

**Developed by  
Elections and Civil Society Division**  
within the framework of the project "Promoting civil participation in democratic decision-  
making in Ukraine"

# **INVOLVING CHILDREN AND YOUNG PEOPLE**

**under 18 in civil participation mechanisms  
and decision making process**



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# **INVOLVING CHILDREN AND YOUNG PEOPLE**

## **under 18 in civil participation mechanisms and decision making process**

### **Authors**

This document was developed by  
the Elections and Civil Society Division  
in partnership with Dan Moxon,  
Director – People, Dialogue and Change,  
Member – Pool of European Youth Researchers  
Coordinated by the Partnership between the  
Council of Europe and the European  
Commission in the field of Youth

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## CONTENTS

1. Introduction.....	4
2. International frameworks for child participation.....	5
3. Specific features of child participation compared to adult focused civil participation .....	6
4. On minimum age ranges for participation mechanisms .....	7
Use of minimum age ranges in electoral participation.....	8
Use of minimum age ranges in other civil participation mechanisms.....	8
5. Creating enabling environments for children's participation within civil participation initiatives .....	10
Dedicated initiatives for children or combined initiatives?.....	11
6. The role of civil society organisations.....	13
7. Summary .....	15

# 1. Introduction

This document is intended for those developing civil participation mechanisms such as the type described in Recommendation [CM/Rec\(2018\)4](#) of the Committee of Ministers to Member States on the participation of citizens in local public life.

It outlines that those mechanisms to involve citizens in public decision making, such as citizens assemblies, consultations, local forums, etc., should consider how children and young people under 18 can be involved within these mechanisms, or alternative mechanisms which run parallel to them.

Following the convection of the [UN Convention on the Rights of the Child](#) (UNCRC), within this paper the term children will be used to refer to people under 18. This is necessary to highlight the significant distinction between the participation rights of those under 18 and over 18. In general, the term youth or young people is avoided, as this can refer to both under and over 18s and sometimes mask this distinction.

The paper begins by outlining international legal frameworks and agreements such as the UNCRC and various Council of Europe recommendations which provide the guidance and duties on state parties to involve children in public decision making.

Following this it highlights some unique aspects of child participation that those with a background in civil participation should be aware of, to enable effective dialogue and understanding between the two fields.

After this it argues that the use of minimum ages for involvement in civil participation is usually only appropriate in the case of elections and referenda. The paper argues that in nearly all other civil participation mechanisms it is the duty of the state party to create an enabling environment to facilitate the participation of under 18s within them. This can, however, mean the creation of a parallel process aimed specifically at children, with varying age ranges. Without going into specific methodologies, the paper then outlines the principle on which an enabling environment can be built.

Finally, the paper looks at the role of civil society in relation to child participation. It considers how the concept of a civil society organisation which 'represents' children is considerably more complex than a civil society organisation which represents other social groups or communities. It argues that some forms of civil society organisations have a strong role to play in supporting children's participation in public decision making, but that this is dependent on the quality and intention of those organisations' internal child participation mechanisms.

## 2. International frameworks for child participation

The [UNCRC](#) provides a framework for participation of children and all European countries are party to this convention. In Council of Europe countries, the UNCRC is further reinforced by Recommendation 1864 (2009) of the Parliamentary Assembly on Promoting the participation by children in decisions affecting them, The Recommendation and [CM/Rec\(2012\)2](#) of the Committee of Ministers to Member States on the participation of children and young people under the age of 18, and Treaty No.160 European Convention on the Exercise of Children's Rights as well as a variety of national legislation. The Council of Europe also has a dedicated Strategy on the Rights of the Child and produces a Child Participation Assessment Tool for member states.

