

**FOLLOW-UP OF THE BELGIAN EU PRESIDENCY-YOUTH
NOTE OF 2010**

**THE EUROPEAN AND INTERNATIONAL POLICY
AGENDAS ON CHILDREN, YOUTH AND CHILDREN'S
RIGHTS**

STATE OF THE ART – UPDATE 2016

Colofon

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Depot Number

D/2017/3241/165

Dear reader,

The Council Resolution on a renewed framework for European cooperation in the youth field (2010 – 2018) stipulates that the following general initiative should be considered in all the fields of action identified: *“including, where appropriate, a children’s policy dimension, having regard to their rights and protection taking into account that the life and future prospects of young people are significantly determined by the opportunities, support and protection received during childhood”*. However, it should be noted that the European and International agendas on policy in respect of children, youth and children’s rights are not always entirely clear to the Youth Council. Therefore, the overview of these (European and international) agendas need a regular update. With this publication we make a renewed contribution to this.

With a special thanks to KEKI, the Children’s Rights Knowledge Centre! (www.keki.be)

Executive summary

In recent years, various policy agendas on children, youth and children's rights have been adopted at the European and international level. This study offers an inventory of those policy agendas of the European Union, the Council of Europe and the United Nations in which children and youth are the main focus. The text updates the note *"The European and International Policy Agendas on Children, Youth and Children's Rights"*, issued by the Belgian EU Presidency in 2010.

At the level of the European Union, the renewed social agenda of 2008 identifies "Children and Youth" as one of its priorities. The Consolidated Version of the Treaty on European Union (2008), which entered into force on 1 December 2009, states for the first time that the European Union shall promote the protection of the rights of the child (Article 3 (3) al.2). Today, the main EU policy document on children's rights is the European Commission's Communication of 2011 "An EU Agenda for the Rights of the Child", which builds on the 2006 Communication "Towards an EU Strategy on the Rights of the Child." The EU Agenda aims to reaffirm the strong commitment of all EU institutions and Member States to the rights of the child, and to translate this commitment into concrete outcomes.

EU competence in the field of youth is enshrined in Article 6 of the Consolidated Version of the Treaty on the Functioning of the European Union (2008). In November 2009, the European Council of Youth Ministers adopted a Resolution on a renewed framework for European cooperation in the youth field (2010-2018). The resolution was based on the European Commission's Communication of April 2009 "An EU Strategy for Youth – Investing and Empowering." The two central objectives of the renewed framework of European cooperation in the youth field are (i) more and equal opportunities in education and the labour market, and (ii) active citizenship, social inclusion and solidarity of all young people. The analysis focuses on those policies to be taken into consideration by the European Union Member States internally; EU external policy falls outside the ambit of this study.

Turning to the level of the Council of Europe, the revised European Social Charter (1996) contains two provisions that exclusively address children's rights. The Warsaw Declaration of 2005 expresses the commitment of the Heads of State and Government of the Council of Europe to eradicate violence against children, whereas the Warsaw Action Plan lists as one of its goals "Building a Europe for Children." Consequently, the programme "Building a Europe for and with children" (2006-2011) was launched, with two interconnected objectives: promoting children's rights and protecting children from violence. The third Strategy within this programme, the "Council of Europe Strategy for the Rights of the Child (2016-2021)", also known as the Sofia Strategy, prioritizes equal opportunities, participation, freedom from violence, child-friendly justice and children's rights in the digital environment for all children.

With respect to the Council of Europe policy agenda on youth, the Warsaw Action Plan of 2005 includes the objective of "developing youth co-operation." Typical of the Council of Europe is the system of co-management in the field of youth policy. This means that representatives of youth organizations and government officials formulate policy proposals together, which are then adopted by the Committee of Ministers. In November 2008, the Committee of Ministers adopted a new resolution on the youth policy of the Council of Europe, with as general objective "to provide young people ... with equal opportunities and experience which enable them to develop the knowledge, skills and competences to play a full part in all aspects of society."

The United Nations Convention on the Rights of the Child (1989) and its three Optional Protocols – the Optional Protocol on the involvement of children in armed conflict, the Optional Protocol on the sale of children, child prostitution and child pornography (both from 2000), and the Optional Protocol on a communications procedure (2011) – offer a comprehensive normative framework to assess the policy agendas on children (and youth). The four key principles of the Convention are non-discrimination, the best interests of the child, survival and development, and respect for the views of the child. After "A world fit for children" (2002), the United

Nations have not adopted a new policy document exclusively on children or children's rights. For 15 years, the Millennium Development Goals (MDGs) were a guiding force on many issues affecting the lives of children, young people and their families. With the passage of the new Sustainable Development Goals (SDGs) in September of 2015, world leaders have set a transformational course for the future of human development with references to youth as well as children's rights policies.

In 1965, the General Assembly adopted the Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples. In 1995, the United Nations strengthened its commitment toward young people by adopting the World Programme of Action for Youth to the Year 2000 and Beyond. The Programme of Action "focuses in particular on measures to strengthen national capacities in the field of youth and to increase the quality and quantity of opportunities available to young people for full, effective and constructive participation in society." A Supplement to the Programme of Action was adopted in 2007, including five additional priority areas.

1. Introduction

This study provides a state of the art of the European and international policy agendas on children, youth and children's rights. The text updates the note *"The European and International Policy Agendas on Children, Youth and Children's Rights"*, issued by the Belgian EU Presidency in 2010.

The object of this study is demarcated in four ways. First, focus is on those agendas where a policy towards children, youth and/or children's rights is a primary, in contrast to a subsidiary, objective. Second, the analysis is restricted to agendas that aim at influencing government policies. Third, the study concerns those policies to be taken into consideration by the European Union Member States internally, thus excluding EU external policy from its ambit. Finally, the policy agendas scrutinized are those of the European Union, the Council of Europe and the United Nations.¹

The focus of this study is put on a portrayal of the main policy document, understood as the document that sets out the beacons for the current and future policy on children('s rights) or youth of the organization concerned. Common to the different policy agendas analyzed – and inherent to the concept of "policy" – is their non-binding character. At European Union level, the main policy documents are a Communication from the European Commission (on children's rights) and a Resolution of the Council of Youth Ministers (on youth). The resolutions and decisions of the Committee of Ministers of the Council of Europe and the resolutions of the United Nations General Assembly are equally non-binding towards Member States.

It must be stressed that the scope of this study is limited, because only those agendas where children and youth are the main focus are included in the analysis. Such a restriction obscures the fact that there has been quite some attention for children and youth issues in other policy areas, such as poverty (e.g. at European Union level) and education (e.g. within UNESCO). Put differently, by only paying attention to "horizontal policy", the initiatives taken at the various "vertical policy levels" with respect to children, youth and children's rights remain hidden. This entails the risk of an imbalanced assessment of the "real" attention for the interests and rights of children and youth within the three organizations.

The personal field of application of the policy agendas is based on the criterion of age. At the three levels, children are coherently defined as human beings "below the age of eighteen years", in accordance with Article 1 of the United Nations Convention on the Rights of the Child. With respect to youth, the age limit varies among the three organizations. The concept of "youth" is respectively defined as comprising young people from 13 to 30 years (European Union), from 10-12 to 30 years (Council of Europe) and from 15 to 24 years (United Nations).

The discussion of the different policy agendas on children, youth and children's rights follows a similar structure:

- Legal basis
- Decision-making body
- Main policy document
 - o Institution responsible for (monitoring) implementation
 - o Time frame
 - o Objectives of the policy agenda on children/youth
 - o Agenda – Thematic priorities
 - o Approaches, methods and instruments
 - o References to policies on children('s rights)/youth respectively

Where relevant, a succinct historical overview is included.

¹ Not included are, for instance, the initiatives of the Hague Conference on Private International Law.

