

**How children
and young
people can
have a say in
European and
international
decision –
making**



What's this guide for?

The European Commission wants to find out if children (aged 17 or under) can have their say about issues affecting their rights, and how far they are involved in decision-making.

This guide will show you the different ways that children in Europe can have their say on their rights and influence decision-making in Europe and at the United Nations.

Children from...

Austria **Estonia** **England**
Ireland **The Republic of Moldova**
Romania **Russia**

...are all taking part in our research to find out how much say children and young people really have!

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Children's human rights

Human rights are a set of basic things that every human being should have, like the right to be free, the right to say what you think, and the right to be treated with dignity and respect.

There are lots of human rights treaties that give rights to children. All human rights treaties apply as equally to children as they do to adults. But because children are still growing up, they need special protection from their rights being ignored.

The United Nations Convention on the Rights of the Child (CRC) is a human rights treaty (agreement) that was agreed by the United Nations in 1989. It gives children and young people (aged 17 and under) all over the world over 40 major rights.

These rights include the right to a family life, the right to be protected from all types of violence, the right to be healthy, and the right to have an education that helps you grow as a person.

The CRC gives extra rights to children living in difficult circumstances, including refugee and asylum seeking children, children in trouble with the law, and children living away from home.

Read the CRC in different languages:

<http://www.unicef.org/magic/briefing/uncorc.html>



Your right to have a say – Article 12

Article 12 of the CRC gives children the right to have a say and to be taken seriously. It says that:

- Every child or young person who has a view has the right to share that view freely in all matters affecting them
- The child's views must be taken seriously, and given weight depending on his or her age and understanding
- Every child has the right to be heard in all decision-making that affects them, including in court
- The child can speak for him or herself, or someone else can put his or her views forward.

By agreeing to follow the Convention on the Rights of the Child, your government has promised to make sure children and young people are able to have a say in all the decisions that affect them.

Why is Article 12 important?

Article 12 means that children should be equal to adults in society. It says that all children, no matter who they are or where they come from, must have a say in all the decisions that affect them.

Children and young people are the experts on their own lives, and can help to decide the things they need to be able to enjoy all of their rights. It is really important that they help plan laws and policies, and have a say in their homes, schools, communities and in decisions that affect them (like decisions made about health care).

There are lots of ways you can have your say on how well your human rights are respected and protected. These include:

- Joining a school or youth council
- Campaigning on issues that matter to you
- Taking part in a survey or piece of research
- Meeting with decision-makers (like government officials, or members of parliament) to talk about your views
- Sharing your views through a consultation (where an organisation or government asks what people think about a new idea).

Organisations that affect your rights

Lots of international and European organisations and individuals make decisions that affect children's human rights.

It is important that children and young people have the chance to influence how these organisations and people think and what they actually do.

So, what are these organisations and who are these people?

What can you expect them to do to protect and promote your rights?

And how can you have your say?

Having a say at the United Nations*



The United Nations (UN) was set up in 1945 to keep international peace and security, to develop friendships between nations, to help to solve international problems, to promote respect for human rights, and to encourage different countries to work together. 192 countries are members of the UN.

The UN has lots of treaties (agreements) that set out international law on human rights. The UN has different councils and committees made up of human rights and other experts. These check how well governments are putting human rights in different treaties into practice.

*There are lots of different parts of the UN that work to promote and protect human rights. The ones listed here have the biggest effect on children's rights.

You can find out about others at:

<http://www.ohchr.org/EN/HRBodies/Pages/HumanRightsBodies.aspx>

UN human rights committees that affect children

There are lots of committees at the United Nations that examine how well UN Member States respect and protect human rights. All of these look at how well children's human rights are protected.



The committee	What it does
UN Human Rights Council (made up of 47 UN Member States)	Investigates and makes recommendations to achieve stronger protection for human rights around the world
UN Human Rights Committee	Looks at how well governments protect civil and political rights
UN Committee on Economic, Social and Cultural Rights	Looks at how well governments protect and promote people's social rights
UN Committee on the Elimination of Discrimination against Women	Checks how well governments combat discrimination against women and girls (where they are treated differently because they are female)
UN Committee on Racial Discrimination	Checks how well governments combat racism
UN Committee on the Rights of the Child	Checks how well governments put children's human rights into practice
UN Committee on the Rights of Persons with Disabilities	Checks how well governments protect and promote the rights of disabled people

Except for the UN Human Rights Council, all these committees are made up of independent human rights experts. They examine UN Member States regularly to see how well they are putting their legal duties to protect people's human rights into practice.

