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Young people's access to fundamental rights

Report[1]
Committee on Culture, Science, Education and Media
Rapporteur: Mr Michael CONNARTY, United Kingdom, Socialist Group

Summary

Despite the existence of several international human rights mechanisms which also apply to young people, a specific legal instrument encompassing their social, economic and political rights seems today necessary to ensure their full protection. The report therefore pleads for a framework convention at European level to improve young people's access to fundamental rights.

The report also calls for enhanced intergenerational dialogue and more consideration of youth proposals, such as those put forward by the young people's representatives at the 9th Conference of Ministers responsible for Youth, at the Youth Assembly and at the World Forum for Democracy, which were held in 2012.

Political commitment and adequate budgetary provisions are required to strengthen involvement of youth representatives in policy and decision-making at national level – for example through participatory structures in national parliaments and governments – as well as internationally, through pan-European and global international organisations.

1. Reference to committee: Reference 3921 of 30 November 2012.

Contents **Page**

A. Draft recommendation 3
B. Explanatory memorandum by Mr Connarty, rapporteur 4
1. Introduction 4
2. Progress in youth policies driven by the work of the Council of Europe until 2010 4
3. Action taken in 2011 and 2012 5
3.1. Parliamentary Assembly Recommendation 1978 (2011) 5
3.2. Parliamentary Assembly Resolution 1885 (2012) and Recommendation 2002 (2012) 5
3.3. 9th Conference of Ministers responsible for Youth (St Petersburg, 24-25 September 2012) 6
3.4. Youth Assembly (Strasbourg, 5-7 October 2012) 7
4. Steps towards stronger recognition and more effective implementation of young people's fundamental rights 7
4.1. Re-thinking national youth policies 7
4.2. Specific action aimed at ensuring effective access to fundamental human rights 8
4.3. Council of Europe support to enhance national youth policies 9
5. Conclusions 9
Appendix – Conclusions of the Youth Event (St Petersburg, 22-23 September 2012) 11

A. Draft recommendation[2]

1. The Parliamentary Assembly is firmly convinced that unhindered access of young people to fundamental rights is an essential element in building a culture of human rights, democracy and the rule of law, and is concerned that youth policies in the Council of Europe member States do not sufficiently safeguard these rights.

2. The Assembly therefore reiterates its call for a binding legal framework at European level in order to secure young people's access to fundamental rights.

3. Conscious of the challenge that the preparation of a binding instrument in this field will involve, the Assembly calls on the Committee of Ministers to prepare as a first step a recommendation on "Improving young people's access to fundamental rights", instructing the European Steering Committee for Youth, the Advisory Council on Youth and the Steering Committee for Education Policy and Practice, in co-operation with the European Committee for Social Cohesion, to draft this recommendation. This should bring together and complete the *acquis* of previous Committee of Ministers' recommendations, also building on the following texts: key proposals put forward by Youth sector representatives at the Conference of Ministers responsible for Youth held in St Petersburg from 24 to 25 September 2012; the text adopted by the Youth Assembly held in Strasbourg from 5 to 7 October 2012; and relevant resolutions and recommendations of the Parliamentary Assembly.

4. The Assembly also recommends that the Committee of Ministers take action to enhance member States' capacity to evaluate young people's access to rights, prevent violations of these rights, provide adequate follow-up and redress, and consider innovative ways to empower young people in accessing their rights. To this end, the Assembly invites the Committee of Ministers to:

4.1. reinforce the cross-sectoral and rights-based approach to youth policy throughout the Organisation, asking different Council of Europe bodies to give careful consideration to young people's rights in the development of standards, programmes and monitoring activities, and to explore measures to improve the access of young people to these rights;

4.2. instruct specifically the Steering Committee for Human Rights and its Gender Equality Commission to pay due attention in their work to the situation of young people in each and every Council of Europe member State;

4.3. reinforce the programme of international reviews of national youth policies, under the responsibility of the European Steering Committee for Youth, paying particular attention to the establishment of mechanisms ensuring effective access of young people to their rights, and taking corrective action as necessary;

4.4. urge the Joint Council on Youth, in co-operation with other sectors of the Council of Europe, to conduct a thorough study concerning young people's access to rights, to identify difficulties and good practice in this area and to prepare a handbook of instruments, programmes and policies on youth rights;

