

INFORMATION NOTE

The Right to Development, Children and Youth

Children and youth suffer disproportionately from poverty, unemployment and environmental degradation

In a rapidly changing and globalizing world, youth and children are suffering disproportionately from economic and environmental crises. Children in developing and developed countries alike face greater risks of poverty and marginalization than adults.¹ For example, in many EU countries children face greater risks of poverty and social exclusion than other age groups whose risks have actually declined, contributing to a “generation gap” that has potentially serious implications for the future.² Large and growing child and youth populations in developing countries where children sometimes comprise close to half the population will likely further this trend.³

Youth unemployment contributes to the risks that young people face as consequences of underdevelopment. Roughly 43% of youth are unemployed or employed yet living in poverty.⁴ At the higher end of the spectrum, roughly 30% of youth in the Middle East and North Africa were unemployed in 2014.⁵ Although youth unemployment disproportionately affects developing countries, high levels of youth unemployment threaten the social, economic, and political stability of all nations. The situation of young refugees and migrants is particularly dire as they struggle for recognition, assistance and employment. Denial of access to birth registration risks the creation of a generation of stateless children and youth,⁶ while unaccompanied minors may face particular difficulties in finding assistance and navigating complicated legal systems.⁷ Environmental degradation poses a particular threat to children and youth who are least responsible for it but are often also most susceptible to its impacts. A point in case is climate change.⁸ Children are especially vulnerable to changes in air and water quality, temperature, humidity, and vector-, water-, and food-borne infections due to their less developed physiology and immune systems. The majority of the existing global disease burden resulting from climate change occurs in children, and their main causes of death (diarrhoea, malaria, malnutrition) are likely to increase owing to the impact of climate change. Children are also more likely than adults to die because of natural hazards or succumb to malnutrition, injuries or disease in their aftermath. Climate change may disrupt parents’ livelihoods and children’s access to education, with lasting effects on their well-being and capabilities.⁹ Climate change exacerbates existing health inequities and threatens the very notion of intergenerational equity because its impacts will be felt most severely by children and future generations who have contributed little or nothing to its making.

¹ See e.g. D. Schraad-Tischler, *Social Justice in the EU – Index Report 2015 9-10* (Gutersloh, Germany, Bertelsmann Stiftung, 2015) (finding that children in the EU face increasing risks of poverty and social exclusion).

² Ibid at 10.

³ http://www.unicef.org/eapro/Child_Poverty_in_EAP_Regional_Report.pdf

⁴ http://www.ilo.org/global/about-the-ilo/newsroom/news/WCMS_412014/lang--en/index.htm

⁵ http://www.ilo.org/beirut/media-centre/news/WCMS_412797/lang--en/index.htm

⁶ Samar Muhareb, “The Slow-Motion Legal Disaster Unfolding within the Refugee Crisis,” 11 November 2015, available at <https://www.opensocietyfoundations.org/voices/slow-motion-legal-disaster-unfolding-within-refugee-crisis>

⁷ Yonous Muhammadi, “Unaccompanied Minors Struggle to Navigate a Chaotic Asylum System,” 24 November 2015, available at <https://www.opensocietyfoundations.org/voices/unaccompanied-minors-struggle-navigate-chaotic-asylum-system>

⁸ UNICEF, *Unless we act now: The impact of climate change on children 10* (New York, November 2015).

⁹ Ibid at 10-11.

Obligations to fulfill the right to development for children and youth

The aspiration to create a better future is reflected in the reference to “succeeding generations” in the UN Charter, and the Convention on the Rights of the Child, which recognizes “the importance of international co-operation for improving the living conditions of children in every country.”

Realizing the right to economic, social, cultural and political development, aimed at the constant improvement of human well-being, is key to a better future for our children. This right is enshrined in the 1986 UN Declaration on the Right to Development, whereby every person and all peoples are entitled to participate in, contribute to, and enjoy the benefits of development. The entitlements in the Declaration are vitally necessary for children and youth to live full and dignified lives. Articles 2 and 8 call for fair distribution of the benefits of development, which includes equity within and between different age groups and generations. Article 3 which requires States to “cooperate with each other in...eliminating obstacles to development” is particularly relevant for children and youth facing challenges such as climate change, discrimination and statelessness. Notably, both the right to development and the rights of children and future generations are reflected in most major development summit outcomes.

The 1992 Rio Declaration on Environment and Development and the 1993 Vienna Declaration and Program of Action recognized that “[t]he right to development should be fulfilled so as to meet equitably the developmental and environmental needs of present and future generations.” The principle of equity, including intergenerational equity, is recognized in the United Nations Framework Convention for Climate Change (UNFCCC), which calls for all parties to “protect the climate system for the benefit of present and future generations of humankind, on the basis of equity and in accordance with their common but differentiated responsibilities and respective capabilities”.

The 2030 Agenda and its Sustainable Development Goals, which are informed by the Declaration on the Right to Development, seek to implement a transformative vision of development “for the full benefit of all, for today’s generation and for future generations.” As States implement these commitments, they must do so in a manner consistent with the Declaration on the Right to Development and with all human rights, giving due consideration to the rights of children and youth, including their right to participate. For example, references to the rights of children and intergenerational equity in the 2015 Paris Agreement require that young people should play a significant role in decision-making regarding climate policy.¹⁰

Ensuring the rights of children and youth

The Declaration on the Right to Development in Article 2 calls for development policies to be formulated on the basis of “active, free and meaningful participation in development.” The Convention on the Rights of the Child requires that State Parties “assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child.” The major issues of our times – among them, globalization, migration and climate change – affect youth and children. They, therefore, must be given an opportunity to participate in and contribute to development, so that they can help shape their own futures.

During the 30th anniversary of the UN Declaration on the Right to Development in 2016, the United Nations Human Rights office (OHCHR) seeks to raise awareness, enhance understanding and promote dialogue on the right to development. More information including the text of the Declaration is available on the OHCHR website:

<http://www.ohchr.org/EN/Issues/Development/Pages/DevelopmentIndex.aspx>

For further information, please contact R2D@ohchr.org

¹⁰ <https://citizensclimatelobby.org/ccl-at-cop21-with-paris-agreement-adopted-climate-action-begins-in-earnest/>