

Youth Rights and Types of Discrimination Faced by Youth Globally

Matchanova Miyrigul Azatovna

3rd year Doctoral Student at World University Economy and Diplomacy

Abstract: *This article examines the age of youth, youth rights and types of discrimination and problems faced by youth in today's world. The most vulnerable youth groups, whose rights are violated most often, are also considered.*

Keywords: youth, youth rights, youth age, UN Convention on the Rights of the Child, discrimination, protection of youth rights, international law, regulatory legal acts

1. Introduction

The youth of today's world are the largest generation in the history of mankind, numbering 2 billion people. In the context of the dynamic development of science and technology, the growth of competition in the global world, the future of any country depends on young people, who will eventually merge into civil society and become the main driving force of the state.

First of all, it is necessary to dwell on the definition of the concept of "youth", which will outline the framework for the protection of the rights of youth. Guidelines, covering the International Year of Youth (1985), noted that "youth" is "a chronological definition of who they are, compared to who are children or who are adults, and dependent on the culture of each nation ... However, the UN defines this group as a group of people aged 15 to 24 years." At the same time, it was noted that each state has the right to independently determine the upper age limit of the specified group, based on its national and cultural characteristics. Thus, the legislation of Germany determines that the allocated age limits include 14 years and 21 years. In Spanish legislation, young people are in the age group from 14 to 30, but a reservation is made: "In the new conditions of the modern world, young people are changing their attitude towards social values and responsibility for their observance, which makes it much more difficult to identify the upper limit of the age group.

Today, being young is not only about being between the ages of 14 and 30, in some cases young people are also people between the ages of 30 and 34. Such an addition must be made due to the fact that young people cannot graduate from universities by the age of 30". In Uzbekistan, this category includes citizens aged 14 to 30 years. The above UN definition given to youth was approved by the General Assembly in its Resolution 36/28 of 1981. All UN statistics on youth are based on this definition, as reflected in the annual statistical yearbooks published by the UN system on Demography, Education, Employment and Health. This statistically oriented definition of youth, in turn, implies that children are under the age of 14.

It should be noted, however, that in Article 1 of the UN Convention on the Rights of the Child, the term "children" refers to persons under the age of 18 if, according to the law

applicable to that child, he or she does not reach the age of majority earlier. However, Articles 1 and 38 of the Convention vaguely and confusingly define the upper age limit for the "children" group, thereby "infringing" on the proclamation and protection of the rights of young people. Article 38 of the Convention provides that States Parties shall refrain from recruiting any person under the age of 15 to serve in their armed forces; older persons are preferred for conscription. That is, a distinction is made between persons aged 15 and 18 only in relation to military service.

At the same time, the hope was expressed that the Convention will provide protection and rights to the widest possible age group, especially since there is no similar document on the rights of young people.

We believe that the legislation of the Republic of Uzbekistan has reasonably determined the age range of youth from 14 to 30 years old. Since at the age of 14 a person first receives the right to choose related to the organization of his life: to continue his studies at school go to college or go to work, by the age of 30, he usually reaches social, professional maturity, the formation of his family is completed, he occupies a certain position in society. Accordingly, young people, depending on their age, should be divided into the following categories:- a minor between the ages of 14 and 18;

- An adult young person, a person between the ages of 18 and 30.

Consequently, a person between the ages of 14 and 18 simultaneously belongs to both the "children" and the "youth" categories. This circumstance is due to the fact that, on the one hand, a person who has reached the age of fourteen, due to physiological characteristics, is more likely a young person than a child; on the other hand, it is not yet sufficiently independent, and therefore, with some changes, the norms regulating the situation of children apply to it. In addition, the concept of "children" is used mainly in family and housing legislation, and the concept of "youth", as a rule, is found in regulatory legal acts regulating the implementation of social (including youth) policy of the state.

Young people have all the characteristics of the subject of law that are highlighted in the legal literature, such as: external isolation, personification, the ability to develop,

express and implement a personified will, the presence of properties of the subject of law by virtue of legal norms. So, every young person is a participant in social relations and in fact can be the bearer of subjective rights and obligations, since he has all the necessary qualities. The relevant legal provisions form the necessary basis for the qualification of young people as subjects of law. At the same time, the specificity of young people accordingly entails the specificity of the legal status of young people. In this regard, youth is a special subject of law¹.

It is important to note the fact that today, on a global scale, young people face certain types of discrimination, problems and difficulties in various spheres of life on the basis of age. Young people may be subject to "multiple discrimination", the reasons for which may be: ethnic origin, beliefs, religious beliefs, gender, physical and mental condition, which leads to social isolation, poverty, lack of access to social rights (education, work, social security, healthcare, housing) and social activities.

Legislation should provide equal opportunities for young people for self-realization and socialization. Legal norms should not enshrine any discriminatory restrictions on the basis of nationality, religion, place of residence, etc. in relation to various groups of young people. The implementation of a targeted youth policy is the responsibility of the state through the formulation and implementation of strategies, priorities in the development and protection of youth rights.

Despite the legislative consolidation of a wide range of rights, freedoms and benefits for young people, the relevant legal norms are often only declarative, since the state cannot always really provide them. For example, this concerns the provision of housing subsidies to young families.

Due to the fact that representatives of the studied group belong to one of the least protected groups of the population and are subject to negative impact from society much more often than people of the older generation, young people need special protection of their rights and legitimate interests, support, creation of a healthy living environment and reliable social guarantees. At the same time, minors, who are the most socially vulnerable in real legal reality, deserve special attention.

