it myself. Last time at the Ministry, I told them it was too expensive for students to phone the student-loan organisation [governmental organisation]. They changed it a few weeks later and let me know about it.”**

Boy, age unknown, Netherlands



# Ensuring Children’s Effective and Meaningful Participation in Public Decision-Making: Key Components and Building Blocks

Where governments and policy-makers seek to include the voices of children in policy formulation in a meaningful way, a number of key criteria need to be taken into account. These criteria have been adopted by the UN Committee and represent essential minimum requirements for all participatory structures. These standards emphasise: the importance of an ethical approach based on transparency and honesty; participation that is voluntary and relevant; the need to create a child-friendly and enabling environment for children’s voices to be heard; the need to ensure

equality of opportunity to all children; effective and trained staff; participation that promotes the safety and protection of children; and the need for follow-up following consultations with children and ongoing evaluations of approaches.

In the sections that follow, the key building blocks for the development of effective structures for children’s participation are highlighted at the beginning of each section; these build on the experiences of interviewees in this study as well as relevant literature.

## 1. RECOGNISING CHILDREN’S RIGHTS TO TAKE CIVIC ACTION

States should expressly recognise the rights of children to engage in civic action, including the rights to assemble peacefully, to associate and to express themselves. Information required by children to exercise these rights should be provided in a form that is easily accessible and understandable. Barriers to the exercise of these rights should be removed.

Ensuring that children’s civil and political rights, particularly those set out in Articles 12–17 of the UNCRC, are vindicated is an important component of ensuring that children will be able to participate effectively in public decision-making processes. General Comment No.12 reaffirms the rights of children to hold and express their own opinions on any matter<sup>58</sup> while General Comment No.20 requires that adolescents’ rights to freely associate and organise should be guaranteed and legally recognised, with protective measures taken where necessary.<sup>59</sup> Realising children’s rights to organise, to peaceful assembly and to freedom of thought and expression are all prerequisites for children’s

meaningful participation in public decision-making. Equally, access to good, reliable and timely information is also necessary for children to participate in a meaningful way.

This study found that in the countries identified there were few explicit legal prohibitions on children’s rights to freedom of expression, freedom of peaceful assembly and association, or to the right to information. However, barriers to the implementation of these rights existed in practice. In Bangladesh, it was reported that children are not able to participate at local government level, because only citizens are entitled to participate; but citizens are correlated with voters, automatically



excluding children. Furthermore, in Pakistan, a legal prohibition on the registration of child-led organisations, and associated problems in receiving funding and opening bank accounts, presented an indirect barrier to children's participation.

### ACCESS TO INFORMATION

The study found that in many countries, the most significant barrier to child participation was children's difficulty in accessing information, either because the law did not explicitly provide for access to information, or because little information was available in practice or it was inaccessible to children. In Vietnam, information is not accessible to all groups of children, including children with a disability and children from ethnic minority groups. Those under the age of 18 must request information through their guardian. In Zambia, the failure to produce an Access to Information Bill is problematic for all Zambians, including children. The lack of framework makes it difficult for anyone to question policy-makers about what is happening or what standards should be expected of public services.

### RIGHT TO EXPRESSION

Building on Article 13 of the UNCRC, the Committee on the Rights of the Child has recommended that except in limited circumstances, children should have the right to express themselves, without interference, through any medium (spoken and written word; sign language; art; clothing).<sup>60</sup> Some countries, particularly those in the South and East Africa region such as Malawi and South Africa, reported use of the media as a highly effective means of connecting young people to adults across their communities through radio, print and television. This was found to be particularly helpful in societies where traditions are largely oral. However, several countries, including Guatemala, reported that although civic rights such as freedom of expression are recognised, they are little practised.



PHOTO: MALAMA MWILA, SAVE THE CHILDREN IN ZAMBIA

Submitting reviews and recommendations to the Parliamentary Committee on Budgets and Estimates, Zambia

### RIGHT TO ASSOCIATION AND PEACEFUL ASSEMBLY

Central to the rights to association and to organise is the capacity to create safe spaces that facilitate children's participation to the greatest extent. Concerns associated with changing political climates and violence were reported from the Philippines. While there is no explicit restriction on children organising themselves, there are concerns that children may inadvertently become caught up in violence and so they are discouraged from organising activities. In South Sudan, where peace negotiations are ongoing, gatherings require special permission from the government. It is hoped that the peace negotiations themselves will provide an opportunity to advocate for children to exercise their civic rights.

Safety considerations may also represent a practical barrier to children's exercise of their civil and political rights.<sup>61</sup> Sometimes children may be discouraged from gathering or engaging in public demonstrations and they may even be harassed when speaking out about an issue in public. In Norway, children – especially those who are not Norwegian – have been physically and verbally harassed in public spaces, as well as online. Such experiences can discourage young people from engaging in public decision-making.

**The study found that in many countries, the most significant barrier to child participation was children's difficulty in accessing information.**

## 2. CHILDREN'S PARTICIPATION SHOULD BE SECURED THROUGH LAW AND POLICY SUPPORTED BY SUFFICIENT INVESTMENT

States should enact laws which guarantee the rights of children to participate in all matters affecting them, including public decision-making processes. Law and policy should be specific and provide guidance on the format, structure, operation and evaluation of all child participatory mechanisms. Sufficient financial and other resources must be made available to ensure sustainable and effective mechanisms are introduced and maintained.

Under the UNCRC, states parties have an obligation to enact laws and policies that make provision for children to be heard in all matters affecting them, including public decision-making processes. According to the UN Committee, enshrining child participation in law and policy is an important building block towards the implementation of Article 12.<sup>62</sup> In practice, this study has highlighted that the extent to which countries have adopted laws and policies relating to child participation varies widely. While some countries have already incorporated provisions relating to children's participation into national law either as part of the Constitution or in domestic legislation, others have developed policies and guidelines.

