

Conclusions of the General Rapporteur

***Expert Seminar on European  
and international policy  
agendas on Children, Youth  
and Children's Rights***

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***21<sup>st</sup> to 23<sup>rd</sup> January 2024  
Leuven***

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## Table of Contents

<b>Introduction</b>	<b>3</b>
<b>Constructing Childhood and Youth through policy</b>	<b>4</b>
<b>The rights of younger generations - a common value base</b>	<b>5</b>
<b>The case for greater coherence</b>	<b>7</b>
Model of policy coherence between Children, Youth and Children's Rights	8
<b>Major thematic areas for synergy</b>	<b>9</b>
Improving children and young people's participation in public decision making	9
Development of cross-sectoral policy in response to the voices and concerns of children and young people	9
Enhanced support for transitions from dependence to independence, especially for the most vulnerable children and young people	9
<b>Recommendations for action</b>	<b>10</b>



**Conclusions of the General Rapporteur, Dr Dan Moxon**

## **Expert Seminar on European and international policy agendas on Children, Youth and Children's Rights**

### **Introduction**

The Belgian Presidency of the Council of the European Union began on 1st January 2024, lasting until 30 June 2024. Within this, the Presidency, held an expert seminar on European and International policy agendas on Children, Youth and Children's rights, which was held on 21 - 23 January 2024 in Leuven, Belgium. The aim was to contribute to the alignment of the European and international policy agendas on children, youth, and children's rights. Over ninety attendees were invited including,

- National delegations, made up of:
  - Representatives of national, local, and regional authorities (both administrative staff and elected politicians),
  - Experts/Decision-makers at the national level who have influence on youth and children policy making,
- Representatives of European institutions/organisations,
- Experts on children's (rights) policy,
- Experts on youth policy,
- Policy-makers active in the EU Youth Working Party,
- Policy-makers active at a more local level: responsible for the implementation of children's, children's rights, and youth policies.

The specific objectives of the event were to:

- Contribute to a better alignment of the European and international policy agendas on children, youth, and children's rights,
- Promote stronger ties between youth and children's rights policy on the EU level as well as with the Council of Europe and the UN,
- Establishing connections between the European Youth Strategy 2019-2027 and other relevant policy instruments,
- Provide input for the revision of the Council Conclusion on European and International Policy Agendas on Children, Youth, and the Rights of the Child 2010/C 326/01,
- Evaluate the document 'State of the Art – The European and International Policy Agendas on Children, Youth and Children's Rights'.



This document outlines the independent conclusion of the General Rapporteur in relation to the expert seminar.

### Constructing Childhood and Youth through policy

The boundaries of policy relating to Childhood and Youth have a powerful impact on the lives of young Europeans. Both Childhood and Youth are socially constructed categories. Rather than being fixed concepts, our understandings and experiences of these categories vary with time, place, culture, and context. These categories have not always existed in the way we construct them today, and some would argue have not always existed at all. Though the way we construct these categories is still tied to ageing, growth, and development, the distinctions and transitions between Childhood, Youth and Adulthood are not fixed nor universal. Instead, they vary between societies as well as between individuals. Nevertheless, social policy, in order to remain manageable, will likely always need to rely to some extent on categorisations based around fixed points of age. The way we construct the categories and understandings of Childhood and Youth, through social policy, and more widely through shared social understandings, has the potential to govern, limit, and empower what it is that young Europeans can do, and who they can be. Policy acts as a powerful anchor, to influence, affect, and reflect how Childhood, Youth and Adulthood are experienced and what it is that they are. Thus, discussion about the boundaries and overlap of policy related to Childhood and Youth, are discussion about the way we use our instruments of Governance and Government to shape and define what Childhood and Youth is, and what we enable our younger generations to be.

