

COUNCIL OF EUROPE

COMMITTEE OF MINISTERS

RESOLUTION ResAP(2003)1

INSTITUTING A PARTIAL AGREEMENT ON THE YOUTH CARD FOR THE PURPOSE OF PROMOTING AND FACILITATING YOUTH MOBILITY IN EUROPE

(replacing Resolution (91) 20)

*(adopted by the Committee of Ministers on 15 January 2003
at the 824th meeting of the Ministers' Deputies)*

1. The Representatives on the Committee of Ministers of France, Hungary, Ireland, Italy, Luxembourg, the Netherlands and Portugal,
2. Having regard to recommendation 31 of the First Conference of European Ministers responsible for Youth of the Council of Europe on the establishment of a European Youth Card;
3. Considering that, in accordance with the spirit of this recommendation, a group of States or organisations belonging to States or cultural communities of the Contracting Parties to the Cultural Convention concluded the Lisbon Protocol of 1 June 1987 (Appendix II hereto) establishing a Youth Card scheme whereby the advantages afforded by each national card are extended to Youth Card holders from other signatory States to the said Lisbon Protocol;
4. Bearing in mind the Paris Declaration of 10 March 1988, by which signatories to the Lisbon Convention as well as other States and organisations belonging to Parties to the European Cultural Convention undertook to develop a youth card scheme in their territories;
5. Recalling the conclusions of the Second Conference of European Ministers responsible for Youth (Oslo, April 1988), in particular the points in paragraph 2.2 thereof concerning the establishment or further development of national youth card schemes;
6. Having regard to the European Parliament's Resolution of 17 February 1989 on the need for a European Youth Card;

7. Recalling the conclusions concerning the European Youth Card adopted by the Council and the Ministers of the European Community meeting within the Council in Luxembourg on 6 October 1989;
8. Recalling that, on the occasion of the Colloquy "Generation 93" held in Paris on 9-10 November 1989, the Ministers responsible for youth questions of the 12 countries of the European Community confirmed that youth mobility was a priority for the coming years;
9. Noting that the number of States and organisations signatory to the Lisbon Protocol has steadily increased in recent years and that other European States are interested in joining the scheme;
10. Noting that, in pursuance of Article XIII of the Lisbon Protocol, a European Conference of Youth Cards has been set up to promote youth mobility and co-ordinate the activities of Youth Card organisations;
11. Taking note that, at its meeting in Athens on 24 and 25 May 1990, the Second European Conference of Youth Cards, being anxious to strengthen international co-operation and provide itself with international status in keeping with the Youth Card arrangements and its ambition for a Young People's Europe, asked the Council of Europe to examine the possibility of concluding a Partial Agreement in its institutional framework;
12. Taking note of the conclusions of the Third Conference of European Ministers responsible for Youth of the Council of Europe on measures needed to promote and facilitate youth mobility under the Youth Card scheme and, in particular, on the Council of Europe's contribution to the operation of the scheme;
13. Noting that the authorities and experts brought together by the Secretary General at the Conference of international institutions and bodies advocating or granting advantages to young people in the field of mobility recommended that a Partial Agreement be set up for the purpose of fruitful co-operation between the Youth Card scheme, as provided for in the Lisbon Protocol, and the Council of Europe;
14. Aware of the need to accord the Youth Card international status while respecting the prerogatives of each national organisation, as well as to ensure that the scheme develops on a non-profit-making basis in the interests of young people;
15. Having regard to Resolution (51)62 of the Committee of Ministers concerning partial agreements;
16. Conscious of the importance of enabling the European Conference of Youth Cards to carry on its activities as efficiently as possible, and in full respect of the principle of subsidiarity,

17. Resolve to institute a Partial Agreement on the Youth Card for the purpose of promoting and facilitating, together with the European Conference of Youth Cards, youth mobility in Europe. The Partial Agreement shall be governed by the Statute appended to this Resolution.

Appendix I to Resolution ResAP(2003)1

STATUTE

1. The Partial Agreement shall be aimed at developing the Youth Card scheme, particularly at European level in the best interests of young people under the age of 26 and with a view to facilitating their mobility as well as their access to the various goods and services necessary for their personal and cultural development.

2. The organs of the Partial Agreement shall be:

- i. the Committee of Ministers with its membership restricted to member States of the Council of Europe who are members of the Partial Agreement (hereinafter: "The Committee of Ministers");
- ii. the Board of co-ordination.

