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Joint Council on Youth Thematic Debate on Young people's access to rights

Follow-up to CM/Rec(2016)7

25 October 2023

Item 6.2.1. on the agenda

I. Introduction and background

a. Overview of the event

The recommendation on access of young people to rights (CM/Rec(2016)7) was adopted in 2016. A review of its implementation across member States took place in 2021.

The thematic debate organised during the 49th Joint Council of Youth (CMJ) meeting on 25 October 2023 in Strasbourg sought to delve into the insights and findings from this review process. The primary objective was to discuss and initiate specific actions that would contribute to advancing the continued implementation of the recommendation. The scheduling of this thematic debate, which followed the completion of the review, faced delays due to the impact of the COVID-19 pandemic.

The objectives of the thematic debate were:

- To follow-up on the review of the recommendation conducted in 2021.
- To raise awareness of the proposals outlined in the review process.
- To discuss positive and negative examples of situations and initiatives related to the recommendation, respectively from member States, (international) youth organisations and youth councils.
- To make concrete proposals to ensure further implementation of the recommendation.
- To discuss and agree on proposals to follow up on the further implementation of the recommendation.

This report is a summary of the presentations delivered and the contributions of CMJ members to the debate.

b. Background to the event

Having as a legal basis the European Convention on Human Rights and the European Social Charter, as well as the United Nations Convention on the Rights of the Child, the Council of Europe Committee of Ministers adopted in September 2016 recommendation CM/Rec(2016)7 on young people's access to rights. This recommendation offers guidance to member States on access to rights and serves as a framework for enhancing the rights of young individuals and the opportunities open to them. It also underscores the importance of adopting a human rights-based approach to ensure young people are able to access their rights. It emphasizes the need for member States to empower young people by helping them to understand and assert their rights and by removing legal, political, and social barriers that hinder access to these rights. It highlights the role of youth organisations and youth work in promoting active citizenship among young individuals, urging authorities at various levels to support different forms of youth participation.

Furthermore, the text comprises eight core recommendations and is accompanied by an appendix that outlines its scope, purpose, underlying principles, and a range of measures for member States to consider when assessing the situation in their respective countries and determining new measures to adopt. These measures encompass addressing discriminatory practices, facilitating the enjoyment of the rights to peaceful assembly and association, and promoting and facilitating access through co-ordinated efforts at national, regional, and local levels. The recommendation's comprehensive nature provides a roadmap for improving young people's access to rights, thereby contributing to a more inclusive and rights-respecting society.

The recommendation was preceded by other recommendations and resolutions that framed and recalled the importance of approaching youth rights in a coherent manner that is adapted to the situation of young people. These include:

- Recommendation 2015 (2013) "Young people's access to fundamental rights" and recommendation 1978 (2011) "Towards a European framework convention on youth rights" of the Parliamentary Assembly of the Council of Europe (PACE);
- Resolution 386 (2015) on "Bringing down barriers to youth participation: adopting a lingua franca for local and regional authorities and young people", and recommendation 128 (2003) on "The revised European Charter on the Participation of Young People in Local and Regional Life" of the Congress of Local and Regional Authorities;
- Resolution CM/Res(2008)23 of the Committee of Ministers on the youth policy of the CoE;
- several Committee of Ministers' recommendations to member States, in particular:
 - CM/Rec(2015)3 on the access of young people from disadvantaged neighbourhoods to social rights;
 - CM/Rec(2013)2 on ensuring full inclusion of children and young persons with disabilities into society;
 - CM/Rec(2012)13 on ensuring quality education;
 - CM/Rec(2012)2 on the participation of children and young people under the age of 18;

- CM/Rec(2010)8 on youth information;
- CM/Rec(2010)7 on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education;
- CM/Rec(2009)9 on the education and social inclusion of children and young people with autism spectrum disorders;
- CM/Rec(2007)17 on gender equality standards and mechanisms and recommendation Rec(2006)1 on the role of national youth councils in youth policy development.

