

THE STATE OF YOUTH RIGHTS IN EUROPE

European Youth Forum's contribution to the review of the 2016 Council of Europe Recommendation on Young People's Access to Rights

INTRODUCTION

The past year and a half has seen young people being disproportionately affected by the covid-19 pandemic and its impact on their work, education, and daily lives more broadly. Surveys and research have shown the extent to which the socio-economic consequences of the health crisis and subsequent lockdown measures resulted in a rapid increase of youth unemployment, barriers to accessing education or completing studies, and worrying trends when it comes to young people's overall wellbeing.

Yet, this is not the first crisis we encounter, and it's certainly not the first time young people are paying too high a price. What is it that makes young people inherently more vulnerable to economic shocks and downturns? This report aims to provide the youth perspective on the key challenges faced by young people in Europe in their path towards autonomy and inclusion, by investigating the state of the key rights enshrined in the 2016 Council of Europe's Recommendation on Young People's Access to Rights ('Recommendation')¹.

As opposed to other regions, in Europe, there isn't any legally binding framework on youth rights². To this day, the Council of Europe's Recommendation remains the most comprehensive regional instrument protecting the human rights of young people, and encouraging governments to adopt measures to ensure these are implemented in practice. Yet, the Recommendation is not legally binding, which raises questions around its impact on the everyday life of young people in Europe. By adopting the Recommendation, Council of Europe Member States committed to reviewing its implementation, by sharing good practices, highlighting existing gaps, and identifying lessons learned.

The European Youth Forum is among the key stakeholders represented in the monitoring committee established by the Council of Europe for this review process. As such, this report, drafted in collaboration with the European Youth Forum's Expert Group on Youth Rights ('Expert Group'), aims to examine to what extent the rights enshrined in the Recommendation are protected, respected and fulfilled, by investigating whether steps have been taken to implement the Recommendation, and providing an overview of the status of youth rights in Europe, based on the views of youth organisations. It investigates the structural barriers to youth inclusion and participation; it outlines potential gaps in policy and legislation; and it provides recommendations for the way forward.

With the support of the European Youth Forum Secretariat, the Expert Group agreed on a set of guiding questions that were used to carry out qualitative interviews with or receive written contributions from Member Organisations. The interviews aimed to gain an understanding of youth organisations' views on key challenges and main developments on young people's access to rights over the last five years.

¹ Committee of Ministers (2016), Recommendation CM/Rec(2016)7 on young people's access to rights. Available at: <https://rm.coe.int/1680702b6e>

² Ibero-American Convention on Young People's Rights (2005). Available at: <https://www.refworld.org/docid/4b28eefe2.html> and African Youth Charter (2006). Available at: https://www.un.org/en/africa/osaa/pdf/au/african_youth_charter_2006.pdf

This report is exclusively based on the feedback gathered through this consultative process. As such, the information and recommendations may not reflect the views of the entire membership of the European Youth Forum.

1. THE RECOMMENDATION ON YOUNG PEOPLE'S ACCESS TO RIGHTS

To set the scene before discussing young people's access to specific rights, our consultation focused on examining whether the Recommendation is known by youth organisations, used in their work for advocacy or capacity building purposes, and implemented by national authorities.

The vast majority of youth organisations interviewed are aware of the existence of the Recommendation and its overall content. However, **awareness doesn't necessarily result in the Recommendation being used for advocacy purposes or for awareness raising campaigns towards young people**. In fact, only 3 out of the 23 organisations consulted reported having organised training with their own members on the content of the Recommendation, or having used it in advocacy papers or grant applications as a reference, or discussed it during internal coordination meetings. At times, it was mentioned that the **lack of translation of the Recommendation in different languages was a barrier to its dissemination at national level**.

While the Recommendation is seen as a tool that can be used to strengthen advocacy claims, or that can be cited as an important instrument outlining the rights that young people should be entitled to, most youth organisations report **very low levels of engagement**. There are several reasons for this. For some, this might be dependent on lack of financial and human resources to invest in advocating for overarching European-level instruments. Several other youth organisations highlighted how the Recommendation, while a comprehensive tool, is **not perceived as being actionable enough at the national level**. This is due to two main interplaying factors: on the one hand, the Recommendation, besides the current review process, **does not foresee any follow up** mechanism that would encourage governments to adopt measures for its implementation, and hold them **accountable in case of inaction**. On the other hand, its **non-legally binding** nature is seen as a major obstacle to its effectiveness, as public authorities do not feel an obligation to implement concrete measures.

In connection to this, most youth organisations struggle to identify measures adopted at national level that can be directly linked to the Recommendation. In many instances, over the past five years, governments have implemented new policies and pieces of legislation that relate to the rights safeguarded by the Recommendation. However, the latter doesn't seem to be systematically referenced in initiatives at national level, and therefore it is impossible to verify whether these were adopted as a result of the Recommendation.

"We must ensure that all countries fulfill their obligations towards the rights of young people. There are already so many recommendations and monitoring processes: what is their true impact?"

It is important to note that several youth organisations identify a **general lack of understanding of youth rights** as a reason for limited impact. Youth rights seems to be a concept and a term that is mostly used at European and international level, and that still isn't fully understood in a national context. **Policy makers struggle to see young people as rights holders**, and this results in less efforts being made to adopt policies to foster youth's access to rights, including by implementing the Recommendation.

Lastly, there seems to be an overall agreement that rights awareness among young people themselves remains very low in most countries. While youth organisations often implement actions and provide opportunities to increase young people's awareness of their rights, most interviewees reported lack of efforts from public authorities towards awareness raising in a more structured way. Lack of human rights and/or citizenship education in school curricula, or its poor quality, are perceived as being a key barrier to young people's understanding of their own rights. This has a ripple down effect as it translates into young people not knowing how to address potential violations.

1.1 RECOMMENDATIONS

The European Youth Forum identified the following recommendations to improve the implementation of the Recommendation on Young People's Access to Rights.