Observations from the literature were largely borne out in interviews conducted in this study. The importance of formalising structures for children's participation and developing adequate legal frameworks was frequently mentioned by participants. A reflection shared from Norway, for instance, was that if access to these structures was a "right, not a gift", children would be more empowered. This would remove concerns that young people are supported if they agree with those in positions of power but not otherwise. This

is a core responsibility of the state in meeting its international obligations in this area.

The principle of child participation has been incorporated into national law and policy in a number of countries including Georgia, Austria,<sup>63</sup> and Ireland.<sup>64</sup> Measures highlighted by interview participants to enshrine in law the right of children to participate included Articles 44 and 45 of the Colombian Political Constitution and Article 39(4) of the 2015 Nepal Constitution.

It is equally important that legal provisions and supporting policies are sufficiently detailed to guarantee that participation is not tokenistic. Interviewees from Albania, the Philippines and Sierra Leone reported similar challenges, where legislation that expects or requires participation by children exists but enforcement is not pursued. In India, federal legislation mandates that state legislation on decentralised issues should include provision for the holding of children's meetings and women's meetings on topics before decisions are made, but in practice this provision is not uniformly applied.

Law and policy should prioritise the institutionalisation of mechanisms for children's participation to ensure their continuity. According

**“We want to advocate for Yemeni children's rights globally, and we want to be introduced to other children's forums in other countries to know their experience and for them to know our experience.”**

Girl, 15, Yemen

to Lansdown, institutionalising mechanisms is important to enable and embed child participation at all levels of government decision-making, including legislative reform, policy-making, data collection, resource allocation and service delivery.<sup>65</sup> As an example of detailed legislation, Vietnam's 2016 Children Law includes a new Chapter, with five articles about participation by children on issues that relate to them. Decree 56 issued in 2017 includes detailed instructions about the responsibilities of ministries, committees, political and social organisations, civil society organisations and mass media. Clear frameworks at district, provincial and national level are set out.

Interviewees highlighted that laws and policies should also specifically require policy-makers to listen to children in a meaningful way when making decisions that affect them. In some countries, narrow participation in specific decisions is regulated by law, but not guaranteed more generally. For example, in Norway, the Planning and Building Act 2008 provides that municipalities are responsible for facilitating participatory processes with children and young people specifically in relation to planning matters and decisions, while in Colombia the National Code provides the right to participate in activities in family and educational institutions, but is not linked with other public entities.

Where such provision in legislation and policy does not exist, this can represent a significant barrier to children's participation in decision-making.<sup>66</sup> In this study, participants from Armenia, Lebanon and the Netherlands highlighted that where structures for children's participation had not been formalised in law, the level and quality of children's participation was often determined by the support available from NGOs and other organisations. Sustainability is thus a key issue – without a legal framework to compel the participation of children, there is no guarantee that existing structures will continue from one year to the next.



Angie from Colombia guiding a session at the regional launch of Save the Children's Every Last Child campaign in Lima, Peru

In the absence of legislation, the development of strong policies may provide guidance on how children can meaningfully participate. Some countries, including Ireland, the Philippines and South Africa have national child and youth participation strategies.<sup>67</sup> In Nepal, the Child Participation Directive issued by the Central Child Welfare Board is implemented by the District Child Welfare Board. In Bangladesh there is a national policy that children should be heard in matters affecting their lives, but this policy needs development. In Mozambique, the National Plan of Action for Children II 2013–2019 seeks to advance principles of partnership with civil

**Ensuring that mechanisms to support children's participation are consistent and sustainable is necessary in all contexts.**

society and children's participation at all levels of governance, from national to local. It identifies a number of spaces where children should participate in governance and accountability processes.

Other government support can be used to advance the participation of children in decision-making. These include: the provision of government funding, as noted by Colombia, the Netherlands and Vietnam; the use of government spaces, such as the Shishu Academy infrastructure in Bangladesh which facilitates the National Children's Task Force; and active engagement with children involved in NGO-supported platforms, like that in Lebanon where the Higher Council for Childhood liaises with NGOs on children's rights and, on occasion, takes part in child participation processes.

### PROMOTING CONSISTENT AND ONGOING CONSULTATION AT ALL LEVELS

Ensuring that mechanisms to support children's participation are consistent and sustainable is necessary in all contexts. While individual consultations with children can have a significant impact on the development of policy in a discrete area,<sup>68</sup> participatory processes must be consistent and ongoing in order to move beyond tokenism.<sup>69</sup> For example, where children's parliaments are held, they should occur more frequently than annually or bi-annually.<sup>70</sup> There is a clear case for permanent mechanisms and spaces for participation<sup>71</sup> and Lansdown has suggested that co-ordination of child participation should be assigned to a lead authority so that it is institutionalised at all levels.<sup>72</sup> This study highlighted the diversity of approaches to these matters taken at official level. In some countries, such as Armenia, Ireland and Vietnam, there are specific government ministries or departments dedicated to children, whereas in others, including India, Norway and Zambia, responsibility for such matters is spread across a range of government departments.

Engaging children at the local level is critical to ensuring their participation,<sup>73</sup> and this can facilitate broader participation in an ongoing way.<sup>74</sup> It is equally vital to hear children's voices at the national level, and to ensure that children have a role in national policy-making.<sup>75</sup> Ideally, when structures such as Children's Parliaments are developed, these should operate in a way that is rooted at the local level; these local groups should then feed

into and be strongly connected with the national structure. A good working example here is the Children Assembly structure in Kenya which, this study found, operates at sub-county, county and national level. The same operational guidelines apply at each level which promotes consistency of standards across the country.

Alongside formal structures, research suggests that politicians should engage in consultations and outreach clinics with children, as well as feedback sessions.<sup>76</sup> The broader participation of children in decision-making should be encouraged via social media and online platforms where available.<sup>77</sup> In Mozambique and Sierra Leone, for instance, decision-makers are invited by child journalists to discuss matters that are of concern or interest to children in radio interviews. These interviews give children a platform to engage directly with politicians and also provide a means by which politicians can be held accountable.