Children and adolescents who have not reached the age of eighteen may not always fully understand the meaning of their actions. The special protection of the above persons is expressed in the fact that the state establishes and guarantees those rights that are most important for minors: the child's right to live and be raised in a family, the right to protection, the right to communicate with parents and other relatives, the right of young citizens to guaranteed receipt social services and so on. Thus, the state contributes to the prevention of violations of the rights and freedoms of persons under the age of 18.

¹ Lyzlov D.N. Legal guarantees of the legal status of youth: Dis. ... Cand. jurid. sciences. Vladimir, 2005.S. 41-42, 47.

A report by the Office of the United Nations High Commissioner for Human Rights² outlines some of the challenges young people face in gaining access to civil, political, social, economic and cultural rights:

- Young people are underrepresented in political institutions, and their share among parliamentarians worldwide under the age of 30 is less than 2%. Moreover, the nomination age for National Parliaments, and especially for higher positions, does not always coincide with the minimum voting age.

Moving from school to work: young people around the world are three times more likely than adults to become unemployed. Where young people are employed, they often face hazardous working conditions and therefore a lack of quality jobs and access to social protection. In addition, labor poverty disproportionately affects young people (145 million young workers living in poverty). In some cases, youth poverty is associated with sub-minimum wages for youth, which are not consistent with the principle of equal pay for work of equal value.

The right to work today is a major concern for young people. According to the International Labor Organization (ILO) on global trends in youth employment, in 2017 there were 70.9 million unemployed young people in the world. Young people often have precarious jobs, for example, without specifying minimum working hours.

- Access to health care, including sexual and reproductive health: in some countries, parental notification is required for young people to access sexual and reproductive health (eg, contraceptive goods and services). In countries where people are not provided with information about sexual and reproductive health, the ability of adolescents to take action to prevent unwanted pregnancies or sexually transmitted infections is reduced; adolescent girls and young women aged 15-19 account for 11% of all births.

Young people, due to their age, face serious problems in accessing quality health care. More than 2.6 million young people between the ages of 10-24 die each year worldwide, according to the World Health Organization's Adolescent Health Fact Sheet, mostly from preventable causes³.

- Conscientious objection to military service: Despite existing international jurisprudence and recommendations of the international human rights system, some states do not recognize and do not fully implement the right to conscientious objection to military service (for example, in Russia).
- Young people in vulnerable situations: young migrants, including asylum seekers and refugees, young people in conflict with the law, with disabilities face additional challenges.

Today in the world, a significant part of the migration flow is made up of young people; the reason for their migration is

²URL:

<https://www.ohchr.org/RU/Issues/Youth/Pages/HROfYouth.aspx>.

³ВОЗ, Информационный бюллетень о здоровье подростков, 2015 г. URL: <http://goo.gl/16L4CM>.

the search for decent sources of life, as well as flight from regions and zones of conflict and natural disasters. 32% of all international migrants are under 30, and the majority (60%) of them live in developing countries; the rights, needs and concerns of young migrants are often overlooked.

So, age is one of the characteristics that often increase the risk of discrimination on other grounds, thereby depriving many young people of the opportunity to receive equal opportunities.

As young people increasingly demand more equitable, equitable and progressive opportunities and solutions in their countries, the need to address the multifaceted challenges young people face (such as access to education, health care, employment, gender equality) is more pressing than ever.

2. Conclusion

Solving the problems of young people, ensuring decent living conditions for young people all over the planet, in all spheres of activity, is extremely important, since the number of young people all over the world is growing, and it seems quite obvious that only by involving them in the life of society, interacting with them, supporting them in realizing and defending their rights and freedoms, as well as creating the conditions that allow them to develop and play an active role, the international community and every country can ensure peace, security, justice and sustainable development for all.

We believe that the rights of youth can be distinguished into an independent sub-branch of international human rights law, which consists of a set of principles and norms that determine the obligation of states to ensure and observe the fundamental rights and freedoms of youth without any signs of discrimination. The presence of a separate category of youth rights is evidenced by a large number of international legal acts in this area.

References

- [1] Guidelines (United Nations, New York). 1985. § 19.
- [2] Youth Policy in Spain. Council of Europe, 2000.
- [3] Law of the Republic of Uzbekistan No. 3PY-406 09/14/2016 "On state youth policy" // Collected Legislation of the Republic of Uzbekistan, 2016, No. 37, art. 426; 2017, no. 24, art. 487; National Database of Legislation, 24.07.2018, No. 03/18/486/1559.
- [4] Convention on the Rights of the Child (Adopted by General Assembly resolution 44/25 of November 20, 1989). URL: https://www.un.org/ru/documents/decl_conv/convention_s/childcon.shtml.
- [5] What are youth? URL: <https://www.un.org/ru/sections/issues-depth/youth-0/index.html>.
- [6] Lyzlov D.N. Legal guarantees of the legal status of youth: Dis. ... Cand. jurid. sciences. Vladimir, 2005.S. 41-42, 47.
- [7] URL: <https://www.ohchr.org/RU/Issues/Youth/Pages/HROfYouth.aspx>.

- [8] WHO, Adolescent Health Fact Sheet, 2015. URL: <http://goo.gl/l6L4CM>.
- [9] UNDP, Guidelines - A Development Approach to Migration and Displacement, p. 5. URL: <http://goo.gl/yWB2P4>.