

A Handbook on Child Participation in Parliament



**A HANDBOOK
ON CHILD PARTICIPATION
IN PARLIAMENT**

FOREWORD

This handbook, a collaborative effort of the Inter-Parliamentary Union and UNICEF (United Nations Children's Fund), addresses some of the key ways in which parliamentarians can guarantee that children's voices, concerns and interests find expression in and enjoy meaningful attention from parliaments.

Children are entitled to be involved in the wide range of issues that affect them, and as they grow and develop their opportunities for participation should expand from private to public spaces, from local to global influence. However, while some children are beginning to actively exercise their rights and become agents of change, the voices of many of the world's young citizens remain unheard, their interests forgotten or ignored.

As the principal representatives of their constituents, including children, parliamentarians are uniquely placed to give the views of children – especially those who are the most deprived and most vulnerable – a platform in their work. By inviting children to testify in committees, consulting children in their communities or bringing children's perspectives to bear on the budget process, parliamentarians can ensure that children's opinions have an impact on the direction of policies, the implementation of laws and the design of budgets.

Listening to children and allowing them to contribute to decision-making processes can lead to better decisions. It leads to policies that are actually – not just theoretically – in children's interests. It also offers children an opportunity to experience democratic decision-making and learn about their rights and powers as citizens, with long-term benefits for society as a whole.

The handbook aims to provide parliamentarians with information on a variety of effective mechanisms to ensure that children's participation in parliaments is meaningful, reflects the voices of the most marginalized and contributes to policies, laws and budgets that will help correct the disparities and inequities that afflict the world's children.



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INTRODUCTION

One of the hallmarks of democracy is that citizens have the right to be a part of the decisions that affect their lives. When we trumpet the virtues of parliamentary democracy, we are praising a system of governance and lawmaking that reflects the voices, interests and concerns of the entire population. This includes children.

The Convention on the Rights of the Child (adopted by the United Nations General Assembly in 1989) opens the door to full citizenship for children. Article 1 of the Convention on the Rights of the Child defines a child as “every human being below the age of eighteen years unless under law applicable to the child, majority is attained earlier”. The Convention transforms children from passive objects to active agents of rights. It demands that their views be considered and given due weight.

The vast majority of public decisions affecting children are nevertheless made without considering their views or involving them. Much of the work of government and civil society is carried out without explicit recognition of either children or young people. This is also the case with parliaments. As children do not have the right to vote in most countries, their voices are not heard; they are a forgotten constituency. The dominant concept of childhood provides no role for children in the public political sphere.

Yet, as representatives of the people, parliaments have a particular responsibility to ensure that the interests and rights of all sectors of society are respected and promoted. They play a key role in ensuring that international commitments are translated into national realities. Parliamentarians should be frontline actors in the defence of children’s rights.

By listening to children’s voices and taking them into account in their work, parliaments can be more inclusive, craft more effective policies and secure respect for children’s rights. In short, a parliament informed by children’s voices will function better and enjoy stronger democratic practices.

Building in particular on the right of participation – one of the bedrock principles articulated in the Convention on the Rights of the Child – this handbook identifies the many opportunities for enhanced participation of children in parliamentary processes, illustrating its recommendations with examples culled from around the globe. Children have views, interests and concerns that should be heard. They share their villages, towns, cities, countries and planet with us. They are today’s citizens, can act as leaders now and in the future, and are tomorrow’s voters and decision makers.

Chapter 1

What is child participation?

Child participation is defined¹ as an ongoing process of children's expression and active involvement in decision-making at different levels in matters that concern them. It requires information-sharing and dialogue between children and adults, based on mutual respect, and full consideration of children's views in the light of their age and maturity.

1. Why participation is important

Children possess knowledge and opinions about their lives and experiences that may differ from those ascribed to them by adults. However, on too many occasions they are not consulted. Adults often assume that they know what children are thinking and feeling and so do not ask for their input when making decisions about matters that concern them. Adults need to listen to children in order to claim to speak on their behalf. If not, the decisions they make for children may have negative rather than positive consequences.²

The importance of listening to children

An interesting example of the contrast between adult assumptions and the reality of children's lives was highlighted in a project undertaken with four- and five-year olds in a poor district of London. The children were asked to produce a mural depicting their local environment as it currently was and then as they would like to see it. The researchers found that children objected to the local council providing play areas covered in grass – widely thought to be the most appropriate surfacing.

1 Definition from Save the Children UK OSCAR (Office of South and Central Asia Region) and UNICEF's *State of the World's Children* 2003 which defines it as: "The process of sharing decisions which affect one's life and the life of the community in which one lives. It is the means by which democracy is built and it is the standard against which democracies should be measured."

2 Stephenson, Paul with Steve Gourley and Glenn Miles, 'Child Participation', *Roots Resources* 7, Tearfund, 2004, tilz.tearfund.org/webdocs/Tilz/Roots/English/Child%20participation/Child_participation_E.pdf, accessed 8 August 2011.

Rather, they wanted concrete areas because grass made it impossible for them to see broken glass, dog excrement and the discarded needles used by drug addicts.³

2. Child participation is a right

In 1989, in response to a growing international consensus on the need for a new instrument that explicitly laid out the specific and special rights of children, the United Nations General Assembly adopted the Convention on the Rights of the Child. The Convention rapidly became the most widely ratified human rights treaty in history, with almost every government around the world now legally bound to uphold a universally agreed standard for children's rights.

The Convention is unique in that it delineates the first comprehensive set of rights – including social, economic, cultural and civil rights – relevant to children and recognizes children as social actors and active holders of their own rights.⁴ It contains new provisions relating to children – for example, the right to participation and the principle that in all decisions concerning the child, the child's best interests must come first. It also establishes the first international body responsible for overseeing respect for the rights of the child: the Committee on the Rights of the Child (*see box*).

The Committee on the Rights of the Child and State party reporting obligations

One key international mechanism for ensuring children's rights is the Committee on the Rights of the Child, the 18 members of which are elected by the States parties to the Convention and serve in an individual capacity.

The main function of the Committee, which meets three times a year, is to review the periodic reports that all States parties to the Convention are required to submit (within two years of ratification and then every five years).

3 Lansdown, Gerison, *Promoting Children's Participation in Democratic Decision-making*, United Nations Children's Fund Innocenti Research Centre, Florence, February 2001, www.unicef-irc.org/publications/pdf/insight6.pdf, accessed 8 August 2011.

4 United Nations Children's Fund and Religions for Peace, *From Commitment to Action: What religious communities can do to eliminate violence against children*, UNICEF and Religions for Peace, New York, February 2010, [www.unicef.org/media/files/What_Religious_Communities_can_do_to_Eliminate_Violence_against_Children__\(UNICEF_Religions_for_Peace_Guide\).pdf](http://www.unicef.org/media/files/What_Religious_Communities_can_do_to_Eliminate_Violence_against_Children__(UNICEF_Religions_for_Peace_Guide).pdf), accessed 9 August 2011.

The reports contain information on the laws and other measures the State has adopted in order to give effect to the Convention as well as on the progress made to ensure enjoyment of the rights it recognizes.

Once a report has been received, the Committee invites the government concerned to send a delegation to present it and answer any questions the Committee may have. Committee members may also comment on the information contained in the report, as well as other relevant information received from United Nations agencies and non-governmental organizations (NGOs). It then produces its concluding observations and recommendations, which often concern legislation, including references to gaps in existing legislation or provisions of laws that the Committee considers incompatible with the Convention.

Parliament has an essential contribution to make to the reporting process.⁵ Parliamentarians can make sure that periodic reports are debated in parliament before they are submitted to the Committee on the Rights of the Child. They can ensure the debate encompasses a variety of views, including those of children and relevant civil society organizations, and can help raise awareness of the Convention among their peers and society at large.

The basic rights and principles of participation are found in articles 12, 13 and 15 of the Convention on the Rights of the Child.

Articles 12, 13 and 15 of the Convention on the Rights of the Child

Article 12

States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

5 See Johnsson, Anders B., 'Keynote Address' by the IPU Secretary General to the Conference on Legislative Reform to Achieve Human Rights, New York, 19 November 2008.

Article 13

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.
2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
 - (a) For respect of the rights or reputations of others; or
 - (b) For the protection of national security or of public order, or of public health or morals.

Article 15

States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others.

Article 12⁶ establishes the right of children to be involved in decisions that affect them, both as individuals and as a group. This right to be heard and taken seriously is one of the Convention's fundamental principles. Not only is this a free-standing right, but also the Committee on the Rights of the Child has identified article 12 as one of its four general principles.⁷

Article 12, together with the other key civil rights set out in the Convention, has been broadly conceptualized as 'participation', although the term itself does not appear in the text. While children have always participated in many ways within societies the term has evolved and is now widely used as shorthand for the process of children expressing their views and having these taken seriously.

It is important to understand clearly what article 12 does and does not say. It does not give children the right to autonomy. It does not give children the right to control all decisions, irrespective of the implications of these for either themselves or others. It does not give children the right to ride roughshod over the rights of their parents. However, it does introduce a radical and profound challenge to traditional attitudes that assume that children should be seen and not heard.

6 The information on article 12 is adapted from Gerison Lansdown, 'Every Child's Right to be Heard: A Resource Guide on the UN Committee on Rights of the Child General Comment No 12,' Save the Children and UNICEF 2011.

7 The other general principles are article 2 (non-discrimination), article 3 (the best interests of the child) and article 6 (the right to life and maximum survival and development).

Article 12 is a substantive right that entitles children to be active players in their own lives and to participate in the decisions that affect them. As with adults, however, democratic participation is not an end in itself. It is the means through which to achieve justice, influence outcomes and expose abuses of power. In other words, it is also a procedural right enabling children to challenge abuse or neglect of their rights and take action to promote and protect those rights. It enables children to contribute to respect for their best interests.

Article 15 of the Convention also forms part of the foundation of children's right to participation. It guarantees the right to create or join associations and to peaceful assembly. Both of these imply the opportunity to express political opinions and participate in decision-making processes; both are critical to the development of a democratic society and to the realization of children's rights, which includes the participation of children themselves.⁸

In addition to these two articles, **article 13** strengthens children's participatory rights by guaranteeing children freedom of expression along with the "freedom to seek, receive and impart information and ideas of all kinds". Indeed without access to information and ideas and without the right to express all ideas, expression or participation would be rendered meaningless.

3. Children's participation and their evolving capacities

Children can form and express views from an early age but the nature of their participation, and the range of decisions in which they are involved will necessarily grow with their age and evolving capacities. Young children's participation will be largely limited to issues relating to their immediate environment within the family, care facilities and local community. However, as they grow older and their capacities evolve, children's horizons broaden and they are entitled to be involved in the wide range of issues that affect them, from the immediate family to issues at the international level, from the household to parliamentary settings to global conferences.⁹

The Convention on the Rights of the Child is the first international human rights treaty to introduce the concept of the 'evolving capacities' of the child. This has been described as a new principle of interpretation in international law, one that recognizes that, as children acquire enhanced competencies, their need

8 Santos Pais, Marta, 'Child Participation', speech by the Director of the Division of Evaluation, Policy and Planning, United Nations Children's Fund, at Harvard University, May 1999, www.gddc.pt/atividade-editorial/pdfs-publicacoes/8182MartaPais.pdf, accessed 8 August 2011.