To the Council of Europe:

- Ensure adequate follow up to the current review by monitoring actions taken at the national level to implement the Recommendation through regular reviews in the context of the periodical assessment foreseen in the Council of Europe Youth Sector Strategy 2030³, and/or by encouraging Council of Europe Member States to volunteer for regular peer reviews to evaluate progress in achieving young people's access to rights. Such processes should take into account policy and legislative changes, their concrete impact on youth, and meaningfully involve independent youth organisations.
- Provide regular opportunities for mutual learning between Council of Europe Member States, as well as formal spaces for exchange with young people and youth organisations to discuss gaps in the implementation of the Recommendation.
- Build strong links and synergies in the implementation and monitoring of the Recommendation and other Council of Europe instruments and initiatives, such as the upcoming Recommendation on civic space and youth, and the Recommendation on the access of young people from disadvantaged neighbourhoods to social rights⁴.
- Encourage Council of Europe Member States to include information on the implementation of the Recommendation in their reporting to the European Committee of Social Rights, as several of the rights can also be linked to the European Social Charter.
- Ensure the EU-Council of Europe Partnership conducts further research on young people's access to rights, with a specific focus on age-based and multiple discrimination, ageism, and their socio-economic impact on youth and society as a whole.

To Council of Europe Member States:

- Increase current efforts at national and local level to implement the Recommendation, including by systematically referencing it in policies and legislative instruments.
- Implement a rights based approach to youth policies and all measures that can have an impact on youth rights, and recognise young people as rights holders. To this end, establish "youth checks/tests" at key stages of policy making (drafting, implementation,

³ Council of Europe Committee of Ministers (2020), Resolution CM/Res(2020)2 on the Council of Europe youth sector strategy 2030. Available at: <https://rm.coe.int/0900001680998935>

⁴ Council of Europe Committee of Ministers (2015), Recommendation CM/Rec(2015)3 on the access of young people from disadvantaged neighbourhoods to social rights. Available at: <https://rm.coe.int/168066671e>

and evaluation) to ensure that measures can truly support the advancement of youth rights.

- Prioritise meaningful youth participation in policy making, particularly in the context of the implementation of the Recommendation, by building closer partnerships with young people and youth organisations, in line with the 2018 guidelines adopted by the Joint Council on Youth⁵. Moreover, ensure that young people and youth organisations are involved in the design, delivery and evaluation of activities, and that the format of their participation is inclusive and based on a co-management approach.
- Invest in awareness raising activities around the Recommendation, together with youth organisations, including by ensuring the text of the Recommendation and educational materials are available in all languages of the Council of Europe (including minority languages where applicable and possible).
- Increase young people's awareness of their rights, by promoting civic and human rights education in school curricula, and by increasing the cooperation with youth organisations, national human rights institutions, and equality bodies, to ensure young people understand their rights, can identify violations, and are aware of redress mechanisms.

2. STEREOTYPING AND STIGMATISING YOUTH

Article 1.1 of the Recommendation encourages governments to address discriminatory practices faced by young people on the grounds of age or other personal characteristics, including by focusing on "multifaceted identities and intersectionality". While age-based and multiple discrimination are usually linked to young people's access to and exercise of specific rights, our consultation included a specific set of questions to investigate what the main stereotypes and prejudices faced by young people in Europe are, and how they can negatively impact youth rights.

Responses from youth organisations confirm what was highlighted in the recently published Global Report on Ageism by the World Health Organization (WHO)⁶: ageism against younger people is pervasive and can manifest itself in key areas of life, such as work and civic engagement.

The most commonly cited prejudice is that young people are supposedly not experienced enough to have a say on public policies. This seems to be based on the assumption that young people are generally ill-/un-informed about key topics and issues which can have an impact on a national scale. This lack of trust in young people's ability to discuss complex topics results in them being **left out of the debate**. This has a negative impact not only on young people's participation in politics, decision making processes, and society more broadly, but also on their sense of belonging to their community. Moreover, this **skewed perception of youth doesn't match the reality of young people today**, as many are very engaged in civic movements, more than other age groups; they care about important causes and are eager to contribute to positive change.

⁵ Joint Council on Youth (2018), Guidelines on the implementation of Committee of Ministers' Recommendation CM/Rec(2016)7 on young people's access to rights. Available at: <https://rm.coe.int/guidelines/16808e7118>

⁶ World Health Organization (2021), Global Report on Ageism. Available at: <https://www.who.int/teams/social-determinants-of-health/demographic-change-and-healthy-ageing/combatting-ageism/global-report-on-ageism>

According to the interviewees, when it comes to employment, **young people are generally seen as lacking experience, and being lazy, and irresponsible**. This not only damages self-confidence and self-esteem, but it can also lead to poorer working conditions, lower salaries or unpaid work - simply put, it can result in discriminatory practices in the labour market. Additionally, respondents mentioned that there seems to be a lack of understanding on the side of older people of the completely different conditions that the current generation of young people is being raised in, particularly in relation to the labour market, and the difficulties this brings.

"While still in education, young people are "taken care of", but as soon as that chapter is closed and they move on with their lives, they realise that they don't have the tools to be independent. And even when they reach out for help, they are not treated with respect."

The role of **media**, particularly in a digital environment, was also mentioned as playing a key role in **fostering stereotypes, prejudices and stigmatisation towards young people**. For example, in Catalonia, one in five news pieces associates youth with violence⁷. This pollutes the collective image of young people in society and perpetuates the stigma. While one trend is to use the (negative) actions of single individuals to define youth as a group, another tendency is to just assume that young people are all the same. As a consequence, while society's image of young people as a group is often biased, the interests and multiple realities of young people continue to be ignored.

Moreover, it was mentioned that stereotypes, ageism and age based discrimination against young people are difficult to tackle, as it is **hard to identify specific cases and find proof and evidence**. Indeed, one key difficulty with age-based discrimination and youth is the fact that these attitudes and perceptions are more ingrained, which makes it even more difficult to recognise and challenge them, including when people are faced with them.

In terms of **multiple discrimination** against young people, young migrants and refugees are particularly vulnerable in the current political climate: from hate speech, to discrimination at school and work, to difficulties in accessing housing due to not being able to register, institutional racism affects their access to rights. Disparities in access to opportunities and services between young people living in rural and urban areas was also mentioned as a major obstacle to equality. Moreover, young people with disabilities, young Roma⁸, and young people belonging to the LGBTQI+ community face additional barriers in their access to education, health and employment because of stereotypes and/or lack of targeted support.