Challenges can arise in ensuring participation is sustainable. Although children often have a strong desire to participate,<sup>78</sup> they can feel that opportunities to do so are limited.<sup>79</sup> At the local level, children's councils have been adopted to ensure ongoing dialogue, and these are often connected to children's participatory structures operating at both national and local levels.<sup>80</sup>

### ADEQUATE RESOURCING AND FUNDING

Adequate resourcing and funding is critical to ensuring sustainability and this study found that the availability of funding was a significant factor in determining whether or not platforms to ensure children's participation would be continued. This was noted as an issue in the Netherlands, for example, where difficulties were encountered ensuring mechanisms would be sustainable when they moved from models funded by national funding to a market-based model where municipalities were expected to finance these structures themselves. Funding is important to ensure that mechanisms can be both effective and sustainable and a number of countries identified a need for increased funding and budgetary allocations. This is a key issue given that many countries are partly or wholly dependent on financial contributions from civil society organisations or external contributions to support the mechanisms that are in place.



### 3. STRENGTHENING CHILDREN'S AGENCY, SELF-ESTEEM AND KNOWLEDGE TO PARTICIPATE IN PUBLIC DECISION-MAKING

States should include children's rights education as part of national curricula and promote engagement by young people in local, regional and national decision-making processes.

In order to promote effective participation, children must be given the information necessary to help them to prepare adequately. For children to have real influence on political processes, they must be well-informed about their rights and the topics that concern them, and they should receive training in effective communication, lobbying and advocacy. Opportunities must be presented to allow them to develop critical thinking skills and the confidence to express their views and opinions. Without timely information in language and formats that children can understand, they will continue to face barriers to participation.

Education is central to empowering children and schools present an important means of engaging with large cohorts of them. Several countries reported that they already have school-based mechanisms for participation in the form of student councils and governments. As noted above, Albanian schools are required by law to have a school government and in Mozambique the guidelines for school councils recommend that at least three members of the council should also sit on the school management board.

A common theme that emerged in this study was the need to enhance the capacity of both children and adults. For children, access to appropriate information and training opportunities is essential.

As part of the guidelines in Mozambique, civil society organisations work with children so that they are trained to understand dialogue, to collect information from other children and to communicate with adults the major concerns of children at school. In Vietnam, efforts are made to provide child-friendly and accessible information: as part of the SIDA CSO project, UNCRC country reports are drafted in child-friendly form, also enabling children to draft their own supplementary reports.

It has been highlighted that children's involvement in research can ensure that children's perspectives can be contributed in a meaningful way to broader public policy decisions, such as urban planning.<sup>81</sup> In Lebanon, Save the Children has been involved in leading child participatory research and child-led reporting, resulting in children feeling more empowered to bring their issues forward. Child-led research is also supported by Massachusetts Institute of Technology (MIT) in the South and East Africa region, where adults are training children to be researchers themselves. Children are being taught how to collect data and being given spaces to enable them to develop their own research questions. This research will in turn influence the advocacy priorities of children into the future, and will provide an evidence base to further strengthen the arguments that can be made by children.

**“As a child parliamentarian, I have to be responsible toward the children who give me their voices and transfer their voices to all the decision-makers nationally and internationally.”**

Boy, 16, Yemen



## 4. CREATING A CONDUCTIVE POLITICAL, SOCIAL AND CULTURAL ENVIRONMENT, INCLUDING ADDRESSING ADULT ATTITUDES

States should facilitate direct contact between children and decision-makers and provide adequate training and support to adults engaging with children. The benefits of child participation should be shared with the wider community in order to generate widespread acceptance of the practice and to transition societies to the systemic use of child participation mechanisms.

A core component of effective participation is that children's views are taken seriously and that decision-makers include children's views in the development and implementation of laws, policy, budgets and service delivery.<sup>82</sup> While developing children's capacity is crucial, a number of other factors must also be considered. Civil society organisations play an important role in capacity-building for both children and adults, creating links between children and decision-makers, engaging in advocacy on issues specific to children's lives and pursuing follow-up to try to ensure that children's views have an impact in all areas where these organisations play a central role.

### CHILDREN SHOULD BE HEARD BY DECISION-MAKERS

It is essential to an effective participatory process that children's views can influence decisions taken by policy-makers.<sup>83</sup> The literature highlights that children must be seen as core stakeholders who can ensure that government policies are relevant and effective.<sup>84</sup> Children have highlighted the importance of having decision-makers listen to them.<sup>85</sup> There must be a mechanism to ensure that children's views are conveyed to those with decision-making power, and to allow children to be heard directly through having officials attend participatory forums.<sup>86</sup>

Civil society organisations such as Save the Children and others often put considerable effort into creating opportunities for children and policy-makers to engage directly with each other. This study found that where government officials and politicians were invited to child parliaments or children's councils, as described by contributors from the Netherlands, Nicaragua and Yemen, this was considered very important by children: one child highlighted that it was very positive that all those he engaged with were in a position to actively influence decision-making in a concrete way.

Similarly, children in the Netherlands felt they were listened to through direct engagement with decision-makers and highlighted the need for policy-makers to listen well and take children seriously.

### SENSITISATION AND CAPACITY-BUILDING OF ADULTS

Adults with specific responsibility for decision-making and society as a whole need to be sensitised to the importance of including children's voices in public decision-making processes. One Australian study of a local government youth leaders' council highlighted that in some cases the actions of adult facilitators can operate to constrain and limit the expression of young people's views.<sup>87</sup> In some countries, such as Bangladesh and Sierra Leone, cultural traditions can dictate that children 'should be seen and not heard' and respect for elders can be seen as more important than participation by children. In Albania, while children participate in student governments, the topics addressed are limited to 'soft' matters such as recreational activities, with topics such as curriculum or discipline considered to be beyond the scope of children and to be discussed only by teachers.