9 Lansdown, Gerison, 'Every Child's Right to be Heard: A Resource Guide on the UN Committee on Rights of the Child General Comment No. 12,' Save the Children and UNICEF 2011.

for protection decreases while their capacity to take responsibility for decisions affecting their lives increases. The Convention recognizes that children in different environments and cultures, and with diverse life experiences, will acquire competencies at different ages. Action is needed in law, policy and practice so that the contributions children make and the capacities they hold are acknowledged. Children should be provided with opportunities to participate in the realization of their rights in accordance with their evolving capacities.¹⁰

The International Commitment to promoting Child Participation

- Articles 12, 13 and 15 of the Convention on the Rights of the Child establish the basic principle and right of participation.
- Article 7 of the Convention on the Rights of Persons with Disabilities establishes that children with disabilities are to be allowed to express their views freely on all matters affecting them.
- Article 25 of the Millennium Declaration reaffirms the commitment to more inclusive political processes and promotes the genuine participation of all citizens in all countries.
- Paragraphs 7(9) and 32(1) of 'A World Fit for Children', adopted by the United Nations General Assembly at the Special Session on Children in 2002, state that children are resourceful citizens capable of helping to build a better future for all and that they should be listened to and their participation ensured.
- The Inter-Parliamentary Union (IPU) resolution on youth participation in the democratic process (2010) reaffirms the principles of the Convention on the Rights of the Child and calls on parliaments and parliamentarians to create the conditions and opportunities for young people to participate in the democratic process.

¹⁰ See Lansdown, Gerison, *Understanding the Implications of Human Rights Treaty: Evolving capacities of the child*, United Nations Children's Fund Innocenti Research Centre, Florence, 2005.

Chapter 2

Why parliaments should involve children

1. Child participation improves parliaments' representative function

As members of the principal representative institution in any democracy, parliamentarians are uniquely positioned to engage and interact directly with their constituents, including children. Indeed, the very health of a democracy depends on a robust relationship between parliamentarians and their constituents, with the former transmitting the voices of the latter, including children, and thereby bridging the gap that separates citizens from government.

For this reason, including children in parliamentary processes strengthens democratic practices. Enhanced child participation improves parliament by making it more inclusive, more representative and more democratic. Indeed, if parliaments are to serve and reflect the will of all the people, then including children will help engender a system that better serves the entire population; it will in consequence strengthen parliaments' ability to deliver on their governments' commitments to defend the rights of children.

2. Child participation improves legislative outcomes

The inclusion and integration of children's perspectives and voices leads to better outcomes – from improved laws and oversight of the executive to more equitable and effective budget allocations and better services.

3. Child participation offers a long-term perspective

As citizens with lengthy time-horizons whose interests extend well into the future, children can offer the long-term outlook that is sometimes difficult for older people to discern or heed. For instance, children may have a long-term view on an issue such as environmental degradation, which may not always seem a high priority in the present but whose urgency becomes palpable when viewed from a longer perspective.

Similar benefits may obtain in policy areas as diverse as deficit spending when immediate expenses and benefits are weighed against longer-term costs and dividends. While spending and increasing debt loads, for example, may be attractive for the immediate economic boost they can provide, consideration of their potential to jeopardize future growth prospects is critical, though sometimes overlooked. Child participation in such contexts can contribute in significant ways to sustainability.

4. Child participation promotes civic engagement and civic education

Involving young people in public decision-making processes offers important opportunities for civic education and learning about government. This can strengthen children's social responsibility and develop their social, communication and civic skills. It gives them the opportunity to participate as active citizens.

An example of child participation from New Zealand¹¹

The Prime Minister's Youth Advisory Forum was established in New Zealand in 1998. Modelled on other advisory forums, such as the Business Advisory Council, it provides 15 young New Zealanders, aged between 12 and 25, with the opportunity to meet three times a year with Cabinet Ministers, including the Prime Minister.

The Forum was initiated by the Minister for Youth Affairs and received an enthusiastic response, with more than 230 young people applying to be members. The selection criteria ensured the participation of a cross-section of young people from different ethnic groups, a variety of geographical, rural and urban backgrounds, and differing educational, employment and life experiences.

The aim is to provide a system where a group of children and young people can speak directly and frankly to the Prime Minister and Cabinet of the day about issues that concern them. Members of the Forum decide which issues they want to discuss and which ministers they wish to meet. They can initiate discussions on all matters concerning the government, not just issues considered to be relevant to children and young people. Ministers can also set topics for discussion.

11 Ministry of Youth Affairs, 'Children in New Zealand: United Nations Convention on the Rights of the Child – Second periodic report of New Zealand', Government of New Zealand, Wellington, December 2000.

Chapter 3

Principles for child participation

The global commitments listed on page 14 were strengthened in June 2009 when the Committee on the Rights of the Child adopted 'General Comment No. 12: The right of the child to be heard'. The General Comment is intended to support government efforts for effective implementation of article 12; it details the scope of legislation, policy and practice entailed as well as what is needed for effective and ethical child participation.

1. Requirements for effective and ethical child participation¹²

In order for children's participation to be both effective and ethical, certain principles and standards must be met. If not, children may be manipulated, placed at risk or denied any real opportunity to articulate their views. The considerable body of experience built up since the Convention on the Rights of the Child was adopted in 1989 has led to a broad consensus on the basic requirements for effective and meaningful implementation of article 12. These requirements should be incorporated into policy and practice at all levels and reflected where possible in legislative frameworks.

Principles guiding participation are as follows:

- Children have the right to be listened to, to freely express their views on all matters that affect them, and to freedom of expression, thought, association and access to information;
- Measures should be put in place to encourage and facilitate children's participation in accordance with their age and maturity;
- Participation should promote the best interests of the child and enhance the personal development of each child;
- All children have equal rights to participate without discrimination;
- All children have the right to be protected from manipulation, violence, abuse and exploitation.

12 The first part of this section has been adapted from Lansdown, *Draft Resource Guide*, op. cit.

The best interests of the child¹³

Article 3 of the Convention on the Rights of the Child requires that, “[i]n all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration”.

This provision applies to child protection and to all rights of the child, and it creates two obligations for parliaments:

Whenever parliaments adopt legal standards applied by courts or administrative authorities on matters relevant to child protection, they should ensure that such standards require that the best interests of the child be the decision maker’s primary consideration.

Parliaments themselves must give priority to the best interests of children when drafting legislation.

The UN Committee on the Rights of the Child recently adopted a number of requirements in its General Comment No. 12 for the implementation of the right of the child to be heard.¹⁴ These call for all processes in which a child or children are heard and participate to be:

Transparent and informative – Children must be provided with full, accessible, diversity-sensitive and age-appropriate information about their right to express their views freely and have their views given due weight; they must similarly be informed about the type of participation, and its scope, purpose and potential impact;

Voluntary – Children should never be coerced into expressing views against their wishes and they should be informed that they can cease involvement at any stage;

Respectful – Children’s views have to be treated with respect, and children should be provided with opportunities to initiate ideas and activities. Adults working with children should acknowledge, respect and build on good examples of children’s participation such as, for instance, their contributions to the family, school, culture and work environment. They also need an understanding of the socio-economic,

13 Inter-Parliamentary Union (IPU) and United Nations Children’s Fund (UNICEF), ‘Child Protection: A handbook for parliamentarians’, *Handbook for Parliamentarians*, No. 7, IPU-UNICEF, 2004, www.unicef.org/publications/index_21134.html. Accessed 9 August 2011.

14 Committee on the Rights of the Child, ‘General Comment No. 12 (2009): The right of the child to be heard’, CRC/C/GC/12, 1 July 2009.

environmental and cultural context of children's lives. Persons and organizations working for and with children should also respect children's views with regard to participation in public events;

Relevant – The issues on which children have the right to express their views must be of real relevance to their lives and enable them to draw on their knowledge, skills and abilities. In addition, opportunities must be created to enable children to highlight and address the issues they themselves identify as relevant and important;

Child-friendly – Environments and working methods should be adapted to children's capacities. Adequate time and resources should be allocated to ensure that children are adequately prepared and have the confidence and opportunity to contribute their views. Consideration needs to be given to the fact that children will require differing levels of support and forms of involvement according to their age and evolving capacities;

Inclusive – Participation must be inclusive, avoid existing patterns of discrimination and encourage opportunities for marginalized children, including both girls and boys, to be involved. Children are not a homogenous group and participation needs to provide for equality of opportunity for all, without discrimination on any grounds. Programmes must be culturally sensitive to children from all communities;

Supported by training – Adults need preparation, skills and support to facilitate children's participation effectively; they should be provided, for example, with skills in listening, working jointly with children and engaging children effectively in accordance with their evolving capacities. Children themselves can be involved as trainers and facilitators on how to promote effective participation; they require capacity-building to strengthen their skills in, for example, effective participation, organizing meetings, raising funds, dealing with the media, public speaking and advocacy;

Safe and sensitive to risk – In certain situations, expressing one's views may involve risks. Adults have a responsibility towards the children with whom they work and must take every precaution to minimize the risk to children of violence, exploitation or any other negative consequence of their participation. The steps taken to provide appropriate protection will include the development of a clear child-protection strategy that recognizes the particular risks faced by some groups of children and the extra barriers they face in obtaining help. Children must be aware of their right to be protected from harm and know where to go for help if needed. It is important to invest in working with families and communities in order to build understanding of the value and implications of participation and to minimize the risks to which children may otherwise be exposed;

Accountable – A commitment to carry out follow-up and evaluation is essential. For example, in any research or consultative process, children must be informed as to how their views have been interpreted and used and, where necessary, provided with the opportunity to challenge and influence the analysis of the findings. Children are also entitled to clear feedback on how their participation has influenced any outcomes. Wherever appropriate, children should be given the opportunity to participate in follow-up processes or activities. Monitoring and evaluation of children’s participation needs to be undertaken, where possible, with children themselves.

2. Child participation in the parliamentary context

Sustainability – It is important that participation be part of ongoing processes that integrate child inputs into parliamentary decision-making and not mere token events or consultations. Follow-up mechanisms are needed that make child participation meaningful and sustainable. For example, experience suggests that children’s forums such as youth parliaments amount to little more than one-off events unless follow-up mechanisms are created to ensure that outputs from such forums are heeded.

Participation is NOT substitution – Child participation is by no means intended to supplant or serve as a substitute for the work of representatives. Rather, it is intended to help parliamentarians do their work more effectively. Parliamentarians are tasked with representing the voices, concerns and interests of all their constituents, including children. Child participation helps communicate this key constituency’s concerns and interests to parliamentarians; it helps elected officials keep children’s interests in mind when engaging in lawmaking, budgeting and oversight work. Respecting children’s views means these views should not be ignored, not that they should be automatically endorsed whatever their merit.

The power of child testimony – If exercised through the appropriate parliamentary channel or mechanism, child testimony can serve as a powerful way to inform parliamentarians about the implications of a given law, policy or budget allocation. For example, sometimes the testimony of a child can persuade a parliamentary committee to move in one direction rather than another (*see example from Australia on page 25*).

Risk of politicization – While children are often viewed (accurately or not) as politically neutral or apolitical, there is the risk that their involvement will be politicized. When engaging children, parliamentarians might consider promoting political tolerance or conveying to children that there are often different standpoints on issues, and that their views may differ from those of members of other parties.

Children can participate outside the capital – Children’s participation or their parliamentary engagement is sometimes easier to facilitate or include at the local or district level than at the national level, which requires that children be in the capital. If it is determined that participation is more effective or possible at the local level, then parliamentarians may wish to focus on bridging local participation to national parliaments.

Equity – In interactions between a child and a parliamentarian, each is acting as a representative of a larger constituency. One issue of concern relates to how representative a particular child or youth organization is. Parliamentarians should avoid giving undue weight to well-placed children who may come from privileged backgrounds. To mitigate these challenges, some parliaments seek to direct resources to marginalized groups to enable them to make submissions or attend hearings. Other strategies could involve holding committee hearings in provinces or localities across the country (especially remote areas) or setting up informal consultations nationwide. In addition, parliamentarians can make on-site visits where they can interact with children in their own settings. For example, they can visit orphanages to see conditions first-hand and consult children directly.

