

Position Paper

Mainstreaming youth rights in the UN human rights mechanisms

Summary of key recommendations to UN Member States and UN bodies

- **Strengthen youth rights mainstreaming across all UN human rights mechanisms** (i.e. Universal Periodic Review (UPR), Treaty Bodies, Special Procedures) by:
 - creating genuine spaces for young people and youth organisations to meaningfully participate in all policy domains and processes, so decision makers and other stakeholders understand the perspective and challenges of young people,
 - applying positive measures to actively close inequality gaps and level out the playing field so that young people can access the same rights and opportunities as others.
- Request the Human Rights Council (HRC) to **establish an annual youth forum as a permanent and structured mechanism to the HRC** that promotes genuine and meaningful youth participation, to contribute to mainstreaming youth rights.¹
- **Proactively raise awareness on the unique experiences and challenges faced by young people** to remove the conflation with children's rights and ensure the universal recognition of young people's rights.
- **Allocate adequate funding to youth organisations** to build their capacity and knowledge around advocating for youth rights and a right-based approach, and facilitate their meaningful participation across all UN human rights mechanisms (including the preparatory work conducted at national level).
- **Put forward a resolution to the UN General Assembly for the adoption of a legally binding International Convention on the Rights of Young People** with an accompanying monitoring mechanism to provide a legal foundation for youth mainstreaming efforts to draw upon, and obliging State Parties to transpose the Convention into national law and report on the measures adopted that give effect to the rights recognised.
- Request the HRC to **investigate the possibility of establishing a Special Procedure on the human rights of young people**, such as an Independent Expert or Special Rapporteur, in the absence of an international legal framework on young people's rights.

¹ As per UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights - Intersessional seminar on the challenges and opportunities of young people in the field of human rights, 10 December 2021, A/HRC/49/32, para 72(a)-(b).

Introduction

Young people make up almost one-third (32%) of the world's population.² Yet young people's rights and freedoms are currently not recognised explicitly under international human rights law. While young people's rights are provisionally recognised under the United Nations Convention on the Rights of the Child, once they turn 18, their rights are suddenly less clear.

Young people's path to adulthood and independence, and their transition towards being full and active rights-holders, is rife with obstacles. They often encounter age-based discrimination with other intersecting factors (gender, socioeconomic background etc.). They also face barriers in accessing quality education, employment, housing, social protection, and their civil and political rights, which limits their full potential. The COVID-19 pandemic has only perpetuated this further.³

While existing international human rights conventions apply to everyone, young people as a specific group are often not granted the same levels of protection, and experience policies differently to others. This is attributed to the lack of recognition of young people as rights-holders, the lack of understanding of what youth rights are, and the ongoing conflation between youth rights with children's rights, in which young people are seen as vulnerable members of society rather than as a cohort who can legitimately contribute to society.

Furthermore, the absence of a legally binding instrument on youth rights contributes to gaps in laws and policies that leave young people unaccounted for, and manifests through widened inequality gaps and discrimination. Young people are falling between the cracks and their trust in democratic institutions is subsequently decreasing.⁴

The European Youth Forum, the largest platform of youth organisations in the world, sees an urgent need to redress this and ensure that youth rights are better accounted for across the UN human rights system. This includes the Universal Periodic Review (UPR), the UN Treaty Bodies, the UN Special Procedures, and relevant UN resolutions and reports. On the basis of research commissioned by the European Youth Forum in 2021 which considered the experiences of 36 Member Organisations,⁵ this paper argues on the need for strengthened approaches to mainstreaming youth rights across these mechanisms, and which sets a higher precedent for other UN intergovernmental processes to follow. We assess the extent to which UN human rights mechanisms take youth rights into account and how youth organisations have been involved, in order to derive our key recommendations to UN Member States and UN bodies.

In our findings, while young people make up more than one-third of the world's population, **only 1% of the total recommendations made across each UN human rights process are youth-specific.** Young people continue to be overlooked and will continue to, if rapid changes are not made to legally recognise their rights.

2 As per UN statistics that list young people aged 15-35 years of age. This percentage is expected to remain as such leading into 2030. See: UN Population Division Data Portal - Population by 1 year age groups and sex (available at <https://population.un.org/dataportal/home>)

3 See European Youth Forum, "[Beyond Lockdown: The 'Pandemic Scar' on Young People](#)", 2021.

4 Youth's trust in governments has decreased since 2006 in most OECD countries as per OECD, "[Governance for Youth, Trust and Intergenerational Justice: Fit for all generations?](#)", 2020, page 4.

5 In 2021, we distributed a questionnaire to 36 Member Organisations and held a series of interviews with National Youth Councils and International Non-Governmental Youth Organisations.

