

THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

Recommendation 433 (2019)¹ Social rights of young people: the role of local and regional authorities

1. The fundamental social rights of the citizens of the member States of the Council of Europe are guaranteed by the European Social Charter (revised) (ETS No.163, hereafter the “Social Charter”); it was opened for signature of member States in 1961 (ETS No. 35), subsequently coming into force in 1965, and was then revised in 1996.

2. The Social Charter is an essential guiding document, setting the ground rules on fundamental social and economic rights at the pan-European level. It guarantees a broad range of human rights related to employment, housing, health, education, social protection and welfare. It explicitly refers to young people as being entitled to social rights in terms of education and labour market integration or benefits for the newly married.

3. In order to develop concrete guidelines to facilitate the implementation of the rights set out in the Social Charter, in particular with regard to young people, the Council of Europe has adopted a series of texts during the last decade, highlighting public authorities’ responsibility in facilitating young people’s access to fundamental rights.

4. Recommendation CM/Rec(2016)7 of the Committee of Ministers to member States on young people’s access to rights, adopted on 28 September 2016, and the recommendations of the Parliamentary Assembly of the Council of Europe on young people’s access to fundamental rights (2015 (2013)), and “Towards a European framework convention on youth rights” (1978 (2011))², provided the opportunity to underline that rather than adopting a specific treaty on the rights of young people, the aim should be to take measures in order to capitalise on the existing binding instruments, as enshrined in the European Convention on Human Rights (ETS No. 5) and the Social Charter (ETS No. 163).

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

6. By disseminating and implementing the Social Charter, local and regional authorities, along with social partners and civil society organisations, play a key role with regard to young people’s access to the Social Charter and their

enjoyment of the rights enshrined in it. This crucial role of local and regional authorities in making the Social Charter effective in legal terms (in line with the “social” responsibilities that form part of the core of each government level’s respective autonomy), should be supported by national, European and international action plans and programmes.

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

8. In light of the above, the Congress recommends member States to:

a. sign and ratify the revised Social Charter if they have not yet done so, and to accept, in the spirit of the “Turin process”, the collective complaints procedure, as the implementation of the Social Charter and the case law of the European Committee of Social Rights offer a wide range of good practices concerning young people’s access to social rights and the exercise of these rights, and, consequently, constitute a significant source of inspiration for local and regional action in this field;

b. involve local and regional authorities, both in the preparation of annual national reports – or in the preparation of observations on possible collective complaints – that are submitted to the European Committee of Social Rights by the governments of States’ Parties, and in the follow-up given to the committee’s conclusions and decisions. This involvement remains consistent with Article 4, paragraph 6, of the European Charter of Local Self-Government (ETS No. 122), which provides for consultation for local authorities “in the planning and decision-making processes for all matters which concern them directly”. Indeed, the Social Charter, as the Council of Europe’s “flagship” treaty in the field of social rights, is also the driving force behind social inclusion and the active participation of young people in the life of the community;

c. develop national action plans for raising awareness of young people’s social rights, in co-ordination with local and regional authorities and in co-operation with youth leaders – the latter being voluntary or professional persons involved in work or action with and for young people in different contexts – for the dissemination of good practices at all levels of responsibility.

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

2. Parliamentary Assembly Recommendation 1978 (2011) “[Towards a European framework convention on youth rights](#)” adopted on 24 June 2011)