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The Ibero-American year of Youth — a challenge for legislators

Youth want their own laws

Latin America and the Caribbean is a very young region but, unlike women, children and teens, youth in Latin America have not yet been recognized with specific legislation in the various countries. They are grouped together with children and teens or with adults.

This situation could change if legislatures in the region start to include the Ibero-American Convention on the Rights of Youth (CIDJ) in their legislation. The convention took effect on March 1st of this year and is the only international treaty in the world that specifically recognizes the rights of young people.

Seven Ibero-American countries—Ecuador, the Dominican Republic, Honduras, Spain, Costa Rica, Uruguay and Bolivia—have already ratified it. In practical terms, the coming into force of the Convention means that, in states party to the convention, a young person whose rights under this treaty are violated can invoke this legal instrument.

The CIDJ has 44 articles which establish a series of civil and political rights (right to life, to conscientious objection, to justice, freedom

of thought and religion, freedom of expression, assembly and association, etc.), as well as economic, social and cultural rights (right to education, to sex education, to culture and art, to work, to housing, etc.). The text was signed by

severe among the young poor, women and the youngest in the youth category (15 to 19 years old). At the start of this decade, the unemployment rate for young people in the poorest quintile of homes was 28.1%, compared with 8.7% for

of the 'youth' age group. Few countries pay particular attention to rural youth, aboriginal youth or young women, or have gender-sensitive programs or programs for young people with disabilities. Although most programs include these categories of young people, they are not specifically designed for them and few countries have general laws on youth.

Aware of these challenges, the Ibero-American Youth Organization (OIJ) has made a manual to support the development of public policies on young people available to decision-makers and is preparing national assessments, proposing changes according to the situation in each country.



Photo: Jose Cruz/Agência Brasil

Youth seek legislation that recognizes them as distinct.

16 Ibero-American countries in 2005 in Badajoz, Spain.

According to a 2005 report of the Economic Commission for Latin America and the Caribbean (ECLAC), the regional rate of unemployment for young people aged 15 to 29 increased from 12.8% in the early 1990s to 16.1% ten years later.

Unemployment is more

those in the richest quintile; the rate for young women was 20.0% and youth aged 15 to 19, 22.4%.

ECLAC's research shows that, while all countries have programs for youth, be they comprehensive or sectoral, and sometimes even targeted, they are often subsumed in programs for teens and children or are poorly adapted to the needs

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Guatemala passes a law against femicide

The reality of aggression against women in Guatemala goes beyond the official statistics of domestic violence but is a phenomenon that remains largely invisible.

The Guatemalan Congress has therefore unanimously passed a law against femicide and other forms of violence against women, with the goal of promoting and implementing provisions that will eradicate physical, psychological, sexual and economic violence and any other kind of coercion against women, so as to ensure that they live free from violence.

Congress began discussing this issue four years ago when women legislators from several political parties presented the first bill, motivated by the fact that, from 2001 to 2004, 1188 women were reported killed.

Legislative Decree 22-2008, or *the Law against Femicide and Other Forms of Violence against Women*, clearly defines several factors to be considered when an accused is brought to trial and specifies penalties ranging from 5 - 50 years imprisonment for the offences of femicide, violence against women and economic violence. The law requires the government to strengthen the agencies responsible for criminal investigations and provide training to officials. It also requires the creation of specialized legal bodies and centres providing holistic

support to women who survive violence and legal

In commenting on the bill, Delia Back, a member of the

Photo: Communications Department/ Guatemalan Congress



Support from the gallery as the bill goes to a final vote.

advice for victims.

The preamble of the law states that the problem of violence and discrimination against women, girls and female youth has grown worse as the killings are committed with impunity, blaming the unequal power relations between men and women in the social, economic, legal, political, cultural and family spheres, making a law to prevent and punish such violence necessary.

National Unity for Hope (UNE) and chair of the women's committee, said: "This is a historic day because Parliament had discussed this issue without reaching consensus. Now we have achieved it and we women members feel satisfied and want to send a message to Guatemalans that this new Congress does not just talk politics but acts."

For her part, Zury Rios Montt, a member of the Guatemalan Republican Front (FRG) and

Third Secretary of the Guatemalan Congress, expressed satisfaction with the consensus that was reached. "This is the result of civil society working together with parliamentarians on passing this bill. It shows that we are united in this struggle and that we do not want any more women to be killed or beaten, because hundreds of thousands of women have died already," she emphasized.

Reiterating his party's position in favor of the law, Mariano Rayo, a member of the Unionist Party (PU), thought it necessary to "pass this law because it must not be only good intentions; it must be acted on."

Odilia Cuellar, a member of the Patriotic Party (PP) and of the women's committee, said: "This is an important moment in the life of our country, because in the 21st century the physical and psychological mistreatment of women continues as in the Stone Age, when women could not do anything without their husband's permission."

As the law was passed, women members of Congress noted that four thousand women had been murdered since 2001 and that at least 162 had been executed in the year to date.

Congress of the Guatemalan Republic, Communications Department



The Costa Rican Assembly

Photo: Legislative Assembly of Costa Rica

Costa Rica is a Democratic Republic. The legislature, together with the executive and the judiciary, are the supreme authorities.

