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# Young people's access to fundamental rights

**Committee Opinion**[1]
Committee on Social Affairs, Health and Sustainable Development
Rapporteur: Mr Luca VOLONTÈ, Italy, Group of the European People's Party

## A. Conclusions of the committee

1. The Committee on Social Affairs, Health and Sustainable Development supports the report on young people's access to fundamental rights prepared by Mr Michael Connarty on behalf of the Committee on Culture, Science, Education and Media in response to the joint initiative of the chairpersons of the two committees concerned. It considers that both the Council of Europe and its member States should respond more effectively to the plight of young people, who are bearing the brunt of the financial crisis and austerity policies. This calls for enhanced intergenerational dialogue and action to correct asymmetries as regards access to fundamental rights – including socio-economic and political rights – by different generations. Stronger action in favour of the young generation is needed to involve young people fully in the political, economic and social life and to enable them to both contribute to and benefit from the solidarity mechanisms in the society they live in.

2. In line with its conclusions, the Committee on Social Affairs, Health and Sustainable Development presents several amendments to the draft recommendation with a view to strengthening the message of the Parliamenta ry Assembly by adding proposals concerning the Council of Europe campaign "Nurturing human rights", activities at local and regional level, intergenerational dialogue and a greater role of youth organisations.

## B. Proposed amendments

The Committee on Social Affairs, Health and Sustainable Development submits the following amendments to the draft recommendation:

*Amendment A (to the draft recommendation)*

In the draft recommendation, paragraph 2, after the words "fundamental rights", add the words "including socio-economic rights".

Explanatory note: The amendment reiterates what the Assembly has stressed on multiple occasions and in particular during its debates on the state of human rights in Europe: we deem human rights indivisible, interdependent and complementary; we consider that the notion of fundamental rights covers not only civil and political rights, but also socio-economic rights.

1. Reference to committee: Reference 3921 of 30 November 2012. Reporting Committee: Committee on Culture, Science, Education and Media. See Doc. 13156. Opinion approved by the Committee on 22 April 2013.

*Amendment B (to the draft recommendation)*

In the draft recommendation, after paragraph 3, insert the following paragraph:

> *"The Assembly welcomes the launch, in February 2013, of a Council of Europe campaign "Nurturing human rights" with a view to promoting rights and freedoms enshrined in the European Convention on Human Rights (ETS No. 5), with an emphasis on young people. It believes that the campaign should be further widened to encompass also the rights enshrined in the European Social Charter (revised) (ETS No. 163)."*

*Amendment C (to the draft recommendation)*

In the draft recommendation, after paragraph 4.4, insert the following sub-paragraph:

> *"instruct relevant bodies of the Council of Europe to intensify the promotion and implementation of the Revised European Charter on the Participation of Young People in Local and Regional Life;"*

*Amendment D (to the draft recommendation)*

In the draft recommendation, paragraph 4.5, after the words "educational institutions", insert the words ", youth organisations".

Explanatory note: The amendment proposes to involve also youth associations as active stakeholders (alongside educational institutions and non-governmental organisations (NGOs)) in intensifying the co-operation process throughout Europe and in neighbouring countries.

*Amendment E (to the draft recommendation)*

In the draft recommendation, paragraph 4.6, after the words "aimed at", insert the words "fostering intergenerational dialogue and".

## C. Explanatory memorandum by Mr Volontè, rapporteur for opinion

### 1. Bridging generations to assert youth rights: a vital need for European society

1. The report by Mr Connarty on behalf of the Committee on Culture, Science, Education and Media reviews progress in youth policies of the Council of Europe and highlights the lack of success of member States in proposing effective solutions to the multiple problems young people are facing. The continuing economic and social crisis has exacerbated hardship across European society, with a disproportionate burden falling on the shoulders of the young generation. Although the 9th Conference of Ministers responsible for Youth (24-25 September 2012, St Petersburg, Russia) was a valuable forum for dialogue between the high officials of States and youth representatives, it was also a missed opportunity to achieve a consensus on a full range of proposed actions aimed at enhancing young people's access to fundamental rights.

2. In January 2013, the two committees concerned (the Committee on Culture, Science, Education and Media and the Committee on Social Affairs, Health and Sustainable Development) held a joint meeting to discuss problems faced by young people and their members expressed a shared concern about the eroding social cohesion and justice in society. This malaise reflects a widening gap between the younger and older generations in terms of participation in economic and political life, social dialogue, income and wealth disparities, access to decision-making and human rights, as well as *de facto* unequal opportunities for access to employment, education, training, housing, social services and health care. Ignoring the plight of young people today is a road to an uncertain future with a real risk of perpetuating the intergenerational transmission of deprivation, whereas bridging generations to better assert youth rights is a win-win solution towards building a stronger, fairer, more inclusive and more prosperous society.

3. Further to repeated calls by the Assembly asking the Committee of Ministers to strengthen the legal framework for securing young people's access to fundamental rights,[2] I cannot but endorse the key proposal for action in this respect as outlined in the draft recommendation put forward by the Committee on Culture,

2. See Assembly Recommendations 1978 (2011) and 2002 (2012).

Science, Education and Media. I also note and appreciate a series of proposed measures aimed at better using Council of Europe mechanisms towards redressing violations of young people's rights and employing innovative ways to empower young people.

