Background

As part of Right Here, Right Now, SYP is campaigning for young people’s rights to be defended during the Brexit negotiations. Jack Norquoy MSYP (Trustee with Portfolio for UK and International Affairs and National Funding) and Conveners Jack Dudgeon MSYP (Conveners Trustee), Joshua Hopkins MSYP, Wing Ng MSYP and Chloé Robertson MSYP have developed a consultation to find out young people’s views on a range of issues relating to Brexit and young people’s rights.

The consultation survey

To see the online survey and download paper ballots, please click here. The deadline for returning survey responses is 9am on Wednesday 3rd January, 2018.

The results of this consultation will become a manifesto called Rights Outright: SYP’s Brexit Manifesto. The name was suggested by Jack Norquoy!

It will outline young people’s calls to action for Scottish and UK decision-makers, to make them aware of the rights-related issues young people in Scotland want to see prioritised during the Brexit negotiations.
The manifesto

The final manifesto will be a series of policy statements in order of consultants’ priority, and it will launch in January 2018 when the EU (Withdrawal) Bill is expected to go through the House of Lords at Westminster.

We realise this consultation has a very tight turnaround - this is true also for the timing of the Bill itself. However, it’s really important we launch and share it as widely as possible while the Bill is still passing through Westminster, to make sure young people in Scotland’s voices are as influential as possible in shaping the Bill. For ideas for consultation over the holidays, please check out SYP’s Consultation Guide. Let’s do this!

The statements were drawn from existing SYP Policy on the issue, research that’s already out there (see the bottom of this factsheet for links if you want to find out more), and advice from the Civil Society Brexit Project.
Breaking down Brexit

As we all know, Brexit is a very complex issue which comes with many ideas, opportunities, risks, questions, and challenges. When consulting for the manifesto with constituents, and when presenting it to decision-makers, you may encounter some tough questions.

If you’re really stuck, please take down their contact details and let them know you’ll ask your Support Worker, the Board members or Conveners mentioned above or SYP Staff, and will get back to them.

However, here are some pointers related to the manifesto statements in the consultation which should help you boss those tough Brexit questions.

UNCRC Incorporation

As you’ll see in the UNCRC Incorporation factsheet, incorporating the United Nations Convention on the Rights of the Child could act as a shield against Brexit’s impact on rights!

Brexit could weaken the existing human rights framework as the EU Charter of Fundamental Rights, which goes further than the ECHR/HRA in some ways, is likely to no longer apply in the UK. Under Brexit, the UK Government will make changes to EU citizens’ rights. Rights protection will be less binding as the European Court of Justice may no longer have final say on EU rights.

However, incorporation of the UNCRC could provide an opportunity to strengthen rights which could be lost during the Brexit process, especially economic, social and cultural rights such as fair working conditions. Any further devolution as a result of Brexit (e.g. of equalities and of a rights-based immigration regime) would also make incorporation of the UNCRC in Scotland even more relevant.
The statement about cross-border family law stems from a research project our partner organisation Together did, summarised here. It’s aimed at making sure children and young people’s rights are protected during family breakdowns after Brexit, where one parent lives in the EU and the other in the UK.

For example, if these rights were protected, family members would be certain of who would look after children and young people when adults looking after them split up; how contact would be organised; and that there would be enough money to support the child or young person to live their lives free from poverty.

As Bruce Adamson, Children and Young People Commissioner Scotland and Right Here, Right Now campaign ally, said:

“Family breakdowns can be a confusing and upsetting time for any child or young person. We must not compound this by creating uncertainty over key issues such as custody and maintenance where one parent lives in the EU and the other in the UK.”

The statement also addresses protection from child abduction, as current EU law ensures abducted children and young people have the right to participate and their best interests taken into account during abduction return proceedings. It also states that the length of these proceedings meets a strict timeline and that an abduction ruling in France, for example, can still be recognised and enforced in Italy.
Erasmus+

Erasmus+ is a European funding programme which enables young people - especially those who can’t otherwise afford it - to travel to other countries and get life-changing educational experiences, including in schools, youth exchanges, cultural projects, volunteering, vocational training and studying at university abroad.

As free movement is fundamental to the functioning of Erasmus+, this statement calls for the UK’s post-Brexit participation in Erasmus+. Erasmus+ boosts skills and employability, and modernises education, training and youth work. In the past 30 years of Erasmus+, 600,000 people from the UK have taken part.

There are other countries who aren’t members of the EU who participate as partners in Erasmus+ including Iceland, Norway and Turkey, each with a unique model of participation. This means it is possible for the UK to continue to participate in Erasmus+ after the UK leaves the EU. For more information on YouthLink Scotland’s current #KeepErasmusPlus campaign we are supporting as an official partner, and shouted about during ‘Friends Friday’ of #RightsWeek, please see here.

Naturalisation

This is the process of getting British citizenship (e.g. a British passport).

Social and economic rights

Economic, social, and cultural rights protect the basic necessities for life, including the right to adequate food, housing, sanitation, and water, the right to education, and rights at work.
The Paris Agreement

This came into force on 5th October, 2016, and has been signed by 170 countries across the world.

This agreement builds upon the United Nations Framework Convention on Climate Change (for more info, see here) and aims to strengthen the global response to the threat of climate change by keeping a global temperature rise this century well below 2°C above pre-industrial levels. It also aims to limit the temperature increase even further to 1.5°C and strengthen the ability of countries to deal with the impacts of climate change.

During global climate change negotiations, the UK participates as part of the EU negotiating block, where the EU Member States meet in private to agree on common negotiating stances. For info on climate change and human rights, please see here.

Parliamentary Scrutiny of the Bill

This statement was chosen because the EU (Withdrawal) Bill contains powers for the UK Government to make amendments to it. This is normally done by Parliament, and these powers are called ‘Henry the 8th Powers’ - where Government can do anything not otherwise done by Parliament.

This could result in a lack of democratic decision-making on Brexit, as MPs won’t make all the amendments, especially on the more technical stuff.

So this statement is to say that, despite the short time-frame of the Bill which may have led to the decision to allocate these powers, there still needs to be checks and balances by Parliament of the Bill, by democratically elected MPs, ensuring the Government is keeping its promises on human rights and following the law.
Useful resources

This web resource from RightsInfo is also a really good way to learn more about Brexit and rights, in accessible language with cool graphics. Click here or on the logo for more.

CORAM calls for the UK Government to launch a task force to secure children’s rights as Britain leaves the EU. Click here or on the logo for more.

The UNDIVIDED Youth Manifesto engaged 4.4 million 15-29 year olds online, conducted extensive polling/research, and received nearly 300,000 votes on thousands of policy demands, which has been collated and presented to the major political parties before the snap election in June and to the UK Government as part of its ongoing negotiations with Brexit. Click here or on the logo for more.

You can also download the Rights Outright: SYP’s Brexit Manifesto Consultation poster, designed by Jack Norquoy MSYP, here.

The All Party Parliamentary Group on a Better Brexit for Young People (APPG-BBYP) was created in November 2016 to act as a structured engagement platform to transmit UK youth views about Brexit directly to UK parliamentarians and Brexit negotiators. Click here or on the logo to read the report.

Contact

If you have any further questions about the Rights Outright: SYP’s Brexit Manifesto consultation, please don’t hesitate to get in touch with Laura Pasternak, SYP’s Public Affairs Officer, at laura.p@syp.org.uk or 0131 557 0452.