
HUMAN RIGHTS, DEMOCRACY AND THE RULE OF LAW

Widening the democratic space: the role of youth in public decision-making

Friday, June 17, 2016, 1 P.M. – 3 P.M.

Palais des Nations, Geneva

Room XXIV



At the 32nd Session of the Human Rights Council, a side event was organized by the International Development Law Organization (IDLO), with the sponsorship of the Permanent Missions of Romania, Peru, Tunisia, Morocco, Republic of Korea and International IDEA and in cooperation with OHCHR, as a contribution to the preparation of the 2016 Forum on Human Rights, Democracy and the Rule of Law.

IDLO submits this report of the discussions to OHCHR for consideration in the preparatory process for the 2016 Forum.

SUMMARY

BACKGROUND

The objective of this side event was to provide an interactive brainstorming for all interested stakeholders to develop ideas and proposals for the first edition of the Forum on Human Rights, Democracy and the Rule of Law. The event provided participants with an opportunity to identify specific topics and approaches to help shape the debate at the Forum on youth and public decision-making, calling attention to best practices, opportunities and challenges that may be considered.

DISCUSSION

This high-level side event took place at the 32nd Session of the Human Rights Council in preparation of the inaugural Forum on Human Rights, Democracy and the Rule of Law, which is due to be held on 21-22 November 2016.

Kate Gilmore acted as a moderator at the side event and opened the session by noting the very large current youth demographic and the unprecedented opportunity to secure

democracy through engagement of youth, including during the life of the Sustainable Development Goals.

She further stressed that engagement of youth is strategically crucial in addressing failed governance, ensuring peace and building inclusive societies that respect the human rights and dignity of all.

Irene Khan noted the significance of “youth” being selected as the theme of the first session of the Forum. The Forum provides participants with an important opportunity to discuss how young people’s contributions to democracy, human rights and the rule of law can be supported. Ms. Khan emphasized the importance to young people of ensuring application of the fundamental principles of the rule of law – equal protection, everyone being equal in the eyes of the law and no one being above the law.

Ambassador Vierita explained that the aim of the Forum is to strengthen the relationship between the principles and values of democracy, human rights and the rule of law. The Forum is the newest subsidiary mechanism of the Human

Rights Council and the Members of the Core Group on Resolution 28/14 “Human Rights, Democracy and the Rule of Law” are determined to ensure that it is a success.

The panel was diverse and included youth representatives and leaders from different regions who have worked on youth issues and who have experienced the opportunities and challenges in decision-making as young civil society activists and advocates. All three youth representatives on the panel made clear that young people are eager to engage in and are essential to public decision-making. The panelists agreed that the issue is not “if” youth are involved, but rather “how” to ensure their central engagement. Youth involvement in political processes has a strong and positive impact. It is essential to commit to and rapidly learn from youth participation.

Demographics

The world currently has the largest youth generation to date and will experience an enormous demographic transition during the life of the 2030 development agenda. Youth involvement in decision-making results in access to power, opportunity and dignity. It is essential that older generations work with young people and enable their political involvement. In this regard, reference was made to the notion of inter-generational justice.

The importance of youth engagement

Youth engagement is one of the most strategic ways to strengthen public policy. Young people can significantly contribute to human rights, democracy and rule of law, and society gains from their participation. Good laws, effective institutions and the empowerment of young people are interconnected aspects of a functioning democracy.

Whilst it is frequently claimed that young people are not interested in politics, many are deeply distressed about the current state of world, national and local affairs. Young people engage in policy-making differently, but many do engage. Many young people want clean and transparent government as a central element of development. Interaction with young people is essential: if youth feel disenfranchised, they risk being marginalized and detached from democratic processes, governance, rule of law and state institutions.

Youth participation in public decision-making varies depending on the socio-economic, cultural and demographic contexts, such as whether a country is politically stable or in a conflict or post-conflict situation. For example, young people are disproportionately the victims of armed conflict. Young survivors of armed conflict and of indiscriminate use

of weapons have shared powerful testimonies with heads of states and diplomats all over the world. The success of the campaigns on land mines and cluster bombs is due significantly to the contributions of young activists.

