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Review of the Recommendation CM/Rec(2016)7 on
Young People's Access to Rights.
Article I.1. and Article I.2.

REPORT
Desk research and survey

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About this report:

This report is the result of the work undertaken by Dunja Potočnik and Maria-Carmen Pantea, consultants commissioned by the Council of Europe to carry out the review of the [Recommendation CM/Rec\(2016\)7](#) on Young People's Access to Rights between June and September 2021. The two researchers worked individually: D. Potočnik worked on Article I.1. and M.C. Pantea worked on Article I.2. They integrated the text and cooperated for the overall design of the report.

This work has been carried out under the supervision of the Joint Council on Youth which appointed a Monitoring Group to accompany the work of the consultants. The work took into account the proposals from two online consultative meetings (October, 2020 and September, 2021) as well as the Monitoring group meeting in March 2021. The review was written between June and September 2021. The consultants participated in the meetings of the Monitoring Group and carried out a previous review of the literature on the topics, on behalf of the EU-Council of Europe Youth Partnership ([Potočnik, 2021](#); [Pantea, 2021](#)).

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Executive summary

The 2021 review of the Recommendation on the young people's access to rights is focused on Art.I.1 (addressing discriminatory practices) and Art.I.2. (removing 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). The review is coordinated by the Council of Europe in cooperation with the strategic partners, notably the European Youth Forum, and is undertaken respecting the Guidelines on the implementation of Committee of Ministers' Recommendation on young people's access to rights. This report is part of this complex process. It aims to better understand how the two Articles of the Recommendation have impacted on youth policy-making and on young people's access to rights in member states (including in and through the activities of youth organizations and other stakeholders). The report is based on two pillars: desk research and an online survey distributed to the members of the Joint Council on Youth, collecting answers on the state-of-the-art, the needs and responses of the youth sector in respect to the youth access to rights.

The desk research highlighted the important work carried out by the Youth Department of the Council of Europe in promoting the Recommendation, notably through the Youth for Democracy programme and the grants of the European Youth Foundation. A considerable number of partners (NGOs, national youth policy authorities, local authorities) have taken ownership and contributed to its implementation. The report highlights the role of the activities in relation to: (i) fighting discrimination and promoting a rights-based youth policy making; (ii) advancing the freedom of assembly on the policy agendas; (iii) supporting organizations to navigate policy processes; (iv) strengthening organisations' advocacy roles. The report argues that the promotion of human rights education is the most important lever the Youth Department has in reaching the young people who are not part of organisations. It positively notes the efforts of the European Youth Foundation in supporting small youth organisations operating in adverse circumstances. The efforts in building the capacity of striving organisations were highly commended.

At national levels, the implementation of the Recommendation is embedded in very complex, and hard to unpack policy environments. Youth access to rights is still unevenly distributed across the countries of the Council of Europe. The report suggests that, even though policies adopted by member states have a positive impact on young people, still, very few recent changes in the legislation can be attributed to CM/Rec(2016)7 or directly linked. Young people's access to rights is rarely a stand-alone priority and often not explicitly outlined in the youth policies of Member States.

Despite some indications that several member states used the Recommendation in drafting public policy documents and programmes, overall, the degree of engagement with the CM/Rec(2016)7 has been assessed as insufficient at national levels. The inadequacy of responses for the implementation of CM/Rec(2016)7 is accentuated by the insufficient translation to national languages and the insubstantial promotion among the relevant stakeholders. In many countries, the policy home for youth-related issues is volatile and frequently on the move. The capacity of state's youth sector institutions is often under strain, with departments responsible for youth being merged, dissolved, relocated. This is a major limitation in implementing the CM/Rec(2016)7 and its further monitoring. Increased ownership is, thus, needed from public authorities to further the implementation of the Recommendation.

Although the respondents from governmental bodies overwhelmingly agree there are no legal challenges to the implementation of the Recommendation, still, there are social, economic and political challenges that pose limitations. For Art. 1.1., they refer to entrenched patterns of age based and intersectional discrimination. For Art. 1.2., the availability and affordability of youth spaces and mixed levels of trust between young people and political elites, play a role. There is insufficient engagement with young people and youth organisations on the implementation, and even less on the monitoring of CM/Rec(2016)7. More recently, unfavourable conditions for accessing the rights have proliferated with the outburst of the Covid-19 pandemic.

All priorities fields of the Recommendation remain valid and call for concrete action in all contexts, first and foremost by public authorities (national authorities, regional authorities, local authorities) as duty bearers, as well as other relevant actors (e.g. civil society). Current and on-going crises (e.g. the COVID-19 pandemic; the climate crisis; democratic backsliding; armed conflicts) have further deteriorated young people's access to rights, making the implementation of this Recommendation even more important.

The report tentatively suggests several proposals for the next 5 year period of the implementation of the CM/Rec(2016)7. They are focused on the work of the Youth Department of the Council of Europe and touch upon the actions at national levels. Without inferring any sense of priority, the main policy implications refer to:

- A stronger commitment of the Council of Europe, and its strategic partners, to the promotion of the Recommendation within their own events and projects;
- Continuation of support for organisations facing restrictions on funding and minority organisations experiencing limitations for their access to funding;
- The Council of Europe and its member states to advance the work on building capacity of youth organisations for meaningful youth participation. This entails, *inter alia*, strong human rights education and education for democratic citizenship for building networks of multipliers who can promote a rights-based approach in youth policies and programmes at national level;
- Further action tackling emerging or aggravating challenges that hinder young people's access to rights (e.g. digitalisation, democratic backsliding, the climate crisis, demographic changes, the socio-economic impact of the COVID-19 pandemic). Mapping and anticipating the early signs of illiberal trends is key for the implementation of Article I.2;
- More innovative instruments for implementation, monitoring, evaluation and review are needed in ways that meaningfully involve young people and youth organisations. A good practice supporting such processes are the so-called "youth checks/tests" in the policy making cycle;
- The Youth Department to encourage youth organisations to promote to the wider public their role and achievements in non-discrimination work and freedom of assembly. Emphasising their identity as *youth* organisations is important for acknowledging the role of the youth sector;
- The Youth Department to support and promote a revised culture of *good practices* in ways that are organised around issues, based on collaborative thinking and mobilisation at different

levels. The complex nature of the new political threats to the Article 1.2 demands complex responses that go beyond of individual organisations working in isolation;

- The Youth Department to continue fostering structures of coordinated support between established organisations and the ones that are more recent, remote and smaller in scale;
- Member States to 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. The process entails also a shift in semantics towards rights-based approaches in policy processes and youth-friendly information on accessing the rights and securing legal remedies;
- The Council of Europe to encourage member states to engage in regular peer reviews to continuously monitor and evaluate progress in achieving young people's access to rights.

Based on the report and taking into account the various studies and contributions to the review process, the Monitoring group has put together a list of conclusions as presented in the appendix of this report.

1. General context

The Council of Europe [CM/Rec\(2016\)7 Recommendation on young people's access to rights](#) was introduced with the intention of giving stakeholders in Council of Europe member states an additional mechanism for advocating realization of youth rights, as well as providing guidelines on how and which governmental bodies and international institutions, must guarantee young people's access to rights. The Council of Europe is coordinating the review of the Recommendation on the young people's access to rights, which is to be aligned with the [Guidelines on the implementation of Committee of Ministers' Recommendation on young people's access to rights](#). The process aims at consolidating the contribution of a wide group of stakeholders in the youth field from the national, regional and local level, including the perspective of the international organisations.

The Recommendation CM/Rec(2016)7 on Young People's Access to Rights calls member states to provide 'effective mechanisms for informing and advising young people of their rights and the possibilities for seeking redress if these rights are violated or withheld'. The recommendation is not focused on the rights themselves. It aims towards improving young people's *access* to rights by inviting member states: (1) to promote awareness of the rights that young people should be able to enjoy and the measures of redress if their rights are violated; (2) to remove legal, political and social barriers and (3) to regularly monitor and respond to rights infringements and ensure adequate protection.

The recent years witnessed an increase in debates on this topic in the Council of Europe (Parliamentary Assembly, Commissioner for Human Rights, Committee of Ministers). The actions of the Youth Department of the Council of Europe are complementary to other policies and initiatives of the Council of Europe, in particular the Recommendation [CM/Rec\(2018\)11](#) of the Committee of Ministers to member States on the need to strengthen the protection and promotion of civil society space.

The Recommendation has been used as a baseline for the [Council of Europe's youth sector strategy 2030](#) which makes sure that the focus on young people's access to rights remains a core priority of the institution.

The European Youth Foundation (EYF) states its support to the implementation of the CM/Rec(2016)7. The supported pilot activities contributed towards increasing the capacity of young people and youth organisations to access their rights and advocate for human rights and citizenship education. Its actions on access to rights aim to: a) support human rights education; b) strengthen access to social rights for young people from disadvantaged neighbourhoods; c) support media literacy and young people's rights in the digital environment. There is an increased emphasis on the removal of legal, political and social barriers to young people's rights to assemble. Young people's access to rights has been proposed as a grant priority for the projects to be funded under EYF between 2022-2023.

Five years after its adoption, the Council of Europe Youth Department examines the follow-up given by member states to the Recommendation, in particular Art.I.1 and Art. I.2. The review takes place in a loaded context, shaped by the complex implications of the Covid-19 epidemic, by democratic backsliding and increased environmental emergencies. They pose unprecedented pressure on the youth sector, resulting in deterioration of the access to rights for young people and the accumulation of disadvantages. Taking stock of the Council of Europe support for young people's access to rights is timely, in order to inform future actions. The current report is part of this complex review process.

2. Methodology of the study

The report focuses on two articles of the Recommendation:

Article I.1: Addressing discriminatory practices faced by many 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

Article I.2: Removing 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.

The report was carried out between June and early September 2021. It was based on:

- researchers' participation at the consultative meetings of the Monitoring group in preparation of the review (2020-2021);
- the desk review of the project reports of the activities in the European Youth Centres under the programme priority of young people's access to rights;
- the desk review of annual reports of the European Youth Foundation;
- the analysis of the list of EYF projects under the priority *Access to Rights*;
- the European Youth Forum's contribution to the review of the CM/Rec (2016)7;
- the findings of previous mapping studies in the same area, carried out by the authors on behalf of the EU-Council of Europe youth partnership ([Pantea, 2021](#); [Potočnik, 2021](#));
- an online survey distributed to members of the Joint Council on Youth, gathering insights on the promotion and implementation of the youth rights on the national level.

The desk research looked at the activities that took place at the youth centres in the last five years, or funded through the European Youth Foundation. The analysis focused on the records and reports provided by the Youth Department of the Council of Europe and the European Youth Foundation.

The online survey focused on five broad areas of youth access to rights: 1) insights on the steps taken towards the implementation on the two Articles at the national level (translation and dissemination of the Recommendation); 2) challenges in implementation of the two Articles on the national level; 3) identification of the discriminatory practices against young people on the national level; 4) proposed changes in the legislation that could facilitate implementation of the two articles on the national level; and 5) examples of good practice in implementation of the two Articles on the national level.