Legislation and strategies exist at national level (e.g. strategies on travellers and LGBTQI+ rights in Ireland; equality legislation in Spain; national Roma integration strategies in several countries; etc.), and represent positive steps forward. **However, their implementation often presents consistent shortcomings**, either due to the fact that activities do not truly reflect the needs of the communities they are supposed to help, or because of structural prejudices and stereotypes within society and institutions that may not allow for progress. Lastly, the consultation made it

⁷ National Youth Council of Catalonia (2020), Estudi del Tractament Mediàtic dels Joves en la Premesa Digital Catalana. Available at: https://www.cnjc.cat/sites/default/files/actualitat/adjunts/estudi_del_tractament_mediatic_de_les_joves_1.pdf

⁸ For a more detailed overview of the barriers faced by Roma youth, please see Phiren Amenca (2021), Roma Youth Participation in Europe: challenges, needs and opportunities. Available at: <https://phirenamenca.eu/roma-youth-participation-in-europe-challenges-needs-and-opportunities-research-findings/>

clear that, while in certain countries some minority groups have a more positive image compared to others (e.g. LGBTQI+ community as opposed to migrants in Finland), in other geographical and political contexts (e.g. Turkey, Moldova, Romania) these very same groups are stigmatised and discriminated against more than others.

“Migrant minors are used as scapegoats for political purposes, and racism can take the form of attacks, hate speech, labour discrimination and school bullying, constitutes a social barrier which dehumanizes and violates their rights.”

All in all, prejudices, wrong assumptions, a low level of rights awareness are all contributing to making young people more vulnerable to discriminatory practices and behaviours.

2.2 RECOMMENDATIONS

The European Youth Forum identified the following recommendations for Council of Europe Member States:

- Ensure that policies and legislation related to youth are based on sound research and evidence, including by increasing efforts to collect disaggregated and intersectional data on youth on the basis of factors such as gender, race, ethnicity, sexuality, disability, and immigration status.
- Reform legislation that directly or indirectly promotes any form of age-based discrimination against young people, mainstream age as a ground for discrimination in all relevant policies and legislation, also beyond strictly anti-discrimination law, and integrate an intersectionality dimension in all policy and legislative proposals.
- Improve the implementation of existing strategies and plans targeting specific groups of young people, and ensure that addressing structural prejudice and stereotypes within institutions and society more broadly is also part of this process. Moreover, ensure that these strategies are shaped together with the groups they should target, so that they can reflect and address their specific needs.
- Set up or designate national equality bodies where they do not yet exist, ensure that age and multiple discrimination is included in their mandate, and that training and sufficient resources are provided to their staff.
- Provide youth-friendly and accessible mechanisms for reporting discrimination and seeking redress, and ensure effective prosecution and punishment of violators of anti-discrimination law.

3. ENGAGEMENT IN SOCIETY AND CIVIC SPACE

Article 1.2 of the Recommendation encourages governments to “remove 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”. As such, it aims to protect young people’s access to and participation in civic space. Therefore, our consultation focused on investigating three key aspects related to civic engagement and civic space:

1. the extent to which young people feel that they can exercise their freedom of expression and assembly to speak up for youth rights;
2. the level of participation of youth organisations in decision making processes;

3. other, more indirect barriers to accessing civic space (e.g. funding).

On the basis of the feedback gathered, it seems that **being able to speak up freely about youth rights, or any other matter that is relevant to youth, highly depends on national and local government politics**. Young people and youth organisations are seen as being particularly active in climate action, as well as feminist, student, and LGBTQI+ movements. While freedoms of expression and assembly are often formally recognised in constitutions, these are not always respected and upheld in practice. According to most of the organisations interviewed, a young person's ability to speak up is often hampered by several direct and indirect obstacles, including:

- Attitudes and stereotypes towards young protesters by public authorities and the media: several NYCs (Turkey, Finland, and Spain) and INGyOs (AEGEE Europe, ALLIANCE), highlighted that **police behaviours can influence a young person's ability to exercise their right to protest due to fear of retribution**. Such attitudes can cause fear of speaking up in public both at individual and organisational level. Linked to this, some highlighted how the media tends to downplay civic action by youth, often by using condescending language and narratives. Other respondents mentioned that young people are usually depicted as a “dangerous” group, or a group that needs to be kept under strict supervision, which sometimes leads to retaliation by public authorities whenever protests are organised.
- **Lack of citizenship education**: a number of organisations mentioned that not enough is being done to support young people to develop critical thinking, by investing in civic education. This means that, while the right to protest and freedom of expression/opinion may be officially recognised, young people are not brought up to be critical of the system.
- **Changes to legislative instruments linked to participation**: a couple of respondents mentioned that, over the past few years, there have been changes in legislation that have the potential to indirectly curtail civic space and political freedoms. For example, changes to the rules to be able to organise protests or demonstrations, and increasingly complex requirements, can represent an additional barrier to young people and youth organisations' right to assembly to speak up for causes that matter to them. Additionally legislation to curtail foreign funding, while in many instances well intended (e.g. to tackle fake news or address terrorist threats), can negatively impact the activities of those organisations relying on donors from abroad.

With regards to **young people's involvement and participation in trade unions**, the only trade union interviewed for this consultation reported that youth membership **is massively declining**. While this is seen as an internal challenge, it was also mentioned that it is connected to a bigger shrinking civic space issue and increased trade unions bashing. More specifically, it was highlighted that public authorities have a tendency to favour employers and businesses rather than trade unions, and therefore on average they're not particularly interested in tripartite agreements: if trade unions can't play a role in these processes, they end up looking less interesting and attractive, including to youth.

Another, broader issue is that **labour rights or the role of trade unions aren't really present as a topic in school curricula**. Young people don't learn about their rights or the importance/benefits of joining a trade union. Public Employment Services also have a role in this, in terms of being a reference point for youth, but they don't have enough resources to build their own capacity to work with young people. Sometimes trade unions cooperate with labour inspectorates, for example by doing workshops in schools, making pupils aware of their rights, but it's an exception to the rule.