Legislative authority is exercised by the Legislative Assembly in a single chamber consisting of 57 members elected on a provincial basis, although they represent not only the region that elected them, but all Costa Ricans.

Members of Congress serve a four-year term and cannot be reelected immediately - they must wait four years before seeking a legislative seat again.

As the highest elected authority in the Republic, the representatives meet to discuss bills that may become national legislation, to amend existing laws or to repeal certain laws. Thus, they can promulgate, issue, amend, repeal or interpret laws. Legislators also exercise political control over the President of the Republic and other state institutions.

Legislative Process

Laws go through a four-step process: presentation, preparation, discussion and approval. The elected members and the executive have the right to propose legislation. Citizens can also propose legislation through what is known as a popular initiative.



Costa Rican legislators during the annual opening session ceremony.

To become law, a bill is studied, discussed and improved by a legislative committee; then it is debated twice by the Plenary and finally it is sent to the office of the President of the Republic, where the President and the minister concerned give it presidential sanction, which is the final approval. It then becomes a new law of the Republic, taking effect when it is published in the official gazette, *La Gaceta*, or on the date specified in the law.

The Assembly has three committees which, like the Plenary, have the power to issue laws. They are known as committees I, II and III with full legislative authority.

When the Executive receives a bill passed by the Plenary,

it has ten working days to object to it or to return it without approval to the Assembly, with the comments that it considers appropriate.

This power of the Executive is called the veto. The Regular Budget Bill of the Republic is the only bill which the Executive cannot veto and it must be executed as passed by the Assembly.

The Legislature may accept or reject the comments which accompany the Executive's veto. If the comments are accepted, the revised bill is debated twice and voted on again. If it passes, the President cannot refuse to sign it.

Legislative Assembly (2006-2010)

- ◆ 57 Deputies
- ◆ 21 Women
- ◆ 36 Men
- ◆ Main parties:
 - National Liberation Party 43.8%
 - Citizen Action Party 29.8%
 - Libertarian Movement Party 8.8%
 - Christian Social Unity Party 8.8%
 - Broad Front Party 1.7%
 - National Union Party 1.7%
 - Accessibility without Exclusion Party 1.7%
 - Independents 1.7%



Caribbean workshop

Photo: FIPA

FIPA seeks to build the capacity of parliamentarians by providing learning opportunities on issues of importance to our region. In keeping with this goal the Canadian Section of FIPA joined their colleagues in Port of Spain this past March 17th to discuss trade rules, politics and issues at the kind invitation of the Parliament of Trinidad and Tobago.



A legislator expresses her opinion during the FIPA trade workshop.

Discussions and presentations focused on the recently-concluded Economic Partnership Agreement between the European Union and the CARIFORUM countries and upcoming CARICOM-Canada negotiations, as well as looking at the role of Parliamentarians in trade policy formation and implementation, and the

growing complexity of trade agreements and the challenges of engaging citizens in discussions about the contents of those agreements.

With over 20 participants the workshop was a resounding success and one that FIPA hopes to replicate again, and on a wider scale, in the near future.

FIPA delegation attends OAS Assembly

A FIPA delegation attended the 38th regular session of the OAS General Assembly, which was held in Medellín, Colombia, from June 1 to 3, 2008.

Led by Canadian Member of Parliament James Bezan, who represents the North American region on FIPA's Executive Committee, the delegation held meetings with General Secretariat officials, including Secretary for Political Affairs Dante Caputo, and several

representatives of Member State governments. General Assembly debates this year focused on "youth and democratic values" a theme of importance for legislators and politicians of all the countries of the Americas, noted FIPA delegates.

FIPA took steps in 2007 to obtain a special status that would allow it to participate as an observer in OAS activities.

FIPA EXECUTIVE COMMITTEE

President

- Deputy Luiz Carlos Hauly, Brazil

North America

- Senator Ricardo García Cervantes, Mexico
- Mr. James Bezan, MP, Canada

Central America

- Guatemala, vacant
- Deputy María Estela de la Cruz, Dominican Republic

Caribbean

- Senator Brenda Hood, Grenada
- Mr. Stanford Callender, MP, Trinidad and Tobago

South America

- Deputy Iván Moreira Barros, Chile
- Senator Nancy Patricia Gutiérrez, Colombia

Former FIPA President

- Senator Céline Hervieux-Payette, Canada

President of the Group of Women Parliamentarians of the Americas

- Senator Cecilia López Montaña, Colombia

Plenary Meeting Host Country

- To be confirmed

About FIPA

The Inter-Parliamentary Forum of the Americas (FIPA) is an independent network made up of the national legislatures of the member countries of the Organization of American States (OAS) committed to promoting parliamentary participation in the inter-American system.

Share your ideas

The Fifth Summit of the Americas will be held April 17-19, 2009 in Port-of-Spain, Trinidad & Tobago.

In order to provide an opportunity for legislators to share their views on the Summit theme and concept paper "Securing Our Citizens' Future by Promoting Human Prosperity, Energy Security and Environmental Sustainability," FIPA will soon be launching an online discussion on the 5th Summit on its new blog.

We look forward to receiving your articles and ideas at info@e-fipa.org

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