The survey was distributed by the secretariat of the Youth Department at the end of June 2021 to its members of Joint Council on Youth. It was available online throughout the summer, until August 30, 2021. A total of 15 responses were received from 13 countries: Albania, Belgium (Wallonia), Denmark, Estonia, Hungary, Ireland, Monaco, North Macedonia, Norway, Poland, Republic of Serbia, Sweden, United Kingdom. Out of the 15 survey responses received, 12 were filled by representatives of ministries or state bodies responsible for youth matters.

3. Desk research

3.1. Desk analysis of activities under the priority of Young People's Access to rights within the Youth Sector and their link with Article I.1 of the Recommendation

The [preliminary desk analysis](#) included more than 40 documents, several research studies and numerous online sources which were developed under the priority “Young people's Access to Rights” within the Youth for democracy programme and the EYF. The strategic priorities for each biennial programme of the youth sector are defined by the Joint Council on Youth (CMJ), which is the central co-managed political body of the youth sector. The three strategic priorities for the 2020-21 biennium focus on:

- promoting young people's access to rights and supporting them in advocating education for human rights and democracy;
- facilitating young people's autonomy and participation through the promotion of youth policies and youth work, as well as support for youth civil society;
- engaging young people in peace-building and social cohesion, to combat discrimination and exclusion.

The desk research looked into the first priority as the one most directly linked with the Recommendation.

The analysis suggests that young people are more sensitised to discrimination and violation of human rights than older citizens, and less prone to discriminating against other people on the grounds of their personal traits, status or identity. However, young people are still exposed to discriminatory practices, even to multiple discrimination (members of the minorities, migrants and refugees, young people who identify themselves as LGBTIQ+), in their everyday lives ([Special Eurobarometer 493: Discrimination in the EU](#), 2019b). The analysis of the European Youth Forum (2021) emphasizes that “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” (p. 4). Despite existing awareness of the need to improve youth access to rights in Europe and cooperating regions, there is no legally binding document in this area, meaning the recommendations are most often the only instruments protecting young people's rights. Following the adoption of the Council of Europe [CM/Rec\(2016\)7 Recommendation](#), efforts of the Council of Europe and other stakeholders in the youth field, especially the youth organisations, have resulted in better recognition of importance of providing access to rights on an equal basis to all young people. While recognising this advancement, we have to admit that the milestone has not been reached on the wide level as young people's access to rights and importance of tackling their discrimination have not been mainstreamed in all countries of the Council of Europe. Therefore, a major challenge for the next period is to identify channels of promoting young people's access to rights in the overall policy environments and to assure instruments for equal access to rights for all young people. This is a mission for all the stakeholders in the field, including international organisations, policy makers, governments on the local, regional and national level, youth organisations and other practitioners in the field, as well as researchers.

According to the main aim of the Recommendation on young people's access to rights “ [...] to improve young people's access to rights rather than addressing the specific rights themselves” while “[...] improving access by taking steps to promote awareness of the rights that young people should be able

to enjoy and what they can do if their rights are violated, and by removing legal, political and social barriers”, the analysis that follows will identify main actions in the field of promotion of the youth access to rights on the national and international level, including actions directed at the youth on a more general level and at the youth workers. The Council of Europe has started with preparatory events considering review of the impact of the Recommendation on Young People’s Access to Rights in 2020. The occasions that were directly focused on the topic of this review are two study sessions in 2021 that lasted for two days, gathering 40 participants both and each time. One of the study sessions was held in [February 2021](#), and another in March. Along study sessions directly aiming at the Recommendations’ review, a study session on Young People’s Access to Rights – Forum of European Muslim Youth and Student Organisations (FEMYSO) [“Cre-Active Citizens: Empowering tomorrow’s community leaders”](#) was held in the European Youth Centre Budapest (EYCB) in June 2021. The events held between 2017-2021 in relation to Art I.1. can be clustered along 7 topics that also frame the analysis in this report:

1. human rights and participation;
2. minorities, refugees and conflict resolution;
3. gender and LGBTIQ+ rights;
4. online discrimination;
5. young people with disabilities;
6. health;
7. housing.

The most prominent topics were ‘refugees and migrants’ and ‘peacebuilding and conflict resolution’ (5 events each), ‘minorities and fight against xenophobia’, ‘online discrimination’ and ‘youth participation on a local level’ (4 events each). Somehow less prominent topics included “youth participation in general’, ‘gender” and ‘human rights in general’, that were addressed by 2 events each. The rest of the topics that can be subsumed under ‘youth rights’ were targeted at one event each.

Funding, as one of the main prerequisites for undertaking actions in the youth field, can be tracked clearly in the case of the European Youth Foundation’s (EYF) supporting the youth access to rights. The EYF states youth access to rights as a priority No 1, which is operationalized through three streams of funding: 1) Participation/Gender equality/Diversity/Roma; 2) No Hate Speech Movement and 3) Migrants/Refugees/Peacebuilding. The EYF made available a complete list of the projects funded in a period 2017-2021 to the researchers. They demonstrate strong commitment for supporting youth access to rights. EYF funded 125 projects under “access to rights”, with 29 projects directly tackling CM/Rec(2016)7. Most projects focused on Participation/Gender equality/Diversity/Roma and No Hate Speech Movement, while projects tackling Migrants/Refugees/Peacebuilding were less represented. However, the list of the projects available on the EYF webpages is significantly shorter than the one provided through direct contact with the EYF. For instance, only six projects in the area of combating online hate speech at a more general level, and eight on intercultural dialogue, peacebuilding and migrants and refugees are presented. It would be valuable to present all awarded projects on the website, as it would further enhance promotion of the projects dedicated to the youth access to rights.

3.1.1. Human rights and participation

Human rights in general

Human rights are indispensable part of political and policy narratives throughout the world. Still, this is a very complex area that implies multiple relationships among individuals, social and institutional actors. The entire ecosystem involved in ensuring the promotion of rights is often less acknowledged. It is thus essential to embrace human rights in the events and documents targeting young people, like [the 2017 Human Rights Forum & Fair](#) of the European Youth Centre Budapest, which aimed at taking stock of the state of human rights and citizenship education in Hungary. The background info explicitly states the aim of reinvigorating, strengthening and further expanding the network of organisations, practitioners, educators, and donors who are promoting and helping in exercising human rights. A similar event – the second seminar of the long-term training course on citizenship, participation and human rights education for youth workers from Ukraine – was held in 2020. The topic of human rights has been bolstered by six events on the topic of human rights education, which will be presented in the next sub-chapters.

Human rights education

Section II.3.1 of the Recommendation on young people's access to rights calls for adopting measures for investing and supporting non-formal education, which would eventually lead to recognising the benefits of non-formal education. [European Youth Event activities against discrimination](#) (2018) presented a continuation of the human rights education youth programme, which is directly related to the Sections I.3 and II.3.5 of the Recommendation, on the need of creating new policies tackling barriers to access to high quality education for all. [Euro-Arab Compass Training on human rights education and youth participation](#) (2020) also relies on two previously mentioned sections of the Recommendation, as well as on the Sections II.2 and II.3.6 that call for promotion of human rights education. 2021 was marked by three important events promoting human rights education and supporting the Sections II.2, II.3.5 and II.3.6 of the Recommendation: 1) the study session on Human Rights Education - HREYN "[AHRE - Advocates for Human Rights Education](#)", supporting the access to human rights education by using advocacy campaigns, mapping the situation in member states, providing specific tools for advocacy and creating supporting tools for youth organisations; 2) [Compass training course for trainers in human rights education](#) including a module using the toolkit on advocacy for youth organisations (with a focus on access to rights and human rights education) and 3) [training courses for human rights educators on working with Compass and/or Compasito](#).

The [National Compass training courses on human rights education](#) also served as a strategic national or regional activities for the development of competences of key multipliers for human rights education with young people. These courses are organised at the initiative of youth organisations or education institutions interested in introducing and developing the provision and quality of human rights education.

Access to quality non-formal education for youth workers

The activity that was closely linked with the priorities of the Council of Europe's Youth Department in 2017, as it aimed out to foster young people's access to their rights and young people's autonomy by developing their capacities through non-formal education to contribute to increased inclusion in the society and their organization, was a study session [Why, How, and What? Youth workers increasing accessibility and quality of non-formal education](#). Its relevance to the access to rights is linked to the

Section II.3.1 of the Recommendation, calling for investment in non-formal education and further recognition of non-formal education by member states. The pandemic has additionally endangered fragile pathways of youth workers towards quality learning opportunities, while increasing usage of digital technologies and lowering opportunities for immediate social contact. In this context, access to quality non-formal education more than ever plays a crucial role in helping youth workers to update their skills and acquire new ones in order to engage in meaningful youth work.

Youth participation in general

Youth participation has various forms that are all safeguarded by the principle that young people and societies cannot prosper if youth participation is not enabled, supported and strengthened. Youth participation can be strengthened, among others, by including young people in the design, implementation, monitoring, reporting and evaluation of instruments, strategies and programmes. All these mechanisms are closely interlinked with the education and capacity building, which are entailed by the Sections II.2 and II.3.4 of the Recommendation. One of the programmes in this scope was [LEVEL UP to EUR-UP](#) - study session on engagement with European political processes for young people experiencing barriers to participation on the European level (2020). It aimed at empowering the young people who cannot access European political and social processes due to a lack of information, language barrier and/or socio-economic disadvantages to feel comfortable participating in their first European-level event and to encourage people around them to do the same in the future.

Youth participation on a local level

Examples of programmes supporting youth participation on a local level, which is in compliance with the Sections II.3.2 and II.3.4 of the Recommendation are, „Together Have Your Say!“ events held in [Ukraine](#), [Russia](#) and [Azerbaijan](#) in 2018. These training seminars brought together civil servants and representatives of civic society organisations to discuss youth participation and youth policy development, and involvement of young people in decision and policy-making processes at local and regional levels. Similar to the three events is a study session [Play Your Part!](#), also held in 2018, which aimed to empower community participation in urban and rural areas. With the rise of Covid-19 pandemic, the digital means of fostering youth participation once again came in the focus. This focus was supported, for instance, by the 2020 event [W\(e\)-participate! Harnessing digital innovation for youth participation at local level](#). This study session reflected on possible ways to promote digital youth participation based on the Council of Europe standards such as [the Revised European Charter for Youth Participation in Local and Regional Life](#) (2003), and the Recommendation on young people's access to rights. It has to be emphasized that this event is one among only three events in the observed period that have a direct written reference to the Recommendation on the young people's access to rights. The last event held on the topic of youth participation – a 2021 study session – Erasmus Student Network AISBL [“Take your part!”](#) – also contributed to the same goal, by promoting the Charter on Participation of Young People in Local and Regional Life.