Article 12 of the UNCRC, which focuses on the right of the child to be heard in decision making, is the central point for defining child participation. However, other articles are relevant such as those which cover children's right to freedom of expression, freedom of association and freedom of thought.<sup>1</sup>

According to the UNCRC [General Comment No. 12](#)<sup>2</sup> on the Right of the Child to be Heard, Article 12 "addresses the legal and social status of children, who, on the one hand lack the full autonomy of adults but, on the other, are subjects of rights". Article 12 provides:

*"1. 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.*

*2. 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."*

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<sup>1</sup> Forde, L. et al. (2020) The Right of Children to Participate in Public Decision-Making Processes. Save the Children International. London

<sup>2</sup> UN Committee on the Rights of the Child (CRC), General comment No. 12 (2009): The right of the child to be heard, 20 July 2009, CRC/C/GC/12.

### 3. Specific features of child participation compared to adult focused civil participation

For those with a background in civil participation in public decision, or initiatives aimed at over 18s, there are a number of things to draw attention to within child participation that stem from Article 12 and children's rights generally. These are concepts which reinforce children's status as citizens with human rights, and challenge notions that children are somehow lesser citizens than adults, or citizens in the making. However, they also attempt to recognise that children have unique vulnerabilities and their competencies may be different to those of adults. Children's participation rights are generally considered to be in tension with their rights to protection. That is to say their right to autonomy is limited by their right to safety.<sup>3</sup>

More specifically, those involved with civil participation should consider the following things:

- The UNCRC makes it clear that children are entitled to a political voice and do not need to wait until adulthood to express this. Child participation is about enabling children to have meaningful influence now, rather than preparing them for participation later in life.
- 'Child participation' as a concept refers to both the child participating individually in decisions about their own life (such as choices over home, care or school) and children participating collectively in public decision making. Thus, many resources, legal standards, institutions and provision on child participation are created with both dimensions in mind. Conceptually, civil participation in decision making is primarily relevant to the collective participation of children in public decision making.
- In child participation there is a strong distinction made between having the 'right to participate' and directly taking a decision. Child participation recognises that children can participate in decision making by expressing a view on a decision to another actor (such as a state body) who retains the power to take that decision.
- The UNCRC creates a duty on state parties to take into account the views of children when making a decision that affects them. This specifically includes taking account of the collective views of children in public decision making. Furthermore, it is expected that serious consideration is given to these views. However, the competency of the child (or children) can be considered by the decision maker when assessing what weight to give to these views.
- The UNCRC General Comment on Article 12, specifies that state parties "should provide an environment that enables the child to exercise her or his right to be heard".<sup>4</sup> It is the responsibility of the state parties to *enable* child participation, not just to permit it. Civil participation initiatives which do not specifically consider how they can be accessible and inclusive of children are unlikely to be successful at involving children even if they

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<sup>3</sup> For an exploration of these tensions in practice see Percy-Smith, B. and Thomas, N. (eds) (2009) *A Handbook of Children and Young People's Participation: Perspectives from Theory and Practice*. Routledge.

<sup>4</sup> See UNCRC General Comment number 12, para. 11.

do not formally prevent them from being involved. Simply put, having the right to access the space or process is not enough to effectively include children in participatory processes.

- There is a need to consider the safeguarding of children and ensure civil participation initiatives or programmes involving children provide for their protection and safety throughout.

#### 4. On minimum age ranges for participation mechanisms

Article 12 states, a “child who is capable of forming his or her own views” shall have the right to express those views. This sometimes leads to the question of when a child can form their own views. Within children’s participation, children’s competency and ability to form and express views is understood to be context specific.<sup>5</sup> Age on its own is not a good assessment of a child’s capability to form his or her own views.

In simple terms, if good support and information is provided even very young children can express a view on a topic in a meaningful way. Whilst it might not be realistic to expect a 5-year-old child to discuss the specifics of a public spending proposal, they could for example take part in art and play activities, led by a supportive adult, to allow them to share what they would like to have in their neighbourhood. The results of this can give a meaningful expression of what children’s priorities are, which can be taken into account when setting spending priorities.