2. European Union

The European Union is an economic and political partnership between 28 European countries, with as central objective to provide peace, prosperity and freedom for its citizens in a fairer, safer world. The Union is founded on the principles of respect for human rights and fundamental freedoms, the rule of law and the principles common to the Member States.² European Union action must respect the principles of subsidiarity and proportionality and should not encroach on the jurisdiction of the Member States.

2.1. EU policy agenda on children and youth: a renewed social agenda

In July 2008, the European Commission adopted a Communication on a **“Renewed social agenda: Opportunities, access and solidarity in 21st century Europe.”**³

2.1.1. Objectives

The renewed social agenda aims to ensure that European policies respond effectively to current societal changes, caused by, among others, technological advances, globalization and an ageing population. Three interconnected goals are set: (i) creating opportunities, (ii) providing access, and (iii) demonstrating solidarity. Opportunities are generated through providing more and better jobs and improving mobility. To be able to make use of these opportunities, individuals need access to good quality education, social protection and health care services. Those individuals and regions that cannot cope with the accelerating social changes, can count on the solidarity of the rest of European society.

2.1.2. Agenda – Thematic priorities

One of the seven priorities of the renewed social agenda is **“Children and Youth – Tomorrow’s Europe.”**⁴ Children and youth are thus considered together here. The following initiatives are listed as part of the renewed social agenda:

- A Communication from the Commission on “Improving competences for the 21st Century: An Agenda for European Cooperation on Schools.”⁵
- A Green Paper on “Migration and Mobility: challenges and opportunities for EU education systems.”⁶
- A Communication from the Commission on developing the open method of coordination on youth: “An EU Strategy for Youth – Investing and Empowering. A renewed open method of coordination to address youth challenges and opportunities.”⁷ (see below)
- “Develop a more comprehensive approach to child poverty, based on quantitative targets ..., inspired by the European strategy on inclusion and social protection.”

2.1.3. Approaches, methods and instruments

For the implementation of the renewed social agenda, the following instruments are identified: EU legislation; social dialogue; open methods of coordination; EU funding; partnership, dialogue and communication; and ensuring that all EU policies promote opportunities, access and solidarity.

² Consolidated Version of the Treaty on European Union (2008) art. 6.

³ COM(2008) 412 final.

⁴ The six other priorities of the renewed social agenda are: (i) investing in people, more and better jobs, new skills; (ii) mobility; (iii) longer and healthier lives; (iv) combating poverty and social exclusion; (v) fighting discrimination; and (vi) opportunities, access and solidarity on the global scene.

⁵ COM(2008) 425 final.

⁶ COM(2008) 423 final.

⁷ COM(2009) 200 final.

2.2. EU policy agenda on children('s rights)

2.2.1. Legal basis

Article 24 of the **Charter of Fundamental Rights of the European Union** of 2000/2007 is devoted exclusively to children's rights, and reads as follows:⁸

1. Children shall have the right to such protection and care as is necessary for their well-being. They may express their views freely. Such views shall be taken into consideration on matters which concern them in accordance with their age and maturity.
2. In all actions relating to children, whether taken by public authorities or private institutions, the child's best interests must be a primary consideration.
3. Every child shall have the right to maintain on a regular basis a personal relationship and direct contact with both his or her parents, unless that is contrary to his or her interests.

Article 32 of the Charter prohibits the employment of children. The Charter of Fundamental Rights became binding (gained treaty-level status) after the entry into force of the **Consolidated Version of the Treaty on European Union** (Treaty of Lisbon) on 1 December 2009. The Treaty of Lisbon put an end to the many years of debate on whether the European Union had any competence in the field of children's rights. Pursuant to Article 3 (3) al. 2, the European Union "shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and *protection of the rights of the child.*"⁹

2.2.2. Decision-making body

EU Member States develop their own national policies on children and children's rights. At European Union level, decision-making in relation to children('s rights) is in principle linked to the substantive field in which measures are taken, such as asylum and migration or education. A compilation of EU law and policy documents relevant to rights of the child and children is available on the rights of the child website.¹⁰

Nonetheless, the Consolidated Version of the Treaty on the Functioning of the European Union (2008) includes two explicit references to children. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, are competent to adopt measures for "combating trafficking in persons, in particular women and children"¹¹ and to establish minimum rules concerning the definition of criminal offences and sanctions in the area of, among others, "trafficking in human beings and sexual exploitation of women and children."¹²

2.2.3. Historical overview

In its Communication on Strategic Objectives 2005-2009, the European Commission recognized children's rights as a main area of concern: "A particular priority must be effective protection of the rights of children, both against economic exploitation and all forms of abuse, with the Union acting as a beacon to the rest of the

⁸ Article 14 (3) of the Charter guarantees the respect for "the *right of parents* to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions." (emphasis added).

⁹ Emphasis added. According to Article 3 (3) al. 5 of the Consolidated Version of the Treaty on European Union (2008) the Union shall in its relations with the wider world contribute to "the protection of human rights, in particular the rights of the child." However, as noted in the introduction, EU external policy is not included in this study.

¹⁰ http://ec.europa.eu/justice/fundamental-rights/files/acquis_rights_of_child.pdf

¹¹ Consolidated Version of the Treaty on the Functioning of the European Union (2008) art. 79(2)(d).

¹² *Ibid.*, art. 83(1).

world.”¹³In March 2006, the European Council asked the Member States “to take necessary measures to rapidly and significantly reduce child poverty, giving all children equal opportunities, regardless of their social background.”¹⁴In July 2006, the European Commission issued the Communication “Towards an EU Strategy on the Rights of the Child”.¹⁵ The communication was accompanied by an impact assessment¹⁶ and a preliminary inventory of European Union action affecting children's rights.¹⁷In November 2009, a state of play of the implementation of this strategy was drawn up.¹⁸

The Commission’s Communication “Europe 2020 – A strategy for smart, sustainable and inclusive growth” (the Europe 2020 Strategy) envisages a Europe where children will have a better education and access to the services and resources they need to grow up.¹⁹

As to child trafficking and sexual abuse of children on the internet, the European Commission adopted two European strategies: the EU Strategy towards the Eradication of Trafficking in Human Beings²⁰ and the European Strategy for a Better Internet for Children.²¹

Also in the field of migration, a number of documents were adopted. In 2010, the European Commission issued the Communication “Action Plan on Unaccompanied Minors (2010 – 2014)”²², and in 2016 the Communication “State of Play of Implementation of the Priority Actions under the European Agenda on Migration”, complemented by an ANNEX on “ongoing actions contributing to the protection of children in migration”.²³

2.2.4. Main policy document

The Communication “**An EU Agenda for the Rights of the Child**” was adopted by the European Commission on 15 February 2011.²⁴

Institution responsible for implementation

Within the European Commission’s Directorate-General for Justice and Consumers, Unit C2 “Fundamental Rights Policy (Formerly Unit C2 Fundamental Rights and Rights of the Child)” of Directorate C “Fundamental Rights and Rule of Law” is primarily responsible for children’s rights (see Annex 1). The Directorate-General for Justice has a coordination role on the rights of the child among the Commission’s services. Through the European Commission coordinator for the rights of the child, including through an inter-service group, it cooperates with other services to ensure that the rights of the child are duly considered in all relevant policies and actions, in line with the Charter of Fundamental Rights and the UN Convention on the rights of the child.

The European Forum on the Rights of the Child is an annual event for the promotion of children’s rights, which was established after the adoption of the 2006 Communication “Towards an EU Strategy on the Rights of the Child”. The Forum is composed of a diversity of members, namely Member State representatives, Ombudspersons for children, EU Institutions, international organisations, civil society, academics and practitioners.

¹³ COM(2005) 12 final.