The field of Children's Rights has been conscious of itself for several decades as a political and social movement to recognise children as agentic rights holders and to support the citizenship of children. At the same time, it has been cognisant of the unique vulnerabilities that children have, and the protection they need as a result of this. Thus, the policy field of Children's Rights has often focused on those children who are the most vulnerable, such as child refugees, or those in alternative care.

Youth policy has been somewhat slower to envisage itself as a rights-based movement. Policy concerns about Youth have often stemmed from economic concerns about elongated and changing transition from education to employment. That is to say the movement from economic dependence to economic independence. But, through the work of institutions like the Council of Europe, and advocacy from young people themselves via the European Youth Forum and others, the Youth policy field has increasingly begun to envisage itself as rights based. Youth policy has begun to expand from concerns about economic transition to the full realisation of the human rights of young people.



### ▀ The rights of younger generations - a common value base

There are two complex ecosystems of international law and policy relating to Childhood and Youth, respectively. This is mapped in the biennial State of the Art report “The European and International Policy Agendas on Children, Youth and Children’s Rights”<sup>\*</sup>, the background document for this event. The further inputs related to national policy given during the seminar demonstrated the varying ways in which international commitments to children and young people are realised across EU Member States, alongside other national, regional, and local policy concerns. From these inputs, it can be concluded there is already some degree of alignment and coherence between the two policy ecosystems. This coherence stems from shared underlying values relating to full respect for the rights of the two respective target groups - be that human rights or children’s (human) rights. The two fields have a common concern on how best to protect, promote and realise those rights of younger generations in Europe.

There are differences in how the two policy fields approach rights. This stems not only because of the varying legal frameworks, particularly the application of the [UN Convention on the Rights of the Child](#) to those under 18, but also from the ways the two fields have constructed their differing understanding of children and young people in parallel. Within discussions on rights, it is common to talk about the tension between participation rights and protection rights. In the seminar a key debate was the differing emphasis placed on protection compared to autonomy within the two policy ecosystems. With those concerned with Childhood emphasising the need for protection rights and those concerned with Youth emphasising the need for autonomy. It was recognised that the balance between a child or young person’s protection versus their autonomy is part of a continuum that evolves across the life course, as individuals move from relative dependence to relative independence through a number of social, economic, and cultural transitions. The two policy fields work at different parts of that continuum.

Both policy fields are ultimately concerned with what the childhood scholar Leena Alanen calls ‘generational order’<sup>†</sup> - the way in which social relations are governed through the age and generation-based hierarchy. The generational order often serves to prevent the full realisation of younger generations’ rights. The underpinning aspirations of rights-based policy on Children and Youth and is

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<sup>\*</sup> Follow-up of the Belgian EU Presidency – Youth note 2010, 2023, The European and International Policy Agendas on Children, Youth and Children’s Rights, Flemish Government, Department for Culture, Youth and Media, Belgium.

<sup>†</sup> Alanen, L., 2003. Childhoods: the generational ordering of social relations, in: Mayall, B., Zeiher, H. (Eds.), *Childhood in Generational Perspective*. Univ. of London, pp. 27–45.



- about how these generational relations might be changed to achieve greater intergenerational justice and to create a Europe that is fit for all generations and for all children and young people.



### ▀ The case for greater coherence

The primary conclusion of the seminar is that there is a compelling case for increasing coherence and building of bridges between the policy agendas on Children, Youth and Children's Rights, at both international and national level. Increased coherence refers to enhanced **information sharing, exchange, coordination, and cooperation**. Such coherence has strong potential for maximising the use of collective resources, fostering synergies, and improving the effectiveness of policy overall.

The case for increased coherence is underpinned by two core arguments about overlap between policy relating to Childhood and Youth:

Firstly, both fields have an overlap relating to a number of shared goals and thematic concerns. This creates potential for common learning, and collaborative action. It should be recognised that both fields also have unique goals which are not shared (for example, the recognition of youth work, or promotion of children's right to play). However, the respective unique goals of the two fields are neither in opposition nor contradiction with each other and can be understood simply as areas with less potential for synergy.