Youth and the sustainable development agenda

Many young people are acutely aware of and deeply concerned about lack of social justice and economic inclusion in the world. The current youth generation is the most mobile generation ever: sometimes in pursuit of economic or social aspirations, but tragically more often to flee from failed governance, failed peace efforts and failed protection of human rights. There are enormous inequalities: youth experience vastly differing levels of education, health care, jobs and access to justice. The world faces high levels of youth unemployment as well as the challenges of rising extremism, global warming, poor governance and weak state institutions. Young girls often suffer from multiple and intersecting forms of discrimination, including as a result of both their age and gender. Women still face greater obstacles to participating in political processes and being elected, so young women and girls are even more under-represented.

Sustainable Development Goal (SDG) 16 on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels, cannot be achieved without careful consideration of young people’s views and their meaningful engagement throughout the process. Active youth participation is fundamental to achieving the SDGs.

Information and communication technology, including social media

The current generation of young people is more interconnected than any other generation. Information and Communication Technology (ICT) allows for engaging in public decision-making, including political debates, in a horizontal way, whereas representative democracy is usually very vertical. The use of ICT has the potential to affect policies immediately, while traditional decision-making processes are usually slower.

The use of social media has a strong potential to enhance youth participation and channel youth engagement in existing formal institutions and processes. Yet, whilst many young people do engage in politics by using social media and it is an important tool, often broader engagement by young people is still required for social action. It is essential to look at how we can utilize social media to meet and engage with young people.

Key challenges

Impediments to youth participation in public decision-making include distrust, corruption and a lack of delivery by leaders and institutions. This negatively impacts on youth participation in public decision-making. There is a dramatic problem of non-representation of younger generations in formal decision-making institutions, for example a global lack of young members of parliaments. This is critical as members of parliaments have the mandate to take decisions.

The Universal Periodic Review process at the Human Rights Council is an example of a mechanism that relates to human rights, democratic governance, rule of law and public institutions, yet young people are not sufficiently engaged, indeed they are almost invisible.

To address these challenges, intergenerational solidarity is of utmost importance.

Interactive discussion

The panel was asked about the difficulties countries face when trying to table a resolution focused on development for youth at the United Nations. It was noted that the international community must remember democracy cannot be exported, it can only be supported. The international community needs to invest in building capacity and ensuring demand is locally owned.

Other questions from the floor focused on whether institutions are fit for engaging young people, and how to address the distrust that exists amongst young people and institutions, including their disillusion with the decision-making process. A key issue raised was the lack of delivery of promises made during election campaigns. Objective and neutral scrutiny of the viability of electoral promises can play a role in increased transparency and accountability of the political system, including through the use of information and communication technologies. Candidates would be inclined to only make pledges they can keep if checks are put in place.

The panel was asked about recognizing the broad range of issues that young people want to tackle around the world. It was emphasized that not all young people have the same

aspirations and concerns. The panel was urged to acknowledge these differences and tackle the issues accordingly, rather than by adopting a homogenous approach. Discussions noted the importance of understanding what different young people want, what their objectives are and what their expectations are as part of their empowerment.

The importance of education in enabling young people to claim their rights was highlighted. If young people are aware of their rights, and what their rights and the rule of law mean for them in society, they are more likely to be able to participate in decision-making. Without this information, it is hard for them to stand up for their rights. Regardless of where young people are from or what aspirations they have, many do want to engage, to be heard and to be able to act.

Moving forward

Only if human rights, rule of law and democracy are respected will we be able to move sustainable development forward.

The 2030 development agenda calls for ensuring inclusive, participatory and representative decision-making at all levels. To be meaningful, institutions must be transparent and effective. Youth should be included at all levels of decision-making, including the planning, decision-making, implementation and monitoring stages. The engagement of civil society organizations, independent media and independent human rights systems that foster the participation of young people is essential.

The need to engage youth as dynamic and diverse constituencies through multiple lenses rather than as a homogenous group was emphasized. Education, whether formal or informal, at a primary or higher level, has a central role in promoting awareness and sensitizing young people about their rights.

