



JOINING FORCES
For All Children



**Childhood
& Youth Studies**
MHSES / The University of Edinburgh



POLICY ASSESSMENT

National governance and infrastructures supporting
children and young people's collective participation in
public decision-making

EL
SALVADOR

INDONESIA

KENYA

PERU

SENEGAL

UGANDA

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INTRODUCTION

In recent years, many countries around the world have made significant efforts to uphold children and young people's human rights. However, children and young people's opinions are not always heard and their inclusion in decision-making processes is often limited, with many political rights reserved exclusively for adults. There is a prevailing perception that children and young people lack the cognitive capacity to contribute meaningfully to complex policy discussions and they are frequently seen as passive agents. Legal frameworks often fail to recognise children and young people's rights to participate and there is a lack of child-friendly infrastructures.

This report presents the outcomes of the policy assessment carried out in El Salvador, Indonesia, Kenya, Peru, Senegal and Uganda. The assessment examined documents and studies published from January 2013 to August 2023, and current legislation and policy. The primary focus was on identifying national governance structures, and infrastructural components and mechanisms associated with upholding, fulfilling and bolstering the participation rights of children and young people in public decision-making processes. Alongside the documentary review, complementary interviews were conducted with stakeholders. Consideration was given to what is legally required and what is promoted but not legally required by State policy. Within this report, some limited references are made to other initiatives, such as those supported by civil society organisations, if mentioned by those interviewed. Further information on the methodology can be found in the Appendix.

To conduct the assessment, we used the list of indicators provided in *A Toolkit for Monitoring and Evaluating Children's Participation*¹. This Toolkit has 25 indicators. They were collaboratively designed to assess "the extent to which there is a respectful and supportive environment for children and young people's right to participation"² in a given country or context.

The Toolkit offers three categories of indicators, which are used to organise this report:

- *Protecting the right to participate*. These are structural and process indicators that establish whether there is a sufficient legislative and policy framework to support every child and young person's right to be heard.
- *Promoting awareness of and commitment to participation*. These are process indicators that ensure that children and young people are aware of their rights to participate and adults receive the necessary training to support children and young people's participation rights.
- *Creating spaces for participation*. These process indicators offer a set of criteria for the essential systems and structures that empower children and young people to participate.

For this policy assessment, we selected 13 indicators from the total 25 indicators, focusing on those related to collective public decision-making. Outcome indicators were then used to assess whether the structural and process measures were achieving actual change.

The report below provides a brief contextual description of children and young people's participation in El Salvador, Indonesia, Kenya, Peru, Senegal and Uganda. It then has three sections, following the three categories of indicators cited above: (1) Protecting the right to participate, (2) Promoting awareness of and commitment to participation and (3) Creating spaces for participation. For each country, at the end there is a summary of key legislation and government structures.

While information on budgetary allocations was sought in the documentary review and interviews, limited information was identified on these specific indicators. However, where budgetary information was available, it is included below.



EL SALVADOR

COUNTRY-CONTEXT

El Salvador is a central American country that is home to more than 6 million people³, of which almost 2 million (1,741,148) are children and young people⁴. Thus, three out of every ten people in El Salvador are below the age of 18.

The country has shown its commitment to children and young people's rights at the international level by ratifying the United Nations Convention on the Rights of the Child in 1990. Since then, El Salvador has made substantial progress in ensuring children and young people's rights. In 2016, El Salvador became a pathfinding country, a strategy promoted by the Global Partnership to End Violence Against Children, which required El Salvador to commit to enhancing its efforts to end violence against children and young people in the country. The 2021 Household Multiple Purpose Survey indicates that the majority of children and young people have entered the education system⁵. Specifically, 83.7% of children between the ages of 4 and 12 reported attending school, while 82% of young people aged 12 to 17 did so.

However, despite this progress, many challenges persist. The country has a history of violence, including criminal gangs known as "maras". In 2017, El Salvador registered the highest homicide rate in the Americas (60.0 people per 100,000)⁶; statistics indicate that homicides are primarily concentrated among males and the youth population. In 2017, youth aged 15 to 29 accounted for 52% of all homicide victims⁷. In the last years, the current government has undertaken several measures to end violence. Although the school dropout rate is low (7.1% of those in primary education)⁸, it remains a concerning phenomenon as many families decide not to send their children and young people to school for a variety of reasons. These include criminal violence and limited economic resources to cover school-related costs. Significant social and economic disparities exist between the urban and rural areas, as well as between genders, leading to a pronounced level of exclusion within the population. On a national scale, 24.6% of households live in poverty, of which 7.8% are in extreme poverty and 16.8% are grappling with relative poverty⁹.

Regarding children's health indicators, between 2007 and 2021, infant mortality in El Salvador decreased from 21.5 to 9.3 per 1000 live births, marking a 56.7% reduction¹⁰. The percentage of low-birth-weight births (less than 2500 g) increased from 8% to 9.1% between 2004 and 2020¹¹. Regarding immunisation strategy, measles vaccination coverage was 65% in 2022, a 32 percentage point decrease from the 2000 coverage rate¹².

Concerns relating to children and young people's rights have been raised in relation to child labour issues, and unaccompanied and separated children and young people. Data from the 2021 Household Survey revealed that 6.1% of children and young people (81,164 boys and girls aged 5 to 16) were engaged in child labour¹³. Over a third of children and young people under the age of 18 (35.5%) were found to live without one or both parents due to various reasons, such as migration or the death of caregivers¹⁴.

Migration significantly impacts children and young people. Migration flows often serve as a crucial adaptation strategy for families in the country, forming the cornerstone of households' survival by capitalising on opportunities in destination countries and the economic remittances sent back to families and communities at home¹⁵. The United Nations has emphasized the importance of safeguarding the rights of migrant children and young people and those who return.

A. PROTECTING THE RIGHT TO PARTICIPATE

Indicator 1. The right to participate is included in national laws or constitutions.

The 1984 Constitution of El Salvador incorporates certain rights related to the right to participation for all individuals¹⁶. Article 6 addresses “the right to freedom of expression and dissemination of thoughts, provided it does not undermine public order or violate morals, honor, or private life”. Additionally, Article 7 concerns “the right to free and peaceful association”. However, there is no explicit mention of the right of citizens to participate in the design and implementation of public policies, nor is there a reference to the specific right of children and young people to participate.

The national legislation concerning children and young people is known as the “Crecer Juntos” [Grow Together] law. It includes children and young people’s right to participate. This legislation was approved in 2022, repealing the former Comprehensive Law for the Protection of Childhood and Young People (LEPINA)¹⁷. It dissolved the Salvadoran Institute for the Comprehensive Development of Children and Young People (ISNA) along with the National Council for Childhood and Young People (CONNA), merging their functions into the National Council for Childhood and Young People (CONAPINA)¹⁸.

Regarding sectoral laws, the Ley Nacional de Educación [National Law on Education] covers rights related to children and young people’s right to be heard in education settings and to be involved in school management¹⁹. This point will be further discussed later in the report (see indicator 4). Participant A stated that children and young people in schools are currently more aware of their rights than they were 10 years ago, such as their right to be heard or their right to not be subjected to physical punishment. However, there is still work to be done to ensure that more children, young people, families and policymakers understand the importance of these rights and how to exercise them.

An analysis of children and young people’s rights in El Salvador, conducted by Educo in 2018²⁰, concluded that, while the right to participate is within the Salvadoran legal framework, implementation of this rights needs to be strengthened. Similarly, interviewees concluded that the Salvadoran legal framework is not sufficient for the implementation of meaningful children and young people’s participation. They added that more training, resources and commitment from policy decision-makers are needed.

Indicator 2. An independent commissioner or ombudsman is established.

The Procuraduría de defensa de derechos humanos [Office for the Defense of Human Rights]²¹ has an office in charge of children and young people’s issues: the Office for the Defense of Children and Youth Rights. This institution is part of the Public Ministry and has a permanent and independent nature, with its own juridical personality and administrative autonomy. Its objective is to ensure the protection and promotion of children and young people’s rights.

The Salvadoran legal framework acknowledges the Office for the Defense of Children and Youth Rights as part of the National child protection system and as a safeguard for children and young people’s rights. The Office for Defense of Children and Youth Rights carries out training that targets children and young people, as well as adults, to promote children and young people’s right to participate²². However, one interviewee reflected that, while this office aims to receive complaints or reports from both children and young people as well as adults, very few children and young people approach the office directly (Participant C).

Indicator 3. Public service complaints mechanisms and means of redress are in place.

The Grow Together law defines children and young people's right to petition and response²³. Children and young people have the right to present respectful individual or collective requests to any legally constituted authority and receive timely, age-appropriate and understandable responses. They can exercise this right directly. However, the law also allows parents and representatives to set limits on what children and young people can do. The law requires accessible communication mechanisms to support children and young people's petitioning, including technical support, such as sign language, braille or translators. Petitioners must provide identity and contact information.

At the time of writing this report, the CONAPINA has a dedicated section on its website²⁴ that provides information about the procedures for reporting complaints or concerns related to children and young people's issues. These reporting mechanisms include using Juntas de Protección de la niñez y la adolescencia [Protection Boards for Childhood and Adolescence], contacting the 119 hotline and sending direct messages via Facebook or Twitter. The Protection Boards are departmental units under the CONAPINA. Their primary function is to safeguard the rights of children and young people. The reporting mechanisms all aim to receive reports of violations or threats to individual or collective groups of children and young people. The Protection Boards are responsible for conducting initial investigations and subsequently forwarding the gathered information to the Local Committee on the Rights of Children and Adolescents and CONAPINA to proceed in accordance with the provisions of the current legislation²⁵.

The Protection Boards can receive complaints from children and young people. However, the records show that the majority of complaints are from adults who cite concerns about violence against children and young people, such as maltreatment, sexual violence or neglect²⁶. Out of the 23,388 cases received by the Protection Boards in 2021, only 9 were related to the right to participate, 4 related to the right of petition, 2 related to the right to express one's views and be heard and 1 related to the right to freedom of thought, conscience and religion, and the right to freedom of association²⁷.

As mentioned in indicator 2, the Office for the Defence of Children and Youth Rights is an independent entity within the government infrastructure that can also receive complaints on issues relating to children and young people's rights. However, Participant C noted that, like the Protection Boards, very few children and young people use its services directly.

Indicator 4. Children and young people are entitled to democratic structures in schools.

The Ministry of Education has invested significant efforts in designing strategies to enable children and young people to exercise their right to participate within schools. However, as mentioned by interviewees, implementation of the strategies varies across the country. The General Law of Education stipulates that students' involvement in schools' management is both a right and a responsibility²⁸. This law delineates various student rights, encompassing their entitlement to associate, participate in decision-making and make demands.

Art. 90. General Law of Education. Students' rights are:

- Freely associate and hold peaceful meetings, with the only limitations provided for in the Constitution of the Republic and other laws; and, with protection of morality and health.
- Participate in the formation and activities of the student council and be democratically elected as a member of the School Board of Directors of the educational institution where they study.
- Demand the protection of their rights before the School Administration, the School Board of Directors, the Teachers' Boards and Tribunal, the Attorney for Children's Rights, and the Constitutional Chamber of the Supreme Court of Justice.²⁹

The National Policy for Coexistence and Culture of Peace (2021)³⁰ sets out guidelines to build safe, inclusive and accessible schools, and includes students' participation as one of its lines of action. To achieve this, the policy proposes two strategies: improving students' leadership skills and providing spaces for diverse student participation in decision-making processes.

While there is not a specific national policy to promote children and young people's participation in schools, the Ministry of Education (MINED) has developed various guidelines, including: the "Student Participation Manual for School Coexistence"; the "Guide for Implementing the School Government in Educational Centres" and a toolbox for teachers and educators titled, "Citizenship, Memory, and Culture of Peace in El Salvador: Coexistence and Culture of Peace".³¹

The "Student Participation Manual for School Coexistence" by MINED³² delineates various participation mechanisms within schools, offering guidance to teachers and principals on how to implement these mechanisms effectively. Two mechanisms, Students' Leadership Boards and School Boards (also known as students' government), focus on fostering children and young people's involvement in decision-making relating to school management. The manual also includes mechanisms designed to involve students in initiatives that foster safe and inclusive schools (e.g., mediation teams and the Committee for the Prevention of Gender-Based Violence) and to provide educational support to other children and young people (e.g., accompaniment program).

The General Law of Education regulates students' rights to participate in Student Leadership Boards and to be elected to School Boards³³. The Student Leadership Boards function as participatory mechanisms at the classroom level, overseeing students' interests and serving as mediators between school authorities and students. School Boards operate at the school level and consist of two students (elected from the group of student leaders) alongside the school headteacher (serving as chairperson and legal representative), three parents (one of whom is the treasurer), and two teachers (one of whom is the secretary).³⁴

The education sector has made good progress regarding children and young people's right to participate at schools, and this is evidenced in the Young Voice survey in 2016 that collected the data from 3,346 young people from all the departments in the country³⁵. Education was most frequently mentioned by participants when asked in what area they had been involved during the past year (45%) or the area in which they would like to participate in the future (25%). However, several challenges persist in promoting meaningful participation in decision-making and school management, as evidenced by a qualitative study on student governments in the department of La Libertad³⁶. The researcher conducted interviews and focus groups with staff from MINED, as well as with adults, children and young people in schools. The study identified challenges, including power dynamics leading to adult-centric decision-making and the assignment of roles based on value judgments and gender norms. Similarly, one interviewee (Participant B) mentioned that, despite the existence of guidelines, teachers often decide who can participate on the Student Leadership Boards, and tend to include more men and those students with the best grades.

The study by Chicas (2021) in the department of La Libertad found that the implementation of participatory mechanisms depended on the availability of technical and financial support from non-governmental organisations. The study also found that headteachers and teachers lack understanding about how to implement the mechanisms, and were confused by their roles and responsibilities. Similarly, interviewees in our policy assessment stated that implementation of participatory mechanisms in schools varies across the country because not all schools possess sufficient economic resources, and many teachers lack the commitment and skills to foster meaningful engagement.

In the Young Voice survey, when participants were asked on their actual engagement in participation spaces or real situations at schools, only 34.6% stated that they had been able to participate effectively³⁷. This policy assessment did not find systemised data regarding the number of schools that have adopted School Boards and the extent of student involvement within them.

One interviewee (Participant A) in our policy review highlighted that children and young people with disabilities encounter several challenges impeding their participation in children and young people's organisations, both within schools and at the community level. Among children and young people with disabilities, those with cognitive or severe physical disabilities face greater barriers. This policy assessment did not find specific guidelines to promote the participation of children and young people with disabilities.

Indicator 5. Children and young people have the right to establish their own organisations.

El Salvador has included the right of children and young people to have their own organisations in its legal framework and has developed strategies to document data in this regard; however, political and social aspects might hinder implementation of this right.

The Grow Together Law outlines children and young people's right to freely associate and assemble. Children and young people can form non-profit associations, including assigning leadership roles to children and young people. The State promotes local, departmental, municipal and community associations, especially those focused on promoting and protecting children and young people's rights (Art 107)³⁸. Furthermore, the law states that children and young people have the right to assemble in public or private spaces for lawful and peaceful purposes, while respecting the safety, rights and freedoms of others as defined by law. The State is responsible for promoting and respecting spaces for gatherings, and public officials must be trained to ensure the free exercise of this right.

In 2014, UNICEF released a report on the status of children and young people's rights in El Salvador, highlighting the absence of national statistics on children and young people's organisations³⁹. As of August 2023, when this report was written, the CONAPINA observatory published statistics in this area, revealing the involvement of 4,525 children in child-led organisations⁴⁰. Although the data did not offer specifics on the organisation type nor participants' characteristics, it represents a substantial effort to document information that was previously unavailable.

According to the periodic report of El Salvador to the UN Committee on the Rights of the Child (published 2018), the State has provided economic support for children and young people's organisations. The National Institute for Youth provided technical support to establish 40 associations for young people, waiving the fees that would otherwise be payable to the Register of Not-for-Profit Associations and Foundations⁴¹.

As warned by Participants B and C, in recent years, strategies to end criminal violence may have affected the right of children and young people to freely associate. The Constitution provides for the freedoms of peaceful assembly and association. However, these freedoms were temporarily suspended in March 2022 when the Salvadorian Government declared a "State of Exception" in response to severe disruptions caused by criminal groups threatening the safety, peace and security of the Salvadoran population. As of the time of writing this report, the Government has extended the state of exception⁴². Although the law aims to curb violence in El Salvador, experts are concerned about its impact on children and young people's right to participate; while the "State of Exception" does not restrict meetings or associations for religious, cultural, economic or sporting purposes, experts believe that it may lead to increased fear of incarceration, which could prevent children and young people from organising themselves or gathering with other children and young people⁴³. In 2018, the State Party's Report to the UN Committee on the Rights of the Child warned about this issue, even before the "State of Exception" had been implemented, saying that they have noted that prevailing criminal environment may lead to children and young people being "stigmatised" by State security forces. They therefore recommend that more be done to ensure that children and young people are treated with dignity and respect in institutions and that their right to freedom of association is observed⁴⁴.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 1: The right to participate is included in national laws or constitutions.

★ ★ ★ Moderate provision

The Constitution provides participation rights for all citizens, and community participation is a principle of national development. While the legal framework does not explicitly specify that children and young people have the right to participate in the design of public policies, the Grow Together Law and the General Education Law recognise the right of children and young people to express their views and have them considered seriously at the school level. The legal framework needs to be enhanced with training, resources and commitment from policymakers.

Indicator 2: An independent commissioner or ombudsperson is established.

★ ★ ★ Moderate provision

El Salvador has the Office for the Defense of Human Rights, an independent entity. While this office aims to receive complaints or reports from both children and young people as well as adults, very few children and young people approach the office directly.

Indicator 3: Public service complaints mechanisms and means of redress are in place.

★ ★ Limited provision

The law recognises children and young people's right to petition and response, and there are Protection Boards as well as the Office for the Defense of Human Rights to receive complaints and other reports from children and young people. However, there is a need to strengthen strategies for children and young people to actively use these mechanisms.

Indicator 4: Children and young people are entitled to democratic structures in schools.

★ ★ Limited provision

Students' Leadership Boards and School Boards are not currently promoted nationally. Their implementation depends on the resources and skills of each school. Research suggests that children and young people's participation in schools could be improved.

Indicator 5: Children and young people have the right to establish their own organisations.

★ ★ Limited provision

The law acknowledges that children and young people have the right to associate, and there are mechanisms for this. However, no information was found to understand the status or operation of such organisations. Furthermore, in recent years, strategies to combat criminal violence have potentially affected the right of children and young people to freely associate.

B. PROMOTING AWARENESS OF AND COMMITMENT TO PARTICIPATION

Indicator 6. Children and young people have access to independent information from a wide range of sources.

This policy assessment did not identify documented strategies for children and young people to access independent information. Nonetheless, certain legal frameworks facilitate children and young people's access to information and safeguard them from harmful content in media.

The Grow Together Law states that children and young people have the right to access, receive and utilise information from various channels, under the guidance of their parents, guardians or legal representatives, taking their developmental stage into account and within legal limitations. The law establishes that family, society and the State share responsibility for ensuring that children and young people can access diverse, accurate and age-appropriate information. Public and private media, information and telecommunication service providers, as well as individuals and entities generating, distributing and broadcasting content, are required to establish age-based user profiles and content⁴⁵.

The legal framework also states that the children and young people should be protected from harmful material in the media. This includes material that is discriminatory or refers to any form of violence, pornography, alcohol or drug consumption, as well as material that exploits the fears or immaturity of children and young people to steer them into harmful or perilous behaviours⁴⁶. However, as highlighted in a report prepared by UNICEF in 2014, children and young people's programming on both national and cable television nonetheless exhibits a significant level of physical, verbal and psychological violence⁴⁷.

Interviewees (Participants A, B and C) stated that El Salvador lacks independent media channels suitable for children and young people. They pointed out that all public television is geared towards adults. Participant C noted that during the global COVID-19 pandemic, national television was utilised for the "Learn at Home" strategy to ensure educational continuity and inform children and young people about pandemic-related situations. However, post-pandemic, the dedicated television segment for children and young people disappeared. This could have been an opportunity to establish a segment providing informational content tailored to children and young people.

Indicator 7. Government information is available in child-friendly and appropriate formats.

The Grow Together Law says that the State is the responsible for ensuring that children and young people access public information; however, the policy assessment did not find that information about statistics or strategies implemented by the State is provided in child-friendly and appropriate formats.

Article 101 of the Grow Together Law requires the State to grant all children and young people access to public information services. This includes libraries in physical and virtual formats, tailored to their informational needs, that encompass cultural, scientific, artistic, recreational and sports-related information. The law also states that national or local public library services and other information facilities must be accessible, inclusive and accommodating to children and young people with disabilities.

El Salvador has a portal where access to public policy documents and accountability reports is available (see <https://www.transparencia.gob.sv/>). However, as mentioned by all three interviewees, this information is not tailored for children and young people, thus limiting their access to such information.

Indicator 8. Child rights training is provided for professionals and policymakers working with children and young people.

As was reported to the UN Committee on the Rights of the Child, El Salvador has made considerable progress in providing training for policy makers and professionals who work with children and young people⁴⁸. According to these reports, the State has provided courses and trainings on several topics, particularly related to child protection. These have included a rights-based approach, investigation of threats to, or violations of, the rights of children and young people, comprehensive care for children and young people in conditions of vulnerability, inter-institutional protocols to prevent, detect and refer children and young people in situations of child labour, and protection of the rights of children and young people against groups of maras or gangs. No further information was identified on training specifically on children and young people's participation.

Participant B highlighted that the adults overseeing participation policies in schools and government typically lack sufficient training in this area. The interviewee noted that negative beliefs create further obstacles to young people's participation. He clarified that, in El Salvador, there are widespread beliefs that suggest that young people are a "risk": advocating for their involvement in decision-making spaces is therefore understood to possibly have adverse effects. According to this interviewee, these beliefs are inaccurately tied to the history of community violence attributed to gangs, leading to a baseless generalization about all young people.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 6: Children and young people have access to independent information from a wide range of sources.

★ ★ Limited provision

While the Law recognises children and young people's right to access to information, El Salvador lacks independent media channels suitable for children and young people.

Indicator 7: Government information is available in child-friendly and appropriate formats.