4.5. make use of existing platforms, particularly the European Centre for Global Interdependence and Solidarity (North-South Centre), to promote, facilitate and improve co-operation between educational institutions and non-governmental organisations (NGOs) from the European Union/ European Economic Area (EU27/EEA) and other members of the Council of Europe and neighbouring countries, including southern Mediterranean countries;

4.6. initiate a project to develop transversal policies aimed at supporting the effective exercise of social and economic rights by young people, in line with the results of the 2nd Council of Europe Conference of Ministers responsible for Social Cohesion "Building a secure future for all", held on 11 and 12 October 2012 in Istanbul;

4.7. consider the appointment of an ombudsperson at the Council of Europe level to ensure that the rights of young people are respected and protected.

2. Draft recommendation adopted unanimously by the committee on 12 March 2013.

B. Explanatory memorandum by Mr Connarty, rapporteur

1. Introduction

1. Following a request submitted by Ms Liliane Maury Pasquier, Chairperson of the Committee on Social Affairs, Health and Sustainable Development, and Mr Gvozden Srećko Flego, Chairperson of our Committee, the Bureau of the Assembly, meeting on 29 November 2012 in Andorra la Vella, proposed to seize the Committee on Culture, Science, Education and Media for report on "Young people's access to fundamental rights" and the Committee on Social Affairs, Health and Sustainable Development for opinion. This proposal was ratified by the Standing Committee on 30 November 2012. The committee appointed me rapporteur on 19 December 2012 and asked me to prepare the present report with the highest priority, in order for it to be presented at the April 2013 part-session in a joint debate with the report by Ms Polonca Komar on "Young Europeans: an urgent educational challenge" (Doc. 13155).

2. Taking note of the outcomes of the 9th Conference of Ministers responsible for Youth (St Petersburg, 24-25 September 2012) and of the Youth Assembly held in Strasbourg from 5 to 7 October 2012, the Chairperson of our Committee, Mr Flego, and the Chairperson of the Committee on Social Affairs, Health and Sustainable Development, Ms Maury Pasquier, proposed to hold a joint meeting of the members of the two committees on 21 January 2013 to discuss future action to enhance young people's access to fundamental rights. At this meeting, the members of the two committees held an exchange of views with Ms Maria Paschou, Chairperson of the Advisory Council on Youth (CCJ), Ms Laurence Hermand, Vice-Chairperson of the European Steering Committee for Youth (CDEJ), and Mr Håkon Haugli (Norway, SOC), General Rapporteur on the rights of Lesbians, Gays, Bisexuals and Transgender Persons (LGBTs).[3]

3. Giving proper consideration to young people's expectations and fully meeting their needs are key challenges for our European societies: both our present and our future are at stake. It is not just today that we are discovering the crucial importance of securing young people' access to fundamental rights: indeed, this issue has been on the agenda of the Council of Europe for the last 40 years. Sections 2 and 3 below will recall main achievements and more recent developments in this domain. Section 4 will seek to identify further steps that should be envisaged to improve youth policy at national and European levels.

2. Progress in youth policies driven by the work of the Council of Europe until 2010

4. The 2012 Conference of Ministers responsible for Youth was the latest in a series of conferences held by the Council of Europe on youth-related matters since 1985,[4] which have triggered significant developments.[5]

5. Within the Council of Europe, intergovernmental co-operation in the youth field has been reinforced, and a co-management and co-decision procedure established, which allows for joint decision-making by the Advisory Council on Youth (representing young people in Europe through youth organisations) and the European Steering Committee for Youth (representing government authorities responsible for youth policies).

6. Other important achievements have been: the establishment of the European Youth Foundation which includes a Youth Mobility Fund, the establishment of the Youth Centres in Strasbourg and Budapest and increased co-operation in the field of youth between the Council of Europe and the European Union. In addition, the work of the Council of Europe intergovernmental sector led to the adoption of a number of

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3. The minutes of this meeting appear in Appendix IV to the minutes of the meeting of the Committee on Culture, Science, Education and Media held on 22-24 January 2013 (AS/Cult (2013) PV 01).