As for youth organisations' involvement in decision making processes, there are some overarching trends that can be identified. Consultations seem to be the main tool used by policymakers to engage youth. While these are far from being an ideal participatory method,⁹ **the majority of youth organisations interviewed recognised that they are generally consulted by public authorities.** However, many issues remain unsolved.

First of all, consultation processes are rarely meaningful and often end up **becoming a box ticking exercise.** Youth organisations may get a seat at the table, but it is often unclear how their contribution will be used, if at all, as follow up is lacking. Moreover, while youth participation mechanisms may exist at the national or local level (Moldova, Turkey, Ukraine, Spain), these do not work as well as they should, due to an overall lack of willingness to make efforts to increase cooperation.

It is interesting to note that while several youth organisations mentioned being invited to contribute only during the initial stages of policy making (i.e. before policies are drafted), without being able to input on the actual content once a proposal is published; other organisations stated that their involvement comes too late in the process, when policies are already at their final stage, and there is no opportunity to meaningfully shape them. Regardless of the approach at national level, it seems clear that **there is a strong need for youth organisations to be involved in all stages of policy making.**

In several instances it was mentioned that the **format of these consultations is not as effective as it should be.** It's often governments who decide who to consult with and how, which means that youth organisations are not necessarily invited by default. Even when calls to gather input are launched, questions are usually framed to limit the types of answers that organisations can provide. This means that youth organisations not only have to advocate to be involved in consultations, but they also have to lobby to make sure that the methodology used is inclusive. Moreover, youth organisations are usually asked to contribute only to processes that are strictly related to traditional youth policy, rather than on initiatives that can have an impact on youth more broadly. In some countries (e.g. Croatia), moreover, some youth organisations, such as National Youth Councils lack official recognition by State authorities, which means they have less possibilities to get involved in working groups and consultation processes, as their participation is not systematic nor guaranteed. All these obstacles result in youth participation happening more in non-institutional spaces: this shows both **the importance of safeguarding civic space for youth organisations, and the need to improve youth participation mechanisms at all levels.**

"There are many mechanisms but they are just public stunts or they end up becoming expert panels full of adults while young people are just asking questions."

Lastly, **lack of sustainable funding models** is often identified as a key barrier by the vast majority of youth organisations. Interviewees from Croatia and Spain indicated that the NGO sector isn't really considered a key sector to finance, so there is no long term and sustainable financing model for civil society or youth organisations. In other instances, such as in Finland, funding for the youth sector comes from the national gambling monopoly, which is neither ethical nor stable, therefore providing additional difficulties for youth organisations. The constant struggle for financial resources affects what youth organisations can say and do. Indeed, NGOs mostly rely on European funds and/or grants published by national ministries, however this has serious

⁹ See Roger Hart's Ladder of Participation. For example, Council of Europe, Citizens and Participation. Available at: <https://www.coe.int/en/web/compass/citizenship-and-participation>

implications for their work. On the one hand, there are sometimes concerns as to how critical organisations can be in their advocacy work, given the dependency on public funding. On the other hand, the low level of funding available increases the competition, and means having to rely on very experienced project managers/grant writers, to draft strong applications. This has a disproportionately negative impact on smaller and local level youth organisations, that are less professionalised and mostly made up of volunteer staff. Additionally, respondents from Ireland mentioned that, while, in the past, organisations would have had more discretion in terms of how to use funding, recent changes in procedures and requirements resulted in increasingly detailed rules on what an organisation can or should be doing in order to be able to get financial support. This results in youth organisations being regarded as implementers or subcontractors, rather than as experienced partners.

As with any other right, intersectionality brings an added layer of difficulty to being actively engaged in civic space. The vast majority of organisations interviewed mentioned that, while minority groups are represented within civil society and within the youth sector, generally speaking, **no major efforts are currently being made by public authorities to meaningfully engage with these groups**. This means that **civil society organisations are being given a disproportionate responsibility to represent the rights and interests of vulnerable youth, without any official pathways** to ensure that these young people can access participation spaces themselves, or additional support to increase their outreach. This is problematic, because this lack of involvement leads to mismatched priorities by decision makers in terms of fostering social inclusion, because not all youth organisations manage to engage with all groups of young people, and because it harms their basic right of involvement on par with other citizens.

Other obstacles to the participation of vulnerable groups include **increasing levels of hate speech**, which prevents certain groups from becoming actively engaged (Spain, Finland); and the fact that participatory processes such as consultations, often take place during week days and working hours, which may mean that young people from more disadvantaged backgrounds give up on participating to prioritise education or activities that will generate income (Spain). Interestingly, **lack of political representation** was also mentioned as an additional barrier. This is seen as a **vicious cycle**: one the one hand, traditional politics rarely prioritise the specific needs of vulnerable groups as they aren't seen as a powerful electorate to cater for. On the other hand, lack of involvement and representativeness leads to mistrust in institutions, and increases segregation in society.

"If you don't see Roma doctors, politicians, and local administrators, you just feel like a foreigner despite living in your own country since you were born."

3.3 RECOMMENDATIONS

The European Youth Forum identified the following recommendations for Council of Europe Member States:

- Invest in citizenship education to ensure young people can develop critical thinking skills, fostering their active participation in society during the lifecycle.
- Promote the role of trade unions, including by recognising the importance of tripartite agreements and collective bargaining, and ensuring that labour rights awareness is included in school curricula, where possible.

- 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 exercise these freedoms or conduct their work freely and without fear of repercussion.
- Meaningfully involve young people in all of their diversity, and youth organisations as their representative structures, in all stages of policy making, by ensuring that consultative and other participation processes are shaped together with youth to gather appropriate feedback, and by providing adequate follow up.

4. QUALITY JOBS, TRANSITIONS AND SAFETY NETS

Securing stable and meaningful employment, with fair, just and favourable working conditions is one of the main priorities under the Recommendation. However, aside from data and statistics on youth unemployment, our consultation shows that **precarious work continues to be a major issue all over Europe, with lack of quality jobs featuring as the biggest obstacle for youth.**

"When you're young, you think it's normal to have a bad first job and a bad salary, and you don't feel like you can ask for more or better. It's common for people to assume that it's normal, which is part of the problem."