Protection and security – The protection and security of children is paramount. When involving children in mechanisms such as hearings, for example, many procedures can be adopted to protect children, such as making the hearings closed to the public or ensuring children’s names are not included in the public record.

Accountability – If the children consulted are presented as child representatives (as they are in the context of a children’s parliament or if an NGO facilitates interaction with child representatives), then they must be held accountable to their peers. In the absence of a mechanism that allows children to report back to their peers and/or for peers to hold their representatives accountable, children can only claim to represent themselves.

Selection – Most of the examples in this handbook do not contain details on how children in a given example were chosen to participate and convey their views to members of parliament. Selection in some instances is a function of circumstance – parliamentarians will consult those children directly affected in a matter, for example, when they visit institutions housing children. In other contexts, the children selected may be those active in a children’s club or school council. When possible and relevant, parliamentarians should ensure that children are selected in an open and democratic manner such that they are representative of and accountable to their peers.

Children's parliaments

Children's parliaments have been gaining increased attention across the globe. While primarily an effective civic education tool for teaching young people about parliamentary functioning, they can potentially serve as meaningful opportunities for child participation, if certain basic conditions are met. These include:

- **Selection:** mechanisms must be in place to ensure that child parliamentarians are selected in a manner (such as competitive school elections) that guarantees that they actually represent their peers;
- **Accountability:** mechanisms must exist that ensure child parliamentarians are accountable to their constituents;
- **Interaction with actual adult parliament:** there must be clear channels for the decisions of child parliaments to influence the proceedings of parliament.

Chapter 4

Bringing children into parliament

Children's participation in the public sphere, particularly within the parliamentary process, is the logical extension of the right to expression in decision-making articulated in the Convention on the Rights of the Child.

In the context of parliamentary democracy, participation implies not only direct interaction between children and parliamentarians but also the inclusion of children's voices, interests and concerns even when they are not physically present in the halls of parliament or directly interacting with parliamentarians. Participation also means helping members of parliament include children's views in all of parliament's work, whether related to subjects of direct concern to children or not.

Parliamentary work and functioning offers a wide range of opportunities, both formal and informal, for soliciting children's views, facilitating their participation and contribution and ensuring that their interests are mainstreamed. Mechanisms exist for the inclusion of children's voices and interests in the parliamentary process just as they do for adults.

Brazil's experience of bringing children into parliament

In 2009, three students presented a proposal to a plenary session of Brazil's Chamber of Deputies against the use of *pau de araras* (flatbed trucks) for school transport. Their action helped make the congressmen aware of the dangers posed by the trucks, and one in particular promised to sponsor the proposal, which was ultimately approved by Congress. The students also took the opportunity to propose legislation ensuring equal treatment of citizens before the law.

This is one example of what has been achieved by what the Brazilian National Congress calls *Plenarinho* (Little Plenary). Through this mechanism, schools select legislative proposals written by students and submit them to Congress, where they are evaluated by a team of legislative consultants. After the evaluation, the proposals may be presented to Congress and sponsored by a parliamentarian, who sends it to the plenary for consideration and adoption.

Source: UNICEF country office in Brazil

One way to make sure the views, interests and concerns of children are adequately accounted for is to increase their direct interaction with parliamentarians. This can be achieved by formal means (having children testify at committee hearings) or in other ways, such as rules that political party membership must include young members. Another way to facilitate participation is to establish a children's ombudsman or other type of institutional mechanism for airing children's views.

Mainstreaming children's rights in parliaments

Mainstreaming children's rights is a strategy that puts those rights at the centre of broad policy decisions, institutional structures and resource allocation. In the context of parliament, it means considering all of parliament's work from the perspective of the child – whether reviewing and approving budgets, shaping and adopting legislation or overseeing government performance. Mainstreaming also entails viewing all issue areas from the perspective of the child, not just those issues overtly relating to children, such as child protection or education.

There is no single model for mainstreaming. In some parliaments, standing committees are directed to incorporate the child's perspective into their work. In others, mainstreaming is the work of a specialized child rights committee, informal caucuses or working groups. These approaches are not mutually exclusive and can complement each other.

Child participation should cut across all the work, structures and functions of parliament, whether oversight, budgeting, lawmaking or representation. Children are affected by a host of issues, ranging from transportation policy to health and education. Their involvement should not be limited to child rights discussions. Indeed, their contribution should help mainstream children's rights across all policy areas.

Various mechanisms are available for enabling child participation in parliamentary processes.

1. Working within the parliamentary committee system

Most of parliament's work is carried out in committees, which is where citizen participation tends to occur – most often following an invitation for public submissions, or at public hearings where committees seek the views of interested parties. Systems of public input into legislative proposals and proceedings are an important feature of the parliamentary process and a country's democratic life.

By extension, committees constitute a clear entry point for child participation since they can invite children to testify at hearings on particular subjects, whether they pertain to new laws under consideration, to budgets that require parliamentary approval or to investigations into specific issues such as rights violations. Similarly, child-led organizations and children's rights NGOs can seek to facilitate exchanges between children and parliamentarians in the context of formal committee proceedings.

Child participation within parliamentary committee systems

Participation in standing committee work

The Australian Standing Committee on Family, Community, Housing and Youth heard testimony from children in connection with inquiries concerning child custody and overseas adoption. The testimony played a decisive role in how parliamentarians decided on the issue. Such forms of participation in Australia require that the children be protected from public view and scrutiny.

Participation in specialized committees on children's rights

Some parliaments, such as those of Bahrain, Germany¹⁵ and Turkey, have established children's rights committees that examine all laws, policies and the government budget from a child rights perspective. Such committees can not only invite children to participate in their proceedings and provide testimony but also set up mechanisms for ongoing participation.

Participation in ad hoc committees of inquiry

Set up for a limited duration to investigate particular issues, committees of inquiry can be established to examine the positive and negative aspects of particular policies and the responsibility of the officials in charge. Such committees operate for a defined period of time and possess special powers of investigation. For example, Brazil's National Congress set up a parliamentary commission in 2003 to investigate commercial and sexual exploitation of children.¹⁶

15 Gruss, Miriam, 'Policy-making for Children in Germany: 20th anniversary of the Children's Committee of the German Bundestag', *Forum 21: European Journal on Child and Youth Policy*, No. 11, 2008, www.coe.int/t/dg4/youth/Source/Resources/Forum21/Issue_No11/N11_German_child_en.pdf, accessed 9 August 2011.

16 Inter-Parliamentary Union and United Nations Children's Fund, 'Eliminating Violence Against Children', *Handbook for Parliamentarians*, No. 13, IPU and UNICEF, 2007, www.ipu.org/PDF/publications/violence_en.pdf, accessed 9 August 2011.

What parliamentarians can do to increase child participation in committees:

Liaise with stakeholders outside parliament. The committee's relationship to outside groups can vary, but it can establish contact with groups such as youth associations and children's clubs, and leverage those contacts to bring children's voices into its work by such means as inviting them to testify in hearings or to provide the committee with relevant evidence/data.

Develop regular contacts with child representatives and associations and establish a systematic consultation mechanism with a view to ensuring that committee members remain aware of children's priorities and concerns. Civil society/NGOs can reach out to standing committees for hearings and can act as a vehicle for transmitting children's voices to parliament.

Solicit written submissions from those affected by bills. For example, in Iceland's Althingi, legislative standing committees ask for written opinions (submissions) from those affected by the bills being dealt with by the committees. In practical terms, 'those affected' refers to interest groups, NGOs and others in civil society. This reflects parliament's longstanding view that those affected by legislation have a democratic right to be heard and consulted, and it is a practice that should be extended to children.¹⁷

Ensure that requests for submissions are well advertised and aimed at children's associations and NGOs; encourage the use of information technology to reach out to children.

Initiate inquiries and make field trips/on-site visits to **directly engage and interact with children** or their representatives.

Direct that at least one child be invited to attend any relevant committee hearings. This could become a criterion for policy-making, especially with regard to bills related to children's rights. Such participation should go further, of course, than a token expression of views.

Form partnerships with the media in order to amplify children's voices.

¹⁷ Adapted from Inter-Parliamentary Union. *Parliament and Democracy in the Twenty-first Century: A guide to good practice*, IPU, Geneva, 2006.

Children's participation in the deliberations on a children's bill in South Africa¹⁸

Between 2003 and 2005, South Africa's parliament worked with civil society to involve children in the development of a new national children's bill. This bill replaced the Child Care Act of 1983 and covered issues of parental rights and responsibilities, children's rights, protection from neglect and abuse, court systems, and so on. To facilitate children's participation, a Children's Bill Working Group was created and run by the Children's Institute at the University of Cape Town.

The consultative process involved extensive capacity-building for children. The Children's Institute began by building children's 'legislative literacy' through several workshops. A child-friendly version of the draft bill was prepared using simple language. Due to the significant efforts made to engage children in the political process, children from poor or marginalized sectors of society were included as well as those from the affluent or well-organized sectors habitually consulted on draft legislation. Through this process, children from across the country's social spectrum were able to provide feedback to legislators and adult civil society members and to have their views reflected in the final language of the bill.

18 Jamieson, Lucy and Wanjiru Mukoma, 'Dikwankwetla: Children in action – Children's participation in the law reform process in South Africa', in Barry Percy-Smith and Nigel Thomas (ed.), *A Handbook for Children and Young People's Participation: Perspectives from theory and practice*, Routledge, London and New York, www.fairplayforchildren.org/pdf/1289572182.pdf, accessed 10 August 2011.

Examples of good practice for increasing public and child participation in committee proceedings¹⁹

- A publicly available register of children's NGOs and other bodies, organized by subject interest as well as alphabetically.
- A similar register of experts.
- Effective publicity through different media giving due notice of forthcoming parliamentary bills, enquiries, public hearings, etc.
- Targeted invitations to relevant children's organizations and experts to make submissions or to give evidence.
- Clear procedures for considering submissions from individual citizens, in particular children.
- A handbook and/or training sessions on how to make submissions or give evidence to parliamentary bodies; the handbook should be written in a child-friendly way.
- A public record available online of all submissions made.
- Public hearings arranged in local centres, with written summaries of oral evidence.

2. Participating in oversight through input in plenary discussions

Parliamentarians have the possibility to question the government about its policies on a near daily basis in plenary sessions and to bring concerns and priorities to the attention of the executive. Their interaction with children or children's clubs or associations can furnish them with questions to ask regarding children or the impact of policies on children.

Moreover, consulting children and allowing them to provide input during plenary debate through written submissions or presentations allows their views on legislation to be presented directly to parliament. It enables parliamentarians to receive important information on the changes required to legislation if it is to benefit the children it aims to help. Input from civil society on draft legislation

¹⁹ *Parliament and Democracy in the Twenty-first Century: A guide to good practice*, IPU, Geneva, 2006.

is of critical importance to parliamentarians in their role as lawmakers and also enhances their representative function.

3. Participating in the budget process

The budget process, during which parliament considers the budget both in committees and in plenary sessions, constitutes another potential entry point for children's inputs. Participation can be in the form of children's submissions, or children's interests can be mainstreamed into the process.

Parliamentarians can help facilitate child input into the budget process and bring children's perspectives to bear in a number ways, including:

- Producing a child-friendly budget that is intelligible to children;
- Gathering relevant data in the context of budget discussions;
- Meeting with children's organizations/representatives;
- Requesting written and/or oral submissions from children.