4. These were the following: 1st ministerial Conference (Strasbourg, 1985) on "Youth participation"; 2nd Conference (Oslo, 1988) on "The strategies for European youth policies towards the year 2000"; 3rd Conference (Lisbon, 1990) on "Youth mobility in Europe"; 4th Conference (Vienna, 1993) on "Young people in Greater Europe", in the context of the enlargement of the Council of Europe to new member States; first informal Conference (Luxembourg, 1995) on "The building of a multicultural Europe"; 5th Conference (Bucharest, 1998) on "Young people: active citizens in a future Europe, Human Rights – Participation – Solidarity", 6th Conference (Thessaloniki, 2002) on "Young people building Europe"; 7th Conference (Budapest, 2008) on "Human dignity and social cohesion: youth policy responses to violence"; 8th Conference (Kiev, 2010) on "The future of the Council of Europe youth policy: AGENDA 2020".

5. For more details, see the Summary of conclusions of previous Council of Europe conferences of ministers responsible for youth (20 August 2012) – document presented at the Conference of Ministers responsible for Youth, St Petersburg, 24-25 September 2012.

Committee of Ministers recommendations on youth policies,[6] providing guidance on important topics such as citizenship and democratic participation, integration, information and counselling, mobility, non-formal education and others.

7. Efforts at European level have been reflected by progress in youth policies of the Council of Europe member States. Main achievements include:

– the development of youth policies at local, regional and national levels, stressing in particular the need for better social and professional integration of young people, notably girls and young women, as well as disadvantaged and marginalised youth;

– the establishment of national youth centres in all Council of Europe member States;

– the development of national action plans to combat racism, religious sectarianism, xenophobia, anti-Semitism, intolerance and all forms of exclusion following the launch of the "All different – All equal" campaign;

– increased participation of young people in decision-making at national level.

3. Action taken in 2011 and 2012

3.1. Parliamentary Assembly Recommendation 1978 (2011)

8. The Assembly, in its Recommendation 1978 (2011) "Towards a European framework convention on youth rights", takes stock of what has been achieved so far and sets objectives for future action, including the proposal to move towards a European framework convention on youth rights. The Committee of Ministers did not agree to this proposal, considering "that in the present situation priority should be given to the effective implementation of existing instruments".

9. In its reply to our Recommendation 1978 (2011) the Committee of Ministers agreed, however, on the idea of a study which should "lay emphasis on the systematic encouragement of policies to improve the access of young people to their rights. These policies could include making more effective use of the tools the Council of Europe offers, and developing further activities and programmes that take into account the specific needs of young people as manifested in society".

10. Therefore, on 28 June 2012, following a request of the Committee on Culture, Science, Education and Media, its Chairperson, Mr Flego, discussed with Ms Samardžić-Marković, Director General of Democracy, the possibility of launching such a study and preparing a handbook of instruments, programmes and policies on youth rights. Mr Flego asked Ms Samardžić-Marković to look into the possibility of including this work in the programme of activities for the biennium 2014-2015. We have to follow this up to make sure that, indeed, these proposals are included in the Council of Europe's programme of activities.

3.2. Parliamentary Assembly Resolution 1885 (2012) and Recommendation 2002 (2012)

11. In Resolution 1885 (2012) and Recommendation 2002 (2012) "The young generation sacrificed: social, economic and political implications of the financial crisis", the Assembly underscored that the persisting economic instability across Europe has exposed young people to unprecedented hardship. Unemployment, underemployment, socio-economic inequalities, poverty and exclusion disproportionally affect the young generation, whose autonomy, dignity, well-being and access to rights are rapidly eroding.

12. The Assembly proposed a series of measures for ensuring the smoother integration of young people into society through active citizenship, social dialogue, improved access to rights and sustainable employment. This notably implies strengthening youth policies and participation through the provision of financial support to youth-oriented projects, programmes and organisations,[7] fostering job creation, improving

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6. The list is the following: Recommendation CM/Rec(2012)2 on the participation of children and young people under the age of 18; Recommendation CM/Rec(2010)8 on youth information; Recommendation CM/Rec(2008)11 on the European Rules for juvenile offenders subject to sanctions or measures; Recommendation Rec(2006)14 on citizenship and participation of young people in public life; Recommendation Rec(2006)1 on the role of national youth councils in youth policy development; Recommendation Rec(2004)13 on the participation of young people in local and regional life; Recommendation Rec(2003)8 on the promotion and recognition of non-formal education/learning of young people; Recommendation No. R (97) 3 on youth participation and the future of civil society; Recommendation No. R (95) 18 on youth mobility; Recommendation No. R (92) 11 on social and vocational integration of young people; Recommendation No. R (90) 7 concerning information and counselling for young people in Europe.

