

OUTCOMES OF THE CHILDREN'S CONSULTATION ON THE DRAFT GENERAL COMMENT NO. 38 ON THE RIGHT TO FREEDOM OF ASSOCIATION

Children aged between 12 and 17 from **Bosnia and Herzegovina, Canada, Colombia, Guatemala, India, Ireland, Mexico, Republic of Moldova, Nigeria, Northern-Ireland, Palestine, Peru, Serbia, Rwanda, Ukraine** prepared together to meet a member of the Human Rights Committee. On the 16 June 2026, they shared their ideas on how to strengthen **the draft General Comment No. 38 on the right to freedom of association**: they spoke about what helps them exercise this right, the barriers they face, and what needs to change. This document brings together the main messages and recommendations raised during this process.

The next pages follow the different sections of the [draft General Comment](#) (check out here the [original text](#)!)

For each section, you will find:

- what the section is about;
- what children said; and
- their recommendations for making it stronger.



SECTION I: GENERAL REMARKS

This section explains why the right to freedom of association is important and how it enables people to come together, participate in society, and exercise other human rights.

What children said:

Children described associations as safe spaces where they can express themselves, make their voices heard, and work together on issues that matter to them. They explained that participating **in associations helps them build confidence, develop leadership skills, learn new things, support one another, and create positive change in their communities.** Several children also strongly emphasized that participating in associations is an **important part of their education and development.**

“Our association is a safe space, and it helps us not feel alone.”

“It allows us to express ourselves and make our voices heard.”

“It is helpful to promote the culture of child participation.”

“It gives us space to talk about our rights and the violation of our rights.”

Recommendations:

- Recognize children's right to join and create associations as important spaces for learning, leadership, participation and mutual support.
- Where the draft General Comment states that "the right to freedom of association is a valuable tool to (...) educate", clarify that, particularly for children and young people, **the full exercise of this right is itself an essential part of their education and development. The General Comment should also recognise the important role of schools and other educational institutions in supporting children's exercise of the right to freedom of association by creating opportunities for children to organise, participate and lead child-led initiatives.**



SECTION II. SCOPE OF FREEDOM OF ASSOCIATION

This section explains who can exercise the right to freedom of association, the different types of associations that are protected, and what the right includes.

What children said:

Children said that **age discrimination and adult-centred approaches** create major barriers to exercising their right to freedom of association. They highlighted that:

- **Legal and administrative barriers** make it nearly impossible for children to establish and register associations. Children explained that age limits, burdensome procedures, requirements for adult signatures or bank accounts, physical address requirements, and non-child-friendly language make the process extremely difficult. Because children generally do not have full legal capacity, they are often excluded in practice, even where the law formally allows them to register associations.
- **Limited access to funding and other resources** makes it difficult for child-led associations to start and continue their work. Children explained that funding is often not accessible to them or is controlled by adults and shaped around adult priorities.

“It is easy to start an association, but it is difficult to register it.”

“The registration is not child-friendly, there are no tools on how to open an association.”

SECTION II. SCOPE OF FREEDOM OF ASSOCIATION CONTINUED

What children said:

- **Age discrimination and negative stereotypes** prevent children from being taken seriously or recognised as capable of leading associations and expressing their views. Children also explained that they often struggle to participate as equal members in adult-led associations, where adults make most decisions, and children's views are not always given equal weight. Girls and LGBTIQ+ children face additional discrimination.
- **Supportive adults are important but should not replace children's leadership.** Children said adults should guide and support them without taking over their space or decisions.

“We need adults, we cannot be the main representatives.”

“To register an organisation, you need a physical address and you need adults for the contracts.”

“Institutional actors don't take us seriously and don't engage directly with us.”

“They give money only for certain topics.”

Recommendations:

- Review procedures to **remove discriminatory and disproportionate barriers** that prevent children from establishing and registering associations.
- **Ensure that children are not unnecessarily required to depend on adults** to exercise their right to freedom of association, including by reducing or simplifying mandatory adult signatures, representation or control.
- Address age discrimination and negative stereotypes about children's activism through **education and awareness-raising**.
- Ensure that **children working on sensitive or marginalised issues**, including LGBTIQ+ rights, can fully and safely exercise their right to freedom of association without discrimination.
- **Promote cooperation between adults and children** in ways that support, rather than replace, children's leadership and decision-making, for example through guidance or mentorship.

“By not allowing children to register independently, they make the exercise of the right dependent on the will of adults.”

“Adults should guide us without taking our space.”