In interviews for this study, participants noted that efforts were needed to build the capacity of both children and adults. As noted in the Philippines, if children are well-prepared for participation but adults are not similarly equipped, there is a risk of conflict and misunderstanding that may undermine a useful process. The importance of working with both groups was emphasised in South Sudan, with the powerful message that building capacity for children but leaving community and government behind doesn't make sense.

The sensitisation and training of adults on children's rights and children's participation was identified by interview participants in Bangladesh as a key

factor in success. In India, efforts have been made to develop training for government officials at local and national levels, as well as local leaders. The importance of having adults who can act as 'child champions' and encourage the development of participatory spaces for children was emphasised by respondents in India, Mozambique and the Philippines.

It was also highlighted by participants in this study that there is a need to build awareness and capacity in society more generally, so that people will better understand the importance of child participation. In Norway, while there is a culture of supporting the legitimacy of youth organisations, there continues to be a lack of understanding of what it means to vindicate the right of children to participate and the value of children's contributions is not always clear. Where there is greater buy-in from the community at large, this was seen to contribute to successful participation. Participants in India said that where training in self-governance was being carried out with local chiefs, the importance of children's participation should also be included. This was

also noted in the Netherlands. One interviewee highlighted that success was often dependent on the individuals involved in the participatory mechanism and whether or not they were enthusiastic.

### MAINSTREAMING CHILDREN'S VOICES IN ADULT DECISION-MAKING PROCESSES

The incorporation of children's voices into adult decision-making forums is important to ensure that their views can be taken seriously. In some jurisdictions, child representatives may attend adult councils or parliaments to ensure that children's views can be heard within the context of the full policy debate.<sup>88</sup> It is essential that proper conditions are created to support this, that adults are briefed, the use of jargon is avoided and the views of children are respected.<sup>89</sup> In interviews and focus groups Yemeni children and adults suggested that children's structures should be included as part of mainstream adult decision-making processes. Inclusion at this level was important both to ensure more formal participation of children and to increase the legitimacy of these structures.

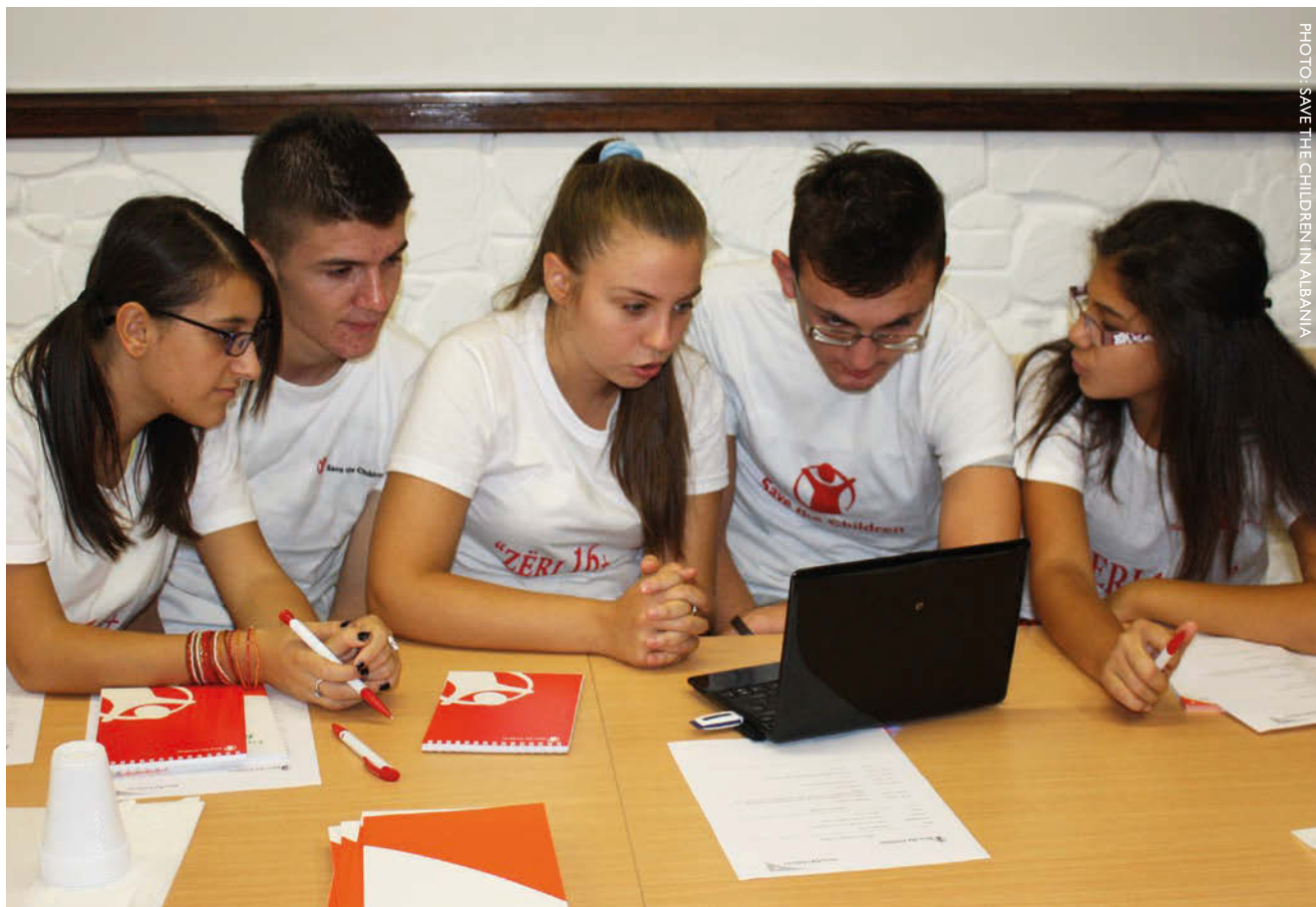


PHOTO: SAVE THE CHILDREN IN ALBANIA

Children aged 15–17, representatives of four child-led groups operating in Albania, working for the UPR report

## 5. BUILDING QUALITY SPACES AND PROCESSES FOR CHILD PARTICIPATION IN PUBLIC DECISION-MAKING

States should make provision for dedicated spaces for children to come together to participate in decision-making processes. Children's involvement should be voluntary and they should always be treated with respect. All processes should be fully transparent and clearly explained to all involved. Processes and spaces should be child-friendly, safe and sensitive to risk.

