



A Guide for Commonwealth Leaders

ACTIVATE YOUR POWER:

Engaging Youth to Reform Discriminatory Laws



ACKNOWLEDGEMENTS

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FOREWORD

The challenge has been thrown down for leaders to recognise the active role of youth in communities, nations, and the Commonwealth.

“The youth of today are the leaders of tomorrow” and other clichéd plaudits must be replaced by a new belief and consequent action. Young people deserve deeper acknowledgement for their role in shaping the future — their own and that of their communities, nations and planet.

Young people want to be useful, but they do not want to be used. They are the experts in their lived experiences and we will be all the richer for their inclusion in law-making and legal reform through relationship building, capacity strengthening, and civic education.

This guide contains the voices of young people from across the Commonwealth, gathered during months of consultation. Whoever you are and whatever your role in your community and nation, I hope that you will hear their call for a seat at the table of leadership.

I hope you will read this guide with the same spirit it is being offered to you — that of bipartisanship and collaboration for the good of all.

“

The rule of law depends on the quality of the laws that are made and upheld[...] Law reform is the process that makes law good, and good law better. Institutions and systems that provide fair, modern and cost-effective law reform underpin the rule of law, and therefore serve an important role in ensuring equitable access to justice for all.

- RT HON PATRICIA SCOTLAND, COMMONWEALTH SECRETARY-GENERAL, CHANGING THE LAW: A PRACTICAL GUIDE (2017)

BACKGROUND

In February 2019, the Equality & Justice Forum for Commonwealth Parliamentarians was held in Cape Town, South Africa. At this convening, Youth Champions from all regions of the Commonwealth participated in a private session focused on collaboratively drawing the landscape of human rights and legal reform in their regions. They identified key issues in Commonwealth countries, obstacles to legal reform, key stakeholders, and developed a roadmap to legal equality.

The Equality & Justice Alliance (EJA) commissioned a consultant, this guide’s author, to interview youth-led organisations, lead focus groups with young people, and research countries’ progress in expanding the rights of women and girls and LGBT+ people. She spoke to young people in the Caribbean, Pacific, Africa and Asia, and asked them to share thoughts and experiences about their:

- o movements and organisations, their missions, and regular activities
- o decision-making processes within their organisations and movements
- o experiences of engaging with leaders (including government officials, religious leaders, and village chiefs)
- o observation of and participation in legal reform processes
- o understanding of the roles of government officials, religious leaders, media, and young people
- o views on the roles of external actors (including treaty bodies and other countries)

This guide is the result of those deliberations.

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The biggest limitation for women and youth is the lack of knowledge about their rights and politics in general. We run awareness programs to address this, including talanoa sessions with leaders’ workshops to educate women and youth on values-based leadership and politics in Tonga.”

- TONGA YOUTH LEADERS, TONGA

INTRODUCTION

This guide is designed to show how leaders and influencers in the Commonwealth can achieve better laws and actively increase their impact by involving young people in legal reform processes. A leader could be anyone in a position of influence — Prime Ministers, parliamentarians, policymakers, or community or faith leaders.

The guide highlights the issues faced by young people and provides recommendations for how their work can be better supported by leaders and influencers such as you. It makes connections between structural issues and the individual actions that help to build the equitable futures successful societies need and we all want.

Many Commonwealth countries are faced with a challenge — part of the colonial legacy is a series of laws that discriminate against women and girls and LGBT+ people. Through the consultations held by the Equality and Justice Alliance in the different regions of the Commonwealth, it is clear that leaders are interested in reforming these laws. They seek to do so with the will of the people as the driving force, but legal reform depends on both political will and continuous work to change mindsets, shifting from opinion-based positions to prioritising human rights and the protection of the most vulnerable in society. Change can only be accomplished with the strong, sustained leadership of civil society, including young people.

Youth are actively participating in the design of a future they will inherit, and they need to be meaningfully engaged in legal reform processes. They bring high levels of formal and informal education, unmatched creativity, place a high value on inclusivity, and desire to build a better world. Young people — 60% of the Commonwealth — are leading organisations and movements that prioritise human rights and focus on public education, sensitisation, and the development of programmes that benefit community members. They are best placed to catalyse the public push for legal reform to end discrimination and advance rights.

