



# Adolescent and Youth Participation in Decision- Making Processes that Impact their Health

#UPROOT BRIEF FOR POLICYMAKERS  
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This brief was produced by young people, aimed at policy makers, to contribute with information on the main legal and policy barriers that we face when trying to access HIV and other sexual and reproductive health services, the extent to which harmful laws and policies can affect our health and jeopardize the realisation of our rights, and to share our recommendations on how to keep striving for more enabling policies

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All views and opinions expressed in this brief do not necessarily reflect those of the organizations that supported and participated in the development of this brief. For more information on the #uproot agenda, please visit [www.theyouthpact.org/uproot](http://www.theyouthpact.org/uproot)

# INTRODUCTION

Adolescents and young people represent 25% of the world's population with an estimated nine out of ten people between 10 and 24 years living in less developed countries, while 48 of the world's least developed countries have populations with at least half consisting of people under 18 years.[1]

There were approximately 610,000 new HIV infections among young people globally, out of which approximately 60% were among young women. [2] 2015 statistics reveal that an estimated 29 adolescents acquired HIV every hour and there were 250,000 [180,000 - 340,000] new HIV infections among adolescents in 2015, 65 percent of which occurred among adolescent girls.[3]

The growth of young people as a demographic group demands that governments and societies find ways to adequately respond to their peculiar needs. It is essential that given the fact that young people are disproportionately vulnerable and affected by HIV and other sexual and reproductive health issues, spaces for meaningful participation are established to secure their involvement.

This brief is aimed at policymakers, to highlight the importance of adolescents and young people being meaningfully engaged in decision-making processes which impact their sexual and reproductive health. It will highlight the international law instruments which promote young people's right to inclusion and engagement, and provide key recommendations.

## MEANINGFUL YOUTH PARTICIPATION, AND WHY IT IS IMPORTANT

Young people have a fundamental human right to actively and meaningfully participate in matters that affect their lives.[4] This means they should be able to seek information, express ideas, take an active role in proposing innovative approaches, being informed or consulted on decisions concerning public interest, analyzing situations, and making personal choices. Unfortunately many young people, including those who fall within key affected populations namely, young women, young gay men and other men who have sex with men, transgender young people, or young people who sell sex or use drugs, are still the minority in spaces reserved for young people in the global HIV response.

The extent to which adolescents and youth participate in programs and policies is significantly impacted by a number of factors including their age, gender, socioeconomic background, ethnicity, race, sexual orientation, and HIV status as well as whether or not they fall within any key population groups. These factors also impact how young people perceive themselves and the roles that they would be able to play in society.[5]

For adolescent and youth participation to be deemed meaningful, young people must be thoroughly integrated into all aspects of program development and given decision-making power.

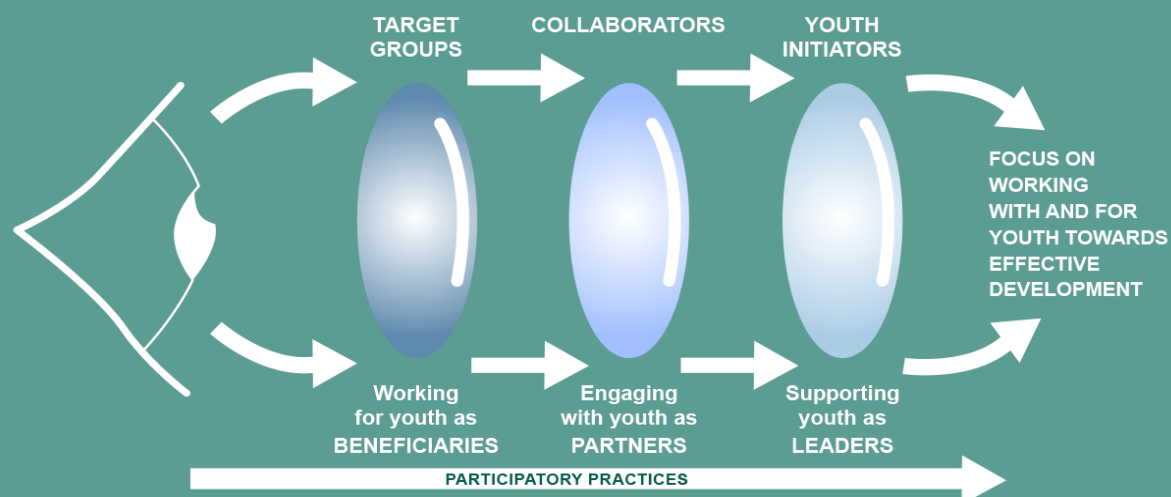
The **three-lens approach to youth participation**, conceptualized by DfID, views youth as **BENEFICIARIES**, as **PARTNERS**, and as **LEADERS**.<sup>[6]</sup>

When youth are viewed as **Beneficiaries** they are engaged as a target group. This lens of youth participation focuses on youth issues through documentation.

