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Recommendation CM/Rec(2022)6 of the Committee of Ministers to member States on protecting youth civil society and young people, and supporting their participation in democratic processes Explanatory Memorandum

Introduction

An independent and empowered civil society is an essential component of any healthy democratic system. Non-governmental organisations (NGOs) play a key role in the development and preservation of human rights, democratic governance, and the rule of law, and in promoting awareness of these. They "enrich public debate and pluralism, involve the populace in public life, contribute proposals that can address the major challenges facing the continent today, preserve peace and better the lives of everyone."¹

NGOs advise policymakers, contribute to legislation-drafting processes and, in general, support authorities in decision-making, thus ensuring policies respond to citizens' needs. NGOs also have an important role to play in monitoring the activities of governments and parliaments, holding them to account for their actions, especially when these might infringe on people's rights. Their checks and balances strengthen democratic processes.

In 2016, the Parliamentary Assembly noted that "in certain Council of Europe member States the situation of civil society has dramatically deteriorated over the last few years, in particular following the adoption of restrictive laws and regulations, some of which have been strongly criticised by the Venice Commission, the Council of Europe Commissioner for Human Rights and the Conference of International Non-governmental Organisations. In certain member States, NGOs encounter various impediments to their registration, operating and financing. In others, despite an appropriate legal framework, certain NGOs such as human rights defenders and watchdog organisations are stigmatised."²

The co-management system of the Council of Europe's youth sector, established in 1972, involves NGOs fully in policy- and decision-making processes through its Advisory Council on Youth (CCJ) which, together with the European Steering Committee for Youth (CDEJ) becomes the Joint Council on Youth (CMJ) which prepares the priorities and expected results of the youth sector and apportions the budgetary means available in the political and budgetary framework established by the Committee of Ministers.³

¹ The shrinking space for human rights organisations, Human rights comment, Council of Europe Commissioner for Human Rights, April 2017. https://bit.ly/38EJ0Kg.

² Resolution 2096(2016) of the Parliamentary Assembly of the Council of Europe on "How to prevent inappropriate restrictions on NGO activities in Europe?" https://bit.ly/3oFUenp.

³ In the co-management system, the Advisory Council on Youth (CCJ), composed of 30 youth organisations, and the European Steering Committee for Youth (CDEJ), representatives of the authorities responsible for youth issues in the 50 states parties to the European Cultural Convention.

In 2017, the CCJ brought to the attention of the CMJ concerns of some youth civil society organisations about a perceived increase in infringements of their freedom of association, assembly and expression and the decreasing space for youth civil society organisations in Council of Europe member States.

In Helsinki in 2019, the Committee of Ministers recognised that "[...] free and pluralist public debate is a precondition for democracy, and strong action is required to reverse the recent deterioration of freedom of expression in Europe". Recognising the key role of civil society and expressing their deep concern at its shrinking space, the Ministers representing the member States of the Council of Europe committed to a meaningful and transparent dialogue with civil society at all levels of their engagement.⁴

In its resolution on the Youth sector strategy 2030,⁵ the Committee of Ministers resolved that the Council of Europe youth sector should aim at enabling young people across Europe to actively uphold, defend, promote and benefit from the Council of Europe's core values of human rights, democracy and the rule of law. An essential element of this is to strengthen young people's access to rights, so that these young people and all forms of youth civil society can rely on an enabling and safe environment for the full exercise of all their human rights and freedoms, including concrete policies, mechanisms and resources. Equally indispensable is the need to broaden youth participation so that young people can participate meaningfully in decision-making, on the basis of a broad social and political consensus in support of inclusion, participatory governance and accountability.

The Council of Europe's aim is to safeguard genuine democracy, the rule of law, and the enjoyment of human rights and fundamental freedoms by all persons within its jurisdiction. It is committed to ensuring an active civil society and to free and independent non-governmental organisations which can play their role in guaranteeing the exercise of the rights to freedom of expression, of assembly and of association.

Young people's democratic participation has a positive impact on democracy. If young people's civic engagement is limited, their personal development, welfare, and the causes they might champion all suffer and are at risk of being marginalised or ignored completely. In turn, democratic societies become vulnerable and are under threat without the constructive engagement of young people in democratic processes.

The issue of the shrinking space for youth civil society, although identified, has not been adequately addressed until now. Highlighting and analysing this multifaceted development as well as offering ways for its member States to address its negative impact is an expression of the Council of Europe's commitment to young people and a recognition of their essential role in building a more democratic and peaceful Europe. As such, this Recommendation proposes policy measures to address the current gaps in order that young people may play this essential role. These measures may then be promoted and applied in accordance with the relevant national legislation.

The drafting process

The Council of Europe youth sector addressed the phenomenon of the "shrinking space for youth civil society and youth organisations" on two occasions: first in a thematic debate at the 38th meeting of the CMJ in March 2018, and subsequently in a consultative meeting⁶ in November 2018, organised by the Youth Department, in co-operation with the Conference of INGOs and the European Youth Forum.⁷ Both events highlighted concepts and challenges associated with this phenomenon, and proposed tools to counter it. At the same time, the CMJ agreed there were no ready-made solutions and the complexity of the issue called for both short- and long-term approaches.

⁴ Declaration by the Committee of Ministers on the occasion of the 70th anniversary of the Council of Europe (adopted by the

Committee of Ministers on 17 May 2019 at the 129th Session of the Committee of Ministers) Decl(17/05/2019) https://bit.ly/38Csr1v. ⁵ Resolution CM/Res(2020)2 on the Council of Europe youth sector strategy 2030, (Adopted by the Committee of Ministers on

²² January 2020 at the 1365th meeting of the Ministers' Deputies). Available at: https://rm.coe.int/0900001680998935.

⁶ Consultative meeting "Shrinking space for civil society: its impact on young people and their organisations" https://bit.ly/3nO90Y9.
⁷ The European Youth Forum is the largest platform of youth organisations in Europe, with over 100 youth organisations representing tens of millions of young people from all over Europe https://www.youthforum.org/

In the November 2018 consultative meeting, representatives of local, national and international youth organisations, and other stakeholders from national governments, Council of Europe bodies, including the statutory bodies of the youth sector, international organisations, donor organisations, research institutions and think tanks, as well as human rights institutions, considered the effect of the shrinking civic space on young people and their organisations. They recommended steps for the Council of Europe's youth sector to ensure the meaningful participation of young people through the provision of support to youth civil society.