life-long learning opportunities and social protection through the implementation of "youth guarantee" schemes,[8] stimulating youth entrepreneurship through advisory services, tax facilities, grants and microcredits designed for young people,[9] and building public-private partnerships between social partners. The Assembly reiterated its proposal to draft a European framework convention on the rights of young people.[10]

13. In its reply to Recommendation 2002 (2012), the Committee of Ministers, as regards the Framework Convention, referred back to their reply to Recommendation 1978 (2011). The Committee of Ministers did, however, agree to the importance of involving young people in the "formulation, implementation and follow-up" of youth policies. The Committee of Ministers also referred to the importance of quality education in preparing young people for life as citizens and for their integration in the labour market.

3.3. 9th Conference of Ministers responsible for Youth (St Petersburg, 24-25 September 2012)

14. This Conference (which Assembly President Mignon, Mr Flego, Mr Volontè and myself attended) was meant as a major opportunity for young people to make their voices heard and to ensure that their recommendations are part of policies and strategies for youth in our member States. Youth representatives put forward very interesting proposals, which Ministers were invited to adopt as an appendix to the ministerial declaration.

15. The draft declaration listed a series of steps to be taken by public authorities, including *inter alia:*

– a critical and profound knowledge-based analysis of any problems faced by young people in accessing rights – which should involve representatives of youth organisations with policy makers, experts and other civil society organisations – and a regular review of progress made in this area;

– a review of existing and planned legislation, and adoption of legislative measures intended to remove legal obstacles to young people' access to their rights;

– a modification of the structure and practice of existing institutions catering for young people, in order to support them more effectively and to address equally the needs of all groups of young people, in addition to the improvement of the qualifications of staff working in these institutions;

– regular consultation with youth policy stakeholders, in order to improve this policy as necessary;

– an effective information system (readily accessible to all groups of young people, especially those who are discriminated against or socially excluded) to raise young people's awareness of their rights and of the possibilities to seek redress if these rights are withheld or violated;

– adequate and equitable financial support for youth work and non-formal education activities aimed at informing young people and engaging them in the promotion of fundamental rights;

– stronger attention paid by the formal education sector and social policy to young people's access to rights;

– an approach in the development and implementation of youth policy which is sensitive to issues of gender and sexual orientation.

16. The draft declaration concluded with a list of actions to be taken by the Committee of Ministers of the Council of Europe aimed at improving young people's access to rights. Unfortunately, the Ministers did not agree on the declaration. As a result, the young people's proposals did not get the Ministers' endorsement.

17. Young people's recommendations must be taken into account in the Council of Europe's future work. Ministers and their representatives cannot call for more political and civil participation of young people while at the same time ignoring what they have to say. The attention of the members of the Assembly is therefore drawn to the conclusions of the Youth event held in St Petersburg on 22 and 23 September 2012 just before the Conference of Ministers responsible for Youth; they appear in the Appendix to this explanatory memorandum.

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7. Resolution 1885 (2012), paragraph 6.1.5.
8. "Youth guarantee" schemes imply that no young person should be out of employment, education or training for more than four months against their will. See Resolution 1885 (2012), paragraph 6.3.1.
9. Resolution 1885 (2012), paragraph 6.2.5.
10. Recommendation 2002 (2012), paragraph 3.2.

3.4. Youth Assembly (Strasbourg, 5-7 October 2012)

18. On the initiative of President Mignon, the Parliamentary Assembly organised, in co-operation with the Youth sector of the Council of Europe, the second Youth Assembly as a contribution to the World Forum for Democracy held in Strasbourg from 5 to 11 October 2012.

19. The Youth Assembly participants prepared their contributions to the World Forum for Democracy both through online exchanges prior to their Assembly and in fruitful debates held in Strasbourg. The conclusions of the Youth Assembly are reproduced in a document by our committee.[11] The delegates from the Youth Assembly were recognised as having made significant contributions to the seminars of the World Forum for Democracy, revealing a genuine inter-generational dialogue. This was also recognised in a two-way dialogue meeting with the President of the Assembly, Jean-Claude Mignon.