Their impact can be significantly increased with the meaningful support of in-country leaders. Together with young people, you can help reach the shared goal: Better Laws, Better Lives.

The former Presidents of Botswana and Mozambique, Their Excellencies Festus Mogae and Joaquim Chissano of the Champions For An AIDS-Free Generation in Africa, meet Equality & Justice Alliance youth champions.



Where is Your Power?

The recommendations in this guide are geared toward the development of a new system that is inclusive and comprehensively addresses the primary issues in advocacy and legal reform processes. The guide outlines steps toward making three main systematic changes — relationship building, capacity strengthening, and civic education — and outlines action steps for individuals.

As you review young people’s recommendations, you may ask yourself how, or why me? To understand your role, it is important to be aware of the power and influence you have, and see how you can improve youth engagement practices.

CONSIDER THE FOLLOWING:



WHAT SPACES ARE YOU ABLE TO OCCUPY?

These may include parliament, councils, boards, committees, and public spaces. Look around. Who is not there? How could you represent them?



WHO DO YOU ENGAGE WITH?

Think about the people who know you by name, value your opinion, and act on your directives. How can you encourage them to support the engagement of young people?



WHAT RESOURCES DO YOU OWN, MANAGE, OR OTHERWISE CONTROL?

Meeting spaces, funding mechanisms, educational institutions?

What are young advocates saying?



In discussions and consultations, young people emphasised that their greatest needs are:

- access to information,
- opportunities to engage with decision-makers and one another for knowledge-building and skill-sharing, and
- increased capacity to execute their plans



We need our government to create a comfortable environment. They need to take the initiative to reach out to us, ensure there is no intimidation, and help civil society to develop technical skills to speak up for our rights.”

- GIRLS OF A FEATHER, ST. LUCIA

When making decisions, we put forward proposals. We constantly ask for input and work toward strengthening stakeholder engagement. We create platforms so that experts can give advice, but need technical support to create this kind of system for shared decision-making.”

- OY-FEM NAMIBIA TRUST, NAMIBIA

It’s important for leaders to talk to activists who have been working on these issues for a long time, and engage with the community to get their input before putting any bills forward. Right now, it is difficult to get involved because the bills are not publicised. We need a chance to see and talk about the changes they want to make.”

- EQUAL GROUND, SRI LANKA



WHAT DOES ENGAGING YOUTH IN LEGAL REFORM PROCESSES LOOK LIKE?

Consultation is essential for the legal reform process and its success, and it strengthens the legitimacy of agreed outcomes. The consultation process invites new insights and helps to reveal new information from multiple perspectives.

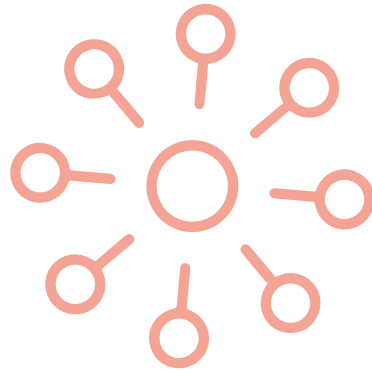
It is critical for leaders to engage with stakeholders. This can be done through advisory committees, working groups, regular meetings, and active dialogue processes. Intentional effort must be made to reach marginalised communities, many of which are without organised representation. Where organised representation exists, it might be through youth representative structures such as the National Youth Council or Youth Parliament. It is important, however, to use imaginative means of reaching young people by actively seeking them out, especially among marginalised populations, and creating mechanisms for ongoing engagement.

It is also important to facilitate the participation of young people by being sensitive and responsive to access to resources, location, language, education, and other identity markers that affect participation.

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We need our government to create a comfortable environment. They need to take the initiative to reach out to us, ensure there is no intimidation, and help civil society to develop technical skills to speak up for our rights.”