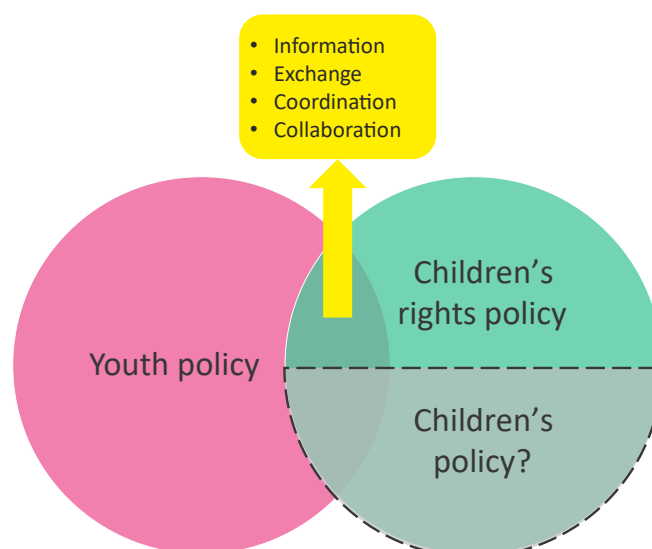
Secondly, both fields have an overlap of the age ranges they address. Following Article 1 of the United Nations Convention on the Rights of the Child the field of Children's Rights can be understood to apply to under 18s. Though various actors within the field also seek to extend protection measures for the most vulnerable above this age. The age of youth is not always consistently defined in youth policy. But youth policy, with some degree of variation in both international and national policy, typically address those as young as 13 and as old as 30 (and sometimes even 35). The age overlap creates a value to enhanced coordination and exchange for matters affecting children and young people directly within the overlap. However, the potential for coherence between the two fields is also not limited exclusively to those individuals within the age overlap.

A further major conclusion from the seminar is recognition that some aspects of policy on Children, Youth and Children's Rights demand more or less attention to coherence than others. Increased coherence does not refer to, nor require, full integration and merging of the two policy eco-systems relating to Childhood and Youth. Indeed, such integration may carry risks to both fields. There are concerns amongst some stakeholders that one field may come to dominate the other, to the detriment of children and young people. Though there are successful examples of fully integrated policy at national level, many stakeholders have faced challenges when seeking to establish and prioritise both Children's Rights and/or Youth policy at national level. There is concern that policy goals unique to each field may be diminished by full integration. Thus, it should be recognized and respected that each field still includes a number of unique goals which may be best pursued independently.

- At the EU level, coherence is likely to be best achieved by dedicated policy and policy making mechanisms for both Children's Rights and Youth which are linked by strong bridges between the two systems. The EU holds differing competences across the spectrum of policy on Children, Youth and Children's Rights. Article 6 of the [Treaty on the Functioning of the European Union](#) gives the EU competence to support, coordinate or supplement actions of the Member States in the field of Youth. The promotion and protection of Children's Rights is one of the key objectives embedded in Article 3(3) of the [Treaty on European Union](#) and enshrined in Article 24 of the [Charter of Fundamental Rights of the European Union](#). However, the EU holds no specific competence for what might be loosely referred to as 'children's policy' (or perhaps, children and families' policy) i.e., policy action on children other than promotion of children's rights. All Member States have extensive sets of policy for action relating to children, that nominally sits outside of promotion of specific policy to promote Children's Rights yet at the same time cannot be separated from these rights.

The policy areas in greatest need of coherence, and where major opportunities for synergy exist, occur at the key thematic overlaps within policy on Children, Youth and Children's Rights, and where coordinated action at EU level can be undertaken within the specific competences of the EU.