The vast majority of youth organisations interviewed mentioned short-term contracts having become the norm for young people. In addition to this, a few interviewees highlighted that one of the biggest changes over the past five years has been the emergence of new forms of employment that have become extremely common among youth, such as platform work.

This presents multiple challenges. On the one hand, legislation to improve working conditions for platform workers is generally lacking, resulting in less protection and higher risks. On the other hand, these jobs are often advertised to young people as opportunities to earn an "easy income", but not enough is being done to increase young people's awareness of what working for these platforms means in terms of their labour rights. Additionally, despite the disproportionate amount of young people taking up these jobs, very little is being done to include the youth perspective, or assess the impact on youth inclusion, whenever platform work is being discussed by policymakers. Trade unions reported being involved in negotiations on different collective agreements on platform work at national level, and they mentioned working closely with youth committees, where they exist, as this is a very relevant discussion for youth. However, the involvement of young people is limited to these internal consultations, as, despite the fact that platform work is mostly taken up by young people, these are broader negotiations as the rights in the agreements are for everyone. Interviewees from Spain also reported that young people are at times forced to work as freelancers, and that this is happening in several sectors, beyond platform work.

"We need to tackle the narrative that young people want flexibility - it's risky because young people, who don't know enough about these contracts and the lack of safety nets they lead to, are buying into this. They might think that they can get involved in platform work while they're doing unpaid internships, just to sustain themselves, but they are not aware of the risks."

Both in Cyprus and in Moldova entrepreneurship is seen as a possible means to reduce youth unemployment, however not enough concrete steps are being taken. It was highlighted that in Moldova there are programmes aiming to support people to start their own business, but this support provided to young entrepreneurs is still insufficient to make a significant impact on the labour market.

Transitions from education to employment remain long and difficult. Interviewees from Spain, Turkey, Malta, Croatia, and Belgium mentioned unpaid internships being very common in their country. Out of the National Youth Councils interviewed, only Romania and France mentioned that, over the past few years, governments have adopted legislation to regulate internships. In other countries there seem to be talks over the need to ban unpaid internships, but no proposal has been put forward yet. Still, regardless of whether legislative instruments exist, issues remain, as salaries provided to interns is on average low, the quality of the learning experience is often unsatisfactory, and internships continue to be seen as standalone opportunities rather than a step towards stable employment. More than this, some respondents (e.g. Belgium) mentioned that young people seem willing to take up low quality and/or unpaid opportunities as they feel that they are expected to do whatever it takes to enter the labour market.

Over the years, programmes were put in place to support young people in their transitions to employment. This is the case, for example, of France, Croatia, and Ireland, where employers were given financial support to hire young people and provide them with training. However, youth organisations report that some of these programmes had to be discontinued as young people were being taken advantage of as cheap labour. In other instances, financial support to partially cover salaries for young workers is still being provided by the State, for example in the case of Cyprus and Moldova, but not enough employers are taking advantage of these opportunities.

While apprenticeships do not seem to be central to the advocacy work of the organisations interviewed, representatives from France and Ireland mentioned that these seem to be better regulated than internships. In Ireland, the number of apprenticeships has been steadily increasing and the opportunities provided seem to be going beyond the areas and sectors traditionally associated with vocational training. However, trade unions warn that the quality of apprenticeships varies depending on the specific country, and ensuring health and safety, adequate remuneration, and access to social protection remain issues.

"It's not enough to say that young people have a right to work if there are not enough quality jobs for them. Young people often have jobs that do not correspond to their level of education or their interests. In many instances, they are forced to leave their country of origin too, because they find no opportunities - brain drain is becoming a real issue."

A precarious position in the labour market, paired with one's young age and lack of rights awareness lead to reduced access to social assistance.¹⁰ This is the case in France, where young people must be over 25 to access benefits: despite the existing consensus among youth organisations and society in general that age minimums shouldn't exist, so far there doesn't seem to be any political uptake to ban this form of age based discrimination. In Ireland, young people still receive half the amount of social assistance compared to older people: legislation changed to

¹⁰ For an overview of income support available in the EU, and age minimums to access it, see Raitano, M. et al. (2021), Fighting poverty and social exclusion. Publication for the committee on Employment and Social Affairs, Policy Department for Economic, Scientific and Quality of Life Policies, European Parliament, Luxembourg.

reduce the age minimum to access full coverage from 26 to 25, but this was a small win as age barriers remain. Moreover, these are means tested payments, and therefore only apply if young people live by themselves and rather than with their family.

Aside from age minimums, and specific cases of age-based discrimination, respondents from Spain, Croatia and Belgium highlighted that unemployment benefits aren't accessible to workers unless they've banked a sufficient amount of work experience, which is becoming increasingly hard for young people caught up in precarious work. In terms of income support, Spain reported that, in order to access the newly established universal basic income, a young person must be over 23, and that in any case, criteria to access support are very strict for a young person, proving that public authorities' understanding of the situation of young people is still very poor, despite the very high rates of youth poverty and unemployment. In Belgium, financial support can be accessed by young people under 25 who have completed their studies. However, existing criteria tend to exclude both those who are 25 or older when they leave school, as well as younger people who are still in education.

Some form of financial assistance for unemployed youth also exists in Ukraine, where young people receive income support while looking for a job, but questions remain with regards to adequacy.

Lastly, **accessing employment is still much more of a struggle when intersectionality is taken into account.** Most interviewees identified gender inequalities, racism, and discrimination against young people with disabilities as the main issues to be tackled.

Indeed, young women are identified as one of the groups most at risk in the labour market, as attitudes and behaviours that are influenced by traditional stereotypes can lead to gender based discrimination. Young people with disabilities also seem to face major obstacles in accessing the labour market. Several interviewees mentioned that employers do not take enough steps to make sure that workplaces are accessible to all, and that hiring practices are non-discriminatory. Moreover, the current labour market, requiring increasingly higher levels of speed, effectiveness and productivity is seen as not always open to people with different backgrounds.