II. Speeches delivered during the thematic debate

a. Introduction

The debate was introduced by Noah Kramer, member of the Advisory Council on Youth (CCJ), with an invitation to look at youth access to rights from a historical perspective. In 2012, the 9th ministerial conference on youth, held in St. Petersburg, did not reach consensus on a final declaration due to differing views on young people's access to rights. Despite this, the CMJ started work on recommendation CM/Rec(2016)7, aiming to establish a European framework which would serve both to set standards and be an example of the Council of Europe Youth sector's ability to build bridges and find common ground. Although the envisioned convention on youth rights did not materialise, CM/Rec(2016)7 was adopted in 2016.

The 2021 review identified weaknesses, including a lack of coherent referencing and use of the recommendation in member States, insufficient translations, and a need for further implementation and review mechanisms. The review also highlighted the absence of interaction with the Council of Europe Commissioner for Human Rights. In this context, the current thematic debate not only marks the reintroduction of this methodology to the CMJ following the COVID-19 pandemic, but also presents an opportunity to discuss and enhance young people's access to rights in Europe through recommendation CM/Rec(2016)7 and its review.

Noah Kramer also introduced the other speakers:

- Alice Bergholtz, CCJ Vice-Chair;
- Charlotte Altenhöner-Dion, Adviser to the Commissioner for Human Rights;
- Rui Gomes, Head of the Education and Training Division, Youth Department;
- Irina Lonean, member of the Pool of European Youth Researchers;
- Elias Dray, Vice-President of the European Youth Forum (YFJ);
- A short presentation of good practice examples from Spain and Portugal.

b. Opening remarks

Alice Bergholtz, CCJ Vice-Chair, opened the debate, stating that, from her perspective, the recommendation on young people's access to rights is the pinnacle of recommendations, serving as the catalyst for much of the work of the CCJ, CMJ, as well as youth councils and youth organisations. She highlighted the evolving challenges young people face in accessing rights since the recommendation's adoption, emphasizing its enduring relevance in a changing world.

Alice Bergholtz pointed out that while the recommendation remains pertinent, barriers to issues like education, social services, participation, and financial support for youth movements persist. The multi-levelled nature of access to rights was underscored, as young people face challenges in understanding, claiming, and utilising their rights. In this context, there is a visible gap between European policymaking and the practical realities faced by young people who are the primary target of such policies.

The need for effective dissemination and comprehension of the recommendation is, therefore, paramount. Alice Bergholtz advocated for accessible and understandable information, arguing that the recommendation's implementation would be more successful without the barriers of inaccessible language, formality, bureaucracy, and complex structures. Moreover, she stressed that adopting a rights-based approach in both policy adoption and implementation would address the diverse needs of specific target groups and improve the situations of consistently marginalised young people in Europe. This would also tackle unequal access to rights, exacerbated for those facing discrimination or belonging to marginalised groups.

Charlotte Altenhöner-Dion, Adviser to the Commissioner for Human Rights, delivered some introductory remarks which encompassed the review process and related issues, including a short analysis of selected case law of the European Court of Human Rights concerning young people.

During her intervention, Charlotte Altenhöner-Dion emphasized that the Commissioner for Human Rights, along with her predecessors, has consistently voiced concerns about substantial obstacles impeding young people's access to rights across member States. She underscored the insufficient support for their transition from childhood to full autonomy as a key focus of these concerns. These barriers encompass socio-economic rights, including rising levels of homelessness among young people, unmet health needs (especially in sexual and reproductive health and mental health), and challenges in accessing quality education. Civil and political rights are also affected, with obstacles in accessing justice, bureaucratic hurdles in public services, persistent challenges to participation, and restrictions on freedom of expression and assembly. Discrimination and a lack of adaptation in services to young people's specific needs contribute to these barriers.

The Commissioner has issued two human rights comments of particular relevance, one in June 2021 urging member States to enhance genuine participation, including by lowering the voting age, and another in July 2023 calling for an end to crackdowns on peaceful environmental protests. The Commissioner consistently urges member States to facilitate young people's access to rights through increased awareness, robust investment in youth services, and the provision of effective opportunities for proactive involvement in setting the political agenda.

c. Presentation of the review of recommendation CM/Rec(2016)7

Rui Gomes, Head of the Education and Training Division, presented the conclusions of the review of recommendation CM/Rec(2016)7. The starting point of the review was the provisions of the recommendation itself, as it offers governments of member States concrete recommendations to improve young people's access to rights. The Committee of Ministers also agreed to examine the follow-up given by member States to this recommendation five years after its adoption.