¹⁴ Presidency Conclusions of the European Council, Brussels, 22-24 March 2006 (7775/06), para. 72.

¹⁵ COM(2006) 367 final.

¹⁶ SEC(2006) 888.

¹⁷ SEC(2006) 889.

¹⁸ http://ec.europa.eu/justice/policies/children/docs/children_state_of_play_en.pdf.

¹⁹ COM(2010) 2020 final.

²⁰ COM(2012) 286 final.

²¹ COM(2012) 196 final.

²² COM(2010)213 final

²³ COM(2016) 85 final

²⁴ COM(2011) 60 final.

Time frame

The Communication “An EU Agenda for the Rights of the Child” was adopted on 15 February 2011. The actions proposed were to be carried out within different time frames, until 2014 at the latest. The state of the art of implementation for September 2015 is available on-line.²⁵

Objectives

The purpose of the EU Agenda is “to reaffirm the strong commitment of all EU institutions and of all Member States to promoting, protecting and fulfilling the rights of the child in all relevant EU policies and to turn it into concrete results”.

Agenda – Thematic priorities

In addition to some general principles (see below), the EU Agenda includes eleven concrete actions in four areas where the EU can bring real added value. These areas are:

- Child-friendly justice (see study and in particular policy brief)²⁶
- Protection of children when they are vulnerable (see 10 principles for integrated child protection systems)²⁷
- Children in the EU’s external action²⁸
- Child participation and awareness raising.²⁹

A compilation of EU law and policy documents relevant to rights of the child and children is available on the rights of the child website.³⁰

A compilation of recently-funded projects is regularly updated.³¹ A pre-condition for funding for organisations having direct contact with children is the submission of a child safeguarding/child protection policy and this will be increasingly rolled out to other EU funding programmes as of 2017.³² Some compilations on EU funding programmes relevant to children may be of use to stakeholders.³³

Approaches, methods and instruments

Three general principles should ensure that EU action is exemplary in ensuring respect of the provisions of the Charter of Fundamental Rights of the European Union and of the Convention on the Rights of the Child with regard to the rights of children. These principles are:

- Making the rights of the child an integral part of the EU's fundamental rights
- Building the basis for evidence-based policy making
- Cooperation with stakeholders.

Review on the progress made in the implementation of the EU Agenda was included in the Commission’s Annual Reports on the application of the Charter of Fundamental Rights in 2011 and 2012.³⁴ Also, the

²⁵ http://ec.europa.eu/justice/fundamental-rights/files/agenda_child_state_of_play_en.pdf.

²⁶ http://ec.europa.eu/justice/fundamental-rights/rights-child/friendly-justice/index_en.htm

²⁷ http://ec.europa.eu/justice/fundamental-rights/rights-child/protection-action/index_en.htm

²⁸ External EU policy falls outside the ambit of this study (see above).

²⁹ http://ec.europa.eu/justice/fundamental-rights/rights-child/child-participation/index_en.htm

³⁰ http://ec.europa.eu/justice/fundamental-rights/files/acquis_rights_of_child.pdf

³¹ http://ec.europa.eu/justice/fundamental-rights/files/rights_child/compilation_previously_funded_projects_rights_of_the_child_and_violence_against_children.pdf

³² http://ec.europa.eu/justice/fundamental-rights/files/rights_child/standards_child_protection_kcsc_en.pdf

³³ http://ec.europa.eu/justice/fundamental-rights/files/rights_child/funding_child_protection.pdf and http://ec.europa.eu/newsroom/document.cfm?doc_id=19748

³⁴ Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – 2012 Report on the Application of the EU Charter of Fundamental Rights, COM(2013) 271 final; Commission Staff Working Document on the Application of the EU Charter of Fundamental Rights in 2012 – Accompanying document to the Report from the Commission to the European Parliament, the Council, the European

Commission is ready to offer its support and cooperation to the actions undertaken by the Member States on this domain, and “will continue to play its part in joint efforts to achieve well-being and safety of all children”.

References to youth policies

The 2011 EU Agenda does not contain references to youth policies, other than the mentioning of the (more general) Europe 2020 Strategy.

2.3. EU policy agenda on youth

2.3.1. Legal basis

The **Treaty on European Union**, signed in Maastricht on 7 February 1992, included “youth” as a new policy area. In the chapter “Education, vocational training and youth”, Article 126, §2 stated that Community action shall be aimed at “encouraging the development of youth exchanges and of exchanges of socio-educational instructors.”

Article 32 of the **Charter of Fundamental Rights of the European Union** of 2000/2007 differentiates between the rights of children and the rights of young people: whereas the employment of children is prohibited (see above), “the minimum age of admission to employment may not be lower than the minimum school-leaving age, without prejudice to such rules as may be more favorable to young people and except for limited derogations.” Young people must have “working conditions appropriate to their age and be protected against economic exploitation and any work likely to harm their safety, health or physical, mental, moral or social development or to interfere with their education.”

The **Consolidated Version of the Treaty on the Functioning of the European Union**, as entered into force since 1 December 2009, enshrines EU competence in the field of youth in Article 6, which states:

The Union shall have competence to carry out actions to support, coordinate or supplement the actions of the Member States. The areas of such action shall, at European level, be:
(e) education, vocational training, youth and sport.

Article 165, 2 of Title XII on “Education, Vocational Training, Youth and Sport” specifies that Union action shall be aimed at “encouraging the development of youth exchanges and of exchanges of socio-educational instructors”, as already included in the Maastricht Treaty. However, it is added that Union action shall also aim at “encouraging the participation of young people in democratic life in Europe.”³⁵

2.3.2. Decision-making body

Youth policies are in the first place developed at national level by the different EU Member States. At European Union level, a framework for co-operation has been established. The main decisions in this respect are taken by the Council of Youth Ministers. The meetings of the Council are prepared by the Youth Working Party, which brings together representatives from the ministries of youth of the EU Member States.

2.3.3. Historical overview

Economic and Social Committee and the Committee of the Regions – 2012 Report on the Application of the EU Charter of Fundamental Rights, SWD(2013) 172 final; Report from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - 2011 Report on the Application of the EU Charter of Fundamental Rights, COM(2012) 169 final.

³⁵ As regards vocational training policy, Union action shall aim to “facilitate access to vocational training and encourage mobility of instructors and trainees and particularly young people.” Consolidated Version of the Treaty on the Functioning of the European Union (2008) art. 166, 2.

Until 2001, the activities of the European Union in the youth field consisted mainly in the implementation of specific programmes. In 2001, the European Commission issued the **White Paper “A New Impetus for European Youth,”** which incorporated the results of a wide consultation exercise within the EU.³⁶ The White Paper proposed a new framework for European cooperation in the youth field, based on two approaches: first, the application of the open method of coordination in the specific field of youth, and second, taking more account of the “youth” dimension in the development of other relevant policies, such as education, lifelong learning, mobility, employment and social integration, and combating racism and xenophobia. For the application of the open method of coordination, the European Commission suggested four thematic priority themes: participation, information, voluntary service among young people, and a greater understanding and knowledge of youth. In its Resolution of 27 June 2002, the European Council endorsed the Commission's White Paper.³⁷ Common objectives on participation by and information for young people were in 2003 adopted by the European Council.³⁸ In 2004, the European Commission similarly proposed common objectives for a greater understanding and knowledge of youth³⁹ and for voluntary activities among young people.⁴⁰ In the years thereafter, the European Council issued various resolutions on the implementation of these common objectives.⁴¹

In March 2005, the European Council adopted the **European Youth Pact**, as an instrument to contribute to the achievement of the Lisbon goals of boosting jobs and growth. The Pact focused on three areas: (i) employment, integration and social advancement; (ii) education, training and mobility; (iii) reconciliation of working life and family life.⁴² Among the measures to reconcile working life and family life, the improvement of child care facilities is explicitly mentioned. In November 2005, the European framework for cooperation in the youth field was updated to take the European Youth Pact into account.⁴³ This framework of cooperation was set to expire in 2009.