4. Steps towards stronger recognition and more effective implementation of young people's fundamental rights

4.1. Re-thinking national youth policies

20. It is essential that our member States rethink youth policies to render them more comprehensive as regards young people's access to fundamental rights.

21. To streamline national strategies aimed at young people's empowerment and their access to rights – as well as implementation policies – member States should aim, as a priority, to strengthen young people's capacity to:

– build their own identity;

– become more influential actors of social and economic development;

– participate in policy discussion processes and decision-making.

22. Young people's capacity to build their own identity depends on the effective exercise of fundamental rights, such as the right of access to culture and to take part in cultural life, the right to education and training, freedom of religion and belief and freedom of expression and of association. Member States have a duty to guarantee not only the effectiveness of these rights, but also the conditions for young people to fully develop their potential. This entails, among others, that member States:

– prevent and counteract all forms of racism, sectarianism and discrimination, on any ground;

– ensure that young people are effectively able to maintain their cultural heritage and promote visibility of minorities in the media;

– foster the peaceful coexistence of different groups through intercultural education and dialogue (namely by the introduction of multicultural topics in pre-primary and primary education);

– ensure the sustainable provision of quality non-formal education opportunities, including volunteering opportunities;

– support unrestricted access to Internet and override censorship on the Internet and in the media.

23. Young people's capacity to become more influential actors in social and economic development depends on the access to social rights, including employment and training, housing, social protection and health care. To support the development of such a capacity, member States should:

– develop active employment policies that facilitate the entry of young people into employment;

– develop tax and financial incentives to encourage companies to recruit young people into training programmes with on-the-job certification, which would facilitate the transition between education and the labour market;

– prevent the excessive use of unpaid work experience or low paid employment, and encourage businesses to help young people's transition from insecure contracts to stable jobs;

– promote equal access to health care and conduct health-awareness campaigns directed at young people about health risks and how to protect themselves against them, including practical information on access to treatments;

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11. AS/Cult/Inf (2013) 03: http://assembly.coe.int/Main.asp?link=/CommitteeDocs/ComDocMenuCultEN.htm.

– introduce targeted financial schemes and/or incentives to facilitate young people's access to decent, affordable housing.

24. To reinforce young people's capacity to participate in policy discussion processes and decision-making, member States should become more proactive and ensure regular discussions with and involvement of young people in the design and implementation of youth policies, and also create opportunities for vulnerable young people (disadvantaged, minority groups, LGBTs) to get involved. In this respect, member States should:

– develop electronic democratic participation systems (for example e-voting, participatory budgeting, municipality council platforms for online video conferences) and take advantage of new information and communication technologies, including new social media, in order to enhance the political participation of young people;

– promote the participation in democratic processes of young people from disadvantaged groups (such as people with disabilities, the socially excluded or minority and migrant communities);

– enhance democratic governance in schools, which should offer students practical experience of participation from an early age and throughout their years in education;

– create opportunities for dialogue between youth non-governmental organisations (NGOs) and public authorities;

– improve the visibility of migrant communities' contribution to social development and political life, and support inclusion through targeted mentorship programmes, which should include volunteers from local society, organising cultural and sport events with an emphasis on cross-cultural access and participation;

– take into consideration the question of sexual orientation and gender identity and the rights of youth in this area.

25. Young people's active participation in political life is also dependent on a positive attitude from political parties, which have a crucial role in this respect. They should be encouraged to:

– develop better communication of political programmes towards young people;

– support young people in standing for election to civil society organisations, local authorities and national parliament, and possibly establish quotas of young people on political party lists, promoting also inclusion of young representatives from vulnerable groups.

4.2. Specific action aimed at ensuring effective access to fundamental human rights

26. In the design of their youth policies, member States should pay more attention to different kinds of measures that may have a significant impact on young people's access to fundamental rights. They have to explore concrete ways to remove the existing barriers, to raise awareness, to create new opportunities and to provide incentives and support. The few examples below could provide a starting point for further reflection:

27. *Remove barriers* – Member States should encourage and support the development of mobility and exchanges among young people within the member States of the Council of Europe and with neighbouring countries. They should consider abolishing administrative barriers, such as travel visas, for youth NGO representatives, making it easier for young people to participate in international youth organisations. They should also launch support programmes and mitigate financial barriers such as enrolment and registration fees. Finally, they should provide free legal advice and representation to young people with inadequate finance who seek such services, in order to improve access to human rights protection through litigation.

