



# Child Participation in Law-Making in Moldova

*Toolkit for the key actors*



# Child Participation in Law-Making in Moldova

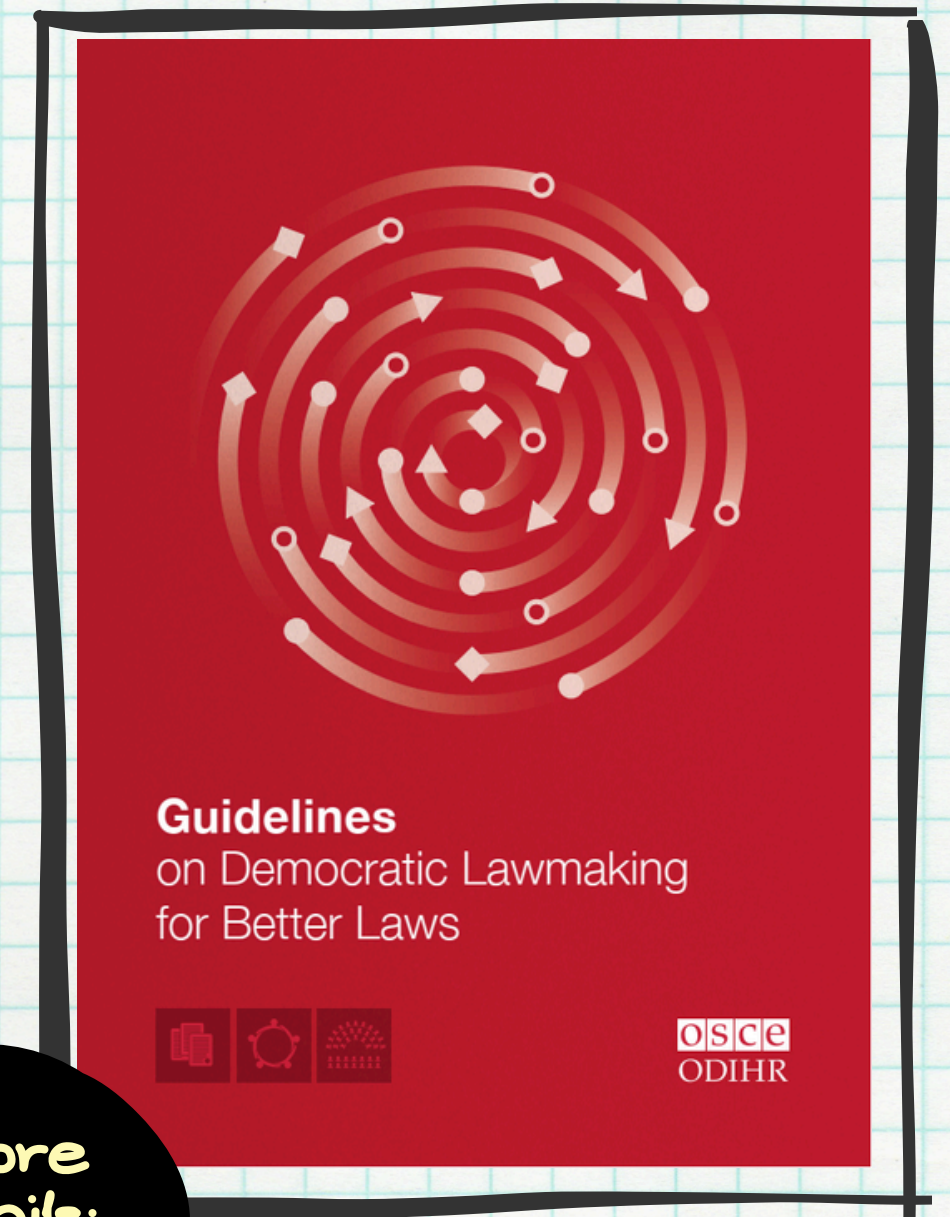
Toolkit for the key actors



What is it about and why does it matter?

