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## CHILDREN'S RIGHT TO OPINION AS AN ELEMENT OF SUSTAINABLE COMMUNITY DEVELOPMENT

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***Abstract:** Children's right of expressing an opinion is defined by the UN Convention on the Rights of the Child. This right is underlined in documents and strategies, and its purpose is to require from the institutions, experts and the entire world community to work on its application. There are areas where the child easily shares his / her opinion and this has a significant impact on the progress and quality development of education, the implementation of social and legal procedures and administrative proceedings. The article attempts to trace international and national normative documents, policies, organizations and institutions, and good practices where "the voice of the children is heard".*

***Key words:** United Nations Convention on the Rights of the Child, Right to Opinion, United Nations, State Agency for Child Protection*

### INTRODUCTION

**Legislative regulation.** The United Nations General Assembly in 1959 adopted the Declaration on the Rights of the Child. It covers fundamental rights related to the protection of children with regards to entitlement of education, health care, family environment and food. Recognition of these rights and the emphasis on them is dictated by the ending of the Second World War and the difficult material situation of children in Europe. To overcome the horror and concern of millions of people in 1947, UNICEF organized a massive charity campaign and 6 million children from 14 countries received clothing, medication, shoes, and food. Just a few years after the launch of the Declaration on the Rights of the Child (1953) the circle of universal rights had been extended. Public figures, including Ms Osse Lioness (representative of the UNICEF Nobel Committee), are convinced that the direction in the work of the UNICEF international organization is to protect the interests of the most vulnerable and helpless - to ensure their survival, but Also protection and development (UN, UN Children's Fund).

Recognizing the existence of the Universal Declaration of Human Rights and the International Covenants on Human Rights, the United Nations considers that care is needed for all members of society and especially for children. Full, harmonious development of each child's personality is necessary, regardless of his/her race, color, gender, language, religion, political or other views, national or social origin, property status, birth or other status. This is one of the 54 rights included in the Convention on the Rights of the Child. The Convention was adopted in 1989 and is being endorsed as a legislative system that ensures and satisfies the needs of each child. Specific rights can be divided into four groups:

- Survival rights;
- Rights of defense;
- Development rights;
- Participation rights.

In order to ensure the groups listed, the family environment is sought, but the latter two groups of rights require its assistance of society represented by the education system.

The countries that have ratified the UN Convention on the Rights of the Child have put their protection and dignity to the fore. States' priorities in caring for children for their well-being are a

sure sign of stimulating the development and democratization of society. Their policies are aimed at creating a space where children are actively involved in public life, expressing opinions, participating in activities, etc

## EXPOSITION

**Right of expression.** The right of children to freely express their views on all matters pertaining to them is a fundamental one approved in 1989 by the UN General Assembly and entered into the Convention on the Rights of the Child. It is an important element for sustainable and smart growth and a permanent area in UN and EU children's policies. The right to opinion, together with rights based on freedom, justice, education, health, etc., the international organization, proclaims that they are paramount for the complete and harmonious development of every child's personality. Child participation is one of the leading principles of the Convention. It provides the child with the opportunity to "form his/her own views, the right to express these views freely on all matters pertaining to him / her, and to give them a meaning corresponding to the age and maturity of the child." This all creates a sensation among young people that they are not considered living objects but important factors for reaching their personal development and protection.

The right to opinion is "inherent to the human person". It has a fundamental character and occupies an important place in the normal functioning and full existence of the entire system of human rights. Part of the major international human rights instruments - Art. 19 of the Universal Declaration of Human Rights and Article 19 of the International Covenant on Civil and Political Rights. In 2009, the Charter of Fundamental Rights of the EU Member States was adopted. Art. Article 24 (1) of the Charter states that children "can express their opinions easily. It is taken into account in the issues that concern them, depending on their age and maturity." (European Union. Charter of Fundamental Rights of the European Union, 2009).

Effective execution of the Right to Opinion presupposes prior respect for fundamental rights, including the right to life; The child's right to use health services; The right to education; Right to child protection against all forms of discrimination; The right of the child to live in a family environment and others. According to E. Maslow, people tend to satisfy their daily needs (food, water, shelter, education, etc.). It is common that when a person is "fed" for sure, love and respect the body works better. The Professor of Psychology also believes that meeting higher needs requires better external environment conditions (family, economic, political, and educational, etc.). "Meeting higher needs leads to more desired subjective results, I. To a deeper happiness, cheerfulness and riches of inner life. "And the satisfaction of necessities of essentiality is mainly about satisfaction, comfort, tranquility, and relaxation (Maslow, A., 2010).

Over the last decade, we have witnessed that children's views have a significant impact on the progress and the quality development in education, the implementation of social and legal procedures and administrative proceedings. Today, this progress has been made with the adoption of measures and legislation (international and national), strategies and programs in action and social dialogue. Self-disclosure of the "right to free expression" by state and political bodies is not enough. The European Convention for the Protection of Human Rights has the greatest dignity to protect genuinely this right. The benefit of the European Convention on Human Rights is in the institutional mechanisms of protection it has. The control it exercises is not only in the case of a violation, but also in the moments of possible non-compliance and non-observance of the established constitutional norms. In this way, the European Convention provides confidence and is a secure space for protection, and that is the foundation of the human rights system.