3.1.2. Minorities, refugees and conflict resolution

Minorities

Rights of Roma and Travellers have gained more prominent space since 2017, especially after the adoption of the [Recommendation CM/Rec\(2017\)10 on improving access to justice for Roma and Travellers in Europe](#). The Recommendation on the Young People's Access to Rights added to recognition of the Roma and Travellers rights by Sections II.3.5 and I.3., which emphasize the need to address intolerance and discrimination and stress the need for new policies breaking down barriers to access to high quality education for all. There were two study sessions organised in order to acquire knowledge about the concept of antigypsyism (in 2018 and 2019). They also pooled necessary expertise for contributing to the development of a 'youth-friendly' version of the [policy report](#) (2018). The study session in 2019 – [European Youth Against Populism and Xenophobia](#) explored how youth workers can challenge xenophobic attitudes and raise awareness on populism. The session put at its core the need to tackle systemic discrimination against national, ethnic, racial, religious and cultural minorities. The first day of the study session explored the Recommendation on the Young People's Access to Rights and identified modes of practical usage of the Recommendation. Additionally, the topic of Roma youth participation was in the focus of three meetings of [the Task Force on Roma Youth Participation](#). [The report on the 2nd Meeting](#) (p. 8) states that "The guidelines outlined in other instruments and specifically the Recommendations of the youth sector, such as the Enter!, Access to Rights and Youth Work Recommendations must be applied in the work with Roma youth, with special regards to supporting leadership, the right to health, housing and employment." Moreover, the Task Force discussed the creation of a new Recommendation for Roma Youth Participation to ensure that all Roma youth have full access to, and understand and advocate for their rights as young people.

Refugees and migrants

There is an ongoing reflection on how to promote a more co-ordinated and efficient integration of young migrants and refugees at the level of the Council of Europe and the European Union. The most outstanding topics include integration in the schooling system, access to labour market and inclusion and participation in public life, which is in line with the Sections II.3.2 and II.3.5 of the Recommendation on the Young People's Access to Rights. A 2017 study sessions [Children on the Move – how youth organisations can support young refugees and migrants](#) and [Defending the rights of young refugees and migrants in the labour market and in their transitions to the labour market](#), as well as 2019 study session [Exploring the inclusion of young refugees in Europe: A toolkit for inclusive practices](#) and [2020 session](#) that had an aim to review and evaluate the impact of youth work for social inclusion of young refugees, contributed to recognition of the issues faced by young migrants and refugees, as well as to strengthening existing and providing new instruments for the access to rights to the young migrants and refugees.

Peacebuilding and conflict resolution

Section II.3.5 of the Recommendation on the Young People's Access to Rights concerns living in diverse, peaceful societies, including the need to "promote peace building and dialogue in conflict and post-conflict regions by using programmes and instruments available, including mass media, in order to facilitate the re-establishment of a peaceful environment". Promoting peacebuilding and conflict resolution was recognised by two events in 2018: [Youth Peace Camp 2018](#) and a study session [Youth](#)

[for Peaceful Europe](#), which both created a safe space for exchange of experiences and an instrument for empowering young people involved in peacebuilding. The aim of these two events was to contribute to the strengthening of the culture of peace in Europe through wide cooperation based on activities promoting conflict transformation and non-violence. A study session with Youth Peace Ambassadors Network (YPAN) - Peace Advocacy - [Strengthening the role of youth in advocacy for peace and peace-building processes from the grassroots level](#) aimed at capacity building in using non-violent methods and tools to foster peace process and transform conflicts by using the materials and toolkits of the CoE, which, among others, included the Recommendation on the Young People's Access to Rights. Similarly, but with no registered direct referring to the Recommendation, [the Youth Peace Camp 2020](#) aimed to support young people and youth organisations active in conflict transformation and peacebuilding by sharing educational resources and capacity-building networking possibilities to enhance young people's role in peace and security processes.

3.1.3. Gender and LGBTIQ+ rights

Gender

Gender mainstreaming or gender-sensitive approaches are slowly been incorporated in the policies across the Council of Europe member states. It encompasses tackling gender discrimination in various domains of life: language and communications, internet and social media, media, advertising and other communication methods workplace, public sector, justice sector, education, institutions, culture and sport and private sphere. The Sections 1.5 and II.3.5 of the Recommendation on the Young People's Access to Rights support the need to provide equal access to rights to all young women. A slow pace of gender mainstreaming in youth policy is not in any way facilitated by the relatively low number of events dedicated to this topic. We can support this remark by noting there are only two events held on this topic since 2017, both in 2018: ["50-50" Euro-Arab training course: Youth Participation and Gender Equality](#) and a study session [Young Women on the Move: Leading Change for Young Women Migrants and Refugees Rights across Europe](#). The Euro-Arab training course aimed to increase meaningful youth participation based on the principles of the Council of Europe Revised Charter on the Participation of Young People in Local and Regional Life and relevant similar dispositions in the Arab region. More specifically, it looked into how young people participate in the decision-making processes and in other forms of social and political life. A specific emphasis was placed on gender equality, notably how to secure gender equality in youth participation and how participatory approaches can enable (better) gender equality. The aim of the study session ["Young Women on the Move - Leading Change for Young Women Migrants and Refugees Rights across Europe"](#) was based on recognising intersectionality and ensuring a critical mass of young women leaders acting as change agents and able to better engage in advancing women's rights as human rights within the scope of migration and refugees.

LGBTIQ+ rights

Rights of non-binary and LGBTIQ+ young people are getting in focus in recent years although this area of rights shares similar destiny with those of tackling gender discrimination – its mainstreaming is still in process. It is therefore worthwhile to provide opportunities for raising awareness on the LGBTIQ+ young people, which are still, scarce. Desk search has found only one event in this area – a study

session [Under the Rainbow](#) (2018) that gathered volunteers and international students in order to embrace the concept of intersectionality and the idea that full inclusion happens only when it supports all people.

3.1.4. Online discrimination

Online discrimination, most frequently expressed in a form of hate speech, poses an increasing threat to human rights, which endangers youth wellbeing, mental health and social inclusion. In order to prevent and counter online discrimination the Council of Europe has organised several events since 2017, starting with the study session [Youth against Online Discrimination](#). This study session addressed online discrimination and intersectionality from three angles: sexual and reproductive health and rights, human rights and non-discrimination, and online tools. The same year hosted a study session: “[KHETANE KADIMA 2.0 – COMBATING ONLINE HATE SPEECH](#)” that aimed at raising awareness and strengthening capacity building between Jewish and Roma young leaders and youth organisations in order to combat hate speech online. The ‘No Hate Speech Movement’ is the legacy of the Council of Europe that continuously contributes to tackling online discrimination via major events, which was also the case in [2018](#) and [2019](#). No Hate Speech Movement events provided impetus for consolidating achievements and successful practices and policy interventions, accompanied by exploring future actions for combating hate speech through human rights.

3.1.5. Young people with disabilities

Persons with disabilities face discrimination and barriers that restrict them from participating in society on an equal basis with others. Young people with disabilities are sometimes denied their rights to be included in the general school system and the workplace, to live independently, to vote, to participate in sport and cultural activities, to enjoy social protection and to access justice. However, CM/Rec(2016)7 advocates only for the right to mobility of the young people with disabilities, which is something that needs a revision in the next period. It is, thus, no surprise there are only two study sessions dedicated to the young people’s with disabilities access to rights: 1) a study session organised with European Network on Independent Living in 2019, [Youth Network - Mind the gap: Supporting young disabled people’s right to live independently and to be included in the community through exploring mental health as a disability issue](#) and 2) a study session with International Federation of Hard of Hearing Young People – [Keeping the World Accessible & Inclusive through a Policy-making Perspective](#). This study session contributed to Programme priority through learning about human rights and ways to fight for disability rights, and through working on media and policy tools.

3.1.6. Health and mental health

Section II.3.7 of the Recommendation on the Young People’s Access to Rights calls on member states to “provide comprehensive and age-appropriate health education (including education on sexual and reproductive health) as part of non-formal education and the school curricula”. This aim is corresponding to a study session organised by the CoE and Organising Bureau of European School Student Unions - OBESSU SexEd IQ in 2019 - [Inclusive and quality sex education - what can school](#)

[students do?](#) Covid-19 pandemic raised awareness of the deterioration of youth mental health, which urged Council of Europe to organise 2021 study session on access to social rights for young people from disadvantaged neighbourhoods - International Youth Health Organization - European Students` Union (ESU) "[Manifesto on Student Mental Health](#)". This recently held event gathered experts in order to develop mental health-related policy documents within the context of human rights, which will be used to advocate for effective mental health policies at multiple levels.

3.1.7. Housing

Recommendation on the Young People's Access to Rights in its Section II.3.2 clearly refers to promotion of rights to housing, stating that the member states need to "establish tailor-made measures to ensure that young people have access to welfare benefits, to credit and to housing schemes; and ensuring policies reflect and address the special needs of young people living in rural areas and disadvantaged neighbourhoods, by improving access to education, employment, housing and transport". Even so, housing is a topic that is rarely been addressed independently. The same is the case when it comes to the Council of Europe events dedicated to human rights; there was only one study session addressing this topic – a study session [Housing solutions to youth homelessness based on a Human Rights Approach](#). The aim of this 2017 study session was to "prevent, reduce and end youth homelessness by advocating for housing rights, developing prevention strategies, raising public awareness, training professionals and building international collaboration between homeless service providers, social services, youth services, cities, ministries and other stakeholders".

3.2. Desk analysis of activities under the priority of Young People's Access to rights within the Youth Sector and their link with Article I.2 of the Recommendation

3.2.1. Advancing the freedom of assembly on the policy agendas

The Youth Department searched to raise awareness on the obstacles young people face in exercising their right to assemble, following reports from national youth councils, international non-governmental youth organisations and from partners like the European Youth Forum and the Conference of INGOs. In 2018, a consultative meeting was organised in co-operation with the Council of Europe Conference of INGOs and the European Youth Forum, following a previous mapping of the problem. The meeting explored the challenges and restrictions faced by young people and youth organisations to their activities and involvement in public life. It also explored possible courses of action for the Youth Department of the Council of Europe to support youth participation in a worrying political and legal environment. The Joint Council on Youth was informed about the most relevant findings from the meeting in order to create a basis for further measures addressing the infringements on the freedom of association, assembly and expression in relation to young people and organisations.

Advancing the debate about the restrictions of personal freedoms requires powerful organisations. It is difficult for small youth organisations to start this conversation from below, because of fear of retribution, criminalisation, stigmatisation, negative labelling. The actions of those restricting the

rights are increasingly sophisticated and the ways of counteracting their efforts have to be even more strategic, bold and agile. Several youth organisations expect the Council of Europe to play a bolder role in monitoring and assessing member states' compliance with Article 1.2. The Youth Department is well positioned to open up and to support this difficult conversation, which falls within its strategic priorities. Yet, its limited mandate makes it difficult to react in the way civil society would expect.

Since 2016, the EYF activities had a gradual increase in focus on young people's access to rights: from programme orientations on youth autonomy through a rights-based approach, towards more structural actions for removing legal, political and social barriers. In 2019, for instance, 'access to rights and human rights education' made 52% (€581 000) of the work plans grants (EYF, 2019). Five work plans enabled activities promoting the [CM/Rec\(2018\)11](#) along with human rights education and media literacy (EYF, 2019). The emphasis on CM/ Rec(2016)7 became stronger in 2020, when EYF activities focused on implementing the roadmap on the dissemination of Recommendation and on identifying and addressing the effects of shrinking civic space on young people and youth organisations (EYF, 2020). However, the focus on young people's rights of to assemble and freely form, join and be active in associations is insufficiently explicit.

More recently, the European Youth Foundation places a stronger focus on mainstreaming rights-based approaches in youth policies, programmes and projects. Two ongoing work plans are carried out under the coordination of the Organising Bureau of European School Student Unions and Young European Federalists. The two include actions and measures for promoting a rights-based narrative and for informing young people about their rights. Several Right(s)Caravan actions are foreseen, also with the participation of disadvantaged young people.