Youth as **Partners** means the prioritization of collaborative interventions, where young people are fully consulted and informed. This lens stresses mutual co-operation and responsibility and recognises that young people need experience working as partners before progressing to becoming leaders and initiators of development.

Finally, where youth are supported as **Leaders** they experience an enabling youth-initiated and directed interventions which is often characterised by the development of spaces for youth-led decision-making within existing structures, systems and processes.

## THE THREE-LENS APPROACH TO YOUTH PARTICIPATION



Source: Youth participation in development: A guide for development agencies and policy makers. (DFID-CSO Youth Working Group, 2010).



## YOUTH PARTICIPATION AND HEALTH

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There is an obvious need for adolescents and young people's voices to be included in discourse around their sexual and reproductive health. Young people are seriously underrepresented in policy making positions. Sixteen percent of the world's population is 20-29 years old, but this age group represents only 1.6 percent of parliamentarians.[7]

Without young persons in these positions it becomes increasingly difficult for them to impact their circumstances and the circumstances of young people that they represent, through the implementation of youth-focused legislation. Adolescents face even more obstacles to have their views represented in decision-making forums.[8]

## THE RIGHT TO PARTICIPATE AND INTERNATIONAL INSTRUMENTS

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Human rights are widely acknowledged as being universal and inalienable; indivisible; interdependent and interrelated. In addition, the notion of participation and inclusion which are inimical to human rights means that all people have the right to participate in and access information relating to the decision-making processes that affect their lives and well-being. A rights-based approach calls for a high degree of participation by communities, civil society, minorities, women, young people, indigenous peoples and other identified groups. [9]

Participation is based on the fundamental principles of human rights that focus on an individual's autonomy and self-determination as part of basic human dignity, which essentially means that people are actively involved in making choices as opposed to merely passive recipients of benefit.[10]

Since the International Youth Year of 1985, the General Assembly defined youth participation as comprising four key components: economic participation, relating to work and development; political participation, relating to decision-making processes; social participation, relating to community involvement; and cultural participation, relating to the arts, cultural values and expression.[11] These elements are reaffirmed in the Convention on the Rights of the Child and are central to the creation of a culture of respect for children and young people.

Participation has been hailed as a civil and political right, specifically the right to participate in political elections and as an economic, cultural, and social right, which includes the right to participate in the design and implementation of development agendas, including health, education, housing policies, and poverty reduction strategies such as youth employment.[12]

## THE CONVENTION ON THE RIGHTS OF THE CHILD, 1989

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The Convention on the Rights of the Child is a legally binding international human rights treaty which sets out the civil, political, economic, social, health and cultural rights of children. The Convention establishes that children should be viewed and treated as human beings with a distinct set of rights instead of as passive objects of care and charity.

The Convention recognises the right of children and adolescents to participate in all matters related to their own lives. States must guarantee the conditions that are conducive for the inclusion of their opinions and concerns noting the principles of the best interest of the child and evolving capacities of young people.[14]

The Convention recognises the importance of young people as rights holders whose dignity must be respected.

**Article 12 of the Convention highlights that participation is a substantive right of all children and young people, and that democratic participation is a procedural right through which young people may take part in and influence processes, decisions and activities in order to achieve justice, influence outcomes, expose abuses of power and realize their rights.[15]**

The Committee on the Rights of the Child notes that improved data collection and disaggregation are essential to monitor the health and development of adolescents, added that data should be collected to study the situation of specific groups of adolescents and, where appropriate, adolescents should participate in the analysis to ensure that the information is understood and utilized in an adolescent-sensitive way.[16]

## THE VIENNA DECLARATION AND PROGRAMME OF ACTION

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The Vienna Declaration and Programme of Action is a set of human rights documents adopted at the United Nations World Conference on Human Rights in 1993. The Declaration acknowledged that the human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights.

It has taken an inclusive approach for both women and young people, using language that has called for the full and equal participation of women in civil, cultural, economic, political and social life, at the national, regional and international levels.[17]

The Declaration also noted that in all actions concerning children, non-discrimination and the best interest of the child should be primary considerations, and the views of the child given due weight.[18]



## INTERNATIONAL CONFERENCE ON POPULATION AND DEVELOPMENT (ICPD), 1994

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The International Conference on Population and Development in 1994 was the largest intergovernmental conference on population and development ever held. The Conference collated diverse views on human rights, population, sexual and reproductive health, gender equality and sustainable development into a global consensus that placed individual dignity and human rights at the heart of development.

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'...adolescents must be fully involved in the planning, implementation and evaluation of family-planning and sexual and reproductive information, counselling and services...'