28. *Raise awareness* – Member States should take a series of actions to raise awareness amongst all stakeholders, including young people themselves, about access to fundamental rights for young people. They should produce a set of information documents accessible to young people on human rights protection which is already provided by existing international legal instruments (such as the United Nations Convention on the Rights of the Child, the European Convention on Human Rights (ETS No. 5) and the revised European Social Charter (ETS No. 163)). The existing legal and monitoring tools of the Council of Europe could be used to identify and better address violations of rights of particular relevance to young people. The compilation of case law could be made available in order to provide information about the status of violations of young people's rights and the extent to which they are protected by existing legal tools.

29. *Create opportunities* – Youth offices should be established and situated in schools and community and tertiary education structures (which should provide a space for them to be accessible in and out of teaching hours throughout the year). They could be run on a voluntary basis by students and serve as an open and

flexible space, which will bring together teachers, parents and children. They could allow students from different social and ethnic groups to gain experience, including developing work-related skills, and help link the local community and the minorities, NGOs and cultural centres.

30. *Provide incentives and support* – Supporting young people to become active citizens is a central element of youth policy. The Council of Europe member States should provide political and financial support to youth organisations and other non-formal education providers, and promote sustainable co-operation between formal and non-formal education. It is important to ensure long-term sustainable funding for youth organisations and to guarantee transparency in the financing of youth projects.

4.3. Council of Europe support to enhance national youth policies

31. Member States efforts should be encouraged and accompanied by stronger Council of Europe action in this area. Among the initiatives to be taken, the following should be considered as priorities.

32. The Joint Council on Youth, in co-operation with other sectors of the Council of Europe, could conduct a thorough study on young people's access to rights and to identify difficulties and good practice in this area, taking into account the work undertaken in the framework of the Council of Europe Strategy for the Rights of the Child (2012-2015) and the United Nations Convention on the Rights of the Child.

33. Existing platforms (such as the North-South Centre) should be used to promote, facilitate and improve co-operation between educational institutions and NGOs from the European Union/European Economic Area (EU27/EEA) and other member States of the Council of Europe and neighbouring countries, including southern Mediterranean countries.

34. A new project should be initiated to develop transversal policies aimed at supporting the effective exercise of social and economic rights by young people, in line with the results of the 2nd Council of Europe Conference of Ministers responsible for Social Cohesion "Building a secure future for all", held on 11 and12 October 2012 in Istanbul.

35. Work with the youth sector should be intensified and the European youth centres and the European Youth Foundation could be further supported to promote young people's access to fundamental rights. Consideration should also be given to the way in which the co-decision procedure, which the Council of Europe applies, could be implemented at national level, for example in schools and educational institutions.

36. The Council of Europe should consider the appointment of an ombudsperson at European level to ensure that the rights of young people are respected and protected.

37. Last but not least, there is a need to consider further the drafting and adoption of a binding instrument, such as a framework convention, which should better recognise and guarantee young people's access to fundamental rights. As a preparatory step, the Committee of Ministers should instruct the European Steering Committee for Youth, the Advisory Council on Youth, the Steering Committee for Education Policy and Practice, as well as other relevant committees, to draft a recommendation, which should bring together and complete the *acquis* of previous Committee of Ministers' recommendations, also building on:

– the text adopted by the Youth Assembly held in Strasbourg from 5 to 7 October 2012;

– key proposals put forward by government and youth sector representatives at the Conference of Ministers responsible for Youth held in St Petersburg from 24 to 25 September 2012;

– relevant resolutions and recommendations of the Assembly.

5. Conclusions

38. The rise in youth unemployment and the difficulty for young people, particularly those from socially disadvantaged groups, to access education, health care and housing are amongst the stark examples of European societies' incapacity to meet the needs of young people and secure their rights, which are also severely threatened by a tendency of public policies to charge future generations with the weight of a growing public debt.

39. At the Youth Assembly held in Strasbourg from 5 to 7 October 2012, youth representatives from all over Europe echoed the discontent but also the hope of young Europeans; their recommendations should be considered a benchmark for current youth policies and an important starting point for closer and more constructive dialogue between national decision-makers and young people. The Assembly itself has recently put forward concrete proposals on how to enhance youth policies in its Recommendation 1978 (2011)

"Towards a European framework convention on youth rights" and in its Resolution 1885 (2012) and Recommendation 2002 (2012) "The young generation sacrificed: social, economic and political implications of the financial crisis".