3.2.2. Supporting organisations navigate policy processes

Following its extensive work with civil society organisations, the Youth Department of the Council of Europe identified their need to better understand how youth organisations could influence policy decisions and how to play a role in international bodies. The [Compendium of Council of Europe documents](#) related to youth NGOs and youth participation was, thus, generated. It is a selection of Council of Europe texts able to guide youth organisations through the policies and political statements on the freedom of assembly, freedom of expression and freedom of association. The Compendium provides a useful conceptual framework and practical guidelines on the legal frameworks for civil society organisations. It enables organisations to have an understanding of state authorities' obligations with regard to youth participation and organisations.

The [study session](#) "Shrinking space for civil society" took place in March 2020, at the time when Covid-19 concerns started to rise in Europe. It aimed to empower young people and youth organisations to engage in expanding the space for civil society through youth work and youth-led actions. Organised by the European Confederation of Youth Clubs in collaboration with Rural Youth Europe and the Council of Europe at the European Youth Centre in Strasbourg, the event included besides a general overview of the phenomenon, also organisations' experiences and responses to the external pressures and the undue limitations. The study session followed an earlier consultative meeting organised in cooperation with the Council of Europe Conference of INGOs and the European Youth Forum. Some of the stories and input from experts and the team were recorded in the first episode of [Rural Youth](#)

[Europe podcast](#). The episode provides a description of the phenomena, useful for those less familiar with the issue. It also includes personal experiences from the young people working in organisations.

An important strand of the Council of Europe activities was related to the creation of networks and the support for bottom-up structures of youth participation. Links between organisations at different levels of professional maturity seem important for capacity building and empowerment purposes. The [Human Rights Forum & Fairs](#), for instance, searched to reinvigorate, strengthening and further expand the network of organisations, practitioners, educators, and donors who are the key stakeholders in the Human Rights Education field. These initiatives support those engaged in human rights and democracy education activities by providing information on developments on the European level regarding human rights and citizenship education. This support is especially needed when the democratic structures of participation are under threat. The [EYF training events in member states](#) and information sessions are important for strengthening local organisations' links with state authorities.

The "50-50" model of training seminars reuniting specialists from national and local authorities working with young people and representatives of youth non-governmental organisations are particularly important for creating coalitions. Recent research suggests that civil society organisations concentrating their advocacy efforts at local level are more likely to find a fertile ground than those placing their efforts at national level ([Bossuyt and Ronceray, 2020](#)). For instance, the [Together Have Your Say! training seminar](#) in Ukraine (2018) focused on youth participation in decision and policy-making processes. The ["50-50" "Have your say" seminar in Azerbaijan](#) focused in implementing the revised charter on participation of young people in local and regional life which is related to Art. I.2. of the CM/Rec(2016)7.

In 2019, the European Youth Foundation allocated a total of €290 350 in grants to NGOs in pursuit of result related to young people's access their rights and advocacy for human rights and citizenship education. Access to rights and human rights education' made 52% (€581 000) of the funding work plans grants (EYF, 2019). Five work plans enabled activities promoting the [CM/Rec\(2018\)11](#) along with human rights education and media literacy (EYF, 2019).

The European Youth Foundation has a special commitment to increasing the capacity of grass-root, local organisations. In general, the largest allocations are for annual work plans, then, pilot activities and a smaller budget for international activities. On a continuous basis, the EYF carries out visits to its supported projects and carries out annual seminars with the local and national youth NGOs. These activities are able to inform Council of Europe policy processes by a very applied knowledge of the context in which NGOs work and the challenges they face in, sometimes, adverse political environments. They also encourage networking between representatives of local and national NGOs.

3.2.3. Strengthening organisations' advocacy capacity

The Youth Department of the Council of Europe has an impressive tradition and experience in supporting organisations' growth and in developing networks. Many of its contributions helped organisations become more inclusive in regard to their membership. This diversified the representation structures and created enabling circumstances for minority young people to exercise their right to join and be active in associations and trade unions. Depending on the national contexts,

these processes entailed moving from a level of non-representation, to awareness-rising and increased levels of participation and ideally, co-management. This transformative course required working strategically, at the intersection of many social and political dynamics that shape organisations' internal practices.

One example is the 2017 [study session](#) on defending the rights of young refugees and migrants, in cooperation with the Youth Committee of the European Trade Union Confederation (ETUC). The main rationale was that union rights are a precondition of social rights and an important tool for attaining, improving and using social rights. From the Council of Europe perspective, the trade union approach to the defence of the rights of young migrants and refugees contributes to their autonomy in accessing labour rights. This harmonised with the ETUC work towards a 'generational renewal' of the movement. The session approached the process of making trade unions more inclusive to young migrants and workers with ethnic origins. Also, it created guidelines on integrating migrants in the trade union movement, in order to support a multiplier effect. From a women's rights angle, a 2018 [study session](#) in partnership with Young Women's Christian Association, focused on supporting the organisations working with 'women on the move'. The session searched for culturally sensitive ways for the empowerment of women migrants and refugees. As of 2021, the study of the European Youth Forum further 'legitimizes the concern for the 'massively decline' in trade union youth membership (2021).

Another example is the 'Under the Rainbow' [study session](#) (2018) focused on making the internal structures of the Erasmus Student Network (ESN) more LGBTQI+ inclusive. A consensus was built around the idea that the ESN (and similar international platforms) need to make more space for self-organised groups inside their membership structures, to increase the diversity and voices that make up the organisations. More support for LGBTQI+ international students was considered needed, in ways able to address the 'vastly different realities' that LGBTQI+ people experience in different parts of Europe (and the world).

The 'Play Your Part!' [study session](#) held by Rural Youth Europe and European Confederation of Youth Clubs in co-operation with the European Youth Centre of the Council of Europe, explored the strengths and obstacles of youth participation in rural and urban areas. It defined the capacities and preconditions for rural and urban youth participation in order to plan actions for removing the barriers faced. The potential of the Revised European Charter of the Participation of Young People in Local and Regional Life was used to promote youth participation in organisations' life.

Supporting organisations' advocacy work enables them to stand up for young people's rights to assemble. There have been many training activities strengthening youth organisations' capacity to work with different stakeholders' groups at local, national and European level. The [2021 study session](#) Youth Peace Ambassadors Network in co-operation with the European Youth Centre of the Council of Europe is one such examples. Self-advocacy was a major priority of the three meetings in 2020 of the [Task Force on Roma Youth Participation](#). The events led to the drafting of a report on the needs and policy gaps which impact Roma youth participation. The experts used the meeting to explore further how the Council of Europe can make a difference in creating an enabling and inclusive youth participation environment in their member states. The Task Force discussed, among others, the creation of a new Recommendation for Roma Youth Participation to ensure that all Roma young people have full access to, understand and advocate for their rights as young people.

Strengthening the use of digital tools for youth participation is a major area of work for the Youth Department of the Council of Europe. A [2020 study session](#) provided the opportunity to learn more about digital youth participation in decision-making processes. It had a strong focus on digital innovation for youth participation at local level and it involved besides youth workers, also municipal representatives. Besides, a [2021 study](#) session organised in cooperation with the International Federation of Hard of Hearing Young People aimed to develop effective self-advocacy skills through the use and production of policy and digital media tools.

In 2020, the European Youth Foundation funded an annual work plan focused on addressing shrinking spaces for civil society through different dimensions. The project included an international activity on the general topic, with conceptual ground-setting and sharing of realities, followed by online and offline meetings on the freedom of expression. An online campaign on civic space was also carried out ([EYF, 2020](#)). Importantly, the European Youth Foundation has an established record of pilot activities, which are more 'context-specific' in nature and are situated at local level. Many grant-receiving projects had clear links with the CM/Rec(2016)7: training courses, seminars, workshops, campaigns, one-off activities or a series of related events.

3.2.4. Advancing the agenda of human rights education

The projects funded through the European Youth Foundation pays special attention to the continuation of the Human Rights Education Youth Programme. There are over 40 projects on Human rights education supported from the EYF, which reflect its ongoing commitment in this area. The grants have been allocated for initiatives of different types: pilot projects, international activities and work plans. They place a focus on strengthening the links between the international and the local dimension and on creating guidelines for educators involved in human rights education. Several projects were based on co-operation between schools, youth workers and youth organisations, in ways that highlight the implications of youth work beyond the non-formal sector. The youth dimension of the initiatives is an important feature for all projects, together with gender balance (of participants and team), diversity and inclusion of disadvantaged participants.

An unsolved tension remains, however, in relation to the unstructured forms of youth participation. A large part of the Council of Europe activities is concerned with supporting formal organisations and associations. By and large, the debates on young people rights to assemble peacefully tend to be in relation to formally registered organisations. On the other hand, the barriers on the right to assemble, often target the informal expressions of civil society: public manifestations and protests. There are inherent limitations in reaching the 'unorganised' young people. Yet, the present threats affect the personal freedoms as well as organised civil society. Advancing the agenda of human rights education (formal and non-formal) is maybe, the most important lever the Youth Department has in reaching the young people who are not part of organisations.

3. Survey findings

Out of the 13 member states responding to the survey (Albania, Belgium, Denmark, Estonia, Germany, Ireland, North Macedonia, the Principality of Monaco, Norway, Poland, Republic of Serbia, Sweden and UK), only two countries translated the Recommendation (Estonia and Hungary). By and large, the survey suggests that the two Articles of the CM/Rec (2016)⁷ have been insufficiently disseminated and referred to in youth national public policies, organisational policies. This finding resonates with the European Youth Forum study which also confirms insufficient efforts from public authorities towards more structural awareness raising (European Youth Forum, 2021).

Although the review searched to assess the impact of the two Articles at national level, still, causal inferences are difficult to be made. It is uncertain, for instance, if some legislative changes can be attributed to the Recommendation alone. Overall, a cross-cutting finding is that references to the text of the two Articles are rather rare at national level for both national policies and organisations (see the European Youth Forum 2021). To a lesser extent, this is also the case for the Council of Europe activities' reports. The input below is exclusively based on the responses to the survey. Consequently, it may well be that similar actions were present in countries not mentioned.

3.2. Survey findings related to Article I.1.

Main challenges for further implementation of the Article I.1

Social changes usually occur during a long time-period, and when it comes to youth policy and access to rights there are rare occasions of revolutionary changes. Stakeholders in the field continuously experience obstacles and challenges, even if there is authentic cross-sectoral cooperation. These assumptions were integrated in the survey and we were not surprised that out of nine countries that provided an answer about challenges for further implementation of the Recommendation's article addressing discrimination, majority of countries reported existence of challenges¹. Estonia and the Principality of Monaco reported that gender equality remains a crucial issue and one of the major challenges in the area of youth access to rights. The Norwegian respondent was aware that it is most common to experience discrimination on the grounds of age, gender or illness, which is especially pronounced in the case of people with disabilities. The Norwegian questionnaire also reported on 854 hate crimes in 2019, which presented an increase in comparison to the previous years. However, as the respondent said „this does not necessarily mean that there has been an increase in the number of incidents', it may mean that only the propensity to report has increased.