Model of policy coherence between Children, Youth and Children's Rights







## Major thematic areas for synergy

### Improving children and young people's participation in public decision making

The two fields share common goals relating:

- Effective, ethical, and meaningful implementation of participation mechanisms,
- Increasing the policy impact occurring in response to children and young people's voices,
- Increasing the recognition of children and young people as political actors,
- Mainstreaming the rights and voices of children and young people across all fields of policy and all levels of governance.

It is noted that some areas of child and youth participation, such as the shrinking space for youth civil society, and children's involvement in their own social care proceedings are still unique to each field.

### Development of cross-sectoral policy in response to the voices and concerns of children and young people

There are many common concerns raised by children and young people through the EU Youth Dialogue, the EU Children's participation platform and other participatory mechanisms. This includes topics such as

- Mental health,
- Impact of digitalisation,
- Education reform,
- Climate and sustainability issues,

Many of these topics exist outside of the traditional spheres of Children, Youth and Children's Rights policy and therefore require action within other policy domains to fully address. Joint action by policy actors within Childhood and Youth will be well placed to stimulate responses in other policy sectors. There is also potential for shared learning, along with collaborative and coordinated action as these fields are addressed within Children, Youth and Children's Rights policy.

### Enhanced support for transitions from dependence to independence, especially for the most vulnerable children and young people

There is substantial overlap of ages between the two fields. This is accompanied by calls to extend protection measures within childhood to specific vulnerable groups (such as those in alternative care), and recognition of increasingly complex and elongated transition for young people. This suggests clear opportunities for more coordinated policies around transition and adolescence. Enhanced support for transition is desirable, but it is also noted that a rights-based approach to policy means improving the lives of children and young people in and of their own right rather than because such improvements lead to better transitions to adulthood.



### Recommendations for action

- Establish an ongoing mechanism at EU level to facilitate coordination, cooperation, information sharing and exchange between the fields of youth policy and children's rights within Member States and at EU level. Such a mechanism should seek to better enable policy coherence between the two fields and foster coherence on the major thematic areas of synergy.
- Continue a coordinated approach between The EU Youth Coordinator and the Coordinator on Children's Rights to ensure that children's rights, the rights of young people, and child and youth perspectives are integrated across all relevant policy areas at EU level. As part of this, the two coordinators should routinely monitor and identify the concerns that are common to children and young people as raised through the EU Youth Dialogue, EU Children's participation platform and other participatory mechanisms. Joint action to stimulate cross-sectoral policy responses to these should then be taken.
- Consider how the rights and voices of children can be addressed through the using full potential of the Better Regulation framework, and particularly if a 'child youth check' can be developed as a complementary or integrated mechanism alongside the new EU youth check.
- Continue the biennial update of the State-of-the-Art document "The European and International Policy Agendas on Children, Youth and Children's Rights," and further building upon this with mapping of policy coherence between Children, Youth and Children's Rights policy at national level.
- Undertake systematic analysis and research into concrete opportunities for policy coherence within the major areas of synergy. This analysis should identify examples of best practice, replicable tools, and potential for common implementation and/or monitoring initiatives between the two fields.
- Better utilise existing platforms for information sharing, such as the EU Youth Wiki, to map and share information on existing national level collaboration or coordination activities across Children, Youth and Children's Rights policy within Member states.

These recommendations represent starting points for the development of greater coherence, arising discussion in the expert seminar. Further concrete measures will likely be needed and identified as the coherence agenda progresses. Above all, concerted political will and involvement of all actors, including European institutions, Member States, and civil society, in collaboration with children and young people, will be required to progress this agenda.



Council of the European Union  
General Secretariat

Brussels, 26 January 2024

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## INFORMATION

From:	General Secretariat of the Council
To:	Youth Working Party
Subject:	Expert seminar on European and international policy agendas on Children, Youth and Children's Rights (21-23 January 2024, Leuven): Conclusions of the General Rapporteur

In view of the meeting of the Youth Working Party on 5 February 2024, delegations will find attached the report of the General Rapporteur on the expert seminar above-mentioned.