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EDUC 138
EMPL 168
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NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
Subject:	A rights-based approach to youth policies: The drive for commitment in the future? - <i>Policy debate</i>

Delegations will find attached a background paper on the topic "A rights-based approach to youth policies: the drive for commitment in the future", as prepared by the Presidency in light of consultations with delegations.

The Committee of Permanent Representatives is invited to submit this background paper to the Council (EYCS - Brussels, 17-18 May 2021) with a view to the policy debate of Youth Ministers to be held on 17 May 2021.

A rights-based approach to youth policies: The drive for commitment in the future?

- Presidency background paper for the Youth Ministers' policy debate –

An evidence and rights-based approach to youth policies: listening to young people

EU Youth Policy should be evidence-based and anchored in the fundamental rights and needs of young people.

In December 2018, the Council of the European Union adopted the EU Youth Strategy for 2019-2027¹. This strategy, intended to develop a cross-sectoral approach by addressing the needs of young people, includes 11 Youth Goals, conveys a vision for a European Union that enables young people to realize their full potential, and identifies cross-sectoral areas that affect young people's lives, pointing out which challenges need to be tackled. These include the following in particular: #3 Inclusive Societies; #5 Mental Health & Wellbeing; #7 Quality Employment for All; #8 Quality Learning; #9 Space and Participation for all; and #10 Sustainable Green Europe, all of which correspond to the expectations of young people for their future².

¹ *The European Union Youth Strategy 2019-2027, (2018/C 456/01), 2018.*

² *Flash Eurobarometer 478, 2019 How do we build a stronger, more united Europe? The views of young people.*

A rights-based approach: the level of commitment with the future

Human rights are at the core of the European Union's values, along with democracy and the rule of law, as affirmed in the Charter of Fundamental Rights of the European Union³. It is the Union's pledge to defend and uphold human rights 'leaving no-one behind'⁴.

The European Commission, in December 2020, presented the Strategy to strengthen the application of the Charter of Fundamental Rights in the EU⁵ with the purpose of setting out the direction for the next 10 years. The Strategy focuses on four pillars, including *Strengthening people's awareness*, which proposes developing efforts to communicate the Charter better to young people.

More recently, the Council adopted conclusions on a human-rights-based post-COVID-19 recovery⁶ recognising the pandemic's negative impact on human rights, including civic space, with the deepening of pre-existing inequalities and the increased pressure on persons in vulnerable situations, whilst reaffirming that a socio-economic response with human rights at its core would enable a better and more sustainable recovery.

The Council conclusions on promoting young people's access to rights⁷ and the recommendations of the Council of Europe on young people's access to rights⁸, recognised that young persons are individuals in a specific period of time, moving from childhood to adulthood, striving for the power that will lead to autonomy and to becoming full members of society.

³ *Charter of Fundamental Rights of the European Union, 2012, proclaimed 21 years ago and legally binding since 2009: Article 2, Article 6 (1) of the Treaty on European Union and Article 6 (3) that reaffirms that fundamental rights as guaranteed by the European Convention on Human Rights.*

⁴ *Transforming our world: the 2030 Agenda for Sustainable Development, UN, 2015.*

⁵ *COM (2020) 711 Strategy to strengthen the application of the Charter of Fundamental Rights in the EU.*

⁶ *Council conclusions on a human-rights-based post-COVID-19 recovery (6324/21, 22 February).*

⁷ *Council Conclusions on Promoting Young People's Access to Rights in Order to Foster Their Autonomy and Participation in Civil Society, (2015/C), 2001.*

⁸ *Recommendation CM/Rec (2016)7 Young People's Access to Rights, Council of Europe, 2016.*

Young people face a specific set of challenges⁹ related to the transition to adulthood that shape a specific set of needs. Without getting into discussions on the establishment of a different set of rights, it is acknowledged that the *transition* they are undergoing places them in a position of particular vulnerability. If we recognise this vulnerability, the need to improve young people's access to rights can be better understood. So, the aim should be to provide protection and the enjoyment of the universal human rights to a group in a particularly vulnerable position.

Ensuring a human rights-based approach to youth policies and programmes entails promoting, protecting and securing the human rights and fundamental freedoms of all young people in all their diversity. It seeks to ensure that the planning, design, implementation, monitoring and reviewing of youth policies are human-rights based, participatory, youth-centred, youth-driven, non-partisan, inclusive, gender-responsive, comprehensive, evidence- and knowledge-based, adequately resourced, transparent and accountable¹⁰.