Accordingly, The UNCRC [General Comment No. 12](#) on the Right of the Child to be heard is explicit on not using minimum age ranges as a basis for excluding children from participation, but rather presuming that children are competent:

*“20. States parties shall assure the right to be heard to every child ‘capable of forming his or her own views’. This phrase should not be seen as a limitation, but rather as an obligation for States parties to assess the capacity of the child to form an autonomous opinion to the greatest extent possible. This means that **States parties cannot begin with the assumption that a child is incapable of expressing her or his own views.** On the contrary, States parties should presume that a child has the capacity to form her or his own views and recognize that she or he has the right to express them; it is not up to the child to first prove her or his capacity.*

*21. The Committee emphasizes that **article 12 imposes no age limit on the right of the child to express her or his views**, and discourages States parties from introducing age limits either in law or in practice which would restrict the child’s right to be heard in all matters affecting her or him.”*

(authors own emphasis in bold)

Recommendation and [CM/Rec\(2012\)2](#) of the Committee of Ministers to Member States on the participation of children and young people under the age of 18 further emphasises this:

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<sup>5</sup> Hutchby, I. and Moran-Ellis, J. (2005) *Children and Social Competence: Arenas of Action*. Routledge.

*"There is no age limit on the right of the child or young person to express her or his views freely. All children and young people, including those of pre-school age, school age and those who have left full-time education, have a right to be heard in all matters affecting them, their views being given due weight in accordance with their age and maturity"*

Overall, the emphasis of these instruments is not to limit participation by age, but to involve children to the greatest extent possible.

### **Use of minimum age ranges in electoral participation**

Despite the above, there is still a need to set a minimum age range in elections and referenda. Elections and referenda require a clear understanding of who can and can't vote, and there is little practical distinction to be made between participation and being directly involved in decision making. The citizen's vote contributes directly to the result of that election, and for all intents and purposes the electorate is 'taking a decision'.<sup>6</sup>

As a result, there is no practical meaningful way for children to 'express a view' and influence a vote without being directly involved in determining the outcome of the vote (i.e. making the decision). In addition, the large numbers of people engaged means there is no practical way to assess the competency of every potential voter. As such, it is understood there is a legitimate reason to set a minimum age range for participation in elections. The UNCRC does not oblige state parties to expand the voting franchise to under 18s.

In this context, Recommendation [CM/Rec\(2018\)4](#) of the Committee of Ministers to Member States on the participation of citizens in local public life, does suggest that states should consider lowering the voting and standing age of local elections. Here, it is worth noting that the concept of 18 as the point of adulthood is determined largely by historical precedent. The ages of childhood, adulthood and youth can and do vary with social cultural and historical context.<sup>7</sup> Currently, various states (e.g. Austria, Malta, Scotland) are increasingly considering using 16 as the minimum age for voting. Reasons for this include recognition of the competence of 16–18 years olds, evidence to indicate it may increase lifelong voting engagement, harmonisation with other minimum ages such as taxation, pressure from lobbying organisations representing young people, and the desire of political parties to attract young voters.<sup>8</sup>

### **Use of minimum age ranges in other civil participation mechanisms**

Unlike elections and referenda, within other forms of civil participation used by public bodies to involve citizens in public decision making it is possible to make a much clearer distinction between participation in the process and having the power to make a decision. This is notably the case for forms of participation based upon dialogue or consultation, such as citizens meetings, community consultations, participatory budgeting, citizens assemblies, etc. For

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<sup>6</sup> There may be technical legal points about how state bodies formally decide/declare the outcome of the election, or if a referendum is binding but this is not strictly relevant to this point.

<sup>7</sup> Wyness, M. (2019) *Childhood and Society*. Macmillan International Higher Education.

<sup>8</sup> Mycock, A. (2020) Understanding the policy drivers and effects of voting age reform. In: Eichhorn, J. and Bergh, J. (eds), *Lowering the Voting Age To 16: Learning from Real Experiences Worldwide*. Palgrave Macmillan.

example, a citizen can participate by responding to a government consultation on a new law, but the government or parliament still decides what the law will ultimately be.

This makes a strong case for the need for public bodies to consider UNCRC Article 12 when implementing many civil participation initiatives. Many methods are, by design, often not processes in which a binding decision is made. For example, an advisory group is a method of gathering views – but not always the formal body through which the decision is taken. They are tools through which decision-making bodies (or individual decision makers) receive advice and conduct consultation, but the decision-making bodies still retain the power to take the decision. The body can then either ignore or take into account the citizens' views – and has the scope to weigh up the quality of the deliberation and competency of participants when doing so.