Children's participation in budgetary processes at the local level in Brazil²⁰

The Children's Participatory Budget Council – an elected children's council in Barra Mansa, State of Rio de Janeiro – was established in 1998 at a time when municipal governments in Brazil were becoming much more open to civil society participation and wanted to foster greater accountability and transparency. The project enables children's participation in the budgeting process, including in the allocation of municipal funds, and thus ensures that the municipal council addresses children's needs and priorities.

4. Parliamentary caucuses

A children's parliamentary caucus can cut across all policies, budgets and legislation and scrutinize them from a child rights perspective. The advantage of a caucus or other informal grouping is that membership is open to all legislators, which can enhance the group's reach. Members of a children's caucus can meet

²⁰ United Nations Children's Fund, 'Citizenship Knows No Age: Children's participatory budget council in Barra Mansa, Brazil', Child Friendly Cities website, www.childfriendlycities.org/en/search-view?ProductID=296, accessed 9 August 2011.

with children in the constituency or invite them to meet with the caucus in the capital. Ideally, a parliament's permanent standing committees are represented in the caucus, and caucus members can bring the child perspective to their respective committee work.

The Zambian Parliamentary Caucus on Children²¹

The Zambian Parliamentary Caucus on Children was established in 2008, with support from UNICEF. Open to all parliamentarians, it aims to influence relevant national institutions to place children, particularly vulnerable children, at the top of the political and development agendas. It advocates for and supports initiatives to improve the well-being of children and the achievement of the Millennium Development Goals. The Caucus also serves as a forum for strengthening the capacity of Zambian members of Parliament on child rights issues at both the national and constituency levels.

5. Children's ombudspersons

An ombudsperson (from the Swedish for 'legal representative') is an individual who acts as an impartial dispute resolver, dealing with complaints from the public about injustices and mistreatment by or lack of response from government agencies. The office of ombudsperson is often likened to an independent human rights institution or bureau, and the ombudsperson may also be called a commissioner, mediator or defender. Some ombudspersons receive complaints from individuals and have the authority to mediate between citizens and the authorities, while others have the power to bring cases to court.

Sweden was the first country to have such an institution when it established the Ombudsman for Justice in 1809. Similar institutions now exist in over 100 countries in Africa, Asia, Europe and Latin America. They may focus on a specialized field, such as an ombudsperson for children.²²

21 United Nations Children's Fund, *Guide to Working with Parliaments*, UNICEF, New York, November 2009, www.unicef.at/fileadmin/medien/pdf/UNICEF_Guide_to_working_with_Parliaments.pdf, accessed 9 August 2011.

22 Child Rights Information Network, 'Child Rights and National Human Rights Institutions and Ombudspersons', CRIN, London, n.d., www.crin.org/resources/infoDetail.asp?ID=18060&flag=report, accessed 10 August 2011.

Definition of an ombudsperson

An office provided for by the constitution or by action of the legislature or parliament and headed by an independent, high-level public official. An ombudsperson is responsible to the legislature or parliament, receives complaints from aggrieved persons against government agencies, officials, and employees or acts on his [or her] own motion, and has the power to investigate, recommend corrective action, and issue reports.

Source: Ombudsperson Committee, International Bar Association Resolution, Vancouver, 1974.

In most countries where the office of ombudsman or an equivalent has been established, it is accountable to parliament, either as a whole or through a specific committee. In Malta, the Ombudsman is an officer of Parliament and reports to Parliament through the Speaker. In Ukraine, the Parliamentary Commissioner for Human Rights is accountable to Parliament for monitoring human rights in the country and works closely with specific committees according to the nature of the appeal or complaint. In Namibia, the Ombudsman reports to a special Standing Committee of Parliament.²³

Many countries around the globe have either an identified ombudsman for children or a focal point on children's rights within the national human rights institution, such as a national commissioner on the rights of the child. No matter what form it takes, the office can play a vital role in helping populations and politicians understand the reality of children's lives, making children more visible, providing a channel for getting children's views to parliament, government and the public, and promoting respect for those views throughout society.²⁴

For example, some ombudspersons for children – including in Cyprus, Denmark, England and Lithuania – are required to consult with and involve children in their activities.²⁵ The ombudsperson's office can thus serve as a mechanism for child participation, though in practice its activity is largely confined to investigating complaints.

23 Inter-Parliamentary Union, *Parliament and Democracy in the Twenty-First Century: A guide to good practice*, IPU, Geneva, 2006, www.ipu.org/PDF/publications/democracy_en.pdf, accessed 9 August 2011.

24 United Nations Centre for Human Rights, *National Human Rights Institutions: A handbook on the establishment and strengthening of national institutions for the protection and promotion of human rights*, Professional Training Series No. 4, United Nations, New York and Geneva, 1995.

25 Hodgkin, Rachel and Peter Newell, 'Child Participation and Children's Ombudsman Institutions within the European Union: Preliminary report', European Network of Ombudspersons for Children, Strasbourg, December 2008, www.0-18.gr/downloads/child-participation-report, accessed 10 August 2011.

Parliamentarians can take a number of steps with respect to children's ombudspersons. If deemed appropriate to the context, they can move to establish an office of the children's ombudsperson. They can ensure that such an office is properly funded and resourced. They can establish reporting procedures such that the ombudspersons report to parliament on their findings. And parliamentarians can make sure guidelines are in place that explain how ombudspersons should consult children.

The activities of an ombudsperson for children

- Influencing policymakers and practitioners to take greater account of the rights of children.
- Providing a voice for children and a channel of communication between children and government.
- Ensuring that children have effective means of redress when their rights are violated.
- Monitoring the government's compliance with the Convention on the Rights of the Child (article 4), including its reporting obligations, and producing a supplementary report to the official State party report.
- Raising awareness among children and adults by producing and disseminating information about child rights and the Convention on the Rights of the Child, training professionals working with children, working with the media to increase awareness, etc.

Ombudspersons should ensure that:

- Their work is directly informed by the views of children;
- The views of children are reflected in proposals, reports, responses, research and strategies;
- Structures are established through which children's views can be directly and effectively represented.

Source: Child Rights Information Network, 'Child Rights and National Human Rights Institutions and Ombudspersons', CRIN, London, www.crin.org/resources/infoDetail.asp?ID=18060&flag=report, accessed 31 January 2011.

The Ombudsman for Children in Lithuania

The Office of the Children's Rights Ombudsman in Lithuania is an independent state institution. It is appointed by Parliament on the recommendation of its President and is accountable to Parliament for its activities.²⁶

The Ombudsman's²⁷ role is to:

- Improve the legal protection of children;
- Defend the rights and legitimate interests of children;
- Ensure implementation of the rights and legitimate interests of children provided for in international and national legal instruments;
- Exercise supervision and control of the implementation and protection of the rights of the country's children;
- Handle individual complaints by children.

The Office submits an annual report to Parliament, which adopts a decision on this. Its budget and any additional funds are allocated by Parliament.

26 Ziobiene, Edita, 'Reform of the Ombudsman Institutions in Lithuania', Department of Constitutional Law, Vilnius, 2010.

27 Azzini, Camilla, 'Children's Rights Ombudsman: Lithuania', Children Left Behind website, 25 February 2011, www.childrenleftbehind.eu/?page_id=394, accessed 9 August 2011.

Chapter 5

Bringing parliament to children

1. National and subnational consultations

In national or subnational consultations, and in other parliamentary gatherings, parliamentarians can consult with children in settings that are less formal than a committee hearing and receive their input on laws, policies, regulations and budgets of concern to them. They can obtain children's perspectives on a range of issues and learn whether any laws, budgets or policies already adopted are being implemented appropriately.

Consultation in this context refers to a process whereby adults seek to learn about children's experiences, views and concerns in order that legislation, policies or services can be better informed. Consultations thus consist of inter-generational dialogue in which children are provided with opportunities to exercise their rights of freedom of expression and access to information.

Processes of consultation can take place at all levels, from small community projects to international meetings. They can be one-off events, part of a sustained activity, or long-term or permanent structures. A one-off event will focus on obtaining information from children in connection with a particular issue, event or piece of legislation. The children's involvement will be short term and will mainly consist of providing their knowledge and views to the adults initiating the process. More sustained activities can facilitate a greater level of involvement by children in the design of the initiative. They allow children to have more input into the methodologies used, the questions addressed and how findings are interpreted and used. Lastly, various local, regional and national governments have established long-term or permanent consultative structures so as to obtain regular input from children and young people on the development of proposed legislation and policy.²⁸

28 See Lansdown, Gerison, *Promoting Children's Participation in Democratic Decision-making*, United Nations Children's Fund Innocenti Research Centre, Florence, 2001.

Involving children in the Poverty Reduction Strategy Paper (PRSP) in Honduras²⁹

Save the Children and its local partner organizations facilitated five consultations with children and young people in order to shape their advocacy on the PRSP in Honduras. The largest consultation involved collecting the views and experiences of 3,000 children and young people across the country on child labour. The children and young people who participated highlighted the price poverty-stricken children pay in terms of damage to their psychological health and outlook for the future. These results convinced government officials to prioritize child poverty in the PRSP and ensure it incorporated targets for reducing child labour.

A commitment was also secured to use funds released by fulfilment of the PRSP to finance education initiatives for child workers. In this case, children and young people signalling their problems contributed to policy-making and helped to achieve social change, with child labour policies being linked to poverty reduction strategies as a result of their testimonies.

Children's participation in legal reform processes in Peru

In Peru the National Congress established a special commission in 2006 to review the National Code on Children and Adolescents, in light of the needs and rights of the child. Children from different child-led organizations participated in the commission, together with parliamentarians and authorities dealing with childhood issues, such as the Ministries of Women and Social Development, Education and Health, the Attorney General's Office, the Ombudsman for Children and the police. The children were active participants in the commission's meetings, where they presented proposals drawn up after consultations held with other children at the local, regional and national level.

29 O'Malley, Kate, *Children and Young People Participating in PRSP Processes: Lessons from Save the Children's experiences*, Save the Children UK, London, 2004.

Consultations with children in China lead to revision of child protection laws³⁰

In 2006 UNICEF supported a broad consultative process in China involving children, officials and experts that resulted in a series of proposals for a revised Law on the Protection of Minors, bringing the law into closer conformity with the Convention on the Rights of the Child.

The key problems and challenges identified in the consultation's final report included: low overall levels of government expenditure on education and health; high fees that unfairly burden the poor and migrants; and large disparities in expenditure between urban and rural areas and between and within regions due to the high degree of fiscal decentralization.

The children's feedback played a key role in the revision of the law.

Parliamentarians can help initiate consultations by selecting an issue that affects children and lobbying for a national consultation. They can maintain regular contact with children's organizations and be receptive to child-initiated consultations. In all instances, partnering with civil society organizations will help in the selection of participants.

2. Engaging with children at the constituency level

The link between members of parliament and their constituents is at the core of the representative function of parliament. Regular and systematic visits to their constituency enable parliamentarians to have a clearer and more precise idea of the population's realities, concerns and needs. When they conduct such visits, it is important that members of parliament make a particular point of setting aside time for engagement with children.

30 United Nations Children's Fund, *Guide to Working with Parliaments*, UNICEF, New York, November 2009, www.unicef.at/fileadmin/medien/pdf/UNICEF_Guide_to_working_with_Parliaments.pdf, accessed 9 August 2011.