Rui Gomes reminded participants that in March 2017 the CMJ had adopted a roadmap for the implementation of the recommendation which foresees that member States:

- translate, publish and disseminate the recommendation;
- prepare strategies, plans or measures to disseminate and apply the recommended measures;
- support research and evidence-finding about youth groups facing discriminatory practices and obstacles to the right to assemble, join and be active in associations and trade unions;
- share practices and exchange experiences among partners and stakeholders.

Moreover, in October 2018, the CMJ had adopted Guidelines for the implementation of the recommendation which cover the following aspects:

- a rights-based approach;
- awareness raising of age-based discrimination;
- the prioritisation and implementation of measures and activities;
- a review of the implementation of the recommendation.

The 2021 review process aimed to assess the implementation of the recommendation in member States, including their youth policies and the activities of youth organisations. It focused on the first two articles of the recommendation:

1. addressing the discriminatory practices faced by young people on the grounds explicitly outlined in Article 14 of the European Convention on Human Rights or any other form identified in the case law of the European Court of Human Rights;
2. removing any legal, administrative, and practical obstacles to the right of young people to assemble peacefully and to freely form, join and be active in associations and trade unions.

In October 2020, a consultative meeting proposed a methodology for the review, making use of various information sources, dialogue, and exchanges of experiences. To facilitate this process, a Monitoring and Support Group was established by the CMJ. Comprising members of the Advisory Council on Youth (CCJ), the European Steering Committee for Youth (CDEJ), and the European Youth Forum. The group provided advice, support, and ensured a dialogue with stakeholders in the youth field, assisted by two researchers. The comprehensive review involved various components, such as desk research on activities in the European Youth Centres and the European Youth Foundation, an analysis of the European Youth Forum's contributions, insights from previous mapping studies, and an online survey distributed to CMJ members.

The review process resulted in a synthesised report based on research and surveys, supported by regular exchanges of practices. It formed the basis for the future “youth strategy” of the Council of Europe.

The findings of the first research stage, as summarised by the two researchers, fell into two categories. Firstly, concerning the review process, the researchers underlined the contribution of youth organisations and the European Youth Forum. The review underscored the significance of the rights outlined in CM/Rec(2016)7 and highlighted the challenges faced by young people in accessing these rights, emphasizing that the non-legally binding nature of the recommendation should not discourage the adoption of concrete measures. Youth organisations played a crucial role in the review process, facilitated by the instrumental involvement of the European Youth Forum in presenting diverse experiences and ideas. The Youth Department integrated the recommendation's principles into various aspects of its work, evident in the Council of Europe Youth sector strategy 2030, signalling a sustained focus on young people's access to rights in the coming decade. While the recommendation is available in multiple languages, including Braille, further translations and its incorporation into national youth policy cycles are essential. Despite positive impacts of member States' policies on youth, young people's access to rights is often not explicitly addressed. Challenges, such as strained capacities in the youth sector due to institutional changes, highlight the pressing need for improved implementation, monitoring, and follow-up on overarching instruments like CM/Rec(2016)7.

The most important conclusions of the review process, presented during the thematic debate, are the following:

- “The recommendation is taken into consideration in some member States in the process of drafting public policy documents and programmes. It is seen as a document that proposes how to meaningfully involve young people in the youth policy cycle; this is helpful when reflecting on a rights-based approach to youth. However, the outcomes of the review do not provide evidence that explicit strategies, plans, and measures are in place to implement the recommendation through policy and legislation, and through activities promoting rights awareness among young people;
- Increased ownership is needed from public authorities to further the implementation of the recommendation. This should be paired with increased co-operation across all levels (local, regional and national), as well as regular monitoring, and meaningful engagement with young people and youth organisations on young people's access to rights;
- Although the recommendation is non-binding, all priority fields of the recommendation remain valid and call for concrete action in all contexts, first and foremost by public authorities (national, regional and local) as duty bearers, as well as other relevant actors (e.g. civil society). [...]
- Youth organisations took an active part in the review process and contributed to the creation of common knowledge based on the reflection of their experiences. [...];
- Engaging more young people in policy processes on access to rights requires a greater investment in accessible resources in user-friendly language.”
- Several conclusions of the review process underline the actions carried out by the Council of Europe youth sector, notably through the Youth for Democracy programme and the grants of the EYF, the European Youth Centres, as well as youth organisations to promote the recommendation and, more generally, young people's access to rights, human rights education and other relevant activities.