In Bulgaria control over the implementation of the statutory constitutional norms in the Convention and in the national normative acts is carried out by the following state institutions: State Agency for Child Protection, Social Assistance Agency and all child protection bodies, and at the local level: Regional Police Headquarters, The Social Assistance Directorate, the Child Protection Department of Child Protection. (Article 6 of the Child Protection Act). It should be noted remembered that "A person who becomes aware that a child needs protection is obliged to

immediately notify the Social Assistance Directorate, the State Agency for Child Protection or the Ministry of the Interior. The same obligation applies to any person to whom this has become known in connection with the profession or activity pursued by him, even if he is bound by professional secrecy." (Article 7 of the Child Protection Act).

Despite the achievements (good practices, normative documents, strategies, etc.) for the free expression of children's opinion, the road to full effectiveness is still long and challenging. There are international and national normative documents, policies, organizations and institutions where "the voice of the children is heard". There are good models to respect and use children's views about activities affecting their lives, and in particular the surrounding world of family and school, friendship and community. This is the space where children share and discuss. Involving children in activities is a step in changing the understanding of adults that they can work together to form a team. In the process, children should be seen as a resource, a source of ideas, responsible for their own well-being.

There are opinions and interpretations by adults that the child's character needs to be disciplined and formed within certain frames up to the age of 18 and that childhood is the period of building up educated and educated individuals. Without contradicting and arguing with advocates of such a theory, I will point out that parents and professionals from different communities know and are aware of sensitive childhood and know their needs well. Taking care means you understand children's needs, hopes and fears; To take care means you know what they know and how you can broaden their knowledge; And care is to prepare today's generation for the more sophisticated future conditions where children will share their opinions and experiences. There is a need to devote particular attention to the development of child's thinking about events, situations and objects. According to Jean Piage, children have to make decisions because complete adaptation is impossible and danger can always occur in the surrounding environment (Vaneva, C., 2004). They gain knowledge through probation and error, everything around them is interesting and unknown, and this stimulates child's thinking. According to Y. Doncheva, errors will always be there, especially if things are done for the first time. (Doncheva, U., 2013). Adults and children need to communicate and look for spaces to increase child activity. The responsibility of adults is to educate children and especially to distinguish good from evil. (Vasileva, V., 2014). Overcoming existing intergenerational difficulties can be realized through words as a means of communicating, understanding, explaining, and implementing.

### **International and national practice**

- The United Nations is the first organization that advocates listening to children and seeking their opinion. The main reason for this support can be sought in the goal it follows: peace and security among states. Another major aspect of its activities is the achievement of cooperation between countries in terms of cultural, economic, social or humanitarian issues. This unification turns the UN into an institution to achieve its goals through a peaceful solution. We cannot ignore the activities of its six bodies, the most important of which is the General Assembly, which adopted the Convention on the Rights of the Child in 1989. The other bodies are the Security Council, the Economic and Social Council, the Trustees' Council, the International Court and the Secretariat. They all pursue a policy of maintaining world peace and security, with the work of some being directed to a country's recommendation for a peaceful solution to the problems; others require Member States to impose different sanctions against a country guilty of endangering or disturbing the peace.

- The National Republic of Bulgaria was accepted as a full member of the United Nations on 14 December 1955, along with Albania, Hungary, Romania, Austria, Jordan, Ireland, Spain, Italy, Cambodia, Laos, Libya, Nepal, Portugal, Finland and Ceylon. In 2000 the Child Protection Act was adopted. It is the basis of a special system of protection at national and local level, which has the task of coordinating and synchronizing childcare and also of building unified state policy acting in the best interests of the child. In 2001, the State Agency for Child Protection was set up to help increase the well-being of children and to bring the child protection system in line with

international standards. The current specialized law and a number of secondary legal acts highlight the "best interest of the child", his right to live in a family environment, his right to freedom of expression, etc. (UN Convention on the Rights of the Child). The established administrative structures - the State Agency for Child Protection at the central level and the local child protection departments - are the basis of the interinstitutional approach to reform childcare and to develop alternative forms mutual trust, cooperation and understanding of the best interests of the child. "The Agency is the only specialized body of the Council of Ministers to manage, coordinate and control the implementation of state policy on child protection activities in the Republic of Bulgaria" (State Agency for Child Protection, Who are we).

Over the past 10 years our country has sent young people to participate in UN forums. The selection of youth delegates in Bulgaria is given as an example of one of the most transparent processes for the selection of youth delegates in the world. The representatives of our country at the UN show activities of the Bulgarian youth at national and international level, participate in the creation and implementation of youth policies. For delegates in mandate 2014-2015 our country is represented by Annie Koleva and Radina Koleva. They participate in the 53rd Session of the United Nations Commission on Social Development in New York, and in particular in the preparation and adoption of a Youth Resolution, as well as in discussions on the theme of sustainable development beyond 2015. For delegates in the 2015- 2016 includes Anina Yovkova and Dimitar Dimitrov. In their statement to the Third Committee of the United Nations General Assembly in New York, they share their impressions and present their activities at national level and joint initiatives with Georgia, the Netherlands, Germany, Belgium, Austria and others (Bulgarian Youth Delegates On the Border between two mandates - Youth Delegates of Bulgaria to the UN, 2016).