Engaging with children at the constituency level in Brazil

Brazil's Parliamentary Human Rights Committee uses *Caravanas Nacionais de Direitos Humanos* (National Human Rights Caravans) to carry out on-site thematic inspections. The Caravans are in fact small groups of parliamentarians who travel throughout the country making surprise visits to institutions, especially those where people are deprived of their freedom. One Caravan, for example, visited juvenile custodial units, and another visited orphanages and children's residential care institutions. Each Caravan collected striking information about the institutions visited – not just statistical data, but concrete situations experienced by the people interviewed. Each report therefore comprised a strong dramatic component that would never have come across with such clarity were it not for the close involvement of individuals. Moreover, each Caravan produced a specific report that was delivered to the federal Government and made available to the press and the public via the Internet.

The Caravans raised public awareness of the situation of adolescents. The reports on the visits to the children's residential care institutions alerted the public to the plight of children who had been sexually abused, neglected or beaten by their parents and who, because of this mistreatment, had been sent to 'safe havens'.

Children's participation in community development plans at the local level in India³¹

In 2004 the Indian NGO Concerned for Working Children organized the participation of more than 20,000 Indian children in the development of five-year plans for 56 village *panchayats* (local government institutions) in Udupi District, Karnataka State. The children's plans were considered by many to be the 'best plans' and often became the official village plans. This process led directly to many substantive changes in the villages and, overall, the creation of more child-friendly villages. It also helped re-energize the village *panchayats*, where adults infected by the children's enthusiasm felt a greater sense of purpose and were more hopeful about change.

31 Sahu, Monideepa, 'Children Speak Up', *InfoChange News and Features*, December 2007, www.comminit.com/global/node/267522, accessed 10 August 2011.

The children's views were heard by the adult participants in an ongoing dialogue throughout the community development planning process and were used by adults as they planned and prioritized action. In 2007 the state government made it mandatory for all *panchayats* to provide children with a platform to put forward their views.

What parliamentarians can do to engage children at the constituency level:

- Meet with youth clubs, children's councils and other kinds of youth organizations. Children organized at the local level can deliver strong messages for their member to take back to parliament. In Namibia, for example, the Parliamentary Women's Caucus (PWC) reaches out to communities, where caucus members meet with young people to listen to their concerns.
- Make field visits to schools, orphanages, community centres and other places where parliamentarians can talk to children directly and learn of their concerns, needs and interests. Field visits must be prepared and organized in advance so as to enable children to contribute effectively to the exchange.
- Incorporate visits and meetings with children into their standard constituency engagement work.

3. Using information and communication technology (ICT) to reach children

Technology enables parliaments to realize the values of transparency, accessibility and accountability. A child-friendly website with the most current reports of committee actions and plenary debates ensures a more open institution. Interactive communication tools that enable children and civil society organizations to engage with the legislature, through multiple channels, foster greater access for all segments of society, regardless of their physical location or their economic status. In fact, it can be argued that in the Information Age, the ability of parliaments to fulfil their responsibilities as representatives of the people and to attain the highest levels of openness requires the effective and creative application of ICT in their daily work.³²

32 Adapted from Global Centre for ICT in Parliament, *World e-Parliament Report 2010*, United Nations and Inter-Parliamentary Union, 2010, unpan1.un.org/intradoc/groups/public/documents/un/unpan039336.pdf, accessed 9 August 2011.

Reaching children through ICT in Turkey

The new Child Rights Monitoring Committee in Turkey has established a website (www.cocukhaklari.gov.tr/en) that allows children throughout the country to communicate their concerns and recommendations to members of the committee at any time. It is particularly concerned that children from remote areas and marginalized groups be able to communicate their views.

What parliamentarians can do with ICT to reach out to children:

- Ensure that citizens (including children) have online access to all legislation enacted by parliament and the ability to follow the lawmaking process. This includes access to the full text and status of all proposed legislation.
- Produce child-friendly versions/websites of all political platforms.
- Explore and evaluate the use of interactive ICT to connect parliaments with children and to offer them the means to express their opinions.
- Foster the employment of all tools judged to be useful and effective in the parliamentary environment, including new media and mobile technologies, to provide citizens (including children) with improved access to the work of parliament and increased means of participation in the political dialogue.

Examples of official parliamentary websites for children

Australia: www.peo.gov.au/kidsview/menu.html

Brazil: www.plenarinho.gov.br.

Finland: www.lainsaatajat.fi.

New Zealand: www.explore.parliament.nz.

South Africa: www.parlement.gov.za/live/content.php?Item_ID=444

United Kingdom: www.parliament.uk/education/online-resources/whiteboard-resources.

Technology enables initiatives such as participatory mapping

One increasingly common way of engaging citizens and communities is to use mapping and spatial information technologies such as geographic information systems (GIS). Mapping in this context refers broadly to any method used to elicit and record spatial data. Community map-making has become more popular with the growing recognition that many development and environment-related projects are inherently based on spatial information: the locations of key resources, people and problems are central to the decisions being made. Maps are effective for eliciting information about peoples' priorities, perceptions and preferences – and then communicating this information to wider audiences.

UNICEF recently helped pilot a project in an area of Nairobi, Kenya, that empowered young girls to identify and map risks and vulnerabilities related to their health and protection, learning a new technology in the process.³³ The youth mappers lead discussions with other girls and young women to discuss safety and vulnerability in Kibera, the largest slum in Africa. The map they created identified unsafe spaces like those where drugs and alcohol are consumed, and safe spaces such as girl groups, community centres and well-lit areas. Unlike earlier community-driven approaches, the open source data and resulting maps are easily accessible and put to use by community leaders who are working to demand better services. Low-cost and easy access to digital technology (at least among community leaders) shifts advocacy to a bottom-up approach, lowering the barriers for groups to organize themselves and advocate for better services and governance.

33 United Nations Children's Fund, *The State of the World's Children 2011: Adolescence – An age of opportunity*, UNICEF, New York, February 2011.

Chapter 6

Making the parliamentary environment conducive to child participation

As leaders and representatives, parliamentarians are uniquely positioned to speak out for increased child participation. They are opinion leaders who wield considerable influence as a function of their office and as members of national political parties. In many countries, in addition to performing purely legislative functions, parliamentarians are often called on to play diverse roles as community leaders and development agents. They can accordingly act as role models by publicly embracing child participation and giving children's voices a stage for expression.

1. Building partnerships to facilitate child participation

As some of the examples given in this handbook demonstrate, parliaments can partner with a host of actors – international NGOs, local NGOs, children's organizations and youth clubs, UNICEF and other stakeholders – that can help facilitate participation and collect and analyse data, and accordingly enhance all of parliament's functions. NGOs can facilitate and develop capacity for children's participation at the national level in legislative consultations, in research processes mandated by the government, through children's clubs, or in an advisory group for a government ministry or parliamentary committee.

In some countries, the relationship between parliament and civil society is institutionalized such that civil society organizations systematically engage with parliament. Such organizations can represent the diversity of society and its values, agendas and players, and they are therefore a key component in the fight for child rights. They play an important role in giving voice to social groups that may be marginalized in the broader political realm, such as women and children.

By engaging with civil society organizations, parliamentarians can obtain periodic updates and inputs on the views, concerns and interests of their constituents, and thus bridge the gap between citizens and parliament. Civil society organizations can also help collect and distribute data, and develop capacity in priority areas. By

extension, children's clubs or associations, child-focused NGOs and others could systematically work with parliament so as to ensure that children's views and voices have a permanent platform there.

Partnerships with civil society in South Africa³⁴

In a few countries, the engagement of civil society in the work of parliament takes the form of an organized public forum or chamber. Such a body, the People's Assembly, was convened in South Africa in 2004 to celebrate 10 years of democracy. Sixty representatives from five sectors in civil society – youth, people with disabilities, women, labour and beneficiaries of land reform – were invited to reflect on the impact of the Bill of Rights and the Constitution on their lives and to inspire further reform in their respective sectors. The proceedings were broadcast live and led to a decision by Parliament to institutionalize the Assembly as an annual event.

UNICEF Nepal supports ongoing child participation in the constitution-making process³⁵

Prior to Nepal's national elections in 2008, UNICEF collaborated with a network of children's rights organizations on extensive national and district-level consultations, including a nationwide 'girl-child' initiative. Recommendations from the child participants laid the foundations for an expert submission on children's rights in the new constitution as well as advocacy aimed at Constituent Assembly members, political parties and the media. UNICEF and its partners also developed a booklet on the constitution-making process and how children can actively participate in it. When members of the Constituent Assembly held civil society consultations in their districts, several youth clubs and children participated and presented their thoughts and concerns on the new constitution. Several child clubs also presented position papers and suggestions to the Constituent Assembly members and obtained commitments to children's rights from the members.

34 Inter-Parliamentary Union, *Parliament and Democracy in the Twenty-first Century: A guide to good practice*, IPU 2006.

35 United Nations Children's Fund, 'Nepal: Children's Manifesto', UNICEF Evaluations and Lessons Learned website, 2008, www.unicef.org/evaluation/index_57404.html, accessed 10 August 2011.

Civil society organizations can play various roles:

Capacity-development for children - An international or national NGO can be chosen to support the children involved in consultations, both by preparing them beforehand and by providing input during and after the consultations.

Facilitation - An international or other NGO can facilitate interaction between children and members of parliament at both the subnational and the national consultative level, at hearings or in plenary sessions.

Sustainable mechanism for interaction between parliamentarians and children - Civil society organizations can make sure dialogue and exchange between children and parliamentarians is ongoing rather than merely symbolic.

Capacity-development for parliamentarians - Civil society organizations can help develop the capacities of parliamentarians by informing them of the situation of children in their country and making sure they have the skills and sensitivities to dialogue and collaborate with children.

2. Bolstering the child-sensitive research capacity of parliament

Equipping parliamentarians with information, evidence and research highlighting national and local data can help them represent children's interests. For example, if parliamentarians are to look at budgets from a child rights perspective, they need to be able to identify where the funds are going. Research is one area in which children can participate directly, but even when they do not, data can help put children's inputs in perspective and add force to their voices.

An enhanced information environment can help contextualize children's participation and give added value to their inputs when viewed in tandem with national or district-level data. The process of research and data collection can also serve as a direct channel for child participation.

What parliamentarians can do to improve data collection and analysis:

- Advocate for the use of participatory research where children play a role in the research process;
- Push for the establishment of research/data centres that gather child-specific data and are receptive to child inputs;
- Seek data disaggregated by sex, age and district;

- Build an independent research capacity to analyse information presented by the government. By reducing the information asymmetry that often characterizes parliament-executive relations, parliamentarians can ensure that they have the technical capacity needed to play an effective role in representing children across parliamentary functions.

Involving children in research in Bangladesh and China

Research with children living or working on the streets in Bangladesh highlights that adults' and children's views diverge on issues of priority. Eleven children aged 10 to 15 years conducted a survey of around 50 children living or working on the streets, and asked them to identify the priorities in their daily lives. Contrary to the professionals' expectations that the children would express the need for health, education and care programmes, the children were far more concerned about violations of their civil rights. Most of the issues they raised concerned torture, injustice, exploitation, cheating, name-calling, never being called by their own name, being forced to do unpleasant and 'bad' work and the lack of an adult guardian to help them realize their rights. The research provided clear evidence that children's views cannot simply be guessed by adults. It is imperative to involve children themselves in both the identification of problems and strategies for their solution.³⁶

Research by children living in residential and foster care was part of a larger programme to develop standards for such facilities and programmes run by China's Ministry of Social Affairs in 2008. Eight boys and girls living in residential or foster care in five different provinces were involved in a participatory research process that resulted in the children providing input to legislators and practitioners for the development of new standards for such care. The model of children as researchers helping a government agency or legislators address a child protection problem could be replicated successfully elsewhere.³⁷

36 Khan, S., *A Street Children's Research: A participatory research by street children*, Save the Children, London and Chinnamul Shishu Kishore Sangstha, Dhaka, 1997, cited in Alderson, Priscilla, *Young Children's Rights: Exploring beliefs, principles and practice*, Save the Children, London, 2000.