Among further actions deemed necessary according to the review, presented during the thematic debate, the following are of particular importance:

- “Member States should increase current efforts at national and local levels to implement the recommendation, including by fully recognising young people as rights holders, and by involving young people and youth organisations meaningfully in all key stages of policy making. A good practice which could support such processes is the so-called “youth checks/tests” in the policy-making cycle;
- A particular attention is needed to tackle emerging challenges which hinder young people's access to rights, including those posed by digitalisation, the climate crisis, demographic changes, as well as the socio-economic impact of the COVID-19 pandemic;
- The Council of Europe and its member States should advance the work on building the capacity of youth organisations for meaningful youth participation. The role of human rights education and education for democratic citizenship is crucial to build networks of multipliers that can promote a rights-based approach in youth policies and programmes at national level;

- Member States should meaningfully include young people and youth organisations in the design and deployment of more accessible and more understandable instruments and services on access to rights. The language used needs to embed rights-based approaches in policy processes; [...]
- The Council of Europe should incorporate the results of the review into the assessment foreseen of the Youth sector strategy 2030 [the Mid-Term Review];
- The Council of Europe should encourage member States to volunteer for regular peer reviews to assess progress in achieving young people's access to rights."

The specific recommendations for Article 1 and Article 2, formulated as a result of the review and presented during the thematic debate, are the following:

- "Member States should ensure that policies and legislation related to youth are based on sound research and evidence, including by increasing efforts to collect more and good quality disaggregated and intersectional data on youth and access to rights, with the active participation of researchers and youth organisations as an important tool for evidence-based and effective policy making.
- The Council of Europe and its member States, in their efforts to promote non-discrimination, should also address any form of ageism, age-based and multiple discrimination against young people;
- A rights-based approach to policies and programmes relevant for youth calls for meaningful inclusion in such processes of young people who are more likely to experience vulnerability and discrimination and have a more limited access to rights, using an intersectional approach;
- The policies and programmes should be developed so as to have inclusive and accessible spaces for the contribution and participation of the specific groups of young people they target so that they can reflect and address their specific needs. Involvement should be foreseen also for their monitoring and evaluation.
- More knowledge, data collection, and exchange of practices should be encouraged to promote access to the civic space for young people and youth organisations, and to understand the financial, legislative, political efforts which facilitate this access;
- Tackle all direct and indirect obstacles to young people's freedoms to assembly and expression, including by ensuring that changes in legislation or funding regulations do not result in young people or the youth sector encountering disproportionate obstacles to the exercise of these freedoms, so that they may conduct their work freely and without fear of repercussion;
- Invest in citizenship education to ensure young people can develop critical thinking skills, thus fostering their active participation in society during the course of their lives;
- Youth organisations should have a role in promoting young people's social rights. Further work is needed to support labour organisations and trade unions to include young people who experience discrimination and precarious working conditions."

d. *Presentation of related issues: the ECHR case law on young people and the perspective of the European Youth Forum*

Two presentations complemented the summary of the review of recommendation CM/Rec(2016)7.

Irina Lonean, member of the Pool of European Youth Researchers, presented the case law of the European Court of Human Rights (ECtHR) on young people. Fifty cases were selected by the Court's Research Unit, under the supervision of the Directorate of the Jurisconsult of the ECtHR, and published in a synthesis report in November 2022. These cases included judgements pronounced between 1983 and 2022, with 41 out of the 50 cases pronounced after 2000, allowing for an analysis of the evolution of the Court's jurisprudence. The selection of case law is organised in five sections, by topic. The cases were brought against a large number of States, therefore the selection can be considered to be an illustration of issues that can arise in many CoE member States. There is an exception to this finding: Türkiye's legislation and procedures on military service do not offer a civilian alternative and this leads to multiple violations of rights.