- GIRLS OF A FEATHER, ST. LUCIA



RECOMMENDATIONS

Relationship-building

Young people overwhelmingly called for increased opportunities to engage with leaders. They noted that the top-down approach is ineffective. In their experience, legal reform is rejected when presented by government actors because they are seen as removed from society, and their recommendations can be perceived as demands.

Leaders need to engage in sustained public conversations and create spaces for the most vulnerable to participate. It is critical for legal reform exercises to be initiated within community dialogues, prompted by the challenges identified by those present and represented. Young people believe this will lead to less resistance because the people themselves set the agenda in partnership with leaders. There should be a mix of formal and informal engagement opportunities, young people participating in organising teams, and a practice of developing agreed outcomes or next steps from each interaction.

INDIVIDUAL ACTIONS BY LEADERS AND INFLUENCERS

- **Meet with youth-led organisations** to learn about their work, the communities they serve, and the resources they need
- **Include marginalised communities** in your decision-making processes by asking their positions on issues before casting votes or making public statements
- **Read letters to the editor**, op-eds, press releases, and civil society organisations' social media posts to gain an understanding of their positions
- **Conduct surveys and polls** with community members to determine priority issues and communicate results to your colleagues



Political leaders need to find the right pace. They need to listen first and understand the culture; not be so quick to impose their own views instead of listening to the people and organisations living there."

- ORGANISATION IN TONGA

WIDER YOUTH RECOMMENDATIONS ON RELATIONSHIP-BUILDING INCLUDE:

- **Abandon the top-down approach** in favour of more community-driven initiatives and change
- **Hold regular community listening and social listening** exercises to identify the most pressing issues, determine how the general public is thinking about them, and develop resources to address concerns, answer questions, and collect feedback
- **Decentralise decision-making and engagement processes** and the intentional inclusion for vulnerable communities, especially young women, girls, and LGBT+ people
- **Hold regular town hall meetings** in all villages, towns, and communities
- **Increase accessibility to meetings** through public transportation and ride-shares, wheelchair accessible buildings, and safe space guidelines
- **Reformat meetings** to give more time and space to community members for questions, comments, and idea-sharing as opposed to presentation-style sessions with limited time for Q&A at the end
- **Meet privately with particularly vulnerable communities** including women, girls, LGBT+ people, people with disabilities, people experiencing poverty, and migrant people
- **Use social and political commentary** to guide resource development



What is the capacity of [youth ministries and departments], and how are they functioning? We, as young people, usually only hear from them when they announce youth awards or promote a youth week. We need year-round engagement because we are here, working and living, every day."

- ORGANISATION IN ST. LUCIA



RECOMMENDATIONS

Capacity Strengthening

Young people are active members of civil society with in-depth knowledge of issues facing their communities. They use the resources available to them to advocate for their own rights along with a particular focus on the most marginalised members of their community. Most of them operate with limited resources which significantly reduces their reach.

Young people emphasised the need for specialised training and community-specific support to sustain their work, and the importance of safety and security measures for those whose thematic areas of work put them at risk.

INDIVIDUAL ACTIONS BY LEADERS AND INFLUENCERS

- **Share information** about upcoming training opportunities, workshops, and conferences; these are generally shared with government staff only
- **Reach out to experts** within your network who can offer training
- **Compile a list of resources available** for at-risk youth including shelters, emergency funding, and free mental health services
- **Lobby for budget allocations** to civil society organisations working on legal reform and anti-discrimination
- **Encourage funders and colleagues** to direct resources and opportunities to civil society organisations with the capacity to deliver



We know the issues. We do this work every day. Our primary need is for resources to enable our full participation -- the technical skills to speak up for our rights."