The participants concluded that any measures used to address the situation should be grounded in the principles of freedom of expression and information; freedom of assembly and association; citizen participation; non-discrimination; human rights and the rule of law; and guarantee the safety and well-being of youth civil society actors. The focus should be put on co-operation with different stakeholders, including national and local authorities, building networks and alliances, reaching out to non-organised youth, providing civic education and enhancing the spirit of participation and activism. Twenty-eight recommendations⁸ were outlined such as the sharing and exchange of ideas, research and data collection, capacity building and awareness raising for young people and youth organisations, policy development, funding to youth activists and youth organisations, amongst others.

In March 2019, the CCJ proposed to the CMJ the drafting of a Committee of Ministers recommendation comprising policy and legislative measures to protect youth civil society organisations and young people, and to enable these to assume an active role, and to take initiatives and actions, in the best interests of young people, as well as to support their full participation in society as active citizens. Consequently, the CMJ "endorsed the proposals for follow-up action to the consultative meeting [...] and, in particular, agreed to draft a Committee of Ministers recommendation".

The drafting group was composed of two members each of the CCJ and the CDEJ, one representative of the European Youth Forum, two representatives of the Conference of INGOs, and a consultant charged with drafting the text. For the first meeting in November 2019, other partners from youth civil society and representatives of relevant Council of Europe bodies (Parliamentary Assembly, Venice Commission, Commissioner for Human Rights, Schools of Political Studies) were invited to contribute to the reflection and provide expert input. In this enlarged composition, the drafting group specified the purpose, focus, and added value of the proposed Committee of Ministers recommendation, while also considering existing Council of Europe standards in the youth field in order to identify gaps and to avoid duplication.

In the course of its work, the group determined that there was a lack of extensive research on the "shrinking civic space" phenomenon, especially its impact on young people, with the exception of the European Youth Forum's Study "Safeguarding Civic Space for Young People in Europe" (2020).⁹ Consequently, it invited the Pool of European Youth Researchers (PEYR) of the Partnership between the European Union and the Council of Europe in the field of youth to undertake further research, including participatory research specifically on the situation with regard to young people.

The drafting group worked throughout 2020, reporting back to the CMJ at its two meetings in 2020, receiving helpful feedback and advice, as well as approval for its proposed approach. The drafting group members agreed that the recommendation should be youth-specific, addressing the impact of the deterioration in democratic standards and human rights – as identified in the Helsinki Declaration – on young people, while recognising the changing societal contexts in which young people live, and in which youth organisations operate. As existing standards on youth participation would not appear to be sufficient to protect young people and their organisations from the negative impact of the shrinking civic space phenomenon, the recommendation should propose new measures to do so. At the same time, the recommendation should also aim at widening existing channels for the peaceful and structured participation of young people and at ways of supporting youth organisations while recognising their specific nature and particular needs within the civil sector. Furthermore, the drafting group agreed that the measures should be concrete and specific so that they can be easily adopted in different contexts and followed up by member States.

⁸ Report of the consultative meeting https://bit.ly/2LOT3mR.

⁹ Tomaž Deželan, Jason Laker and Mitja Sardoč: Safeguarding Civic Space for Young People in Europe, 2020, European Youth Forum, https://bit.ly/34YYGWF.

Vision for a thriving youth civil society in Europe

Youth participation and a thriving youth civil society are at the very heart of the concept of a vibrant democracy. They are indispensable for public deliberation and policy-making processes, and not only in the youth field. Protecting young people's freedom of association, assembly and expression, as well as their right to privacy and their access to information are among the essential guarantees for the future health of any democracy. Governments have both the capacity and the responsibility to create, sustain and protect civic spaces for young people, while also supporting and assuring their independence and freedom to operate. Civil society and youth work are important providers of democratic socialisation for young people who can engage already at an early age and then continue to be active citizens and contributors to the democratic life of their communities and the wider society. Youth civil society is also a place where important deliberations, dialogue and co-operation on core European values evolve, including transnationally, even when the political environment is complex. A vibrant youth civil society is thus critical for the Council of Europe and its member States, as one of the key providers of opportunities for young people to build capacities and to be supported and empowered to constructively engage with any given issue. All young people and youth civil society across Europe should have the opportunity to have positive and enriching experiences of participation in democratic processes without restriction or fear of retribution. Young people should be able to express their views freely, participate in public deliberations and shape policies at all levels of governance. They should be supported and protected when acting publicly and implementing initiatives in accordance with Council of Europe core values.

The Recommendation seeks to play a part in making this vision a reality, focusing on the "now" while being attentive to possible future developments. It endeavours to contribute to efforts to create a robust, enabling environment for a diverse and independent youth civil society in member States. It aims to generate further political momentum for genuine and inclusive youth participation in democratic decision-making in member States across policy areas, including the development of new forms of participation. It reconfirms the importance of youth work for building critical youth citizenship and empowering young people of different backgrounds to participate in democratic life. It highlights the need to protect and encourage pluralism in youth civil society and to provide access for marginalised groups and their voices into public deliberations. It further emphasises the need for a rights-based approach to supporting young people and their organisations, and their access to civil, political, and social rights.

The Recommendation is youth-specific in its approach to the shrinking space phenomenon and thus provides an important addition to the growing body of policy tools which aim to tackle this complex problem. Furthermore, it brings to the fore the fact that addressing the needs and rights of young people requires greater interconnection between policy areas. A periodic review process and exchange among member States are envisaged so that the impact of the measures can be assessed, and relevant data gathered for a better understanding of this troubling phenomenon.

The shrinking civic space and its impact on young people¹⁰

The shrinking civic space transcends 'endangered democracies' and has become a global trend, gaining momentum for more than a decade,¹¹ and Europe, despite its standards, has not been an oasis among regions in this regard. European countries find their place on the Civicus¹² special watch list dedicated to closely tracking how the civic space is shrinking. This phenomenon is ushering in a new era of restricted freedoms and increased governmental control, sometimes in the name of "public security",¹³ that could undermine social, political and economic stability and increase the risk of geopolitical and social conflict.¹⁴ It affects countries irrespective of their traditional distinctions, including their socio-political context, development of democratic institutions, wealth, human rights record, geographical location, among others.¹⁵ The tendency to "control" the public sphere is not limited to authoritarian regimes, it also occurs in more

¹⁴ World Economic Forum, The Global Risks Report 2017, Geneva. Available at: https://bit.ly/3cdleWl.