- 1** **Laws** laws have an immense influence on our lives
- 2** **Law-Making** the quality of laws depends on the way they were made
- 3** **Public Participation** public participation can increase quality of laws

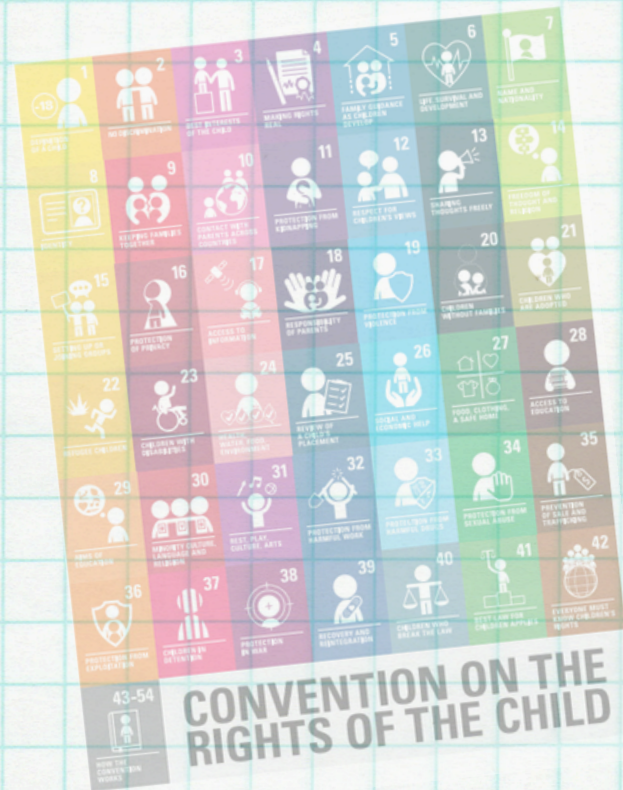
... more details: [here](#)





# Children's Rights to Participate in Law-Making

grounded in international and national legal standards



CRC Child Friendly

CRC Article 12  
requires that  
decision-makers

CRC  
General Comment 12

1

actively seek

2

seriously consider  
children's views

- in all matters affecting children
- applying standards for meaningful child participation

... more  
details  
here



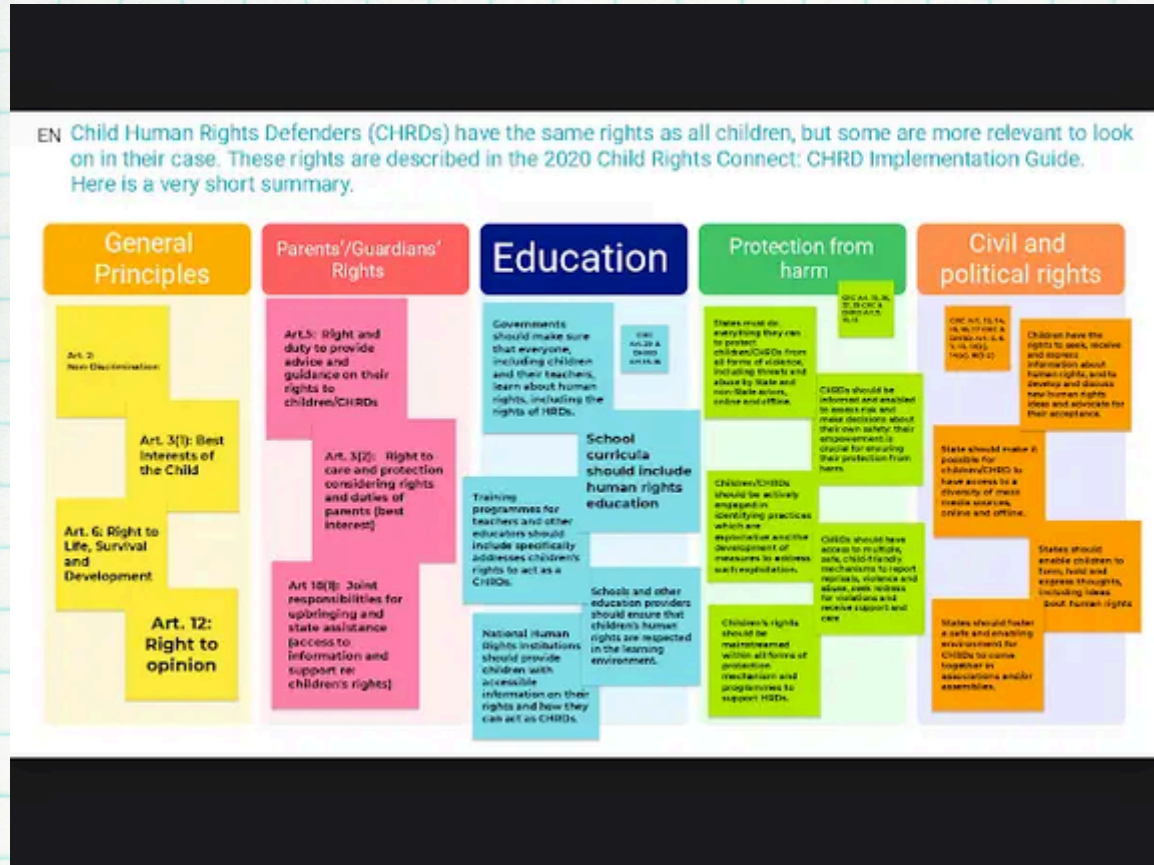
# Children's Rights to Participate in Law-Making