Belonging to ethnic minorities is also likely to result in additional barriers. This is due to many interplaying factors: from chronic disadvantage and lack of access to resources, to prejudices and stereotypes; as well as insufficient support from public authorities. A young person's migrant status, for example, can mean additional precarity and reduced opportunities to have regular contracts. Young Roma also face multiple barriers in the labour market. Support programmes may exist but they are often provided by private donors, which means both that public investment is generally lacking, and that support is heavily dependent on foundations' interest in a certain spotlight population/issue. Moreover, even when public programmes exist, for example in the framework of national Roma integration strategies, they aren't necessarily directed at Roma youth as such. Rather they're aimed at fostering integration of vulnerable groups in general, and therefore outreach efforts don't specifically target Roma youth. Furthermore, according to our consultation, opportunities provided under these programmes don't foster sustainable skills development: there is a very stereotypical approach to job or training opportunities made available to young Roma, which makes it difficult for them to develop skills that are transferable.

Lastly, **lack of information and data,** not only about the specific obstacles faced by vulnerable groups of young people, but also about the extent to which existing measures are able to reach these groups, were also frequently mentioned as a key barrier to effective policy making.

4.1 RECOMMENDATIONS

The European Youth Forum identified the following recommendations for Council of Europe Member States:

- Update labour legislation to regulate new and non-standard forms of work, also taking the youth perspective into account, and ensure that legislation can be adjusted to regulate other new forms of work that may emerge in the future to safeguard workers' rights.
- Invest in quality entry-level job creation to support young people to enter the labour market, and implement an intersectional approach to employment policies, to ensure all groups of young people have an equal chance to access quality opportunities.
- Better regulate school-to-work transitions, including by banning unpaid internships, and ensuring adequate wages, access to social protection and fair working conditions for interns and apprentices. As part of this process, ensure that financial incentives to employers are conditional to their compliance with minimum quality standards.
- Reform social protection systems to provide better coverage for youth, both by improving adequacy, and ensuring equal access regardless of a young person's age or employment status.

5. EDUCATION AND LIVING STANDARDS

Tackling barriers to accessing quality education, catering for the specific needs of young people in healthcare, and supporting youth in accessing housing are among the key actions mentioned in the Recommendation. However, our consultation shows that there are still major obstacles to young people's access and enjoyment of their social rights.

Education

Formal education is, at least in theory, accessible to everyone. However, in practice, many direct and indirect obstacles remain. These include the often unaccounted for hidden costs of education (e.g. to buy materials used in schools and universities). Moreover, while education should be open and accessible to everyone, several interviewees (Finland, Spain, Turkey, Croatia, Ireland, France, Romania, Bulgaria, Belgium) reported that a young person's socio-economic background can play a significant role in perpetuating segregation in public education and fostering inequality. Indeed, while the level of school completion is perceived as increasing, there seem to be huge disparities in terms of educational attainment depending on whether young people live in poor or wealthier areas or belong to specific groups/socio-economic backgrounds.

Young people in rural areas also tend to be penalised both in accessing formal and non-formal educational opportunities, which are more readily available in urban settings, but also in accessing IT tools and internet connections which are increasingly important for education. Overall, respondents mentioned that this is a form of systemic inequality as public authorities tend to mostly focus on urban areas. Lack of teaching staff, poor training, and lack of investment in public schools are also reported to be issues in many countries: this has a negative impact on the quality of education at all levels; on the teachers' capability to work with young people from all backgrounds; and on the accessibility of public schools. An example of this was provided by a respondent from France, who mentioned that, particularly after the establishment of the

Parcoursup measure,¹¹ allowing public universities to select/reject candidates, there are not enough slots for young people to get into public universities, so they have to go to private schools, which are very expensive and can only be afforded by a few.

Among the respondents, Malta seems to be a positive exception, as it was highlighted how education is very inclusive and guidance and support for students has increased in recent years with new subjects, courses and master's courses made available, and opening new doors for youth. Even then, however, the consultation showed that, in general, youth organisations believe that formal education methods tend to be obsolete, and are often unable to provide youth with the skills and competences needed to adapt to changes in society and in the labour market.

Despite the crucial role it can play in addressing learning differences, **encouraging the development of soft skills, and fostering inclusion, non-formal education remains under-recognised.**

Housing

Accessing decent and affordable housing remains a key obstacle in young people's path towards independence. This is a multifaceted issue, as it relates to both ageist attitudes towards youth, barriers in accessing quality and stable employment, and lack of support programmes that can foster youth autonomy.

Respondents stated that there is often a general assumption that young people need to be flexible and adaptable when it comes to housing, and that therefore they can and should make do with substandard housing conditions. This results in lack of efforts to better support young people in accessing quality and affordable housing by public authorities, and a race to the bottom when it comes to the housing market. On top of this, poor working conditions and underpaid/unstable jobs, mean that young people are not seen as reliable tenants by property owners (which means that often young people are asked to pay a very expensive deposit to rent a flat, or someone else has to provide a guarantee), and face difficulties in accessing credit as banks have yet to adapt to the current reality of the labour market for youth. These barriers are often exacerbated if a young person belongs to a specific ethnic background, which can lead to multiple discrimination. Indeed, interviewees mentioned that, in Spain young migrants are discriminated against by landlords, as they don't trust their ability to pay rent in the long run. In France, information gathered by the *defensour des droits* shows that non-white young people face discrimination in accessing housing. Other respondents mentioned that, in certain countries, it is not uncommon to find adverts explicitly mentioning that Roma people weren't allowed to rent/buy the property. Additionally, international students also face the consequences of a "predatory housing market", due to their lack of knowledge of the local realities.

As a result, young people either have to resort to sharing housing solutions for longer than expected; or they stay home with their families for longer than they'd want to, postponing their independence; or spend a disproportionately high percentage of their income on housing.