¹⁰ Tomaž Deželan and Laden Yurttaguler: Shrinking democratic civic space for youth, 2020.

¹¹ Nazarski, Eduard (2017). 'Shrinking space for civic space: The Counterveiling power of NGOs', Netherlands Quarterly of Human Rights, 35(4), pp. 272–281.

¹² Civicus, 2020 Civicus monitor watch list, https://monitor.civicus.org/watch-list/.

¹³ Hummel, Siri, Pfirter, Laura, Roth, Johannes and Graf, Rupert (2020). Understanding Civil Society in Europe A Foundation for International Cooperation, ifa Edition Culture and Foreign Policy, Maecenata Institute. Available at: https://bit.ly/2Yj0e9Y.

¹⁵ Youngs, Richard & Echagüe, Ana (2017). Shrinking Space for Civil Society: The EU Response. Brussels: European Parliament. Available at: https://bit.ly/36fkvl9.

established democracies in the name of "public security". Reports by major INGOs (for example, Human Rights Watch 2016 World Report¹⁶) point out that the surveillance of civil society organisations' (hereinafter CSOs) online activities has become an intimidation strategy of both democratic and non-democratic governments in the name of national/public security or to ward off alleged foreign interference.

During the consultative meeting organised in November 2018, youth and other organisations spoke of experiencing difficulties in accessing international funding, onerous registration procedures, limits on their freedom of association and expression. Others were seeing civic spaces traditionally occupied by CSOs being taken over by private interest groups, lobbies and government-oriented and -organised NGOs (GONGOs). Some participants described how youth civil society representatives were being intimidated and threatened with violence by different non-state actors.

The closing of the civic space has had a disproportionately negative impact on young people's ability to exercise their basic civil rights, as well as on the functioning of youth CSOs. Amnesty International¹⁷ reports that young defenders represent one of the most at-risk groups of human rights defenders as they tend to be at the bottom of many hierarchies and face age-based discrimination that intersects with other forms of oppression. General stereotypes portraying young people as troublemakers, idealistic and/or immature are frequently used in attempts to discredit and silence young activists.

Social rights are one of the key enablers for young people to be active in political processes and society in general. Young people's lack of access to learning opportunities, formal education and other socioeconomic opportunities directly diminishes their ability to access the civic space. The interplay between young people's vulnerabilities – social exclusion, unemployment, participation ('offline' and 'online' participation through social media) makes them the single most vulnerable social group to the closing of the gap between 'open' and 'non-free' civic space. The conditions created by political pressures and socioeconomic obstacles influence young people's judgement about their capacity to make an impact and consequently may have a damaging effect on participation. Furthermore, 'young people engage politically in different, unconventional ways that are often not captured by the traditional political system'.¹⁸

Impact on youth civil society

Youth organisations engaging young people in civic life target youth-specific issues, place those issues on the policy and political agenda as well as seek innovative solutions to challenges in the field. Changes to the legal status of NGOs (in particular those that directly criticise a government), funding restrictions, onerous reporting requirements, or bureaucratic obstacles combined with additional burdensome administrative regulations as well as smear campaigns that aim to discredit NGOs or call into question their mission by creating a public backlash against them, are just some of the strategies that undermine the democratic and emancipatory capacity of young people and the organisations representing them.

A recent study¹⁹ on youth organisations' experiences and perspectives with regards to freedom of information and expression, rights of assembly and association, citizen participation, non-discrimination and inclusion, and human rights and the rule of law, revealed worrying trends. A number of the youth organisations from across Europe which responded to the survey said they find it increasingly hard to practice civic agency and thus to be constructive agents of social change. One third of those youth organisations stated that they face difficulties when trying to participate in policy deliberation and decision-making processes and one fifth that they fear retribution as a response to their public expressions. Half of the organisations reported that their opinion is rarely or never taken into account. This result does not vary significantly across Europe. Additionally, two fifths of the organisations reported significant difficulties or no ability to influence decision-making processes, which is a major sign of youth disempowerment. The civic

¹⁶ Human Rights Watch, World Report 2016: How the Politics of Fear and the Crushing of Civil Society Imperil Global Rights, New York. Available at: https://bit.ly/39jazZM.

¹⁷ Amnesty International, Human Rights Defenders Under Threat – A Shrinking Space for Civil Society, 2017. Available at: https://bit.ly/2M5clzC.

¹⁸ Lisney, John & Krylova, Petra, Youth Progress Index 2017: Measuring Young People's Social Progress Globally, European Youth Forum. Available at: https://bit.ly/39jVBTz.

¹⁹ Tomaž Deželan, Jason Laker and Mitja Sardoč: Safeguarding Civic Space for Young People in Europe, 2020, European Youth Forum, https://bit.ly/34YYGWF.

potential of youth organisations has been influenced negatively by the increasing use of market indicators as measures of performance. They are asked to report about their diversified financial profiles, donor diversity, amount of acquired private funds, nation-wide impact, etc. Overall, two thirds of the organisations felt the consequences of these administrative procedures and found them troubling.

Impact on youth work

Youth work is one of the vital mechanisms for the empowerment of young people when it comes to their participation in decision- and policy-making processes,²⁰ and is recognised and promoted at all levels (European, national, regional and local), for example through Recommendation CM/Rec(2017)4 on youth work.²¹ Furthermore, the Council of Europe Youth sector strategy 2030 recognises youth work as a specific thematic priority and as key, together with youth policy, for removing barriers to youth participation and revitalising pluralistic democracy. However, the financial resources allocated to youth work from national budgets decreased by on average 30% after the last economic crisis in 2008, and this mainly in countries without properly specified budgets for youth work.²²

A lack of regulation, the withdrawal of the welfare State, the transition to service provision by civil society organisations and cuts in the resources provided for youth work lead to a decline in quality youth work services, and consequently increasingly limited access for young people to them. Youth work fosters participation and empowerment of young people. If we consider the situation of young people living with disadvantage, and of future generations, the cost of not creating safe and supportive spaces for young people is unacceptable. Depriving young people of high-quality youth work services robs them of opportunities for self-expression and self-actualisation and jeopardises the democratic health of our societies.²³

Measures

Following a preamble which sets out the rationale for the Recommendation and highlights a number of relevant existing instruments, the text lists a total of five recommendations to member States. A further appendix sets out the scope and purpose of the Recommendation, the underpinning principles and lists a range of measures for member States to consider when reviewing the situation in their country and when deciding on which existing measures to review and which new measures to adopt.