Belgian respondent noticed “discriminatory practices are numerous, but there are also legal structures providing legal remedies for young victims of discrimination”. In Albania, young people encounter discriminatory practices when it comes to involvement in consultation and decision-making processes, as well in regard to access to education, employment and health. Especially worrying is a situation of “[...] young people from Roma/Egyptian community, LGBTI community, or young people coming from rural areas”. In North Macedonia a new law tackling discrimination came into force, but this law does not explicitly mention young people, which is a major challenge. It seems that the response from

¹¹ Germany, Ireland and Sweden reported no challenges in regard to the implementation of the Art.I.1.

Poland resonates with the one from North Macedonia, as it emphasizes „youth continues to struggle with their problems regarding plans for the future“.

We noticed no clear pattern between reporting on the age-based discrimination and answers on the question whether young people on the national level are actively raising issues on discrimination they experience. Albania, Belgium, Germany, Norway and Sweden selected answers that indicate they „strongly agree“ with youth proactivity, while Estonia, the Principality of Monaco, Hungary, Ireland, North Macedonia, Poland and Republic of Serbia only „somewhat agree“ that this type of youth actions exists on the national level.

Limitations to exercising rights

Youth exercising rights in the realm of politics is often not facilitated and eased and there are still limitations in regard to the age or administrative/political framework. Such findings are in line with the answers provided by the respondents. In regard to the voting age, Albania is a specific case as one of the respondents answered there are strong limitations, while two noted no limitations at all². „Somewhat limited“ access to voting rights is reported by Norway and Poland; Germany, Hungary, Republic of Serbia, the Principality of Monaco, Ireland and North Macedonia who said that voting rights are “not very limited”, while respondents from Belgium, Estonia and Sweden have not evidenced to any limitations. The insights into limitations to running for elections suggest almost identical pattern as in the case of voting age. The only difference presents North Macedonia who joined one respondent from Albania reporting on “very limited” rights to run for elections.

Creating and joining civic society organisations is enabled without any limitations to the young people in Belgium, Sweden, Ireland, North Macedonia and Germany. “Not very limited” ability to actively engage in civic society is granted to the young people in Estonia, Hungary, the Principality of Monaco, Norway, Poland and Republic of Serbia. Albania is a specific case again; one respondent said exercising these rights is “not very limited” while two answers suggest there are no limitations at all. Participation in decision-making and in policy-making are two areas that have to be clearly differentiated in the youth area and survey results strongly supported such differentiation. Belgium reported there are “no limitations at all” when it comes to youth participation in decision-making, while Germany, Hungary, Ireland, Republic of Serbia and Sweden reported on “not very limited” exercising of this right. Estonia, the Principality of Monaco, Norway and Poland said this right is “somehow limited”, as well as two respondents from Albania. The most limited access to participating in decision-making is found in North Macedonia, which is also reported by one respondent from Albania. Participation in policy-making is not limited at all in Belgium and Germany, as well as in one answer from Albania; Estonia, Germany, Ireland, Poland and Republic of Serbia consider this right as “not very limited”, while the Principality of Monaco, North Macedonia, Norway, Sweden, and two respondents from Albania reported on “somewhat limited” right to participate in policy-making. The sample of countries does not allow us to make broader conclusions, but it can be said there is no clear pattern when it comes to exercising rights in decision-making and policy-making in regard to the geographical or regional distribution. Variations can be attributed to differences in youth policy ecosystems. Nevertheless, in order to advance further conclusions a wider sample of represented countries is needed.

² All participating countries provided one answer, with the exception of Albanian who sent in three questionnaires.

Grounds on which young people and their organisations report most experiences of discrimination

In respect to the age-based discrimination on a national level, respondents from North Macedonia, Norway, Poland and Sweden reported on “somewhat” age-based discrimination; respondents from Belgium, Estonia, Germany, Ireland, the Principality of Monaco and Republic of Serbia said that the level of discrimination can be described as „very little“, while Hungarian report suggests there is no age-based discrimination. Albania sent two „somewhat“ responses and one „very little“.

More detailed answers – those on the grounds of discrimination – depicted a broad range of discriminatory practices. In Estonia, areas that are highly affected by discrimination against youth are “freedom of peaceful assembly, independent access to mental health services, access to quality education due to the restructuring of the school network, social protection (age discrimination due to a coronary pandemic).” Similar insights come from Belgium where young people are most often discriminated against in the workplace, in access to housing, based on gender or sexual identity and ethnic origins. Macedonian, Norwegian, Polish and Serbian stakeholders are aware of discrimination based on sexual orientation, gender identity, gender characteristics and gender expression, disabilities, ethnicity and religion, which reflects both in the real space and through hate speech online. Respondents from Ireland and Serbia also noted that the rights of the Roma and Travellers are still often not fulfilled, even on the level of exercising basic rights such as having access to the social security system. Moreover, respondents from Albania were very much concerned about rights to participate in decision-making and in policy-making on equal grounds. The Principality of Monaco stands as a case where young people are limited in running for elections: “only nationals over the age of 25 may be eligible for the national elections and nationals over the age of 21 for the elections on the local level”.

New measures, actions or advocacy efforts to address discriminatory practices

New measures and actions towards tackling discrimination against young people range from general ones, as in the case of report from Belgium, the Principality of Monaco and Poland on awareness and prevention campaigns, or German governmental initiative to create ministerial panels that include youth networks, which is similar to the initiatives in Estonia. North Macedonia has some new mechanisms of raising awareness on discrimination, but these mechanisms do not explicitly address young people. There are also more concrete actions, as in the case of Albania, Ireland, Hungary, Norway and Serbia, who provided the list of documents or initiatives. The actions undertaken in Albania encompass trainings of the state officials and organisations of civic society, issuing publications and giving legislative recommendations. Regarding the legislative level, the basis is provided by “the Law on Protection from Discrimination”, but young people do not have a distinctive space in this law.

Ireland has recorded several milestones since the adoption of the Recommendation on the young people’s access to rights; it has developed “a National Youth Strategy, a National Strategy on Children and Young People's Participation in Decision Making, an LGBTI youth strategy and a number of broader equality strategies that include measures addressed at young people.” Hungarian platform for tackling discrimination against youth revolves around “the National Disability Program and the measures of the Hungarian National Social Catching-up Strategy 2030 help reducing discrimination among young people”, coupled by activities such as “the Family, Opportunity-creating, and Volunteer Houses”, as

well as “Chance Day, Chance Hour, Invisible Dinner, Chance Sports Day”. Since 2016 Norway has adopted five acts relevant for youth access to rights: 1) Strategy against Hate Speech (2016–2020); 2) Action plan against discrimination based on sexual orientation, gender identity and gender expression (2017-2020); 3) Action Plan against Racism and Discrimination on the Grounds of Ethnicity and Religion (2020-2023) and 4) Strategy for children and young people in low-income families (2020–2023). In Serbia, in 2020 Government has adopted the Strategy for improving the position of persons with disabilities (2020-2024), and currently there is a process “of amending the Law on Prohibition of Discrimination, which should provide clearer provisions in this matter”.

A review of the initiatives and acts addressing discriminatory practices on the national level provides a very limited insights into current practices, which could be detrimental for accomplishing positive changes in youth access to right on a wider scale. There is an impression that states can learn from each other and engage in processes of good practice sharing, especially in regard to the youth-focused policy implementation, monitoring, evaluation and revision. In this case, the learning process is hindered by lack of visibility of the positive evidences.

The role of the youth organisations and youth councils in policy development, implementation and evaluation

Since the launching of the [White Paper on Youth Policy](#) and recognition of a youth policy as a distinct policy area, stakeholders are using certain phrases and messages that should entail wide acceptance and promotion of the youth inclusion in policy. Still, the practice is very different and this section will present some varieties of youth ‘associations’ and councils’ inclusion in policy making-related processes. In North Macedonia “the state and institutions create different working groups when dealing with youth issues, and youth organization are sometimes invited to participate”, which is recently additionally strengthened by the National Youth Council of Macedonia signing the agreement for cooperation on youth-related projects with the Agency of Youth and Sports. “In addition, according to the Law on Youth Participation and Youth Policy, a creation of an advisory body on youth is envisaged, however the implementation of the Law has been quite slow and this has not yet been established.” Judging from one response, there is a discrepancy between opportunities for active engagement on the national and on the local level in Albania: “In the Ministry of Education, Sports and Youth the sector responsible for youth issues always have invited youth organisations to join the consultative meeting undertaken regarding youth policies. Youth organisations in Tirana are part of the consultative meetings, but unfortunately, I can’t say the same thing for other cities, where young people are totally left out.”

In regard to the youth associations’ engagement in policy-making in Hungary there are four main organisations provided opportunity to take part: the National Youth Council, the National Association of Young Entrepreneurs, the National Student Parliament and National Student Council. There are two types of youth councils actively engaged in development, implementation and evaluation of youth policies in the Principality of Monaco. The first type acts on the local level, mainly through proposing projects and youth-related actions. The second council – the national one – proposes resolutions and new acts to the National Government. In Ireland “youth organisations and councils are actively consulted and involved in the development and implementation and evaluation of policies”, which is comparable to the Belgian case where “the Youth Council gives an official opinion to the Minister on

any new legislative text in the youth sector, but this is not the case for other sectors”. Similar situation can be observed in Sweden, as well as with Norway, where youth organisations engage in policy-making and evaluation process by providing expertise. In Norway in 2019, the Government declared “that it will strengthen youth participation in democratic processes at the national level”

In Estonia “associations representing young people (e.g. the Estonian National Youth Council, the Estonian School Student Councils’ Union, and the Federation of Estonian Student Unions) give advice and feedback on national legislation”. Current processes on the level of policy development, implementation and evaluation in Poland include cooperation between the Government Plenipotentiary for Youth Policy and the Council for Dialogue with the Young Generation, which started regional consultations of the national youth strategy. There is also the Youth Council of Justice, appointed in 2020, which consists of 12 to 24 members, aged 16-26, as well as “the Council of Children and Youth of the Republic of Poland at the Ministry of Education and Science, established in 2016”. A questionnaire from Serbia noted mechanisms of youth associations’ inclusion in the policy-making, as well as evidence-based process of creation of the National Youth Strategy, coupled by annual surveys on the status and needs of young people in Serbia and an annual review of the National Youth Strategy Implementation. The answer from Serbia states it is being conducted “[...]in cooperation with institutions, local self-government units, international partners, and of course, representatives of youth associations, associations for youth and their federations.” A general conclusion about the inclusion of the youth organisations and youth councils in the development, implementation and evaluation of policies on the national level is that their engagement is often only of consultative nature and not legally binding. In order to change the practice, commitment and strategic partnership of stakeholders in the youth field is required, based on mutual respect and recognition.

3.3. Survey findings related to Article I.2.

All respondents stated there are no legal challenges for further implementation of the Article I.2. Responses suggest that the obstacles (if present) are not to be found in the legislation of the countries reflected in the survey. In the majority of countries included, associations can be formed without prior administrative authorization, or following a simple registration process, sometimes optional. Constitutional Courts may ban associations motivated by the collective interest (public order, compliance with criminal provisions, violation of guaranteed human or minority rights, or inciting of racial, national or religious hatred). Respondents did not mention any abuses.