★ ★ Limited provision

El Salvador has a platform for publishing government information; however, there is a need to strengthen mechanisms to tailor them for children and young people.

Indicator 8: Child rights training is provided for professionals and policymakers working with children and young people.

★ ★ ★ Moderate provision

El Salvador has made significant progress in providing training for policymakers and professionals working with children and young people. However, it is necessary to strengthen the training to provide tools that promote meaningful participation. Additionally, there is a need to encourage questioning of certain social norms about childhood and youth that limit children and young people's right to participation.

C. CREATING SPACES FOR PARTICIPATION

Indicator 9. Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

The Grow Together law establishes that children and young people have the right to express their views, to be heard individually or collectively, and to seek, receive and share information and ideas through various means⁴⁹. The law also states that family, society and the State should provide spaces in which this can happen. The law stresses that children and young people's opinions should be gathered using appropriate methods, and these opinions must be documented to inform decisions.

During recent years, El Salvador has undertaken consultations with children and young people to inform key national policies. The National Advisory Council for Childhood and Young People, established in 2014, was consulted during the preparation of the National Five-Year Development Plan 2014-2019⁵⁰. As further described in indicator 11, the National Advisory Council for Childhood and Young People is the mechanism at the national level for engaging children and young people in public-decision making.

To inform the National Policy on Comprehensive Protection for Children and Young People, 3,784 children and young people participated in consultations as part of the policy development process. Young people were also consulted about the National Youth Policy and the National Mental Health Policy in 2011, and the National Policy on Sexual and Reproductive Health, the National Policy on Social Participation in Health and the Guidelines for the Care of Young People and Young People in 2012⁵¹.

However, surveys conducted with children and young people across the country reveal that they do not feel that their opinions are heard nor inform authorities' decision-making. In the Young Voice El Salvador survey, only 2.8% of those surveyed felt that they have been able to express their opinions on matters which they consider important. Yet, 97% of participants said that it is important for children and young people to be heard by the authorities⁵². Studies with children and young people reveal that they do not feel engaged in the preparation of policies or programs, and that they feel that adults make decisions even when children and young people are consulted⁵³. Viera-Crespo (2014) warns that civic engagement of children and young people is challenging in El Salvador, due to a series of factors, including violence and weak youth participation infrastructure. The author calls for more financial resources to implement participatory mechanisms to include children and young people⁵⁴. The three interviewees agreed that mechanisms to consult children and young people are not systematic, but isolated experiences. Participant B explained that, in most cases, children and young people are invited to meetings solely for "decorative" purposes; their opinions are expressed but not considered when designing policies. Further two interviewees noted that children and young people with disabilities or those living in socio-economically vulnerable conditions may encounter numerous obstacles when it comes to their participation in these consultative mechanisms (Participant A and B).

The interviewees attribute the absence of advisory groups at the local level to a lack of budget, insufficient training for staff and prevailing adult-centric perspectives. Non-governmental organisations play a pivotal role in facilitating the establishment of advisory councils, both at the local and national levels. For instance, World Vision, in collaboration with Joining Forces, has implemented initiatives such as webinars and other strategies aimed at promoting the setup of Children's Councils⁵⁵.

Indicator 10. Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

Protection Boards (see indicator 3) receive complaints on children and young people's rights violations. Furthermore, the legal framework indicates that it is the right of children and young people's caregivers to file complaints when access to healthcare is denied⁵⁶. However, this review did not identify any specific mechanisms for children and young people to provide feedback on the quality, accessibility and appropriateness of public services. Participants B and C mentioned that, in some instances, there are complaint books or similar resources, but these are for the general public and not specifically associated with children and young people. Additionally, interviewees reported that, due to adult-centric beliefs, listening to feedback from children and young people is not a common strategy in El Salvador.

Indicator 11. Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

El Salvador has mechanisms for children and young people to be represented in their governance bodies at the national and local levels: the National Advisory Council for Childhood and Young People, the Departmental Advisory Council for Childhood and Young People, and the Municipality Advisory Council for Childhood and Young People. The Advisory Councils are the mechanisms for engaging children and young people in public-decision making.

The National Advisory Council for Childhood and Young People is an assembly of children and young people that functions as a coordinating mechanism, fostering collaboration between children, young people and the CONNA Board of Directors, now known as CONAPINA. With a total membership of 28 children and young people, each department of the country puts forward one boy and one girl for the National Advisory Council⁵⁷.

At the time of writing, no information was found regarding activities organised by the National Advisory Council in the current year.

Regarding the mechanisms at the local level, departments and municipalities are required to have their own councils for children and young people. In 2017, State records indicate that two councils were set up at the departmental level (Cabañas y La Paz departments) and three at the municipality level (Aguilares, Apopa and Soyapango)⁵⁸.

The interviews conducted for this policy assessment attribute the absence of Advisory Councils at the local level to a lack of budget, insufficient training for staff and prevailing adult-centric perspectives. Non-governmental organisations play a pivotal role in facilitating the establishment of advisory councils, both at the local and national levels. Despite a formal mechanism for the participation of children and young people (the Advisory Council for Childhood and Young People), a recent report on children and young people's rights in El Salvador highlighted shortcomings⁵⁹. The mechanism does not consistently meet representation criteria based on geographical areas and diverse groups of children and young people, including those with disabilities, in rural contexts, LGBTIQ+, and others.

Indicator 12. Democratic child-led organisations are established at local and national levels.

The legal framework in El Salvador includes children and young people's right to associate and organise themselves, as addressed in indicator 5. A recent document by CONAPINA shows that 4,525 children and young people are participating in child-led organisations. In addition, despite their limitations, Student Boards (see Indicator 4) and Advisory Councils (see Indicator 11) offer opportunities for children and young people to participate in organisations that can be democratic and child-led.

Indicator 13. Children have access to the media to communicate their views.

Children and young people in El Salvador have access to media, including television, radio and internet. The national legal framework establishes that the State should provide safe spaces for artistic, cultural, social and communicative expression where children and young people can freely share their ideas and opinions⁶⁰. However, no information on projects aiming to increase children and young people's access to media to communicate their views was identified during this review.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 9: Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

★ ★ ★ Moderate provision

The Advisory Council for Childhood and Young People is the primary mechanism to consult children and young people. There are challenges to ensure meaningful participation of children and young people, particularly at the departmental level.

Indicator 10: Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

★ ★ Limited provision

Protection Boards address complaints related to children and young people's rights violations and the Advisory Council for Childhood and Young People could provide opportunities for children and young people to feedback on services and policies. This review did not identify additional mechanisms for children and young people to provide feedback on the quality, accessibility and appropriateness of public services.

Indicator 11: Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

★ ★ ★ Moderate Provision

The Advisory Council for Childhood and Young People at local and national levels is the main mechanism. However, councils are not consistently operating at local levels, and there are several challenges to ensuring the meaningful participation of children and young people.

Indicator 12: Democratic child-led organisations are established at local and national levels.

★ ★ ★ Moderate provision

Student boards (see Indicator 4) and Advisory Councils (see Indicator 11) provide some opportunities for children and young people to participate in organisations.

Indicator 13: Children and young people have access to the media to communicate their views.

★ ★ Limited provision

The legal framework recognises children and young people's right to communicate their views. However, no information on projects aiming to increase children and young people's access to media to communicate their views was identified during this review.

SUMMARY OF LEGISLATION AND GOVERNMENT STRUCTURES

Key legislation for children and young people's participation:

- Constitution of the Republic of El Salvador 1983
- Grow Together Law [Ley Crecer]
- General Law of Education

Key government structures for children and young people's participation:

- Ministry of Education, Science and Technology
- National Council for Early Childhood, Childhood and Young people (CONAPINA)
- Protection Boards
- Local committees [Comités locales]
- National Advisory Council for Childhood and Young People
- Municipality Advisory Council for Childhood and Young People



INDONESIA

COUNTRY-CONTEXT

Indonesia is off the coast of mainland Southeast Asia in the Indian and Pacific Oceans. It comprises more than 17,000 islands and includes more than 1300 different ethnic groups⁶¹. Its country of 277,534,122 people⁶² and nearly 83 million (82,961,631) are children and young people below the age of 18 years⁶³. Thus, 30% of people in Indonesia are below the age of 18.

The country has shown its commitment to enforcing children and young people's human rights at the international level by ratifying the UN Convention on the Rights of the Child (UNCRC) in 1990. Government regulations set out guidelines for human rights that should be considered in the formulation of laws and regulations at every government level. The Constitution of Indonesia, as amended, contains a list of human rights, including specific rights for children and young people. The country's child protection law covers children and young people's rights more generally, including their participation rights.

Indonesia is a highly decentralised country, with 5 government levels⁶⁴. Indonesia is experiencing rapid urbanisation, with two-thirds of the population projected to live in urban areas by 2030⁶⁵. The country is prone to disasters, such as earthquakes, tidal waves, floods, fires and volcanic eruptions⁶⁶.

In 2020, most children and young people completed primary education (97%), with a smaller proportion completing lower secondary education (89%) and upper secondary education (67%)⁶⁷. On average, 7.6% of children and young people between the ages of 7 and 18 are not attending school. The rate is higher for children and young people living in rural areas (10%), those from poorer households (12%) and those with disabilities (30%)⁶⁸. Over three-quarters (79%) of schools in Indonesia lack access to clean water, with more than 44% lacking toilet facilities and more than 50% having no hand-washing facilities⁶⁹.

Child poverty has significantly reduced over the last two decades. As of 2022, 4% of children and young people were living in households of extreme poverty⁷⁰. In 2020, 10% of children and young people were living below the national poverty line⁷¹. Poverty rates are higher in rural areas than in urban areas, but children and young people also experience disadvantage in urban areas: for example, informal settlements in urban areas may have limited access to basic services⁷². Poverty rates differ considerably by province⁷³. The COVID-19 pandemic, and its ensuing policy responses, resulted in one in four families experiencing reduced incomes during the pandemic⁷⁴.

According to 2017 data, 16% per cent of women aged 20 to 24 years were married or in a union before the age of 18⁷⁵. Furthermore, from a survey undertaken in 2018, UNICEF reports high rates of violence against children and young people: 62% of surveyed children and young people reported experiencing one or more forms of violence during the course of their lives, with girls more likely to experience sexual violence and emotional violence than boys⁷⁶. Violence was also reported in schools. Twenty percent of boys and 7.5% of girls reported being beaten, slapped or intentionally physically harmed by teachers during a 12-month time period⁷⁷. UNICEF notes that Indonesia is a major destination and transit country for child trafficking, whether for sexual or labour exploitation⁷⁸. There is limited information on child labour: an indicative but limited survey from 2018 estimated that more than 7% of children and young people aged 10-17 were working⁷⁹. Concerns have been raised about children and young people living and working on the streets, although reported statistics on the number of affected children and young people differ considerably⁸⁰.

Child mortality for children and young people under the age of 5 has significantly reduced since 1990⁸¹. Nonetheless, 22 children and young people out of every 1000 die before the age of five⁸². Neonatal mortality (i.e. a child's death in the first 28 days of their life) has not reduced as significantly as child mortality overall⁸³. Vaccinations rates have improved, but as of 2017 only 65% of 1-year olds had received all their vaccinations. Vaccination rates are also considerably lower amongst the poorer households⁸⁴. Air pollution is noted as a particular health risk factor for children⁸⁵.

In short, Indonesia has made notable progress in establishing children and young people's rights in legislation and in many Sustainable Development Goal indicators. It faces certain challenges, as articulated by UNICEF in 2020: growing inequalities between households and between rural and urban areas; rapid urbanisation; weaker public sector capacity at sub-national government levels; and the country's vulnerability to environmental changes⁸⁶.

Country-Context

A. PROTECTING THE RIGHT TO PARTICIPATE

Indicator 1. The right to participate is included in national laws or constitutions.

All citizens have constitutional rights to participate, including children and young people. The 1945 Constitution of the Republic of Indonesia, as amended, contains a section on human rights. These rights include:

- "The freedom to associate and to assemble, to express thought verbally and in writing and else [sic] shall be stipulated by laws." (Article 28)
- "Every person shall be entitled for self-advancement in the struggle of his/her rights collectively in order to develop the society, the nation, and his/her country." (Article 28C(2))
- "Every person shall be entitled to freedom to associate, to assemble, and of expression." (Article 28E(3))
- "Every person is entitled to communicate and to obtain information for the development of his/her personality and social environment, as well as be entitled to seek, to obtain, to own, to store, to process, and to convey information by means of all kinds of available channels." (Article 28F)⁸⁷

In subsequent laws, citizens are guaranteed the right "to express opinions in public, obtain legal protection, and participate in efforts to protect, enforce, and promote human rights" (Law No. 9/1988 and Law No. 39/1999)⁸⁸. Community participation is a principle of national development, as stated in the 2022-2024 Medium Term Development Plan⁸⁹.

Children and young people's rights, including their rights to participate, are not specified in the Constitution: in 2013, the Indonesian NGO Coalition called for this when submitting their report to the UN Committee on the Rights of the Child⁹⁰. Participation rights for children and young people are set out in Law No.23/ 2002 on Child Protection, which was subsequently amended by Law No.35/ 2014. Article 10 states:

*"Every child shall be entitled to speak and have his opinions listened to, and to receive, seek and impart information in accordance with his intellect and age for the sake of his personal development in accordance with the norms of morality and propriety."*⁹¹

In its 2014 Concluding Observations, the UN Committee on the Rights of the Child criticised the qualification of children and young people's participation rights in Article 10 with reference to morality and decency⁹².

Article 56(1) specifies that national government and local government should carry out their responsibilities so that children and young people can participate, are free to express their opinions, are free to receive oral or written information suited to their age and development, and are free to associate and assemble. The

community's role is to "provide space for children to be able to participate and express opinions" (Article 72, section 3[h])⁹³.

Subsequent regulations provide a definition of participation and to whom it applies:

*"the involvement of a person who is not yet 18 years old in the decision-making process about everything related to them and is carried out on the basis of awareness, understanding, and mutual willingness so that the child can enjoy the results or benefit from the decision."*⁹⁴

Octarra and colleagues note that the definition in the regulations does not encapsulate the full range of participation rights outlined in the UNCRC: e.g. that children and young people have the right to express their views freely in all matters affecting them and that these views should be given due weight; the right to information; and the rights to freedom of expression and association⁹⁵.

Youth policy overlaps with childhood policy, as the definition of youth is 16 to 30 years old. Law No. 40/2009 states that youth participation is an important aspect of youth programme policies, including in the formulation, implementation, monitoring and evaluation of policies, and in strategic decision-making on youth programmes⁹⁶.

National statistics collect certain pieces of information on the participation of children and young people aged 10-17. These include the percentage who have participated in social community activities and the percentage who have participated in organisation-based activities other than at school or in the workplace⁹⁷. Octarra and colleagues comment that these statistics are limited; they do not address the impact of children and young people's participation on decision-making nor on children and young people's development or wellbeing⁹⁸.

All interviewees positively commented that the legal underpinnings for children and young people's participation in Indonesia ensure the need for their participation is widely recognised. For example, one interviewee said, "Everyone talks about participation" (Participant B). According to those interviewed, the question thus becomes how well the law is implemented⁹⁹.

In its Concluding Observations in 2014, the UN Committee on the Rights of the Child recommended that the State Party: "amend its legislation in order to avoid any limitation to the child's right to be heard or to express or her views"¹⁰⁰. The issue of potential legal implications was picked up by one interviewee, who spoke of the "shrinking of civic spaces", with rights to participate safely in public spaces increasingly at risk (Participant C). Kusumaningrum and colleagues discuss legislation which can limit children and young people's participation. For instance, the Electronic Information and Transactions Law (Law No. 19/ 2016) allows the government to "cut off access to prevent the dissemination and use of electronic information containing prohibited content"¹⁰¹. Kusumaningrum and colleagues note that 'prohibited content' is not defined in law, thus leading to a lack of clarity for how this law is interpreted and applied. They also highlight a defamation clause in the Criminal Code, which does not have a legally clear definition. The clause can therefore be applied to "articles on insulting the president and vice president, crimes against public order and crimes against general authorities"¹⁰². Against this backdrop, Kusumaningrum and colleagues' research with young people found that young people are careful, particularly online, when making decisions about what feels safe and what does not, thus narrowing the scope and content of what they express¹⁰³.

In short, the legal rights of children and young people to participate, both generally as citizens and more specifically under Law No.35/ 2014 on Child Protection, have raised the profile of children and young people's participation. This was favourably noted by all those interviewed. However, children and young people's participation rights could be more expansively specified to meet the UNCRC's requirements. There are concerns that certain legislation could criminalise children and young people's participation, leading to them limiting the scope and content of their participation.

Indicator 2. An independent commissioner or ombudsperson is established.

The Indonesian Child Protection Commission (Komisi Perlindungan Anak Indonesia, KPAI) oversees and supervises the implementation of child protection across all government levels. This includes supervising the protection and fulfilment of children and young people's rights. The KPAI has duties to receive and review public complaints about violations of children and young people's rights and to mediate on disputes over such violations.¹⁰⁴

In its Concluding Observations in 2014, the UN Committee on the Rights of the Child criticised the KPAI for having a limited mandate and lacking the explicit authority to investigate complaints (although note the KPAI can review or mediate). The Committee recommended more independence for the KPAI in relation to its funding, mandate and immunities.¹⁰⁵ One interviewee noted that the legal regulation that establishes the KPAI (determining, for instance, how people are appointed or how it receives its budget) also limits its ability to be independent (Participant B). All interviewees did not perceive the KPAI to be accessible to children and young people, nor particularly active in promoting their participation rights.

In short, the KPAI provides a structure through which a child or young person could make a complaint in relation to their rights. However, questions were raised about whether the KPAI is sufficiently independent and child-friendly to fulfil the role of an independent commission or ombudsperson for children and young people's rights.

Indicator 3. Public service complaints mechanisms and means of redress are in place.

The KPAI has a duty to receive and review complaints, as listed above (indicator 2). In 2014, the UN Committee on the Rights of the Child noted that the KPAI's authority to investigate complaints was not explicit. It thus recommended that the KPAI's capacity be strengthened "to investigate and address complaints by children in a child-sensitive manner, ensure the privacy and protection of victims, monitor and follow-up cases"¹⁰⁶.

Two interviewees noted that children and young people could make a complaint to the KPAI, as could any other member of the public, but they are not encouraged to do so (Participants A and B). All interviewees noted that the KPAI does not particularly address children and young people's participation rights. One interviewee noted that the KPAI is perceived as being for adults rather than for children and young people; instead, Child Forums are seen as children and young people's route to raise complaints and recommend changes (see indicator 9) (Participant A). Another interviewee noted that the KPAI will deal with a complaint as a case, but not address the wider systemic issues (Participant B).

The State Report to the UN Committee on the Rights of the Child refers to the Children's Social Service Telephone (TePSA) which children and young people can use to report incidents of violence and gain support¹⁰⁷. This is handled by the Ministry of Social Affairs (under the Child Social Rehabilitation Unit). Another hotline (SAPA), handled by the Ministry of Women's Empowerment and Child Protection (MOWECP), has a wider remit, including public complaints¹⁰⁸.

One interviewee (Participant C) spoke of the public feedback mechanism, where anyone can make a complaint to the government about public services¹⁰⁹. There is a website where people can fill in a form and specify to which government level the complaint is directed. However, the platform is not considered child-friendly nor is it promoted particularly to children and young people through schools or other means.

In short, children and young people can complain in several ways, such as making a complaint to KPAI or using the public feedback mechanism on-line. However, neither of these are considered child-friendly nor actively used by children and young people, according to the interviewees. TePSA or the Child Forums (see indicator 9) offer a more child-friendly way to complain, but they do not have legal powers of inquiry, remedy nor redress.

Indicator 4. Children and young people are entitled to democratic structures in schools.

The review found little information about democratic structures in schools: for example, no discussions of such structures are found in the UN Committee on the Rights of the Child's Concluding Observations in 2014 nor the State Report to the UN Committee in 2021.

The Child Forums (see indicator 9), which are supposed to be at every government level across Indonesia, can have a role in decision-making at school¹¹⁰. This is determined by regional regulations¹¹¹ and by school rules. Child-Friendly Cities¹¹² were reported by one interviewee as encouraging students to elect representatives to be involved in school management (Participant A). However, Participant C noted that, although money might be allocated to student bodies for their activities, students typically are not involved in evaluating or implementing school programmes and policies. Another interviewee thought state schooling is not very open to children and young people's participation, although there are positive examples within private sector schooling (Participant B).

Two interviewees mentioned the potential of the new Regulation of the Minister of Education No. 46/2023 on Prevention and Response to Violence in Education Units, which is rolling out a violence prevention programme in schools (Participants B and C)¹¹³. This involves setting up school taskforces, which will gather complaints and reports from children and young people. Participant C also noted that the national pedagogical programme encourages children and young people to be more active in their classroom learning. These two programmes have the potential to make schools generally more open to children and young people's participation.

In short, limited information was found about requirements for children and young people to be democratically involved in school governance, with the exception of Child-Friendly Cities. Children and young people's involvement in school could be promoted by recent programmes and through the Child Forums.

Indicator 5. Children and young people have the right to establish their own organisations.

As stated above, the Constitution states the right of every person to have the freedom to associate (Article 28, Article 28W(3)).

Child Forums have the potential to be child-led organisations, supported by a young facilitator (see indicator 9).

It would be possible for children and young people to establish their own organisations, although largely informally and under other organisational structures, when they are under the age of 18.

From their research on youth participation in climate and environment issues, Kusumaningrum and colleagues note that youth-led activities are increasing in number. Earlier support by civil society organisations and environmental non-governmental organisations has built youth's capacities and skills, to organise their own youth-led communities and activities. The research found that youth-led initiatives would benefit from being more inclusive, extending to younger age groups, non-urban contexts and more diverse socioeconomic groups¹¹⁴.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 1: The right to participate is included in national laws or constitutions.

★ ★ ★ Moderate provision

The Constitution provides participation rights for all citizens, community participation is a principle of national development, and the Child Protection Law outlines participation rights for children and young people. Concerns have been raised about the extent to which national legislation fully captures the UNCRC's requirements relating to children and young people's participation rights. Other laws on electronic communication and defamation may constrain children and young people's participation rights.

Indicator 2: An independent commissioner or ombudsperson is established.

★ ★ Limited provision

The KPAI has been established but lacks independence.