The Recommendation sets out a vision for Europe in which all young people and youth civil society have positive and enriching experiences of participation in democratic processes without restrictions or fear of retribution. The Recommendation recognises young people as essential for the sustainability of any democratic society, and youth civil society as a fundamental platform for the democratic socialisation of all young people. The Recommendation aims to address the challenges young people and youth civil society face in their quest for meaningful and genuine engagement in public life, for organisational sustainability, and for the exercise of fundamental human rights, as well as for removing barriers to achieving these.

In particular, understanding the complexity and the variety of contexts in which spaces for youth civil society and young people are contested and shrinking across Europe, the Recommendation outlines measures in three key areas:

- creating an enabling and safe environment for a sustainable youth civil society;
- strengthening youth participation in democratic life; and
- improving young people's access to rights.

²⁰ Howard Williamson, "Finding common ground – Mapping and scanning the horizons for youth work in Europe", in "Thinking Seriously about Youth Work: And how to prepare people to do it", edited by Hanjo Schild, Nuala Connolly, Francine Labadie, Jan Vanhee, Howard Williamson, Council of Europe Publishing, Youth Knowledge # 20, Strasbourg, 2017.

²¹ European Commission, An EU Strategy for Youth – Investing and Empowering: A renewed open method of coordination to address youth challenges and opportunities. Available at: https://bit.ly/3pjxOZm.
²² Dunne, Allison, Ulicna, Daniela, Murphy, Ilona and Golubeva, Maria. (2014).Working with young people: the value of youth work in

²² Dunne, Allison, Ulicna, Daniela, Murphy, Ilona and Golubeva, Maria. (2014).Working with young people: the value of youth work in the European Union, European Commission. Available at: https://bit.ly/36gIOPL.

²³ Tomaž Deželan and Laden Yurttaguler: Shrinking democratic civic space for youth, 2020.

The implementation of the measures outlined needs to be further adapted to each member State in consultation with young people and youth civil society and with due consideration to the specific needs, situations and possible reasons for disengagement of all young people, including those from underrepresented and marginalised groups. Furthermore, implementation is required across the policy spectrum, not only within the youth sector. Implementation should be shared and co-ordinated among relevant national, regional and local authorities, professionals and other key stakeholders, in particular those working for and with young people and (youth) civil society.

Creating an enabling environment for a sustainable youth civil society

An enabling environment for sustainable civil society is broadly defined as the conditions within which civil society can work effectively and fulfil its democratic functions. Key areas of an enabling environment are (1) basic legal guarantees of freedoms; (2) a framework for CSOs' financial viability and sustainability; and (3) the sustainability of CSOs and government-CSO co-operation.²⁴ Furthermore, the sustainability of civil society is viewed through seven key components: the legal environment, organisational capacity, financial viability, advocacy, service provision, sectoral infrastructure and public image.²⁵ Specifically, an enabling environment for youth civil society is considered as the varied array of conditions – economic, political, social, cultural, legal – that affect the capacity of young people, whether individually or collectively, to voluntarily participate in civil society. It is essential to define civic space in a broad manner in order to include early learning and various aspects of youth work because the definitions, aspirations, and acceptable expressions of the democratic process are determined through cultural and social processes.

Creating an enabling environment for sustainable youth civil society is an extremely important and complex process. It should enable greater focus on a participatory review process of the existing situation together with young people and youth civil society, as well as with experts and stakeholders from the youth and broader civil society field, which in many member States are actually overseen by different ministries and sectors. Member States are encouraged to undertake their own analysis, review legal frameworks and practices across sectors and identify, in collaboration with young people and youth civil society, any worrying trends and areas that could be improved. The amplified interest in youth civic engagement is of crucial importance as young people's social progress is dependent on them exercising their core civic space freedoms. Youth civic spaces as environments in which youth participation in civic action is fostered – the pathways, structures, and vehicles that provide opportunities for young people to engage in critical discussion, dialogue, and action – need to be both safeguarded and enabled, as well as expanded.

Member States should support the development of youth civil society's capacity to advance participatory democracy and democratic citizenship within and beyond their memberships, eliminating undue legal and administrative burdens or hindrances, taking into account that youth organisations and youth groups are most often voluntary based, have high membership turnover and are formed by young people with little or no prior experience in administrative, financial or legal processes, but with strong will, motivation and energy societies can't afford to waste. Terms of reference for determining the present state and future directions of participatory civic space for young people need to be set in a transparent and inclusive process of deliberation.

Member States should follow and analyse progress in creating an enabling environment for sustainable youth civil society, share best practices with other member States and seek synergies with other mechanisms at European level.

In times of crisis, with the increasing risk that civic and political rights as well as youth participation are restricted, member States should commit therefore to safeguarding a safe and enabling environment for civil society so it may thrive even in difficult times. Young people face challenges to participation in political processes, institutions, and policymaking at the best of times, owing to factors such as their presumed lack of experience, limited opportunities and legal barriers. An example of this is the Covid-19 pandemic that started in 2020. Its associated safety measures exacerbated the vulnerabilities of young people in accessing their human rights.²⁶ Decisive action in response to the pandemic included the adoption of "stay-

²⁴ European Centre for non-profit law, Monitoring matrix on enabling environment for civil society development, available at https://bit.ly/3sXSLv7.

²⁵ CSOs Sutainability Index available at https://bit.ly/2Yg7yDt.