40. On this basis, we, as parliamentarians, should urge Council of Europe member States to develop coherent national strategies designed to secure young people's access to fundamental rights; these rights are interdependent and demand a holistic approach in policy design to ensure their implementation. To streamline such strategies and policies, member States should set as a priority goal to empower young people and ensure their capacity to build their own identity and be active stakeholders in the political, social and economic life of our societies.

41. Member States should assume proactively their duty to guarantee the condition for young people to fully develop their potential, to implement effectively young people's social and economic rights, and to promote real opportunities for vulnerable young people (disadvantaged and/or minority groups) to get involved in social and political life.

42. To this aim, member States should take action, seeking to achieve concrete, visible results in terms of youth empowerment through measures intended to raise awareness of youth rights, remove existing legal and administrative barriers to the enjoyment of such rights, create new opportunities for young people to contribute to the life of our societies and to build our common future, and provide tailored incentives and support to young people's initiatives which are aimed at strengthening their role within our societies.

43. The Council of Europe has a key role in supporting this process and the aim of the draft recommendation is to urge the Committee of Ministers to take immediate action in this direction. In addition, the Assembly should promote genuine intergenerational dialogue and direct participation of youth in its work. To this end, it would be important to invite systematically the representatives of the Advisory Council on Youth to the meetings of the Assembly committee and sub-committee responsible for youth. Other committees with responsibility for relevant policy areas should also consider inviting participants from the Advisory Council on Youth to attend and participate in their meetings.

Appendix – Conclusions of the Youth Event (St Petersburg, 22-23 September 2012)

The youth representatives gathered at the Youth Event held in St Petersburg on 22-23 September 2012 prior to the 9th European Conference of Ministers responsible for Youth,

Considering that:

a. youth policies should ensure the inclusion of young people in society;

b. the current economic and social crisis in the Council of Europe's member States is having a crucial effect on the lives of young people;

c. in order to avoid exclusion and alienation the issue of youth participation has become even more important;

d. rights are not always known and easily accessed by young people;

e. youth policies need to be adapted to changes in society;

f. mobility is one of the core freedoms and learning opportunities for young people;

g. embracing diversity can ensure peaceful cohabitation in today's diverse societies,

Concluded that:

Social Inclusion of Young People

1. We strongly encourage Member States to invest in quality and inclusive education that can promote retention and reengagement in learning, support personal development, appreciation of diversity and facilitate a quality transition from education to the labour market. In this framework a better interaction between formal and non-formal education/learning is fundamental as well as the promotion of tools such as entrepreneurial education and quality internships.

2. The inclusion of young people with migrant background should be further promoted. Member States should set up free programmes aimed at introducing these young people to the new culture, language, law and services in line with the Council of Europe recommendations and guidelines.

3. Access to social rights should be facilitated by strengthening the implementation of the Social Rights Charter provisions. It is crucial to make people more aware about the mechanisms available to protect social rights. Projects such as ENTER 2 represent a valuable platform to link policy making and work at local level and to increase capacity building in this regard.

4. Continued participation of young people is needed in setting up strategies and action plans regarding the promotion of equality of opportunities and inclusion in relation to for example gender, disability and rurality highlighting the significant role of youth workers in supporting pathways to social inclusion.

5. A "youth guarantee" should be established within all social protection systems to ensure employment, further education or training for all young people after a certain period of being unemployed or out of education and training.

Democracy and participation

6. To ensure meaningful participation of young people in the creation of youth policy, co-management mechanisms should be introduced at local, regional, national, European levels. All parties of the mechanism should be defined through a democratic transparent process and have equal power and responsibilities. Society should have the opportunity to contribute to the work of co-management structures as well as visibility of the process and the outcomes should be ensured.

7. We recognize youth organisations and National Youth Councils as a channel of participation and involvement of all young people. In this view Member States are asked to set new and improve existing schemes for information and awareness raising in this regard. Therefore, we demand sustainable and accessible financial support mechanisms.

8. The Council of Europe in co-operation with Member States and NGOs, should improve existing tools or establish new tools in order to systematically assess the implementation of adopted policy documents.