37 See Martha Nelems, 'Models of Child Participation,' submitted to UNICEF Viet Nam 2010.

3. Civic education

Civic education can serve both children and parliamentarians. If children are to act as citizens and be civically engaged, they need to understand how parliament functions and the role they can play in a democracy. Indeed, knowledge of parliament is a precondition for engaging with it. Likewise, to enhance parliamentarians' representative function, they need to be educated about the views, perspectives and concerns of children.

The Convention on the Rights of the Child states that the child's views should be accorded due weight in accordance with her maturity or evolving capacity. However, the child's evolving capacity represents just one side of the equation; the other has to do with adults' evolving capacity and willingness to listen to, understand and weigh the views expressed by the child. The implementation of this right therefore calls for the training and mobilization of those who live and work with children, preparing them to give children the chance to participate, freely and increasingly, in society and to gain democratic skills.

The right to participation is also related to the fulfilment of the right to information, which is a key prerequisite for relevant and meaningful participation by children. It is in fact essential that children be provided with information about the existing options and their possible consequences, so that they can make informed and free decisions. Providing children with information (through, for example, child-friendly parliamentary websites) enables them to gain skills, confidence and maturity in expressing their views and influencing decisions. If children are to acquire essential life skills, make informed decisions, and understand and experience pluralism, tolerance and democratic coexistence, their right to education needs to be understood as a right to experience citizenship. Indeed, children should not be mere recipients of knowledge but active players in the learning process.³⁸

In order to nurture the experience of citizenship, many parliaments arrange visits for students at all levels, including attending sessions in progress. Some parliaments also arrange for regular visits from schools, on a weekly or monthly basis, during which students from across the country can attend plenary sessions and committee meetings, question ministers and meet with their own assembly members. Others run 'young people's sessions' in which students learn parliamentary procedure by organizing their own debates and question sessions. Holding school meetings to elect representatives to a national youth parliament is a method that combines both school-based activity and a programme in parliament.

38 See Santos Pais, Marta, 'Child Participation', speech by the Director of the Division of Evaluation, Policy and Planning, United Nations Children's Fund, at Harvard University, May 1999, www.gddc.pt/atividade-editorial/pdfs-publicacoes/8182MartaPais.pdf, accessed 8 August 2011.

Examples of civic education in Australia, Norway, Poland and Romania

The Parliamentary Education Office (PEO) in Australia gives students the opportunity to experience what it is like to be a parliamentarian. The PEO has chosen role-play as the main teaching strategy. Role-play allows students to explore the concept of parliament and becoming a member of parliament, to use authentic language and to feel the responsibility of lawmaking for a nation. Each year, 90,000 students participate in the role-play programmes, which focus on making and amending laws, representing the people, forming the government and scrutinizing the work of government.³⁹

The Norwegian Storting (parliament) opened an events centre in the autumn of 2005 at which school pupils conducted simulations of the parliamentary process. They acted as parliamentarians in fictive plenary, standing committee and party group meetings, wrote the requisite documents and met with the press, obtaining a vivid impression of parliamentary democracy at work.⁴⁰

Poland has an annual Young Parliamentarians meeting, in which young deputies are elected from schools across the country and hold debates in parliament following parliamentary procedures.⁴¹

The Chamber of Deputies in Romania promotes civic education initiatives in order to involve people of all ages, especially children and young people, in parliamentary activities. Children and young people can participate in a 'Lesson of Democracy' during which they receive information regarding the Chamber's activities, voting and the representation process, the role of deputies and the legislative process.

What parliamentarians can do to facilitate participatory civic education:

- Support programmes that bring young people to parliament. This is a critical part of educating them about the role and functions of parliament and helps make the houses of parliament more accessible;
- Allow groups of visiting children to request to speak to a member of parliament (who would generally only speak to children from his/her constituency) when they visit the national parliament;

39 Parliamentary Education Office, 'Role-Play Program at Australia's Parliament House (APH)', PEO website, www.peo.gov.au/programs/rpaph.html, accessed 10 August 2011.

40 Inter-Parliamentary Union. *Parliament and Democracy in the Twenty-first Century: A guide to good practice*, IPU, Geneva, 2006.

41 Ibid.

- Organize internships with parliamentarians;
- Dispel the illusion that parliament buildings are inaccessible. Parliaments are generally housed in large buildings with many empty rooms. Open them up; bring young people into the buildings (even if they are not directly meeting with members);
- Webcast parliamentary proceedings to make them accessible in schools.

4. Children's parliaments⁴²

A large number of countries convene children's parliaments at the national and/or subnational levels. Children's committees, councils and parliaments can mean different things in different contexts. Some youth parliaments are annual events in the capital city, with children taking over the national parliament for one day to 'practice' politics. At the other end of the spectrum, in one district in Southern India alone there are 7,000 'children's parliaments' – one in every village.

A children's parliament provides children with the opportunity to learn about the functions of parliament. This can eventually result in a general population with greater electoral literacy and increased civic engagement.

The last several years have witnessed a significant increase in the number of children's parliaments. Potentially a forum for parliamentarians to listen to children, to pick up on their ideas and integrate these into their work, children's parliaments are at other times debating clubs where children learn about governance and politics.

Implementation varies widely. In some countries, the children's parliament functions as a kind of shadow parliament that for a brief duration models the working methods of an adult parliament without directly engaging it. In others, the children's parliament has an opportunity to meet with the actual parliament and voice its concerns. Where children's parliaments are established to serve as mechanisms for child participation in parliamentary processes, efforts should focus on institutionalizing them so that they convene regularly. Too often children's parliaments are one-off, symbolic events with no follow-up and hence little impact on policy or lawmaking.

While children's parliaments do not necessarily constitute sites for children to interact directly with parliamentarians, they can serve as an excellent classroom

42 Parts of this section are adapted from Inter-Agency Working Group on Children's Participation, *Children as Active Citizens: A policy and programme guide – Commitments and obligations for children's civil rights and civic engagement in East Asia and the Pacific*, IAWGCP, Bangkok, 2008.

for civic education. In this regard, efforts should focus on best parliamentary practices, highlighting democratic values such as accountability and transparency. Indeed, just as parliamentarians are accountable to the electorate and parliamentary proceedings are open and visible to the public, so, too, should child parliamentarians be accountable to the peers who selected them to participate in the children's parliament.

A children's parliament in Scotland

The Children's Parliament enables Scottish girls and boys to work together and get involved in democratic processes. All Scottish children between the ages of 8 and 14 can join online. As members, they can then take part in online activities, including voting on issues of importance and sharing ideas about projects and children's active citizenship roles. In addition to working online, the Children's Parliament sought to create 20 local caucuses throughout Scotland, each made up of 20 children who would meet monthly over three years.⁴³

According to an evaluation by the University of Glasgow, the Children's Parliament delivers "a very high quality and unique model of participative education, based on innovative use of the creative arts, that has a significant positive impact on the young people with whom it engages".⁴⁴ However, one of the weaknesses of this model is that members of the Children's Parliament have no systematic interaction with the elected Scottish Parliament, and it is unclear how involvement in local Children's Parliament groups "feeds into national and international decision making."⁴⁵

Some of the challenges associated with children's parliaments have been that they are not representative of the diversity of the child population and often include mostly older children from better-off backgrounds. In some countries they are dominated by boys, and there is usually little representation of children with disabilities or from ethnic minorities.

43 Children's Parliament website, www.childrensparliament.org.uk/mcps-online/, accessed 10 August 2011.

44 Education for Global Citizenship Unit, 'Evaluation of the Children's Parliament: Final report', Glasgow University, February 2007, p. 2, www.childrensparliament.org.uk/assets/new/pdfs/cp_evaluation.pdf, accessed 9 August 2011.

45 Ibid., p. 18.

Children debate anti-poverty strategy in the Philippines⁴⁶

The Philippines' National Anti-Poverty Commission – Children Basic Sector (NAPC-CBS) is mandated by law to ensure that the opinions of marginalized groups of children are represented in the public policy arena. A children's council was constituted to offer a regular, institutionalized mechanism for children to influence government policies and decisions on issues affecting them. For over six years, this council has voiced the concerns of the country's poor children. As a result of these efforts, pupil-to-book ratio has improved and violence against children in school has been given greater attention. The NAPC-CBS is also monitoring government commitments to the achievement of the Millennium Development Goals using a monitoring tool developed by the children.

What parliamentarians can do to improve the functioning of children's parliaments:

- Institutionalize them so they meet regularly;
- Ensure that they are open and transparent;
- Ensure democratic selection mechanisms, such that compositions are diverse in terms gender, ethnicity, disability, socio-economic status, etc.;
- Ensure that children parliamentarians are accountable to their peers;
- Establish links to the adult parliament.

46 Inter-Agency Working Group on Children's Participation, *Children as Active Citizens: A policy and programme guide – Commitments and obligations for children's civil rights and civic engagement in East Asia and the Pacific*, IAWGCP, ECPAT International, Knowing Children, Plan International, Save the Children Sweden, Save the Children UK, United Nations Children's Fund and World Vision, Bangkok, 2008, www.iawgcp.org/download/Children_as_AC_A4_book.pdf, accessed 8 August 2011.

Chapter 7

Key resources

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Fund, United Nations Population Fund and Women's Commission for Refugee Women and Children, *"Will You Listen?" Young voices from conflict zones*, UNICEF, October 2007, www.unicef.org/adolescence/index_41267.html.

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A. Global commitments

There are several global commitments that underline the importance of participation by children and young people. Article 12 of the Convention on the Rights of the Child lays down the basic principle and purpose of meaningful and ethical participation of children. In the same vein, article 7 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) sets out the right of girls and women to actively participate in public and political spheres. Article 25 of the Millennium Declaration reaffirms the commitment to work collectively for more inclusive political processes, promoting the participation of all citizens (children included) in all countries. In addition, paragraph 32(1) of the World Fit for Children Declaration, adopted at the 2002 United Nations General Assembly Special Session on Children, contains a strong commitment to increasing children's participation. More recently (April 2010), the IPU adopted by consensus a resolution on youth participation in the democratic process, which affirms the principles laid out in the Convention on the Rights of the Child while specifically calling on parliaments and parliamentarians to create the conditions and opportunities for young people to participate in the democratic process.

To build a world fit for children, the United Nations General Assembly identified the obligation to “listen to children and ensure their participation”. According to the World Fit for Children Declaration, “children and adolescents are resourceful citizens capable of helping to build a better future for all” and the member States “must respect their right to express themselves and to participate in all matters affecting them, in accordance with their age and maturity”.⁴⁷

General Comment on Article 12: These existing global commitments have been strengthened most recently with the adoption of the General Comment on Article 12 by the Committee on the Rights of the Child on 11 June 2009. This is the first-ever General Comment on one of the Convention's four general principles and is designed to support governments in the effective implementation of article 12 by strengthening and increasing understanding of children's participation. The General Comment elaborates on the scope of legislation and the policy and practice needed for implementation.