As expected, there are many definitions of youth associations. In Serbia, an ‘association of young people’ needs to have a youth membership of at least two-thirds and the minimum age of 14. Young people may also establish informal associations which operate in accordance with the law on legal status of associations. North Macedonia allows young people at the age of 15 to found associations. There, the state recognizes three types of organisations: ‘youth organisations’, ‘organisations for youth’ and ‘youth umbrella organisations’. In Poland, the minimum age for establishing an association is 18. Concerns over the administrative costs for registering an association were mentioned for Albania.

For all countries responding to the survey, the right of young people to associate with others, to form bodies in which to collectively pursue common objectives, is guaranteed. The challenges are not legal,

but rather linked with the social and economic environments that pose limitations to young people's access to rights. For instance, in the Principality of Monaco, the availability and affordability of youth spaces is more of an issue, with several measures being taken to overcome this problem. This emerged as a concern at the European level, during the consultations within the Youth Dialogue, as well ([Moxon and Pantea, 2021](#)). In Poland and Albania, it is still a challenge to reach out to young people from remote and rural areas and to inform them about their rights. The weak social acceptance of groups belonging to the Roma/Egyptian and LGBTQI+ community is a main barrier in Albania. There, previous instances of police aggression and arrest of young protesters led young people to lose trust in their collective capacity to make a change. In Hungary, recent studies show young people have a low trust in other entities beyond their immediate family. This further generates a low associative spirit, low community organising and insufficient information on rights, although young people regard highly their participation in decision-making.

As suggested in the European Youth Forum report (2021), there are very few recent changes in the legislation linked to the right of association and they cannot be clearly attributed to the Article 1.2. of the Recommendation. Only several countries represented in the survey mentioned amendments or new laws. In Serbia, the 2009 Law of Associations was revised in 2018 in order to reduce administrative barriers. More recently, the Law on Student organisations was also adopted. Also, in 2021, the Ministry of Youth and Sports started to amend the Law on Youth and to revise the National Youth Strategy (new provisions on associations records, financing programs and projects). Since 2000, Albania has a new Youth Law which further supports the freedom of assembly. These processes aim to improve the work of youth offices. No country mentioned legal changes limiting the right to freedom of assembly and association, apart from Covid-related measures which were considered, generally, proportionate and legitimate.

All respondents stated that youth organisations and youth councils are able to work independently at local, regional and national levels. Yet, youth organisations' independence may be an issue when funding strings are linked with the government (Deželan et al., 2020; Moxon and Pantea, 2021). In Albania, youth organisations work independently, whilst being funded by international donors. In Hungary, the National Union of Students together with the local student councils became an opinion-forming force in higher education, with their views being taken into consideration by the Ministry.

Norway has no regular formal consultation body at state level – a national youth parliament, or institutionalized youth council, for instance. Since 2019, the revision of the Local Government Act enables a vibrant structure of youth participation at local and county level. The municipal and the county councils decide on the composition of the youth council or other participation body for young people and provide the necessary support. The Directorate for Children, Youth and Family Affairs has developed a guide for youth councils, in order to support their work. Besides the youth councils, all major political parties in Norway have their own youth party organization. They make the predominant source of direct representation of youth issues to the mother parties.

Several survey responses conveyed a rather moderate tone in relation to the actual policy influence of youth organisations and youth councils. In North Macedonia, for instance, the state authorities create different working groups when dealing with youth issues, where 'youth organization are sometimes invited to participate'. There are, however, some recent commitments towards a better collaboration (a Memorandum of Understanding between the National Youth Council of Macedonia

and the Agency of Youth and Sports). Also, the creation of an advisory body on youth is envisaged, in line with the 2020 Law on Youth. Yet, the implementation of the Law has been described as slow, without the advisory body being established yet.

Recently, in Denmark, all local youth councils were given the right to establish their own governance mechanisms. Moreover, before legislative decisions, the political proposals are sent for consultation to all relevant stakeholders in a hearing process. The comments are always communicated to the decisionmakers prior to the voting in Parliament. A high level of involvement of youth organisations in consultations and evaluations of the impact of youth policies has been reported for Albania, as well.

Recently, the Polish government in cooperation with the Council for Dialogue with the Young Generation, started regional consultations of the national youth strategy. An important initiative is related to young people and climate. In 2020 Poland's Ministry of Climate and Environment established a Youth Climate Council, an advisory body of 32 members aged 13-26, selected based on individual candidacies. Its role is expressing opinions on matters concerning the environment. Apart from the advisory competence, the Council has a budget of Euro 7.000 for the implementation of pro-ecological activities by children and young people.

Moreover, in December 2020 the Youth Council of Justice was appointed in Poland, with the aim of developing the legal awareness among young people and involving them in the dialogue on the judiciary and legal education. In addition, the Council will support activities undertaken by the Minister of Justice in the field of youth and help promote free legal aid and free civic counselling. The Council consist of 12 to 24 members, aged 16-26, selected based on individual applications. A series of meetings and consultations with representatives of the young generation has been initiated, in order to inform policy stakeholders about young people's concerns and proposed solutions.

Youth organisations have different funding regimes allowing their operation. In Sweden, youth organisations receive grants from government. The UK Department for Digital, Culture, Media and Sport Funding has a competitive grant programme (the Youth Voice Group Grant) for organisations to engage meaningfully with young people on the development and implementation of policies affecting them. In the context of Covid-19, many countries had governmental measures of support for youth organisations in place in order to mitigate the impact of the pandemic.

Norway has a legal framework for supporting youth organisations by grants meant to stimulate youth organisations' activities nationally and/or internationally. To qualify, organisations must meet a set of criteria related to structure and democratic participation. Youth organisations can also apply for funding through grant schemes that are administered through relevant sector ministries, or on behalf of the relevant ministry by underlying government agencies or civil society organisations.

According to the survey response, between 2014 and 2020, Ministry of Youth and Sports in Serbia funded 810 projects initiated by local self-government units and associations (a total amount of EUR 11,513,000). They involved more than 100,000 young people directly in programs on youth health and wellbeing, leisure, volunteering activities and camps. The investment also included 73 renovation projects and establishment of youth clubs. A major national volunteering program was also initiated, in order to develop partnerships between local communities, local organisations and policy actors.

There are several channels for youth associative entities in the Principality of Monaco: from government provision of operating grants, to in-kind contributions for events. For instance, associative entities can use, free of charge, the Prince's Government premises for particular events. In Estonia, youth organisations, councils and initiatives are provided with the space, financial means and material support necessary for ensuring their smooth and effective operation and access to civic space. The impact of the change in the funding system implemented three years ago, has not been, yet, analysed. In Ireland, the government provides substantial funding to youth services (70 million Euro in 2021). Funded youth organisations need to comply with good governance practices, yet, they set their own work plans and strategies independently and there are no restraints on their advocacy activities.

The Polish youth councils have locally allocated funds to cover their activities. There is a governmental program directed to youth organisations and youth activities, where youth organisations can apply. At national level, youth organisations in Denmark are supported by the lottery fund. The interviews carried out by the European Youth Forum raised concerns over the ethics and stability of similar funding structures in Finland (2021). In Belgium (Wallonia), the public service supports Youth Councils and also the youth political structures.

Exceptions from the countries included in the survey are North Macedonia and Albania, where youth organisations are responsible for generating the necessary funds for their operation. The youth sectors are entirely reliant on donor support. The continuous financial strain jeopardises NGOs' capacity to maintaining their operations and the sustainability of their projects.

All survey responses stated that independent youth organisations and youth councils play a role in the development, implementation and evaluation of policies with impact on young people and their rights. In Norway, the involvement of young people or youth organisations in the policymaking process at state level is consultative and not legally binding. Ministries or underlying agencies may reach out to youth organisations in the development, implementation and evaluation of policies related to young people. There is a recent governmental commitment to strengthening youth participation in democratic processes at the national level.

The Estonian survey response mentions the role of the large representative associations in giving advice and feedback on national legislation. The structures of youth participation in the Principality of Monaco are very recent. As of 2021, two youth councils are in place, in order to involve young people in the policy processes at the municipality and at the state level. In Hungary, the National Association of Young Entrepreneurs, the National Youth Council and the National Association of Hungarian Student Enterprises are regular consultative partners.

The survey asked participants to propose changes they would consider needed in order for youth organisations, councils and youth initiatives to operate effectively, independently and to play a bigger role in youth policy in their country. More capacity-building actions and accessible funding was considered needed especially for small youth organisations. The recognition from the Government of the National Youth Council of Macedonia as the representative body on youth was considered important. There, the need for a meaningful policy role of youth organisations was also expressed.

In Poland, a significant challenge remains reaching out and engaging more young people, whilst in Hungary and UK, youth camps organised by the state are increasingly popular and call for longer

support. They aim at improving community relations and at providing opportunities for young people to overcome historical divides (Northern Ireland).

From Serbia, several proposals were made related to: (i) national recognition of youth workers as equal partners in intersectoral dialogue; (ii) improving the quality of youth work programs; (iii) informal and formal education of youth workers; (iv) strengthening the capacity of youth organisations for regional networking of youth workers in the Western Balkans. In the Principality of Monaco, the professional paths of the young graduates tend to involve migration and repatriation at a later stage. This generates a hard to address gap in the structures for representation for an age group.

The survey also searched to identify new programmes, actions, advocacy efforts to address or remove 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. Several examples were proposed.

[Estonian Roundtable for Development Cooperation](#) is an independent not-for-profit coalition of 34 non-governmental organisations that work in the field of development cooperation, global citizenship education or sustainable development. It is a strategic partner for Estonian Ministry of Foreign Affairs in the field of development cooperation, global citizenship education or sustainable development. AKÜ carries out both national and EU level advocacy with their members and partners on development issues and on SDGs and policy coherence. It is committed to capacity building of its members to provide stronger and more capable civil society to achieve our common goals, paying attention, among other things, to the interests and rights of young people.

In the Principality of Monaco, the National Youth Council was created in 2021. It is made up of twelve National Junior Councillors, for a period of one year from the date of its installation. Candidates are selected on the basis of an idea, a project or a motivated application form, through a text or a video. The main objective of this process is to develop the civic sense of young people between 12 and 16 years old. It allows young Monegasques to become more involved in the institutional life of their country, by offering them the possibility to participate in a common project around one or more themes of their choice. This commitment allows young people to put forward draft solutions on concrete issues, or even to fuel the reflection of elected officials towards new legislative proposals.

4. Conclusions

The 2021 review of the Recommendation on the young people's access to rights explored the implementation of the Article I.1 (addressing discriminatory practices) and Article I.2. (removing 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) of the Recommendation. The report presented the results gathered by the desk analyses and an online survey conducted on the members of the Joint Council on Youth of the Council of Europe.

The report highlighted that the youth sector of the Council of Europe has been a successful promoter of the Recommendation since its adoption, notably through the Youth for Democracy programme and the grants of the European Youth Foundation. A considerable number of partners (NGOs, national

youth policy authorities, local authorities) have taken ownership and contributed to its implementation. The educational activities carried out within the European Youth Centres have provided an important space for promoting the Recommendation, assistance, mentoring, new flows of support and synergies between youth organisations. Such activities were reported from national or regional level to a smaller extent. A greater involvement of member states would be needed to make the review more representative to the situation on young people's access to rights.