What is mainstreaming youth rights?

As part of European Youth Forum's work in applying a rights-based approach to policy-making,⁶ mainstreaming is an approach to facilitate the full realisation of the rights of young people, positioning them to be active rights-holders who can lead free, autonomous lives. Drawing on examples of mainstreaming human rights in practice,⁷ mainstreaming youth rights is a means of ensuring that all policies and laws specifically, and intentionally, work for all young people in their diversity.

Mainstreaming is a means of analysing factors that perpetuate individual and structural discrimination and inequality, and developing policies to redress or eliminate this. By building greater accountability, it also encourages meaningful youth participation by bridging the divide between young people and decision-makers.

In application, mainstreaming entails:

1. creating genuine spaces for young people and youth organisations to meaningfully participate in all policy domains and processes, so decision makers and other stakeholders understand the perspective and challenges of young people,
2. applying positive measures to actively close inequality gaps and level out the playing field so that young people can access the same rights and opportunities as others.

The extent youth rights are accounted for in the UN human rights system

The rights of young people have gained increased traction in recent years at UN level, notably with regards to supporting youth participation and mainstreaming efforts.⁸ In practice however, more work is needed to scale up the awareness and recognition of these rights, as evident in the UN human rights processes examined below.

a. Universal Periodic Review

The UPR process is the review of all UN Member States' human rights progress within the Human Rights Council. It allows States under review to outline the actions taken to improve the human rights situation in their country, and to receive recommendations, including those relating to young people. This is of course dependent on the priorities and political interests of a State.

According to the UPR Info Database,⁹ between 2008 (the inception of the UPR process) and 2019, a total of 86,762 recommendations have been issued. However, **only 966 recommendations, or 1.11% of all recommendations, have been youth-specific**,¹⁰ focusing on employment, education, health, protection, empowerment and inclusion.

With regards to meaningful youth engagement, our members have advised that it is difficult to advocate for specific recommendations either due to the complexities of the UPR process, capacity and financial constraints to present their concerns at UPR pre-sessions, or when it is unclear which UN Member State is championing a certain issue. Yet, if provided with the opportunity and means to meaningfully participate, we see huge benefits that allow youth organisations to support mainstreaming efforts. In 2018-2019 for example, the **German Federal Youth Council (DBJR)** submitted a shadow

6 See European Youth Forum's [policy library on youth rights](#).

7 See for example gender mainstreaming that must be encompassed in the UN's three pillars on development, peace and human rights: <https://www.unwomen.org/en/how-we-work/un-system-coordination/gender-mainstreaming>

8 See for example the UN Secretary-General's [Common Agenda](#) and the [UN Youth Strategy](#). See also provisions to address youth rights in the UPR and treaty body process: UN Human Rights Council, Resolution adopted by the Human Rights Council on 11 July 2019 - Youth and human rights, 9 July 2019, A/HRC/41/L.19, para 10.

9 See UPR Info Database: <https://upr-info-database.uwazi.io/>

10 In contrast, 16,219 recommendations (18%) have been issued on women's rights, and 15,080 recommendations (17%) for children's rights.

report to Germany's third UPR cycle, with recommendations made on the rights of young refugees, lowering the voting age, and promoting the rights of queer youth. Through several advocacy meetings and participation at the UPR pre-sessions, nine youth-specific recommendations were made to Germany, with six submitted from Member States with whom DBJR had met. More UN Member States must set up efforts to create processes for meaningful youth participation to better streamline youth rights across these mechanisms.

b. UN treaty bodies

The UN human rights treaty bodies are committees consisting of independent human rights experts to monitor the human rights situation of Member States in compliance with the international human rights treaties they are State Parties to. From our 2021 research, the UN Office for the High Commissioner for Human Rights' (OHCHR) Universal Human Rights Index¹¹ shows that 93,009 recommendations have been made to all 10 treaty bodies and 2 optional protocols on the rights of the child. **Yet, only 1,377, or 1.5%, of these recommendations have been specific to youth.**¹² Furthermore, the extent to which these recommendations have been implemented is difficult to determine.

When it comes to advocating for youth-specific issues, such as the situation of young people taking on precarious forms of work, or young Roma, we have heard that it is difficult to advocate for when they are not explicitly covered in existing treaty bodies. While we have heard from **National Youth Councils in Austria, Azerbaijan, Belarus, Moldova, Romania and Sweden** about their experiences in engaging with a UN treaty body process,¹³ we have been unable to identify any best practice examples of meaningful participatory processes that enabled them, or other youth organisations, to contribute to youth-related recommendations. The already low number of youth-specific recommendations made, and the lack of information on implementation rates, poses the concern of how effectively young people's rights are actually accounted for by current treaty bodies.

c. Special Procedures

Special Procedures are independent human rights experts mandated to report or advise on human rights issues, either from a thematic perspective (i.e. the Independent Expert on Older Persons) or a country-specific perspective (i.e. the Special Rapporteur on extreme poverty and human rights). Out of the 58 existing Special Procedures of the UN Human Rights Council, there is currently no youth-specific mandate.