Indicator 3: Public service complaints mechanisms and means of redress are in place.

★ ★ Limited provision

A range of platforms are available for children and young people to raise complaints, including the KPAI, general public feedback mechanisms, child-specific Child Forums and Child-Friendly Cities/ Districts. The first two are not seen as accessible to children and young people, and the latter two are not always impactful.

Indicator 4: Children and young people are entitled to democratic structures in schools.

★ ★ Limited provision

Students councils are not currently promoted nationally, although they can articulate with the Forums and/or Child-Friendly Cities/ Districts. Programmes on violence prevention and participative pedagogy may lead to a greater focus on children and young people's participation in democratic structures in schools.

Indicator 5: Children and young people have the right to establish their own organisations.

★ ★ Limited provision

Citizens generally have the right to associate under the Constitution. Bureaucratic procedures do not facilitate children and young people to formally register their associations. Youth-led organisations are growing, although they are not formally registered.

B. PROMOTING AWARENESS OF AND COMMITMENT TO PARTICIPATION

Indicator 6. Children and young people have access to independent information from a wide range of sources.

As stated above, the Constitution requires that “Every person is entitled to communicate and to obtain information for the development of his/her personality and social environment, as well as be entitled to seek, to obtain, to own, to store, to process, and to convey information by means of all kinds of available channels” (Article 28F)¹¹⁵.

As further discussed under indicator 7, information is publicly available from government or other sources, but it is not necessarily accessible to children and young people.

Indicator 7. Government information is available in child-friendly and appropriate formats.

One interviewee noted the need to improve access to government information for children and young people: “So all government information about this area [education, health, environment, transport] is actually very important for the children to understand. But we found that it is rare that the information is available for children” (Participant A).

Child-friendly information is provided for certain programmes, by the Government. However, two interviewees noted this is most often information that adults prioritise in order for programme objectives to be met (Participants B and C). One interviewee identified some good examples of child-friendly information provision that used comics and songs; however, the interviewee also thought such information needed to be better tailored for particular locations and groups rather than universally provided (Participant B).

In short, government information is generally publicly available but it is not necessarily child-friendly. Certain child-friendly information is available, but often it is to help deliver particular programmes.

Indicator 8. Child rights training is provided for professionals and policymakers working with children and young people.

In 2014, the UN Committee on the Rights of the Child recommended that training for all relevant professionals on the Convention should be strengthened to ensure it was ongoing and systematic¹¹⁶.

As part of Child-Friendly Cities/ Districts, which is strongly promoted nationally (see indicator 10), training is provided to officials centrally and regionally. Participant B noted, though, that the training tends to be ‘mechanistic’, focusing on what is required to establish and run a Child Forum, rather than how to ensure meaningful participation (i.e. how to speak with children and young people, what questions will be important, or how to deal with sensitive issues). All interviewees said that those involved in supporting children and young people’s participation need to pay more attention to the ethics of involving children and young people in Child Forums and particularly to safeguarding issues. One interviewee (Participant A) noted that, while the Child-Friendly City/ District training is widespread, trainers have reported difficulties in knowing what training to provide. As a result, a new standard is currently being developed by the Ministry of Women’s Empowerment and Child Protection (MOWECP) to support training on children and young people’s rights. One interviewee

noted that training on children and young people's participation tends to be targeted at children and young people, whereas adults need to have such training as well (Participant C)¹¹⁷.

The State Report to the UN Committee on the Rights of the Child noted a range of other training for particular professions¹¹⁸.

In short, training is provided on children and young people's rights, particularly through Child-Friendly Cities/ Districts. More specific training for adults on children and young people's participation is recommended, including a wider consideration of how to facilitate meaningful and ethical participation. Training standards are being developed.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 6: Children and young people have access to independent information from a wide range of sources.

★ ★ ★ **Moderate provision**

Children and young people, as citizens, have a right under the Constitution to obtain information. A wide range of information is publicly available. It is not, however, necessarily accessible to children and young people, nor child-friendly if accessed.

Indicator 7: Government information is available in child-friendly and appropriate formats.

★ ★ ★ **Limited provision**

Certain government documents are available in child-friendly formats, typically to help deliver a particular programme or intervention. There is usually just one format for all children and young people.

Indicator 8: Child rights training is provided for professionals and policymakers working with children and young people.

★ ★ ★ **Moderate provision**

Widespread training is provided to professionals and policymakers through Child-Friendly Cities/ Districts. Recommendations have been made to improve this training; these include having minimum training standards and focusing on ensuring meaningful and ethical participation of children and young people.

C. CREATING SPACES FOR PARTICIPATION

Indicator 9. Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

The Child Forum (Forum Anak) was created by the MOWECP, under the Ministry Regulation No. 4/ 2011 on child participation policy and Ministry Regulation No. 8/ 2019 on guidelines for organising children and young people's forums¹¹⁹.

Child Forums are intended to grow from the level of the village through the levels of government to the national level. Child Forums are intended to be managed by children and young people and fostered by the Government as a “platform to listen to the voices and opinions of children and fulfil their aspirations, wants and needs, as part of the development process”¹²⁰. Child Forum members are to be ‘pioneers’ (pelopor). This includes initiating activities and being agents of change to address children and young people's problems in their community, and being ‘reporters’ (pelapor), providing information through state channels on all matters relating to children and young people's rights in their area¹²¹.

The number of Child Forums has been growing. By 2020, 34 provinces had a provincial-level Child Forum and by 2021 there were 458 Forums at city/district level, 1625 at sub-district level and 2694 at village/urban village level¹²². Through the regulations, budgets for Child Forums should be available at all government levels (Participants A and C). Malino and colleagues, however, note that budgets tend to be limited or not available due to budget constraints, and are not always used to strengthen the Child Forums¹²³.

The Child Forums are expected to contribute to development, planning and budgeting through the Musrenbang, which are participatory planning forums open to all community members and should be held at all government levels. Child Forum members can be involved themselves (orally or in writing), or adults can take their views and share them at the Musrenbang. Several Indonesia regions have created child-specific Musrenbang, meeting annually to address children and young people's rights¹²⁴.

While there are no age restrictions on participation in Child Forums, most of the children and young people involved are between the ages of 12 and 18¹²⁵. Ten percent of children and young people involved in a forum should be from particular groups, such as child survivors of violence, children and young people from minority and isolated groups, children and young people with disabilities, and children and young people with HIV/ AIDS¹²⁶. Despite this, concerns are widely expressed that the Child Forums are not sufficiently inclusive¹²⁷. For example, this was raised by the UN Committee on the Rights of the Child in its 2014 Concluding Observations, particularly with reference to children and young people with disabilities and children and young people belonging to religious or ethnic minorities¹²⁸. Octarra and colleagues found that adults' protection of children and young people with disabilities (for example, in an effort to protect them from social stigma in their communities) resulted in their public participation being limited¹²⁹. Malino and colleagues noted that in most Child Forums, more girls are involved than boys, questioning whether the Child Forums' activities sufficiently attractive to boys¹³⁰. One interviewee mentioned that refugee children and young people are also often not included, unless supported by a civil society organisation (Participant B).

Recruitment methods could limit diversity of children involved in the Child Forums. As reported by Octarra and colleagues¹³¹, invitations to Child Forums are typically disseminated through social media and school visits by Child Forum members. These methods are less likely to reach more marginalised children and young people. Local officials also frequently select children and young people to participate on the basis of their good public speaking skills and academic achievements¹³² (also Participant A).

A U-Report survey, undertaken in 2020, found that only 13% of the surveyed 1683 children and young people had participated in forums, such as Child Forums or the Musrenbang. When asked why they had not

participated, 35% reported not knowing how to participate and 23% reported never having been invited. Only 40% of respondents had heard of Child Forums or the Musrenbang. Positively, those responding overwhelmingly (95%) wanted to participate in decision-making¹³³. A further survey involved 191 young people (aged 10-19) who were not members of a Child Forum and resided in the three provinces of Aceh, East Java and Papua. The results found 30% had attended a public meeting in which there had been a discussion of community affairs¹³⁴.

It was reported in one interview (Participant A) that Child Forums typically have a young adult facilitator, who often is a former Child Forum member with additional training in leadership and related skills. The local Women Empowerment and Child Protection Office usually acts a guide or counsellor for the Forum.¹³⁵ Malino and colleagues report that local guides would benefit from receiving suitable training and support¹³⁶.

The U-Report survey in 2020 found that half of those who had participated in the any public forum, including a Child Forum, expressed a need for more public speaking training and information on how to participate¹³⁷. One interviewee, however, thought less emphasis should be placed on public speaking and more on critical thinking (Participant C).

In both the documentary review and interviews, the Child Forums have been widely welcomed. However, concerns have also been frequently raised that the Forums lack impact on decision making. This concern was raised by the UN Committee on the Rights in its Concluding Observations in 2014¹³⁸, and also by children and young people at the National Child Forum held in 2018¹³⁹.

In their research within the provinces of Aceh, East Java and Papua, Octarra and colleagues¹⁴⁰ found that children and young people's participation is an unfamiliar concept to members of the public and government officials. The authors recommended encouraging a wide range of modalities through which children and young people can express themselves, rather than focusing only on formal public speaking. Nonetheless, young people in Octarra and colleagues' research felt they had benefitted from participating in their local Child Forums and that their participation in Musrenbang meetings was important. However, they also noted that adult recognition of their views was possibly lacking.

Some adult interviewees criticised children and young people's contributions to the Musrenbang meetings as 'rehearsed'. The timing of the meetings was highlighted as a barrier to children and young people's participation, as meetings are either during school time or in the evenings when children and young people are expected to be at home. It is worth noting, though, that limited participation in Musrenbang is not necessarily a child-only experience; Musrenbang have been criticised generally for providing limited community participation in planning, as plans and budgets are already decided or certain interests prioritised. This can mean the Musrenbang are only a formality¹⁴¹.

Children and young people do not necessarily know what has happened to their views in Child Forums or Musrenbang: the lack of feedback provided to children and young people has been much criticised¹⁴². One interviewee pointed out that the Ministerial regulation states that children and young people should receive feedback and that the Ministry is working with other organisations to trial a feedback tool (Participant A).

In 2014, the UN Committee on the Rights of the Child recommended that the State Party should ensure that forums for children and young people's participation are always provided with the necessary resources and that meaningful and empowering participation should be promoted by programmes and awareness-raising activities¹⁴³. However, Octarra and colleagues conclude from their study in three provinces, that:

... the involvement of adolescents in decision-making processes is minimal. Although they were present in the development meetings or in activities promoting their rights or exercising their participation rights, traces of whether their views were heard and given due considerations were not found. In contrary, what was found was reported backlash or questions on why adolescents should participate.¹⁴⁴

Interviewees commented that investment in Child Forums (and Child-Friendly Cities/ Districts) meant that other forms of children and young people's participation have not been developed. One interviewee perceived that the Child Forums and Child-Friendly Cities/ Districts could become mechanistic, and thus tokenistic, rather than principled and meaningful (Participant B).

Children and young people are noted as being involved in influencing particular policies, such as the National Strategy of Ending Violence Against Children (Presidential Regulation No. 101/ 2022)¹⁴⁵ and local disaster response and prevention plans and activities, using the Adolescent Kit developed by UNICEF¹⁴⁶.

In short, the Government, through the MOWECP, has set up an infrastructure for Child Forums and their involvement with community planning (the Musrenbang). While Child Forums are widespread, recent research suggests improvements are needed to ensure inclusive recruitment to the forums, increase children and young people's impacts on decision-making and guarantee children and young people receive feedback. There are examples where children and young people have made demonstrable impacts on decision-making at a strategic level, both locally and nationally.

Indicator 10. Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

The MOWECP has strongly promoted Child-Friendly Cities/ Districts as part of its commitment to implementing the UNCRC. This support is contained within the Presidential Regulation No.25 (2021) on Child-Friendly Cities (referred to as KKLA), with the goal of achieving a Child-Friendly Indonesia by 2030. The State report to the UN Committee on the Rights of the Child notes that 32 provinces and 435 districts/cities have implemented the Child-Friendly policy¹⁴⁷.

The MOWECP monitors and evaluates Child-Friendly Cities every year. As part of their monitoring, there is one indicator for children and young people's participation out of 24 indicators. This indicator gathers information on whether Child Forums and other youth groups are involved in the Musrenbang; whether the views of Child Forum members have been considered in the Musrenbang; and the Child Forum members' roles as pioneers and as reporters¹⁴⁸. Octarra and colleagues found that the supporting evidence was limited, often only consisting of photographs of campaigns or celebrations¹⁴⁹. One interviewee also noted that the evaluation results are debatable because local areas want to be presented well and to gain an award. As such, when responding to the evaluation, children and young people can be influenced to ensure a good result (Participant A).

As noted under indicator 3, complaints are possible to the Commission (KPAI) and through general public complaints mechanisms. The Government is looking to increase youth's use of the platform, who are currently 42% of users (i.e. youth aged 20 to 34). The second largest number of users are under 20 years old (25%).¹⁵⁰ However, interviewees (see indicator 3) did not think the platform was child-friendly.

In summary, Child-Friendly Cities/ Districts are promoted by Government, are required to facilitate children and young people's participation, and could provide a way for children and young people to provide feedback on public services and policies. While they are monitored and evaluated every year, further improvements were recommended on how to do so, so that more robust data are available to judge whether Child-Friendly Cities/ Districts are ensuring meaningful participation.

Indicator 11. Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

Children and young people's involvement in governance is primarily through the Child Forums, at all levels of government (see indicator 9).

Indicator 12. Democratic child-led organisations are established at local and national levels.

Child Forums have the potential to be child-led, at all levels of government (see indicator 9).

Kusumaningrum and colleagues noted the growth in youth-led communities and activities in their research on climate change and environmental issues¹⁵¹. Their research found that youth-led groups are more likely to be self-selected than democratic, and tend to involve older youth rather than younger children.

Across several sources, civil society organisations and religious organisations have been highlighted as providing opportunities for children and young people to develop their own initiatives¹⁵².

Indicator 13. Children and young people have access to the media to communicate their views.

As listed above (indicator 1), the Constitution of Indonesia grants all citizens the right to express their thoughts verbally and in writing (Article 28), to freedom of expression (Article 28E(3)), and to communicate and convey information (Article 28F).

One interviewee noted that traditional media does not typically engage with children and young people to communicate their views, beyond stories about children and young people as victims or winning awards (Participant B). Social media was perceived by two interviewees as providing particular opportunities for children and young people to communicate their views (Participants A and C). In their research on climate and environmental issues, Kusumaningrum and colleagues observe that youth have found social media as a means to form a community and to campaign¹⁵³. Yet, one interviewee noted that children and young people can be targeted on social media and what they put on social media can be penalised, citing one very negative incident which required MOWECP intervention (Participant A). Concerns about restrictive regulations and potential criminalisation of children and young people's communication are discussed under indicator 1.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 9: Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

★ ★ ★ **Moderate provision**

Child Forums provide mechanisms, at all government levels, to consult with children and young people. These are legally mandated but not fully universal. Improvements in implementation were suggested, such as being more inclusive, ensuring impact on decision-making, improving feedback to children and young people, and having greater influence on community planning forums (Musrenbang).

Indicator 10: Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

★ ★ ★ **Moderate provision**

Along with the Child Forums, Musrenbang, public complaints platforms and Child-Friendly Cities/ Districts provide mechanisms for children and young people to provide feedback. While supported by the Government, the Child Forums and Child-Friendly Cities/ Districts are not fully universal. Their effectiveness in ensuring children and young people's meaningful participation is not fully known, as monitoring and evaluation activities have not collected sufficient data on the quality of their participation.

Indicator 11: Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

★ ★ ★ **Moderate Provision**

The Child Forums are mandated by law at all government levels and should feed into community development planning (Musrenbang). The Child Forums are not otherwise part of local or national governance bodies.

Indicator 12: Democratic child-led organisations are established at local and national levels.

★ ★ ★ **Moderate provision**

Child Forums have the potential to be democratic child-led organisations, and should be available at all government levels. However, concerns are raised about the Child Forums not recruiting sufficiently diverse children and young people. Child Forums are not universal. Other youth-led, civic society and religious organisations provide opportunities for children and youth to lead their own organisations.

Indicator 13: Children and young people have access to the media to communicate their views.

★ ★ ★ **Moderate provision**

While traditional media may have limited interest in amplifying children and young people's views, social media provides increased opportunities. Concerns have been expressed about social media backlashes and legal restrictions on communication.

SUMMARY OF LEGISLATION AND GOVERNMENT STRUCTURES

Key legislation for children and young people's participation:

- 1945 Constitution of the Republic of Indonesia, as amended
- Law No.35/ 2014 on Child Protection, as amended
- Law No.40/ 2009 on Youth

Key government structures for children and young people's participation:

- Ministry of Women Empowerment and Child Protection (MOWECP)
- Child Forums (Forum Anak), at all government levels
- Musrenbang, at all government levels
- Child-Friendly Cities/ Districts



KENYA

COUNTRY-CONTEXT

Kenya is an East African country with more than 55 million people (55,100,587), of which slightly more than 24 million (24,428,416) are children and young people below the age of 18 years¹⁵⁴. Thus, 44% of people in Kenya are below the age of 18.

The country has shown its commitment to children and young people's human rights by ratifying the UN Convention on the Rights of the Child (UNCRC) in 1990. Kenya ratified the African Charter on the Rights and Welfare of the Child in 2000. The Constitution of Kenya 2010 contains the Bill of Rights and has specific mention of rights for children and young people, with wording in line with international human rights treaties. Kenya's recent Children Act 2022 includes and expands on these rights for children and young people.

Kenya is making progress towards expanding access to schools, with free public primary and secondary education. Children and young people's enrolment in public primary schools and public secondary schools increased from 2019/20 to 2021/22¹⁵⁵. In 2019, nearly three-quarters of children and young people completed primary education (74%), with less completing lower secondary education (66%) and upper secondary education (39%)¹⁵⁶. Children and young people who live in hard-to-reach areas, those affected by child marriage, who are living or working on the streets, and/or with disabilities are more likely than other children and young people not to attend school¹⁵⁷. According to UNICEF Kenya, around 3 million children and young people are engaged in child labour¹⁵⁸, although the proportion of children and young people involved in child labour reduced from 34% in 2014 to 13% in 2018¹⁵⁹.

Particular challenges for children and young people in Kenya include poverty (40.3% of children and young people aged 0-17 years are in households living below the poverty line¹⁶⁰) and risks associated with living and working on the streets, and involvement in commercial sexual exploitation¹⁶¹. Female genital mutilation and child marriage are still noted, but numbers are reported to be falling¹⁶². Of those aged 15-19 who responded to a 2022 national household survey, 19.5% of women and 29.2% of men reported having experienced physical violence since age 15, and 7.2% of women and 4.8% of men reported having experienced sexual violence ever¹⁶³.

Child mortality has significantly reduced¹⁶⁴. Nonetheless, 41 children and young people out of every 1000 die before the age of five¹⁶⁵. Eight out of 10 children aged 12-23 months are fully vaccinated with the basic antigens¹⁶⁶. Access to healthcare is not consistent across the population¹⁶⁷. Young people can face difficulties accessing health services due to cultural barriers or lack of appropriate services, while mental health services are lacking¹⁶⁸.

Political unrest during elections and terrorist attacks on schools in parts of Kenya have caused concerns for children and young people's wellbeing¹⁶⁹.

In short, notable progress has been made in Kenya in terms of children and young people's human rights in legislation and in several Sustainable Development Goal indicators. However, several issues remain problematic, with considerable variation across Kenya. Furthermore, the COVID-19 pandemic has substantially impacted children and young people's access to education and increased experiences of violence and economic hardships¹⁷⁰.

A. PROTECTING THE RIGHT TO PARTICIPATE

Indicator 1. The right to participate is included in national laws or constitutions.

The Constitution of Kenya 2010¹⁷¹ outlines citizens' entitlements and contains the Bill of Rights (Chapter 4). Children and young people are considered citizens, by birth or registration, as outlined in the Constitution's Chapter 4. Thus children and young people have the right to freedom of conscience, religion, belief and opinion (Article 32), freedom of expression (Article 33), freedom of the media (Article 34), access to information (Article 35), freedom of association (Article 36), assembly, demonstration, picketing and petition (Article 37), political rights about making political choices and having free, fair and regular elections, although only adults can vote (Article 38).

The Constitution of Kenya 2010 lists public participation as one of the national values and principles of government (Article 10), with a number of further articles that specify its application. These range from the requirement of Parliament to facilitate public participation (Article 118) to counties being required to ensure and coordinate communities' participation in local governance (Fourth Schedule Part 2(14)). Public participation is subsequently included in a number of policies and laws, although not comprehensively.¹⁷²

Article 53 of the Constitution specifically addresses children and young people, covering a range of prevention, provision and protection rights. These include Article 53(2) which requires that "a child's best interests are of paramount importance in every matter concerning the child". The equivalent of Article 12 of the UNCRC¹⁷³ is not included.

Recent legislation has specified children and young people's right to participate. Section 28(3) of the Children Act 2022¹⁷⁴ states that: "... every child shall have the right to express their views in all matters affecting them, and have those views heard and given due weight in accordance with the child's age and maturity". It is further specified in section 28(4) that such a right should be exercised in accordance with the national values and governance principles required by Article 10(2) of the Constitution and voluntarily by the child and "without undue influence, coercion, inducement or enticement" (Section 28(4)(b)). Furthermore, Section 28 details children and young people's rights to assemblies, associations, demonstrations and petitions. Other sections of the Act cover a range of children and young people's rights, from non-discrimination to healthcare. A child is defined as an individual up to the age of 18 (Section 2).

In summary, the Constitution and Children Act 2022 provide a strong basis for a range of participation rights for children and young people. The Children Act 2022 specifically includes children and young people's right to participate. The wording of the 2022 Act is very close to Article 12 of the UNCRC. Furthermore, the Basic Education Act 2013 sets out children and young people's right to participate in basic education (see indicator 4).

Indicator 2. An independent commissioner or ombudsperson is established.

Kenya does not have a separate, independent commissioner or ombudsperson for children and young people¹⁷⁵. Children and young people's rights are covered by other Commissions: i.e., the Commission on Administrative Justice, the National Gender and Equality Commission, and the Kenya National Commission on Human Rights (KNCHR). According to the State Report to the UN Committee on the Rights of the Child, the Commissions are "mandated to act as watchdogs over the State role to protect and promote human rights"¹⁷⁶.