based on international and national legal standards

Moldova: Law on Children's Rights  
Law No. 370/2023

2020  
Child Rights Connect  
Guide

Article  
15  
15.d



... more details here



# Toolkit for child participation in law-making in Moldova for the key actors



1

aims to provide practical support to put children's participation rights into practice

2

increase the quality of the law-making processes as well as laws





# Law-Making in Moldova

Key points of reference:

1

Law on Normative Acts  
Law No. 100/2017

- Main stages in law-making
- Roles and responsibilities
- Integrates public participation

2

Law on Transparency  
in Decision-Making  
Law No. 239/2008

- Public participation stage by stage
- Principles: information & equal opportunities
- Rights of citizens and respective obligations of public authorities

... more  
here:





# Law-Making in Moldova: **Key Actors**

- Public authorities with the power to initiate and lead the law-making process, making sure that the public can meaningfully participate

Law No. 100/2017 on Normative Acts

- Citizens, their associations, interested and affected parties with the right to participate in law-making processes

Law No. 239/2008 Transparency in Decision-Making

- Members of Parliament (MPs)
- President
- Government
- People's Assembly of Gagauzia

Ombuds-  
person

- ...
- ...
- Children
  - Children's Representative Bodies
  - Children's Initiative Groups
- ....
- Adult-Led CSOs
- ...

- Important role of the ombudsperson is set out in

Law No. 52/2014, Article 27 on the People's Advocate (Ombudsperson)



# Law-Making in Moldova: Key Steps

Law No. 100/2017 on Normative Acts

Law No. 239/2008 Transparency in Decision-Making

## Initiation

- preparation - identification of a problem
- publication of the announcement with a note to substantiate the proposal

1

2

- organizational arrangements
- preparing the initial draft of the law and supporting materials in consultations with the public and experts

## Drafting

## Adoption, publication

- parliamentary discussions, voting
- promulgation by the president
- publish in the "Monitorul Oficial"

3

4

- monitoring, identifying gaps, issues
- developing solutions, recommendations (amendments, new proposals)