The former **Youth in Action programme**, now enclosed in the Erasmus+ framework for 2014-2020,⁴⁴ targets young people between 13 and 30 years. It promotes mobility, non-formal learning and intercultural dialogue, and encourages the inclusion of all young people.

The **renewed social agenda**, which targets children and youth together as a priority, was elaborated on above.

³⁶COM(2001) 681 final.

³⁷Resolution of the Council and of the representatives of the governments of the Member States, meeting within the Council of 27 June 2002 regarding the framework of European cooperation in the youth field (2002/C 168/02). For an evaluation, see Resolution of the Council and of the Representatives of the Governments of the Member States of 24 May 2005 meeting within the Council on the evaluation of activities conducted in the framework of European cooperation in the youth field (2005/C 141/01).

³⁸ Council resolution of 25 November 2003 on common objectives for participation by and information for young people (2003/C 295/04). See also COM(2003) 184 final.

³⁹ COM(2004) 336 final.

⁴⁰ COM(2004) 337 final

⁴¹Resolution of the Council and of the Representatives of the Governments of the Member States of 24 May 2005 meeting within the Council on implementing the common objectives for youth information (2005/C 141/03); Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council, on implementing the common objectives for participation by and information for young people in view of promoting their active European citizenship (2006/C 297/02); Resolution of the Council and the Representatives of the Governments of the Member States, meeting within the Council of 16 May 2007 on implementing the common objectives for voluntary activities of young people (2008/C 241/01) and Corrigendum (2008/C 292/06).

⁴²Presidency Conclusions of the European Council, Brussels, 22-23 March 2005 (7619/05), Annex 1.

⁴³Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on addressing the concerns of young people in Europe — implementing the European Pact for Youth and promoting active citizenship (2005/C 292/03). See also COM(2005) 206 final.

⁴⁴Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing 'Erasmus+': the Union programme for education, training, youth and sport and repealing Decisions No 1719/2006/EC, No 1720/2006/EC and No 1298/2008/EC.

In April 2009, the Commission presented a Communication entitled "**An EU Strategy for Youth – Investing and Empowering. A renewed open method of coordination to address youth challenges and opportunities.**"⁴⁵ The Communication proposes a strategy for future youth policies in Europe, and invites Member States and the Commission to cooperate in the youth field through a renewed open method of coordination. Adopting a cross-sectoral approach, the strategy seeks to empower young people to deal with a number of current challenges. On the basis of extensive consultation, the following challenges were identified as primordialy important: education, employment, social inclusion and health.

The EU's vision for young people is based on two approaches: investing in youth, which means "putting in place greater resources to develop policy areas that affect young people in their daily life and improve their wellbeing" and empowering youth, which refers to "promoting the potential of young people for the renewal of society and to contribute to EU values and goals." Particular attention should be paid to youth with fewer opportunities.

Grounded in the information provided in the EU Youth Report of 2009,⁴⁶ the new long-term strategy contains three overarching and interconnected goals, that are closely related to those of the renewed social agenda. Under each goal, two to three fields of action are suggested. Each field of action contains a short-term objective and a list of possible actions which can be undertaken by the Member States and the Commission within their respective spheres of competence. Every three years an assessment is to be carried out.

Hereinafter, the three central goals and their respective fields of action are listed, and references to children in the Communication are highlighted.

Goal 1: Creating more opportunities for youth in education and employment

Field of action 1: Education

Field of action 2: Employment

Field of action 3: Creativity and Entrepreneurship

Goal 2: Improving access and full participation of young people in society

Field of action 4: Health and sport

Field of action 5: Participation

Goal 3: Fostering mutual solidarity between society and young people

Field of action 6 – Social inclusion

Addressing youth at risk of poverty and social exclusion involves a wide range of policy fields and requires integrated action. In this context, child, family and youth policies are closely linked and this Communication is complementary to the Commission Communication 'Towards an EU Strategy on the Rights of the Child'.

Field of action 7 – Volunteering

Field of action 8 – Youth and the World.

Adopting a cross-sectoral approach, it is mentioned that youth policies can contribute to delivering results in areas such as "child and family policy, education, gender equality, employment, housing and healthcare."

The EU Youth Report of 2012⁴⁷ emphasized mobilization of EU programmes, strengthening the link between the renewed framework and Europe 2020 and taking the implementation forward. It also stated that the 2013-2015 cycle should focus especially "on employment and entrepreneurship, increasing access to work, along with developing the innovative and creative capacities of young people (...) [and also] on social inclusion, health and well-being".

⁴⁵ COM(2009) 200 final.

⁴⁶ SEC(2009) 549 final.

⁴⁷ COM(2012) 495 final.

The most recent EU Youth Report of 2015⁴⁸ emphasized the need to enhance youth participation and inclusion of young people, while also enabling to discern emerging common challenges such as the prevention of radicalization and safeguarding values. It again stated that the 2017- 2018 cycle should focus on “employment and entrepreneurship, increasing access to work, along with developing the innovative and creative capacities of young people, on social inclusion, health and well-being.

2.3.4. Main policy document

On 27 November 2009, the European Council of Youth Ministers adopted a **Resolution on a renewed framework for European cooperation in the youth field (2010-2018)**. The Resolution is based on the Commission’s Communication of April 2009 “An EU Strategy for Youth – Investing and Empowering.”

Institution responsible for monitoring implementation

The European Commission’s Directorate-General for Education and Culture (EAC) comprises two youth units within Directorate D on Youth, Sport and Erasmus + (see Annex 1). Unit EAC.D.1 is in charge of youth policy aspects and Erasmus +.

Time frame

The renewed framework aims to cover the period 2010 – 2018.

Objectives

The two overall objectives of the renewed framework of European cooperation in the youth field are: (i) more and equal opportunities for all young people in education and in the labor market, and (ii) active citizenship, social inclusion and solidarity of all young people.

Agenda – Thematic priorities

The eight fields of action in which initiatives should be taken are:

- Education and training
- Employment and entrepreneurship
- Health and well-being
- Participation
- Voluntary activities
- Social inclusion
- Youth and the world
- Creativity and culture.

Approaches, methods and instruments

To achieve the aforementioned central objectives, a dual approach is proposed: (i) specific initiatives in the youth field, “i.e. policies and actions specifically targeted at young people”, and (ii) mainstreaming initiatives, “i.e. initiatives to enable a cross-sectoral approach where due account is taken of youth issues when formulating, implementing and evaluating policies and actions in other policy fields which have a significant impact on the lives of young people.”

European cooperation in the youth field is to be grounded in the international system of human rights. The following principles should be respected: promoting gender equality and combating discrimination; taking account of the diversity among young people; and “recognizing all young people as a resource to society, and upholding the right of young people to participate in the development of policies affecting them by means of a continued structured dialogue with young people and youth organizations.”

⁴⁸http://ec.europa.eu/youth/library/reports/youth-report-2015_en.pdf.

Up to 2018, European cooperation in the youth field should be done by way of a renewed open method of coordination, and should be evidence based, pertinent and concrete. The Resolution states that “[t]he success of the open method of coordination in the youth field depends on the political commitment of Member States and on effective working methods at national and EU level.” With respect to European cooperation, the working methods are based on a division of the period 2010-2018 in series of three-year cycles. The first cycle covered the years from 2010 to 2012. For each cycle, several priorities for European cooperation will be selected which contribute to the fields of action mentioned above. These priorities for European cooperation “will be designed to allow for cooperation between all the Member States or for closer cooperation between a more limited number of Member States (clusters), in accordance with national priorities.”