For all child participation mechanisms, spaces for and processes of participation must be safe, participation must be voluntary and those facilitating must be able to deal appropriately and sensitively with any risk to children.<sup>90</sup> During this study, participants in Yemen emphasised that children need to feel safe in order to participate effectively, while in Vietnam ensuring the safety of those taking part in the biennial Children's Forum was considered mandatory for effective and quality participation.

### THE IMPORTANCE OF ADULT FACILITATORS

In order to develop safe and supportive spaces for children to express their views, the importance of adult facilitators is clear. In Bangladesh, it was suggested that developing relationships with the wider community and community leaders can

help to create this safe space. The literature has highlighted that the support of adult facilitators can be critical to ensuring that children's participation is effective in practice and that good relationships with committed adults who understand the importance of promoting children's autonomy will help to secure children's participation in public decision-making.<sup>91</sup> Conversely, negative adult attitudes to children can operate as a significant barrier to children's participation.<sup>92</sup> In interviews, Nicaraguan participants highlighted that it was important to ensure that the adult facilitator is responsible and can inspire trust and confidence in children.

Training and capacity-building of adult facilitators is necessary to ensure that they are properly equipped to support children's participation. In order to promote good relationships between facilitators and children, the facilitators should be chosen with reference to criteria set by the children involved,<sup>93</sup> as well as with reference to internationally recognised standards and qualities, including in relation to child safeguarding.<sup>94</sup>

**“Every child has the right to speak freely.”**

Girl, age not given, Nicaragua

### CHILD-LED SPACES AND PROCESSES

While the role of adults is crucial, there is growing awareness and appreciation that children themselves should be leading participation processes and deciding what issues should be discussed. In Nicaragua, it was highlighted that interaction and engagement with other children involved in the

**There is growing awareness and appreciation that children themselves should be leading participation processes and deciding what issues should be discussed.**

structure helped to support children to participate more freely, even when they may have been nervous at the start.

### AGENDA SETTING

In addition to creating spaces for more children to participate and where children can feel safe and supported, effective participation requires that children have a say in setting the agenda and selecting the issues to be discussed.<sup>95</sup> In this study, participants highlighted that practice varies as to whether the agenda is set by adults or by children. In countries including the Netherlands, South Sudan and Vietnam, adults are entirely or primarily responsible for deciding the issues that children discuss, although there was awareness that this needed to change. In other countries, such as Bangladesh, it is left entirely to the children to decide what issues are important to them. Children in the Netherlands who were engaged in participation as part of a specific project reported that they would welcome the opportunity to engage in a similar-style project but with a different focus.

### ACTIVITIES AND METHODOLOGIES FOR EFFECTIVE PARTICIPATION

The use of a variety of methods can also help to create child-friendly spaces, ensuring that approaches are appropriate to the age of the children involved. In this study, the experiences of children and adult participants highlighted the wide range of activities that children can be involved in to promote better participation. While many children's parliaments and councils mirror adult government structures at the national and local level, a range of other activities can be used. Creative activities were seen positively in Bangladesh and Nepal, and children in the Netherlands reported that they enjoyed activities involving a variety of games and learning methods.



Child budget consultation with the Bangladesh Ministry of Finance on the National Budget, 2019

Children in the Netherlands who were participating in local councils had opportunities to use photography, to conduct interviews with the public and to make films to gather information and to highlight issues that were important to them. These were presented to the municipalities along with their results.

Children have also used the media effectively in a number of states, including the development of children's radio programmes in Pakistan and Sierra Leone, engagement with adult journalists in Colombia and becoming journalists themselves in Mozambique and Nepal.

**The use of a variety of methods can help to create child-friendly spaces, ensuring that approaches are appropriate to the age of the children involved.**



## 6. STRUCTURES SHOULD BE INCLUSIVE AND INVOLVE CHILDREN FROM DEPRIVED AND MARGINALISED GROUPS

States should seek to ensure participation by a diverse range of young people where possible. Where necessary measures should be introduced to reduce discrimination or exclusion on the basis of gender, ethnicity, race, social status, sexual orientation, religion or disability.

It is important to ensure that children's participatory mechanisms are inclusive and accessible to all groups of children in order to ensure compliance with the non-discrimination principle under Article 2 of the UNCRC.<sup>96</sup> Measures must be taken to ensure the inclusion of marginalised and disadvantaged children and the selection and election of children are important considerations in this context.<sup>97</sup> This study found that the inclusion of children in participatory mechanisms in the public sphere varies widely from country to country. Drawing together a representative cross-section of society also presented challenges. While it is important to have a diverse mix of children involved in participation, it is also important to be mindful of tokenism in this sphere. Those working in child participation should be conscious of falling into the trap of including a child for the purpose of 'ticking a box' on ethnic minority or disability. Promoting children's meaningful participation is especially key in this context.

### DEPRIVED AND MARGINALISED GROUPS OF CHILDREN

All children must have equal opportunities to participate, in line with the non-discrimination principle.<sup>98</sup> Adult selection processes can operate to discriminate,<sup>99</sup> and the exclusion of children from minority or marginalised groups continues to present a challenge.<sup>100</sup> To counter this, special efforts must be made to include opportunities for marginalised children.<sup>101</sup> Outreach programmes to reach marginalised groups have been put in place in a number of countries.<sup>102</sup> In both Ireland and the UK, mechanisms have been put in place to ensure the representation of socially-excluded groups of children in youth parliaments.<sup>103</sup> In Ireland, representation in the national children's parliament of children with disabilities, children in state care, refugee children and those from disadvantaged areas is secured by ensuring that children are selected from organisations that represent these groups. Within the parliament, children can be provided with non-verbal methods of communication to ensure that all children

are supported to illustrate their views on various issues, based on their age and understanding.<sup>104</sup> In November 2019, the Icelandic Ombudsman held a national Children's Forum, with the 150 participants chosen through a random selection from the national registry in order to ensure as representative a group of children as possible.

