

STATEMENT OF THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION

33RD SESSION OF THE HUMAN RIGHTS COUNCIL: PANEL DISCUSSION ON YOUTH AND
HUMAN RIGHTS

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*Office of the Permanent Observer to the United Nations
and other International Organizations in Geneva*

Mr. President,
Distinguished delegates,
Ladies and gentlemen,

The rule of law, properly understood and applied, ensures that all people, including youth, are equal and entitled to equal rights and protection.

Youth must be able to access their rights free from obstacles and discrimination. Despite international legal frameworks protecting and promoting equal rights, many youth experience inequality, exclusion and violations of their fundamental rights.

Young people frequently face legal and practical challenges when seeking justice: a lack of awareness of justice mechanisms and supporting institutions; poor access to information; and, perhaps most pronounced, deeply entrenched social and cultural norms that may discourage their empowerment and the fulfilment of their rights.

Research undertaken by the International Development Law Organization (IDLO) and UNICEF on access to justice in Central and Eastern Europe and Central Asia identified specific barriers and failures of justice mechanisms and institutions to respond to the needs of children and young people. A key lesson learned was that young people need to participate in law-making and other public decision-making, and in the design of services and interventions, to ensure their relevance.

In Jordan, Sudan, and Tunisia, IDLO and UNICEF studied factors in law and practice that support or inhibit community-based measures for children and young people in conflict with the law. The research recommended practical solutions and entry points to facilitate the use of diversion and alternative measures to detention to improve juvenile justice, including restorative justice approaches.

Through a programme focused on access to justice in Honduras, IDLO is supporting the development of appropriately tailored juvenile justice policies and laws, including through engagement with youth gangs in neighbourhoods rife with violence.

Good legal frameworks, effective and capable institutions and empowered youth are essential not only for the protection and fulfilment of young people's rights, but also to ensure informed public policies and decision-making which is key to the realization of sustainable development.

The rule of law is a cross cutting driver throughout the Sustainable Development Goals: it is an enabler for achieving sustainable development and human rights. Goal 16 acknowledges that access to justice and effective, inclusive institutions – including the perspectives and participation of young people -- are essential for promoting a culture of rule of law.

In November 2016, the first Forum on Human Rights, Democracy and the Rule of Law will take place with the theme of “Widening the democratic space: the role of youth in public decision-making”. At the 32nd Session of the Human Rights Council, IDLO organized a side event 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 upcoming Forum.

These preparatory discussions – in particular the voices of the young people who participated -- made clear that youth are a huge and diverse constituency and that many young people are eager and committed to contribute to human rights, democracy and the rule of law. Society gains from their participation and loses from their exclusion. The event highlighted the challenges to youth engagement in political processes, including distrust, corruption and a lack of confidence in the system. Communities must encourage youth engagement by working with young people early through both formal and informal mechanisms, including in the spaces that young people themselves have created.

Law-making and public policy processes must include the views of all those who are concerned and affected, including and especially young people. Young people are particularly affected: laws and regulations promulgated today may affect them for decades to come. As IDLO Director-General Irene Khan emphasized at the event, “a culture of justice includes inter-generational justice”.

IDLO remains committed to ensuring the fulfilment of young people’s human rights through the promotion of the rule of law. IDLO supports the Council and OHCHR as they prepare for the 2016 Forum on Human Rights, Democracy and the Rule of Law on youth in public decision-making and in their work to protect and fulfil the rights of young people.

The International Development Law Organization (IDLO) enables governments and empowers people to reform laws and strengthen institutions to promote peace, justice, sustainable development and economic opportunity.