After a UN Committee examines a country, it makes recommendations about where the country's government needs to do more to protect human rights. These recommendations are called concluding observations.

What you can do:



Children can use concluding observations to find out what the main human rights issues are in their country. They can also use them to spread the word about human rights, and to push their government to take action to protect children's rights.

The UN Committee on the Rights of the Child



Young people from CRAE presenting their findings to the UN Committee

The most important UN committee for children is the UN Committee on the Rights of the Child. This looks at how well children's rights are promoted and protected.

Every 5 years, the UN Committee on the Rights of the Child examines how well your government has put the Convention on the Rights of the Child into practice in your country. The Committee meets 3 times a year in Geneva, Switzerland.

When it examines a country, the UN Committee asks the government to send in a report about what it has done to put children's rights into practice. NGOs (non-government organisations) can also send in reports about the state of children's rights in their country.

Children can send reports to – and meet with – the UN Committee when their country is being examined. They can tell the UN Committee how well they think their government is protecting their rights.

After the Committee has heard what the government, NGOs and children have to say, it makes recommendations – called concluding observations – setting out where the government must do more to respect and protect children's rights.

Find your country's concluding observations:

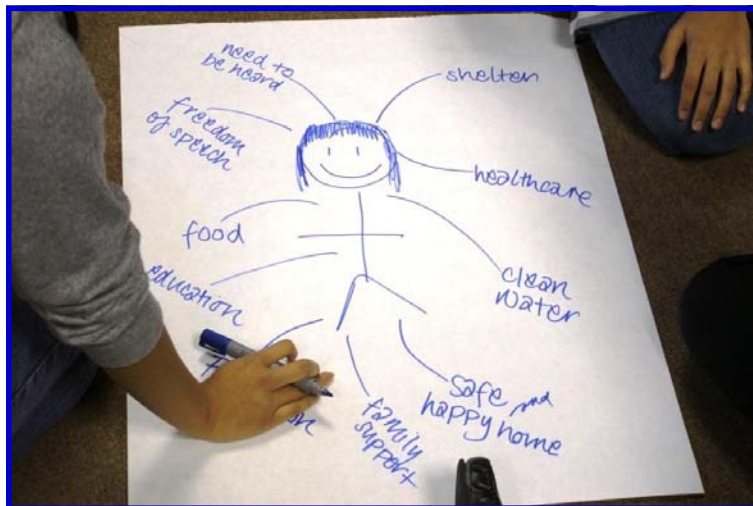
<http://www2.ohchr.org/english/bodies/crc/sessions.htm>

What you can do:



Children and NGOs use concluding observations to campaign for change for children's rights in their countries. They do this by making sure the public, the media, local authorities, government, parliament, adults and other children know what the concluding observations say. They use the recommendations to make their human rights campaigns stronger.

Other human rights defenders at the UN



The UN also appoints individual experts to investigate how well human rights are respected and protected, who talk to children and young people as part of their work. They are UN Independent Experts, Special Rapporteurs or Special Representatives.

Independent Experts are people asked by the UN Secretary General to do a particular job. Independent Experts have carried out worldwide studies on issues including violence against children.

Special Rapporteurs investigate the state of human rights in particular countries, or on issues like health, education, the sale of children, freedom of expression and freedom of religion.

Special Representatives are appointed by the UN Secretary-General to be the champion for UN action on particular issues. There are 2 UN Special Representatives whose work directly affects children:

- The Special Representative on Violence Against Children is Marta Santos Pais. Her job is to promote the rights of children to be protected from all forms of violence and to support governments to stop all violence against children
- The Special Representative for Children and Armed Conflict is Radhika Coomaraswamy. Her job is to promote and protect the rights of all children affected by armed conflict

The Special Representatives listen to the views of children and take these into account when they are doing their work.

Having a say on decisions in Europe

The European Union (EU)



The European Union is a group of 27 European countries that work together on issues like trade, jobs, immigration, criminal justice and equality. The EU has over 500 million citizens and more than 100 million children.

The members of the EU are Austria, Belgium, Bulgaria, Cyprus, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovak Republic, Slovenia, Spain, Sweden and the United Kingdom. Not all countries in Europe are part of the EU.

The EU agreed the **Charter of Fundamental Rights** in 2000. This means that all EU states and EU organisations must respect people's rights when they are carrying out European law. **Article 24** of the Charter says that EU states must think about children's views in matters that affect them. The EU is negotiating with the UN to ratify (agree to follow) the UN Convention on the Rights of the Child.