In some countries, examples of support measures for youth were mentioned during the consultation. In Finland, private foundations and cities provide affordable housing for young people, but these are not enough to comply with the high demand. In Spain, it was reported that housing benefits ("*parques de publicos de vivienda*") are provided and in some regions young

¹¹ For more information see: <https://www.letudiant.fr/etudes/parcoursup.html>

people under 30 can get reimbursed up to 50% of their rent¹². In France, several measures exist. The Centre régional des œuvres universitaires et scolaires (CROUS) provides financial assistance to students, as well as student accommodation. However, the number of apartments available does not match the number of requests. The Aide Personnalisée au Logement (APL) provides housing assistance calculated on the basis of your rent: however, the amount received is based on income, so as soon as you get a job, the support is reduced, regardless of whether that source of income is stable or not¹³. Lastly, another measure ("Visale") was established to make sure that public authorities can act as guarantor to rent properties¹⁴. This could have been very helpful to young people, but in practice landlords tend not to trust this process. To support young people in Moldova, a public programme called First House was established to help individuals purchase a home, by having the state partially guarantee mortgages¹⁵. Even so, financial barriers and lack of a stable income mean the programme is not yet accessible to all youth, especially for those with fewer opportunities. Along these lines, Croatia and Romania also adopted programmes supposed to allow young people to get a favourable bank loan that the State will co-finance. However, the specific requirements and criteria to apply, make it clear that the initiative is mostly meant for families, rather than supporting young people to be autonomous.

Aside from accessibility and affordability, the quality of housing is also a big issue, as young people are often forced to live in tiny rooms in overcrowded houses/apartments.

"Prices are very high for young people, the housing market is in the hands of the 50+ years old and young people are renting."

Healthcare

When it comes to accessing healthcare, the vast majority of participants mentioned **high costs and long waiting times to access public health services; lack of attention and resources for mental health; and poor sexual and reproductive health education**.

The lack of socioeconomic possibilities is a big barrier in order to access proper healthcare for youth. While in some countries students have access to health services through their educational institutions, this is not always the case. Where healthcare costs have to be paid upfront, and then reimbursed by private insurance, young people tend to just avoid going to the doctor, as there are other, more pressing needs (e.g. paying for food or rent) that are usually prioritised. Saturated healthcare systems also lead to incredibly long waiting times, which, in turn, result in over-reliance on private clinics, which cost much more and may not be affordable for a young person.

With the exception of a few countries, where mental health issues aren't given any attention and are still considered taboo (e.g. Romania, Ukraine, Turkey), the general opinion is that small steps forward are being made in this area. In Belgium, for example, also thanks to the advocacy of youth organisations, mental health is one of the priorities under the Flemish Youth and Children's Rights

¹² For more information, see: <https://www.mitma.gob.es/arquitectura-vivienda-y-suelo/programas-de-ayudas-a-la-vivienda/programa-d-e-fomento-del-parque-publico-de-vivienda-de-alquiler>

¹³ For more information, see: <https://www.service-public.fr/particuliers/vosdroits/F12006>

¹⁴ For more information, see: <https://www.visale.fr/>

¹⁵ For more information, see: <https://gov.md/en/content/cabinet-approves-concept-state-programme-first-house>

Policy Plan¹⁶. However, even in this case, ensuring political will for the actual implementation remains a struggle. This seems to be the situation in most countries: adequate support is rarely provided, particularly through public healthcare. While mental health has become an increasingly relevant issue for youth, lack of public resources and high costs, perpetuate the cycle of disadvantage, as young people, due to their precarious position, can't afford the support they need.

"If you want to go to the psychologist, you need to pay a private one in almost 100% of the cases. With a minimum salary, you need to work almost 10h to be able to pay the average price of a psychologist."

Lastly, lack of adequate sexual and reproductive health education and access to related services was mentioned as a key issue for youth in countries such Moldova, Romania, and Croatia. Both in Moldova and Romania, the number of young mothers as well as the rate of Sexually Transmitted Diseases among youth remain very high. A crucial component of this seems to be that sexual education and reproductive rights are seen as highly taboo topics, and therefore they're rarely discussed either at home or at school.

5.1 RECOMMENDATIONS

The European Youth Forum identified the following recommendations for Council of Europe Member States:

- Ensure that free, quality education is accessible to all young people, including by providing publicly funded financial support for more vulnerable groups of youth, as well as investing in teachers, youth workers and educators training.
- Better recognise non-formal education (NFE) and NFE providers such as youth organisations as crucial actors in providing innovative and flexible education among young people at risk of social exclusion, and support and provide spaces for NFE providers to explore synergies and work with stakeholders within formal education.
- Address current gaps in the availability and accessibility of quality housing by investing in building affordable housing and strengthening rental regulations.
- Provide youth-targeted support, for example in the form of subsidised housing for vulnerable groups; rent deposit schemes; or non-conditional housing allowances, and ensure sanctions are in place should landlords refuse to accept these.
- Ensure access to universal free access to health care.
- Improve access to youth-friendly information on mental health and ensure the provision of quality, youth specific mental health services, to both increase young people's knowledge on how and where to seek help, and ensure support is available and accessible.

6. A SUSTAINABLE AND HEALTHY ENVIRONMENT

¹⁶ Vlaanderen (2020), Flemish Youth and Children's Rights Policy Plan. Available at: https://pjp-eu.coe.int/documents/42128013/97212371/Vlaams-Jeugd-en-Kinderrechtenbeleidsplan_2020-24_EN.pdf/42ea8d0c-183c-37e8-8f5b-f5b78821c192

While the right to a sustainable and healthy environment is not explicitly included in the text of the Recommendation, questions around this important topic were included in the consultation, as this has become an increasingly relevant issue for youth. Not only young people have been at the forefront of the fight against the climate crisis, but environmental and sustainability issues are closely linked to many of the rights protected by the Recommendation, from participation, to equality, to the right to work.

While in countries, such as Moldova, Turkey, Bulgaria, Romania, and Ukraine, youth organisations mentioned an **overall lack of understanding of the climate crisis and its impact**; for the most part, youth organisations agree that young people are, on average, more aware of environmental and sustainability issues than older generations. Despite this, there are some important nuances and knowledge gaps to take into account.