47 United Nations General Assembly resolution S-27/2, 'A World Fit for Children', 11 October 2002, para.7.

B. IPU Resolution

YOUTH PARTICIPATION IN THE DEMOCRATIC PROCESS

Resolution adopted by consensus by the 122nd IPU Assembly
(Bangkok, 1 April 2010)*

<http://www.ipu.org/conf-e/122/Res-3.htm>

The 122nd Assembly of the Inter-Parliamentary Union,

Emphasizing the need to prevent and counter all forms of discrimination, including discrimination based on age, in accordance with the principle of non-discrimination enshrined in the Universal Declaration of Human Rights (1948),

Noting the UN World Youth Reports 2003, 2005 and 2007,

Also noting UN General Assembly resolutions 60/2 of 6 December 2005 (Policies and programmes involving youth), 62/126 of 18 December 2007 (Policies and programmes involving youth: youth in the global economy - promoting youth participation in social and economic development) and 64/134 of 18 December 2009 (Proclamation of 2010 as the International Year of Youth: Dialogue and Mutual Understanding),

Recognizing that children and young people are capable of forming their own views and should be assured the right to express those views freely in all matters affecting them, the views being given due weight in accordance with their age and maturity, as set forth in Article 12 of the Convention on the Rights of the Child (1989),

Also recognizing that implementation of the UN World Programme of Action for Youth and achievement of the Millennium Development Goals requires the full and effective participation of young people and youth-led organizations, Declaring that achieving meaningful democracy requires the full and active participation of young people and youth organizations in democratic processes at the local, national, regional and international levels,

Stressing the importance of enhancing young people's awareness of and commitment to human rights and democracy, the promotion of intercultural dialogue and understanding in a spirit that is respectful of diversity, and the struggle against all forms of discrimination and all actions aimed at undermining democracy; and *considering* the importance of young people's contribution to social cohesion, especially their activities to combat exclusion and prevent the ills affecting them in particular,

Bearing in mind that youth participation promotes active citizenship, which should be considered as an opportunity for enhancing democracy and placing new issues on the political agenda,

Recognizing the positive impact that youth participation in the local, regional and global economy and in social and economic development can have on the eradication of poverty and hunger, and on socially unacceptable and/or deviant behaviour,

Also recognizing that while youth today are better placed than ever before to participate in and benefit from global development, many young people remain marginalized, disconnected or excluded from the opportunities that globalization offers,

Underscoring that the involvement of young people in public decision-making processes offers important opportunities for civic engagement, education and learning about government, thus strengthening young people's social responsibility and developing their communication capacities, negotiating skills and ability to resolve conflicts through peaceful means and critical thinking,

Aiming to maximize young people's contribution to the building of society, especially in all areas which concern them, to encourage new forms of youth participation and organization, and to train young people to assume responsibilities,

Reiterating the critical role of both formal education and non-formal learning in the empowerment of young people for democratic citizenship, and *recognizing* the importance of informal learning,

Highlighting the importance of creating the conditions for genuine dialogue and partnership between young people and local and national authorities,

Recognizing youth parliaments, national and local youth councils, or their equivalent bodies as effective channels of cooperation and information exchange between young people, parliaments, national governments, local councils and other decision-making bodies,

Mindful of the importance of solidarity and dialogue between generations,

Deeply concerned by young people's dwindling interest in formal political activity, including voting and party membership, and disenchantment with politicians and political parties, which is a real threat to the future of participatory democracy,

Recognizing that young people care deeply about their political communities, and in many cases are active participants in informal political activities, such as online activism, boycotts/buycotts and third-sector initiatives,

Taking into consideration the needs and aspirations of internally displaced young people and disabled young people,

1. *Calls on* all States to take appropriate steps, in accordance with the UN World Programme of Action for Youth, to develop holistic and integrated national youth policies in consultation with youth organizations;
2. *Invites* parliaments to set up, if they have not yet done so, specialized bodies entrusted with mainstreaming youth issues in parliament's work;
3. *Urges* parliaments to monitor the fulfilment of their respective government's obligations under the Convention on the Rights of the Child to ensure respect for children's right to be heard and express their views freely without any form of discrimination;
4. *Requests* parliaments to create the necessary platform for youth participation in the democratic process by providing a basic level of education that is equal for everyone, with the same opportunities for boys and girls;
5. *Invites* States, parliaments, parliamentarians, political parties, the IPU and youth organizations to encourage, promote and make more visible in all fields the initiative, enterprise and creativity of young people;
6. *Calls on* the IPU, parliaments, States and non-governmental organizations to scale up investments in youth and encourage youth-led contributions to parliamentary democracy through strong partnerships and financial support, and by keeping youth participation high on the political agenda;
7. *Also calls on* the IPU, parliaments, youth organizations and other relevant stakeholders to strengthen efforts aimed at achieving appropriate representation and participation of youth in decision-making bodies, bearing in mind that girls, boys, young women and young men are all entitled to the same rights;
8. *Invites* States and parliaments, as part of efforts to promote youth participation in decision-making, to ensure that youth representatives are included in national delegations to the UN General Assembly and other relevant UN meetings;
9. *Invites* the IPU, parliaments and States to identify the lines of action for youth participation on which they intend to concentrate, to define concrete measures and/or action plans for their implementation, to promote these plans with regional and local authorities, youth organizations and young people, and to cooperate closely with regional and local authorities in order to ensure the fullest possible implementation;

10. *Calls on* parliaments to ensure that young people with disabilities and those who are socially and economically underprivileged are afforded equal opportunities to participate fully in society;
11. *Encourages* the IPU and parliaments to develop tools to promote youth knowledge of and participation in the democratic process, including, but not limited to, guidelines for participatory mechanisms or interactive policy-making forums;
12. *Calls on* parliaments to promote youth awareness of and participation in the political process by using modern information and communication technologies (ICTs) to reach out to young people and increase access to information on the democratic process;
13. *Calls on* parliaments to develop practical measures (such as the possible introduction of quotas for young people) to increase the participation of young people in parliament and other representative bodies, while respecting the values of human dignity, freedom, democracy and equality;
14. *Recommends* that parliaments align the minimum voting age with the minimum age of eligibility to run for office in order to ensure greater participation by youth in parliaments;
15. *Urges* States, parliaments, parliamentarians, political parties, the IPU and youth organizations to promote greater participation by girls and young women by taking measures aimed at promoting role models and facilitating better reconciliation of work and family life;
16. *Invites* States, parliaments, parliamentarians, political parties, the IPU and youth organizations to open up “adult institutions” and administrative bodies, particularly those with planning responsibilities, to young people’s representatives and establish links between these institutions and young people in a spirit of complementarity and joint decision-making;
17. *Calls on* States, parliaments, parliamentarians, political parties, the IPU and youth organizations to take targeted action to enhance the participation of young people in political parties and elections at the local, national and regional levels;
18. *Requests* parliaments to provide political and financial support, notably adequate operating budgets, to form strong youth parliaments, youth councils or equivalent bodies and to strengthen existing ones, thus providing further opportunities for more young people to become active in decision-making and in shaping their societies;

19. *Urges* States to make instruction in democracy and civics an integral part of the compulsory school curriculum;
20. *Encourages* States to ensure adequate funding for formal education and non-formal learning, including programmes aimed at fostering the acquisition of the skills required for the democratic participation of youth;
21. *Invites* States to promote student participation, initiative and creativity as valuable resources in teaching, learning and other school activities, and to stimulate active citizenship via the education system;
22. *Also invites* States to create all the necessary conditions to form student councils in schools through which students can acquire valuable first-hand experience in decision-making;
23. *Encourages* States to ensure special training for teachers and other persons working with children and youth in youth participation and to implement best practices in the field of youth participation;
24. *Urges* States to remove the social, economic and cultural barriers affecting young women and to ensure they have equal access to education and vocational training at all levels in order to provide them with equal opportunities for full participation in society, especially political participation;
25. *Encourages* States to introduce gender-sensitive compulsory education for young men and young women in order to nurture their awareness of gender issues, the problem of low rates of democratic participation by women, and the need to actively support women's democratic participation;
26. *Encourages* States to support voluntary service by youth and internship programmes at all levels, whether locally, nationally or internationally, to recognize and evaluate the skills and knowledge gained through these activities, and, in particular, to promote the participation of young people who feel excluded from voluntary activities;
27. *Recommends* that States develop national ICT strategies to overcome the barriers of distance and socio-economic disadvantage and ensure that young people are equipped with the knowledge and skills they need to use ICTs appropriately, while also promoting the involvement of young people in public debates and the development of policy through ICTs, remembering that such digital tools are not necessarily a panacea for youth's disenchantment with formal politics and should be viewed as one of many means that can be used to engage youth in democracy;
28. *Calls on* parliaments to establish and promote coherent, overarching youth information strategies which, in a youth-friendly way, address all issues

- relevant to young people, to develop special web-based information and information centres for young people, and to facilitate access to information for young people with fewer opportunities;
29. *Invites* States to set up contact points for young people in ministries and other government agencies so as to provide young people with information, listen to their problems, offer advice and encourage them in their quest for services and participation;
 30. *Encourages* political parties to increase the number of young people in their membership and enhance young members' participation in party life and decision-making;
 31. *Invites* parliaments to facilitate the meaningful participation of young people in issues that affect them through consultation processes when drafting laws and during parliamentary hearings, to ensure that they contribute to debates on policy- and law-making, resource allocation, and parliament's efforts to hold government to account;
 32. *Calls on* the IPU and its Member Parliaments to form caucuses of young parliamentarians in order to promote youth participation, making young persons in politics more visible and reflecting the youth perspective in the political agenda;
 33. *Encourages* parliamentarians and appointed officials at all levels to give maximum support to young parliamentarians and young appointed officials, thus helping to create a youth-friendly and accessible environment;
 34. *Requests* the IPU to consult, as appropriate, with youth-led and youth-focused organizations to ensure that youth inputs are duly shared with IPU bodies during their deliberations;
 35. *Welcomes* the participation of young members of parliament in national parliamentary delegations and *urges* IPU Member Parliaments to systematically include young members of parliament in their delegations to IPU Assemblies and other IPU meetings;
 36. *Urges* the IPU and its Member Parliaments to collect, on a continuous basis, youth-specific data disaggregated by age and sex in order to create comprehensive databases related to youth and young parliamentarians, and to devise the means of disseminating such data widely with a view to ensuring that interest in youth development is informed by sound and accurate data and to developing, assessing and disseminating best practices in democracy education and youth participation;

37. *Requests* the IPU to incorporate youth participation into its activities along the lines of the measures that have been taken to promote women's participation;
38. *Urges* the IPU to establish mechanisms for monitoring, analysing, evaluating and exchanging information on parliamentary action in the context of the promotion and implementation of youth participation;
39. *Encourages* the IPU to launch a project for youth to be implemented in partnership with the UN Programme on Youth, which is part of the UN Division for Social Policy and Development (DSPD), and the International Institute for Democracy and Electoral Assistance (IDEA).

** The delegation of India expressed opposition to operative paragraph 14.*

C. Summary of the Convention on the Rights of the Child

FACT SHEET: A summary of the rights under the Convention on the Rights of the Child

(taken from http://www.unicef.org/crc/files/Rights_overview.pdf)

Article 1 (Definition of the child) - The Convention defines a ‘child’ as a person below the age of 18, unless the laws of a particular country set the legal age for adulthood younger. The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged States to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18.

Article 2 (Non-discrimination) - The Convention applies to all children, whatever their race, religion or abilities; whatever they think or say, whatever type of family they come from. It doesn’t matter where children live, what language they speak, what their parents do, whether they are boys or girls, what their culture is, whether they have a disability or whether they are rich or poor. No child should be treated unfairly on any basis.

Article 3 (Best interests of the child) - The best interests of children must be the primary concern in making decisions that may affect them. All adults should do what is best for children. When adults make decisions, they should think about how their decisions will affect children. This particularly applies to lawmakers and those drafting budgets and policies.