²⁶ United Nations, COVID-19 and human rights: We are all in this together, Policy brief, 2020. Available at: https://bit.ly/36iNiW5.

at-home" measures to slow its spread. An unavoidable consequence was the limiting of young people's freedom of movement, which had a severe impact on their rights to leisure, to participate in public affairs and to practice their religion or beliefs. One in three young people noticed a significant impact on their right to participate in public affairs. This impact is higher for youth in low-income countries (40 %) compared to those in lower-middle (36 %) and high-income countries (28 %).²⁷

Youth work is an integral and key part of any enabling environment for a vibrant youth civil society. It fosters critical youth citizenship, empowers young people to act autonomously in defence of their rights and in building a more democratic and just Europe. The diversity of youth work across Europe possesses significant common ground – not least in its desire to support and defend spaces for young people's voice and autonomy and to build bridges for young people to take the next steps in their lives, with competence and confidence.²⁸ Youth work is a social practice, both connecting with and challenging the prevailing and changing structures of the societies in which it operates. It can be subject both to doubts about its value and inflated expectations of what it can achieve, and its political and financial support can never be taken for granted. More secure infrastructure for youth work is essential to enable effective practice on the ground. Member States are therefore strongly encouraged to support the development of youth work opportunities and provide all young people access to these.²⁹

Strengthening youth participation in democratic life

Meaningful youth participation is one of the key conditions for the prosperity of democratic societies. Member States are invited to support the development of critical youth citizenship and to invest in building young people's competences for democratic culture. The process of strengthening youth participation can be multifaceted, combining different measures in a variety of ways in different member States. However, an important starting point is that public authorities have the mandate, capacity and means to consult young people on policy- and decision-making and that they follow up on the implementation of the resulting policies and decisions. A supportive infrastructure should be in place to enable more co-creation, participation and therefore civic education of young people. Member States should conduct policies and governance processes in a meaningful, participatory manner, involving diverse groups of young people and their representatives/organisations. Any consultation processes with young people ought to be designed based on analyses of the current state of youth participation in an effort to identify and address systemic and unforeseen obstacles that prevent or restrict meaningful youth participation for any specific group of young people. Member States are invited to improve institutional responses to new developments in democracy, such as the changing participation patterns of young people, digitalisation or internet governance. They are encouraged to include new, innovative and experimental youth participation methods alongside the traditional ones and to do so in an inclusive and accessible manner for all young people. The concept of innovative forms of youth participation is grounded in the observed shift in young people's methods of political expression away from voting and engagement with political parties into other forms of participation. Co-management, co-production, digital participation, deliberative participation and for some, the concept of 'participatory spaces' are seen as more innovative forms of participation; those however are not in themselves more or less effective than other forms and are facing similar barriers in terms of young people's views being taken into account by public bodies: lack of funds and resources; lack of political support; lack of understanding by public authorities.³⁰ Innovative forms of youth participation should thus accompany existing participation mechanisms to support as broad a range as possible.

The Recommendation highlights the necessity for member States to assign sufficient political weight to the youth voice in political processes at all levels of governance, while also respecting the plurality of views. By engaging in open dialogue with young people, member States are creating the basis for the widest possible youth participation and thus also for the sustainable shaping of their democratic societies. Data from the European Social Survey indicate that youth engagement generally reflects a country's civic-political culture,

²⁷ Global Initiative on Decent Jobs for Youth, Youth and covid-19 impacts on jobs, education, rights and mental well-being, Survey Report 2020. Available at: https://bit.ly/36hil4G.

²⁸ The final declaration of the 3rd European Youth Work Convention, Signposts for future, 2020. Available at: https://bit.ly/36hkZHE.
²⁹ See Recommendation CM/Rec(2017)4 of the Committee of Ministers to member States on youth work. Available at: https://bit.ly/3a94bn7.

³⁰ Anne Crowley and Dan Moxon, New and innovative forms of youth participation in decision-making processes, Council of Europe, 2017. Available at: https://bit.ly/3t0ooUX

with significant differences in levels of youth participation, in ratios of youth participation (compared to the adult population as a whole) and in the relative popularity of different forms of political action.³¹ Member States are asked to consider lowering age restrictions for youth participation for specific issues and for particular processes, in particular regarding young people's right to vote.

The Recommendation brings to light the importance of a strategic approach to consultations and co-operation with young people and youth civil society across different sectors, creating multi-sectoral strategies for youth participation in democratic life. Member States are to adopt this essential approach and to inform young people of the conclusions of such consultations and implement diligently the resulting policies and decisions. Furthermore, member States should engage in the creation of new and the revitalisation of existing participatory spaces for young people. Supporting young people at the earliest age to learn participation and democracy through experience and non-formal education builds their agency for immediate and lasting engagement. Member States are invited to support and sustain youth work and nonformal learning, as well as co-operation of the youth and non-formal education sectors with the formal education sector, for the purpose of strengthening youth participation in democratic life. It means to go beyond the idea of integrating non-formal education and learning into formal education settings and to work towards a co-ordinated system enhancing collaboration and co-operation between distinct sectors working on a common purpose.³² In this way, active citizenship, participation and social inclusion are developed while ensuring that all young people, especially those who are at risk and marginalised, have access to digital and media literacy and democratic education. Furthermore, it is as important to ensure public officials engaged in youth policies at all levels of governance have the necessary competences and resources to be able to engage in a constructive and enabling manner with young people.

As the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education³³ outlines, it is important not only to equip learners with knowledge, understanding and skills, but also to empower them with the readiness to take action in the defence and promotion of human rights, democracy and the rule of law. This approach also includes the practical co-creation of public deliberation platforms together with young people, as well as processes at all levels that are inclusive and accessible for all young people and provide relevant opportunities for meaningful youth participation across different sectors. Young people are not a homogenous group: they have wide-ranging interests, talents and needs and they certainly have the right to participate in all the sectors they find relevant.

With the rapid development of digital agendas and *e*-governance in member States, it is essential to maintain the key principles and value of youth participation as integral parts of any such developments. Young people are the ones who will be impacted most by policies designed today and therefore they should have a say in any decisions about their future. Thus, member States are encouraged to ensure that young people, their views and needs are not neglected during policy development processes but are taken into consideration in proposed solutions. Specific youth-friendly channels of communication should remain open and be utilised, equipped with trained human resources prepared for interaction with young people.

Finally, the EU Youth Dialogue, and particularly the co-management model exercised in the Council of Europe youth sector, are examples of very valuable and fairly unique opportunities for young people to participate in public deliberation and decision-making processes. Thus, this Recommendation encourages member States to promote and, as appropriate, introduce into local, regional and national political frameworks similar co-management models.

