



DDP-YD/ETD (2022) 204

Strasbourg, 16 September 2022

## **Drafting Group**

# PROJECT OF RECOMMENDATION ON ROMA YOUTH PARTICIPATION

### **Preliminary Meeting**

22 February 2022 (16:00 – 18:00)

<https://bluejeans.com/669345818/6862>

REPORT

List of participants

# REPORT OF THE MEETING

## **Introduction, opening and adoption of the agenda of the meeting**

The meeting started with an introduction of the 10 participants (list appended at the end of this report). All of the participants joined online.

The following agenda was adopted and there were no comments for additional points:

1. Opening and adoption of the agenda of the meeting
2. Recalling the mandate of the drafting group
3. Conclusions and feedback of the consultation with partners and stakeholders
4. Guidelines and good practices when drafting a Recommendation of the Committee of Ministers to the governments of member states – introduction and questions and answers with Irene Suominen - Legal Advisor Directorate of Legal Advice and Public International Law
5. Discussion on the scope of the recommendation, notably the connection with Roma and Youth policies and programmes, enabling and hindering factors of Roma youth participation, concept of youth participation, etc., with an introduction by Margareta Matache, consultant with the Council of Europe
6. Working methods and tentative calendar of the drafting group
7. Next steps and date of the second meeting
8. Any other business

## **Recalling the mandate of the drafting group**

The mandate of the Drafting Group (DG) was recalled as for the decision to prepare a draft CM recommendation on Roma youth participation.

While waiting for the formal appointment of the representative of the statutory bodies, this preliminary meeting will prepare the secretariat and the future drafting group to the task ahead.

## **Conclusions and feedback of the consultation with partners and stakeholders**

The participants were informed that informal consultation with partners and stakeholders took part on 22 February in the morning hours. The main points on the partners meeting were presented, such as the planned drafting of Recommendation on equality for Roma women and girls by Roma and Travellers Team with a deadline of 31 December 2023 and Recommendation on active political participation on national minority youth by CDADI with a deadline of 31 December 2023. Representatives of the NGOs at the meeting recalled the activities they are organising. There was a proposal to include the practices by the Roma youth-led NGOs in the Recommendation.

The participants were informed on the outcomes of the consultation with the partners and their proposal on the content of the Recommendation, such as using the Recommendation as advocacy tool, combatting antigypsyism, keeping in mind the diversity of Roma youth, making use of the Phiren Amenca study on *Roma youth participation in Europe: Challenges, needs and opportunities* conducted in 2020, reflecting and acknowledging the impact of poverty on the Roma youth participation.

## **Guidelines and good practices when drafting a Recommendation**

- with Irene Suominen - Legal Advisor Directorate of Legal Advice and Public International Law

The guidelines and good practices to be kept in mind were considering the structure of the Recommendation (requires at least two parts - preamble and operative part; there can be also appendices added), needs to have a title.

The standard opening sentence of the Recommendation is "The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe".

The preamble contains the block with paragraphs starting with: "Considering, ", "Whereas". In preamble there is a need to express the challenge to human rights and what needs to be done in this matter, basic principles, studies, documents, legal documents, existing instruments (it is important to keep the hierarchy of norms – first conventions, then recommendations, then policy documents).

It was noted that the recommendations only address the member states (not the civil society), thus they are formulated by using the phrase: "*Recommends that the governments of the member States: ...*".

Appendices can be added to the Recommendation and it can contain glossary of terms, as well as methods of implementation of the Recommendation.

As for the linguistic matters it was mentioned that draft of the Recommendation needs to be prepared in both official languages of the Council of Europe. The language of the Recommendation reflects its legally non binding character (use "members states should" instead of "are obliged to").

An Explanatory Memorandum can be drafted within the Recommendation for example to explain the history of the Recommendation. Memorandum is not adopted by the Committee of Ministers. It explains more the preparatory work of the recommendation.

The legal character of the Recommendation was recalled such as the fact that recommendations are not legally binding, but they can serve as an advocacy tool and agreement of the states to take action in specific direction.

The question on the reference to the legal documents binding only some members state was posed and proposed to be solved by using inclusive language, such as: "wherever there is a national strategy members states should promote it".

### **Discussion on the scope of the recommendation, with an introduction by Margareta Matache, consultant with the Council of Europe**

The participants shared they would like to see the double mainstreaming approach reflected in the Recommendation, as well as removing barriers for Roma youth (antigypsyism), mentioning intersectionality approach, actions and measures on work with young people, as well as policies and resources that hinder Roma youth participation.

It was mentioned that there is a lack of space for Roma youth to mainstream their youth structures, and that it is important to tackle in the Recommendation the encouragement for the creation of Roma youth organisations.

### **Working methods and tentative calendar of the drafting group**

Timeline of work of the Drafting Group was recalled:

- October 2022 – draft of the Recommendation in the CMJ (Joint Council on Youth),
- September 2022 - meeting of Drafting Group,
- June – September 2022 – consultations,
- June 2022 – second meeting of Drafting Group,
- May 2022 – first presential meeting of the Drafting Group;
- February 2022 – first online meeting of the Drafting Group, defining the scope of the recommendation, working methods and calendar.

#### Next steps and date of the second meeting

The Drafting Group agreed to hold the first meeting on 2 and 3 May 2022 in Strasbourg. Hopefully it will be possible already to involve the new members of the Advisory Council on Youth.

## LIST OF PARTICIPANTS

GEORGINA LABODA	Roma rapporteur in the Joint Council on Youth
BERIL BARANYAI	Youth rapporteur in ADI-ROM
IRINA BELYAEVA	European Steering Committee for Youth (CDEJ)
RICCARDO VENTURINI	CDEJ
MARGARETA MATACHE	Consultant

#### Council of Europe secretariat

IRENE SUOMINEN	Legal Advisor Directorate of Legal Advice and Public International Law
CLEMENTINA BARBARO	Head of Division of Youth Policy; Secretary to the Joint Council on Youth, Youth Department
AGATA STAJER	Educational Advisor, Youth Department
RUI GOMES	Head of Division Education and Training, Youth Department
JOANNE HUNTIG	Secretary to the Advisory Council