SECTION IV. STATE PARTIES' NEGATIVE AND POSITIVE OBLIGATIONS

This section explains what States must do to respect, protect, and fulfil the right to freedom of association.

What children said:

Children said that States and schools should do more to ensure that all children can fully exercise their right to freedom of association. They spoke about:

- **Meaningful participation must be strengthened.** Governments and schools should create more opportunities through student councils, youth organizations and child-led initiatives, and children should be consulted and able to genuinely influence decisions affecting them.
- **Access to information about rights is limited.** Many children said they do not receive enough information and education about their rights in general, and in particular about the right to freedom of association and how to exercise it in practice. In some schools, human rights education is limited, too theoretical, or focused on adulthood rather than on how children can use their rights now. Children said they need practical, child-friendly information about their rights and how to use them in everyday life.

“When we wanted to start an association, the principal asked the parents whether they support it.”

“I was told at shcool, I need to have good grades to open an association.”

SECTION IV. STATE PARTIES' NEGATIVE AND POSITIVE OBLIGATIONS CONTINUED

What children said:

- **Unequal access to opportunities and associations is a major issue.** Children said that opportunities to join and participate in associations are not equal for everyone. Girls, children living outside major cities, in particular rural areas, often have fewer opportunities, less information, and limited internet access. Many also face digital barriers due to lack of devices, connectivity, or electricity, and some said internet shutdowns during protests can prevent them from accessing information and participating.

“When we learn about rights, it is often about the future, not about how we can exercise our rights now.”

“How poor children can access internet and information?”



Recommendations:

- **Create more opportunities** for a meaningful exercise of this right by children, including by supporting student councils, youth and child-led organizations and initiatives, and by ensuring that children are encouraged—not discouraged—to organize, participate and express their views.
- **Require States to consult children in a meaningful way when developing laws, policies or decisions** that affect their rights, including their right to freedom of association.
- Guarantee **quality education on human rights**, including the right to freedom of association, ensuring that children learn not only theory but also how they can exercise their rights in practice from an early age.
- Provide **accurate, accessible, and child-friendly information on** the right to freedom of association, including practical guidance on how children can join, create and participate in associations.
- Ensure that **children living in rural areas** and other underserved areas have equal access to information, participation opportunities and internet connectivity.

SECTION V. RESTRICTIONS ON THE RIGHT TO FREEDOM OF ASSOCIATION (ARTICLE 22(2))

This section explains when restrictions on the right to freedom of association are permitted and the safeguards that should protect associations from unjustified restrictions.

What children said:

Children described how schools can restrict their freedom of association, particularly in certain situations. They said:

- **Restrictions in schools.** This happens especially when children organize around issues considered sensitive, such as gender equality or LGBTIQ+ rights. Some said student groups were only allowed if they aligned with the views of the school. Others explained that schools discouraged participation in associations, attached conditions such as good grades or parental permission, shut down student-led groups, or treated activism as incompatible with education.

"Schools are like a second home for children. We spend a lot of time there and it is a vital space for organizing with others."

"I wanted to start a small feminist organisation. It was refused due to money reasons at school."

"Boys are more heard at school if they want to start something."

SECTION V. RESTRICTIONS ON THE RIGHT TO FREEDOM OF ASSOCIATION (ARTICLE 22(2)) CONTINUED

What children said:

- **Stigma and negative stereotypes.** Children explained that adults sometimes see children who organize associations or express criticism as troublemakers, as challenging authority, or as a threat, or assume they are planning protests. Some said they felt closely monitored or discouraged from participating because of these assumptions.
- **Reprisals.** Children said that expressing views or taking part in associations can lead to punishment. Teachers may mock them, lower their grades, threaten to do so, or refuse permission to miss school to participate in association activities.

"I was told if I speak about issues from the school at the meetings of the association, I will get into trouble."

*"They keep a close eye on us. We feel under surveillance, but we are resolved to continue."
"Our grades cannot go down if we want to join a club."*

Recommendations:

- Ensure that **children can establish and participate in associations**, in particular at school, without fear of punishment or reprisals.
- **Prevent discrimination** against children because of the issues they choose to advocate for, including gender equality and LGBTIQ+ rights.
- Ensure that any **restrictions on children's associations are lawful, necessary, proportionate, and non-discriminatory, and not based on stereotypes or assumptions about children's capacities**. Justifications for any restrictions must be rights-based, children should be consulted and proactively explained justified restrictions in a child-friendly manner.
- **Professionals** in schools and similar institutions **should be trained in children's rights**, in particular the right to freedom of association.