Based on the available data, the report concludes that the events organised at the premises of the European Youth Centres in Strasbourg and Budapest were to a larger extent dedicated to the topics of human rights, participation, refugees and migrants, peacebuilding and conflict resolution, minorities and fight against xenophobia and online discrimination. The less visible representation of the areas of gender and LGBTIQ+ young people's rights, young people and disabilities, health and housing, indicates a need of strategic positioning of these areas in the focus of the youth events and policy making in the next five-year period. As some young people face more barriers to exercising their rights, addressing their situation is needed.

Direct relations between the adoption of the Recommendation on the Young People's Access to Rights and changes in the youth field can hardly be inferred. The online survey further supports the idea that there are still serious obstacles to exercising youth access to rights, especially in the case of gender, disability and minority status. Due to the limited sample of the countries (13 countries representing diverse geographical regions and ecosystems of youth policy) one cannot make strong conclusions on the patterns of youth social exclusion and support system for access to rights across the member states of the Council of Europe. Despite these limitations, still, the online survey corresponds to the analysis of the European Youth Forum (EYF, 2021) about non-democratic and discriminatory practices against young people.

Some member states have undertaken measures and actions towards tackling discrimination against young people and their inclusion in decision-making and policy-making processes. Since 2016 the measures that would enhance youth access to rights mainly fall within the range of the measures that were observed before this period: awareness and prevention campaigns, coupled by the initiatives to create ministerial panels that include youth networks. Some member states have broadened their pool of public acts addressing discrimination, but only a few have directly tackled discrimination against young people. They are still not recognised as a distinctive actor in public policy domain and youth policy is facing a long period of a rather slow evolution.

Importantly, the COVID-19 pandemic has additionally endangered realisation of the access to rights for the vulnerable groups. Thus, further attention is needed to address increased barriers and limitations of young people's access to rights, including the introduction of new digital tools and approaches. Providing the enabling conditions for setting up the structures and service where young people can access their rights entails stable funding, a component that is most often under strain in the civic sector. The grant programmes provided by the European Youth Foundation are an example of provision of accessible funding for small youth organisations (especially those without previous relationships with international grants). The report highlighted several prominent areas of youth access to rights supported by the EYF funds: participation; gender equality; minorities; No Hate Speech Movement and migrants/refugees/peacebuilding.

5. Ways forward in implementing the Recommendation

The section below includes several tentative proposals for the next five-year period of the implementation of the Recommendation on the Youth Access to rights. They address different levels of influence and are formulated in ways that call for further operationalisation. They are informed by the review, by the responses to the survey and the European Youth Forum study (2021). Recommendations from two previous studies on behalf of the European Youth Forum (Deželan et al., 2020) and the EU-Council of Europe youth partnership (Pantea, 2021) have also been considered.

Young people's access to rights is not in a main focus of the member states public policies. The survey suggests young people are frequently not recognised as a group that needs distinctive policy attention, besides the general national legislative frameworks. The survey also suggested that the capacity of the state institutions involved in the youth sector is often under strain, with departments being changed, merged, reorganized, with an insufficient continuity and organisational history. Nevertheless, the removal of legal, administrative and practical obstacles to the exercise of young people's rights, calls for enabling legal and administrative environments. This entails stronger legislation, infrastructure, financial and human resources, monitoring mechanisms and national equality bodies. More innovative instruments for monitoring, evaluation and reviewing of the youth access to the rights on the national, regional and local level are also needed.

The large majority of youth organisations interviewed by the European Youth Forum (2021) attributed the very low levels of state engagement with the Recommendation to it not being perceived as 'actionable enough'. Its non-legally binding nature was seen as a major obstacle to its effectiveness, as public authorities do not feel an obligation to implement concrete measures and the accountability measures are insufficiently robust. Whilst making the Recommendation binding is a complex process, advancing this agenda may be key for promoting youth rights. A stronger commitment of the Council of Europe, and its strategic partners, to the promotion of the Recommendation within its own events and projects is one of the substantial steps to a better recognition of the Recommendation.

Youth research needs to be an essential part of reviewing youth access to rights. There is a need to better document the level of and forms of vulnerability experienced by young people and youth organisations in the current political environments. The last years witnessed reports on many civil society organisations experiencing challenges and restrictions (Bossuyt and Ronceray, 2020; Deželan et al., 2020; FRA, 2020; OSCE, 2019; Youngs and Echagüe, 2017). It emerged that youth organisations are vulnerable, as their administrative capacity is weaker and the turnover high. Yet, there is insufficient understanding of the heterogeneity within the broader youth sector. Inferences on the situation(s) of youth organisations as invariably victims or resilient survivors, call for analysis. It may be that organisations respond differently to the same challenges and not all youth organisations are jeopardized (in the same ways). Commissioning periodic research on the state of play from the perspective of youth organisations is, thus, needed, in order to inform future policy measures.

The civic sector needs to be seen as a strategic partner in tackling youth discrimination and the infringements to the right to assembly. Investments in building its capacity are needed. There is a wide agreement that the 'market indicators', whilst providing fast accountability, may distort organisations from doing what they consider to be meaningful, yet, difficult to measure. Acting on values, fostering democratic environments, can hardly be 'captured' in raw data. Thus, there is a need for funding

mechanisms that leave some room for actions that are not immediately measurable, yet, able to contribute to larger and long-term democratic goals. The support of the EYF for small youth organisations (especially those without previous relationships with international grants) is commendable. Yet, a critical issue remains the provision of support for organisations facing severe restrictions on foreign funding and minority organisations experiencing multiple threats.

Uncovering the anti-democratic and manipulative tactics of the government and other stakeholders is important in order to act promptly. Early signs and patterns of infringement need to be mapped and anticipated. However, it is also important to move the analysis towards the root causes of illiberal tendencies. As argued by M. Gruden, Director of Democratic Participation, Council of Europe, “we do not need to spend a lot of time to agree that the situation is serious. The focus should be to understand why it is serious in order to know what to do about it” (Council of Europe, 2019). Unpacking the political transformations leading to the limitations of the right to assembly peacefully is a necessary process likely to address the underpinning dynamics.

Many of the actors involved in tackling the anti-democratic processes (sometimes with major costs) are young people or youth organisations. Yet, the way their actions are being reported – even from the civil society organisations – is often by omitting this element. It is important for the Council of Europe to encourage youth organisations to promote their identity as *youth* organisations in the public sphere.

Established organisations are better equipped to navigate unfriendly environments or to take action during unfavourable times. They are better able to negotiate the terms of their involvement, than grass-root, youth-led organisations with short institutional memory and high turnover. Fostering structures of coordinated support between strong organisations and the ones that are more recent, remote and smaller in scale may help the emerging organisations and maintain a vibrant civic ecosystem. This is, very much, the approach of the EYF. More technical assistance, mentoring, new flows of support and synergies between organisations are needed. Possible avenues may also include pools of alumna and mentors to be accessible when new participants search for the support of like-minded peers in setting up new initiatives. The important educational activities carried out within the European Youth Centres may create such a basis.

Sharing experiences, yet revising of the culture of *good practice* in dealing with the undemocratic threats may be needed. The removal of legal, administrative and practical obstacles to the right to assembly require approaches that are complex, at different levels and in the long term. These actions need to be strategic and based on coalitions of many stakeholders working with different tools. A move towards creating collective commitment and nets of support may have more effect than individual strategies. The good practices that are needed are likely to be organised around issues, based on collaborative thinking and mobilization, and not be the ‘symbolic propriety’ of single organisations.

A better understanding of youth activism *outside* registered organisations is needed, as a lot of youth organising is informal. We know little of the ways citizenship is enacted by the otherwise ‘apathetic’ young people, for instance. Although the state manoeuvres to obstruct protests and public manifestations of *individuals* are an important concern, still, the policy debates (including the ones fostered by the Council of Europe) revolve mainly in relation to the narrow sphere of *organised* civil society. Promoting a narrative on the restrictions of *personal* freedoms, besides the implications for organisations, may be needed. This could potentially, raise the visibility of the problem more generally, as argued by Richard Youngs (Council of Europe, 2019).

Engaging more young people in the policy processes on access to rights requires overcoming a metropolitan bias in understanding youth participation. Youth organising is too often an urban phenomenon. Yet, there are signs that young people in rural areas are an untapped group that is civically minded, yet, weakly able to connect to concrete associational forms (Eastern Partnership Civil Society Forum, 2019). Further research and initiatives on ways to inform, reach and involve young people in rural areas are needed.

Judging from the events organised by the Council of Europe, there are several groups undergoing discrimination that need to be more involved in the next period: members of the LGBTIQ+ community, young people with disabilities, young people leaving the care system, youth offenders, homeless young people. Helping organisations and trade unions be more inclusive is part of the process. As young people's precarious employment becomes a concern, further work is needed to support labour organisations and trade unions to include young people who experience discrimination and precarious working conditions. Cooperation with other entities with similar goals (including, but not limited to the ETUC) may help enhance these efforts. This may, ultimately, foster a culture that challenge the tokenistic approach to youth participation in policy-making, in its monitoring and evaluation.

The current review substantiates European Youth Forum proposal for human rights and/or citizenship education in schools, including curricula on young people's labour rights or the role of trade unions (2021). Recently, it became obvious that investing in young people to see the value and purpose of democracy is key, especially in a context when learning about culture, history and humanistic values decreased in Europe's education (cf. Gruden, Edu4Europe, 2019). The study of the European Youth Forum also reported unsubstantial efforts from public authorities towards human rights and/or citizenship education of quality in school curricula. Indeed, reversing the trend of deterioration of the democratic environment is difficult because it takes place *within* a deteriorating democratic environment (Gruden, 2019). The challenge is to nurture democratic attitudes in contexts that question the main tenets of democracy. Developing innovative ways of reaching young people and opening conversations about what the right to assemble means to them now, is part of this process.

Narratives shape the way people and organisations see a problem and the way they act upon it. Promoting the Recommendation of the Young People's Access to Rights requires a substantial shift in semantics. This entails accessible language and the rights-based narrative more strongly embedded in policy processes. A more critical engagement with the language of speaking about discrimination and about young peoples' right to assemble peacefully, are also needed (e.g. see the analysis of the metaphors in use, such a 'shrinking space').

Young people's access to rights requires inclusive and accessible public spaces. Increasingly, the availability of civic spaces is endangered by marketization trends. When the inclusion of disadvantaged groups is at stake, including young people with disabilities, the importance of spaces is even higher. Member states should consider the availability of public spaces for youth participation, a democratic condition for implementing Article I.2.

Investment in citizenship education to ensure young people can develop critical thinking skills, fostering their active participation in society remains key. More debate on the ways to ensure citizenship education is free of undemocratic political agendas, is needed.

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Appendix

Questionnaire:

The Youth Department of the Council of Europe is carrying out the first review of the Recommendation CM/Rec(2016)7 on young people's access to rights.

We would like to kindly ask you for cooperation in gathering insights on young people's access to rights in your country. Please share below the experiences of your institution/ organization with the implementation or promotion of the CM/Rec(2016)7.

When responding, please have in mind the activities related to young people's access to rights, the policies and programmes, as well as, the process of their development, implementation, promotion and evaluation. The review is focusing on the following dispositions of the recommendation:

- Article I.1: Addressing discriminatory practices faced by many 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.
- Article I.2: Removing 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.