## Review

... more  
here

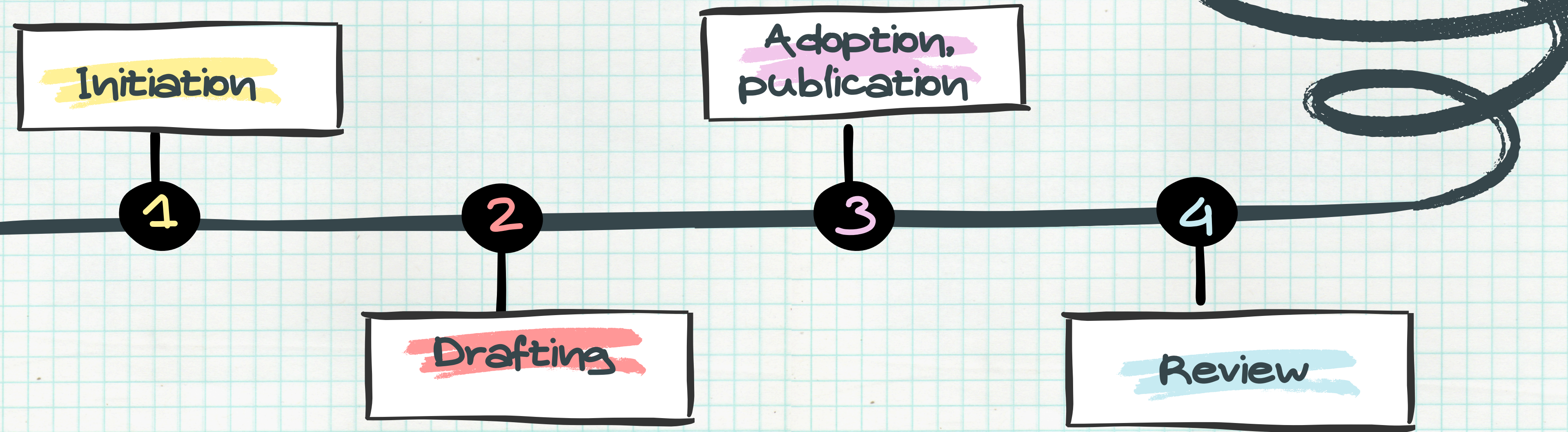




# Law-Making: Entry Points for Children

Law No. 100/2017 on Normative Acts

Law No. 239/2008 Transparency in Decision-Making





# Law-Making and Children's Participation

Stage  
1

Initiation

## Public Authorities:

- keep children, their representative bodies and associations informed about their own work and plans including considerations / decisions related to legislative reforms that might affect children;
- actively seek children's input, consider it and provide feedback to children how their input is used;
- actively seek children's input also on the modalities of their participation to make children's participation more meaningful and better laws

as early as possible

plan together with children

## Children can:

- propose to the public authorities to initiate a legislative reform and submit recommendations to influence/shape the framework and content of a law-proposal.

**NOTE:** Given the current regulations and practice, most children would need additional support and guidance to be able to navigate and engage in this process meaningfully - by public authorities, the Ombuds for Children Rights or CSOs.



# Law-Making and Children's Participation

Stage  
2

Drafting

## Public Authorities:

- ensure equal opportunities and meaningful children's participation by
- adapting the usual public consultations modalities and/or
  - creating additional opportunities specifically for children, for example:
  - an advisory children's group to provide advice in respect of the participation process/modalities
  - separate consultations with children in a child-friendly manner
  - develop child-friendly materials, including feedback to children

children's  
advisory  
group

child  
friendly  
methods  
and  
materials

## Children can:

- can participate in the public consultation process as any other citizen using the dedicated website.
- request (and provide advice on) more meaningful child participation modalities
- support development of child friendly-materials (information/documents, working methods and tools etc)

**NOTE:** Given the current regulations and practice, most children would need additional support and guidance to be able to navigate and engage in this process meaningfully - by public authorities, the Ombuds for Children Rights or CSOs.



# Law-Making and Children's Participation

Stage  
3

Adoption

## Public Authorities:

- continue keeping children, their representative bodies and associations informed about the law-making process and its results;
- consider any input from children during each step of this phase (readings, promulgation) and inform children how their input has been considered.
- develop a child friendly version of the law in consultations with children

child friendly  
information  
channels and  
materials

regular  
feedback  
to  
children

## Children can:

- communicate their recommendations to the Parliament (as such) or any of its members while the draft law is discussed
- following the adoption of the law - children can engage with the President depending on whether they want to support the promulgation of the law or encourage the President to veto it.
- once the law is published - children can prepare or contribute to a childfriendly version of the law to disseminate it among their peers.

**NOTE:** Given the current regulations and practice, most children would need additional support and guidance to be able to navigate and engage in this process meaningfully - by public authorities, the Ombuds for Children Rights or CSOs.