Young people's freedom from slavery and forced labour, their right to respect for private and family life, their freedom of thought, conscience and religion, their freedom from discrimination and their right to education appear to be the most endangered rights according to the selected case law. In 30 out of 50 cases, the applicants are immigrants, indicating that immigrants tend to be particularly vulnerable to rights violations compared to young people who are born nationals, living in the same states,

and with a larger and more stable family and social network to support their access to and enjoyment of rights. Two thirds of the applicants in the selected cases are men, but this may be related to the topics that framed the selection as a large number of cases are related to conscientious objection to military service, although men are in a slight majority among the applicants in the other selected cases also.

The salient issues underlined by the analysis are:

- The importance of examining each case individually when applying rules that may infringe young people's rights and freedoms. For example, in the case of (a) freedom to practice a religion or to hold ideological beliefs (in the context of conscriptions for mandatory military services: the right to conscientious objection, alternative civilian services and an objective procedure examining each case is underlined by the Court); (b) the right to a fulfilling private and family life (in the context of the expulsion of migrants, after a criminal conviction several elements need to be analysed by the states: the private and family life of the person in the country, their age and circumstances of their crime and conviction, ties with the country of origin (if any));
- The importance of the procedural obligations of states to ensure rights are effectively upheld. For example, in the case of violations of Article 4 of the ECHR, states must regulate and ensure application of effective procedures to protect people (including young people) from forced labour in all its forms. Failure to examine, follow-up, and investigate thoroughly any case, as well as to criminally punish a private person who forced another to work is a violation of Article 4 of the ECHR under its procedural limb;
- The evolution of the interpretation of the ECHR by the European Court of Human Rights. For example, the application of Article 9 on freedom of thought, conscience and religion in the cases of conscientious objection to military service.

On the other hand, Irina Lonean underlined there are issues relevant for youth rights in the Court's case law that do not feature among the selected cases published in November 2022:

- The right to private and family life of LGBTQI+ young persons;
- The issue of abortion, reproductive rights and the right of young women to private and family life;
- The right to housing and humane and dignified treatment and living conditions for young people;
- Freedom of expression, assembly and association and protection against disinformation and manipulation;
- The right to life, security and non-discrimination of young people in the context of climate change and climate and environment protection policies.

Elias Dray, Vice-President of the European Youth Forum (EYF), presented some conclusions drawn from the YFJ's experience, its member organisations and youth organisations in general. Elias Dray underlined the importance of the practical implementation of recommendation CM/Rec(2016)7, taking as an example the right to participate. He spoke of numerous cases where youth organisations are not allowed to work as they plan to, and engage young people in all their activities (Croatia, Hungary, Türkiye). According to research conducted by the YFJ, two out of five youth organisations do not feel 100% free to express their opinions when conducting their activities. This is particularly true when these opinions and activities are related to the right to a clean environment and stable climate, the rights of the LGBTQI+ community and persons, and digital rights in the age of information, networks, expression and risks of misinformation.

The solution proposed by Elias Dray is twofold: a right-based approach to all policies and mainstreaming youth in all policies. In other words, always considering how young people, but also their rights and access to rights, are affected by each decision in all policy sectors. The practical way to implement this solution would be through the participation of young people in all decision making. National youth councils should be involved in drafting policy and legal texts, in co-creation with decision makers.

Moreover, working together for an International convention on youth rights should be the next step for the promotion of young people's access to rights.

e. Good practices from CDEJ members

Good practices from Spain and Portugal relating to young people's access to rights were presented. Other member States had also been invited to submit examples.

In Spain, the access of young people to rights is ensured through seven key youth policy sub-sectors:

1. Youth policy development occurs at the regional level, tailored to specific regional needs, with the National Institute for Youth (INJUVE) co-ordinating international relations. Organisations like the Youth Council and Regional Youth Councils support youth rights, and the National Youth Observatory conducts research on youth rights and citizenship. The National Youth Strategy focuses on 12 strategic themes, including education, employment, and health. Specific laws in regions like Asturias and Valencia address youth participation.
2. Youth employment is supported through the European Youth Guarantee Programme, extended to age 30, offering job opportunities and training. Chambers of Commerce provide free training and professional development, and COVID-19 measures, along with European financial resources, enhance youth job prospects. Spain's 2022 labour reform aims, inter alia, to reduce temporary employment and create more stable jobs.
3. Housing policies, including the Right to Housing Law and the National Housing Plan, focus on ensuring young people's access to decent housing.
4. LGBTQ+ rights are promoted through Law 4/2023, emphasizing equality for transgender and LGBTQ+ individuals, with a particular focus on young people.
5. Comprehensive protection against violence for children and young people is provided by Law 8/2021.
6. The National Strategy to Combat the Demographic Challenge focuses on rural youth, emphasizing intergenerational learning and creating job opportunities in rural areas.
7. Leisure and mobility are addressed through initiatives such as "Bono cultural joven", which provides cultural vouchers for 18 year-olds, and "Verano Joven 2023", offering transportation discounts for young people.