3. Members

Any member State of the Council of Europe and any State party to the European Cultural Convention and the European Community may join the Partial Agreement by a simple declaration to that effect.

Non-member States may be invited to join the Partial Agreement on the conditions stipulated in Article 4 below.

Any member State may withdraw from the Partial Agreement upon giving six months' notice expiring at the end of the financial year.

4. On a proposal by the European Youth Card Association (hereinafter: "the Conference") and the Board of co-ordination, the Committee of Ministers:

- a. shall adopt the programme and budget of the Partial Agreement;
- b. may unanimously decide, after consulting the other member States of the Partial Agreement which do not belong to the Council of Europe, to invite any State not member of the Council of Europe and not party to the Cultural Convention to become a member of the Partial Agreement on such conditions as it shall lay down;
- c. may amend this Resolution and Appendix I thereto.

5. The Board of co-ordination

It shall be composed of 17 members, that is:

- 8 representatives of Partial Agreement member States in which there are national Youth Card bodies, who shall be appointed by the Committee of Ministers;
- 8 members of the European Youth Card Association appointed by the latter;
- 1 representative appointed by the Advisory Council to the European Youth Centre and the European Youth Foundation without the right to vote;

Members of the Board of co-ordination shall be appointed for a renewable two-year period.

When appointing members of the Board of co-ordination, the Committee of Ministers and the Association shall make a point of ensuring equitable geographical distribution and representativity of the Youth Card.

The Board of co-ordination shall elect its Chairperson and Vice-Chairperson for a two-year period provided that such a period does not exceed the duration of the term of office as representative of a Partial Agreement member State or of the European Youth Card Association. When the Chairperson is elected amongst the members appointed by the Committee of Ministers, the Vice-Chairperson is elected amongst the members appointed by the Association, and vice-versa. Each year, each of these offices is given alternately to a member appointed by the Committee of Ministers and a member appointed by the Association.

The Chairperson of the European Youth Card Association shall, if not a member of the Board of co-ordination, be invited to attend the Board's meetings in a non-voting capacity.

The Board shall be responsible for:

- i. drawing up the draft budget and programme, taking account of the Association's proposals;
- ii. monitoring the implementation of the Youth Card scheme in all the States concerned, making sure the code of practice adopted by the European Conference of Youth Cards at its meeting in Brussels on 23 November 1990 relating to the development of youth projects is respected and facilitating the settlement of such conflicts between the parties as may result from the use of the Card at international level under the scheme;

iii. managing and implementing the programme and budget of the Partial Agreement as adopted by the Committee of Ministers in accordance with the Association's guidelines and the Statute of the Council of Europe;

iv. co-ordinating initiatives taken in the various States in order to develop all forms of co-operation and, wherever possible, harmonise the different offers made to young people;

v. negotiating at European level, taking into account the principle of subsidiarity, the advantages to be granted to young people under the Youth Card scheme with the public and private, national and international organisations and bodies, particularly in the fields of transport, housing, insurance, sporting, cultural, recreational events, etc. In this context, the Board promotes the extension of new services which may be made available to young people;

vi. promoting the provision of information on the subject of the Youth Card for young people in search of mobility as well as for political and economic decision-makers;

vii. reporting to the Committee of Ministers each year on the previous year's activities. Decisions by the Board of co-ordination shall require a two-thirds majority of the votes cast and a majority of the Board's members.

6. The Board of co-ordination shall co-operate with the various Council of Europe bodies and with the European Community, in particular all the bodies responsible for Community mobility programmes.

7. The European Youth Card Association shall propose the main lines of the draft programme and submit proposals for activities to the Board of co-ordination.

8. The Secretariat General of the Council of Europe shall provide secretarial services for meetings of the Board of co-ordination.

9. Amendments to Appendix II

The European Youth Card Association shall notify the Secretary General of any amendments adopted by it to the texts in Appendix II. The Secretary General shall then inform the Committee of Ministers thereof and the amendments shall become effective at the end of a period of three months counting from the date of notification, unless the Committee of Ministers decides otherwise, and shall be incorporated in Appendix II.