# Law-Making and Children's Participation

Stage  
4

Review

## Public Authorities:

- establish contact with children's representative and initiative groups and follow their work, including monitoring
- use children input in their own work and respond to any recommendation related to legislative reforms
- involve children and their groups in own monitoring including by seeking and considering children's input

## Children can:

- monitor implementation of laws and share their reports, including recommendations for improvements with public authorities

NOTE: Given the current regulations and practice, most children would need additional support and guidance to be able to navigate and engage in this process meaningfully - by public authorities, the Ombuds for Children Rights or CSOs.

maintain contact and consult with children while monitoring how are laws applied and children's situation in general

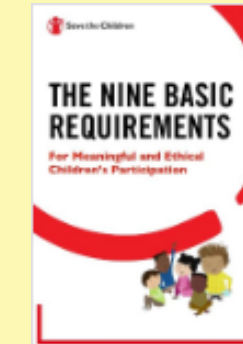




# FOR PUBLIC AUTHORITIES

## PRACTICAL ADVICE

How to MEANINGFULLY involve children in law-making in Moldova?



### The Nine Basic Requirements for Meaningful and Ethical Children'...

The Nine Basic Requirements for Meaningful and Ethical Child Participation is a key tool for ensuring quality child...

[resource-centre.savethechildren.net](http://resource-centre.savethechildren.net)

- ✦ Establish contact with children, their representative bodies, initiative groups and other associations as early in the process as possible.
- ✦ Maintain the contact throughout the law-making process.

## LIST WITH CHILDREN'S COUNCILS & GROUPS



- ✦ Actively seek children's input also on the modalities of their participation in order to make it more meaningful and improve its outcomes - laws.



Consider creating a child advisory group.



### Advisors | General Comment No. 26 on Children's Rights and the Environment

Sign up to our newsletter to be notified of important announcements and opportunities to get involved...

[General Comment No /](#)

- ✦ Keep children informed during the entire law-making process using child-friendly channels and materials.
- ✦ Plan adequate resources such as time, funding, human, methodologies etc.

## GUIDE FOR DEVELOPING CHILD FRIENDLY DOCUMENTS EU COMMISSION, 2021





Practical stage-by-stage advice

# FOR PUBLIC AUTHORITIES

how to MEANINGFULLY involve children in law-making in Moldova



## STAGE 1 : INITIATING

- Actively seek children's input related to possible legislative reforms,
- Consider children's input in development of any such proposal and
- Inform children how their input was used;

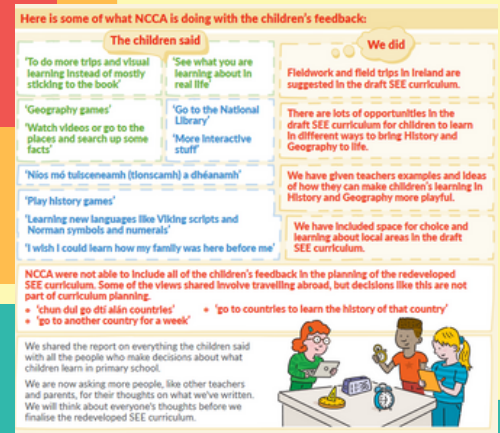
## EXAMPLE: CHILD FRIENDLY CONSULTATION: SCOTLAND



## STAGE 2 : DRAFTING

- Conduct separate consultations with children in a child-friendly manner and
- Provide child-friendly feedback to children

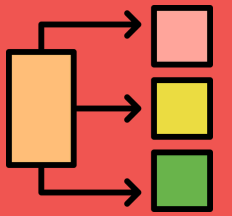
## EXAMPLE: CHILD FRIENDLY FEEDBACK: IRELAND



## STAGE 3 : ADOPTING, PUBLISHING

- Consider any additional input from children during readings and promulgation and inform children how their input was considered.
- Develop a child friendly version of the law together with children

## GUIDE FOR DEVELOPING CHILD FRIENDLY DOCUMENTS EU COMMISSION, 2021



## STAGE 4 : REVIEW OF LAWS

- Actively seek and consider children's input in the monitoring efforts of your public authority

## Ready?



- Do not opt out if you cannot meet all standards to the highest extent at this moment.
- Use every opportunity to improve: do as much as possible with resources available, learn from this - including from children's feedback and make it better next time.





# FOR THE OMBDUSPERSON / TEAM

## PRACTICAL ADVICE:

How to MEANINGFULLY  
involve children in law-making in Moldova?



### The Nine Basic Requirements for Meaningful and Ethical Children'...

The Nine Basic Requirements for  
Meaningful and Ethical Child Participation  
is a key tool for ensuring quality child...