³¹ James Sloam, Diversity and voice: The political participation of young people in the European Union, The British Journal of Politics and International Relations, 2016. Available at: https://bit.ly/3t15a1u

³² The final declaration of the 3rd European Youth Work Convention, Signposts for future, 2020. Available at: https://bit.ly/36hkZHE ³³ Charter on Education for Democratic Citizenship and Human Rights Education https://rm.coe.int/16803034e5.

Improving young people's access to rights

Young people's access to rights has already been well elaborated in different legal instruments at European and global levels. However, it is vital to recognise that there are still barriers to young people's full access to civil and political rights, as well as to social rights which enable young people to develop their interest and agency to engage in the civic and political domains. Social rights are one of the main components for enabling young people to be active in the political process and society in general. The state welfare regimes are thus to be considered alongside the civil and political dimensions of the shrinking civic space for youth. Hence, cutting young people's ability to access for example schooling and other socio-economic opportunities directly shrinks their ability to access the civic space, and consequently their emancipation and full citizenship. The interplay of young people's vulnerability in terms of social exclusion, unemployment rates as well as changing participation patterns in both 'offline' and 'online' civic spaces creates an experience of interconnected and overlapping systems of discrimination or disadvantage, based on gender, sexual orientation, ethnic, cultural, religious identities and so on. For example, a young woman with disabilities from a minority background can face incomparably greater barriers to engagement in public processes compared to a young man from the dominant community and an affluent background. It is thus important to stress that even though cross-country comparisons reveal the difficult situations in which young people in certain environments find themselves, it is absolutely crucial to be aware of not only the similarities but also the differences among young individuals in their access to opportunities in order to provide them with corresponding tools for empowerment and full participation in public life.³⁴ Member States are invited to ensure young people's social rights are fulfilled, so that any barriers to their access to civil and political rights are removed.

The Recommendation, furthermore, encourages member States to be particularly attentive to the protection and promotion of young people's rights to freedom of association, assembly, and expression, to access to information and their right to privacy. User-friendly and easy access to guality information is the key to accessing any right and for young people in particular it should be ensured. At the same time, young people need to be safeguarded from disinformation and manipulation, the prevalence of which has increased over recent years, making it more difficult for young people to form their opinions based on reliable information. New technology-based means of campaigning deliberately spread incorrect information to those receptive to it and amplify the effect of disinformation. These developments undermine the ability and willingness of young people to participate in democratic life and weaken their confidence in democratic institutions. Consequently, it is essential to build the capacities needed to recognise and effectively counter the spread of incorrect information. Young people's access to accurate information and their capacity to ask the important questions are crucial to stimulate a vital and resilient civic space and allow pluralistic democracies to flourish. Member States have a responsibility to protect young people from disinformation and manipulation, through quality public dialogue and support to youth civil society to promote inclusive narratives and present political topics in an accessible and neutral way. Young people are also affected by the misuse of their data, particularly in the digital domain. The Internet has radically transformed the way young people access information and communicate, how they handle personal data and share personal information with others, creating opportunities, but also risks. It opened new ways to restrict human rights, such as AI-enabled mass online surveillance and abuses of the rights to privacy and free expression on the net by both public and private actors. In line with the Council of Europe Convention for the protection of individuals with regard to automatic processing of personal data (ETS n° 108), member States have a responsibility to safeguard young people's right to the protection of their personal data.

Free self-expression, advocacy for human rights, as well as the expression of a plurality of opinions, including the marginalised and unpopular ones in any given society, are part of the foundations of democracy and of the Council of Europe's values. As a part of protecting young people's rights, member States should not only allow peaceful gatherings, demonstrations, and other public manifestations to be organised by youth civil society, but also protect young people from violence and attempts to silence them, and ensure they are not subsequently detained for political reasons. In addition, member States should be increasingly attentive to the protection of young people's privacy, particularly with regard to the development of artificial intelligence, some of the possible risks of which have been underlined by the Parliamentary Assembly.³⁵ Artificial Intelligence (AI) raises important and urgent issues, changing the information we

³⁴ Tomaž Deželan and Laden Yurttaguler: Shrinking democratic civic space for youth, 2020.

³⁵ Need for democratic governance of artificial intelligence, Resolution 2341(2020) of the Parliamentary Assembly of the Council of Europe.

receive, the choices we make, and the ways in which our societies function, as well as also influencing the way governments and public institutions operate, and the way in which citizens interact and participate in the democratic process. Particularly, applications for face recognition in public spaces can pose risks to young people's rights to privacy, freedom, democracy and non-discrimination.

Member States are invited to encourage young people's and youth civil society's pluralistic and marginalised views and positions as these are vital for healthy democracy and relevant public deliberations. Positive measures are needed, ranging from identifying and addressing societal and generational tensions, encouraging dialogue within and between communities, promoting media pluralism and diversity and enacting strong rights-based legislation. Furthermore, member States should protect young people from segregation, discredit or marginalisation, or any sort of retribution based on their political choices and expressed views, reflecting the Council of Europe's core values.

Follow up

It is essential to envisage concrete follow-up if the Recommendation is to make an impact. Additionally, strong communication and wide promotion of the Recommendation are needed so that it reaches the intended actors in the youth sector and beyond. The Committee of Ministers recommends examination of the implementation of the measures by member States five years after its adoption. A multi-stakeholder seminar to review progress after three years including from youth, education and civil society sectors, would provide an excellent opportunity for the CDEJ and CCJ to take stock of progress and provide further support and direction to member States, as required. Furthermore, the Pool of European Youth Researchers (PEYR) and the European Knowledge Centre for Youth Policy (EKCYP) of the partnership between the European Commission and the Council of Europe in the field of youth, and the newly envisioned digital youth work platform,³⁶ as well as other key institutions/mechanisms in the education and civil society sectors their findings at the seminar. If confirmed, such a seminar could inform the Committee of Ministers' review of the implementation of the Recommendation.

There is an evident lack of data on and attention paid to young people and youth civil society, a particularly fragile segment of society that appears to be markedly affected by the shrinking civil space phenomenon. Member States should initiate internal monitoring and evaluation mechanisms that allow for independent and scientific research, including participatory research, and the collection of relevant data as well as the analysis thereof in order to assess not only the extent to which young people and youth civil society are impacted by this phenomenon but also the effectiveness of the measures introduced. Member States should institute a follow-up that strengthens accountability but also supports the progressive realisation of the measures contained in the Recommendation through dialogue, learning, practice exchanges and other forms of developmental collaboration.