9. We call on the Member States to further the recognition of non-formal education and youth work through the implementation and recognition of common mechanisms ensuring NFE quality standards.

10. We call for lowering the voting age and the age needed to stand as a candidate in elections to the age of 16.

Living together in diverse societies

11. The Council of Europe should develop and implement a specific action plan in order to prevent and combat hate motivated violence and incitement of such violence affecting young people, by issuing policy suggestions and supporting the work of the Member States, raising awareness through co-operation with youth organisations and using monitoring mechanisms to assist Member States' efforts in developing effective legislation and policies.

12. The Council of Europe and the Member States should ensure co-operation between the governmental structures and youth organisations and remove bureaucratic and political barriers in the implementation of the Charter on Education for Democratic Citizenship and Human Rights Education.

13. There is a need to actively involve the PEYR in order to provide not only data on concepts of diversity, but also approaches to working with it and models of successful practices to provide evidence for the development of youth policy.

14. (Post) conflict trauma should be acknowledged and peace building and dialogue should be promoted and prioritized by the Member States of the Council of Europe, the international community and youth organisations in (post) conflict regions by using programmes and instruments, including mass media, in order to facilitate the re-establishment of a peaceful environment.

15. The Council of Europe and the Member States should ensure that Protocol no.12 to the European Convention on Human Rights against discrimination is effectively implemented. We also demand that the Council of Europe urges Member States that are not yet party to this protocol to ratify it.

Youth mobility

16. The process of obtaining visas is expensive, complex and time consuming, resulting in lost opportunities for young people. Thus we call for the member States of the Council of Europe:

a) to grant free, multiple entry and long term visas for study and youth programmes through a simplified application system which requires neither logistical costs nor personal presence to embassies (e.g. online application system).

b) to encourage greater co-operation between Member States regarding visa issues thus reducing bureaucracy.

We ask for the implementation of the proposed actions before the next Conference of Ministers Responsible for Youth.

17. We further call the Member States to increase their efforts in implementing the Bologna process and establish frameworks in terms of qualifications and competences recognition in all formal and non-formal education levels, increasing mobility and youth employment opportunities.

18. We call on the Member States to continue promoting a common and cross-cutting action plan for European mobility in order to provide equal access to mobility for young people regardless of their country of origin and background, including through wider recognition of the youth card system.

Access to rights and youth information

19. In order to promote awareness of rights of young people, we recommend the establishment of an International Day of Youth Rights and a public campaign.

20. Human rights education tools such as "Compass" and "Compasito" should be made compulsory in formal education curricula of the Member States.

21. Member States should provide qualitative and professional information on the rights of young people and make it accessible to all, with a special focus to the needs of young people with fewer opportunities.

22. We urge the Member States to provide free legal advice and representation to all young people who cannot afford it.

23. We ask the Council of Europe for a compilation of rights related to young people which are already provided by existing international legal documents such as the Convention on the Rights of the Child, the European Convention on Human Rights and the European Social Charter. Identified gaps shall be addressed by the Council of Europe and the Member States.

24. Ombudspersons should be appointed at national and European levels to ensure that the rights of young people are respected and protected.

25. A specific chapter on young people's rights should be introduced in the country reports of the Council of Europe Commissioner for Human Rights.

26. We urge the Member States to fully ratify the revised European Social Charter and the optional protocol with regard to the collective complaint procedure.

27. The European Court of Human Rights at European level and Member States at national level shall promote regular case-law compilations to better know the status of violations of young people's rights and to what extent they are protected by the existing legal tools.

28. The Council of Europe shall promote specific research and studies on young people's access to rights in Europe with the objective of designing better evidence-based policies. This should involve Member States and include a comparative analysis of the gap between duties and rights.

29. In order to ensure the full protection of young people's rights we ask for the promotion of a legal framework at European level.

Implementation and follow-up

30. We wish to emphasise that promoting effective youth policy is a collaborative effort of society. Public authorities, the private sector and the civil society should facilitate enhanced co-operation with regard to the development and implementation of innovative youth policies, including the funding of youth programmes in areas such as mobility, employment and youth information.

31. We call upon the Council of Europe Joint Council on Youth and the Youth Department to follow up on the results of this Youth Event and to report on the progress to the next Ministerial Conference and related Youth Event.