Young children may also face exclusion.<sup>105</sup> Research highlights that structures within children's decision-making forums can operate to limit the influence of younger or disadvantaged children,<sup>106</sup> making it important that techniques to engage young children and allow them the opportunity to express their views are successfully developed.<sup>107</sup>

In many countries in this study, it was reported that there was room for improvement in the inclusion of marginalised and deprived groups of children. In Norway, children from such backgrounds are unlikely to be involved in youth councils generally, but may be asked to participate in consultations that relate specifically to their experiences – for example, children with disabilities will be asked to discuss matters around accessibility. In Vietnam, language issues have proven to be problematic, with children from ethnic minorities who do not speak Kinh at a likely disadvantage.

Certain children may have less opportunity to participate because they are working, live in remote areas without the funds to travel to meetings, do not have access to specialised services, or because there is taboo on certain topics. Particular concerns were highlighted in India and Zambia about the inclusion of children outside the school system. Early school leavers are often members of marginalised groups and this further reduces their ability to participate.

While some countries, such as Bangladesh and South Sudan, have structures that are open for all with no special measures employed, other countries actively seek to identify and engage marginalised children. Strategies to increase the participation of these groups have included identification and





PHOTO: PAZ Y ESPERANZA/SAVE THE CHILDREN

**Workshop in Huánuco, Peru convened by partner organisation Paz y Esperanza and the child-led organisation Yo también tengo algo que decir**

mapping activities, such as those undertaken by UNICEF in Lebanon; the introduction in Yemen of quota systems to guarantee representation; and the development in Albania of guidelines to include representatives of these groups in child participation structures. In countries such as Bangladesh and South Sudan efforts need to be made to engage with the parents of children, particularly girls, to allow them to participate in these processes. Experience in Bangladesh shows that when marginalised children are included, there is potential for them to act as role models for others and to improve their own confidence and agency. Investment may be required to identify and engage these children. As explained by contributors from Kenya, some children live in extremely remote areas and great effort and expense is required to engage them with the relevant structures. It has also been highlighted that particular efforts need to be put into ensuring that spaces for children's participation are "inclusive, iterative and dialogical" to ensure that children – particularly those seldom heard – can participate effectively.<sup>108</sup>

## SELECTION AND ELECTION

While some local councils may be made up of a small number of children, others have the potential to involve thousands of children through linking national, regional and local processes. In the Netherlands, for instance, one local council wrote to all young people in the municipality aged

between 12 and 23 to invite them to engage in local decision-making processes. Contacting 21,000 people resulted in 1,200 positive responses, from whom a group of 30 were chosen.

Research highlights that children should have the ability to elect their own representatives<sup>109</sup> and child selection and election processes have been successfully implemented in a number of countries.<sup>110</sup> Interviewees in this study highlighted that the process for deciding which children can participate in these structures is important and the processes in Albania and Norway – where children are selected rather than elected – were criticised by participants on the grounds that they tended to exclude certain children, and conversely included academically gifted children or children who are well-liked at school. However, it was positive that election processes, whereby children are chosen to participate by their peers, are preferred in many countries and can involve many children through schools or children's clubs. Examples of such elections were found in Mozambique, the Philippines, Yemen and Zambia. In some countries, such as Kenya, however, these election processes have been found to be complex and competitive. In this study, interviewees described how children and young people need to be very articulate and have a good awareness of the relevant issues, and commented that sometimes this can be difficult for the younger children who may wish to be elected.

## 7. ACCOUNTABILITY, FEEDBACK AND FOLLOW-UP

States should include mechanisms for feedback, evaluation and monitoring in all official child participation mechanisms. Feedback should be provided directly to children in a timely manner and in a format that is easily accessible by children. Evaluations of participation mechanisms should be undertaken by independent monitoring bodies. Recommendations made by such bodies and other international oversight committees should be accepted, considered and actioned where necessary.

While children's voices are increasingly heard in public decision-making processes, the impact of these views on policy formation is not yet evident.<sup>111</sup> The issues and views expressed by children must be considered in a meaningful way at government level and integrated into policy,<sup>112</sup> and it is important for children to see positive action being taken as a result of their participation.<sup>113</sup>

It is important that there are systems at all levels – local, national and international – to ensure that children receive feedback on how their recommendations were used by policy-makers, and to ensure that follow-up is effective. The influence and impact of their contributions should be evident to children.<sup>114</sup> Clear feedback must be given to children on how their views have been taken into account.<sup>115</sup> Formal follow-up should be established to ensure accountability<sup>116</sup> and clear explanations should be given to children about the actions taken as a result of their views, or if a requested action has not been taken, the reason for this.<sup>117</sup>

### LOCAL LEVEL

As part of any follow-up process, children should be involved as much as possible in the monitoring of actions taken.<sup>118</sup> In this study, participants suggested that a particularly effective way of doing this would be for children to conduct follow-up themselves. In Sierra Leone, work is ongoing to develop a standing agreement with a local district council that allows children to attend and provide input at meetings, which can then be followed up later. While this is

not yet happening systematically, support is being provided by Save the Children locally and the district council, and the initiative may form a model to be replicated.

In this study, interviewees emphasised that feedback should be given in a timely way, and children and policy-makers should be brought back together where possible for feedback sessions. In Bangladesh, it was highlighted that for civil society and other groups engaged in facilitating participatory processes, follow-up processes need to be considered from the earliest stages of planning. Interviewees noted that dedicated children's forums at local level identify the issues of importance at bi-monthly meetings, which are then brought to monthly dialogue sessions with local adult council members and service providers. Such regular interaction between adults and children at a local level means that matters of immediate and particular relevance to a specific group of children can be dealt with rapidly.