The EU works on lots of different issues that affect children. These include child protection, violence, poverty, conditions in the work place, criminal justice, poverty, immigration, health, education and armed conflict. The EU has its own children's rights strategy, a plan that tries to bring all these things together to make sure children's rights are protected.

Visit the EU website: <http://europa.eu/>

The European Parliament

The European Parliament is part of the European Union and is elected every 5 years by citizens in EU Member States. Each country has a set number of seats in the European Parliament. The European Parliament votes on new European laws and on the budget (the money) for the EU.

What you can do:



You can find out who your Member of the European Parliament (MEP) is, and how to contact them, by visiting: <http://tiny.cc/wkisd>

The European Commission (EC)

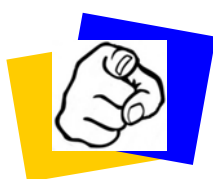


The European Commission (EC) is also part of the European Union and does the day-to-day work. It develops new laws, which are voted on by the European Parliament. It makes sure European law is put properly into practice, and it is in charge of how EU money is spent. It is split into different directorates (departments) who are in charge of different issues like freedom, security and education.

The EC is in charge of putting the EU children's rights strategy into practice. This includes making sure that EU laws and policies respect children's rights, and doing research to find out why children in Europe can't enjoy all of their rights. The EC must use this research to help the EU decide what it should be doing to put children's rights into practice. The children's rights strategy also aims to make sure that children and young people can take part in European decision-making.

Find out more: http://ec.europa.eu/index_en.htm

What you can do:



The European Commission asks for the views of EU citizens on new policies and rules through the **Your Voice in Europe** network. Although it is not especially for children and young people, you can still use this to share your views on new developments on issues including youth, equal opportunities, health, justice, transport and the environment.

Find out more about the network:

http://ec.europa.eu/yourvoice/consultations/index_en.htm

EU Advisory Bodies

The EU is given advice by two bodies: the European Economic and Social Committee (EESC) which brings together employers, trade unions, NGOs and other bodies, including children's rights campaigners; and the Committee of the Regions which brings together representatives from all of the different parts of the EU.

Find out more: <http://www.eesc.europa.eu/?i=portal.en.home>
<http://www.cor.europa.eu>

European Forum on the Rights of the Child

The European Forum on the Rights of the Child is a group run by the European Commission that meets at least twice a year to talk about promoting children's rights. The Forum gives advice to the European Commission and other European organisations about promoting children's human rights.

Members include all EU countries, ombudsmen (national champions) for children, members of the European Parliament (MEPs), the European Economic and Social Committee, the Committee of the Regions, the Council of Europe, UNICEF and NGOs. The Forum wants to make sure children's views are heard and taken into account.

http://ec.europa.eu/justice_home/fsj/children/forum/fsj_children_forum_en.htm

The Council of Europe



The Council of Europe promotes democracy and defends the human rights of people living in 47 different countries in Europe. It was set up in 1949. 150 million children are affected by its work. The Council of Europe develops human rights treaties to protect the rights of certain groups of people, provides information about human rights, and encourages countries to work together to improve European society.

The Council of Europe helps governments develop national plans to promote children's rights and protect children from violence. The Council of Europe tries to involve children in all the different parts of its work to protect children's rights.

The Council of Europe has a **Parliamentary Assembly** which is made up of members of parliament from its 47 member countries. This Assembly makes decisions – called “resolutions” – that affect the lives of children. These decisions have to be approved by the Council of Europe **Committee of Ministers** before member countries are expected to take action on them. The Committee of Ministers is made up of the Foreign Ministers from the Council of Europe's 47 members.



What you can do:

The Council of Europe produces free resources to help spread the word about children's rights. You can also use reports from the Council of Europe to influence decision-makers in your country to take action to protect children's rights. You can write to your government to ask them to support different decisions at the Council of Europe.

Find out more: <http://www.coe.int/children>



The Council of Europe Human Rights Commissioner

The Council of Europe Human Rights Commissioner was set up in 1999. The Commissioner's job is to help countries protect human rights, spread the word about human rights and to review the state of human rights in 47 European countries.

The Commissioner writes reports about the human rights situation in different countries by visiting those countries and talking to government, parliament, judges, NGOs, children and young people and others. These reports also include recommendations about improving the human rights situation. The Commissioner then visits the country again a few years later to see how much progress it is making. These reports can be general or focus on one specific human rights issue.

The Commissioner also publishes regular statements – called viewpoints and reports – about particular human rights issues that have come to his attention. Thomas Hammarberg (pictured) has been the Human Rights Commissioner for the Council of Europe since 2006.