All responses will be analysed and presented without mentioning the specific country, organisation or institution, unless you request/authorize us to do so. If you need further information concerning this review, please contact Stefan Manevski at stefan.manevski@coe.int

The survey is available at youthapplications.coe.int until 15 July 2021.

Thank you in advance for your efforts and collaboration.

Questionnaire

About you

1. In which country are you based?
2. Name of your institution/organisation:
3. For which type of institution/ organisation are you working for?
 1. National youth policy authority
 2. Regional/ local youth policy authority
 3. National Youth council
 4. International youth organisation
 5. Other. Please specify

Dissemination and usage of the recommendation

First, some general questions on the use of Recommendation [CM/Rec \(2016\)7](#) in your country.

4. Is the recommendation translated in the official language(s) of your country?
 1. Yes
 2. No
5. Who has translated and published the Recommendation?
6. In your opinion, has the [CM/Rec \(2016\)7](#) been disseminated and referred to in youth national public policies, organisational policies or similar? Please, provide examples of dissemination of this Recommendation.
Please, present any examples of direct promotion of the Recommendation to the young people
7. Overall, what do you consider to be, in your country, the main challenges for further implementation of the article I.1 on *Addressing discriminatory practices faced by young people*?
8. What do you consider to be, in your country, the main challenges for further implementation of the article I.2 on the *(Removal of) obstacles to the right of young people to assemble and freely form and join associations and trade unions*?
9. If you would like to share an example of a good practice, please provide us with contact details of a person from youth organisations/institution who could give us more information:
Name and surname:
Role in the institution/organisation:
E-mail:
Phone number:

Addressing discriminatory practices faced by young people

Next two questions refer to young people's freedom of discrimination in your country.

10. To your opinion, what is the degree which young people are discriminated against based on their age in your country?

1. To a Great Extent
2. Somewhat
3. Very Little
4. Not at All

11. Please, state whether in your country young people are actively raising issues on discrimination that they experience (agree / disagree)

1. Strongly agree
2. Somewhat agree
3. Somewhat disagree
4. Strongly disagree

12. In which of the following situations young people are limited to have full access to their rights because of their age in your country:

	Very limited	Somewhat limited	Not very limited	No limitations at all
Voting age				
Possibility to run for elections				
Creating and joining civic society organisations				
Participation in decision-making				
Participation in policy making				

13. On which grounds young people (and their organisations) report most experiences of discrimination in your country?

14. Are you aware of any new measures, actions or advocacy efforts to address discriminatory practices faced by young people?

(Removal of) Obstacles to the right of young people to assemble and freely form and join associations and trade unions

Next questions refer to how the government recognizes and supports youth organisations, youth councils and other youth initiatives or structures.

15. Is the right of young people to associate with others to form bodies in which to collectively pursue common objectives guaranteed? Are there any limitations to this right? Please explain:
16. Are there any changes in the legislation on the right of association, civil society organisations, networks or trade unions in the last 5 years? Are those changes promoting or limiting the right to freedom of assembly and association?
17. Are youth organisations and youth councils able to work independently at local, regional and national levels? Please explain:
18. Do independent youth organisations and youth councils play an active role in the development and implementation and evaluation of policies that can have an impact on young people and their rights? If you are aware of a good example of practice, please explain:
19. Please explain whether youth organisations, councils and initiatives are provided with the space, financial means and material support necessary for the purpose of ensuring their smooth and effective operation and access to civic space. Also, if you are aware of a good example of practice, please provide details:
20. Provided the possibility, what changes would you consider needed in order for youth organizations, councils and youth initiatives to operate effectively, independently and to play a bigger role in youth policy in your country?
21. Are you aware of any new programmes, actions, advocacy efforts to address or remove “legal, administrative and practical obstacles to the right of young people to assemble peacefully and to freely form, joint and be active in associations and trade unions”?
22. Anything you would like to add:

Thank you!

Conclusions and recommendations of the Monitoring group

Regarding the review process

1. The knowledge resulted from the review presents a solid basis to understand the efforts made by youth organisations, youth councils and to some extent public authorities, to advance young people's access to rights. It provides also directions for the development of the future national youth policies and approaches;
2. The contribution of youth organisations and the European Youth Forum to the review process has been instrumental to reflect the experiences of young people and youth organisations;
3. Although limited, the data from the surveys is sufficiently indicative to draw certain conclusions about the impact and people targeted. However, it is important to note that there was a limited response of member states with specific examples of how the CM/Rec(2016)7 has been observed and implemented. The CMJ should be mindful that there is a limit on the extent to which a substantive and rigorous review of the impact can be undertaken within the context and resources of the review process. For future reviews processes, it will be important to ensure greater engagement on the side of Member States;
4. The review process successfully took note of many examples listed in the report and the supplementing documents produced. Often it was not an easy task to connect certain achievements or challenges to the CM/Rec(2016)7.

Regarding the review and the results

1. The review served as a reminder of the importance of the rights enshrined in the CM/Rec(2016)7, and challenges faced by young people in accessing and enjoying their rights. The non-legally binding nature of the Recommendation should not act as a disincentive to adopt concrete measures to ensure young people's access to rights;
2. The process has provided space for youth organisations to have a say, share their views and contribute with reports, information and sharing of experience. The role of the European Youth Forum in this process has been instrumental to bring forward a diversity of experiences and ideas;
3. As indicated in the guidelines, the Youth Department has included the Recommendation and its principles in other relevant areas of its work (youth policy development, youth policy advice, etc.). It is very clear that the content and principles of the Recommendation are reflected in the Council of Europe's youth sector Strategy 2030 which is a strong sign that the work on young people's access to rights will be a priority in the next decade;
4. In addition to English and French, the Recommendation is available in Flemish, Czech, Estonian, Hungarian, Portuguese, Russian, Slovak and Turkish. Further translations (including also in Braille and international sign) and use of the Recommendation in national youth policy cycles is needed;
5. Young people's access to rights as well as rights-based approach to youth are often not explicitly outlined in the youth policies of Member States, even though policies have been adopted by member states which have a positive impact on youth;
6. In some cases, the capacity of the public institutions of the youth sector is under strain, with departments being changed, merged, reorganised, which limits their capacity to adequately promote and implement the Recommendation. Despite this, there is a strong need for better

implementation, monitoring and follow up to overarching instruments such as the CM/Rec(2016)7.

Results of the review

The conclusions and recommendations take into account the feedback of the Monitoring Group. These are as follows:

Conclusions

1. The Recommendation is taken into account 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 youth;
2. Increased ownership is needed from public authorities to further the implementation of the Recommendation. This should be paired with increased cooperation 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;
3. Despite the fact that 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 authorities, regional authorities, local authorities) as duty bearers, as well as other relevant actors (e.g. civil society). Current and on-going crises (e.g. the COVID-19 pandemic; the climate crisis; armed conflicts) have further deteriorated young people's access to rights, making the implementation of this Recommendation even more important;
4. 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. The patterns of participation respect the philosophy of youth participation and co-management of the Council of Europe;
5. The youth sector of the Council of Europe has been a successful promoter of the Recommendation since its adoption, notably through the Youth for Democracy programme and the grants of the European Youth Foundation. A considerable number of partners (NGOs, national youth policy authorities, local authorities) have taken ownership and contributed to its implementation;
6. The educational activities carried out within the European Youth Centres have provided an important space for promoting the Recommendation, assistance, mentoring, new flows of support and synergies between youth organisations;
7. The grants provided by the European Youth Foundation are an example of provision of accessible funding for small youth organisations (especially those without previous relationships with international grants). It remains important to work on the provision of

support for organisations facing restrictions on funding and minority organisations experiencing limitations for their access to funding;

8. Youth organisations are an important and necessary source of expertise are a significant, but often not sufficiently recognised by public authorities as partners and experts in tackling discrimination of young people and the infringements to the right to assembly;
9. It is important that the reporting of the actions and the identity of youth organisations is made clearer to the wider public, promoting their role and achievements in non-discrimination work and freedom of assembly and providing support for their work in partnership with public institutions and civil society;
10. The work of youth organisations towards establishing collective commitment and support networks presents a way forward for sharing good practices organised around issues, based on collaborative thinking and mobilisation. Such efforts should be further supported and promoted;
11. Engaging more young people in the policy processes on access to rights requires investing more in accessible resources in user friendly language.

Recommendations for further action

The obstacles faced by young people in accessing rights that prompted the preparation and adoption of the Recommendation are still many and multifaceted and need strong action. The recommendation needs to be further implemented and applied more extensively and consistently, supporting the recognition of youth organisations and youth councils and building a meaningful partnership with them.

A greater involvement of member states and a consequent resource would be needed to make the review more representative to the situation on young people's access to rights. The recommendations below are not listed in any order of priority.

1. The Council of Europe, the member states and youth organisations should advance their work and cooperation on the promotion of the Recommendation within their programmes and policies as a substantial step towards better recognition of the Recommendation;
2. Member States should increase current efforts at national and local level to implement the Recommendation, including by fully recognising young people as rights holders, and by meaningfully involving young people and youth organisations in all key stages of policy making. A good practice which could support such processes are the so-called "youth checks/tests" in the policy making cycle;
3. Member states are encouraged to work on informing and training national level multipliers of young people's access to rights;
4. A particular attention is needed to tackle emerging challenges hindering 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;
5. The Council of Europe and its member states should advance the work on building 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 who can promote a rights-based approach in youth policies and programmes at national level;

6. Member states should meaningfully include young people and youth organisations in the design and deployment of more accessible and easier to understand different instruments and services on access to rights. The language used to promote access to rights needs to embed rights-based approach in policy processes;
7. Member States should take measures to 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;
8. On national, regional and local level, member states should initiate or deepen dialogue and development of instruments for monitoring, evaluation and reviewing of measures adopted to ensure youth access to rights. This process should be carried out together with youth councils and other youth organisations;
9. Periodic research on the implementation of the Recommendation carried out by youth organisations on a national level should be encouraged and supported, in order to inform future policy measures by longitudinal data. Youth research needs to be an essential part of these processes;
10. The removal of legal, administrative and practical obstacles to the exercise of young people's rights calls for enabling legal and administrative efforts, including legislation, infrastructure, financial and human resources, monitoring mechanisms and the involvement of national equality bodies as well as other human rights institutions;
11. Ensuring an intersectional approach is crucial to ensure that youth policy measures, as well as all other measures which can impact youth, can support access to rights for young people in all their diversity;
12. The Council of Europe should incorporate the results of the review in the assessment foreseen in the Youth Sector Strategy 2030;
13. 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.

Specific recommendations on the Article 1:

14. 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. Additionally, youth researchers and youth organisations should also be included in a discussion on collecting disaggregated data on several socio-demographic characteristics and the impact of such process;
15. 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;
16. 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 less access to rights, using an intersectional approach;
17. The development of policies and programmes should 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. Such involvement should be foreseen also for their monitoring and evaluation.

Recommendations on Article 2:

18. More knowledge, data collection, and exchange of practices should be encouraged to promote access to civic space for young people and youth organisations and understand the financial, legislative, political efforts which facilitate this access;
19. 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;
20. Invest in citizenship education to ensure young people can develop critical thinking skills, fostering their active participation in society during the life course;
21. 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.