Since the establishment of the first Constitution of the Portuguese Republic in 1976, Article 70 has been dedicated to ensuring the rights of young people in various domains, including education, employment, housing, and participation in society. In line with this commitment, the "70 JÁ Direitos da Juventude" initiative is being implemented as a long-term volunteering action co-ordinated by the Portuguese Institute of Sport and Youth (IPDJ). The target group for this initiative is young people aged 14 to 30, with the minimum age being adjustable depending on the type of activity. Private non-profit organisations are also a key focus. The project is co-ordinated by the IPDJ, and its primary goal is to sensitise young individuals to access their rights, enhancing their skills in this area and promoting active participation. Lessons learned from the volunteering project highlight its success in these goals. However, there is recognition of the need to extend the implementation of such projects to reach segments of the young population that may be further removed from these topics due to economic, geographic, or social limitations, ultimately fostering broader and more inclusive engagement.

III. Participants' perspectives

CMJ members actively participated in the discussion by presenting actions taken by states and, notably, youth organisations to enhance young people's access to rights. Additionally, they put forth proposals for the next steps to be taken.

- Jorge Orlando Queros, CDEJ Chair, further elaborated on the example from Portugal and the unique feature of the Portuguese Constitution: Article 70 on the rights of young people. He also underlined that the Ministerial Conference in St. Petersburg in 2012 sparked a debate on a convention on youth rights. Although this convention had not been drafted, the Conference had led to two important recommendations: recommendation CM/Rec(2016)7 on young people's access to rights and recommendation CM/Rec(2015)3 on the access of young people from disadvantaged neighbourhoods to social rights.
- Moreover, Jorge Orlando Queros underlined the unique moment in the history of the European Court of Human Rights whereby six Portuguese young people legally asked 36 States to be accountable for their decisions regarding the environment and how they affect young people and their future. In this context, further creating the conditions for young people to exercise their rights is key to seeing young people making use of these rights, as is the case for the six young people from Portugal.
- Nedeljka Ivošević (CCJ) noted the existence of a gap between good regulation on paper regarding young people's access to rights, and the actual implementation of policies. As an example, she stated

that about 10% of young people are afraid to participate in non-formal contexts. She also mentioned that other organisations, not only youth councils, should be involved in drafting policies, co-creation and co-management structures, as these organisations may be more active in some countries than youth councils. For example, in Serbia, the European Institute for Democracy and Human Rights is promoting recommendation CM/Rec(2016)7 at local level through their activities. Last but not least, focusing on follow-up actions and policies is deemed most important.