Priorities for every 18-months cycle are established by the Resolution of the Council and of the Representatives of the Member States. In the first cycle of 2010-2012, the overall priority, set out in Annex II to the framework, was youth employment, with a focus on social inclusion, youth work and participation. For the first half of the second cycle (1 January 2013 – 30 June 2014), the overall priority was social inclusion with a focus on quality youth work, young people not in employment, education or training (NEET) and culture and entrepreneurship.⁴⁹

Priorities for the cycle of 1 July 2014 – 31 December 2015 are the development of youth work and non-formal and informal learning and its contribution to addressing the effects of the crisis on young people, enhancing cross-sectorial cooperation within the framework of EU strategies and empowerment, with a special focus on access to rights, autonomy, participation and active citizenship within and outside the EU.⁵⁰

For the effective implementation of the framework of cooperation, the following instruments are proposed:

- (a) *Knowledge building and evidence-based youth policy*: Better knowledge and understanding of the living conditions, values and attitudes of young women and men should be gathered and shared with other relevant policy fields.
- (b) *Mutual learning*: It offers the opportunity to identify and learn from good practices in different Member States.
- (c) *Progress reporting*: The EU Youth Report is drawn up at the end of each work cycle, on the basis of national reports drawn up by the Member States.
- (d) *Dissemination of results*: The results of the cooperation should be made widely known.
- (e) *Monitoring of the process*: The Member States and the Commission will work closely together in steering, taking forward and evaluating the process and its outcomes.
- (f) *Consultations and structured dialogue with young people and youth organizations*: The structured dialogue should be further developed. The themes of the dialogue should be in line with the overall objectives of European cooperation in the youth field and the priorities for each work cycle.
- (g) *Mobilization of EU Programmes and Funds*: Available EU funds and relevant programmes should be made use of.

⁴⁹Resolution of the Council and of the representatives of the Governments of the Member States, meeting within the Council, on the overview of the structured dialogue with young people on youth participation in democratic life in Europe, OJ C 380, 11.12.2012, p. 1–4

⁵⁰Resolution of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, of 20 May 2014 on a European Union Work Plan for Youth for 2014-2015, OJ C 183, 14.06.2014, p. 5- 11.

In the Council Resolution, supporting and developing youth work are characterized as cross-sectoral issues.⁵¹ The possible contribution of youth work to the achievement of the overall objectives of the framework should be further analyzed.

In accordance to the aforementioned, the Council invites the Member States to:

1. *Work together*, with the support of the Commission and using the open method of coordination as outlined in this Resolution, *to enhance European cooperation in the youth field* in the period up to 2018 on the basis of the overall objectives, the fields of action, the dual approach, principles and implementation instruments described above, and of the priorities agreed for each work cycle.
2. Adopt, on the basis of national priorities, *measures at national level* which can contribute to achieving the overall objectives outlined in the renewed framework, as well as consider whether inspiration can be drawn from *mutual learning at EU level*, when devising national policies in the youth field and other related policy areas.⁵²

Annex III to the above-mentioned Resolution provides more information on the implementation of the structured dialogue at national and EU level.

References to children('s rights) policies

In Annex I to the Council Resolution, a series of initiatives is identified which can be taken by Member States and/or the Commission within their respective competences and respecting the principle of subsidiarity. In the first part of Annex I, initiatives are proposed which should be considered in all fields of action. In the context of the present study, the following suggestion is particularly relevant:

Including, where appropriate, a children's policy dimension, having regard to their rights and protection taking into account that the life and future prospects of young people are significantly determined by the opportunities, support and protection received during childhood.⁵³

⁵¹ Youth work is explained as “a broad term covering a large scope of activities of a social, cultural, educational or political nature both by, with and for young people.”

⁵² Emphases added.

⁵³ Emphasis added.

3. Council of Europe

The Council of Europe is composed of 47 member countries, covering almost the whole European continent. Its basic objective is to create a common democratic and legal area throughout the whole of the continent, ensuring respect for its fundamental values: human rights, democracy and the rule of law.

3.1. Council of Europe policy agenda on children('s rights)

3.1.1. Legal basis

The **European Convention on Human Rights** (ECHR) of 1950 sets out civil and political rights and freedoms. The rights of children are not specifically mentioned in the Convention. However, pursuant to Article 1, the Convention applies to everyone within the jurisdiction of the States Parties, thus also to children. In an increasing number of cases brought before the European Court of Human Rights, issues of children's rights have been addressed.⁵⁴

The **European Social Charter** (ESC) was adopted in 1961 and revised in 1996. The Charter complements the ECHR by guaranteeing social and economic human rights. In the revised Charter, two provisions exclusively address children's rights, namely Article 7 (the right of children and young persons to protection) and Article 17 (the right of children and young persons to social, legal and economic protection). The European Committee of Social Rights monitors compliance by the States Parties with the ESC.

The European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment was adopted in 1987. Other **Council of Europe conventions** address particular aspects of children's rights, namely:

- European Convention on the Legal Status of Children born out of Wedlock (1975)
- European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on the Restoration of Custody of Children (1980)
- European Convention on the Exercise of Children's Rights (1996)
- Convention on Contact concerning Children (2003)
- Council of Europe Convention on Action against Trafficking in Human Beings (2005)
- Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (2007)
- European Convention on the Adoption of Children (Revised) (2008)
- Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence (2011).

In the **Warsaw Declaration** of 2005, the Heads of State and Government of the Council of Europe declared their commitment to "eradicating violence against women and children, including domestic violence."⁵⁵ The **Warsaw Action Plan** states as regards the strengthening of human rights in the information society, that "[t]he Council of Europe shall ... continue its work on children in the information society, in particular as regards developing their media literacy skills and ensuring their protection against harmful content." Also and more importantly, one of the goals catalogued under the third main task of the Council of Europe of "Building a more humane and inclusive Europe" in the Warsaw Action Plan is "Building a Europe for children." The Heads of State and Government of the Council of Europe stated:

We are determined to effectively promote the rights of the child and to fully comply with the obligations of the United Nations' Convention on the Rights of the Child. *A child rights perspective will be implemented throughout the activities of the Council of Europe* and effective coordination of child-related activities must be ensured within the Organization.

⁵⁴ In the Theseus Database, the case law of the European Court of Human Rights relevant to children is analyzed. See <http://www.coe.int/t/transversalprojects/children/caselaw/CaseLawChild_en.asp>.

⁵⁵ CM(2005)79 final.

We will take specific action to *eradicate all forms of violence* against children. We therefore decide to launch a three year programme of action to address social, legal, health and educational dimensions of the various forms of violence against children. We shall also elaborate measures to stop sexual exploitation of children, including legal instruments if appropriate, and involve civil society in this process. Coordination with the United Nations in this field is essential, particularly in connection with follow-up to the optional protocol to the Convention on the Rights of the Child, on the Sale of Children, Child Prostitution and Child Pornography.

As a response to the Warsaw Declaration and Action Plan, the programme “**Building a Europe for and with children**” was launched, with two interlinked aims: the promotion of children’s rights and the protection of children from violence. Since 2009, this has been guided by three consecutive Strategies on the Rights of the Child. The first one, the **Stockholm Strategy** for the years 2009-2011, was adopted by the Committee of Ministers on 27 November 2008. The second one, the **Monaco Strategy**, was adopted on 15 February 2012, for the years 2012-2015.⁵⁶ The third one, the Sofia Strategy 2016-2021, was adopted on 2 March 2016 (see further).

3.1.2. Decision-making body

The decision-making body of the Council of Europe is the Committee of Ministers, which is composed of the Ministers of Foreign Affairs of all Council of Europe Member States or their permanent diplomatic representatives in Strasbourg. The Ad hoc Committee for the Rights of the Child (CAHENF) guides the intergovernmental work in the area of the rights of the child. The CAHENF operates under the supervision of the Committee of Ministers of the Council of Europe. Its current Terms of Reference are valid from 1 March 2016 until 31 December 2017. The Committee is composed of representatives of all 47 member States. Other participants and observers include observer States to the Council of Europe, Council of Europe bodies and committees, other international organisations and NGOs⁵⁷.