Civil participation therefore contains many possibilities to enable children to participate without having to formally give them decision-making power. As a result, civil participation mechanisms can easily facilitate children's participation – understood as 'hearing the views of children' and enabling them to participate *in the process*. Furthermore, there is a duty on state parties to seek these views. In most cases and methods of civil participation, this removes any argument for a minimum age. There would be no good argument to prevent someone taking part in a consultation process or similar on grounds of age, if the participation mechanism has no specific decision-making power. The decision-making body receiving the results can reasonably consider the age and maturity of those involved when giving weight to their views.

In addition, the flexibility and prolonged nature of civil participation means it is also possible to provide greater support for people with a range of competencies, and to take into account their varying competencies when decisions or conclusions are made – particularly when the focus is on dialogue and deliberation as a method. Dialogue-based civil participation mechanisms can be used to create an enabling environment for children's views to be heard. This can be useful not only for children but for many citizens with varying competencies such as those with disabilities, or simply those with less understanding of community politics.

Finally, even if a civil participation mechanism *does* enable the participants to be actively involved in taking decisions, there is still the possibility and potential to provide sufficient support to enable under 18s to be involved, as well as to make judgements on individuals competency to do so. For example, a committee or board with responsibility for a public initiative or programme can invite specific people under 18 to become members, based on an assessment of their competency, and also provide additional support mechanisms to enable this to be a possibility. Importantly, whilst the UNCRC does not provide children with the right to have active decision-making power within public decision making, it does not prevent it either. In fact, such approaches are generally encouraged and promoted within the field of child participation.

## 5. Creating enabling environments for children's participation within civil participation initiatives

In practice many children are unlikely to become involved in civil participation methods and initiatives unless they are specifically designed to be accessible to children, or a third party such as an NGO provides support to make them accessible. Adult dominated spaces, and participatory processes constructed primarily for adults, are often not typically welcoming, inclusive or accessible to children.

For this reason, it is important to emphasise that the expectation under the UNCRC is to provide an *enabling environment* to child participation. Recommendation and [CM/Rec\(2012\)2](#) of the Committee of Ministers to Member States on the participation of children and young people under the age of 18 emphasises the children having the "right, means, space and if necessary support". This recognises that as well as simply the permission to take part in a participatory process, it is necessary for a decision-making body to make a sustained commitment to engaging children in its decision making or it is unlikely to be achieved.

This can mean things like creating a dedicated additional process for children, providing educational materials, support workers or producing accessible information. The precise methods needed will be context specific and will vary with the nature of the topics and the specific children involved.

The UNCRC [General Comment No. 12](#) provides a set of guiding principles for the implementation of child participation:

"134. All processes in which a child or children are heard and participate, must be:

**(a) 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 their views to be given due weight, and how this participation will take place, its scope, purpose and potential impact;

**(b) 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;

**(c) Respectful** - children's views have to be treated with respect and they 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, for instance, in their contributions to the family, school, culture and the work environment. They also need an understanding of the socio-economic, 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;

**(d) 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, space needs to be created to enable children to highlight and address the issues

they themselves identify as relevant and important;

**(e) Child-friendly** - environments and working methods should be adapted to children's capacities. Adequate time and resources should be made available 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 need differing levels of support and forms of involvement according to their age and evolving capacities;

**(f) 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 also need to ensure that they are culturally sensitive to children from all communities;

**(g) Supported by training** - adults need preparation, skills and support to facilitate children's participation effectively, to provide them, 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 awareness of their rights, and training in organizing meetings, raising funds, dealing with the media, public speaking and advocacy;

**(h) Safe and sensitive to risk** - in certain situations, expression of 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. Action necessary to provide appropriate protection will include the development of a clear child-protection strategy which 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. Investment in working with families and communities is important in order to build understanding of the value and implications of participation, and to minimize the risks to which children may otherwise be exposed;

**(i) Accountable** - a commitment to 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 be provided with 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."