Article 4 (Protection of rights) - Governments have a responsibility to take all available measures to make sure children’s rights are respected, protected and fulfilled. When countries ratify the Convention, they agree to review their laws relating to children. This involves assessing their social services and their legal, health and educational systems, as well as levels of funding for these services. Governments are then obliged to take all necessary steps to ensure that the minimum standards set by the Convention in these areas are being met. They must help families protect children’s rights and create an environment where they can grow and reach their potential. In some instances, this may involve changing existing laws or creating new ones. Such legislative changes are not imposed, but come about through the same process by which any law is created or reformed within a country. Article 41 of the Convention points out that when a country already has higher legal standards than those seen in the Convention, the higher standards always prevail.

Article 5 (Parental guidance) - Governments should respect the rights and responsibilities of families to direct and guide their children so that, as they grow, they learn to use their rights properly. Helping children to understand their rights does not mean pushing them to make choices with consequences that they are too young to handle. Article 5 encourages parents to deal with rights issues “in a manner consistent with the evolving capacities of the child”. The Convention does not take responsibility for children away from their parents and give more authority to governments. It does place on governments the responsibility to protect and assist families in fulfilling their essential role as nurturers of children.

Article 6 (Survival and development) - Children have the right to live. Governments should ensure that children survive and develop healthily.

Article 7 (Registration, name, nationality, care) - All children have the right to a legally registered name, officially recognized by the government. Children have the right to a nationality (to belong to a country). Children also have the right to know and, as far as possible, to be cared for by their parents.

Article 8 (Preservation of identity) - Children have the right to an identity – an official record of who they are. Governments should respect children’s right to a name, a nationality and family ties.

Article 9 (Separation from parents) - Children have the right to live with their parent(s), unless it is bad for them. Children whose parents do not live together have the right to stay in contact with both parents, unless this might hurt the child.

Article 10 (Family reunification) - Families whose members live in different countries should be allowed to move between those countries so that parents and children can stay in contact, or get back together as a family.

Article 11 (Kidnapping) - Governments should take steps to stop children being taken out of their own country illegally. This article is particularly concerned with parental abductions. The Convention’s Optional Protocol on the sale of children, child prostitution and child pornography has a provision that concerns abduction for financial gain.

Article 12 (Respect for the views of the child) - When adults are making decisions that affect children, children have the right to say what they think should happen and have their opinions taken into account. This does not mean that children can now tell their parents what to do. This Convention encourages adults to listen to the opinions of children and involve them in decision-making – it does not give children authority over adults. Article 12 does not interfere with parents’ right and responsibility to express their views on matters affecting their children. Moreover, the Convention recognizes that the level of a child’s participation in decisions must be appropriate to the child’s level of maturity. Children’s ability to

form and express their opinions develops with age and most adults will naturally give the views of teenagers greater weight than those of a preschooler, whether in family, legal or administrative decisions.

Article 13 (Freedom of expression) - Children have the right to get and share information, as long as the information is not damaging to them or others. In exercising the right to freedom of expression, children have the responsibility to also respect the rights, freedoms and reputations of others. The freedom of expression includes the right to share information in any way they choose, including by talking, drawing or writing.

Article 14 (Freedom of thought, conscience and religion) - Children have the right to think and believe what they want and to practice their religion, as long as they are not stopping other people from enjoying their rights. Parents should help guide their children in these matters. The Convention respects the rights and duties of parents in providing religious and moral guidance to their children. Religious groups around the world have expressed support for the Convention, which indicates that it in no way prevents parents from bringing their children up within a religious tradition. At the same time, the Convention recognizes that as children mature and are able to form their own views, some may question certain religious practices or cultural traditions. The Convention supports children's right to examine their beliefs, but it also states that their right to express their beliefs implies respect for the rights and freedoms of others.

Article 15 (Freedom of association) - Children have the right to meet together and to join groups and organizations, as long as it does not stop other people from enjoying their rights. In exercising their rights, children have the responsibility to respect the rights, freedoms and reputations of others.

Article 16 (Right to privacy) - Children have a right to privacy. The law should protect them from attacks against their way of life, their good name, their families and their homes.

Article 17 (Access to information; mass media) - Children have the right to get information that is important to their health and well-being. Governments should encourage mass media – radio, television, newspapers and internet content sources – to provide information that children can understand and to not promote materials that could harm children. Mass media should particularly be encouraged to supply information in languages that minority and indigenous children can understand. Children should also have access to children's books.

Article 18 (Parental responsibilities; state assistance) - Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments must respect the responsibility of parents

for providing appropriate guidance to their children – the Convention does not take responsibility for children away from their parents and give more authority to governments. It places a responsibility on governments to provide support services to parents, especially if both parents work outside the home.

Article 19 (Protection from all forms of violence) - Children have the right to be protected from being hurt and mistreated, physically or mentally. Governments should ensure that children are properly cared for and protect them from violence, abuse and neglect by their parents, or anyone else who looks after them. In terms of discipline, the Convention does not specify what forms of punishment parents should use. However, any form of discipline involving violence is unacceptable. There are ways to discipline children that are effective in helping children learn about family and social expectations for their behaviour – ones that are non-violent, are appropriate to the child’s level of development and take the best interests of the child into consideration. In most countries, laws already define what sorts of punishments are considered excessive or abusive. It is up to each government to review these laws in light of the Convention.

Article 20 (Children deprived of family environment) - Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language.

Article 21 (Adoption) - Children have the right to care and protection if they are adopted or in foster care. The first concern must be what is best for them. The same rules should apply whether they are adopted in the country where they were born, or if they are taken to live in another country.

Article 22 (Refugee children) - Children have the right to special protection and help if they are refugees (if they have been forced to leave their home and live in another country), as well as all the rights in this Convention.

Article 23 (Children with disabilities) - Children who have any kind of disability have the right to special care and support, as well as all the rights in this Convention, so that they can live full and independent lives.

Article 24 (Health and health services) - Children have the right to good quality health care – the best health care possible – to safe drinking water, nutritious food, a clean and safe environment, and information to help them stay healthy. Rich countries should help poorer countries achieve this.

Article 25 (Review of treatment in care) - Children who are looked after by their local authorities, rather than their parents, have the right to have these living arrangements looked at regularly to see if they are the most appropriate. Their care and treatment should always be based on “the best interests of the child”. (see Guiding Principles, Article 3)

Article 26 (Social security) - Children – either through their guardians or directly – have the right to help from the government if they are poor or in need.

Article 27 (Adequate standard of living) - Children have the right to a standard of living that is good enough to meet their physical and mental needs. Governments should help families and guardians who cannot afford to provide this, particularly with regard to food, clothing and housing.

Article 28: (Right to education) - All children have the right to a primary education, which should be free. Wealthy countries should help poorer countries achieve this right. Discipline in schools should respect children's dignity. For children to benefit from education, schools must be run in an orderly way – without the use of violence. Any form of school discipline should take into account the child's human dignity. Therefore, governments must ensure that school administrators review their discipline policies and eliminate any discipline practices involving physical or mental violence, abuse or neglect. The Convention places a high value on education. Young people should be encouraged to reach the highest level of education of which they are capable.

Article 29 (Goals of education) - Children's education should develop each child's personality, talents and abilities to the fullest. It should encourage children to respect human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other people. Children have a particular responsibility to respect their parents, and education should aim to develop respect for the values and culture of their parents. The Convention does not address such issues as school uniforms, dress codes, the singing of the national anthem or prayer in schools. It is up to governments and school officials in each country to determine whether, in the context of their society and existing laws, such matters infringe upon other rights protected by the Convention.

Article 30 (Children of minorities/indigenous groups) - Minority or indigenous children have the right to learn about and practice their own culture, language and religion. The right to practice one's own culture, language and religion applies to everyone; the Convention highlights this right in instances where the practices are not shared by the majority of people in the country.

Article 31 (Leisure, play and culture) - Children have the right to relax and play, and to join in a wide range of cultural, artistic and other recreational activities.

Article 32 (Child labour) - The government should protect children from work that is dangerous or might harm their health or their education. While the Convention protects children from harmful and exploitative work, there is nothing in it that prohibits parents from expecting their children to help out at home in ways that are safe and appropriate to their age. If children help out in a family farm or business,

the tasks they do must be safe and suited to their level of development and comply with national labour laws. Children's work should not jeopardize any of their other rights, including the right to education, or the right to relaxation and play.

Article 33 (Drug abuse) - Governments should use all means possible to protect children from the use of harmful drugs and from being used in the drug trade.

Article 34 (Sexual exploitation) - Governments should protect children from all forms of sexual exploitation and abuse. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

Article 35 (Abduction, sale and trafficking) - The government should take all measures possible to make sure that children are not abducted, sold or trafficked. This provision in the Convention is augmented by the Optional Protocol on the sale of children, child prostitution and child pornography.

Article 36 (Other forms of exploitation) - Children should be protected from any activity that takes advantage of them or could harm their welfare and development.

Article 37 (Detention and punishment) - No one is allowed to punish children in a cruel or harmful way. Children who break the law should not be treated cruelly. They should not be put in prison with adults, should be able to keep in contact with their families, and should not be sentenced to death or life imprisonment without possibility of release.

Article 38 (War and armed conflicts) - Governments must do everything they can to protect and care for children affected by war. Children under 15 should not be forced or recruited to take part in a war or join the armed forces. The Convention's Optional Protocol on the involvement of children in armed conflict further develops this right, raising the age for direct participation in armed conflict to 18 and establishing a ban on compulsory recruitment for children under 18.

Article 39 (Rehabilitation of child victims) - Children who have been neglected, abused or exploited should receive special help to physically and psychologically recover and reintegrate into society. Particular attention should be paid to restoring the health, self-respect and dignity of the child.

Article 40 (Juvenile justice) - Children who are accused of breaking the law have the right to legal help and fair treatment in a justice system that respects their rights. Governments are required to set a minimum age below which children cannot be held criminally responsible and to provide minimum guarantees for the fairness and quick resolution of judicial or alternative proceedings.

Article 41 (Respect for superior national standards) - If the laws of a country provide better protection of children's rights than the articles in this Convention, those laws should apply.

Article 42 (Knowledge of rights) - Governments should make the Convention known to adults and children. Adults should help children learn about their rights, too. (See also article 4.)

Articles 43-54 (Implementation measures) - These articles discuss how governments and international organizations like UNICEF should work to ensure children are protected in their rights.

UNICEF and IPU in brief

The United Nations Children's Fund (UNICEF)

UNICEF, the United Nations Children's Fund, is a global champion for children, working to make a lasting difference in their lives.

UNICEF is guided by the Convention on the Rights of the Child, which sets out the range of basic human rights to which children are entitled, including the right to health and nutrition, education, protection from abuse and exploitation, relief in emergencies, and water and sanitation.

UNICEF works with many partners, including governments, other UN organizations and civil society, and has more than 8,500 staff in 155 countries and territories around the world.

Inter-Parliamentary Union (IPU)

Created in 1889, the Inter-Parliamentary Union (IPU) is the international organization that brings together the representatives of parliaments of sovereign States. In September 2011, the parliaments of 157 countries were represented in the IPU.

The IPU works for peace and cooperation among peoples with a view to strengthening representative institutions. To that end, the IPU fosters contacts and exchanges of experience among parliaments and parliamentarians of all countries, considers questions of international interest and expresses its views on those issues, contributes to the defense and promotion of human rights, and raises awareness about the workings of representative institutions among the general public.

The IPU shares the objectives of the United Nations and works closely with UN agencies. It also works with regional inter-parliamentary organizations and with international, intergovernmental and non-governmental organizations that are motivated by the same ideals.

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