3.1.3. Main policy document

On 2 March 2016, the Committee of Ministers of the Council of Europe adopted the “**Council of Europe Strategy for the Rights of the Child (2016-2021)**”, also referred to as the **Sofia Strategy**, as the third policy cycle of the programme “Building a Europe for and with Children”.⁵⁸

Institution responsible for implementation

The Children’s Rights Division, which falls under the Directorate-General Democracy (DG II) (see Annex 1), is responsible for the implementation of the Sofia Strategy. The Head of the Children’s Rights Division is also the Council of Europe Coordinator on the Rights of the Child. The coordination is ensured through the organization’s Inter-Secretariat Task Force on the Rights of the Child, where representatives of the Council of Europe Parliamentary Assembly, the Congress of Local and Regional Authorities, the Commissioner for Human Rights and approximately 30 other operational entities in charge of steering and expert committees, monitoring bodies and the relevant institutions and bodies participate. The Task Force meets regularly with a view to encouraging exchange and update on progress and challenges within the Council of Europe.

Time frame

The Sofia Strategy contains the programme objectives for six years, from 2016 until 2021.

Objectives

The aim of the Sofia Strategy is to remedy the gaps in children’s legal protection, and even more between law and practice. Strong political commitment paired with the allocation of sufficient resources and a broad

⁵⁶ CM(2011)171 final.

⁵⁷ CM(2015)171-final. See also <http://www.coe.int/en/web/children/cahenf>

⁵⁸ CM (2015) 175 final.

societal awareness of the rights of the child are needed to ensure that children are seen and treated as full rights-holders.⁵⁹

Agenda – Thematic priorities

The Council of Europe’s work on the rights of the child is based on the UNCRC and in particular its four general principles of non- discrimination, best interests of the child, right to life, survival and development and the right to be heard.⁶⁰ The five strategic objectives of the Sofia Strategy are:

- equal opportunities for all children;
- participation of all children;
- a life free from violence for all children;
- child-friendly justice for all children;
- rights of the child in the digital environment.

Approaches, methods and instruments

The Council of Europe intends to deliver this Strategy through a continued focus on implementation of existing standards, partnerships, communication and evaluation. The programme’s working methods will serve following objectives:

- making the standards work for children;
- involving all relevant stakeholders;
- communicating children’s rights;
- evaluating performance.

The budget is composed of the Council of Europe’s ordinary budget and member states’ voluntary contributions. A mid-term evaluation with the possibility for adjustments will be carried out after three years. Furthermore, the Secretariat will report every two years to the Committee of Ministers on the implementation of this Strategy. Progress of this 6-year Strategy will be evaluated against the objectives, with reference to the expected impact, outcome and output set out for each priority area, based on a set of indicators.⁶¹

References to youth policies

The Sofia Strategy of the programme “Building a Europe for and with Children” also refers to the youth sector. As such, the radicalization of children and youth is mentioned as an issue of concern that calls for more investments into education for tolerance and intercultural dialogue. As part of the strategic objective of promoting child participation, it is stated that “action will be undertaken to facilitate exchange of experiences on rights-based child participation in co-operation with the Council of Europe youth sector, child and youth organizations, ombudspersons for children and child advisory bodies”.

3.2. Council of Europe policy agenda on youth

3.2.1. Historical overview

The Council of Europe has already been active in the youth field for a long time. In 1972, the European Youth Centre was established in Strasbourg. In 1998, the Committee of Ministers adopted a resolution on the Youth Policy of the Council of Europe.⁶²

⁵⁹CM (2015) 175 final, para. 11.

⁶⁰UN Doc. CRC/GC/2003/5, §12.

⁶¹CM (2015) 175 final, para. 75.

⁶² Resolution CM/Res(98)6 on the Youth Policy of the Council of Europe. See also, among others, Recommendation 1585 (2002) of the Parliamentary Assembly of the Council of Europe, on Youth policies in the Council of Europe.

3.2.2. Legal basis

In the **Warsaw Action Plan of 2005**, the third principal task of “Building a more humane and inclusive Europe” includes the objective of “developing youth co-operation.” The Heads of State and Government of the Council of Europe declared in this respect:

We will intensify our efforts to empower young people to *actively participate* in democratic processes so that they can contribute to the promotion of our core values. The Council of Europe Youth Centers and the European Youth Foundation are important instruments to this effect. *We will integrate a youth perspective in all Council of Europe activities.* To promote diversity, inclusion and participation in society, we decide to launch a Europe-wide youth campaign, in the spirit of the “European Youth Campaign against racism, xenophobia, antisemitism and intolerance” (1995).

The Council of Europe will further develop its unique position in the youth field. It will continue to assist member states in developing national and local policy instruments and actively promote youth exchanges and youth mobility in Europe.⁶³

3.2.3. Decision-making body

Typical of the Council of Europe, and unique at the international level, is the system of co-management employed in the policy field of youth, with the aim of enhancing youth participation. Such co-management implies that representatives of youth organizations and government officials think together about the priorities for the youth sector and formulate policy proposals. The Committee of Ministers then adopts these proposals. Concretely, the following decision-making bodies may be distinguished (see Figure 1):

- *The European Steering Committee for Youth (CDEJ)* is composed of government officials, who represent the state institutions responsible for youth matters in the 50 States Parties to the European Cultural Convention;
- *The Advisory Council on Youth* consists of 30 representatives of youth organizations and networks, who give input with respect to all youth sector initiatives of the Council of Europe;
- *The Joint Council of Youth* brings the CDEJ and the Advisory Council on Youth together in a co-decision body to agree on the priorities, aims and budgets for the youth sector;
- *The Programming Committee on Youth* brings together eight members each of the CDEJ and the Advisory Council on Youth in a “subsidiary co-decision body”, to decide and follow up on the activities of the European Youth Centres and the European Youth Foundation.



Figure 1: The Council of Europe system of co-management in the youth field⁶⁴

3.2.4. Main policy document

⁶³ Emphases added.

⁶⁴http://www.coe.int/t/dg4/youth/Coe_youth/co_management_en.asp.

On 25 November 2008, the Committee of Ministers adopted a new **resolution on the youth policy of the Council of Europe**.⁶⁵ This resolution takes account of various prior documents, namely the Warsaw Action Plan, the Final Declaration adopted by the 8th Council of Europe Conference of Ministers responsible for Youth, held in Kyiv (Ukraine) in October 2008,⁶⁶ and the Recommendation of the Parliamentary Assembly of 2008 on “Refreshing the youth agenda of the Council of Europe.”⁶⁷

Institution responsible for implementation

The Youth Department, which forms part of the Directorate of Democratic Citizenship and Participation of the Directorate-General of Democracy (DGII) of the Council of Europe, is responsible for the implementation of the Council of Europe youth policy (see Annex 1). The Department “elaborates guidelines, programmes and legal instruments for the development of coherent and effective youth policies at local, national and European levels.”

Time frame

The time frame of the new Council of Europe youth policy is not strictly determined; the resolution of the Committee of Ministers sets out the beacons of youth policy “for the coming years.”

Objectives

According to the 2008 Resolution, the general objective of the Council of Europe’s youth policy is “to provide young people – girls and boys, young women and young men – with equal opportunities and experience which enable them to develop the knowledge, skills and competencies to play a full part in all aspects of society.” The cross-sectoral dimension of youth policy as well as the importance of participation of young people in the formulation, implementation and follow-up of such policy are emphasized.