### **Dedicated initiatives for children or combined initiatives?**

Those involved in designing civil participation mechanisms might think of supporting children's participation either by providing dedicated spaces and initiatives for children or by combining child and adult spaces. Three distinctions might be made:

- **Developing dedicated initiatives for children** – Participatory approaches which are targeted specifically at children. These can be very effective at providing a custom-designed environment which meets the children's needs and maximises their engagement and safety. However, they may risk being perceived as lower status than participation initiatives aimed at the whole age range and have less impact on public decision making as a result. These initiatives can sometimes be also confused for educational initiatives during implementation, and the impact on decision making risks becoming treated as of secondary importance to the learning outcomes for child participants. Examples of such approaches are commonplace and can include children's parliaments, child focused consultation, children's forums, schools' councils, etc. They may be particularly useful when a topic is primarily relevant to children (such as education).
- **Developing parallel citizen and child participation initiatives** – Approaches which have a dedicated initiative for children that runs alongside an initiative for over 18s, sometimes with crossover activities between the two. Examples include participatory budgeting running in schools alongside participatory budgeting in community settings. These can be very effective methods of providing an enabling environment for children whenever a civil participation initiative is launched. In some models there is sometimes risk that adult participants become gatekeepers to the children's voice, preventing particular views from moving forward to decision makers. This can occur when children are encouraged to form a set of conclusions and present them to other participants rather than directly to decision makers. However, when implemented, effective combined initiatives do provide a powerful opportunity to both meet children's engagement needs and give them access to civil participation mechanisms.
- **Developing civil participation initiatives which are inclusive of children** – Approaches where children are encouraged to join the same spaces and processes as over 18s and efforts are made to operate these as an inclusive environment that is accessible to children. It is often challenging to make these initiatives fully accessible to children, however doing so can also make them accessible to a much wider range of citizens. Ensuring the safety of children within these approaches can also be complex as children may interact with a wide variety of adults. However, if implemented effectively these approaches can provide powerful opportunities for intergenerational dialogue and give children "full access" to the same participation opportunities as over 18s.

The most effective of these three approaches will depend on the context. It will require taking into account the topic, the needs of the children involved, the safety of children and the resources available.

In the creation of dedicated initiatives or parallel processes for children it can be useful to target them at specific age ranges, for example running separate initiatives for primary and secondary school age children. This may allow a more enabling environment for each age range and also support the use of school as a site of democratic participation. This is recommended within Recommendation [CM/Rec\(2018\)4](#) of the Committee of Ministers to Member States on the participation of citizens in local public life.

This kind of age-based targeting is different from setting minimum ages in law for civil participation, discussed in the previous section. For example, a state body might run a consultation with three initiatives, one targeted at over 18s, one at 11–18s and one at under 11s. In this way no one is excluded from the overall mechanism by virtue of their age, even though they may be encouraged to only take part in only one initiative.

When developing parallel or dedicated initiatives there can be considerable overlap between the concept of democratic or citizenship education and children's involvement in decision making. Certainly, educating children and young people about democracy and the political process is an important part of promoting democracy.<sup>9</sup> It is also key to providing the enabling environment within children's participation initiatives.

But whilst synergies can be found between democratic education programmes and initiatives to involve children in decision making, it is important to recognise that their goals are distinct. Education aims to foster children's learning. Involvement in decision making aims to enable children to influence public decisions. Put simply, teaching children about the function of democratic and civic institutions is not the same as enabling children to be directly involved in a civil participation mechanism – however, it may help enable it.

## 6. The role of civil society organisations

Within child participation the role of civil society can be markedly different compared to adult focused civil participation. Whilst citizens who are over 18 can practically and legally form civil society organisations to represent their interests, children are much more unlikely to do so independently. In many countries people under 18 are not legally able to sign articles of association and hold organisational bank accounts in order to set up or govern an NGO. Managing and running an organisation also requires a level of technical competency that only older children are likely to be able to exercise independently.