In order to promote and facilitate young people's access to rights it is therefore essential to encourage national, local and regional authorities to *engage, connect and empower*, which are the three core areas and overall aim of the EU Youth Strategy.

Ultimately a rights-based approach is a conceptual framework intended to empower people, in this case young people. The perception of citizens as rights-holders, and policymakers as duty bearers, introduces a decisive degree of accountability into our approaches. It represents a shift from a 'basic-needs' approach, which entails making an important distinction based on the identification of basic requirements of people that need to be fulfilled.

⁹ *inter alia* in education, employment, housing, health, mental health and inclusion.

¹⁰ Lisboa+21 Declaration on Youth Policies and Programmes, 2019.

A new vision for the European Union and unprecedented challenges

The European Union provides a set of instruments allowing young people to take an active role in society and in the future of Europe. In this framework, a rights-based approach fosters the recognition of young people as active rights-holders, thus empowering them as *actors and agents of change*.

The EU Youth Strategy contributes to the *New Strategic Agenda 2019-2024* approved by the European Council in 2019, which contains four main priorities: (1) protecting citizens and freedoms; (2) developing a strong and vibrant economic base; (3) building a climate-neutral, green, fair and social Europe; and (4) promoting European interests and values on the global stage.

These priorities provided inspiration for the European Commission's Political Guidelines 2019-2024 which set six priorities: *European Green Deal; Europe fit for the digital age; an economy that works for people, enabling growth that creates quality jobs, especially for young people and small businesses; stronger Europe in the world; European way of life; a new push for European democracy*.

The challenging living conditions induced by the COVID-19 pandemic have made the rights-based approach a conceptual framework that is even more relevant and appropriate than before. As the struggle to address the health emergency takes place, the consequences of the pandemic on the economy, on society and on young people are also worrying.

Research by the ILO¹¹, the OECD¹² and the European Union-Council of Europe youth partnership¹³ shows disproportionate effects of the COVID-19 pandemic on young people, whilst underlining the loss in terms of education, training and volunteering opportunities, jobs and incomes, the aggravation of inequalities and impact on mental health, all of which risk impacting their whole lives and school-to-work transition.

¹¹ *Youth & COVID-19: Impacts on jobs, education, rights and mental well-being*, ILO, 2020.

¹² *Youth and COVID-19: Response, recovery and resilience*, OECD Policy Response to Coronavirus (COVID-19), 2020.

¹³ *Report Towards a better understanding of the impact of Covid-19 on the youth sector*, Knowledge HUB: COVID-19 impact on the youth sector Partnership between EU /CoE in the field of youth.

A new horizon

The youth sector is a transversal area which necessarily means that, to bring about an approach based on rights to policies aimed at, or having an impact on young people, implies *all hands on deck*. It is clear that a cross-sectoral and multilevel approach is needed, *inter alia* in the areas of employment, social, education, the environment and health.

The digital and green transitions are an opportunity to rethink economic activities, without losing the focus on the urgent need to shape the future into a balanced and sustainable relationship between human intervention, distribution of resources and the environment. A balanced development should entail an organic growth that includes a *green and just transition and climate neutrality by 2050, cohesion, convergence and regional development, equality and social justice*, i.e. a holistic and sustainable approach to life.

New approaches, digital and green jobs, eradication of poverty, social justice and equality, the building of a more sustainable world are challenges for the present and the near future. The world is watching Europe and needs a *flame bearer*, so the EU cannot dismiss this opportunity to build a common future that can provide its young people with a prosperous, sustainable and social Europe.

In this context, governments have the opportunity to '*build back better*' from the crisis and strengthen trust by ensuring that recovery plans not only address the fallout from the crisis, but also take into account the desires, expectations, rights and well-being of current and future generations.

Questions for the debate

In light of the above, Ministers are kindly invited to reflect on the following questions (interventions should be limited to a maximum of three minutes):

1. In your opinion, what are the main actions to be taken at national, regional and local levels to develop rights-based cross-sectoral youth policies for tackling the challenges aggravated by COVID-19 that are described above?
 2. What future steps should be envisaged at EU level to further develop cross-sectoral youth related policies based on rights?
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