



**Declassified<sup>1</sup>**

AS/Soc (2019) 22

29 May 2019

Asocdoc22\_2019

## **Committee on Social Affairs, Health and Sustainable Development**

# **Giving a voice to every child: promoting child participation as a foundation for democratic societies**

Rapporteur: Baroness Doreen E. Massey, United Kingdom, SOC

### **Introductory memorandum**

#### **1. Introduction**

1. Giving a voice to children and considering their views is essential for any decision affecting them. This participation includes policy development and implementation in areas such as health, education, migration, family and community affairs. Child participation encourages self-confidence and a sense of belonging and contributing to society. It strengthens opportunities for dialogue and understanding of democracy. Child participation benefits not only children, but institutions themselves, who gain different perspectives on issues affecting society. The concept of child participation has been broadly promoted in recent decades. While a substantial body of good practice has been developed across Council of Europe member States, many opportunities remain.

2. As a former Chairperson of the Sub-Committee on Children, I have had many discussions with my colleagues in the Assembly, as well as with civil society organisations across Europe, including children and youth organisations. I am personally and professionally committed to child participation, and happy to see its development. It is clear, however, that more could be done. This led me to propose that the Assembly should take action on child participation and prepare a report that would provide a focus and framework for this initiative. In January 2019, the Committee on Social Affairs, Health and Sustainable Development tabled a motion for a resolution on “Giving a voice to every child: promoting child participation as a foundation for democratic societies”. The motion was subsequently referred to our Committee for report, and I was appointed rapporteur on 19 March 2019.

#### **2. Aim and scope of the report**

3. Child participation is an essential element of children's rights protection and promotion. The European Convention of Human Rights, in its Article 10, provides everyone with the right to freedom of expression and the United Nations Convention on the Rights of the Child (UNCRC) grants children the rights to express their views freely in all matters affecting them and to have their views given due weight according to with their age and maturity. It has been used as a guiding principle for policy making and implementation in many countries across the world.

4. The Assembly has a long-standing commitment to child participation. In 2009, it adopted Recommendation 1864 (2009), on Promoting the participation by children in decisions affecting them. The Committee of Ministers followed up with the adoption of Recommendation (2012) 2 on the participation of children and young people under the age of 18. The Council of Europe Children's Rights Programme supports the implementation of the Recommendation by the piloting of the Child Participation Assessment Tool in the member States.<sup>2</sup> The Committee of the Parties to the Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (Lanzarote Committee) collects feedback from children in the framework of its monitoring activities. Feedback from children is being collected as part of the preparation

<sup>1</sup> Introductory memorandum declassified by the Committee on Social Affairs, Health and Sustainable Development at its meeting on 24 June 2019 in Strasbourg.

<sup>2</sup> Estonia, Ireland, Romania, Bulgaria, Italy and Latvia have already tested the tool. It is currently being piloted in Finland, Malta and Slovenia.

of the Council of Europe Strategies for the Rights of the Child and for the mid-term evaluation of the implementation of the Strategy.

5. Several Council of Europe member States have also actively promoted child participation, including in the justice system, health services, in education or the online environment. In the UK, for example, the new long-term strategy for the National Health Service (NHS) was developed with feedback from a children's panel.

6. National parliaments are often at the forefront of these developments. In Portugal, between 10 000 and 20 000 children participate annually in a debate on a topical issue, and their recommendations are transmitted to the President of the Assembly. In Austria, the parliament runs a Democracy Workshop, which consists of educational programmes for children and young people. In the Netherlands, the Dutch House of Democracy is a replica of the parliament, which allows children to learn how parliament functions. In November 2018, 200 girls debated in the UK House of Lords, as part of the Girls Breaking Barriers event, organised in co-operation with Plan International. It is recognised that countries will have different approaches to child participation. This initiative described in this report will give members an opportunity to share ideas and good practice.

7. This year, we celebrate the 30th anniversary of the UNCRC, and the Council of Europe is holding its mid-term evaluation conference (13-14 November). This is a good opportunity to take stock of what has been achieved so far, and to identify our future priorities. It has also been 10 years since we adopted Recommendation 1864 (2009), so it is high time for us to look at the Assembly itself and see how it can apply the principles proposed in this text.