³⁶ Resolution of the Council and of the Representatives of the Governments of the Member States meeting within the Council on the Framework for establishing a European Youth Work Agenda 2020/C 415/01; Available at: https://bit.ly/2Z7NZ0g.

- **Civic space** is the place, both online and offline, where people exercise their rights to freedom of association, expression and peaceful assembly. It allows the discussion of issues and participation in public decision-making. It allows democracy and society to thrive and is also one of the most important safeguards against tyranny, oppression, and other anti-democratic tendencies.

- **Civil society**³⁸ refers to the arena of unforced collective action which centres on shared interests, purposes and values. In principle, its institutional forms are distinct from those of the state, family and market. Civil society actors include non-governmental organisations, citizen advocacy organisations, professional associations, faith-based organisations, and trade unions, which give voice to various sectors of society and enrich public participation in democracies. Sometimes less organised actions and activities like movements, community groups, protests and demonstrations may be seen as civil society actors. Civil society commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power. Civil society organisations are understood as being neither part of the State nor the market.³⁹

- Youth civil society – For the purposes of this Recommendation, youth civil society is defined as civil society primarily gathering young people and addressing youth issues and is seen as broad and diverse enough to be inclusive of all youth civil society actors, from the least to the most organised ends of the spectrum. Youth civil society includes independent and democratic youth non-governmental organisations, youth organisations, networks and informal youth groups and structures, as well as social movements, (digital) community and grassroots youth initiatives, not-for-profit youth social enterprises and co-operatives, international youth organisations, youth trade unions, etc.

- **Government-organised non-governmental organisations (GONGOs)**⁴⁰ – These organisations can be distinguished by both how they began (organised at a government's behest), and how they are led (of a government's choosing). There are also sub-types SONGOs (state-organised NGOs) and PONGOs (party-organised NGOs).

- **Youth participation** – Youth participation⁴¹ is about individual young people and groups of young people having the right, the means, the space and the opportunity and support to:

- freely express their views;
- o contribute to and influence societal decision-making on matters affecting them; and
- o be active within the democratic and civic life of their communities.

- **Meaningful youth participation** is rights-based, transparent and informative, voluntary and safe for young people to engage in regardless of their background, identity and views. Different justifications for youth participation have been offered, including respecting the rights of young people, making better decisions, enhancing democracy, and to empower marginalised young people. To promote meaningful youth participation, it is necessary to look at power relations, actual possibilities to influence decision-making in different stages of the process, the roles given to young people in the process, to offer training, and to be able not only to respond to an offered agenda but also to set the agenda themselves.⁴²

³⁷ Terms not specifically referenced are defined in the online glossary of the partnership between the European Commission and the Council of Europe in the field of youth. Available at https://bit.ly/2KHwCAc.

³⁸ M. Glasius, D. Lewis and H. Seckinelgin (eds.) (2004): Exploring Civil Society: Political and Cultural Contexts. Routledge and LSE Centre for Civil Society referenced in: Siurala, L. (2005): European framework of youth policy, https://bit.ly/2L57V0e.

³⁹ Mary Kaldor, The Idea of Global Civil Society, International Affairs Vol. 79, No. 3 (2003) https://bit.ly/3qYMNZI

⁴⁰ R. Hasmatha, T. Hildebrandt and J. Y. J. Hsuc (2019): Conceptualizing government-organized non-governmental organizations,

Journal of Civil Society, https://bit.ly/2Late0e.

⁴¹ Pleyers, G; Karbach, N. (2014): Analytical paper on Youth Participation-Young people political participation in Europe: What do we mean by participation? EU-Council of Europe youth partnership, https://bit.ly/3pBvJb0.

⁴² Nigel Thomas (2007) Towards a theory of children's participation, International Journal of Children's Rights 15 (2007) 199–218; Cahill H., Dadvand B. (2018) Re-conceptualising youth participation: a framework to inform action. Children & Youth Services Review 95, 243-253, https://bit.ly/34WI4ys.

- **Political participation** is any activity that shapes, affects, or involves the political sphere. Conventionally, political participation is voting, contacting public officials, running for office, donating money to and/or volunteering in political campaigns, joining organisations and associations. Recent understanding is that political participation cannot be narrowed down to the conventional forms of participation in elections or referendums or membership of political parties. Unconventional forms, like signing petitions, organising demonstrations or strikes, have been considered, for some time, legal forms of political participation, as are supporting boycotts or expressing political opinions via badges, T-shirts, stickers or letters to media and online postings.

- **Co-management**⁴³ refers to a model of youth participation practiced, for example, in the Council of Europe youth sector. Representatives of both governments and young people decide together on the priorities, programmes and budget.

- **Youth work**⁴⁴ is a broad term covering a wide variety of activities of a social, cultural, educational, environmental and/or political nature by, with and for young people, in groups or individually. Youth work is delivered by paid and volunteer youth workers and is based on non-formal and informal learning processes focused on young people and on voluntary participation. Youth work is quintessentially a social practice, working with young people and the societies in which they live, facilitating young people's active participation and inclusion in their communities and in decision-making.

- Despite different traditions and definitions, there is a common understanding that the primary function of youth work is to motivate and support young people to find and pursue constructive pathways in life, thus contributing to their personal and social development and to society at large.

- Youth work achieves this by empowering and engaging young people in the active creation, preparation, delivery and evaluation of initiatives and activities that reflect their needs, interests, ideas and experiences. Through this process of non-formal and informal learning, young people gain the knowledge, skills, values and attitudes they need in order to move forward with confidence.

- **Quality youth work**, for the purpose of this Recommendation, is also understood as one that is founded in critical pedagogy and, as such, fosters critical youth citizenship and is an instrument for combating the shrinking civil society for youth.

- **Empowerment**⁴⁵ is helping young people to help themselves and involves a process to change power relations. On the one hand, it aims to enable excluded people to take initiatives, make decisions and acquire more power over their lives. On the other, it forces social, economic and political systems to relinquish some of that power to enable excluded people and groups to enter into negotiation over decision-making processes, thereby playing a full role in society.