Agenda – Thematic priorities

The priorities of the Council of Europe youth policy and action are:

- Human rights and democracy, with special emphasis on
 - o ensuring full enjoyment of human rights
 - o promoting young people’s active participation in democratic processes and everyday lives
 - o implementing gender equality and preventing gender-based violence
 - o promoting awareness education and action on environment and sustainable development.

- Living together in diverse societies, with special emphasis on
 - o empowering young people to promote cultural diversity and intercultural dialogue
 - o preventing and counteracting racism and discrimination
 - o supporting initiatives with regard to conflict prevention and management, as well as post-conflict reconciliation
 - o supporting youth work with young refugees, asylum seekers and displaced persons
 - o encouraging sub-regional youth co-operation in Europe and beyond
 - o encouraging young people to promote global solidarity and co-operation.

- Social inclusion of young people, with special emphasis on
 - o supporting the integration of excluded young people
 - o ensuring young people’s access to education, training and working life, particularly through the promotion and recognition of non-formal education/learning
 - o supporting young people’s transition from education to the labor market

⁶⁵ Resolution CM/Res(2008)23 on the youth policy of the Council of Europe.

⁶⁶ Final Declaration: “The future of the Council of Europe youth policy: Agenda 2020”, adopted by the 8th Council of Europe Conference of Ministers responsible for Youth, held in Kyiv (Ukraine) on 10 and 11 October 2008.

⁶⁷ Recommendation 1844(2008) of the Parliamentary Assembly of the Council of Europe, on Refreshing the youth agenda of the Council of Europe.

- supporting young people’s autonomy and well-being, as well as their access to decent living conditions
- ensuring young people’s equal access to cultural, sporting and creative activities
- encouraging intergenerational dialogue and solidarity.

Approaches, methods and instruments

To implement these priorities, the following approaches, methods and instruments are proposed:

As regards youth policy development and co-operation:

- Intergovernmental and international co-operation
- Service to countries
- Co-operation with the European Union
- Partnerships with other stakeholders
- Co-management.

As regards youth work, education and training:

- Multilateral youth co-operation
- Working with multipliers and supporting quality youth work
- Intercultural learning
- European Youth Centres and European Youth Foundations.

As regards youth research and knowledge of youth:

- Youth research and co-operation between youth researchers and policy makers in order to promote evidence-based youth policies
- Carrying out of studies and production of publications
- Development of European Knowledge Centre for Youth Policy.

The Joint Council on Youth adopted the programme of the youth sector for the period 2010-2012 and 2012-2013 “Developing European youth co-operation through youth policy, youth work and non-formal education/learning”, which was composed of the following projects:

Project N°1: “Human rights and democracy: youth policy and youth work promoting the core values of the Council of Europe”-

Project N° 2: “Living together in diverse societies: youth policy and youth work promoting intercultural dialogue”

Project N° 3: “Social inclusion of young people”

Project N° 4: “Policy approaches and instruments benefiting *young people and children*” (concerns mainly intergovernmental co-operation).

The three programme sectors outlined in the 2014-2015 priorities are Democratic Governance and Innovation; Diversity and Participation, each of which is composed of different programmes (five in total).

The three strategic priorities for 2016- 2017 will focus on supporting young people and member States in increasing the participation of young people in democratic processes; supporting member States and youth NGOs in the implementation of Committee of Ministers’ Recommendation⁶⁸ on the access of young people from disadvantaged neighborhoods to social rights and supporting the promotion of inclusive and peaceful societies, especially through the extended No Hate Speech Movement and the Roma Youth Action Plan.⁶⁹

⁶⁸ CM/Rec(2015)3

⁶⁹ For more information, see http://www.coe.int/t/dg4/youth/Source/Coe_youth/Youth_sector_priorities_2016-2017_en.pdf.

For every project, the Joint Council on Youth establishes the priorities to be applied each year, which are available online.⁷⁰

References to children('s rights) policies

The 2008 Resolution on the youth policy of the Council of Europe contains two explicit references to children('s policies). The preamble states that a dynamic youth policy is needed, "which includes children as well as young people." Moreover, the Committee of Ministers resolves that "co-ordination between child- and youth-related activities should be further enhanced."

⁷⁰ For 2010-2012: http://www.coe.int/t/dg4/youth/Coe_youth/Priorities_2010_en.asp; for 2012-2013: http://www.coe.int/t/dg4/youth/Coe_youth/Priorities_2012_en.asp; for 2014-2015: https://www.coe.int/t/dg4/youth/Source/Coe_youth/Youth_sector_priorities_2014-2015_en.pdf; for 2016-2017: http://www.coe.int/t/dg4/youth/Source/Coe_youth/Youth_sector_priorities_2016-2017_en.pdf.

4. United Nations

The United Nations is an international organization composed of 193 Member States, committed to maintaining international peace and security and promoting better living standards and human rights.

4.1. UN policy agenda on children('s rights)

4.1.1. Legal basis

Already in 1924, the League of Nations, the precursor to the United Nations, adopted the **Geneva Declaration** of the Rights of the Child. The Universal Declaration of Human Rights of 1948 paid attention to the particular needs of children, providing in its Article 25 that “[m]otherhood and childhood are entitled to special care and assistance.” In 1959, the United Nations General Assembly proclaimed the **Declaration on the Rights of the Child**, which consisted of ten principles.⁷¹

At the thirtieth anniversary of this Declaration, on 20 November 1989, the United Nations **Convention on the Rights of the Child** (CRC) was adopted by the General Assembly and opened for signature.⁷² The CRC is a legally binding instrument, setting out the civil, political, economic, social and cultural rights of children. As of June 2012, there were 193 States Parties to the CRC, turning it into the most universally ratified human rights convention. In 2000, the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict and on the sale of children, child prostitution and child pornography were adopted.⁷³ The Convention on the Rights of the Child and these two Protocols provide a comprehensive normative framework against which to evaluate the policy agendas on children (and youth). In 2011, the General Assembly approved a third Optional Protocol on a communications procedure (OPIC).

Institution responsible for monitoring implementation

The Committee on the Rights of the Child is responsible for monitoring the implementation of the CRC and its Optional Protocols. The Committee clarifies its interpretation of the provisions contained in these instruments by issuing ‘general comments’.

Time frame

The Convention on the Rights of the Child was adopted in 1989, its first two Optional Protocols in 2000. The third Optional Protocol was adopted on 19 December 2011 and opened for signature on 28 February 2012. It entered into force on 14 April 2014.⁷⁴

Objectives

The four core principles of the CRC are non-discrimination (art. 2); the best interests of the child (art. 3), survival and development (art. 6) and respect for the views of the child / participation (art. 12).⁷⁵

Agenda – Thematic priorities

In its general guidelines regarding the form and content of initial reports⁷⁶ and periodic reports⁷⁷ to be submitted by States Parties, the Committee on the Rights of the Child has grouped the articles of the Convention into seven clusters:

⁷¹ UN Doc. A/4354.

⁷² UN Doc. A/44/49.

⁷³ UN Doc. A/RES/54/263.

⁷⁴ According to article 19(1) OPIC, the Protocol enters in force three months after the deposit of the tenth instrument of ratification or accession. As of 14 January 2014, countries that have ratified the Optional Protocol are: Albania, Bolivia, Gabon, Germany, Montenegro, Portugal, Spain, Thailand, Slovakia and Costa Rica.

⁷⁵ UN Doc. CRC/GC/2003/5, §12.

⁷⁶ UN Doc. CRC/C/5.

- I. General measures of implementation (arts. 4, 42 and 44, para. 6)
- II. Definition of the child (art. 1)
- III. General principles (arts. 2, 3, 6 and 12)
- IV. Civil rights and freedoms (arts. 7, 8, 13-17 and 37 (a))
- V. Family environment and alternative care (arts. 5, 9-11, 18, paras. 1 and 2; 19-21, 25, 27, para. 4 and 39)
- VI. Education, leisure and cultural activities (arts. 28, 29 and 31)
- VII. Special protection measures (arts. 22, 30, 32-36, 37 (b)-(d), 38, 39 and 40).