- The UN Program for Sustainable Development 2030.

The future of each country depends on the well-being of the children and the opportunities for development. Unfortunately, millions of children in the world are deprived of the opportunity to become productive members of society. The solution to this and other pressing problems is realized through a common unification. In 2015, the UN Program for Sustainable Development 2030. The efforts of the modern community through the program are for the personal well-being of every citizen on the planet. In the implementation of the Sustainable Development Objectives, special emphasis is placed on children's participation as genuine "owners" whose successful implementation has a direct impact on their lives and future. Over the next 15 years (by 2030) to be achieved by universally applicable new targets, the countries step up efforts to eradicate poverty in all its forms, combat inequality and tackle climate change , and to ensure that no one has been forgotten.

In 2015 Bulgaria joined initiatives to implement the goals of the UN sustainable development program. Its participation contributes to reducing the global and comprehensive effort of the world to pull out of poverty and to achieve sustainable development with care for all living creatures on the planet, taking into account the environmental aspect of the issue. The goals of the Program are 17 with 169 sub targets. The areas covered are: poverty alleviation, access to food, health, education, gender equality and empowerment of women and girls, water management, energy, sustainable and inclusive economic growth, sustainable urbanization, sustainable patterns of production and consumption, protection of the oceans, seas and marine resources, protection of ecosystems, promotion of peace, strengthening the global partnership for development.

The aim is to provide knowledge about children in different areas, starting from pre-school age. This can be done using school and out-of-school forms, applying exciting and entertaining group ways and working approaches. The most important message that emerges in practice is the personal motivation to actively involve children in activities, to identify emotional experiences, to build knowledge that provoke childlike thinking. Sustainable development can only be observed

in children if they are carefully treated with respect to their individual peculiarities, age and gender. (Ilieva, I., 2012) The motivation for sports in primary school age, RS)

At a Meeting of States Meeting the Sustainable Development Agenda Commitments in New York on July 10-19, 2017, SACP President Ofelia Kaneva emphasized "Bulgaria's consistent policy to promote child participation in decision-making processes". The Children's Council is presented as a successful functioning body to SACP whose opinions and suggestions are taken into consideration by the Council of Ministers of the Republic of Bulgaria in the elaboration and implementation of policies and legislative measures on issues affecting children. At the forum, Anthony Lake, UNICEF's Executive Director, noted the good practices of the event to include children in the Agenda 2030, welcoming children's presentations and calling them for even greater activity. In his view, adults must observe and implement the principles of sustainable development in their everyday lives. The most important message from the discussion is that "knowledge of sustainable development should not be theoretically taught but presented to children in a fascinating and engaging way so as to provoke their thinking and action to apply this knowledge in life." (19.07.2017 - Bulgaria received special recognition for its achievements in the field of children's rights)

- There is a Children's Council in Bulgaria - an advisory body to SACP. The members of the council are a total of 19 children from 15 districts in the country and 4 quotas from vulnerable groups up to the age of 18. The Council aims to improve the mechanism for child participation at national level by ensuring their wide representation and involvement of local government authorities, civil society, the media and the business in the promotion and selection of candidates. This Bulgarian initiative accepts a wide response and recognition at the UN. In 2017, Desima Williams, Ambassador and Special Advisor to the UN Secretary-General, welcomed Bulgaria and asked SACP Chairperson Kaneva to share more information on this good practice for real child participation in decision-making processes in order to implement it in other parts of the world (19.07.2017 - Bulgaria received special recognition for its achievements in the field of children's rights).

## **CONCLUSION**

The right of opinion is a fundamental right and principle in the work of the international community. It is central and plays an important part in creating sustainable and smart economic growth. The expression of opinion by the child gradually integrates into all EU and UN policies and extends to the development of education and employment policies. In recent years, children's views are central to the UN sustainable development process 2030, and the organization's goals are to provide quality education for all children.

We have witnessed over the last decade a significant progress in education and child participation in the European and world community. Recommendation CM / Rec (2012) 2 of the Committee of Ministers of the Council of Europe states that "The right to be heard and taken seriously is fundamental to human dignity and the proper development of every child and young person", the development of the child's personality, talents, mental and physical abilities to their fullest potential is a key goal of the global community. (Council of Europe, Recommendation CM / Rec (2012) 2 of the Committee of Ministers of the Member States on the participation of children and young people under 18, adopted by the Committee of Ministers on 28 March 2012).

Our country, as a party to the Convention, has reformed its policy of participation and more active inclusion of child opinion in the development of national strategy papers. One of the goals of the National Strategy for the Child (2008-2018) is aimed at increasing the presence of children in setting different levels of policies - at school, municipal, regional and national. The ability of children to freely express opinion and view is a resource for popularizing children's rights and an intention to build an active civic position in children.

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