The Commission on Administrative Justice is mandated to tackle maladministration in the public sector, including to investigate complaints and to oversee and enforce access to information legislation. It was established under Article 59(4) of the Constitution of Kenya 2010 and the Commission on Administrative

Justice Act 2011. The most recently published Annual Report, covering 2021-22, reports a total budget of KES 624,821,608.¹⁷⁷

The National Gender and Equality Commission has several functions. These range from public education, to mainstreaming gender and equality issues into national development, to conducting investigations (including on the basis of complaints). The Commission was established under Article 59(4) of the Constitution of Kenya 2010 and the National Gender and Equality Commission Act 2011. Youth and children are listed as special interest groups, and an outline of issues for youth and children is provided on the Commission's website. The most recently published Annual Report, covering 2021-22, reports a total budget of KES 432,378,070.¹⁷⁸

The KNCHR was established in 2003 and is now contained under the Constitution of Kenya 2010 (Article 59 (4)) and the KNCHR Act 2011. The most recent published KNCHR Annual Report, covering 2020-21, reports a total budget of KES 480,657,280. This is 78% government-funded, with the remaining 22% coming from development partners¹⁷⁹. In its Concluding Observations in 2016, the UN Committee on the Rights of the Child recommended that the KNCHR give further attention to children and young people's concerns by establishing a children and young people's rights unit and by allocating adequate human and financial resources so that the KNCHR could discharge its duties¹⁸⁰.

Currently, on the KNCHR website, children are listed as a "special interest group" and an outline of associated activities is provided¹⁸¹. When asked about the current attention to children and young people's rights within the KNCHR, all interviewees felt that attention to children and young people's rights had increased within the Commission. Nevertheless, two interviewees did not think children and young people's participation rights had been included in this increased attention by the Commission (Participants C and D).

Indicator 3. Public service complaints mechanisms and means of redress are in place.

Children and young people can use public service complaints mechanisms and means of redress, as can other citizens. The Commission of Administrative Justice has published a complaints' handling guide in relation to the Kenya public sector¹⁸². The Public Service Commission is established by the 2010 Constitution of Kenya and further legislation, with the vision to create "a Citizen Centric Public Service"¹⁸³. The KNCHR has a mandate for receiving and addressing complaints, investigations and redress under the 2010 Constitution of Kenya (Article 59(2)(d)) and the 2011 KNCHR Act (Section 8), and specifically notes that children's rights are covered by this mandate¹⁸⁴. The Commission on Administrative Justice and the National Gender and Equality Commission can receive and investigate complaints. The later reports that it addressed complaints in 2021-22 in relation to violence against children and young people¹⁸⁵.

There is a national child helpline service¹⁸⁶, accessible by telephone or through a web platform. Children and young people can report concerns through this. The service is managed by the Director of Children's Services and Childline Kenya.

The Children Act 2022 specifies that "any person" can institute court proceedings should a child's or young person's right or fundamental freedom be "denied, violated or infringed, or is threatened" (Section 29(1)). Interviewees agreed that children and young people, in principle, can use such complaints and court mechanisms. However, all queried whether such processes are 'child-friendly' -- i.e., whether children and young people would know about them and/or find them accessible. As a result, they did not think children and young people tend to use them.

Two interviewees (Participants A and D) thought children and young people are most likely to complain or raise issues through schools. However, Participant D thought this is not a widespread practice; although children and young people in some schools know how to raise an issue, those in other schools do not know specifically to whom they can go to complain.

In short, children and young people do have access to a range of complaints mechanisms and to court proceedings. However, questions were raised about the extent to which these mechanisms and systems are child-friendly, and whether children and young people are informed about how to use them. Interviewees suggested schools could be an accessible place for children and young people to raise issues initially.

Indicator 4. Children and young people are entitled to democratic structures in schools.

As well as the general policy provisions for children and young people's participation, discussed above, the Basic Education Act 2013 specifies, as a guiding principle for basic education, "the respect for the right of the child's opinion in matters that affect the child" (Section 4(o))¹⁸⁷. Schools have a board of management and one of its members should be a representative from the students' council (Section 56(1)(g)). A requirement for a student council is not on the face of the legislation, but the Government can make regulations for the duties and rights of students (Section 95(7)).

Three interviewees noted that the Government had previously supported all secondary schools to have student councils (Participants B, C and D)¹⁸⁸. However, this support was no longer perceived to be as strong, and three interviewees noted that some student councils are functioning while others are not. One interviewee mentioned that students would benefit from more training so they could maximise the participative potential of student councils (Participant D). Lacrampe describes an initiative by the Ministry of Education, Science and Technology and UNICEF to explore children and young people's participation in school governance in primary schools¹⁸⁹.

Schools, children and young people are reported to be benefiting from Child Rights Clubs. The Clubs are promoted by civil society and are not Government initiatives nor funded by the Government. According to the Global Campus of Human Rights and co-authors, the Clubs enable "children to influence decision making at school level"¹⁹⁰. The Child Rights Clubs were mentioned by several interviewees as continuing to be a good platform for children and young people to be informed of their rights, to identify their own issues, and potentially participate as a result. The Child Rights Clubs are dependent on teachers and schools supporting them, with new clubs sometimes starting because a teacher brought that experience from a previous school.

In summary, schools were positively mentioned by all interviewees as a potential platform to inform and train children and young people on their rights, and for the latter to then to claim their rights through collective participation. In the past, secondary schools had been expected to have students councils but recently Government promotion of this has not been as strong. Civic society initiatives appear to be positively perceived, particularly Child Rights Clubs.

Indicator 5. Children and young people have the right to establish their own organisations.

As stated for indicator 1 above, the Constitution of Kenya 2010 guarantees all citizens, including children and young people, freedom of expression (Article 33) and assembly (Article 37). Article 36(1) outlines the right to freedom of association, "which includes the right to form, join or participate in the activities of an association of any kind". Within the Children Act 2022, Section 28(1) states that every child has the right "...to freely participate in matters affecting children through lawfully established forums, associations, and assemblies at the national and county levels". However, there are no Government guidelines about how children and young people can register their associations.

In its 2016 Concluding Observations, the UN Committee on the Rights of the Child raised concerns about the exercise of freedom of expression, association and peaceful assembly. The Committee wrote that "...it is concerned that the exercise of these freedoms by children is not always fully respected in practice, such as in cultural activities in which children may express their political view or in demonstrations organized by children"¹⁹¹. The African Committee of Experts for the Rights and Welfare of the Child (ACERWC) notes its concern about children being harmed during a peaceful protest and recommended:

*... that the State Party ensures that children's freedom of expression, conscience, thought and religion are respected by raising awareness among parents, caregivers, teachers, police officers in communities and schools concerning these rights; and amend the Public Order Act as well as develop guidelines and regulations on the right to peaceful demonstration.*¹⁹²

Furthermore, although a recurring theme across the interviews was that platforms do exist for children and young people to participate, interviewees noted that children and young people do not always have the information or opportunities to use them. One interviewee explained: “The platforms exist, the opportunities exist, but the capacity of the children to reach out and benefit from them, that needs to be figured out a little bit more” (Participant A).

Thus, children have the right to freedom of association but in 2016 the UN Committee expressed concerns that these were not fully respected in practice and interviewees suggested children are not always able to access the opportunities for collective participation.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 1: The right to participate is included in national laws or constitutions.

★ ★ ★ Moderate provision

The Constitution recognises a range of children and young people’s participation rights, but does not contain the equivalent of Article 12 of the UNCRC. The Children Act 2022 includes the equivalent of Article 12, that is the right of children and young people to express views and have them given due weight.

Indicator 2: An independent commissioner or ombudsperson is established.

★ ★ ★ Moderate provision

Independent Commissions have been established, whose focus on children and young people is increasing. The participation of children and young people is limited.

Indicator 3: Public service complaints mechanisms and means of redress are in place.

★ ★ Limited provision

Children and young people have the right to access complaints mechanisms, but the mechanisms tend not to be child-friendly.

Indicator 4: Children and young people are entitled to democratic structures in schools.

★ ★ ★ Moderate provision

Students councils in secondary schools were previously promoted by the Government, but the Government is not doing so currently. Child Rights Clubs still continue, providing opportunities for children and young people’s participation. The Clubs are a voluntary initiative, rather than being required by law or Government policy.

Indicator 5: Children and young people have the right to establish their own organisations.

★ ★ Limited provision

The Constitution and the Children Act 2022 entitle children and young people to form their own associations, but these rights are not realised in practice and there are no guidelines on how children and young people can register their own associations.

B. PROMOTING AWARENESS OF AND COMMITMENT TO PARTICIPATION

Indicator 6. Children and young people have access to independent information from a wide range of sources.

The Constitution of Kenya 2010 confirms the right of all citizens, including children and young people, to information. Article 35(1) includes the right to access information held by the State and information “held by another person and required for the exercise or protection of any right of fundamental freedom”. Furthermore, the State must “publish and publicise any important information affecting the nation” (Article 35(3)). As noted in indicator 7, there is a lack of child-friendly information on government legislation, policy, planning documents etc.

Three interviewees were concerned that children and young people do not have sufficient access to child-friendly information, and are often not sufficiently informed of their participation rights or how these rights can be realized in practice (Participants A, C and D).

Indicator 7. Government information is available in child-friendly and appropriate formats.

Examples can be found of the Government providing information for children and young people:

- In law, every child or young person has the right to access age-appropriate information on “health promotion and the prevention and treatment of ill-health and disease, mental health and reproductive health” (Children Act 2022, Section 16(4)(a)). Section 16(5) requires that such information be in “a format accessible to a child ... having regard to the special needs of children with disabilities”.
- In its Report to the UN Committee on the Rights of the Child in 2013, the Kenyan Government stated that it had developed and disseminated child-friendly materials related to the UNCRC, the African Charter on the Rights and Welfare of the Child and relevant domestic legislation that focused on children and young people.¹⁹³
- A child-friendly Kiswahili version of the Sustainable Development Goals has been developed, as well as a child-friendly, Kiswahili version of Agenda 2040 which is available in print and digitally¹⁹⁴.

Information provided through schools on particular topics is likely to be child-friendly and shared in local languages. However, information provided outside school settings is less likely to be child-friendly. One interviewee spoke of specific child-friendly versions of government policy documents, but noted that government policy documents are not consistently available in child-friendly and accessible formats (Participant D). The ACERWC recommended, in 2020, that children’s policies be developed into “child-friendly language and translate[d] into local languages”¹⁹⁵

In short, legislation requires certain age-appropriate information to be available and some child-friendly information has been made available. The availability of child-friendly government information is not universal.

Indicator 8. Child rights training is provided for professionals and policymakers working with children and young people.

In its 2013 report to the UN Committee on the Rights of the Child, the Kenyan Government reported providing training on the UNCRC to a wide range of professionals. These included, “teachers, judicial officers, AAC [Area Advisory Council] members, chiefs, children’s officers, law enforcement personnel, school administrators, health personnel, psychologists, social workers, staff of childcare institutions, traditional or community leaders and children’s services providers among others”¹⁹⁶.

Training was widely discussed by the interviewees. They reported a considerable range of professional training on children and young people’s rights, which often contain an element of children and young people’s participation. This type of training is frequently demand-led and is provided by a range of individuals and organisations. The training is typically for those who are identified as having direct responsibilities relating to children and young people. One interviewee recommended establishing a minimum standard across such training, on children’s participation, to help ensure consistency and recommended longer-term evaluations to know if professionals were enacting what they had learnt (Participant A). Another interviewee thought it important that people know that participation is legally required due to the Children Act 2022 (Participant D). Three interviewees discussed how professional training across a range of relevant professions, from police to teachers, should be reviewed to assess the extent to which they include children and young people’s participation rights (Participants A, B and C).

According to three interviewees, parents very much need information to support their children’s participation (Participant A, B and C). Participant A discussed how they, like other parents, had not been brought up to foster children and young people’s participation. If parents receive support on this issue, then children and young people’s participation could start in their families and be fostered from there.¹⁹⁷ Participant B also mentioned that not all policy-makers recognise their responsibility to give due regard to children and young people’s views.

In summary, a range of professional training opportunities exist on children and young people’s participation. Interviewees suggest greater consistency across these training opportunities and minimum standards for the training. Training and information provision are also important for parents and policy-makers, as both groups are key to ensuring children and young people’s participation rights.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 6: Children and young people have access to independent information from a wide range of sources.

★ ★ Limited provision

The Constitution sets out the right of all citizens to information but there is a lack of child-friendly information on government legislation, policy, planning documents etc.

Indicator 7: Government information is available in child-friendly and appropriate formats.

★ ★ Limited provision

A few government documents are available in child-friendly formats but government information is not consistently and widely available. Schools can potentially provide child-friendly information.

Indicator 8: Child rights training is provided for professionals and policymakers working with children and young people.

★ ★ ★ Moderate provision

A range of training is available, although there is a need for thoroughness, consistency and minimum standards.

C. CREATING SPACES FOR PARTICIPATION

Indicator 9. Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

As discussed under indicator 1, public participation is a national value established by the Constitution of Kenya 2010. There are *County Public Participation Guidelines*¹⁹⁸, for example. However, exactly how children and young people can participate and be facilitated to participate is not specified.

The National Council for Children's Services (NCCS) was identified as having a key role in fostering children and young people's participation on issues relating to policies and services. It was first established by the Children Act 2001 and it is now required by Section 41 of the Children Act 2022. The NCCS website states that its role is to "regulate, coordinate and [provide] oversight [of] children's services" and to advise the Government on children's matters¹⁹⁹. NCCS published the *National Child Participation Guidelines* (NCPG) in 2008²⁰⁰.

All interviewees appreciated the participation guidelines but noted that they were now due for renewal to reflect the content of the Children Act 2022. One interviewee gave particularly detailed suggestions on how to improve the guidelines such as: covering all sectors and not just children and young people's services; exploring ways in which technology can support children and young people's participation; addressing categories of children and young people who risk being excluded from participation (i.e., such as children and young people with disabilities, younger children, and refugee children and young people); and ensuring money is allocated to support children and young people's participation (Participant C). Interviewees specifically highlighted the *2022 Guidelines on Child Participation*, issued by the African Committee of Experts on the Rights & Welfare of the Child²⁰¹, as providing authoritative guidance.

Interviewees frequently stated that legislation, policy and guidance were increasingly strong in referring to children and young people's participation. Interviewees A and C also praised children and young people's involvement and influence in legislating for the Children Act 2022. However, a strong theme across interviews was that legislation, policy and guidance on child participation still need to be better known and more effectively implemented. For example, Participant D said: "I think in Kenya lately there is a great push when we talk about child participation, and especially in the public process or processes, which is a new thing. Because earlier it's not been there ... what I really want to see is the actual, the real action." Another, Participant A, spoke of the need for quality: "...not just child participation but meaningful child participation so that children are not brought into an event as a decoration ... so we get preoccupied about making sure that children's participation actually has an effect on the decision-making...".

The *National Plan of Action for Children in Kenya 2015-22*²⁰² explains that the Kenya Children's Assembly was launched in April 2012. Children and young people are elected to the National Kenya Children's Assembly (NKCA) for two years and should meet once a year. Members of NKCA are elected from county-level Children's Assemblies, which should meet twice a year, and members of county-level assemblies are elected from sub-county Children's Assemblies that should meet three times a year. In its 2014 submission to the UN Committee on the Rights of the Child, the Kenyan Alliance welcomed the establishment of the assemblies. However, it raised concerns that "not all stakeholders in the child sector take the view of children seriously and often fail to engage children in forums where their views should best be taken into consideration". Furthermore, in the counties, Children's Assemblies were not "well understood outside the children sub-sector"²⁰³. The UN Committee on the Rights of the Child's Concluding Observations in 2016 recommended that the Children's Assemblies, at all levels, should be open and accessible to all children and young people without discrimination, specifically mentioning the need to include children and young people who are

refugees and/or who have disabilities²⁰⁴. The Committee more generally recommended actively involving children and young people at all levels in the development of law, policy and budgets²⁰⁵.

Sanganyi, writing in 2017, is critical that no evaluation has been undertaken of the Children's Assemblies to assess their impact in influencing policy or enhancing community respect for children and young people's participation²⁰⁶. Interviewees spoke extensively about the Children's Assemblies. Practically, the NKCA had not met as regularly as originally planned, due to budgetary and then COVID-19 restrictions. The NKCA is reliant on civic society funding, with one interviewee noting that this could influence what issues are discussed (Participant D). Children and young people are not always sufficiently informed, trained and prepared for NKCA meetings, according to two interviewees (Participants B and D); meetings may therefore be adult-rather than child-led (Participant D), leading to children and young people potentially feeling frustrated.

Interviewees expressed the need to ensure children and young people's participation had impact on decision-making: for example, Participant C described the need for continuous rather than event-based children and young people's participation. Furthermore, whilst acknowledging the efforts to be inclusive, Participant B noted that some children and young people risk not being included, such as those who are marginalised. Participant C also mentioned that, although there is strong legislation on local public participation, children and young people are often not considered during implementation.

In short, Kenya has mechanisms for children and young people to be consulted on legislation, public policies, services and resource allocation at national and local government levels. These mechanisms are supported by both legislation and guidelines. Interviewees recommended paying further attention to the mechanisms' implementation, particularly in terms of ensuring sufficient resources to realise high quality participation which impacts on decision-making.

Indicator 10. Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

This has been addressed by other indicators, such as public complaints (indicator 3) and consultation mechanisms (indicator 9). While mechanisms exist, they are not seen to be child-friendly. No further mechanisms were identified in the review.

In 2016, the UN Committee on the Rights of the Child particularly recommended that children and adolescents living with or affected by HIV be actively engaged in the development and implementation of relevant programmes and strategies²⁰⁷.

Indicator 11. Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

Children and young people's involvement in school management is addressed in indicator 4, but they are not involved in school governance bodies. The children's assemblies are considered in indicator 9; however, they are not part of government and are largely supported by civil society. No further information was identified in the review.

Indicator 12. Democratic child-led organisations are established at local and national levels.

Student councils and their role on school management boards (see indicator 4) provide opportunities for democratic child-led organisations. The Children's Assemblies could be democratic, but, as discussed under indicator 9, they are more selective at present. While some student councils and Children's Assemblies can function well at some times and in some places, they are not consistently in operation. Two interviewees particularly identified Mtoto News as being a child-led organisation.

Mtoto News was mentioned by two interviewees (Participants A and C), as an example of a child-led organisation. Mtoto News's vision is for "a world where children are seen as players and not spectators". As a non-governmental organisation, Mtoto News is funded by donors and/or on a project-basis. A recent initiative involves children and young people identifying an issue and then developing solutions to address the issue. The organisation helps children and young people to find partners to support their solutions. Further information about Mtoto is given below.

Another interviewee identified Child Rights Clubs in schools as potentially being democratic child-led organisations, as well as faith-based organisations' groups (Participant B).

In short, Kenya has the potential for democratic child-led organisations through student councils and the Children's Assemblies. However, they are not consistently and universally functioning at the current time. Further opportunities are provided by civic society and other voluntary initiatives.

Indicator 13. Children and young people have access to the media to communicate their views.

As addressed in indicator 1, children and young people have the right to freedom of expression/freely express their views through the Constitution of Kenya 2010 and the Children Act 2022 respectively. Nevertheless, children and young people may not have the financial resources to realise these rights (e.g. for data to access the internet).

Mtoto News directly seeks to ensure that children and young people can communicate their views through the media. The organisation describes itself on its website as:

...a digital and media platform whose mission is to make children visible. We do this through: Curating, creating, and circulating content on children and by children in different ways, including audio, video, written materials and infographics. Child participation, where we believe that children should be seen as players and not spectators, hence we capacitate children, create platforms, and allow them to participate. We are working to create child-led initiatives where children take lead in matters that affect them. Research and Data, research has a way of making children visible especially in child-led research. Mtoto News works to empower children to inform policy, programs, and practice through the use of children's voices, child-led and child-informed research.²⁰⁸

Mtoto News provides a range of training for children and young people, such as on digital literature and advocacy.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 9: Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

★ ★ ★ **Moderate provision**

The Children's Assemblies and student councils provide opportunities for children and young people to be consulted. Currently, they are not consistently operating across Kenya.

Indicator 10: Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

★ ★ ★ **Moderate provision**

The Children's Assemblies and student councils provide opportunities for children and young people to be consulted. Currently, they are not consistently operating across Kenya. Child Rights Clubs in schools can provide mechanisms for feedback, but they are a voluntary initiative.

Indicator 11: Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

★ ★ **Limited provision**

Children's Assemblies can provide children and young people a role in governance but they are not consistently operating across Kenya.

Indicator 12: Democratic child-led organisations are established at local and national levels.

★ ★ **Limited provision**

Children's Assemblies could meet this indicator, but concerns were raised about children and young people having insufficient information and training so that the assemblies can be child-led. Currently, they are not consistently operating across Kenya. Other possibilities are student councils, Child Rights Clubs and Mtoto News. The latter two are voluntary initiatives.

Indicator 13: Children and young people have access to the media to communicate their views.

★ ★ ★ **Moderate provision**

Mtoto News was specifically mentioned, as it provides opportunities and training for children and young people to have access to a range of media. The organisation is dependent on fund-raising.

SUMMARY OF LEGISLATION AND GOVERNMENT STRUCTURES

Key legislation for children and young people's participation:

- Constitution of Kenya 2010
- Children Act 2022
- Basic Education Act 2013

Key government structures for children and young people's participation:

- Children's Assemblies
- School Councils/ School Management Boards



PERU

COUNTRY-CONTEXT

Peru is a country located in South America with a population of over 34 million people. Approximately 31% of the total population (10 million people) are children and young people under the age of 18²⁰⁹. Peru was one of the fastest-growing economies in the region during the first two decades of the 21st century, but this has changed in recent years. The economic slowdown and the COVID-19 crisis have stopped the reduction of poverty, which has increased significantly in just one year (around 10 percentage points)²¹⁰. This increase represents a serious problem, especially for future generations, as poverty is more prevalent among children and young people (27.9%) compared to the adult population (16.5%)²¹¹.

Peru has ratified the UN Convention on the Rights of the Child and has specific mention of children and young people's rights in its Constitution. The country's recent Children's Code 2022 (a revised version of the Children's Code 1992) expands on these rights for children and young people, including provisions for their participation, protection and access to education, healthcare, and social services.