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The International Conference on Population and Development Programme of Action (ICPD PoA) notes that programmes for adolescents have proven most effective when they involve adolescents in identifying their reproductive and sexual health needs and designing programmes that address those needs. The 1999 Review of the ICPD Programme of Action stresses that adolescents must be fully involved in the planning, implementation and evaluation of family-planning and sexual and reproductive information, counselling and services with proper regard for parental guidance and responsibilities.[20]

The Programme of Action has also encouraged the participation of the girl child in social development, and has encouraged the integration and promotion of youth participation in all spheres of society, including in political processes and leadership roles.[21] It has also noted that in instances where sexuality education exists, the curricula and educational materials should be reviewed, updated and broadened to ensure adequate coverage of important population-related issues, and to counteract myths and misconceptions about them, and to ensure acceptance and usefulness by the community. These efforts should involve the active participation of a number of stakeholders including youth.[22]



## THE BEIJING PLATFORM FOR ACTION, 1995



The Beijing Platform for Action is the outcome document from the Fourth World Conference on Women held in 1995, and is hailed as the most progressive blueprint for advancing women's rights. It seeks to act as an agenda for women's empowerment and to remove all the obstacles to women's active participation in all spheres of public and private life through a full and equal share in economic, social, cultural and political decision-making.

The review of the Beijing Platform for Action of the year 2000 (Beijing+5) called on States to design and implement programmes with the full involvement of adolescents, as appropriate, to provide them with education, information and specific, user-friendly and accessible services, without discrimination. These programmes would seek to address the reproductive and sexual health needs of adolescents, considering their right to privacy, confidentiality, respect and informed consent, noting the evolving capacities of the child and allowing them to exercise their rights as recognized in the Convention on the Rights of the Child. [23]

## THE COMMISSION ON POPULATION AND DEVELOPMENT RESOLUTION 2012/1

The Commission on Population and Development Resolution 2012 on adolescents and youth encourages governments to improve information to enable young people to make better use of their opportunities to participate in decision-making, to develop and strengthen opportunities for young people to learn their rights and responsibilities, promoting their social and political participation and removing obstacles that affect their full contribution to society, and to promote and support youth associations, volunteer groups and entrepreneurship.[24]

It also calls on governments and other stakeholders to actively support and invest in the increased participation of young people and in youth-led and youth-focused organizations, considering gender equality and representation of youth of various backgrounds, in the formulation, decisions about, implementation, monitoring and evaluation of, as appropriate, international, regional, national and local development strategies and policies that affect young people.[25]



## THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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The Committee on Economic, Social and Cultural Rights (CESCR) “is the body of 18 independent experts that monitors the implementation of the International Covenant on Economic, Social and Cultural Rights by its States parties.”[26]

The Committee has noted that States should provide a safe and supportive environment for adolescents, that ensures the opportunity to participate in decisions affecting their health, to build life-skills, to acquire appropriate information, to receive counselling and make informed choices about their own health.[27]

## THE UNITED NATIONS 2016 POLITICAL DECLARATION ON HIV/AIDS

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The Political Declaration on HIV and AIDS is a resolution adopted by the UN General Assembly in 2016, which seeks to Fast-Track the AIDS response and to guide States in addressing the linkages between health, development, injustice, inequality, poverty and conflict.

The Declaration reaffirmed that the promotion and protection of, and respect for the human rights and fundamental freedoms of all are universal, indivisible, interdependent and interrelated, and that efforts must be made to ensure that every person is entitled to participate in, contribute to and enjoy economic, social, cultural and political development.[28]

Additionally, the Declaration has highlighted that the meaningful involvement of people living with, at risk of and affected by HIV and populations which are at higher risk of HIV facilitates the achievement of more effective AIDS responses. It notes that people living with, at risk of and affected by HIV should enjoy equal participation in civil, political, social, economic and cultural life, free from all forms of prejudice, stigma or discrimination.[29]

Further, it encourages the Economic and Social Council of the UN to request the regional commissions to support periodic, inclusive reviews of national efforts and progress to combat HIV. It also promotes the implementation of regular regional peer-based reviews of AIDS responses that facilitate the engagement of health and non-health ministries, and city and local leaders, and ensure the meaningful participation of civil society organizations, especially of people living with HIV and women's and youth groups.[30]



## RECOMMENDATIONS TO POLICYMAKERS

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Participation has been noted as a fundamental human right to which all people are entitled. Accordingly, young people have the right to express their views on decisions directly affecting their lives, and have their opinions given serious consideration when policies are being developed to tackle these issues. The participation of youth in decision making is a means through which young people can become advocates for their own issues and work towards transforming their realities.