- **Democratic culture**⁴⁶ – This term emphasises the fact that, while democracy cannot exist without democratic institutions and laws, such institutions and laws cannot work in practice unless they are grounded in a culture of democracy, that is in democratic values, attitudes and practices shared by citizens and institutions. Among other things, these include a commitment to the rule of law and human rights, a commitment to the public sphere, a conviction that conflicts must be resolved peacefully, acknowledgement of and respect for diversity, a willingness to express one's own opinions and to listen to those of others, a commitment to decisions being made by majorities, a commitment to the protection of minorities and their rights, and a willingness to engage in dialogue across cultural divides. It also includes concern for the sustainable well-being of fellow human beings, as well as for the environment in which we live.

⁴³ Siurala, L. (2005): European framework of youth policy, https://bit.ly/2L57V0e.

⁴⁴ Recommendation CM/Rec(2017)4 of the Committee of Ministers to member States on youth and explanatory memorandum, https://bit.ly/3mYMP0F.

⁴⁵ Siurala, L. (2005): European framework of youth policy, https://bit.ly/2L57V0e.

⁴⁶ Reference Framework of Competence for Democratic Culture, Glossary https://bit.ly/3aYRTjo.

- **Cross-sectoral co-operation**, in the context of this Recommendation, implies that, at different levels, an effective co-ordination exists between the youth sectors and other sectors for the purpose of fulfilling the rights of all young people in a holistic manner. This could entail reaching out to all young people, giving them a voice and supporting them to take action, as well as providing them with multiple entry points to public services and, as a result, leaving no-one behind. This concerns, for example, domains in the public and private spheres, including formal education, employment and vocational training, health, housing, justice, culture, sports, technology development, media and social welfare.⁴⁷

- **Monitoring**⁴⁸ is a systematic process of collecting data during the implementation of an intervention for the purpose of tracking progress against set goals and objectives. It provides management and all stakeholders of an intervention with information on the extent to which stated targets and goals are being achieved, allowing them to make informed decisions and take remedial actions whenever deviations from initial plans are detected.

- **E-government**⁴⁹ has been employed to mean everything from 'online government services" to 'exchange of information and services electronically with citizens, businesses, and other arms of government'. Traditionally, e-government has been considered as the use of ICTs for improving the efficiency of government agencies and providing government services online. Later, the framework of e-government broadened to include use of ICTs by government for conducting a wide range of interactions with citizens and businesses as well as open government data, and to enable innovation in governance. Through innovation and e-government, governments around the world can be more efficient, provide better services, respond to the demands of citizens for transparency and accountability, be more inclusive and thus restore the trust of citizens in their governments.

- **E-participation**⁵⁰ is the use of information and communication technologies (ICTs) to support participation and involvement in government and governance processes. It may concern administration, service delivery, decision or policymaking. Traditionally, most forms of participation were linked to direct face-to-face interactions with public authorities, however nowadays technology often facilitates the process. Citizens and civil society organisations are now able to participate using online tools, hence the popularity of e-participation. This mode of participation also provides an incentive for governments and authorities to improve transparency due to the ability of civil society and activist groups to mobilise support. Using social media tools, citizens can participate in decision-making processes and are able to lobby, and advocate, for different causes.

- **Participatory research**⁵¹ integrates scientific investigation with education and political action. Researchers work with members of a community to understand and resolve community problems, to empower community members, and to democratise research. The methods of participatory research include group discussions of personal experience, interviews, surveys, and analysis of public documents. Furthermore, groups undertaking participatory research are free to develop their own methods.

⁴⁷ Final declaration of the 3rd European Youth Work Convention, Signposts for the future, 2020, https://bit.ly/38Ksnf2.

⁴⁸ OECD (2002) Glossary of Based Key Terms in Evaluation and Results Management, Organisation for Economic Cooperation and Development, https://bit.ly/38PDtzp.

⁴⁹ UN E-Government Knowledge Database, https://bit.ly/350S61P.

⁵⁰ E-participation – Best Practice Manual. European Commission, Digital Agenda for Europe, Glossary, https://bit.ly/2KGAQrL.

⁵¹ Participatory research article on online encyclopaedia, https://bit.ly/3liocgL.

- **Participatory spaces**⁵² are defined differently by different actors based on their perception of the meaning of participation. The spaces to which this Recommendation refers could be both physical and online spaces. Furthermore, the spaces can be "invented spaces" – created by young people in order to influence matters that concern them and essentially bottom-up in origin – and "invited spaces" – where young people are invited to participate in a space on defined topics and processes opened by an authority or institution. Regardless of the nature of the space, of greatest importance is the focus on the participation situations, bearing in mind participation spaces may also be opened by participants for purposes other than those envisaged by the initiators. Young people using any participatory spaces do so in order to explore their experiences, however their perceptions of the space may either form or inhibit their behaviour.

- **Deliberation platforms**⁵³ offer a way to contribute legitimate and credible inputs to policymaking and as such are a crucial bridge between research (scientific expertise), policymakers and society, and – specifically for the purpose of this Recommendation – young people. They represent time-bound collaborative settings, such as consultative meetings, working groups, forums, workshops, roundtables, or other formats, both online and digital, that include the perspectives of a high diversity of actors, values, and worldviews to facilitate joint deliberation about policy issues. They could also represent facilitated venues for bridging disciplines and sectors which emphasise active discussion and exchange of arguments to explore alternative problem framings and solution spaces addressing youth-related challenges. Deliberation platforms are highly participatory processes where diverse individuals exchange and integrate scientific and other knowledge.

⁵² Adapted based on Andrea Cornwall, Beneficiary, Consumer, Citizen: Perspectives on Participation for Poverty Reduction, Sida Studies 2/2000, Stockholm, Sweden; Oliver Escobar, The work of participation: local deliberative policy making as mediated by public engagement practitioners, 61st Conference of the Political Studies Association, April 2011, London; and Taylor-Smith, Ella. (2012). PARTICIPATION SPACES, https://bit.ly/3EdbSak.

⁵³ Adapted based on Engels A (2005) The science-policy interface; and Garard, J., Koch, L. & Kowarsch, M. Elements of success in multi-stakeholder deliberation platforms. Palgrave Commun 4, 129 (2018), https://bit.ly/392W0Ja.