8. In this report, I am planning to explore the barriers to, and opportunities for, child participation in different contexts and to make proposals for how it could be given impetus. While the principle of child participation has been widely acknowledged, too often it becomes tokenism and consequently fails to make a real difference in children's lives. The difficulty of reaching as wide range of groups from various backgrounds, especially vulnerable groups, will also need to be addressed. As we have seen in many countries, as well as in the Council of Europe, in times of economic difficulties, child participation may be considered a luxury that can be dropped. I will be interested to examine how this tendency can be tackled, and whether innovative approaches have already been tried to uphold the *acquis* in this area.

9. Finally, I would like to mention that already at the end of 2018, following my request as the former Chairperson of the Sub-Committee on Children, Ms Anne Crowley, a children's rights expert, prepared a concept paper on how child participation could be promoted through and in the Assembly.<sup>3</sup> She highlighted in particular that such participation had to be meaningful and sustainable and that it needed to be integrated within existing structures and working methods. Several recent discussions within the Sub-Committee on Children have shown that its members are in full agreement with this approach. The aim of this report is to support the kind of child participation that helps in making our societies better, and which is not just about good intentions and "ticking boxes".

### **3. Working methods and planning**

10. I would like to connect the preparation of this report to a pilot initiative on child participation in and through the Assembly. For this purpose, I propose to invite national delegations to volunteer. They will be expected to commit to a 2-year participation in relevant meetings, including the participation of children, NGOs representatives, and other relevant agencies (on a self-funded basis). These partners will be invited to contribute to the discussions, to provide written feedback and to promote this initiative in relevant fora. The participating countries will ensure that the children who take part in this initiative are duly prepared prior to the meetings and that they are accompanied and taken care of during their missions. This work will allow us to test the ideas and proposals, and to connect theory with practice. The UNICEF Handbook on Child Participation in Parliament (2011) will be used for guidance and inspiration.

11. I will also be working closely with the Council of Europe Children's Rights Department, the Youth Department, the Congress of Local and Regional Authorities and other relevant bodies. Contacts will be made with the European Parliament, which is also very active in this area, and with the European Network of Ombudspersons for Children (ENOC). A short survey for national parliaments will be organised, in order to obtain an overview of existing practices, with support of the European Centre for Parliamentary Research and Documentation. I will also make full use of relevant research, such as the reports produced by the Child Rights International Network (CRIN).

---

<sup>3</sup> Crowley, A. (2019), *Promoting child participation in and through the Parliamentary Assembly*, AS/Soc/Child/Inf(2019)01

12. At the PACE part-session in June, a planning group will meet, consisting of the Sub-Committee on children, other relevant committees, the Children's Rights Division and the Youth Department, NGOs, children from local schools and the Office of the President of the Assembly. The aims will be to develop a provisional, organic and inclusive plan of action. This may be amended, subject to progress in individual countries.

#### 4. Timetable for the preparation of the report

<b>Date</b>	<b>Action</b>
<i>Committee meeting, Strasbourg, June 2019 part-session</i>	Consideration of an introductory memorandum
<i>Sub-Committee meeting, 25 June 2019</i>	Sub-Committee meeting on child participation, with invitations to be sent to other Committees, the Office of the President of the Assembly, relevant sectors of the Council of Europe and representatives of civil society organisations  <i>With the participation of children</i>
<i>Survey on parliamentary activities promoting child participation September 2019</i>	Data collection
<i>Mid-term Stock-taking Conference on the Council of Europe Strategy for the Rights of the Child (2016-2021) 13-14 November 2019, Strasbourg, France</i>	Contribution of the Assembly towards the review of the implementation of the Strategy  <i>With the participation of children</i>
<i>Sub-Committee meeting, 12 or 15 November 2019, Strasbourg, France</i>	Preparation / Follow-up to the Mid-term Stock-taking Conference  <i>With the participation of children</i>
<i>18 November 2019: End Child Sex Abuse Day</i>	Parliamentary Assembly contribution towards the 18 November event  <i>With the participation of children</i>
<i>Committee meeting, Strasbourg, January 2020 part-session</i>	Exchange of views with experts  <i>With the participation of children</i>
<i>Committee meeting, Strasbourg, April 2020 part-session</i>	Consideration of a preliminary draft report  <i>With the participation of children</i>
<i>Relevant meetings of the Parliamentary Assembly May-December 2020</i>	Piloting child participation, data collection and analysis  <i>With the participation of children</i>
<i>Committee meeting, Strasbourg, January 2021 part-session</i>	Consideration of a draft report and adoption of a draft resolution  <i>With the participation of children</i>

The formal deadline for the adoption of this report in Committee is 1 March 2021.