Evidence does not support the presumption that adults within both the public and private spheres will ensure adequate representation of young people's best interests in law, policy and practice. Accordingly, young persons must be given an opportunity to engage in decision making at all levels to ensure that their interests are served and that their issues are addressed.[31]

Policymakers must ensure that they make efforts to respect young people's capacities as agents of change and not merely subjects of rights, and to recognise them as partners and valid actors. When young people are involved as partners, they feel a sense of ownership for programmes and policies and they are more likely to take care of themselves and to advocate for the rights of others.[32]

1. Policymakers should remove barriers and restrictions which may limit the means through which young people engage in decision making processes. New collaborative approaches other than traditional, adult-driven models for engagement should be developed, facilitated and encouraged.
2. Policymakers must ensure that key stakeholders, particularly marginalized adolescents and youth, have a voice in every stage of programme development and implementation, and that they take a rights-based approach to adolescent and youth engagement in decision making processes.
3. Policymakers must make themselves available to engage in discussions with young people and provide them with the necessary room to influence politicians, policy makers, professionals and the media with their own unique perspectives.[33]  
Through expressing their views and perspectives, and having their opinions taken into account, participation promotes the well-being and development of young people. They are given the opportunity to hone their skills, gain confidence and knowledge and build competencies which allows more effective participation, which in turn enhances development.  
[34]
4. Policymakers must facilitate the development of policies and programs which give adolescents and youth the space to demonstrate their capacity for advocacy, communication and negotiation, and their commitment to challenging injustice.
5. Policymakers ought to strive to ensure the empowerment of young people, which is truly achieved when young people are able to identify issues which are of primary concern to them and seek to develop strategies, activities, networks, organizations or campaigns in order to pursue their objectives. These initiatives ought to be resourced, with funding, technical and political support.



# References

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1. The Power of 1.8 Billion Adolescents, Youth and the Transformation of the Future. UNFPA state of the world population 2014
2. Turning the tide against AIDS will require more concentrated focus on adolescents and young people, UNICEF, Available at <https://data.unicef.org/topic/hivaids/adolescents-young-people/>
3. UNAIDS estimates, 2016.
4. Convention on the Rights of the Child, Article 12
5. Ensuring Youth Participation In Sexual And Reproductive Health Policies And Programs: What We Know, Fact Sheet, The International Women's Health Coalition (IWHC)
6. Youth Participation in Development: A Guide for Development Agencies and Policy Makers, DFID-CSO Youth Working Group, 2010
7. The Global Strategy for Women's, Children's and Adolescents' Health (2016 – 2030)
8. *ibid*
9. Human Rights Principles, 2005, UNFPA. Available at <https://www.unfpa.org/es/node/9206>
10. A GI-ESCR Practitioner's Guide, A Rights-Based Approach to Participation.
11. Youth Participation in Decision-making - World YOUTH Report, 2003
12. Laura Villa-Torres et al, Ensuring Youth's Right to Participation and Promotion of Youth Leadership in the Development of Sexual and Reproductive Health Policies and Programs, Journal of Adolescent Health, Volume 56, Issue 1, Supplement, January 2015, Pages S51-S57
13. UNHCR guidelines on formal determination of the best interest of the child (2006)
14. G. Lansdown, The evolving capacities of the child (2005)
15. Youth Participation in Decision-making World YOUTH Report, 2003
16. CRC General Comment No. 4 (2003) para 13
17. Vienna Declaration and Programme of Action, Adopted by the World Conference on Human Rights in Vienna on 25 June 1993
18. *Ibid*, para 21
19. ICPD POA, Cairo, 1994, para 7.43

# References

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20. ICPD+5 (1999) para 73(c)
21. ICPD POA, Para 6.13
22. Ibid, Para 11.24
23. Beijing+5 (2000) para 79 (f)
24. The Commission on Population and Development Resolution 2012/1, Para 32
25. Ibid, para 31
26. The Committee on Economic, Social and Cultural Rights (CESCR), Available at <http://www.ohchr.org/en/hrbodies/cescr/pages/cescrindex.aspx>
27. CESCR General Comment No. 14 (2000) para 23; Ensuring Youth Participation In Sexual And Reproductive Health Policies And Programs: What We Know
28. Political Declaration on HIV and AIDS: On the Fast Track to Accelerating the Fight against HIV and to Ending the AIDS Epidemic by 2030, A/RES/70/266, para 7
29. Ibid, Para 21
30. Ibid, Para 67
31. World YOUTH Report, 2003
32. Comprehensive Sexuality Education: Advancing Human Rights, Gender Equality and Improved Sexual and Reproductive Health
33. World YOUTH Report, 2003
34. R. Rajani, "Discussion paper for partners on promoting strategic adolescent participation" (New York, UNICEF, 2000)

