

European Master's Degree in Human Rights and Democratisation  
Academic Year 2009/2010

***THE YOUNG AND THE RIGHTLESS?***

***THE PROTECTION OF YOUTH RIGHTS IN EUROPE***

***BY***

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## Declaration Against Plagiarism



Thesis 2009/2010

### Declaration against plagiarism<sup>1</sup>

Name of the student: Mourad Mahidi

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Title of the E.MA thesis: The Young and The Rightless?

The Protection of Youth Rights in Europe

*I certify that the attached is all my own work. I understand that I may be penalised if I use the words of others without acknowledgement.*

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## **Abstract**

Young persons, being in the transition from childhood to adulthood, face a specific set of challenges. These specific challenges are the objects of youth rights. While two regional treaties dedicated to these youth rights have been concluded by the African Union and the Organisation of Iberoamerican Youth, this is not the case in Europe. In the absence of such a dedicated instrument, youth rights are only covered by the general European human rights system and the Convention on the Rights of the Child. Therefore, this thesis asks if youth rights are sufficiently protected and promoted in Europe or if a dedicated instrument is necessary? It shows that, while the legal category of youth/young person exists, a comprehensive definition is still missing. Both existing regional youth rights treaties are compared and, while they offer original approaches to youth rights, they both lack supervision mechanisms to ensure that they are duly implemented. The analysis of the challenges young persons face in Europe shows that youth encounters different problems than children and older adults. But it also reveals that more research on these challenges is needed in order to provide a clear picture of their full extent. Some of them can be remedied using the existing European human rights system (notably the European Convention on Human Rights and the European Social Charter), but major gaps in the protection and especially in the promotion of youth rights remain. Given the lack of existing research, it is not possible to conclude irrevocably if a European Convention on Youth Rights is really needed, but the tendency shows that this might easily be the case.