4. In the same vein, I think it is necessary to state more clearly, in the draft recommendation, the Assembly's holistic view of fundamental rights, that are understood to include not only political and civil rights but also social and economic rights, as stated throughout Mr Connarty's explanatory memorandum. Indeed, human dignity is inconceivable without respect for everyone's access to decent work, affordable housing and basic social services. Yet given the unprecedented rates of youth unemployment – which in most countries is much higher than for the rest of the population –, it is clearly necessary to reverse this unfortunate trend. Unemployment can lead to misery, exclusion and even violence, so we need to help young people to help themselves more resolutely.

5. Moreover, with a view to giving practical follow-up to key proposals of this Assembly, youth organisations and participants of the youth event held in St Petersburg before the Ministerial Conference, I wish to highlight the need to make better use of "youth guarantee" schemes that aim to ensure that no young person is left out of employment, education or training for more than four months against his or her will. This approach has been tested with success in several European countries and is particularly pertinent as the importance of "youth guarantee" schemes was recognised by the International Labour Organization and at European Union level by the European Commission in the Youth Employment Package presented in December 2012 and by the European Union Council (Ministers of Employment and Social Affairs) in February 2013. Indeed, with 6 billion euros earmarked by the European Union for the realisation of the initiative, the Council of Europe could join forces for the youth cause on the broadest possible geographical area via its partnership and joint projects with the European Union.

6. As discussions in this committee have shown on a number of occasions, local and regional authorities play a crucial role in providing quality public services to communities and are often the main architects in designing targeted, integrated solutions that really work in response to the "needs on the ground", including for young people. They should receive full support – even in times of austerity budgets – from national authorities and European institutions so as to continue fostering inter-generational contacts, channelling initiatives from the grass-root level upwards, promoting involvement of local youth in the community's solidarity action, building capacity of youth associations and providing professional development opportunities for young individuals. In this respect, the Council of Europe's Congress of Local and Regional Authorities could be instrumental in reaching out to the young generation through policy makers across Europe and neighbouring countries. It could also help associate young people to a rights-based approach in decision-making at various levels of governance – in line with the provisions of the revised European Charter on the Participation of Young People in Local and Regional Life.

## 2. Political action to involve and empower young people

7. I think my colleagues in the committee and the Assembly will agree on the need for politicians to acknowledge that the voice and the immense potential young people carry have not been adequately, or sufficiently, taken into account in the political, economic and social debate in our countries. As we debate rights, we should remember our responsibilities towards all generations: our round table may look nice and solid, but if one of its legs is shorter than the others, the overall balance will be upset sooner or later. Likewise, we owe more attention and more action to involve and empower young people as fully fledged citizens on a par with more "entrenched" generations. To catch up with the changes transforming our society and to draw lessons from too many missed opportunities, we ought to give priority to better mainstreaming the needs of the young generation in all fields through political action at local, regional, national and European levels.

8. In this context, I welcome the launch, in February 2013, of a campaign on "Nurturing human rights" by the Andorran Chairmanship of the Council of Europe. This campaign seeks to enhance public awareness, in particular among young people, of the rights and freedoms guaranteed by the European Convention on Human Rights (ETS No. 5). I dare say, this Organisation should seize the opportunity to go further, speak out louder also about social and economic rights enshrined in the European Social Charter (revised) (ETS No. 163). These rights, together with political rights, are the backbone of human dignity. As this Assembly has stressed on a multitude of occasions, we deem human rights indivisible, interdependent and complementary. It is therefore high time to reassert these rights – with and for young people – through good governance in our society.

9. To this end, parliamentarians can and should take the lead, not least recalling the proposals listed in Assembly Resolution 1824 (2011) and Recommendation 1976 (2011) on the role of parliaments in the consolidation and development of social rights in Europe, and Resolution 1885 (2012) on the young generation sacrificed: social, economic and political implications of the financial crisis. I thus propose, via amendments, that this ambition be duly reflected in the draft recommendation put forward by the Committee on Culture, Science, Education and Media.

## 3. Concluding remarks

10. In conclusion, I consider that this committee should support the report prepared by Mr Connarty in response to the joint initiative of the chairpersons of the two committees concerned. Both the Council of Europe and its member States should respond more effectively to the plight of young people, who are bearing the brunt of the financial crisis and austerity policies. There is a crying need to improve intergenerational dialogue and to correct asymmetries in the level playing field as regards access to fundamental rights – including social, economic and political rights – by different generations. This calls for stronger, affirmative action in favour of the young generation so as to involve young people fully in political, economic and social life and to enable them to both contribute to and benefit from the solidarity mechanisms in the society they live in.

11. With a view to strengthening the message of our Assembly, I propose several amendments to the draft recommendation. These amendments seek to highlight the untapped opportunities concerning the Council of Europe campaign “Nurturing human rights”, youth-oriented activities at local and regional level, intergenerational dialogue and participation of youth organisations.