During recent years, significant progress has been made in ensuring that children and young people in Peru access health services. In the first quarter of 2023, 92.1% of individuals under the age of 18 in the country had access to some form of health insurance, which represents a 3.3-percentage-point increase compared to the same quarter in 2022²¹². However, the percentage of children and young people under 18-years with some health problem or chronic discomfort increased from 14.4% in 2022 to 16.5% in the first quarter of 2023²¹³. While there are attendance rates of over 97.5% for primary and secondary education, only 8 out of 10 students complete their secondary education²¹⁴. This figure decreases further for those living in impoverished households or rural areas²¹⁵. Violence against children and young people is a matter of concern, with 7 out of 10 children and young people reporting that they have experienced violence within their homes at some point in their lives²¹⁶.

Over 1,286,000 Venezuelan migrants and refugees have settled in Peru due to the humanitarian and economic crisis in Venezuela²¹⁷. Migrant and refugee children and young people and their families face several challenges to meet their basic needs. According to a National Survey of Venezuelan people living in Perú in 2022, 87.6% of the Venezuelan population in Peru reported difficulties in meeting their basic needs. 62% of them were living in overcrowded conditions without access to health insurance or education services²¹⁸. Given the challenging living conditions, Venezuelan children and young people are a vulnerable group and are at high risk of experiencing violence and other rights violations.

A. PROTECTING THE RIGHT TO PARTICIPATE

Indicator 1. The right to participate is included in national laws or constitutions.

The Constitution of Peru 1993²¹⁹ outlines fundamental rights (Chapter I) for all people, including freedom of opinion, expression, information, association, and the right to participate in the political, economic, social and cultural life of the nation (Article 2). While the Constitution establishes that fundamental rights apply to all individuals, there are some exceptions that exclude children and young people from participating in political spaces. When it comes to political rights and duties, the Constitution states that only citizens have the right to participate in political activities, and defines citizens as all Peruvians above 18 years old (Chapter III).

The legal and policy framework concerning childhood encompasses rights associated with children and young people's participation. The *New Children's Code* (Law No. 27337), ratified in 2022, outlines the rights and freedoms of children and young people. This updated Code revised the previous 1992 legislation, showing the State's commitment to realising the UN Convention on the Rights of the Child (UNCRC)²²⁰. *The New Code* includes certain participation rights stated in the UNCRC: children and young people's right to freedom of opinion (Article 9 of the Code), expression (Article 10 of the Code), thought, conscience, and religion (Article 11 of the Code), movement (Article 12 of the code), and the right to associate (Article 13 of the Code).

The National Multisectoral Policy for Girls, Boys, and Young People 2021- 2030 (PNMNNA) is Peru's comprehensive policy framework for childhood. Among its five priority objectives, Objective 4 focuses on strengthening children and young people's participation in decision-making spaces in their daily lives. To attain this objective, the policy sets forth the following guidelines²²¹:

- Enhance access to safe spaces for socialisation that promote the cultural, political and artistic diversity of children and young people.
- Improve access to and the use of information and communication technologies by children and young people.
- Develop the skills required by children and young people to participate in decision-making at family and community levels.

Regarding schools, the *General Education Act* (Act No. 28044) upholds the right of students to communicate their opinions and engage in school and community affairs. This right can be exercised through School Councils or other student organisations, which serve as mechanisms for promoting their rights and citizenship (Art 53)²²² (see indicator 4 for further discussion).

According to Participants B and C, despite the existing laws, there are several challenges to promote meaningful participation by children and young people. Participant B highlighted that there is a need to raise awareness of existing laws that promote children and young people's participation, particularly at the regional and departmental levels.

In summary, the Constitution establishes rights related to participation but restricts participation in political arenas to adults. Nonetheless, in Peru, legislation and the policy framework related to childhood provide a robust foundation for a variety of participation rights for children and young people.

Indicator 2. An independent commissioner or ombudsperson is established.

Peru has an independent Ombudsperson's office that has a dedicated office specifically for children and young people's issues. There are also Municipal Children's Ombudsperson offices across the country.

The Ombudsman Office [Defensoría del Pueblo, in Spanish] in Peru was established by the 1993 Constitution as a constitutionally autonomous body. It is responsible for safeguarding fundamental rights and ensuring the efficient provision of public services across the country²²³. It handles complaints, inquiries and requests from citizens, including children and young people, who have experienced rights violations. The Ombudsman Office does not act as a prosecutor; it produces reports with recommendations and calls to action for authorities. The Children's Ombudsman's Office plays a role in protecting and supporting children and young people's rights and in contributing to the improvement of laws and the development of better policies related to childhood matters. According to one interviewee (Participant B), the Ombudsman Office advocates for the exercise of children and young people's rights, including their right to participation; for instance, it conducted an analysis of children and young people's participation in protests during the social mobilisations that took place in the country in 2020²²⁴.

The Municipal Ombudsman for Children and Young People (DEMUNA) was created in 1992 by Act N° 26102. Its functions include promoting the rights of children and young people and managing cases of children's rights violations. Since 1997, DEMUNAs have been formally incorporated as a function of local government, providing greater legal support for their implementation of their role. The Ministry of Women and Vulnerable Population (MIMP) is responsible for providing operational guidelines and for registering and accrediting their operation. The number of DEMUNAs has increased in recent years. In 2012, there were 112 DEMUNAs²²⁵. This has now increased to 411 DEMUNAs with proper accreditation from MIMP, meeting the required quality standards²²⁶.

In 2021, 100% of the regional governments registered their DEMUNAs; however, the availability of DEMUNAs at the district level remains a concern. Out of the 1986 districts, only 21% districts accredited a DEMUNA²²⁷. While appreciating the expansion of offices dedicated to protecting children and young people, the UN Committee on the Rights of the Child and the individuals interviewed during this assessment expressed concerns regarding availability of DEMUNAs across municipalities. This is particularly evident in rural and remote regions. Additionally, concerns were raised about disparities in infrastructure and resources allocated to these offices which could potentially restrict children and young people's access to necessary support.²²⁸ DEMUNAs play a vital role in supporting children and young people at the local level. Nevertheless, it appears that promoting participation is not a primary focus for them (see for example indicator 3). The DEMUNAs primarily address issues related to parental custody, visitation arrangements and other protection needs²²⁹.

To summarize, the Children's Ombudsman's office is an independent body with a pivotal role in safeguarding children and young people's rights. DEMUNAs serve as the primary local governance structure for promoting and protecting children and young people. Although their existence demonstrates the progress made in Peru towards child protection and wellbeing, challenges remain related to coverage and promoting children and young people's participation.

Indicator 3. Public service complaints mechanisms and means of redress are in place.

The Municipal Ombudsman for Children and Young People (DEMUNA) is the main public complaint mechanisms for children and young people. It is a free service aimed at safeguarding and promoting children and young people's rights. DEMUNA offices provide a lawyer, known as a defender, who handles cases and complaints related to children and young people's rights violations. Any child, family member, or person who is aware of the situation can make a report²³⁰. As mentioned in indicator 2, there is a concern about DEMUNAs' coverage, particularly at the district level and in rural and remote areas.

In the education sector, SiSEVE is a platform to report cases of violence in schools. Reports can be made by students who have been victims or by anyone who has witnessed or has knowledge of a school-related violent incident²³¹. The platform has a website and social media and telephones helplines.

DEMUNA is the specialised service for children and young people's rights and SiSEVE focuses on violence at school. However, there are other mechanisms that handle reports, such as the police, which receive all types of complaints. The Women's Emergency Centres (Centros de Emergencia Mujer- CEM) primarily focus on complaints of violence against women and families, and the Special Protection Units (Unidades de Protección Especial- UPE) handle reports of children and young people at risk of family neglect. There are helplines available to report rights violations, such as Línea 100 and 1810.

Although complaint mechanisms are in place, children and young people typically do not access them, either due to insufficient services or because there is still a preference for adults to make reports. According to children and young people who participated in preparing the report to the United Nations by Acción Por los Niños in 2021, it is very difficult for children and young people to give an opinion and for it to be taken into account. They said, for example, that *"going to a police station to report family or sexual violence so that they can help us and listen to us and take our opinion into account is something that is not commonly given"*²³². Similarly, in 2012, the Ombudsperson's office conducted an assessment of DEMUNAs across the country. DEMUNAs were asked about the number of children and young people who filed complaints during the first semester of 2012. Out of the 48 DEMUNAs included in the study, only 28 provided responses to the question, and 20 confirmed that they received cases reported by children and young people. However, when examining the number of cases, out of a total of 5,652 cases, only 24.29% (1,379) were initiated by children and young people.²³³

In summary, Peru has mechanisms in place for receiving reports and complaints regarding violations of children and young people's rights. However, there are challenges when it comes to enabling children and young people themselves to exercise their right to report. Some explanations for this are the inaccessibility of services and the preference for adults to be the ones making the reports. This policy assessment did not find information on other complaint mechanisms or services.

Indicator 4. Children and young people are entitled to democratic structures in schools.

Children and young people's participation in schools is strongly supported within the legal and policy framework. The PNMNNA 2030 includes the strengthening of student participation spaces through the implementation of secondary School Councils. Law 30466, which provides guidelines to apply the best interests of the child, establishes children and young people's right to be informed and heard, to express their opinions and to have these taken into consideration as part of schools' decision-making processes (Art. 23)²³⁴. The law outlines that schools should establish School Councils, committees or similar structures to serve as forums for participation, coordination and oversight. Furthermore, as mentioned in indicator 1, *the General Education Act* (Act N° 28044) states students' right to voice their opinions and participate in school through mechanisms like School Councils (Art 53)²³⁵.

In 2020, the MINEDU launched the *We Are Peers* [The "Somos Pares"] student participation strategy that aims to promote the participation of secondary school students²³⁶. The strategy proposes three strategic actions for the promotion, development and exercise of the protagonist participation of students. These actions are the implementation of gatherings, curricular approaches and the strengthening of School Councils' electoral process.

School Councils are the main mechanism for children and young people's participation in school. Students follow the process of democratically electing their representatives: a president, a secretary and a treasurer. School Councils are supposed to be a hub for connecting students with adult leaders at school. In addition, there are Classroom Committees. These are responsible for organising classroom meetings, where students, guided by a teaching tutor, make decisions related to specific classroom needs, reflect on classroom rules, and coordinate activities proposed by the School Council.

Despite the School Councils' significance as the primary mechanism for student participation in schools, there is a notable gap in its coverage. In addition, while the Peruvian legal framework strongly supports participatory structures in schools, in practice, children and young people encounter several challenges. Apart from the coverage gap, there is a prevailing tendency for adults to dominate decision-making²³⁷; two interviewees (Participants A and C) argued that this can hinder genuine child-led participation and often results in children and young people's involvement being treated as mere decoration or tokenism.

In addition, although School Councils can exist in primary and secondary schools, recent guidelines emphasise School Councils in secondary schools, which might limit the participation of children and young people under the age of 12. Furthermore, there are significant barriers that hinder some children and young people expressing their views in schools, particularly those from vulnerable groups, such as those living with disabilities²³⁸. An Ombudsman report on children and young people's participation in protests identified cases of restrictions on freedom of expression among students in schools in Cusco and Lima in 2020²³⁹.

Indicator 5. Children and young people have the right to establish their own organisations.

Children and young people's right to freely associate is recognised in the Peruvian legal framework. The Children's Code outlines that children and young people have the right to associate for "lawful purposes and to peacefully assemble" (Art 13)²⁴⁰.

Peru also provides formal registration mechanisms for children and young people's organisations through the local governments and the National Youth Secretariat [Secretaría Nacional de Juventud] (SENAJU)²⁴¹. Local governments register organisations in the Public Records with a Municipal Resolution of recognition. Although the law refers to children and young people of all ages, it specifically states that only those aged 12 and above can establish legal entities, whereas younger children and young people can become members of these associations. SUNEJU is responsible for registering groups that include children and young people aged 15 and older, as well as youth up to the age of 29.

Participant C explained that while the Children's Code refers to children and young people of all ages and SUNEJU includes children and young people above 15, organisations that need to manage funds and legal agreements, such as contracts or equipment rents, needs to include an adult to do so. This participant provided a critical analysis, saying that in practice this is a limitation because it leads to organisations being led by adults.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 1: The right to participate is included in national laws or constitutions.

★ ★ ★ Moderate provision

The Constitution provides participation rights to all people, as fundamental rights. However, it limits participation in political and economic arenas to people above 18 years old, excluding children and young people. The legal and policy framework on childhood outlines participation rights for children and young people.

Indicator 2: An independent commissioner or ombudsperson is established.

★ ★ ★ ★ Comprehensive quality provision

An independent Children's Commissioner is in place, with funding, and works alongside governmental and non-governmental organisations, including child-led organisations.

Indicator 3: Public service complaints mechanisms and means of redress are in place.

★ ★ Limited provision

Several platforms are accessible for children and young people to file complaints, including DEMUNAs and SISEVE. In recent years, substantial progress has been made in extending the coverage of these services. Nevertheless, further work is needed to ensure children and young people are aware and make use of them effectively. Furthermore, this policy assessment did not find information on mechanisms for children and young people to complain about services.

Indicator 4: Children and young people are entitled to democratic structures in schools.

☆☆☆ **Moderate provision**

School Councils are currently promoted nationwide. In recent years, MINEDU has implemented the *We Are Peers* strategy to establish and improve School Councils in secondary schools. Students engage in discussions on issues and suggest projects; however, in many cases, decisions are ultimately made by adults, and children and young people have no influence over decisions.

Indicator 5: Children and young people have the right to establish their own organisations.

☆☆☆ **Moderate provision**

The Children's Code in Peru outlines children and young people's right to associate. Registration mechanisms and spaces for their participation are in place. However, there is a need to ensure meaningful participation of children and young people and to ensure that any adult involvement (e.g. to manage financial resources) does not risk the organisations becoming adult-led.

Country-Context

B. PROMOTING AWARENESS OF AND COMMITMENT TO PARTICIPATION.

Indicator 6. Children and young people have access to independent information from a wide range of sources.

The Children's Code does not explicitly state children and young people's right to access information. However, it assigns the Ministry of Women and Vulnerable Populations responsibility to disseminate information to children and young people about their rights. All interviewees expressed concerns that children and young people lack adequate access to information tailored to their needs, and that they are frequently uninformed about their rights and about important information on the socioeconomic context of the country (Participants A, B, and C).

Participant B explained that, in recent years, children and young people have been seeking information via internet platforms, usually provided by non-governmental organisations. For example, a report by the Ombudsperson office, on the participation of children and young people in protests during the social mobilisations in November 2020, concluded that children and young people used social media to stay informed about the social and political context and to coordinate their participation²⁴². Recognising the need to enhance children and young people's access to the internet, in order for them to access information, the PNMNNA includes guidelines for improving children and young people's access to and utilisation of information and communication technologies. In this regard, the PNMNNA aims to ensure access to the internet in communities with over 100 inhabitants and in public institutions, including schools, in rural areas. The goal for the first year (2022) was to achieve an 18% increase in access to internet; however, the target was not met, and there was only a 6.6% increase²⁴³.

In summary, the legal framework does not explicitly address children and young people's right to access to information, and children and young people have limited access to independent information. Acknowledging the significance of social media in delivering information to children and young people, Peru is making gradual progresses in expanding internet coverage, particularly in rural areas.

Indicator 7. Government information is available in child-friendly and appropriate formats.

Information about certain policies and laws has been made available for children and young people

- The PNMNNA, with information in both Spanish and Quechua for children and young people.
- The SISEVE website, which includes specific information to help children and young people learn about the platform and its use.

Despite these efforts, all interviewees suggested that there is still a need to improve child-friendly documentation. This documentation should not only be available in different languages but also tailored to meet children and young people's needs. For example, after analysing the challenges faced by unaccompanied migrant children in the country, it was found that there is a lack of access to information, particularly among groups in more vulnerable situations, such as LGBTQIA+ young people²⁴⁴.

Indicator 8. Child rights training is provided for professionals and policymakers working with children and young people.

The Ministry of Women and Vulnerable Populations (MIMP) provides ongoing technical assistance to local governments for the establishment of Advisory Councils for Children and Young People (CCONNA), which are one of the primary mechanisms for children and young people's participation in the country (see indicator 9). According to the policy progress reports for the years 2019²⁴⁵, 2020²⁴⁶ and 2021²⁴⁷, technical assistance was primarily directed towards regional governments. This technical support appears to have yielded positive results; by 2021, 100% of regional governments had successfully implemented their CCONNA²⁴⁸. Similarly, the Ministry of Education (MINEDU) provided tutoring guidelines and educational guidance for schools to promote children and young people's participation²⁴⁹.

The training of government personnel was a topic discussed by all interviewees. They pointed out that both decision-makers and those responsible for providing services lack awareness of the importance of children and young people's participation and are often unfamiliar with the tools to facilitate it. For instance, as mentioned by two of the interviewees (Participant A and B), many regional and local governments lack technical capacity to incorporate children and young people's projects into participatory budgeting (see indicator 10). Civil society plays a crucial role in complementing the State's efforts by supporting local governments and schools in the implementation of children and young people's participation mechanisms.

In short, while training is provided for government personnel, there is a need to enhance their knowledge on how to promote meaningful children and young people's participation.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 6: Children and young people have access to independent information from a wide range of sources.

★ ★ Limited provision

Children and young people's access to information is limited and, even where available, it is often not presented in child-friendly formats. Peru is working towards increasing internet coverage to facilitate children and young people's participation rights.

Indicator 7: Government information is available in child-friendly and appropriate formats.

★ ★ Limited provision

Certain government documents are available in child-friendly formats. However, this is not common practice.

Indicator 8: Child rights training is provided for professionals and policymakers working with children and young people.

★ ★ ★ **Moderate provision**

Widespread training is provided to professionals and policymakers to promote children and young people's rights, including their right to participate. However, such training needs to include greater attention on making this participation meaningful.

Country-Context

C. CREATING SPACES FOR PARTICIPATION

Indicator 9. Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

Peru has mechanisms for children and young people to be consulted on legislation, public policies and service resource allocation at national and local government levels. The Advisory Council of Children (CCONNA) is a key mechanism that is supported by legislation and guidelines. The Advisory Council of Children was established in 2009 as an advisory body within the Ministry for Women and Vulnerable People (MIMP). The Advisory Council is a mechanism to consult children and young people. It is made up of children and young people between nine and 17 years old who: i) advise the government on policies and programs related to children and young people, ii) monitor the implementation of the UNCRC, and iii) promote awareness of children and young people's rights. In principle, CCONNAs are established at national, regional and local levels. This policy assessment did not find updated information on activities carried out by the CCONNA at the national level.

The number of Advisory Councils nationally has grown over time. In 2012, there were 29 Advisory Councils of children and young people (one regional council, five provincial councils and eight district councils)²⁵⁰. In 2016 there were 180 CCONNAs, and as of May 2020 there were 569 CCONNAs at national, regional and district levels.

The expanding coverage of CCONNAs marks significant progress. Nevertheless, the objectives and indicators that oversee the advancement of CCONNAs primarily emphasise the quantity of established CCONNAs, rather than children and young people's active engagement and recognition of their contributions to the decision-making process²⁵¹. As two interviewees mentioned, in some cases, children and young people are gathered to participate as "decoration" and decisions are ultimately made by adults without considering children and young people's opinions (Participants A and D). In a study that examined the experiences of children and young people participating in CCONNAs in Lima, children and young people reported that their role was important, they felt recognised and they were comfortable expressing their ideas in this space. However, they encountered limitations in the participation model, specifically in how their ideas were collected and presented to the mayor, because decisions were taken by adults²⁵². Participant C highlighted that the National CCONNA has opportunities to meet authorities from different sectors. However, at the regional and departmental level, CCONNAs do not usually have such opportunities.

Furthermore, a consultation mechanism exists for resource allocation at the local level. The Participatory Budget, established through Law No. 28056 in 2003, functions as a policy and management tool, enabling local authorities to decide on the allocation of economic resources alongside community organisations. To involve children and young people, the law stipulates that governments must enact an ordinance designating

a specific budget within the general Participatory Budget for organisations representing children and young people. Children and young people can participate through their organisations, CCONNA or School Councils.

Participants noted that, aside from adult-centric perspectives, there is a lack of political will to include children and young people. Moreover, one of the interviewees (Participant C) mentioned that many leaders have their own agendas and interest groups, which limit children and young people's participation. This assessment did not find information about local governments that have successfully included children and young people in the process of participatory budgeting, with participants referring to isolated experiences supported by civil society²⁵³.

In short, the legal and policy framework in Peru strongly supports mechanisms to consult children and young people in the design and monitoring of policies at local, regional and nation levels. However, there are several challenges to ensure meaningful participation of children and young people and ensure their views are taken into consideration when designing and implementing policies and budgeting.

Indicator 10. Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

The specialised service provided by DEMUNAs is available to receive public complaints, as outlined in indicator 3, and CCONNA serves as the main consultation mechanism, as described in indicator 9. No additional specialised mechanisms for children and young people were identified in this assessment.

Indicator 11. Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

CCONNA (see indicator 9) and School Councils (see indicator 4) provide opportunities for democratic child-led organisations. As mentioned earlier, despite the progress in coverage across the country, there are still many challenges to ensure meaningful participation of children and young people.

Indicator 12. Democratic child-led organisations are established at local and national levels.

As stated in Indicator 5, children and young people in Peru have the right to establish their own organisations. There are organisations established by the government (see indicators 4 and 9), as well as those set up by non-governmental institutions. A mapping of child-led organisations conducted in 2017 identified 11 organisations, including associations and Advisory Councils. The mapping also highlighted that children and young people's involvement in these organisations enhanced their leadership skills. Children and young people participating in the mapping agreed that there is a lack of financial resources and training spaces from local authorities, as well as a need to strengthen communication between associations and government decision-makers²⁵⁴.

Indicator 13. Children and young people have access to the media to communicate their views.

Two interviewees (Participant B and C) pointed out that, during the COVID-19 pandemic, the government used television and radio for health and education strategies. However, once the pandemic ended, children and young people again lacked access to media to communicate their views. As addressed in indicator 6, the internet is a significant participatory platform for children and young people, but internet coverage in Peru has substantial gaps, particularly in rural areas. A child who contributed to the report for the UN Committee on Children's Rights in Peru in 2021 stated that children and young people in rural areas encounter challenges in participating due to the lack of internet signal and limited access to media²⁵⁵.