Data on this topic is limited. Anecdotally it can be understood that although there are instances of children under 18 forming independent civil society organisations, they are not common in Europe, and they can often be short lived, particularly as founder members become adults. As a result, civil society organisations that are run *exclusively* by children to represent their interests are incredibly rare in a European context.

A key factor in understanding children's involvement in civil society is that childhood is temporary. Whilst civil society organisations who represent other social groups such as ethnic minorities can have their representatives and volunteers involved for decades. A civil society organisation that seeks to involve children must continually face a high turnover of child volunteers and activists. Thus, any kind of sustained long lasting civil society structure to represent children is usually based on some form of partnership between children and adults.

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<sup>9</sup> For further discussion see the Council of Europe's Reference Framework for Democratic Culture; <https://www.coe.int/en/web/education/competences-for-democratic-culture> and Recommendation CM/Rec(2018)4 of the Committee of Ministers to Member States on the participation of citizens in local public life.

Supporting adults can provide both an enabling environment for children participation but also long-term consistency.

Civil society organisations which represent or claim to represent children's interests or views might be thought of in three groups:

1. **Youth-led organisations, such as youth councils** – which are typically formed by young people under and over 18. They may have members as young as around 13, sometimes even below, but their officer holders and staffing are typically 18–30 or similar. These organisations typically advocate for 'youth interests' so represent only the upper age range of childhood in combination with those in their twenties. In general, these organisations may not describe themselves as involving or representing children, even if a large number of their members are under 18.
2. **Organisation based on participative partnerships between adults and children** – whose staff and office holders may be mainly over 18, but who aim in some way to be 'child-led' or 'participative'. These organisations have some sort of internal child participation mechanism in place to enable the views of children to inform their work. The extent to which they might be considered 'child led' is dependent on the quality and intention of that participation. These organisations may advocate for the children's needs based exclusively on the views of children they engage with, as might be the case with children's councils, or in some cases a mixture of child and adult views.
3. **Adult-led organisations who advocate for children** – organisations which have some link to children but do not use internal participation mechanisms to allow children to set the direction of their advocacy positions, or do so only occasionally. These organisations may advocate for children's interests but do not base their position on children's views. Examples can include parents' associations or associations of professionals who work with children, who might speak about what they believe children need based on their own members' views.

Of these three types of organisations the first two can support effective mechanisms for engaging children in public decision making. This effectiveness is dependent on the quality of their participation work, the extent to which the views of under 18s are represented independently from other actors, and the extent of their engagement with people under 18.

Overall, they are best thought of as actors who have the potential to enable and facilitate children's participation in decision making rather than representatives of children. It is often not the case that their secretaries, boards and senior figures can easily be thought of as child representatives. However, some organisations, such as children's parliaments and children's councils may have such extensively developed internal participation that they can legitimately claim to have children in representative roles.

Nearly all organisations from the first two categories are very well placed, with resourcing and political support to facilitate children's involvement in civil participation and deliberative democracy mechanisms. It may be appropriate for a state actor to invite or fund them to design and facilitate enabling environments for children to directly contribute to public

decision-making processes. However, this may be a more complex initiative than simply meeting with these organisations' representatives.

The third group – adult-led organisations – should not be considered as actors who facilitate child participation in decision making as they do not represent the views of children in their positions. Engaging this form of organisation in public decision making, whilst still useful for civil participation as a whole, does not enable children's views to contribute to public decision making. These organisations base their position on their view of children's needs, which may not sign with children's views. Recognising this is important as state actors can sometimes engage with these groups *instead of* enabling children participation.

Lastly, it can also be recognised that children can play a role in social protest movements and have a right to take civil action.<sup>10</sup> The current climate change movement is sometimes presented as a social movement being led by children and young people which is not reliant on civil society organisations. However, organisation within the climate change movement is considerably more complex than this,<sup>11</sup> and the movement does involve civil society organisations. For instance, the international legal complaint submitted by Greta Thunberg and fifteen other children was an initiative backed by UNICEF; and in the US, large adult-led NGOs such as [350.org](https://350.org) have begun providing support and resources to bolster the work of NGOs which describe themselves as child or youth led such as [Zero Hour](https://zerohour.org). In this sense, we might increasingly find it necessary to consider the extent to which groups of children in social movements might be independent from, but mobilised by, alongside, or with, other civil society organisations.