It is essential that youth engagement in the Forum starts now, during the preparatory stage. The involvement of young people in this process is of utmost importance rather than inviting youth participants only to the Forum itself. Youth involvement from the beginning will support the organizers in considering issues from the perspective of youth.

CONCEPT NOTE

The International Development Law Organization (IDLO), in collaboration with Romania, Tunisia, Peru, Morocco, Republic of Korea, and International IDEA, and in cooperation with the Office of the High Commissioner for Human Rights (OHCHR), will convene a high-level side event on widening the space for youth in public decision-making during the 32nd session of the Human Rights Council.

BACKGROUND

The Human Rights Council has confirmed on numerous occasions the interdependence of human rights, democracy, and rule of law.

Rule of law is emerging as a vital force for the fulfillment of human rights, democracy, inclusive societies and sustainable development. United Nations Member States highlighted the importance of rule of law and a culture of justice in Sustainable Development Goal 16: promote peaceful and inclusive societies, provide access to justice for all, and build effective, accountable and inclusive institutions.

In March 2015, the United Nations Human Rights Council (HRC) focused world attention on the importance of human rights, democracy and rule of law by establishing a forum on these issues and the relationships between them:

“Decides to establish a forum on human rights, democracy and the rule of law to provide a platform for promoting dialogue and cooperation on issues pertaining to the relationship between these areas; the Forum shall identify and analyse best practices, challenges and opportunities for States in their efforts to secure respect for human rights, democracy and the rule of law.”

Resolution A/HRC/28/14 on “Human Rights, Democracy and the Rule of Law”

The two-day Forum is scheduled to take place every two years, with the first session set to take place on 21 and 22 November 2016 with the theme “Widening the democratic space: the role of youth in public decision-making.” Romania, on behalf of the Core Group for the resolution, explained the selection of this theme as follows: “... [T]he topic of the forum is very wide, allowing for numerous debates on concrete topics. As for the first edition of the forum, we propose a topic that is important to us all, in every society from all regions ... As experience of all societies has shown ... youth

disenfranchisement leads to social problems and to threats to democracy itself.”

OBJECTIVE

The objective of the side event is to provide an interactive brainstorming session for all interested stakeholders to develop ideas and proposals for the first edition of the Forum on Human Rights, Democracy and the Rule of Law. The event will provide an opportunity for participants to identify specific topics and approaches to help shape the debate at the Forum on youth and public decision-making, calling attention to best practices, opportunities and challenges which may be considered.

FORMAT

The format of the side event will be a roundtable panel discussion, Q&A and interactive debate.

The session will be chaired and moderated by Ms. Kate Gilmore, Deputy High Commissioner, OHCHR.

Opening remarks will be delivered by H.E. Ambassador Adrian Vierita, Permanent Representative of Romania and other representatives of Members of the Core Group on Resolution 28/14.

Panelists will be allocated 5 minutes each for initial statements and responses to questions by the Moderator.

- Irene Khan, Director General, International Development Law Organization (IDLO)
- Faith Nafula Wafula, Member, Youth Gender and Equality Network, Gender Program Officer, Strategic Applications International
- George-Konstantinos Charonis, Policy Officer on Youth Rights, European Youth Forum
- Firoz Ali Alizada, Campaign Manager, International Campaign to Ban Landmines
- Yves Leterme, Secretary-General, International Institute for Democracy and Electoral Assistance (International IDEA)

After the initial discussion by the panelists, an interactive debate will be opened, followed by concluding remarks by the moderator.

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PROGRAMME

MODERATOR:

- **Kate Gilmore**, Deputy High Commissioner, United Nations Office of the High Commissioner for Human Rights

OPENING REMARKS:

- **H.E. Ambassador Adrian Vierita**, Permanent Representative of Romania to the United Nations in Geneva (Member of the Core Group on Resolution 28/14 “Human Rights, Democracy and the Rule of Law”)

PANEL SESSION:

- Irene Khan, Director General, International Development Law Organization (IDLO)
- Faith Nafula Wafula, Member, Youth Gender and Equality Network, Gender Program Officer, Strategic Applications International
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ABOUT IDLO

IDLO enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.