In countries such as Finland, Spain, and Ireland, interviewees highlighted that education plays an important role in increasing young people's awareness of climate, environmental and sustainability issues. However, even when these topics are being discussed in formal education settings, school curricula present key gaps. In Ireland, for example, the 2014-2020 Education for Sustainability Strategy¹⁷ was mostly focused on the Sustainable Development Goals¹⁸, therefore leaving a big gap in terms of issues related to climate change, biodiversity, and climate justice. In other contexts (e.g. Belgium), it was mentioned that information around climate and sustainability provided through education focuses too much on individual behaviours (e.g. sustainable diets), but do not empower young people to act.

"Young people are well informed. Their frustration is that they are informed but not involved in helping to do something. The answer of the politicians is that they will send climate coaches to schools so they [young people] can learn more about what they can do about climate change. Young people ask politicians to take action and that's the response."

Belonging to specific backgrounds might also result in a lower level of awareness or engagement on climate and sustainability issues. For example, a number of interviewees mentioned that, while young people from disadvantaged backgrounds recognise that climate and sustainability are important topics, they believe that other issues are more pressing in their everyday life and should therefore be prioritised. More than this, society often makes them feel like sustainability and climate justice are "elite concepts".

Most youth organisations agreed that **a healthy and sustainable environment should be considered both a right and a responsibility**. Many, however, highlighted how this view is not necessarily shared by older generations. Lack of uptake from older people is often perceived as having negative consequences on the present and future of young people, highlighting the need for a more intergenerational approach to these issues.

¹⁷ Department of Education and Skills (2014), The National Strategy on Education for Sustainable Development in Ireland (2014-2020). Available at: <https://www.education.ie/en/publications/education-reports/national-strategy-on-education-for-sustainable-development-in-ireland-2014-2020.pdf>

¹⁸ United Nations (2015), Transforming Our World: The 2030 Agenda for Sustainable Development, A/RES/70/1. Available at: <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>

Lastly, it is important to note that the majority of youth organisations consulted believe that **governments either aren't taking measures, or that the steps being made are not ambitious enough to protect the right to a healthy and sustainable environment**. Either legislation is perceived as being totally lacking; it is considered as not being fit to tackle the consequences of the climate crisis; or it simply isn't seen cross-sectoral enough, and therefore insufficient to address the complexity of the issues. More than this, with the exception of Cyprus, where the Youth Parliament seems to be involved in discussions around climate, institutions in several countries (France, Spain, Moldova, Turkey, Malta, Croatia, Romania, Ukraine) are not seen as being willing to consult with young people on these topics. In some countries (e.g. Ireland) youth organisations are advocating for the establishment of consultative bodies for young people to play a strategic role in advising governments on actions that should be taken to tackle the climate crisis.

"Even if environmental issues are more and more on the table, there's still a big way to go in order to consider it as a human right."

6.1 RECOMMENDATIONS

The European Youth Forum identified the following recommendations for Council of Europe Member States:

- Recognise that everyone, including young people, has a right to a healthy and sustainable environment.
- Implement policy and legislative measures to tackle the impact and address the root causes of the climate crisis, and ensure that they are ambitious and cross-sectoral.
- Meaningfully and systematically include young people and youth organisations in drafting, implementing and evaluating policies on climate and sustainability and acknowledge their role as equal partners and stakeholders.
- Include sustainability and climate issues in school curricula, ensuring that these contribute to increasing awareness around the complexity and multifaceted nature of the climate crisis and its impacts.

CONCLUSIONS

This report demonstrates that the obstacles to young people's access to rights are still many and multifaceted. Despite the adoption of the Recommendation in 2016, progress has been slow, and in most cases support measures have been either short-sighted, or not ambitious or far-reaching enough. The review of the Recommendation is an opportunity to take stock of current gaps and shortcomings, and take the necessary steps to foster youth inclusion.

When asked about key priorities for the way forward, youth organisations were clear: **access to quality employment and social services, with a specific focus on mental health and housing, were identified as the most pressing issues to tackle**. In terms of the solutions, the majority of respondents agreed on three key overarching principles that should guide the implementation of the Recommendation, and of any policy or legislative initiative related to youth rights:

1. **Measures must look beyond short term needs, and truly address structural disadvantages.** To achieve this, a rights based approach to youth and policy making is crucial.
2. **Progress won't be achieved without changing the way decisions are made,** and better involving young people and youth organisations. This can only be achieved through **proper co-management and co-creation,** and by considering young people as equal partners.
3. **Legislative instruments are needed both at European and national level** to better safeguard youth rights. Soft law has proven to be less effective in pushing public authorities to support young people. For the way forward, the focus should be on legislation as it allows **for more accountability.**

ANNEX

List of contributing organisations

This report is based on the findings from a consultation process led by the Expert Group on Youth Rights, a working structure of the European Youth Forum, which brings together committed young representatives from 12 Member Organisations. Between April and May 2021, the Expert Group interviewed or received written contributions from 23 representatives from Member Organisations - 17 National Youth Councils (NYCs) and 6 International Non-Governmental Youth Organisations (INGYOs).

NYCs	INGYOs
Finnish National Youth Council (Alliansi) Cyprus Youth Council (CYC) Committee for national and international relations of youth and non-formal organisations (CNAJEP) Spanish Youth Council (CJE) National Youth Council of Catalonia (CNJC) National Youth Council of Moldova (CNTM) Romanian National Youth Council (CTR) National Youth Council of Turkey (GoFor) Youth Council of the French Speaking Community in Belgium (FJ) National Youth Council of Malta (KNZ) Croatian Youth Network (MMH) National Youth Council of Ireland (NYCI) National Youth Council of Bulgaria (NYF) National Youth Council of FYROM (NYCM - FYROM) National Youth Council of Ukraine (NYCU) Swiss National Youth Council (SAJV/CSAJ) Flemish Youth Council (VJR)	AEGEE - European Students' Forum Alliance of European Voluntary Service Organisations (Alliance) European Trade Union Confederation - Youth Committee (ETUC Youth) International Federation of Medical Students' Associations (IFMSA) European Alliance of Young Men's Christian Associations (YMCA Europe) Phiren Amenca