What you can do:

Reports from the Council of Europe Human Rights Commissioner are taken very seriously. You can use these reports to show decision-makers in your country what they need to do to make sure the rights of all children in your country are protected and respected.

Find out more: <http://www.commissioner.coe.int>



The European Committee for the Prevention of Torture

The European Committee for the Prevention of Torture visits Member States of the Council of Europe to investigate how people who are locked up are treated. It tries to make sure people are protected from torture, inhuman treatment and humiliation.

The Committee visits child prisons, adult prisons, police stations, immigration centres and hospitals. After a visit, the Committee sends a report to the government of the country it has visited, with recommendations on the things they need to do to protect the human rights of people who are locked up.

Organisations and individuals, including children, can write to the Committee about rights violations, and ask it to visit their country to investigate.

Find out more: <http://www.cpt.coe.int/en/about.htm>

The European Committee of Social Rights

The European Committee of Social Rights is a group of human rights experts that checks how well countries are putting the European Social Charter into practice.

The European Social Charter sets out the social and economic rights of people living in Europe. 38 countries have agreed to follow it. It has been in place in Europe for almost 50 years.

The European Social Charter gives certain rights to children, including the right to be protected from violence and harmful work, and the right to health care and education. It also protects the rights of children in trouble with the law. Governments have to report to the Committee every 4 years to say what they are doing to put the Charter into practice.

What you can do:



If your country has agreed to the extra rules to the European Social Charter, and your government has ignored your rights in the charter, you can take a human rights complaint to the European Committee of Social Rights. Before going to the Committee, you must try and get the problem solved in your own country.

Children's commissioners or children's ombudsmen

A children's commissioner or children's ombudsman is an independent champion for children. Many countries have a children's commissioner. While their jobs are not all the same, children's commissioners generally:

- Promote and protect the rights and best interests of children
- Make sure decision-makers listen to the views of children
- Strengthen the rights children have in national laws.

Children's commissioners use children's views to push for change in law and policy affecting children. They also make sure that children's views are taken seriously by governments. This includes telling European and international decision-makers about what children have to say.

Some children's commissioners or ombudsmen can investigate complaints from children about when their rights have been ignored.

You can find out whether your country has a children's commissioner by visiting the European Network of Ombudspersons for Children: <http://crin.org/enoc/members/index.asp>



Other chances to have your say

Days of General Discussion



A Day of General Discussion is held by the UN Committee on the Rights of the Child once a year to think about what different rights in the Convention on the Rights of the Child mean for children.

Governments, UN human rights experts, the Committee on the Rights of the Child, NGOs, national human rights institutions (like children's commissioners or ombudsmen) and children and young people take part in Days of General Discussion.

Children's rights issues that have been covered include:

- The right to be protected from all forms of violence
- The right to education in emergency situations
- The right to be heard and have their say
- Children with disabilities
- Children and the media
- The role of the family
- Children's rights for very young children.

The UN Committee makes a report setting out recommendations after each Day of General Discussion. These can be used by people to campaign for better children's rights protection in their own countries.

In the past, some of these reports have led to General Comments from the Committee. General Comments give detailed advice to governments and others about how different rights in the CRC should be put into practice.

Other human rights committees also hold days of general discussions.

Find out more about the Days of General Discussion:

<http://www2.ohchr.org/english/bodies/crc/discussion2008.htm>

Find out more about General Comments on children's rights:

<http://www2.ohchr.org/english/bodies/crc/comments.htm>

Special Sessions at the UN General Assembly

The UN General Assembly is where the members of the UN meet together to make decisions. The UN General Assembly meets in New York. Special Sessions are called by the UN Secretary-General. Special Sessions focus on one main theme, issue or country.

Heads of state, prime ministers and important government officials take part in these sessions. NGOs are also invited.

In 2002, a **Special Session on Children** was held. It was the first session that officially invited children to talk to governments about what needs to be done to help children enjoy their rights. It aimed to make sure all UN Member States were committed to children's rights.

A follow-up meeting was held 5 years later in 2007 – where children also took part – to see if governments had made progress in children's rights. In these sessions, children spoke directly to the UN General Assembly as well as taking part in smaller meetings.

Special Sessions have been held on lots of different topics including children, HIV/AIDS, the environment, drug abuse, the development of society and apartheid.

Find out more about Special Sessions:
<http://www.un.org/ga/sessions/special.shtml>

UN Programme on Youth

Every month, the UN Programme on Youth runs a consultation with young people aged 15 to 24 through Facebook to find out what they think about a particular issue. This has included finding out what young people think can be done to make sure they have a real say in their communities.