SUMMARY BY PARTICIPATION INDICATOR

Indicator 9: Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

★ ★ ★ **Moderate provision**

The Advisory Councils for Children and Young people (CCONNA) serve as the main mechanism for consulting children and young people. In recent years, the government has made significant improvements in extending CCONNA's presence throughout the country. By 2021, all the regional governments had established a CCONNA. Nevertheless, more effort is required to ensure their effective implementation at the district levels. Concerns exist regarding the quality of children and young people's participation and their influence on decision-making. Peru has a mechanism for involving children and young people in resource allocation decisions at the local level. However, there are numerous challenges in ensuring their meaningful engagement in this process.

Indicator 10: Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

★ ★ ★ **Moderate provision**

The Advisory Councils for Children and Young People (CCONNAs) and School Councils provide opportunities for children and young people to make complaints concerning public services and policies. More information is needed to assess their effectiveness in ensuring children and young people's participation.

Indicator 11: Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

★ ★ **Limited Provision**

The Advisory Councils for Children and Young People (CCONNA) are a mechanism for children and young people to be involved at the national and local government levels. However, many challenges exist in ensuring children and young people are involved in and influence decision-making.

Indicator 12: Democratic child-led organisations are established at local and national levels.

★ ★ **Limited Provision**

There are child-led organisations supported by the government and civil society institutions. However, these organisations face various challenges, such as a lack of funding and difficulties in communicating with decision-makers.

Indicator 13: Children and young people have access to the media to communicate their views.

★ ★ **Limited Provision**

A few projects exist to support children and young people to communicate their views, particularly via internet platforms. However, there have been some initiatives to reach children and young people by media and television and to improve internet coverage.

SUMMARY OF LEGISLATION AND GOVERNMENT STRUCTURES

Key legislation for children and young people's participation:

- Constitution of Peru 1993
- Children's Code 2022 (Law No. 27337)
- General Education Act (Act No. 28044)

Key government structures for children and young people's participation:

- Advisory Councils for Children and Young people (CCONNA)
- School Councils
- Participatory budgeting



SENEGAL

COUNTRY-CONTEXT

Senegal is an African country that is home to 17.8 million people, of which 41 million are children and young people below 14 years old²⁵⁶.

Senegal has shown its commitment to children and young people's human rights by ratifying the UN Convention on the Rights of the Child (UNCRC) in 1990. Senegal ratified the African Charter on the Rights and Welfare of the Child in 1998. The Constitution of Senegal includes participation rights.

Senegal has witnessed robust economic growth in recent years; however, concerns persist over the levels of child poverty and inequity, especially among those residing in rural areas and ethnic communities^{257, 258}.

Children and young in Senegal face various challenges, including issues related to registration, work, and violence. One in two children is not registered in the civil registry, and one in four children aged 5 to 17 carries out work that is detrimental to their health or development²⁵⁹. Moreover, 9 out of 10 children and young people have experienced violence. Concerns have been raised about talibé children or children between the ages of 5 and 15 living in 'daaras' (traditional Islamic schools), who are particularly vulnerable to exploitation, abuse, and neglect²⁶⁰.

According to the UNICEF Children's Climate Risk Index (CCRI)²⁶¹, Senegal is ranked among the top 25 countries facing extremely high climatic risks for children. The northern, central, and eastern regions are prone to drought, and urban areas in the western and central regions experience recurring flooding during the rainy season²⁶². These climate-related emergencies result in food insecurity, economic shocks, and other pressures affecting children, young people, and their families.

Since 2013, the national child protection strategy has contributed to improvements in various aspects of children's rights²⁶³. Notably, there has been an upswing in school enrolment rates, and the education system has responded to the needs of children with disabilities by establishing specialised schools and institutions. Efforts have been underway, following a plan developed in 2016, to remove children from the streets. Strategic initiatives aimed at promoting overall health, with a specific focus on children, are actively being implemented. Additionally, a juvenile justice system, aligning with international principles and guidelines, has been instituted within the correctional education and social protection framework at the judicial level. Despite these positive strides, challenges persist, particularly in navigating cultural and religious constraints, as well as the country's general resource limitations²⁶⁴.

A. PROTECTING THE RIGHT TO PARTICIPATE

Indicator 1. The right to participate is included in national laws or constitutions.

All citizens have constitutional rights to participate, including children. The Constitution of Senegal, adopted in 2001²⁶⁵, outlines the following participatory rights:

Article 8:

“The civil and political freedoms: freedom of opinion, freedom of expression, freedom of the press, freedom of association, freedom of assembly, freedom of movement [déplacement], [and] freedom of manifestation”, and the right to plural information.”

Additionally, the constitution includes two specific articles addressing the right of expression (Art. 10) and the right of free association (Art. 12):

Article 10:

“Each one has the right of expression and to disseminate their opinion freely by word, pen, image, [and] peaceful march, provided that the exercise of these rights does not infringe the honor and the consideration of others, or the public order.”

Article 12:

“All the citizens have the right to freely constitute associations, [and] economic, cultural and social groups as well as societies, under reserve of conforming to the formalities specified [éditées] by the laws and regulations. The groups of which the goal or the activity is contrary to the criminal laws[,] or directed against the public order[,] are prohibited.”

Despite the rights contained in the Constitution, Senegal lacks a specific focus on children and young people's participation in its national laws and policies²⁶⁶. This policy assessment did not identify specific policies in Senegal that incorporate Article 12 of the UNCRC. Similarly in 2019, the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) recommended Senegal revise its national laws and policies to align with the entirety of Article 4 of the African Charter on the Rights and Welfare of the Child in 2000. This alignment would ensure that any child and young person capable of forming their opinions can freely express those views, particularly in all administrative and judicial proceedings that concern them²⁶⁷.

Senegal is pending the approval of key laws for the development and meaningful participation of children and young people. This includes the Children's Code that will establish the Children's Ombudsperson²⁶⁸. Furthermore, the ACERWC suggests Senegal finalize and pass a decree establishing the National Children's Parliament and to formalise and build the capacity of the Children's Parliament with branches all over the country²⁶⁹. The ACERWC highlights that the Senegalese government should further advocate for and guarantee the participation rights of all children, especially those facing marginalisation, hailing from impoverished families, experiencing disabilities, belonging to the talibé community, and those who are orphaned or vulnerable²⁷⁰.

The absence of a robust legal framework could be linked to and reinforce social barriers that impede children's participation in Senegal. A study by Pretoria University Law Press (2022) analysed children and young people's participation in development frameworks in Africa and found that patriarchal social norms shape children and young people's lives at the family and social level. A Senegal child that participated in a focus group discussion in such study said:

Families respect the culture and thus the problem on the family level and the cultural level can be viewed through the same lens. This is because families - the parents, the adults in a family - adhere to cultural values. Therefore, they'd say 'when I speak you should not be speaking', for example, a child cannot decide where they want to go. For example, when a child says 'Papa, I want to ...', 'No you will not go'. Even if the child tells them, he/she will not go. Thus, families are the cultures and traditions that our elder brothers, our fathers, our mothers adhere to.

[the authors added that] This is especially worse when it comes to participation of girls in communities which are patriarchal, when the roles of girls are defined to be hidden and not loud.²⁷¹

In short, the Constitution of Senegal contains rights to participation that are available to all citizens, including children. Legislation is planned that would include children and young people's participation rights specifically.

Indicator 2. An independent commissioner or ombudsperson is established.

At the time of writing this policy assessment, Senegal was in the process of approving the Children's Ombudsperson. In 2023, Senegal informed the United Nations that section II of the bill on the pending Children's Code includes provisions for establishing the Children's Ombudsperson, an independent office responsible for promoting, protecting, and defending children's rights. Furthermore, Article 116 of the draft Children's Code incorporates the duties of the Children's Ombudsman, which include reporting any acts that may constitute a breach of criminal law against a child to the public prosecutor.²⁷²

The UN Committee on the Rights of the Child²⁷³ and the ACERWC²⁷⁴ have expressed their concerns on the delays in establishing the Children's Ombudsperson. The UN Committee specifically advised Senegal to promptly enact the proposed law creating an independent ombudsman for children capable of receiving, investigating, and addressing children's complaints in a child-sensitive manner²⁷⁵. The UN Committee added that the entity should also guarantee the privacy and protection of victims, engage in monitoring, follow-up, and verification activities for victims, and maintain independence in terms of funding, mandate, and immunities.

Indicator 3. Public service complaints mechanisms and means of redress are in place.

One interviewee (Participant B) noted that there are limited complaint mechanisms for children and young people. The participant shared an initiative implemented in certain schools with the assistance of Save the Children. Schools have established “complaint boxes” - containers placed in the schoolyard where each child can freely submit a complaint whenever they wish. Currently, the complaints are directed to the local Committee for the Protection of the Child established at the school, and the boxes are overseen by the school director in coordination with the school’s governing body.

The UN Committee on the Rights of the Child has expressed concerns about the lack of child-friendly complaints mechanisms, particularly for child victims, recommending their urgent implementation^{276,277}. Furthermore, the ACERWC recommends that all schools have functioning confidential and independent reporting mechanisms appropriate to the local school context, in particular to respond to cases of sexual and gender-based violence²⁷⁸.

Indicator 4. Children are entitled to democratic structures in schools.

School Government is the mechanism for fostering children and young people’s participation at schools. Participant A explained that the structure of School Governments mirrors that of the national government, including with a president and ministers. Each class is represented by a delegate, and these representatives convene in a general assembly to undertake the democratic process of electing a president for the School Government, alongside various ministers.

While this policy assessment did not find information on the current functioning of School Governments across the country, interviewees provided some examples of good practice. According to Participant C, for example, when School Governments are well-implemented students gain valuable lessons in civic engagement and further understanding of democratic principles, which promote a sense of responsibility and leadership from an early age. Participants A and B shared examples of School Governments that proposed cleaning activities or environmental care strategies in their schools.

School Governments play a key role in the prevention and response to the violation of children and young people’s rights. Participant C explained that if a child encountered a problem, they can turn to the School Government for assistance. Afterward, the School Government collaborates with teachers to address the issue and escalates it to the Government Inspectorate of Education if necessary. In 2021, Senegal informed the UN Committee on the Rights of the Child that it had initiated a pilot program through School Governments that focused on increasing awareness of violence against children and young people²⁷⁹. The program aimed to ease the reporting of instances of violence experienced at school or observed within families or the community.

However, the implementation of school governance in Senegal faces several challenges, such as the absence of a legal framework, negative social norms, and insufficient economic resources. One interviewee (Participant A) pointed out that many teachers and other adults still think that children and young people should only make decisions when they become adults. Both Participants A and B spoke of the importance of improving the legal framework to ensure children and young people were involved in school governance. They also emphasised the need to formalize, through a decree, the inclusion of students’ opinions in decision-making. Participant B added that schools lacked the economic resources to support children and young people’s involvement in school governance.

Students can also take part in the School Management Committee (CGE). The School Management Committee consists of the head of the school, the president of the CGE (who is a parent of a student), and one student representative. This policy assessment did not locate additional information about the current functioning of CGEs or the extent of the meaningful participation of the student representative.

A recent report²⁸⁰ uncovered instances where students organised to raise concerns in school. Unfortunately, the responses from authorities were forceful. An incident in the southern region exemplifies this, as soldiers injured two students while attempting to disperse a demonstration. The protest sought essential

improvements in schools, such as hiring more teaching staff and ensuring internet access. Authorities resorted to firing into the air to disperse the crowd that had disrupted traffic.

Indicator 5. Children have the right to establish their own organisations.

As mentioned in indicator 1, the Constitution of Senegal incorporates the right to freely constitute associations, economic, cultural and social groups as well as societies (Article 12). The National Youth Council of Senegal (NPC) is a platform that brings together national youth organisations of people between 15-35 years old.²⁸¹ The NPC also has regional youth councils in all regions of Senegal. No organisations of children below 15 years old were found for this policy assessment.

A study on children and young people's access to justice for environmental rights revealed that, despite constitutional provisions regarding association rights, there are limitations on exercising the right to associate to participate in demonstrations²⁸². According to reports from local organisations, the study identified frequent bans on demonstrations and the excessive use of violence to prevent them. For instance, it mentioned that, in March 2021, security forces employed live ammunition to disperse nationwide protests, resulting in the deaths of fourteen people, including three young people, in Dakar, Bignona, Kaolack, and Diaobé. These protests ensued following the arrest and detention of Ousmane Sonko, and at least 400 people were injured²⁸³.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 1: The right to participate is included in national laws or constitutions.

★ ★ ★ Moderate provision

The Constitution provides participation rights for all citizens, including freedom of expression, association and right to plural information. Senegal is in the process of approving the Children's Code that will establish the Children's Ombudsperson and to pass the decree establishing the National Children's Parliament. However, there is still a need to reflect in legislation the requirements of the UNCRC and ACERWC to ensure meaningful participation of children and young people.

Indicator 2: An independent commissioner or ombudsperson is established.

★ ★ Limited provision

Senegal is in the process of approving the Children's Code that will approve the Children's Ombudsperson.

Indicator 3: Public service complaints mechanisms and means of redress are in place.

★ ★ Limited provision

There is a deficiency in available complaint mechanisms for children and young people. Concerns were raised, particularly regarding the absence of independent reporting mechanisms suitable for child victims of violence.

Indicator 4: Children are entitled to democratic structures in schools.

★ ★ Limited provision

School Governments serve as the democratic structures in school for children and young people; however, they are not widely promoted across the regions.

Indicator 5: Children have the right to establish their own organisations.

★ ★ ★ Moderate provision

Citizens generally have the right to associate, under the Constitution. The National Youth Council of Senegal is the platform for registration of organisations of children and young people above 15 years old.

Country-Context

B. PROMOTING AWARENESS OF AND COMMITMENT TO PARTICIPATION

Indicator 6. Children have access to independent information from a wide range of sources.

Article 8 of the Constitution guarantees “the right to a variety of information”. The Government has made efforts to provide information to children and young people: for example, in 2021 the Ministry of Women, Family, Gender and Child Protection developed an educational quiz called *Yaa Ma Gena Xam* to promote children’s rights through games. A mobile application was created and made available online to enhance children’s and young people education and awareness and to facilitate their access to various sources of information and learning and forums for discussion²⁸⁴.

Participants noted that there are various challenges to ensure that children and young people, especially those belonging to more vulnerable groups, have access to appropriate information. One interviewee highlighted that information for the youngest children is not directly tailored to them; it typically passes through adult channels such as schoolteachers or parents (Participant A). Disparities also exist between urban and rural youth, with those in cities having better access to media due to greater access to internet and media means. Furthermore, this interviewee highlighted that despite the increasing number of urban students having mobile phones, even in elementary school, their usage lacks regulation, posing potential risks. While this technology could enhance communication and participation in students’ lives, the lack of control may lead to adverse outcomes.

The ACERWC suggests Senegal provides comprehensive information in the local language across all possible communication channels, especially regarding children and young people’s rights under the Charter²⁸⁵.

Indicator 7. Government information is available in child-friendly and appropriate formats.

This policy assessment did not find further information on government information available in child-friendly formats.

Indicator 8. Child rights training is provided for professionals and policymakers working with children.

Senegal has provided trainings for people working with children and young people including teachers and professionals of the child protection system, particularly in topics related to child protection²⁸⁶. In 2016 the UN Committee on the Rights of the Child recommended Senegal conduct programmes and awareness-raising activities to promote the meaningful and empowered participation of all children and young people within the family, the community and schools, including within student council bodies, paying particular attention to girls and to children in vulnerable situations²⁸⁷. This policy assessment did not find further information on training on topics related to participation of children and young people.

Summary by participation indicators

Indicator 6: Children have access to independent information from a wide range of sources.

Limited provision

Children, as citizens, have the right under the Constitution to access information. Nevertheless, the available information is not often child-friendly. There are numerous challenges for children and young people to obtain information, particularly for those in their early years, those in vulnerable conditions, and those living in rural areas.

Indicator 7: Government information is available in child-friendly and appropriate formats.

Limited provision

This policy assessment found limited information on child-friendly formats.

Indicator 8: Child rights training is provided for professionals and policymakers working with children and young people.

Moderate provision

Training is offered to professionals and policymakers, with a particular focus on the topic of child protection. Recommendations have been proposed to ensure training encompasses the rights of children and young people to participate.

C. CREATING SPACES FOR PARTICIPATION

Indicator 9. Mechanisms are in place to consult children on legislation, public policies, services and resource allocation.

The Children's Parliament, currently awaiting approval, is set to be the primary consultative mechanism at both national and regional levels. The draft proposal states that the National Children's Parliament will be funded through the State budget²⁸⁸. The UN Committee on the Rights of the Child²⁸⁹ recommends that the Children's Parliament ensures inclusivity, welcoming all children and young people without discrimination based on race, religion, sex, social status, or disability. It should serve as a platform for children and young people to express their opinions, educate them about their rights, enhance their understanding of child rights, life skills, tolerance, and diversity. Additionally, it should provide children and young people with a space for discussing their challenges, presenting demands to the government, media, and civil society members, and maximising opportunities to influence policies affecting them. The ACERWC emphasizes the importance of involving children in decision-making processes, particularly those who are marginalised, come from impoverished backgrounds, have disabilities, are talibé children, or are orphaned and vulnerable²⁹⁰.

Although the Children's Parliament is not officially established, there have been instances where children and young people were consulted in the formulation of policies. For instance, the Senegalese Government developed its inaugural child protection contingency plan (2017–2018) with an accompanying action plan addressing various risks including those related to hazardous facilities, maritime safety, security, armed conflicts, and natural hazards. Children and young people actively participated in all stages of its creation²⁹¹.

As stated in indicator 5, the National Youth Council of Senegal is made up of youth organisations involving individuals aged 15 to 35. Youth councils also exist at the regional and community levels, attempting to ensure adequate youth representation in decision-making²⁹². However, as highlighted by Participant A, in many cases, these councils lack the necessary resources to function effectively.

School Governments and School Management Committees (see indicator 4) also provide children and young people with opportunities to be consulted in decision-making at the school level. In addition, two interviewees explained that some municipalities have established consultation spaces for children and young people, with the support of non-governmental organisations (Participants B and D). Further, Participant B explained that over the last five years, UNICEF has assisted municipalities in establishing Municipal Children's Councils. According to UNICEF, in 2021, in 11 of the 57 municipalities a multisectoral service delivery approach was piloted to increase access and quality of services and establish strong mechanisms for child and youth participation²⁹³.

Indicator 10. Mechanisms are in place for children to provide feedback on the quality, accessibility and appropriateness of public services and policies.

School Governments and the School Management Committee (see indicator 4) provide opportunities for children and young people to offer feedback on the quality of services at the school. Young people aged 15 and above can share their feedback through their respective organisations and other activities promoted by the National and Regional Youth Councils of Senegal (see indicator 5). No additional mechanisms were identified in this policy assessment.

Indicator 11. Children are represented in governance bodies at local and national levels, including through their own organisations.

As addressed in indicators 1 and 9, Senegal is in the process of passing legislation to formalise the Children's

Parliament at both national and local levels. The Children's Parliament will serve as the platform for children and young people to be represented in governance bodies.

At the school level, students can have representation in School Governments and School Management Committees (see indicator 4). The National and Regional Youth Councils of Senegal aim to promote youth participation and representation (see indicator 5).

Indicator 12. Democratic child-led organisations are established at local and national levels.

School Governments (see indicator 4) and the National and Regional Youth Councils (see indicator 5) provides opportunities for democratic child-led organisations.

Indicator 13. Children have access to the media to communicate their views.

As outlined in indicator 1, citizens in Senegal have the right to express themselves freely. Media platforms, including internet platforms, exist for individuals to communicate their views. However, this policy assessment did not identify strategies to provide children and young people with access to media for expressing their views. Additionally, it is noted that children living in rural areas may encounter more challenges in accessing media due to a lack of internet connectivity.

The UN Committee on the Rights of the Child and the ACERWC have advised Senegal to enhance its strategies for children's communication²⁹⁴. The UN Committee proposes developing an action plan aligning Internet law with the government's commitment to uphold freedom of expression and information²⁹⁵. This involves ensuring unrestricted access to electronic media, liberalising ownership rules for electronic media, and enabling national internet users, including children and young people, to actively promote and protect human rights.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 9: Mechanisms are in place to consult children on legislation, public policies, services and resource allocation.

★ ★ Limited provision

The Children's Parliament is set to be the primary consultative mechanism at both national and regional levels; however, it is still in the process of being approved. Opportunities for children and young people to be consulted are not systematically available across all areas.

Indicator 10: Mechanisms are in place for children to provide feedback on the quality, accessibility and appropriateness of public services and policies.

★ ★ ★ Moderate provision

School Governments, School Management Committees and the National and Regional Youth Councils of Senegal provide opportunities for children to provide feedback.

Indicator 11: Children are represented in governance bodies at local and national levels, including through their own organisations.

★ ★ ★ **Moderate Provision**

School Governments, School Management Committees, and the National and Regional Youth Councils of Senegal provide opportunities for children to provide feedback. The Children's Parliament, awaiting approval, will offer a formal platform for children to be represented.

Indicator 12: Democratic child-led organisations are established at local and national levels.

★ ★ ★ **Moderate provision**

School Governments and the National and Regional Youth Councils of Senegal provide opportunities children and youth to lead their own organisations. Once established, the Children's Parliament could provide a child-led organisation at national level.

Indicator 13: Children have access to the media to communicate their views.

★ ★ **Limited provision**

Senegalese citizens have the constitutional right to express themselves freely. Concerns have been raised regarding insufficient access to media, especially for children living in rural areas, and about ensuring freedom of expression.

SUMMARY OF LEGISLATION AND GOVERNMENT STRUCTURES

Key legislation for children and young people's participation:

- The Constitution of Senegal

Key government structures for children and young people's participation:

- School Governments
- School Management Committees
- The National and Regional Youth Councils of Senegal



UGANDA

COUNTRY-CONTEXT

Uganda is located in East Central Africa. It has more than 48.6 million people (48,582,334), of which slightly more than 25 million (25,104,152) are children and young people below the age of 18 years²⁹⁶. Thus, 52% of people in Uganda are below the age of 18.