According to OHCHR's Universal Human Rights Index, of the 16,003 youth-specific recommendations issued under the Special Procedures, **only 102 recommendations, or 0.64%, specifically relate to young people.** These numbers are significantly lower than previous mechanisms, and are a stark reminder of the gaps that continue to emerge due to the lack of a legal foundation for youth rights. While the mandate of all Special Procedures should be amended to ensure the rights of young people are sufficiently mainstreamed, UN Member States should request the HRC to investigate the possibility of establishing a Special Procedure on the human rights of young people.

With regards to best practice examples of meaningful youth participation to support mainstreaming efforts, the **Belarusian National Youth Council (RADA)** inputted a youth perspective into the Special Rapporteur on Belarus' report and recommendations. This engagement also allowed Belarus-based civil society organisations to receive support and advice, further contributing to increased levels of trust between youth civil society and the UN human rights mechanisms.

d. Meaningful youth participation

Meaningful participation includes mechanisms that ensure young people have the information, tools, and opportunities to participate easily, where they are aware of the goals of a policy-process and have the means to provide their opinions. These mechanisms must be supported by built-in feedback and monitoring structures that allow young people to prepare ahead of any participatory process, and

11 <https://uhri.ohchr.org/en/>

12 In comparison, children made up 31,741 recommendations (34%), while women and girls made up 24,079 recommendations (26%).

13 Such as the Committee on the Elimination of All Forms of Discrimination against Women, or the Committee on Economic, Social and Cultural Rights.

which allows them to track how their contribution has been taken into account over time. By ensuring greater transparency and accountability, young people are positioned on equal footing to other stakeholders and are able to make informed decisions.¹⁴

To effectively mainstream the rights of young people across all UN human rights mechanisms, young people and youth organisations must have the opportunities to contribute their experiences and expertise. As part of our research, while over half of the youth organisations surveyed are involved in UN-led youth rights activities, **their engagement with formal human rights procedures is concerningly low.** Many youth organisations face **financial and/or capacity constraints to engage**, or have a **limited knowledge of UN mechanisms, with most of our members ranking this as average or poor.** Furthermore, the lack of a dedicated youth-specific UN human rights process means it is difficult for youth organisations to regularly engage, and, therefore, the attention to the full realisation of young people's rights remains very low.

To remedy these barriers, we recall the 2019 HRC resolution on Youth and Human Rights which 'Urges member States, in consultation with youth-led and youth-focused organisations, to promote new initiatives for the full, effective, structured and sustainable participation of young people in relevant decision-making processes.'¹⁵ Furthermore, we welcome, and support, the 2021 Report of the UN High Commissioner for Human Rights and the calls to establish an annual youth forum that acts as a permanent, structured and meaningful process for youth participation that can contribute to HRC discussions.¹⁶ Member States and UN agencies must further recognise the value of youth organisations, and ensure that they are adequately funded and trained to conduct a rights-based approach to their work, in order to empower them and ensure they can meaningfully contribute to the UN human rights agenda and its mechanisms.

Moving forward to fill in the gaps

Based on our findings, it is clear that the rights of over one-third of the world's population are currently falling through the gaps of existing UN human rights processes. UN Member States must step up and proactively work with young people and youth organisations to redress this, recognising that these gaps exist due to the absence of a legal framework on youth rights. Ultimately, mainstreaming must contribute to the full recognition and need for youth rights to be codified in international law, **through the adoption of a UN Convention on the Rights of Young People.** This must be supported with an accompanying monitoring mechanism where State Parties are obliged to periodically report on the measures taken to improve the human rights situation for young people, and to provide a participatory process where youth organisations can consistently and meaningfully engage.

It's time to value young people as active and autonomous rights-holders, who can freely exercise their rights, make choices for themselves, and fully participate in society.

14 See European Commission and Council of Europe, [Meaningful youth political participation in Europe: Concepts, patterns and policy implications](#), 2021.

15 UN Human Rights Council, Resolution adopted by the Human Rights Council on 11 July 2019 - Youth and human rights, 9 July 2019, A/HRC/41/L.19, para 5.

16 UN Human Rights Council, Report of the United Nations High Commissioner for Human Rights - Intersessional seminar on the challenges and opportunities of young people in the field of human rights, 10 December 2021, A/HRC/49/32, para 72(a)-(b).



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