### NATIONAL LEVEL

In some countries, children are actively engaging in the monitoring and evaluation of government progress in implementing children's rights standards and documenting violations. These processes can involve children in the monitoring of spending<sup>119</sup> and service delivery, for example.<sup>120</sup> Interviewees in the Netherlands suggested that this was especially important given that children can feel discouraged from participating further where they do not see

**Clear feedback must be given to children on how their views have been taken into account.**

real results from their efforts. Children should be able to see the impact of their views on decision-making, and it has been emphasised that real impact is crucial to the success of these mechanisms.<sup>121</sup>

One mechanism highlighted as providing a means to ensure that politicians and decision-makers were held to be publicly accountable was strategic use of the media. Interviewees highlighted that making decision-makers publicly accountable can be a way to help push for the implementation of children's recommendations. Children can play a central role in this process. In Mozambique, child journalists participate in radio, TV programmes and other media and can raise questions directly with decision-makers. The publicity generated by this can be a good way of holding duty-bearers to account. Similar strategies are used in Nepal, where child journalists write articles on issues in the community and send them to mainstream newspapers and radio stations. In urban areas, social media is a popular way for children to engage in street activism, while in rural areas, involvement in traditional street drama and other creative forms was identified as an important way to bring issues to public attention.

It is important at national level to have in place independent agencies with the remit to oversee, monitor and evaluate child participation mechanisms. Such agencies could include the office of ombudsman for children, commissioners responsible for children's rights as well as work by non-governmental and civil society organisations where they are not directly involved in the participation process. It is important to include children in these evaluation processes because taking their views of their experiences into account is a key aspect of informing future improvements and developments.

This study found that many countries had no mechanisms in place to monitor or evaluate children's participation structures. However, in Pakistan, the formation of the National Commission on the Rights of the Child, established by legislation in 2017, is awaited. This Commission will be an oversight and monitoring body and will present concrete recommendations to government on how to improve functionality in the effective implementation of the UNCRC. In Nepal, Save the Children has been involved in the evaluation of the new Children's Bill which, using a rights-based approach, is expected to greatly strengthen children's rights, including the right to participate.

## INTERNATIONAL LEVEL

Globally, the most important forum for the evaluation of how state parties promote and protect children's rights is the UNCRC monitoring process, whereby the Committee on the Rights of the Child considers periodic reports from state parties on measures taken to implement the Convention. This process offers an opportunity for governments to identify the actions they have taken and also provides a forum at which civil society organisations and children themselves can present their views and challenge decision-makers on their record. In this study, several countries, including Albania and Lebanon, alluded to engagement with the UN Committee, building the capacity of children to draft reports for the committee, and, on occasion, bringing children themselves to Geneva in order to share their experiences directly. In Guatemala, children have had the opportunity to engage in report-drafting and also to be part of delegations at the UN Committee. They have also drafted alternative reports for the Universal Periodic Review – the review mechanism of the UN Human Rights Council – and attended the Central American Parliament.

Regional evaluation mechanisms such as this, the African Committee of Experts on the Rights and Welfare of the Child and the Association of South East Asian Nations (ASEAN) are important forums for addressing children's rights generally, as well as issues that may be particular to certain parts of the world. In Zambia, the State party report to the African Committee included issues raised by children themselves without any influence from civil society, while in the Philippines, support for a national children's forum would be stronger if it also acted as preparation for a comparable ASEAN gathering.



Children at the children's parliament in Bangladesh



# Conclusions and Recommendations

Involving children in public decision-making processes in an effective and meaningful way is important for the implementation of Article 12. Such participation also improves decision-making, which is enhanced by the insights that children can contribute.<sup>122</sup> This study highlighted the benefits of children's participation in public decision-making structures, with interviewees stating that children have worked on a wide range of issues of importance to them, including education, violence against children, child marriage, corporal punishment, recruitment of children in armed conflict, access to healthcare, local planning processes, the proliferation of fake news and child labour. The study identified examples of where children's recommendations and issues have been taken into account by decision-makers, resulting in genuine change.

Some of the successes achieved by children working together have related to the allocation of budgets and resources and to reforms. For example, in Bangladesh, children were able to engage in direct consultations with the Minister for Finance, and interviewees said that the recommendations made by the children were reflected in the resulting budget. In Yemen, participants said that as a result of children's criticism that the school curriculum was too focused on parents, changes were made. Children's advocacy has been able to bring about the banning of corporal punishment in Bangladesh and Kenya, and both Sierra Leone and Zambia have seen changes in the law to better protect children. Successes have also been achieved in preventing child marriages. For example, in Nepal, it was highlighted that children were often very active in stopping child marriage, because they are the first to become aware when it is happening. When they do become aware of it, members of the participatory processes can inform the police or call a toll-free number to prevent the marriage from going ahead. Engagement of politicians at high levels, including presidents, politicians and mayors, has also been noted as an important achievement

for these groups across the world, from Colombia and Pakistan to Yemen.

As well as contributing to issues that affect the whole of society, children's participation in these structures has also benefitted them as individuals. Children often gained knowledge of their rights and the services available to them. They learned important skills in advocacy and how to effectively research issues that affect them. The development of children's presentation skills and the opportunity to be heard increased confidence and helped children to feel empowered.

## DEVELOPING PLATFORMS TO ENHANCE CHILDREN'S PARTICIPATION: KEY MESSAGES

Significant progress has been made in many countries to ensure that children can participate in a meaningful and effective way in local decision-making processes. Despite this, significant barriers persist and in some countries participation rates remain low. A lack of formal structures to ensure children's participation, insufficient funding, a lack of capacity among adults and children, limited political will, and cultural attitudes to children all represent significant obstacles to further implementation of this right. Children from marginalised and disadvantaged groups continue to be excluded from many participatory activities, or are included only in a tokenistic way.

However, the experiences of civil society organisations and governments working together to improve children's participation in public decision-making processes also highlight important lessons for any group intending to set up a participation mechanism for children. Significant successes have been achieved in many countries, and this shared experience represents a valuable tool for adults and children in a variety of contexts.