- GIRLS OF A FEATHER, ST. LUCIA

WIDER YOUTH RECOMMENDATIONS ON TECHNICAL SKILLS AND ADVOCATE SUPPORT INCLUDE:

- **Training on treaty bodies and international mechanisms** e.g. CEDAW, Yogyakarta Principles, SDGs
- **Workshops designed for civil society members on:**
 - Grant-writing
 - Media engagement
 - Existing legislation and legal proceedings
 - Research
- **Safety and security mechanisms for the protection of advocates**
 - Safe houses
 - Emergency travel funds
 - Mental health services
- **Sustainable funding** for organisations, movements, and advocates
- **Issue calls for proposals** exclusively to civil society actors rather than large private sector firms to support legal reform efforts
- **Support the development** of a diaspora fund to allow citizens living abroad to contribute to the social justice work taking place in-country



We want to be useful, but we don't want to be used. We have a lot to offer, and we should be paid for it. When governments put together their youth plan, we are not involved. Funding is always the biggest problem, so [paid consultancies are] a way for them to help us and for us to help them."

- ORGANISATION IN THE CARIBBEAN



RECOMMENDATIONS

Civic Education

One of the most frequently mentioned obstacles to legal reform is limited understanding of the law and legal systems. To actively participate in conversations about legal reform, young people must first have a clear understanding of the constitution, legislation, international law, treaty bodies and mechanisms, and the processes through which change can be made.

Civic education is largely neglected in the formal education system, leaving young people to find their own ways to access and interpret information. This not only puts a strain on limited resources, but further marginalises vulnerable people whose circumstances prevent them from easily accessing information. This must be addressed on two levels — development of civic education curricula to be made mandatory in all schools, and production of accessible tools and resources for the general public.

INDIVIDUAL ACTIONS BY LEADERS AND INFLUENCERS

- **Lobby for civics curriculum** to be made mandatory in all schools
- **Encourage experts in the field** -- including historians, sociologists, and political scientists -- to contribute to the development of the curriculum
- **Widely share information** on upcoming country review sessions before treaty bodies (e.g. CEDAW, Human Rights Council)
- **Publish and/or share reports** from treaty bodies for public consumption
- **Bring stakeholders together** to design and execute campaigns and programmes running in your constituencies, departments, and ministries

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Leaders need to give people information on the laws. We need to see access to information as a strategy, and use different approaches including social media, technology, and the arts.”

- ORGANISATION IN NAMIBIA

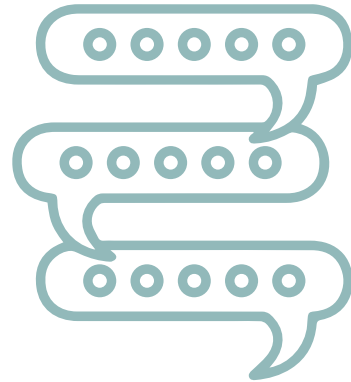
WIDER YOUTH RECOMMENDATIONS ON CIVIC EDUCATION INCLUDE:

- **Mandatory civic lessons** at all grade levels to include the Convention on the Rights of the Child
- **Online platform** with self-paced modules targeting young people
- **Accessible toolkits** on current issues including draft bills, draft amendment bills, and white papers
- **Training on human rights** with accessible content on the Universal Declaration of Human Rights
- **Monthly public sessions** in neutral, comfortable locations such as parks and community centers on issues of national concern
- **Consistent use of traditional and social media** to deliver civic education (e.g. newspaper supplements, PSAs on television and radio, one-minute videos)
- **Civic Education Week** — emphasise the importance of civic education, highlight existing programs and initiatives, and produce bite-size modules and resources for mass distribution
- **Partnerships with universities and other institutions** with their own experts, members, and audiences to promote open dialogue
- **Train-the-trainer programs** — Invite young people, non-government organisations, faith-based organisations, service groups, and community members to participate in a civic education program that equips them with the tools to become trainers in their own communities

“

Some of us are very aware of the United Nations conventions our countries have signed, and some are not. We need to educate people about them because when we know our rights, we have a better chance of accessing them.”

- ORGANISATION IN BOTSWANA



RECOMMENDATIONS

Consultation Processes

Collaborative efforts should be at the core of youth engagement, recognising the agency of young people, and supporting the leadership of those most affected by the challenges the state seeks to remedy. The three key areas outlined above -- relationship building, capacity strengthening and civic education -- are all part of the consultative process young people believe should be conducted.

