

## 36th SESSION

# Social rights of young people: the role of local and regional authorities

Resolution 442 (2019)<sup>1</sup>

1. The fundamental social rights of the citizens of the member States of the Council of Europe are guaranteed by the European Social Charter (ETS No.163, hereafter the “Social Charter”) which was opened to the signature of member States in 1961, subsequently coming into force in 1965, and was then revised in 1996.
2. It is an essential guiding document, setting the ground rules on fundamental social and economic rights at the pan-European level. It guarantees a broad range of human rights related to employment, housing, health, education, social protection and welfare. The Social Charter explicitly refers to young people as being entitled to social rights in terms of education and labour market integration, or benefits for the newly married.
3. In order to develop concrete guidelines to facilitate the implementation of the rights set out in the Social Charter, in particular with regard to young people, a series of texts were adopted by the Council of Europe during the last decade which highlighted public authorities’ responsibility in facilitating young people’s access to fundamental rights.
4. The recommendations of the Parliamentary Assembly of the Council of Europe on “Young people’s access to fundamental rights” (2015(2013)) and “Towards a European framework convention on youth rights” (1978(2011)),<sup>2</sup> as well as the Committee of Ministers’ Recommendation CM/Rec(2016)7 on young people’s access to rights, were occasions to underline that, rather than adopting a specific treaty on the rights of young people, the aim should be to take measures in order to capitalise on the binding instruments, as enshrined in the European Convention on Human Rights (hereafter “ECHR”) and the revised Social Charter.
5. The Council of Europe Youth Department elaborates guidelines, programmes and legal instruments for the development of coherent and effective youth policies, as well as concrete tools such as the “Self-assessment for youth policy”, for the use of member States. Following the Committee of Ministers’ Recommendation CM/Rec(2015)3 on the access of young people from disadvantaged neighbourhoods to social rights, regular surveys will be carried out to look at the measures taken by member States, but also the projects and initiatives implemented by youth organisations and local and regional authorities.

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<sup>1</sup> Debated and adopted by the Congress on 3 April 2019, 2nd sitting (see Document [CG36\(2019\)12](#), explanatory memorandum), co-rapporteurs: Liisa ANSALA, Finland (L, ILDG) and Piero FASSINO, Italy (L, SOC).

<sup>2</sup> Parliamentary Assembly Recommendation 1978 (2011), Towards a European framework convention on youth rights, served as an opportunity to confirm that it is not necessary to adopt a specific treaty on the rights of young people, but that we should instead capitalise on the binding instruments which already exist in the Organisation: its Principle 7.1 invites member states “to take measures to facilitate young people’s access to fundamental rights as enshrined in the European Convention on Human Rights and the revised European Social Charter”.

6. The implementation of the Social Charter, and the case law of the European Committee of Social Rights, provide a wide range of good practices concerning access to, and exercise of, young people's social rights. They consequently constitute a source of inspiration for local and regional actions in this field.

7. Local and regional authorities, along with social partners and civil society organisations, play a key part both in disseminating the Social Charter and in implementing it, with regards to young people's access and enjoyment of the social rights enshrined in it. This crucial role of local and regional authorities in making the Social Charter effective in legal terms, (in line with the "social" responsibilities that form part of the core of each government level's respective autonomy), should be supported by national, European and international action plans and programmes.

8. The Congress of Local and Regional Authorities of the Council of Europe (hereafter "the Congress") – having drawn up resolutions and other instruments to strengthen the integration, participation and commitment of young people at local and regional levels – intends to focus on the social rights of young people guaranteed by the Social Charter, in order to ensure its implementation and to give concrete expression to the rights of young people.

9. Since 2014, the Congress has involved youth delegates in its own work, inviting young people from different backgrounds to participate in its sessions, to give their views during debates and to have exchanges with Congress members. In 2015, the youth delegates presented a motion at the 29th Session of the Congress on the resolution entitled "Local and regional authorities for the promotion of young people's access to social rights",<sup>3</sup> drawing attention to the fact that access to quality education, secure employment, decent living conditions, transport, healthcare, technologies and opportunities for social, cultural and economic participation are prerequisites for the inclusion and active citizenship of all young people. They noted that creating a toolkit for local authorities to facilitate young people's access to their rights, providing good practices and an overview of relevant policy instruments, would be useful.

10. In light of the above, and following the work of the Congress on human rights at the local level, the debate organised by the Chamber of Regions on the implementation of social rights at the regional level (2016), as well as the proposals of the youth delegates, the Congress invites local and regional authorities, and the associations that represent them (within the framework of the competences conferred on them), to:

a. put pressure on the national authorities of those member States which have not yet done so, to sign and ratify the revised European Social Charter (ETS No. 163), and to accept, in the spirit of the "Turin process", the collective complaints procedure, so that the Social Charter and its complaints mechanism are perceived as awareness-raising spaces, where not only public authorities (e.g. social services) but, above all, young people themselves can show greater solidarity and involvement in the defence of their social rights (in particular with regard to young people in a more vulnerable situation: the unemployed, migrants, people with disabilities, etc.);

b. disseminate the text of the European Social Charter on the website of each local or regional authority, and to design a "user-friendly" version (accessible online) entitled, for example: "Social Charter explained to young people" (or "The place of young people in the European Social Charter") through competitions, such as for the drafting and illustration of the user-friendly version organised at the local and/or regional level (this version would also serve as a guide for action (normative, political and financial) by local and regional elected officials);

c. consider social rights of young people a priority for their policies, and develop concrete actions relating to the exercise of certain social rights by young people (active employment support measures, health education measures, prevention of gender violence among young people, etc.), which could be disseminated and promoted via social networks. Such dissemination and promotion (online and potentially face-to-face) would likely stimulate young people's participation and commitment to social rights;

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<sup>3</sup> CG/2015(29)23

d. invest in improving public access to information technologies through existing public services (youth centres, public libraries, media libraries, youth information and guidance centres, etc.), in the spirit of the Committee of Ministers' Recommendation CM/Rec(2015)3 on access to social rights for young people in disadvantaged areas;

e. raise awareness of the social rights of young people through initiatives such as the celebration, in each local and regional community, of the International Youth Day (12 August) or the European Social Charter Day (18 October);

f. take part in the review that the Council of Europe Youth Department will carry out in 2019, which will be based upon the Committee of Ministers' Recommendation CM/Rec(2015)3 on the access of young people from disadvantaged neighbourhoods to social rights, looking *inter alia* at projects and initiatives implemented by local and regional authorities.

11. Taking into account previous work, the Congress recommends that local and regional authorities implement the recommendations contained in Resolution 414 (2017), 386 (2015), 346 (2012), 319 (2010) and 259 (2008).<sup>4</sup>

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<sup>4</sup> Resolution 414 (2017) "Forever young? The role of youth policies and youth work at local and regional levels in supporting young people's transition to autonomy and working life" ; Resolution 386 (2015) "Bringing down barriers to youth participation: adopting a lingua franca for local and regional authorities and young people"; Resolution 346 (2012) "Youth and democracy: the changing face of youth political engagement"; Resolution 319 (2010) "Integration of young people from disadvantaged neighbourhoods"; Resolution 259 (2008) "Integration and participation of young people at local and regional level".