[resource-centre.savethechildren.net](http://resource-centre.savethechildren.net)

- ✦ Plan adequate resources such as time, funding, human, methodologies etc.
  - to help establish and maintain contact between the relevant public authorities and children
  - to promote and facilitate children's meaningful participation in law-making

- ✦ Keep **CHILDREN'S CONSULTATIVE COUNCIL TO THE OMBUDS** as well as other children's representative bodies and groups informed about possible and ongoing law-making processes relevant for children (using Ombuds webpage)



Provide child-friendly guidance about the law-making process to children



Support children to identify law-making initiatives of their interest



Promote children's inputs and recommendations related to laws, law-proposals, and their participation in law-making



Support public authorities to conduct meaningful child participation in law-making

- ✦ Include and make visible children's recommendations in the Ombuds proposals for improvement of the legal framework

**LIST WITH  
CHILDREN'S  
COUNCILS  
&  
GROUPS**

**ADD LINK TO  
INFOGRAPHIC FOR  
CHILDREN ONCE  
DEVELOPED?**





# Practical stage-by-stage advice: FOR THE OMBUDSPERSON / TEAM

How to MEANINGFULLY involve children in law-making in Moldova?



## STAGE 1: INITIATING

- support children to develop their input and recommendations related to laws and law-proposals, and to submit these to the public authorities already in the preparation phase
- promote children's recommendations publicly

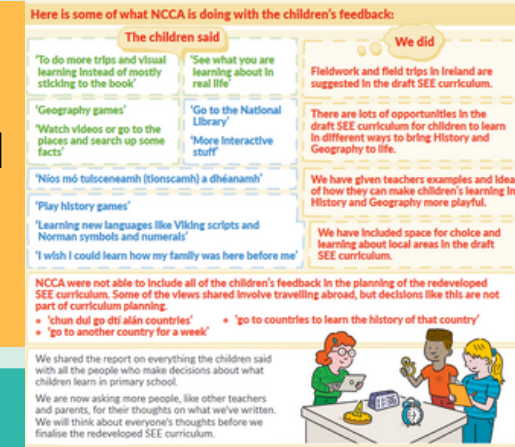
### EXAMPLE: CHILD FRIENDLY CONSULTATION: SCOTLAND



## STAGE 2: DRAFTING

- conduct or promote/request and support authorities to conduct meaningful consultations with broad and diverse groups of children and
  - provide child-friendly feedback to children

### EXAMPLE: CHILD FRIENDLY FEEDBACK: IRELAND



## STAGE 3: ADOPTING, PUBLISHING

- support children to develop their input/recommendations and submit these to
  - ✦ the parliament during readings and ✦ the president during promulgation
  - ✦ inform children how their input was considered.
- develop a child friendly version of the law together with children

### GUIDE FOR DEVELOPING CHILD FRIENDLY DOCUMENTS EU COMMISSION, 2021



## STAGE 4: REVIEW OF LAWS

- support children to monitor implementation of the laws and submit their reports to the public authorities
- promote children's reports and recommendations publicly

### GUIDE FOR SUPPORTING CHILDREN TO MONITOR THEIR RIGHTS CRIC, 2012



## BONUS

- support children to monitor and reflect on their participation in law-making and develop recommendations for improvement
- support public authorities to learn and implement children's recommendations

### Ready?

- ✦ Do not opt out if you cannot meet all standards to the highest extent.
- ✦ Use every opportunity to improve – do as much as possible with resources available, learn from this – including from children's feedback and make it better next time.



THE TOOLKIT FOR CHILDREN'S PARTICIPATION IN LAWMAKING IN MOLDOVA WAS DEVELOPED AS PART OF THE PROJECT "ADVANCING THE RIGHTS, EMPOWERMENT AND PROTECTION OF CHILD HUMAN RIGHTS DEFENDERS (CHRDS) IN PROMOTING HUMAN RIGHTS IN MOLDOVA," IMPLEMENTED BY THE CHILD RIGHTS INFORMATION CENTER (CRIC) AND CHILD RIGHTS CONNECT, IN PARTNERSHIP WITH THE OMBUDSMAN FOR CHILD RIGHTS, WITH THE SUPPORT OF THE VILLE DE GENÈVE.

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