YOUTH RECOMMENDATIONS ON THE CONSULTATION PROCESS INCLUDE:

- o **Fusion of the top-down and bottom-up approaches** through community listening and open forums to allow government leaders to strategically identify areas for change while giving the general public agency in determining priority issues
- o **Formation of a representative committee** (including women, girls, LGBT+ people, people with disabilities, rural people, people experiencing poverty, and migrant people) to review the constitution and all legislation, and identify articles that are in contravention of human rights standards or present challenges for community members
- o **Widely circulate the findings of the representative committee** and facilitate community dialogue for the purpose of questions, answers, ideation, and recommendations
- o **Invite organisations and individuals from other countries** in the region to provide feedback and lend their expertise based on their experience
- o **Record, consolidate, and distribute** the recommendations from community dialogues



- o **Use recommendations, consultations** with members of target communities, and public commentary to prioritise issues and recommendations
- o **Identify and train community liaisons** and spokespeople to champion the proposed legal reform
- o **Design and deliver** a comprehensive, accessible educational campaign to provide information about the proposed legal reform
- o **Allow enough time** for the education process and community dialogues to take place before setting a date for votes in parliament or at the polls
- o **Work with community members** to determine the best time to set the date, and choose a date that encourages participation (e.g. during the summer months when young people return from studies and can vote)

“
It’s important for the government to consult traditional leaders, chiefs, religious leaders, NGOs, survivors, and even perpetrators. They need to do thorough literature reviews and look at precedence in past cases to inform their decisions.”

- LEGABIBO, BOTSWANA

CONCLUSION:

Activating Your Power

Young people are doing incredible work at the local, national, regional, and global levels, often with insufficient resources and little recognition. For these reasons, it is difficult for them to be active participants in high-level processes. They need leaders and influencers to champion them and their capabilities so they can gain the access they and their communities deserve.

The three thematic areas identified are systemic, and you can use your individual and collective power to make the necessary shifts:

1

Revisit your assessment of your own power.

2

Give thought to the spaces you occupy, the people you are able to access, and the resources you control in any way. How can these be leveraged to benefit civil society and bring young people into the legal reform process?

3

Where you have influence, take the messages from young people so they can be heard by a wider audience, or create an opportunity for them to be present and speak for themselves.

4

Share young people's stories in parliament, give them the mic at the special service, and invite them to present their work to wider audiences.

5

Share opportunities and information in accessible ways including meetings, social media, and newsletters.

YOU

by virtue of your position — have influence and power, and you can use this to support young people in civil society who share your goals.

WE

can amend constitutions and repeal laws that discriminate against women and girls and LGBT+ people in our lifetimes. Young people will be the driving force behind it.

TOGETHER,

we can create the environment they need to lead the way to Better Laws, Better Lives.

ABOUT THE AUTHOR

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ABOUT THE EQUALITY & JUSTICE ALLIANCE

The Equality & Justice Alliance is a consortium of international organisations with expertise in advancing equality, addressing the structural causes of discrimination and violence, and increasing protection to enable strong and fair societies for all Commonwealth citizens, regardless of gender, sex, sexual orientation, or gender identity and expression. The members of the Alliance are the Human Dignity Trust, Kaleidoscope Trust, Sisters for Change, and The Royal Commonwealth Society.

For more information, visit:
<https://equalityjusticealliance.org/>

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ABOUT THE ROYAL COMMONWEALTH SOCIETY

The Royal Commonwealth Society (RCS) is an extensive network of individuals and over 60 self-governing branches committed to improving the lives and prospects of Commonwealth citizens. Through advocacy, programmes and events the RCS champions youth empowerment, human rights, democracy and sustainable development across the 53 member states, and seeks to identify contemporary issues and practical solutions that contribute to advancing the value and values of the Commonwealth. Utilising our role as a trusted convenor, since 2013 the RCS has sought to build sensitive dialogue among Commonwealth stakeholders around the need to protect the rights of LGBT+ people, women and girls, and other marginalised groups.

For more information, visit:
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