The country has shown its commitment to children and young people's human rights at the international level, by ratifying the UN Convention on the Rights of the Child (UNCRC) in 1990 and the African Charter on the Rights and Welfare of the Child in 1994. The 1995 Constitution of the Republic of Uganda (as amended) contains numerous participation rights for its citizens. The Children Act (Chapter 59), amended in 2016, contains specific reference to children and young people's participation rights.

Uganda introduced universal primary education in 1997, increasing enrolment by 145% since then²⁹⁷. However, completion rates for education are under 50%: 40% for primary education, 34% for lower secondary education and 16% for upper secondary education²⁹⁸. Reasons for children and young people not completing these levels of school include the 'hidden' costs of education (such as uniforms and school materials), high levels of violence at school and home, a lack of parental and community involvement in education, and communities not being able to demand good-quality education²⁹⁹.

The Government of Uganda has made considerable efforts to reduce poverty³⁰⁰. Nevertheless, as of 2022, 44% of children and young people were living in households in extreme poverty³⁰¹. One in five children and young people (20%) were reported as living below the national poverty line³⁰². The highest rates of multi-dimensional poverty for children and young people are found in rural areas, along with some very densely populated areas³⁰³. Particular challenges are experienced by the considerable number of children and young people who are refugees from neighbouring states, children and young people with disabilities³⁰⁴, and children and young people who are living and working on the street³⁰⁵.

Children and young people are at risk of multiple forms of children's rights violations. As of 2016, the proportion of girls and women aged 15 to 49 years who had undergone female genital mutilation was reported to be 0.3%, but with some areas having considerably higher rates³⁰⁶. About one-third of women (34%) aged 20 to 24 years were married or in a union before the age of 18³⁰⁷. Nearly one in five (18%) of children and young people aged 5 to 17 years were reported to be engaged in child labour, based on 2017 data³⁰⁸. A large majority of children and young people aged 1 to 14 (85%) were reported to have experienced physical punishment and/or psychological aggression by their caregivers in the past month³⁰⁹. A proportion of young women (5%), aged 18 to 29, reported experiencing sexual violence before the age of 18, while 1% of men similarly reported such violence³¹⁰. There are also concerns about child trafficking and commercial sexual exploitation of children and young people³¹¹.

Uganda has made considerable progress in reducing child mortality³¹², although children and young people still experience health risks. Forty-two children and young people out of every 1000 die before the age of five³¹³, and many children and young people are malnourished³¹⁴. Approximately 98,000 children and young people aged 0-15 are living with HIV³¹⁵. Just over half children and young people (55%) are reported to be fully immunised³¹⁶, and a similar proportion (57%) are unable to go to a health facility or afford prescribed medicines when ill. This rises to over three-quarters (77%) when considering children and young people who are multi-dimensionally poor³¹⁷.

Climate change and rapid rates of urbanisation are noted as particular challenges for Uganda³¹⁸. For example, certain rural areas are experiencing extreme drought or extreme rainfalls while poorer children and young people can have poor housing, sanitation and limited access to basic services in urban areas³¹⁹.

In short, Uganda has one of the youngest populations world-wide. The country has addressed notable challenges, such as armed conflict, a large influx of refugees, widespread poverty, and rapid urbanisation. It has made considerable progress on several key indicators, such as reducing child mortality under the age of 5 and child poverty. Legislation contains children and young people's rights, both in the Constitution and other national legislation. However, Uganda has continuing high proportions of children and young people facing problems such as low educational completion rates, child labour, and experiences of violence.

Country-Context

A. PROTECTING THE RIGHT TO PARTICIPATE

Indicator 1. The right to participate is included in national laws or constitutions.

The 1995 Constitution of the Republic of Uganda (as amended)³²⁰ requires the State to be based on “democratic principles which empower and encourage the active participation of all citizens at all levels in their own governance” (II(i)). It further sets out participation rights for all citizens, such as: freedom of speech and expression, including freedom of the press and other media (Article 28(1)(a)); “freedom to assemble and to demonstrate together with others peacefully and unarmed and to petition” (Article 28(1)(d)); and freedom of association, including the freedom to form and join associations or unions (Article 28(1)(e)). While Article 34 outlines rights specific to children and young people, it does not refer to participation rights.

The Children Act (Chapter 59), as amended in 2016³²¹, contains reference to children and young people's participation. A child is defined as someone below 18 years (Section 2). When a court or person “determines any question in respect to the upbringing of a child, the administration of a child's property, or the application of any income arising from that administration” (Section 3(1)), they must have regard to “the ascertainable wishes and feelings of the child concerned, with due regard to his or her own age and understanding” (Section 3(2)). Further, Section 4 lists children and young people's rights, which include every child's right, “where capable, [to] express his or her view, belief or opinion on any matter that affects his or her wellbeing” (Section 4(1)(b)). Children and young people have the right to “access any information to which a parent, guardian or other person authority deems critical to the child's well-being” (Section 4(1)(c)). The wording of these rights are close to, but not as strong nor as comprehensive as, the UNCRC participation rights. This may be partially addressed by Section 4(l), which states that in addition to the rights set out in the Act, children and young people have the right to exercise other rights set out in the UNCRC and the African Charter on the Rights and Welfare of the Child with “appropriate modifications to suit circumstances in Uganda”.

The Local Government Act (Chapter 243), as amended, requires a councillor to “consult the people on issues to be discussed in the council where necessary” (Section 8(1)(1), Third Schedule). At every level in local government, a member of the executive committee (the Secretary for Children's Affairs) is designated to be responsible for children and young people's welfare.³²²

The *National Child Participation Strategy 2017/18 to 2021/22*³²³ builds on these legal frameworks. The Strategy was published by the Ministry of Gender, Labour and Social Development after being developed with stakeholders, who included children and young people. The strategy sets out three strategic objectives:

- Strategic Objective 1. Valued: To recognize children as key stakeholders and members of society.
- Strategic Objective 2. Visible: To integrate children's issues in local and national governance structures.
- Strategic Objective 3. Voice: To promote respect for children's voices at family, community and government levels.³²⁴

The strategy sets out a monitoring and evaluation framework for each of these objectives. An indicative budget is also included of UGX 37,564,563,000, which in turn is broken down for specific priority activities³²⁵. The African Committee of Experts on the Rights and Welfare of the Child (ACERWC) specifically commended the existence of the Strategy³²⁶.

Interviewees consulted for this report were positive about the inclusion of participation rights in legislation and the National Child Participation Strategy. However, one interviewee noted, critically, that the Constitution does not specify children and young people's rights to participate (Participant A). Furthermore, the National Child Participation Strategy has not been fully implemented (Participant A). Thus, although the Constitution and legislation create a substantial basis for children and young people's participation rights and the National Child Participation Strategy provides a detailed framework, the latter has not yet been fully implemented.

Indicator 2. An independent commissioner or ombudsperson is established.

Uganda does not have a separate, independent commissioner or ombudsperson for children and young people. The Uganda Human Rights Commission (UHRC) was established by the Constitution (Article 52(1)), with the function to investigate on its own initiative or following a complaint³²⁷. The rights and welfare of children and young people are monitored under the UHRC's Vulnerable Persons Unit³²⁸.

In its Concluding Observations in 2005, the UN Committee on the Rights of the Child commended the UHRC for its "remarkable work" but expressed concern at the lack of a specific department dealing with children and young people's rights, inadequate human resources, and insufficient budgets³²⁹.

Indicator 3. Public service complaints mechanisms and means of redress are in place.

As stated under indicator 2, the UHRC can receive complaints and investigate on the basis of complaints.

The National Children Authority is an autonomous body, established under the Children Act. It can receive complaints from the public relating to child abuse and can refer such complaints to appropriate authorities (Section 9B(1)). It has a specialised committee on child development and participation (Section 9J(1)). The Uganda Government's 2020 report to the UN Committee on the Rights of the Child noted: "The Authority is however still in its formative phase and is limited by lack of resources and capacity to effectively monitor child rights in Uganda protocols"³³⁰.

Interviewees mentioned additional ways that children and young people can complain: to local government level officials who are responsible for child welfare (see indicator 1); through the helpline for reporting child abuse funded by the Government; through the police; or through student councils in the case of school issues (see indicator 4).

Indicator 4. Children and young people are entitled to democratic structures in schools.

The Education (Pre-Primary, Primary and Post-Primary) Act 2008³³¹ requires secondary schools to establish student councils (Section 30). These councils should be run in the manner set out by the Uganda National Students' Association (Section 30). One interviewee outlined how student councils are elected (Participant B). The two interviewees commented positively on the range of issues that student councils can address, arguing councils can thus be a conduit for children and young people's participation (Participants A and B).

A Masters' study undertaken by Nabasumba³³² reported four forms of children and young people's participation in schools in Uganda:

- Prefects: these are elected by their peers and vetted by teachers/ the school administration. The prefects participate in particular campaigns, as well as more general school responsibilities such as representing their school and maintaining school rules,

- Class representatives or monitors, either elected by children or appointed by class teachers,
- An elected children's council for the individual school, and
- A children's court, which acts as a disciplinary committee in the school.

None of these forms of participation are mandatory. Undertaking qualitative research in two primary schools in 2017, Nabasuma noted the strengths of national participation guidelines³³³ but their limited implementation, inadequate financial and human resources to do so, and cultural norms that do not support children and young people's participation.

The Uganda Government's 2020 report to the UN Committee on the Rights of the Child wrote of Child Rights Clubs in schools, where "children are able to share, discuss and debate issues of rights, violence in a safe space". They noted that children who are out of school, however, are not able to join these clubs.³³⁴

Indicator 5. Children and young people have the right to establish their own organisations.

As stated under indicator 1, the Constitution³³⁵ sets out citizens' right to freedom of association, including the freedom to form and join associations or unions (Article 28(1)(e)). However, both interviewees stated that children and young people under the age of 18 cannot establish their own organisations (Participants A and B).

SUMMARY BY PARTICIPATION INDICATORS

Indicator 1: The right to participate is included in national laws or constitutions.

★ ★ ★ Moderate provision

The Constitution sets out certain participation rights for all citizens. The Children Act specifies children and young people's rights to participate. This is further developed in the framework provided by the *National Child Participation Strategy*. The Strategy had not been fully implemented.

Indicator 2: An independent commissioner or ombudsperson is established.

★ ★ ★ Moderate provision

The Uganda Human Rights Commission has a Vulnerable Persons Unit which deals with children and young people's rights violations. However, it does not have a specific unit for children and young people, and has limited contact with children and young people.

Indicator 3: Public service complaints mechanisms and means of redress are in place.

★ ★ Limited provision

Children and young people have a range of ways in which they can complain, such as through the Uganda Human Rights Commission and student councils. However, these are not comprehensive nor regularly used.

Indicator 4: Children and young people are entitled to democratic structures in schools.

★ ★ ★ Moderate provision

Student councils are required in public secondary schools but not primary schools.

Indicator 5: Children and young people have the right to establish their own organisations.

★ No provision

While the Constitution sets out citizens' rights to form associations, interviewees stated that children and young people under the age of 18 cannot form their own organisations.

Country-Context

B. PROMOTING AWARENESS OF AND COMMITMENT TO PARTICIPATION

Indicator 6. Children and young people have access to independent information from a wide range of sources.

The *National Child Participation Strategy 2017/18 to 2021/22*³³⁶ states the right of children and young people to seek, receive and impart information. An expected outcome is that children and young people have access to relevant and timely information³³⁷.

The Uganda Government's 2020 report to the UN Committee on the Rights of the Child stated that age appropriate information is available from governmental and other bodies. Public libraries provide a chance for children and young people to access such information.³³⁸ The National Health Policy 20024 aims to protect and promote the rights of adolescents to health information³³⁹.

However, one interviewee noted that there is a "challenge" for making information available, with limited dissemination to children and young people or their families (Participant A).

Indicator 7. Government information is available in child-friendly and appropriate formats.

The *National Child Participation Strategy 2017/18 to 2021/22* sets out the goal to provide and disseminate child-friendly versions of the Children Act³⁴⁰. Child Rights Clubs in schools provide a means for children and young people to access child-friendly information. Child Rights Clubs are voluntary initiatives that are not funded by the State.

Indicator 8. Child rights training is provided for professionals and policymakers working with children.

The *National Child Participation Strategy 2017/18 to 2021/22* lists capacity-building and awareness-raising programmes on child participation, including training programmes³⁴¹.

The UN Committee on the Rights of the Child noted in its Concluding Observations in 2005 that further rights training was needed:

The Committee recommends that the State party strengthen its efforts to ensure that the provisions of the Convention are widely known and understood by adults and children. It also recommends the reinforcement of adequate and systematic training of all professional groups working for and with children, in particular law enforcement officials, teachers, including teachers in rural and remote areas, health personnel, social workers and personnel of childcare institutions.³⁴²

In its 2020 report to the UN Committee on the Rights of the Child, the Uganda Government wrote: “There is need to increase awareness on child rights and the need to respect the views of children not only by the state but by communities and at family levels”³⁴³.

One interviewee noted that few government officials understand the concept of children and young people’s participation, and holistic training is needed for such officials not only on participation, but also on meaningful participation (Participant B).

Summary by participation indicators

Indicator 6: Children and young people have access to independent information from a wide range of sources.

★ ★ Limited provision

Children and young people have limited access to independent information, and little information is specifically disseminated to them.

Indicator 7: Government information is available in child-friendly and appropriate formats.

★ No provision

While required by the National Child Participation Strategy, government documents are not typically produced in child-friendly formats.

Indicator 8: Child rights training is provided for professionals and policymakers working with children and young people.

★ No provision

No systematic and holistic training on children and young people’s rights is provided for professionals and policymakers.

C. CREATING SPACES FOR PARTICIPATION

Indicator 9. Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

In 2022, the ACERWC recommended that a Children's Parliament be established, that involved "all children across the country and those in different vulnerabilities, such as children with disabilities, are represented"³⁴⁴. Further, such a Children's Parliament should have sufficient funds.

According to one interviewee, the Ministry of Gender, Labour and Social Development is trialling an advisory group of children and young people to consult their peers on legislation, public policies, services and resource allocation (Participant B). Children and young people are being invited to apply through newspaper advertisements. This interviewee, however, thought this is not an inclusive way to recruit, as some children and young people will not be able to write their applications nor access the newspaper.

Participant B also described an "annual children's camp" where children and young people can meaningfully engage with Parliamentarians. This event includes discussions about budgets as well as legislation. Another interviewee spoke of a Member of Parliament for children and young people, who is tasked with forwarding their issues (Participant A).

The Ministry of Gender, Labour and Social Development's 2023/2024 budget has a participation objective, "to improve the effective participation of communities in the development process". A budget of USD 99,900 is allocated to the National Child Authority (NCA). This is a reduction of 58% from the previous year. No direct allocation, however, is given for children and young people's participation.³⁴⁵

Children and young people can generally participate in consultations on legislation and policy, as can all citizens (Participant A). As noted for indicator 1, the Secretary for Children's Affairs is appointed at all local government levels, with a remit for children and young people's welfare, and could take forward children and young people's views.

Indicator 10. Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

This has been addressed by other indicators, such as public complaints (indicator 3) and consultation mechanisms (indicator 9). The NCA has an advisory role to the government (particularly in relation to child abuse), but one interviewee did not think children and young people would specifically address the NCA (Participant A).

The Ugandan Government has identified a range of different mechanisms through which children and young people can express their views:

... through innovations such as the U-Report initiative launched by UNICEF in 2011, the Child Helpline, the Children's Portal, children and youth both in and out of school can engage with experts on reporting challenges they face and contributing to discussions on issues concerning them. These platforms allow children and youth through mobile phones to participate in giving opinions on issues pertinent to them and their concerns are relayed to government stakeholders, including members of parliament and other government agencies.³⁴⁶

The NCA reported that it helped to establish 40 Child Rights Clubs in schools, with the intention of rolling these out to other areas. The Clubs are intended to strengthen meaningful child participation. The NCA noted that schools require technical support and guidance so that the Clubs can function effectively.³⁴⁷

The ACERWC commends such initiatives but suggests that the U-Report and the Child Helpline are underused by children. It recommends that these should be popularised with children and ensure that children can use the platform even if they do not have access to phones.³⁴⁸

However, despite the different mechanisms, interviewees stated that particular groups of children and young people risk being excluded from participation activities. Participant A highlighted children and young people living and working on the streets and disabled children, while Participant B expressed concerns about children and young people affected by HIV/AIDS and those involved in armed conflict.

Indicator 11. Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

Children and young people's involvement in school councils is addressed in indicator 4. An advisory group is being trialled by the Ministry of Gender, Labour and Social Development, as addressed in indicator 9.

No further information was identified in the review.

Indicator 12. Democratic child-led organisations are established at local and national levels.

Student councils (see indicator 4) provide opportunities for democratic child-led organisations in schools. No other organisations were identified by this review.

Indicator 13. Children and young people have access to the media to communicate their views.

As addressed in indicator 1, children and young people have rights to freedom of expression/to freely express their views through the Constitution (Article 28(1)(a)) and under the Children Act (Section 4(1)(b)). No further information was identified in this review.

SUMMARY BY PARTICIPATION INDICATORS

Indicator 9: Mechanisms are in place to consult children and young people on legislation, public policies, services and resource allocation.

★ ★ **Limited provision**

Beyond public participation generally, mechanisms are being trialled to consult children and young people.

Indicator 10: Mechanisms are in place for children and young people to provide feedback on the quality, accessibility and appropriateness of public services and policies.

★ ★ ★ **Moderate provision**

A range of mechanisms are in place, but it is unclear to what extent they cover the full range of children and young people's issues and are utilised by children and young people.

Indicator 11: Children and young people are represented in governance bodies at local and national levels, including through their own organisations.

★ ★ **Limited provision**

Children and young people are represented in school councils in public secondary schools. Other mechanisms are being trialled to consult children and young people.

Indicator 12: Democratic child-led organisations are established at local and national levels.

★ ★ **Limited provision**

Children and young people are represented in school councils in public secondary schools and must be democratically elected. No other democratic child-led organisations are mandated.

Indicator 13: Children and young people have access to the media to communicate their views.

★ ★ **Limited provision**

No particular Government provision is made for children and young people to have access to the media to communicate their views.

SUMMARY OF LEGISLATION AND GOVERNMENT STRUCTURES

Key legislation for children and young people's participation:

- Constitution of the Republic of Uganda 1995
- Children Act (Chapter 59)
- Education (Pre-Primary, Primary and Post-Primary) Act 2008
- Local Government Act (Chapter 243)

Key government structures for children and young people's participation:

- Ministry of Gender, Labour and Social Development
- Student Councils in public secondary schools



APPENDIX: METHODOLOGY

APPENDIX: METHODOLOGY

This Appendix provides an overview of the methodology for the policy assessment. It has four sections that cover: the rationale for the policy assessment and the resulting research questions; an introduction to the participation infrastructure indicators used in the country reports; the methods used for the policy assessment; and the data management and ethical processes.

RATIONALE AND RESEARCH QUESTIONS

The policy assessment was commissioned by World Vision International. It is part of their contribution to Joining Forces (<https://joining-forces.org/>), which is an alliance of six Non-Governmental Organisations, including World Vision International.

In recent years, many countries around the world have made significant efforts to uphold children and young people's human rights. However, children and young people's opinions are not always heard and their inclusion in decision-making processes is often limited, with many political rights reserved exclusively for adults. There is a prevailing perception that children and young people lack the cognitive capacity to contribute meaningfully to complex policy discussions and they are frequently seen as passive agents. Legal frameworks often fail to recognise children and young people's rights to participate and there is a lack of child-friendly infrastructures.

The policy assessment aimed to examine and compare national governance and infrastructures, and supporting local mechanisms, that recognise, support and fulfil children and young people's collective participation rights in public decision-making. The assessment was undertaken in six countries (El Salvador, Indonesia, Kenya, Peru, Senegal, and Uganda). The countries were selected because they were known to have government initiatives for children and young people's participation and the associated infrastructure, they were from a range of regions (Africa, Asia and Latin America), and all had national World Vision offices that could support the assessment.

To achieve this aim, the assessment had three research questions:

- What kind of existing national governance and infrastructures, and local mechanisms, are available and what are their main characteristics?
- What are the main challenges faced by national governance and infrastructures, and local mechanisms, in supporting children and young people's collective participation?
- What are the promising practices to support children and young people's collective participation in public decision-making?

Parameters were agreed for the assessment:

- 'Children and young people' refers to those under the age of 18, following Article 1 of the UN Convention on the Rights of the Child (UNCRC). Some governance, infrastructures and mechanisms cover an older age group, as well, and these are also included in this assessment.
- The focus was on children and young people's collective participation (i.e. as a group) rather than more individualised participation.

- Public decision-making primarily refers to decisions that could be or were made by public bodies, including government or quasi-government organisations. Such decision-making covers a range of issues, from budgets and legislation to services.
- While recognising the range of participation rights within the UNCRC, the assessment concentrates on Article 12(1) of the UNCRC.

In undertaking the policy assessment, Joining Forces particularly asked for consideration of:

- Independent Children’s Commissioner/Ombudsperson and their structures for participation.
- Mandated institutions and mechanisms, at national and across local levels, including local governance structures in service provision, and institutions/places for children (e.g. schools, protection).
- Government interventions and programmes at national and across local levels.
- Mechanisms to include children and young people in discussions about national laws, constitutions or other policy developments.
- Systems for children and young people’s rights monitoring and reporting.
- Mechanisms to reach out to, and support, the participation of children and young people whose rights are most at risk.

Across the elements above, available budget and other resources were noted if this information was available. Consideration was given to what was legally required and what was promoted (but not legally required) by State policies. Some limited references are made to other initiatives, such as those supported by civil society organisations, particularly if mentioned by those interviewed as part of the assessment.

PARTICIPATION INFRASTRUCTURE INDICATORS

In consultation with World Vision International, we agreed to use the indicators provided in *A Toolkit for Monitoring and Evaluating Children’s Participation*³⁴⁹. The Toolkit was collaboratively developed and piloted in partnership with Save the Children, UNICEF, Plan, World Vision and the Concerned for Working Children across nine countries in different regions of the world. Children and young people were involved in trialling and finalising the Toolkit³⁵⁰.

