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Young people's access to fundamental rights

Reply to Recommendation[1]: Recommendation 2015 (2013)
Committee of Ministers

1. The Committee of Ministers has considered Parliamentary Assembly Recommendation 2015 (2013) on "Young people's access to fundamental rights" and has brought it to the attention of member States' governments so that they may draw on the measures proposed. It has also forwarded the recommendation to the various relevant intergovernmental bodies for information and possible comments.[2]

2. With regard to the Assembly's call for a binding legal framework in order to secure young people's access to fundamental rights, the Committee of Ministers underlines that the European Convention on Human Rights and the European Social Charter apply to all individuals, including young people,[3] and believes that it is important that priority be given to ensuring that the rights set out in them are enforced.

3. The Committee of Ministers does not consider it necessary to appoint a new ombudsperson to ensure that the rights of young people are respected and protected. Indeed, various bodies of the Council of Europe, such as the Commissioner for Human Rights, already follow these questions. However, the Committee of Ministers encourages member States to enhance the role of national ombudspersons in this regard.

4. It thanks the Assembly for its support for the "Nurturing human rights" campaign and takes note of its recommendation that the reviews of national youth policies carried out by the Youth Department could pay particular attention to young people's access to human and fundamental rights.

5. Like the Assembly, the Committee of Ministers advocates a cross-sectoral approach to youth policy. It closely monitors and encourages the development of co-operation between the Council of Europe's youth sector and the Organisation's other sectors and bodies and with the European Union. It notes the interest shown by the bodies consulted[2] in the drafting of a possible recommendation on young people's access to rights and their willingness to take part in the process. The Committee of Ministers would encourage the bodies of the youth sector, in consultation with other relevant bodies, to submit proposals in this regard within the framework of their terms of reference and budget for the 2014-2015 biennium.

6. The Steering Committee for Human Rights (CDDH) continues to pay attention to the situation of young people. It examines, with the Gender Equality Commission (GEC) and the Bioethics Committee (DH-BIO), the impact of the current social and economic problems on young people's enjoyment of their fundamental rights, in particular in terms of employment, housing, health, education and non-discrimination. Likewise, the European Committee for Social Cohesion (CDCS), in particular through the Council of Europe/European Commission Edgeryders joint project, has established a tool for communication and co-operation between

1. Adopted at the 1188th meeting of the Ministers' Deputies (15 January 2014).
2. Steering Committee for Human Rights (CDDH), Gender Equality Commission (GEC), European Steering Committee for Youth (CDEJ), Advisory Council on Youth (CCJ), Joint Council on Youth (CMJ), Governmental Committee of the European Social Charter, European Centre for Global Interdependence and Solidarity (North-South Centre), European Committee for Social Cohesion (CDCS) and the Steering Committee on Educational Policy and Practice (CDPPE).
3. See research report "Selected case law of the European Court of Human Rights on Young People" published by the European Court of Human Rights in November 2012.

young people and democratic institutions in Europe. Lastly, the North-South Centre will continue to focus on young people's access to rights in accordance with its future mission under the Council of Europe's policy towards neighbouring regions.

7. The Committee of Ministers assures the Assembly of its commitment to respecting the basic right of young people to express their political opinions freely and non-violently, in accordance with the right to freedom of expression, freedom of opinion and freedom to receive and impart information and ideas, enshrined in Article 10 of the European Convention on Human Rights (ECHR). It underlines at the same time that freedom of expression is not an absolute right; it must be exercised in a manner that respects in particular the rights of others, in accordance with Article 10, paragraph 2 of the Convention and in the light of the relevant case law of the European Court of Human Rights.

8. The Committee of Ministers assures the Assembly of its commitment to ensuring young people's access to rights, preventing violations of these rights, providing adequate follow-up and redress and considering innovative ways to empower young people in accessing these rights.