Appendix II to Resolution ResAP(2003)1

LISBON PROTOCOL

Convention between:

* La Commission pour la Carte Jeunes portugaise * L'association française pour la diffusion de la Carte Jeunes * The Youth Institute of Spain * The Scottish Community Education Council * The Cultureel jongeren paspoort of the Netherlands * The Cultureel jongeren paspoort of the Flemish community of Belgium hereunder called the parties,

Referring to the recommendations 14 and 31 of the Conference of European Ministers responsible for youth questions (Strasbourg, 17-19 December 1985), aiming for an establishment of a "European Youth Card", willing to extend the benefit of privileges linked to Youth Cards they issue for their own subscribers, for subscribers of other organisms having the same vocation, agree on the following points:

Article I

The "Youth Cards" signatories to the present Convention are available to young people under 26 years of age; certain signatories will have the possibility to set a minimum age.

Article II

The date of issue of the Youth Cards will be set freely by the signatories to the present Convention.

Article III

The period of validity of the Youth Cards will be 1 year minimum.

Article IV

The presentation of cards issued by the parties is harmonized, in particular the Logo and the appellation "EURO<26".

Article V

The Youth Cards are purchased; their prices will be determined in order to make them accessible to the largest amount of young people possible.

Article VI

Every bearer of the Youth Card delivered by one of the parties, acquires the benefits, in each country in which the other parties are settled, from the advantages open to bearers of the Youth Card directly issued by the party settled in the concerned country, apart from exceptions mentioned in Appendix I and notified in the national guide.

Article VII

The privileges open to Youth Card bearers correspond to those determined for each country by the responsible authority. These privileges cannot in any case be lower than

10% reduced on the normal prices of the concerned services, unless there is a derogatory agreement for prestations mentioned in Appendix II. A list of these prestations can be completed by the parties afterwards.

Article VIII

Every party will inform its contractors (service givers) of the existence and the implication of this present convention of which they agreed on the principle. Any litigation with a contractor during the application of the present convention will be solved between the contractor and the party in the province in which the litigation occurred.

Article IX

Each party will elaborate, for the other parties, a document stating the functioning and the way of using the Youth Card that it issues and also the main privileges the card opens the right to, including those allocated by international organisms or following an international vocation.

Article X

Each party is responsible, on the territory in which it is settled, of the diffusion of the documents that it will have, as above-mentioned, established. The expenses entailed by the establishing and the diffusion of these documents are in the charge of the party that issues them.

Article XI

Every party (except Scotland) will hold these documents at the disposal of the bearers of the Youth Card delivered by other parties.

Article XII

Every party, by the way it will judge the most appropriate, will keep the bearers informed that it delivers advantages offered by the present convention.

Article XIII

The parties will inform each other of all actions of promotion, advertising and public relations implemented on their own responsibility.

Common actions will be studied.

The signatories to the present convention will inform each other regularly on the internal development of their "Youth Card" system. They will be able to adopt common norms or criteria.

In order to reinforce the ties linking the different signatories, the European Conference of Youth Cards is created. Its functioning follows rules set for this purpose.

Article XIV

This convention is open to any organism having the same aims as the signatories to the present convention and situated in a member State of the Council of Europe and/or party to the Cultural Convention of the Council of Europe and to Andorra.

The concerned organisation should address to the French Association for the Youth Card a request to join the present convention.

The French Association for the Youth Card will transmit the request to the other parties, signatories to the present convention. If the latter have not expressed in a period of 2 months any objections to such an application, the organisation will be allowed to join.

The French Association for the Youth Card will then notify this decision to the concerned organism and will transmit a copy of the present convention in order to be signed. As soon as the signed and dated copy is returned, the French Association for the Youth Card will transmit a copy of it to the other parties to the present convention.

Any adhesion to the present convention will be effective from September 1 following the date of signature as mentioned in the fourth paragraph of this article.

Article XV

The present convention may be amended by additional clauses with all the signatories' agreement.

Article XVI

For a transitional period, pending the implementation of the articles II, III and IV of the present convention, the clauses of all the other articles are effective:

- From July 1 1987 for the French Youth Card, the Portuguese Youth Card, and the Scottish Youth Card, independently of the date they are issued.
- From November 1 1987 for the Flemish Community of Belgium independently of the date it is issued.
- From January 1 1988 for the Spanish Youth Card independently of the date it is issued.

Article XVII

The parties may give notice of termination of the present convention after a 6-months' advanced notification to the French Association for the Youth Card. The termination will be effective from 1 September of the started year.