The Toolkit has 25 indicators. These were collaboratively designed to assess “the extent to which there is a respectful and supportive environment for children’s right to participation”³⁵¹ in a given country or context. The Toolkit categorises the 25 indicators into three categories:

- *Protecting the right to participate*. These are structural and process indicators that establish whether there is a sufficient legislative and policy framework to support every child’s and young person’s right to be heard.
- *Promoting awareness of and commitment to participation*. These are process indicators that ensure that children and young people are aware of their rights to participate and adults receive the necessary training to support children and young people’s participation rights.
- *Creating spaces for participation*. These process indicators offer a set of criteria for the essential systems and structures that empower children and young people to participate.

In consultation with World Vision International, we selected 13 indicators, across the three categories, that related to collective public decision-making, for this policy assessment. The wording of the 13 indicators covered in the reports is available in Table 1 below, as is contained in the Toolkit. This Table incorporates outcome indicators to assess whether the structural and process measures have achieved actual change. We used this Table to inform the summary statements in each country report, under each of the categories.

Table 1: Thirteen Selected Participation Indicators used for Policy Assessment³⁵²

Protecting the right to participate					
Participation Indicator		No provision	Limited provision	Moderate provision	Comprehensive quality provision
		★	★★	★★★	★★★★
1	Right to participate is included in national laws or constitutions.	No legal provisions have been Introduced.	Limited reference to the right to be heard in some specific legislation – e.g., due process in criminal proceedings.	Children's Act (or equivalent) provides a generic recognition of the right of children to express views and have them taken seriously.	Constitution recognises children's right to be heard, and this generic provision is elaborated in all relevant legislation, including education, health, child welfare, etc...
2	An independent commissioner or ombudsman ³⁵³ is established.	No such office or body is in place.	An office has been established but lacks independence from government	An independent office has been established but it has limited contact with children.	An independent children's commissioner is in place, with appropriate funding, supported directly by children, and works through networks of/ consultations with children.
3	Public service complaints mechanisms and means of redress are in place.	No feedback or complaints mechanisms in place.	Complaints procedures in urban centres are accessible to some children. Follow-up mechanisms not effective.	Complaints procedures widely available. Follow-up, referral and response mechanisms are working well in some areas.	Complaints procedures are mandated by law and easily accessible by all children. Follow-up, referral and response mechanisms are well-established accessible and effective.
4	Children are entitled to democratic structures in schools.	There are no student councils or other mechanisms in schools through which children can voice their views.	There are student councils in some experimental schools. The best students are appointed by teachers. Students debate issues but have no influence over decisions.	Student councils are widespread in schools. Members of student councils are elected by the students, but children's decision-making power is limited.	There are mandatory student councils and school management committees where students have real control over important decisions. Student councils are fully representative of the student body.
5	Children have the right to establish their own organisations.	Children are prevented by law from forming their own associations. Child workers are prevented from joining labour unions.	Legislation entitles children to form their own associations, but bureaucratic procedures make it very difficult for children to formally register their associations.	Procedures for establishing and registering children-led associations have been simplified with the result that the number of registered children-led associations is growing steadily.	Children are entitled by law to form their own associations and to join unions. Responsible government departments process applications for children-led associations in a professional and timely manner.

Promoting awareness of and commitment to participation

Participation Indicator		No provision	Limited provision	Moderate provision	Comprehensive quality provision
		★	★★	★★★	★★★★
6	Children have access to independent information from a wide range of sources.	Children have no access to independent information.	Children's access to information is largely limited to better-off children in urban areas.	Children have access to a wide range of information, but there are large disparities in the type of information different groups of children have access to.	Children have access to a wide range of information from various sources, including radio, television, libraries, books, press, internet and helplines.
7	Government information is available in child-friendly and appropriate formats..	Government documents are not produced in child-friendly formats or formats that can be accessed by children with visual or hearing disabilities.	A few government documents are available in child-friendly formats, but there is usually just one such format for all children.	Child-friendly government documents are widely available.	Information is readily available in appropriate formats for children of different ages and children with visual or hearing disabilities. Government departments are mandated to produce key documents in formats that are accessible to all children.
8	Child rights training is provided for professionals and policymakers working with children.	There is no training available on children's rights.	There are some workshops on children's rights, which have been provided for some professional groups and policymakers.	Some courses for professionals and policymakers are beginning to introduce training on children's rights.	All pre- and in-service training for professionals and policy-makers working with and for children includes training on children's rights, as well as the development of competencies for assessing capacity. The government issues clear guidance to policy-makers about the obligation to introduce and support children's participation in policy-making.

Creating spaces for participation

Participation Indicator		No provision	Limited provision	Moderate provision	Comprehensive quality provision
		★	★★	★★★	★★★★★
9	Mechanisms are in place to consult children on legislation, public policies, services and resource allocation.	Children are never consulted.	Some consultations are held with some children on some policies.	The views of girls and boys are gathered systematically in relation to a majority of policies affecting children.	The development of all legislation, policies and services affecting children takes children's views into account. Children's organisations have a voice in decision-making processes.
10	of all legislation, policies and services affecting children takes children's views into account.	Children have no opportunities to provide feedback on public services and policies.	Some local health, education and social welfare services provide complaints mechanisms.	Public services are required to establish feedback systems including evaluation forms, surveys and complaints mechanisms.	Public services implement effective feedback systems including evaluation forms, surveys and complaints mechanisms. Mechanisms for auditing and inspection involve children on a systematic basis.
11	Children's organisations have a voice in decision-making processes.	Children are not represented in governance bodies at any level.	A few youth councils and children's parliaments exist, but are often not sustained for very long.	A range of effective mechanisms have been developed for children's representation at local and national levels. these are being spread across the country.	Local and national governance bodies are mandated by law to have children represented. Child-led organisations are formally recognised in decision-making processes.
12	Democratic child-led organisations are established at local and national levels.	There are no child-led associations.	Only a few types of child-led associations are active, mostly for only short periods of time	There is a growing number and diversity of child-led associations.	A large number of different types of child-led associations are active and effective at local, sub-national and national levels.
13	Children have access to the media to communicate their views .	There are no opportunities for children to use the media to communicate their views.	A few projects exist to support young journalists and reporters.	A growing number of opportunities are available for children to broadcast their views. However, access to these opportunities is mostly limited to better-off children in urban areas.	Opportunities for children to use the media to communicate their views are readily and easily available for a majority of children (radio, newspapers, internet, social media, television).

Overall, we found the participation indicators a useful framework for the policy assessment. We found them sufficiently comprehensive to include key issues found in the documents and interviews which contributed to the assessment. However, we did find some overlap between the indicators in terms of the content we had available, which suggests some indicators could be combined (e.g. indicators 9 and 10 on mechanisms for consultation and mechanisms for feedback, respectively). The indicators also contained a number of components which did not always fit easily with the available information. For example, indicator 6 requires children to have access to independent information from a wide range of sources. The dual requirement of 'independence' and a 'wide range of sources' were difficult for us to address fully, causing an elision with indicator 7 on 'Government information is available in child-friendly and appropriate formats'. The indicators thus could benefit from being broken down further, to distinguish between different elements.

METHODS USED

The policy assessment used two methods: a rapid review of research literature and policy documents, and interviews with key stakeholders in each country. These methods were supported by the local World Vision Offices in each country.

Rapid review of research literature and policy documents

We carried out a rapid review of research literature and policy documents. A rapid review is a method of synthesising knowledge to efficiently provide evidence to stakeholders³⁵⁴. In conducting the review, we adhered to the PRISMA-ScR guidelines, which align with the globally recognised best practices outlined in the PRISMA guidelines for systematic reviews³⁵⁵.

Eligibility criteria: The rapid review searched for academic literature and grey literature ('the research literature') in the field of children and young people's participation, with a focus on national governance and infrastructures and local mechanisms to support children and young people's collective participation in public decision-making in El Salvador, Indonesia, Kenya, Peru, Senegal and Uganda.

To be included in the rapid review, the research literature needed to meet all of the following criteria:

- Primary and secondary research studies and reports focusing on the assessment of national governance and infrastructure, and local mechanisms to support children and young people's collective participation in El Salvador, Indonesia, Kenya, Peru, Senegal and Uganda.
- Peer-reviewed and non-peer-reviewed journal articles, research reports and other 'grey' literature, including policy reports, commentaries and guidelines.
- Literature published in English or Spanish.
- Studies/documents published between January 2013 to August 2023.

Policy documents were those identified as relevant and current for the country context.

Information sources and search strategy: We conducted a comprehensive search across various international databases and grey literature sources. For academic resources, we used academic databases available through the University of Edinburgh's main library search page (DiscoverEd). Additionally, Google Scholar was used primarily for locating Spanish literature but also checked for additional English literature.

The search for grey literature sources encompassed research, guidelines, policy reports and commentaries from international and national non-governmental organisations, law enforcement agencies such as Interpol, government ministries responsible for child protection systems, UN Agencies and community-based organisations. From the six countries, national and provincial/district government sources were included. To

identify grey literature, institutional websites were searched, including, amongst other sources:

- <https://www.wvi.org/> World Vision International and country offices websites
- Websites of other 'Joining Forces' members: ChildFund Alliance, Plan International, Save the Children, SOS Children's Villages, Terre des Hommes
- www.unicef-irc.org and other UNICEF websites (regional & country level)
- Government web pages in the 6 countries (e.g. Ministries in charge of children and young people's participation)

To search, we employed a combination of free text and controlled vocabulary searches using subject headings and keywords within electronic databases. To achieve the widest scope of relevant material, the initial search terms addressed the following:

- Population
- Study area
- Topic of focus
- Location

An example of a keyword search was:

('child' OR 'childhood' OR 'children' OR 'adolescents') AND ('governance structure' OR 'law' OR 'mechanism') AND ('child participation' OR 'decision-making' OR 'collective participation').

Table 2 below provides an example of the terms and keywords that were used for the rapid review.

Table 2: Examples of research terms and key words that were used for the rapid review

Category	Research term	Keywords
Population	Children and young people	child, teenagers, adolescents, adolescence, pre-teens, young people, migrant children, indigenous children, children on the move
Study area	National governance and infrastructure, and local mechanisms	children's ombudsperson/commissioner office, mechanisms, governance structures, services, interventions, systems, policy, laws, legal support, policy support, infrastructural support, legislation, strategies, plans, sets of standards, frameworks, local councils, student councils, committees, action plans, local structures, budgets, forums, youth councils, youth parliaments, child parliaments
Topic of focus	Child participation	child participation, decision-making, collective participation, space, voice, audience, influence, right to participate, right to be heard
Location	Countries of focus	El Salvador, Indonesia, Kenya, Peru, Senegal, and Uganda

Covidence, an online systematic review software, was used to manage the rapid review study selection process. Covidence allows researchers to upload search results, screen abstracts and full text study reports, and extract data from included studies.

The documents for each of the six countries, as submitted to or issued from the State Party reviews to the UN Committee on the Rights of the Child, were considered. These included the reports and information submitted to the UN Committee and the Committee's Concluding Observations. Similarly, we analysed documents for each country's Universal Periodic Review. These documents were obtained through the official UN websites. It is worth noting that limited to no information on children and young people's collective participation was found in the countries' Universal Periodic Review documents.

Screening: To ensure the policy assessment's inclusion criteria were met, a thorough examination was conducted of all abstracts (in the case of journal articles) and executive summaries (in the case of grey literature). If they met the established inclusion criteria, full documents were obtained and subjected to another round of review against the same criteria. In cases where the abstract or executive summary lacked sufficient information to determine inclusion, the complete article or report was retrieved for further examination.

Articles and other relevant documents that ultimately satisfied the inclusion criteria underwent a detailed review and analysis to extract the required information. As an additional measure to seek comprehensive coverage, the bibliographies of all included literature/documents were examined to identify any additional resources that met the inclusion criteria.

The resulting documents are summarised in Table 3:

Table 3: Documents selected for analysis, resulting from the rapid review of research literature and policy documents

Country	Results from the rapid review of research literature			From the UN Committee on the Rights of the Child	From the UN Periodic Review
	Title/ Abstract screening	Full-text review	Included		
El Salvador	512	12	3	Documents associated with Concluding Observations 2018	Documents from Periodic Review 2019
Indonesia	1190	20	4	State Report 2021 Documents associated with Concluding Observations 2014	Documents from Periodic Review 2022
Kenya	560	16	4	Documents associated with Concluding Observations 2016	Documents from Periodic Review 2020
Peru	928	29	5	Civic society reports 2021 Documents associated with Concluding Observations 2016	Documents from Periodic Review 2023
Senegal	560	16	1	State Report 2022 Documents associated with Concluding Observations 2016	Documents from Periodic Review 2018
Uganda	567	6	3	State Report 2020 Documents associated with Concluding Observations 2005	Documents from Periodic review 2022

Data extraction process for the rapid review of literature: We extracted data from included research literature into a file in Covidence that was then downloaded as an Excel file. Extracted information included:

- Year of publication
- Authors
- Location of study
- Research question or objective
- Study design
- Methods/setting of data collection
- Duration of data collection
- Sample size
- Author-reported limitations/weaknesses of study design and methods
- Definition of participation and to whom it applies (e.g. which ages, by children and young people's characteristics)
- Type of local or national governance or infrastructure, or local mechanism
- Brief description of the aim and how it works
- Description of how national governance or infrastructure protects children and young people's right to participate, promotes awareness of the right to participate and creates spaces for participation³⁵⁶
- List of indicators
- Challenges identified – including challenges in protecting children and young people's right to participate, promoting awareness of the right to participate, and creating spaces for participation
- Promising practices – including a description of the practice and the lessons learned
- Recommendations for improvement made in the resource.

A similar Excel file was used for the policy documents. From the interviews and contacts with the World Vision country offices, additional policy documents and research literature were added to the available resources. This was especially beneficial when documents were not accessible online, as these were crucial resources that enhanced our understanding of the context and challenges encountered in the field.

Quality assurance: We implemented quality assurance measures throughout the study to ensure accuracy and rigour in the analysis and reporting process. To assess the quality of research studies included in the review, we evaluated how the information was structured, implemented, recorded, reported and applied. Specifically, we scrutinised the methods employed, ethical procedures followed and potential reporting bias. We also examined whether the studies demonstrated a clear alignment between the theory, research aim/questions, data collection, analysis and results, as well as whether they provided sufficient information about the context in which the research was conducted and a clear rationale for the reporting of the findings and analysis.

Country-specific knowledge and stakeholder interviews

We identified an expert (or experts) in each of the country's World Vision offices who supported the research. This expert helped with: identifying key documents (research and policy), identifying 2 to 3 key stakeholders for interviews and reviewing reports for accuracy.

Semi-structured interviews were held with key stakeholders in each country. The World Vision country office experts identified and initially contacted potential interviewees from the government, academic and/or civil society in each country. If a stakeholder agreed to be interviewed, one of the research team followed up and undertook the interview online (using either the University of Edinburgh's Zoom or Microsoft Teams accounts for secure data management). The interviews were recorded, with the interviewee's permission. Interviews were held in English or Spanish, as the interviewee preferred. The exception was Senegal, where the working language was French. Therefore, the interviews were conducted in French, with the assistance of a translator who took notes for later analysis. The resulting numbers of those interviewed are contained in Table 4.

Table 4: Number of stakeholders interviewed per country

Country	Number of stakeholders interviewed
El Salvador	3
Indonesia	3
Kenya	4
Peru	4
Senegal	4
Uganda	2

The semi-structured interviews addressed the research questions, starting with general questions about the stakeholder's role (used only for contextualisation for the interviewer, so as to protect interviewees' anonymity in reporting), what was working well/ not so well in each country for children and young people's collective participation, and then working through the participation indicators. All interviewees were asked to share additional research literature and policy documents, which proved very helpful.

All interviewees were sent the draft report to ensure they felt suitably anonymised in the report and to correct any inaccuracies.

Language

We had the advantage of team members having facility in both English and Spanish. This allowed for translation into the working language of English, with due consideration of the particular meanings of words in Spanish.

We did not have languages skills for French nor the local languages used in Indonesia and Kenya. The interviews in Senegal involved a translator, who translated consecutively between Spanish and French. We had access to translation support, through World Vision International, as well as the country World Vision offices.

This is a limitation of the policy assessment, as we were more able to locate and review materials and conduct interviews in English and Spanish than other languages.

DATA MANAGEMENT AND ETHICS

The Research Ethics Committee of Moray House School of Education and Sport, University of Edinburgh, gave approval for the policy assessment.

The documentary analysis was dependent on the underlying ethics of the original study. While details about ethical practice were not always fully shared in the resources, we did not identify any studies that caused us concerns about their ethical practices.

Stakeholders were provided with information and consent forms once they indicated a willingness to be interviewed. Stakeholders gave their consent, either in a separate Zoom/Teams recording or by emailing the signed, written form to the interviewer. These were stored on a separate Channel on the project's Sharepoint at the University of Edinburgh (which is a secured and passworded site). This channel was only available to the research team.

All recordings of the stakeholders' interviews were uploaded into another, separate Channel on the project's Sharepoint. At that point, the recordings were deleted from the respective Zoom or Teams account. The transcripts were anonymised. The original recordings were deleted after the transcript was checked and judged sufficient for analysis. If participants agreed, the anonymised transcript will be kept in the secure Sharepoint for up to 3 years for further analysis and outputs.

A copy of the information and consent form is included below.

INFORMATION SHEET (Participation Expertise)

Policy assessment on national governance and infrastructures supporting children and young people's collective participation in public decision-making

We would like you to participate in our research project.

Please take time to read the following information about what participation in this project would involve for you.

What is the study about?

Karina Padilla and Kay Tisdall (Childhood and Youth Studies, University of Edinburgh) are undertaking this research project.

World Vision International has asked that we work with six countries to conduct policy assessments. This is part of their contribution to Joining Forces (<https://joining-forces.org/>), which is an alliance of six Non-Governmental Organisations, including World Vision International.

The project will examine and compare national governance and infrastructures, to recognise, support and fulfil children and young people's collective participation rights in public decision-making. We are analysing documents and interviewing approximately 4 experts in each country.

Why Am I INVITED to take part?

We are inviting you to take part because your local World Vision office has suggested you due to your role in supporting children and young people's participation in your context.

Do I have to take part?

No – it is entirely up to you. If you decide that you want to take part, you are still free to withdraw at any time and without giving a reason. Deciding not to take part or withdrawing from the study will not affect your involvement with World Vision International nor the local World Vision office.

If you agree to take part, you will still be able to decide whether you would like to be part in any research activities or not. You can opt in and out of any research activities or the project overall.

Please note that your contributions may be used in producing research outputs prior to your withdrawal. So you are advised to contact Kay Tisdall at the earliest opportunity should you wish to withdraw from the study.

What will happen if I decide to take part?

If you do decide to take part, please keep this Information Sheet and sign the attached Consent form. Please return the Consent form to Kay Tisdall at the University of Edinburgh.

If you would prefer to give consent orally, rather than in writing, Karina Padilla or Kay Tisdall can have a meeting on zoom or Microsoft teams, and we can record your consent in that way.

If you consent, Karina Padilla or Kay Tisdall will arrange an interview with you. We will ask questions about the existence of participation infrastructures in your country and how well they work.

What are the POSSIBLE benefits of taking part?

There are no direct benefits. By participating in the project there is the potential for the findings to lead to policy or practice changes in your country or other countries.

Are there any risks or disadvantages associated with taking part?

There are no substantial risks or disadvantages of taking part.

The interview will be undertaken on-line, through a Zoom or Microsoft Teams meetings.

There is a small risk of others identifying you when the research is reported because there are only a limited number of participation experts in your country. Your country will be named as one of the countries involved. We will seek to anonymise you in the findings.

We will share the report with you in draft form. You will have the chance to make any factual corrections, ask for any of your particular data to be withdrawn, or to advise us if you are not suitably anonymised.

Will MY taking part be kept Confidential?

In reporting the findings, we will not associate your name with any particular finding. In this way, we will seek to anonymise you in reporting the findings.

How will we use information?

With your permission, we will record the meeting on Zoom or Microsoft Teams. We will use the University of Edinburgh account and it will automatically generate a transcript. We will check the transcript, anonymise the transcript and then erase the original recording. The final transcript will be saved in a secure computer folder through the University of Edinburgh.

The research project's findings will be used in a range of outputs, such as presentations and publications. World Vision International will produce a report, which they will use widely with Joining Forces to influence policy and practice. You will also be welcome to use the report widely to influence policy and practice.

All other non-anonymised information (such as your consent forms) will be deleted at the end of the project.

WHO IS ORGANISING AND FUNDING THE RESEARCH?

World Vision International has funded the research. The research is being undertaken by Karina Padilla and Kay Tisdall.

WHO HAS REVIEWED THE STUDY?

The research project has been reviewed by the Moray House School of Education and Sport's Research Ethics Committee. This is at the University of Edinburgh.

WHO CAN I CONTACT?

If you have any further questions about the study, please contact Patricio Cuevas-Parra (who has commissioned the study) at patricio_cuevas-parra@wvi.org or Kay Tisdall at k.tisdall@ed.ac.uk

If you would like to discuss this study with someone independent of the study please contact Ethics Lead, Moray House School of Education and Sport at MHSES-Ethics@ed.ac.uk

If you wish to make a complaint about the study, please contact: Research Governance Team cahss.res.ethics@ed.ac.uk

You can find out more about how we use your information at <https://www.ed.ac.uk/records-management/privacy-notice-research>

CONSENT FORM (Participation Expertise)

Policy assessment on national governance and infrastructures supporting children and young people's collective participation in public decision-making

Primary contact: Kay Tisdall at k.tisdall@ed.ac.uk

Please tick box if agreed

1. I confirm that I have read and understood the Information Sheet (Participation Expertise) for the above project.	<input type="checkbox"/>
2. I have been given the opportunity to consider the information provided, ask questions and have had these questions answered to my satisfaction.	<input type="checkbox"/>
3. I agree to take part in the research.	<input type="checkbox"/>
4. I understand that my participation is voluntary and that I can ask to withdraw my participation without giving a reason and without my legal rights being affected.	<input type="checkbox"/>
5. I agree to my contribution being recorded.	<input type="checkbox"/>
6. I understand that an anonymised transcript will be securely kept at the University of Edinburgh for up to 3 years.	<input type="checkbox"/>
7. I understand that research findings will be shared publicly through presentations, publication and other outputs. I will be anonymised in reporting of the findings.	<input type="checkbox"/>

Name of person giving consent

Date

Signature

Name of person receiving consent



ENDNOTES

ENDNOTES

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