## 7. Summary

Children have a right under the UN Convention on the rights of the child (UNCRC) to have their views taken into account when decisions are made that affect them. State parties have a duty to facilitate enabling environments to seek the collective views of children when taking public decisions.

Both the UNCRC and Recommendation CM/Rec(2012)2 of the Committee of Ministers to Member States on the participation of children and young people under the age of 18 are explicit that there is no minimum age range for child participation understood in the above manner.

Children are recognised as citizens within these documents and views can be given due weight based on their age and maturity. Age alone does not provide a basis for exclusion from decision making, and children should be presumed to be competent.

Those designing or legislating for civil participation mechanisms such as those defined in CM/Rec(2018)4 should be minded that, with the exception of elections and referenda, it is very unlikely to be appropriate to set a minimum age for a civil participation mechanism.

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<sup>10</sup> Forde, L. et al. (2020) The Right of Children to Participate in Public Decision-Making Processes. Save the Children International. London.

<sup>11</sup> Heyes, A. and King, B. (2020) Understanding the organization of green activism: Sociological and economic perspectives. *Organization & Environment* 33(1): 7–30.  
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Instead, enabling environments should be designed which provide a supportive, protective environment within which children can express their views on public decisions. This can mean,

- dedicated initiatives for under 18s,
- parallel initiatives for over and under 18s, or
- singular initiatives that can include and accommodate all needs and ages.

Focusing initiatives at different age ranges (such as primary and secondary school age) during implementation may also be appropriate as long as there are pathways for children of all ages to contribute.

School may provide a site for democratic participation, but involvement in public decision making should not be confused with education. Whilst education for democratic competencies are vital and enable participation, educational initiatives on their own do not allow children's direct involvement in public decision making.

Some civil society organisations may be well placed to support and enable the participation of people under 18; however, the situation is more complex than other social groups. Civil society structures which aim to represent the views of children rely on the involvement of supportive adults to be sustained. The quality and intention of these organisations' internal participation work will determine the extent to which they can be said to represent children's views versus the involved adults. Similar Youth Councils and Youth organisations may represent the views of under 18s combined with over 18s. However, both of these forms of organisations are well placed to work in partnership with state actors to enable child participation in public decision making.

Organisations which advocate for children's interests without involving children internally, such as parents' organisations or professional associations of child workers, should not be considered as enablers of child participation.

# About us

We are the Council of Europe project that helps create the conditions for strengthening civil participation in Ukraine and enhanced citizen participation in decision-making process both at local and national levels. In our work we are guided by the standards of the Council Europe and international best practices.

## Our goals:

- improvement of the legislative and institutional framework for civil participation at national and local levels to ensure effective civic engagement and development of civil society in Ukraine in accordance with the Council of Europe standards and best practices;
- promoting effective and broad application of civil participation tools at local and national levels;
- promoting dialogue between NGOs, citizens and public authorities in the decision-making process;
- strengthening the capacity of NGOs to advocate changes and promote dialogue with authorities in the decision-making process;
- assisting in the development and implementation of innovative civil participation tools;
- building regional NGOs' cooperation for sharing best practices.

## Learn more:

[Elections and Civil Society Division](#)  
[Department of Democracy and Governance](#)  
[Directorate General of Democracy \(DGI\)](#)  
[Council of Europe](#)

## Project "Promoting civil participation in democratic decision-making in Ukraine"

Volodymyr Kebalo, senior project officer  
[Volodymyr.KEBALO@coe.int](mailto:Volodymyr.KEBALO@coe.int)  
Daryna Sokolova, project assistant  
[Daryna.SOKOLOVA@coe.int](mailto:Daryna.SOKOLOVA@coe.int)  
Kateryna Berezovska, project assistant  
[Kateryna.BEREZOVSKA@coe.int](mailto:Kateryna.BEREZOVSKA@coe.int)



The Council of Europe is the continent's leading human rights organisation. It includes 47 member states, 27 of which are members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law.

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