## KEY LEARNING

### Recognising children's rights to take civic action

- No legal prohibitions on children's rights of expression, to information, to assemble or to associate should be in place or introduced;
- Obstacles to children exercising their civil and political rights, such as age restrictions or intimidation and harassment, should be removed;
- Children should have direct access to information in a child-friendly format;
- The right to expression should not be limited in any way and all means of expression should be protected;
- Safety concerns, both in person and online, should be addressed and necessary protections put in place to ensure children can exercise their civil rights;
- Rights of expression, assembly and association should be protected in law and all barriers, both formal and informal, should be removed.

### Children's participation should be secured through law and policy supported by sufficient investment

- Child participation structures should be embedded in legislation;
- Children's participation, and the full spectrum of children's civil and political rights, need to be respected and supported;
- A dedicated government department tasked with implementing children's rights should be established;
- Children's groups should be embedded within formal government structures at national and local level to enhance participation and increase legitimacy;
- Efforts should be made to strengthen institutions and develop policies and budgets to support children's participation;
- Legislation needs to be specific and provide guidance on the steps, processes and minimum standards to ensure quality children's participation and on how to support safe, meaningful and ethical processes in a diverse range of contexts;
- Buy-in from the government (through formal government communications, ministerial orders, proclamations, etc.) is critical for sustainability and norm-setting;

- Activities of children's groups can be linked with existing government objectives and policies; this linkage could increase sustainability and more coordinated and meaningful participation but needs to be balanced with children's right to set their own agendas for consultation;
- Children can be presented as a 'special interest group' with an interest in being consulted by government.

### Strengthening children's agency, self-esteem and knowledge to participate in public decision-making

- Capacity-building and training is required for both adults and children to support the exercise of civil and political rights;
- Education programmes on children's rights generally and specifically on participation should be introduced through schools;
- Information for children must be child-friendly and accessible to all children;
- Children should be trained to collect data and identify areas of research that will enable them to advocate effectively on behalf of themselves and their peers;
- Children should be given training on their rights and knowledge of specific issues;
- Training for children also needs to focus on skills around advocacy, data protection, report writing, communication and other soft skills.

### Creating a conducive political, social and cultural environment, including addressing adult attitudes

- Effective partnerships between civil society organisations, non-state actors and governments are crucial to ensure success;
- Children should have an active voice in these processes;
- Civil society organisations must have long-term plans on the participation of children in decision-making;
- Engagement with children's participation forums should form part of the mainstream adult decision-making process;
- Adults need to be convinced to be involved in engaging meaningfully with children;
- Both adults and children need to be properly prepared for these processes;



- Community leaders and government officials need to be sensitised to the importance and benefits of listening to children;
- Sharing of experiences is crucial to strengthening participation mechanisms.

### **Building quality spaces and processes for child participation in public decision-making**

- Children should be guided and given the opportunity to shape agendas, create the spaces and select what they want to discuss and progress;
- Guidelines should be developed to ensure children and young people in child councils and parliaments are accountable to their peers;
- Participation must be voluntary and safe;
- Training and capacity-building of adult facilitators is critical;
- Creative and diverse methods of engaging children should be encouraged and resourced.

### **Structures should be inclusive and involve children from deprived and marginalised groups**

- Mechanisms should be accessible to all children and recognise their differing needs;
- Sustained efforts and funding are needed to ensure that children from marginalised groups are properly represented;
- Guidelines and mechanisms should be developed to ensure that structures are representative but not tokenistic;
- Where possible, children should be chosen by their peers to engage in participatory processes rather than being selected by adults.

### **Accountability, feedback and follow-up**

- Face-to-face engagement between children and decision-makers is key;
- Children should be involved as much as possible in the monitoring of actions taken;
- Effective follow-up is essential, and this must be planned from the outset;
- Feedback should be sought from government officials and reminders given of the commitments made;
- Follow-up mechanisms should link the outcomes of the children's participation to the realities of their day-to-day lives;
- Engagement with the media can be a key strategy to influence decision-makers;
- Independent evaluation of mechanisms should be undertaken at local, national and international level;
- Children should be involved in any evaluation processes and their opinions given due weight;
- Recommendations made to improve mechanisms as a result of evaluation should be considered.

**“I have seen my elders doing voluntary work to stop child marriage. I always wanted to bring good to my community. So, I decided to join the group and started working for the betterment of the children of our community.”**

Young person, gender and age not given, Bangladesh

# Endnotes

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- <sup>8</sup> Save the Children, *Child Rights Governance – Children in Politics* (Save the Children, 2012) at pp.16–21 and 68–73
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- <sup>13</sup> UN Committee on the Rights of the Child, *General Comment No.12: The right of the child to be heard* (2009) CRC/C/GC/12 at para.132. See further, Lundy, L. (2018). “In defence of tokenism? Implementing children’s right to participate in collective decision-making”. *Childhood*, 25(3), 340–354
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# THE RIGHT OF CHILDREN TO PARTICIPATE IN PUBLIC DECISION-MAKING PROCESSES

Children have the right to participate in decision-making that affects them. In addition, much can be gained by ensuring children can make their voices heard in public decision-making processes. Children's participation presents an important opportunity for states to consider the views, needs, rights and wishes of children in developing policy that has a significant impact on children's lives.

This report aims to document international learning on ways to support and encourage children's participation in public decision-making processes at local, national and international levels. It discusses the variety of such approaches used around the world and aims to show ways that children's participation can be made more effective. Key successes achieved by children participating in these processes are highlighted, along with the key learning and challenges encountered.

Drawing on the experience of stakeholders that support children's participation, and on the experiences of children themselves, the report identifies the key factors that states need to take into account when establishing mechanisms and structures to facilitate children's participation in public decision-making.

In particular, the report takes account of the experience of over 20 Save the Children country offices in identifying the building blocks that are key to establishing and developing effective platforms for all children, particularly those from marginalised and excluded groups, to participate fully in public decision-making.