- Léonard Ly Tri (CCJ, CNAJEP, France) stressed the importance of civil society for informing young people of their rights and promoting better practices and policy measures to enhance access to rights. Using the instruments provided by the Council of Europe, including funding from the European Youth Foundation, the example of co-management structures etc. is also useful in the promotion of youth rights. Several examples of projects implemented by the French Scouts were presented, including human rights education projects and one project allowing young participants to acknowledge the different approaches to youth and human rights in different countries, to understand cultural differences and to be inspired for their actions to promote young people's access to rights in their countries.
- Riccardo Venturini (CDEJ, San Marino) spoke of the importance but also the limitations of a personalised approach – the efforts to answer the needs of each young person in the most appropriate way in their specific context – when dealing with youth rights and access to rights as a general policy.
- Liliya Elenkova (CDEJ, Bulgaria) presented several specific proposals for follow-up actions addressing the conclusions of the review process of recommendation CM/Rec(2016)7 which showed that only some States are effective in promoting youth access to rights. Bulgaria proposed a co-ordination tool for better implementation of the recommendation. The suggested co-ordination tool should encompass: (a) translating the recommendation into all national languages; (b) conducting impact assessments of policies at both European and member State levels, including the mid-term review of the Youth sector strategy 2030 and other relevant assessments; (c) developing indicators, a monitoring, and evaluation framework linked to the assessments to clarify key expected changes; (d) amending laws based on recommendations emerging from the assessments; and (e) maintaining ongoing monitoring of the implementation of legal provisions, with the option to continue the cycle of assessment, legal decision, and implementation if necessary.
- In addition, supporting families to ensure more effective access to the rights of young people could complement the actions targeting exclusively youth. For instance, the right to information is jeopardised by misinformation, fake news, and manipulation disseminated through new media channels. Parents and families play a crucial role in promoting more effective rights to information, and these efforts are more effective if they begin early.
- Marie GOISET (CDEJ, France) presented one of the most important hindrances to accessing rights: poverty and social exclusion. According to French statistics, in 2021, one quarter of young beneficiaries of social services are from homes without any income. In this context, the implementation of recommendation CM/Rec(2016)7 depends on two main factors: the will to promote the rights, and the capacity to put in place effective co-operation between institutions and organisations to mobilise the necessary resources. In France, an administrative commission for youth advises the Prime Minister and supports co-ordination among different stakeholders.
- The Head of the Youth Department, Tobias Flessenkemper, emphasized the crucial role of incorporating youth perspectives into policy decisions. He highlighted the upcoming High-Level Conference on the Social Charter as an opportunity to foster co-ordination and implement concrete measures to enhance youth access to rights. Additionally, he underscored the importance of utilising Council of Europe tools, such as the European Youth Foundation, for funding projects that address pressing issues.
- Specifically identified as key issues were: (a) addressing youth homelessness as both a problem to solve and a broader infringement of rights, particularly to housing; (b) developing policies related to climate change adaptation and mitigation in the context of safeguarding youth rights.
- In light of emerging issues and the imperative for consistent action, Tobias Flessenkemper urged the CMJ to engage in discussions about financial considerations. Emphasizing the need to allocate a budget for planned actions, he aimed to ensure that proposed measures translate into tangible outcomes rather than remaining confined to written proposals.

IV. Conclusions

Proposals for follow-up to the debate include:

- Inclusion of proposals as items on the agenda of the CMJ's discussions/decisions in April 2024, such as a possible recommendation on housing for young people.
- Support and capacity building for youth entities: developing training programmes and allocating resources aimed at bolstering the capacity of youth organisations, national youth councils, and initiatives. A focus on enhancing their role in promoting young people's access to rights. The rationale is rooted in the pivotal role youth organisations play in implementing the recommendation, with the expected outcome being empowered youth entities equipped with the skills and knowledge necessary to advocate for and support young people's rights.
- Translation and implementation of the recommendation: undertake additional translations, including in Braille, and actively integrate the recommendation into national youth policy cycles to ensure broader accessibility and application.
- Explicit inclusion of youth rights in national policies: advocate for member States to explicitly outline young people's access to rights in their national youth policies, ensuring a rights-based approach. Despite positive policies impacting young people, explicit inclusion is crucial for comprehensive protection and support. The expected outcome is the development of clearer and more inclusive youth policies that directly address and promote young people's access to rights.
- Enhanced monitoring and evaluation: strengthen monitoring and evaluation processes to assess the impact of initiatives and policies aimed at promoting young people's access to rights. Emphasize the significance of data-driven insights and recommendations to improve the implementation of the recommendation, ultimately ensuring effective measures for young people's access to rights.
- Follow-up on the analysis of the ECtHR's case law on youth, with a more in-depth analysis of the most salient issues already observed and the inclusion in the analysis of other cases with high significance for young people's access to rights (according to the findings of the Commissioner for Human Rights and the CMJ).
- Take advantage of the planned events, especially the upcoming high-level conferences, to develop the agenda on young people's access to rights.
- Open debates about needed budgets: initiating discussions within the CMJ about the financial aspects of policies aimed at improving young people's access to rights is crucial. Only by allocating the necessary budget and ensuring effective co-ordination can policy measures be implemented successfully.