Find out more: <http://www.unyouth.com/>





The G8 and J8

The **G8** stands for “Group of 8”. It is made up of 8 countries – Canada, France, Germany, Italy, Japan, Russia, the United Kingdom and the United States of America.

The heads of the governments in these countries meet once a year at the G8 summit. Their ministers (elected officials in charge of certain issues) also meet separately throughout the year to talk about issues including money, the environment and foreign policy (relationships with other countries). The President of the European Union also takes part in these meetings.

Junior 8 – better known as J8 – brings together children aged 14 to 17 from all over the world to talk to world leaders at the G8 summit. The J8 summit includes children from countries not in the G8, and children are chosen through competitions in their countries.

Find out more: <http://www.j8summit.com/>

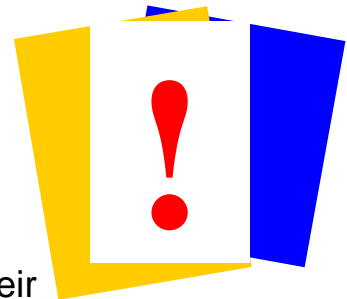
The G20

Children can also influence discussions at the **G20** summits. The G20 which involves finance ministers (politicians who are in charge of money matters for the government) from 19 countries and the European Union. The G20 includes all the G8 countries along with others including Australia, China, South Africa and South Korea. The G20 meets twice a year.

Find out which countries are in the G20: <http://www.g20.org/>

If your rights are ignored

If you think your rights have been ignored, you should first talk to a children's rights organisation in your country. They can help you to get legal advice if you want to take action to protect your rights.



There are European and international courts and committees that hear cases from people who think their rights have been ignored by their governments. You can usually only take a case to these if you have already tried to resolve your problem through the courts in your own country.

Complaining to the United Nations

Some international human rights treaties have rules that let people bring complaints straight to the United Nations if they feel their rights have been ignored by their government, and they cannot solve the issue in their own country.

These are called **communications procedures**. They allow individuals, groups or their representatives who think their rights have been ignored to bring a complaint directly to the UN.

You can only bring a complaint to the UN if your country has signed up to the part of the human rights treaty that lets people make complaints. You can find out which treaties your country has signed up to at <http://www.crin.org>.

In March 2010, the United Nations agreed to write a new communications procedure allowing the UN Committee on the Rights of the Child to examine complaints from individual children and their representatives if they think their rights have been ignored. It is hoped that this new communications procedure will be ready for countries to sign up to in December 2011.

The European Court of Human Rights

The European Convention on Human Rights (ECHR) is an important treaty that was agreed by the Council of Europe in 1950. The ECHR protects civil and political rights, such as the right to a fair trial, the right to express your views, the right to life and the right to privacy.

The ECHR has its own court in France called the European Court of Human Rights. People (including children) who think their government has failed to protect their rights under the ECHR, or has acted against their rights, can take their case to this court. All governments must respect the Court's decision. A person can only go to the European Court once he or she has taken his or her case through the courts in their own country.

National NGOs often use judgments from the European Court to push for changes in the law so that human rights are better protected in their country.

The European Court of Justice



The European Court of Justice is the highest court in the European Union. It was set up in 1952 and is based in Luxembourg. There are 27 judges – one from each EU state, and their job is to make it clear how European law should be carried out in different situations. This is called “interpreting European law”. This is important for children because it can influence how far children’s rights are protected under different European laws.

Petition the European Parliament

Anyone living in an EU Member State has the right to send a petition to the European Parliament. This right lets individual people send complaints to the EU. Your complaint must be about an issue that the EU is responsible for.

The petition can be about something that just affects you, or it can ask the European Parliament to take a position on something that is a matter of public interest. This includes human rights issues. The European Parliament has to answer your petition.

Find out more: <https://www.secure.europarl.europa.eu/parliament/public/petition/secured/submit.do?language=EN>

Finding out more

Some of the human rights treaties that set out your rights are listed here:



[Universal Declaration of Human Rights](#)

[International Covenant on Civil and Political Rights](#)

[International Covenant on Economic, Social and Cultural Rights](#)

[European Convention on Human Rights](#)

[UN Convention on the Elimination of Discrimination Against Women](#)

[UN Convention on the Elimination of Racial Discrimination](#)

[UN Convention Against Torture](#)

[UN Convention on the Rights of the Child](#)

[UN Convention on the Rights of Persons with Disabilities](#)

[EU Charter of Fundamental Rights](#)

[Council of Europe human rights treaties](#)

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Notes



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