Approaches, methods and instruments

States Parties undertake to submit to the Committee reports on the measures they have adopted to implement the rights protected by the CRC, initially within two years of the entry into force of the treaty, after that every five years.⁷⁸ The Committee gives its feedback to the States Parties in the form of concluding observations. On the basis of the third Optional Protocol, the Committee will be able to consider individual complaints submitted by children regarding possible violations of their rights under the CRC and its first two Optional Protocols. Particular complaints about violations of children's rights can also be submitted before other human rights treaty bodies that are competent to examine such individual complaints.⁷⁹

Two conventions of the **International Labour Organization** (ILO) address the issue of child labour: ILO Convention No. 138 concerning the Minimum Age for Admission to Employment (1973) and ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999). In a new report, the ILO warned that progress in putting a halt to the worst forms of child labour is slowing down, and that renewed energy must be invested.⁸⁰ In response, at the Global Child Labour Conference in May 2010, more than 450 delegates from 80 countries agreed on a roadmap, which characterizes the effective abolition of child labour as a "moral necessity." In November 2010, the Governing Body (the executive body of the ILO) endorsed the Global Plan of Action for achieving the elimination of the worst forms of child labour by 2016, which includes the aforementioned roadmap in annex.

4.1.2. Decision-making body

Within the United Nations system, the General Assembly is the main policymaking organ. It comprises all 193 Member States of the United Nations.

4.1.3. Historical overview

In 1989, the United Nations Convention on the Rights of the Child was adopted (see above). At the **World Summit for Children** of 1990, two policy documents were adopted: The World **Declaration** on the Survival, Protection and Development of Children and a **Plan of Action** for implementing this Declaration in the 1990s.⁸¹ The political leaders committed themselves to a ten-point programme to safeguard the rights of children and improve their living conditions. These ten points of action can be summarized as follows:

1. Promote ratification and implementation of the Convention on the Rights of the Child
2. Enhance children's health
3. Take measures to eradicate hunger, malnutrition and famine
4. Strengthen the role of women, promote maternal health and family planning
5. Work for respect for the role of the family

⁷⁷ UN Doc. CRC/C/58/Rev.1.

⁷⁸ CRC, art. 44, 1.

⁷⁹ These are the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, the Committee against Torture, the Committee on the Elimination of Discrimination Against Women and the Committee on the Rights of Persons with Disabilities.

⁸⁰ *Accelerating action against child labour*. Report of the Director-General, International Labour Conference, 99th session, 2010, ILO/10/19.

⁸¹ UN Doc. A/45/625, Annex.

6. Provide basic education and reduce illiteracy
7. Ameliorate the plight of children in especially difficult circumstances
8. Protect children during armed conflicts
9. Work for common measures to protect the environment
10. Work for the alleviation of poverty and the revitalization of economic growth.

In 1996, a mid-decade review of the progress on implementation of the World Summit Declaration and Action Plan was carried out.⁸² In 2001, the Secretary-General presented its report “We the Children: End-decade review of the follow-up to the World Summit for Children.”⁸³ Some 155 countries had drafted national programmes of action aimed at implementing the goals of the World Summit for Children, and more than 100 states had carried out monitoring surveys.

In 2000, world leaders adopted the **United Nations Millennium Declaration**, which called on the full implementation of the CRC and its Optional Protocols and set out a series of time-bound targets to be achieved by 2015, known as the Millennium Development Goals.⁸⁴ Some of these goals exclusively concern children, namely goal 2 on universal primary education and goal 4 on child health. The achievement of the other goals will equally have a beneficial influence on the well-being of children.

At the special session of the UN General Assembly on children in 2002, the document “**A world fit for children**” was adopted. For the decade 2002-2012, world leaders stressed their commitment to complete the unfinished agenda of the World Summit and to create a world fit for children, which was described as follows:⁸⁵

A world fit for children is one in which all children get the best possible start in life and have access to a quality basic education, including primary education that is compulsory and available free to all, and in which all children, including adolescents, have ample opportunity to develop their individual capacities in a safe and supportive environment. We will promote the physical, psychological, spiritual, social, emotional, cognitive and cultural development of children as a matter of national and global priority.

Promoting healthy lives, providing quality education, protecting against abuse, exploitation and violence and combating HIV/AIDS were identified as priority areas of action.

4.1.4. Main policy document

After “A world fit for children”, the United Nations have not adopted a new policy document exclusively on children or children’s rights. Instead, reference is now made to a more general Strategy, “**Transforming our world: the 2030 Agenda for Sustainable Development**”, also called the “post-2015 development agenda” or “SDG’s”.⁸⁶ This Resolution was adopted by the UN General Assembly at the UN Sustainable Development Summit in September 2015 and is considered to be the current reference for children’s rights policies at the level of the United Nations. World leaders reaffirmed their vision of a “*world which invests in its children and in which every child grows up free from violence and exploitation.*”

For 15 years, the Millennium Development Goals (MDGs) were a guiding force on many issues affecting the lives of children, young people and their families. During this time, progress was made in reducing preventable child deaths, getting more boys and girls into schools, reducing extreme poverty and ensuring more people have access to safe water and nutritious food. However, progress was uneven and many of the most pressing issues for the world were not adequately covered in the MDGs. With the passage of the new Sustainable Development Goals (SDGs) in September of 2015, world leaders have set a transformational course for the future of human development. Millions of people were involved in crafting this new sustainable development

⁸² UN Doc. A/51/256.

⁸³ UN Doc. A/S-27/3.

⁸⁴ UN Doc. A/RES/55/2.

⁸⁵ UN Doc. A/RES/S-27/2, Annex.

⁸⁶ UN Doc. A/RES/70/1.

agenda, including: governments, civil society, the private sector, academia, the UN system, concerned individuals. The SDGs sets out a universal agenda for sustainable development⁸⁷.

Institution responsible for monitoring and evaluation

The High-level Political Forum (HLPF) on sustainable development provides for the full and effective participation of all States Members of the United Nations and States members of specialized agencies. The HLPF meets under the auspices of the Economic and Social Council of the UN.⁸⁸

In addition, United Nations Children’s Fund – UNICEF monitors the SDG agenda so that it delivers for all children globally.⁸⁹

Time frame

The resolution “**Transforming our world: the 2030 Agenda for Sustainable Development**” was adopted on 25 September 2015 and is valid for the next 15 years (up until 2030).

Objectives

The Goals and targets will stimulate action over the next 15 years in areas of critical importance for humanity and the planet:

- People
- Planet
- Prosperity
- Peace
- Partnership

Thematic priorities

The document sets out 17 Sustainable Development Goals to be achieved by 2030, some of which explicitly target young people and their rights (including the right to an adequate standard of living, the right to health and health care, the right to education, the right to non-discrimination, right not to be involved in hazardous work or child soldiering, right to be protected from all forms of violence and exploitation...). The goals are interlinked:

Goal 1. End poverty in all its forms everywhere

Target 2: By 2030, reduce at least by half the proportion of men, women and children of all ages living in poverty in all its dimensions according to national definitions

Goal 2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture

Target 2: By 2030, end all forms of malnutrition, including achieving, by 2025, the internationally agreed targets on stunting and wasting in children under 5 years of age, and address the nutritional needs of adolescent girls, pregnant and lactating women and older persons

Goal 3. Ensure healthy lives and promote well-being for all at all ages

⁸⁷ <https://www.unicef.org/agenda2030/>

⁸⁸ <https://sustainabledevelopment.un.org/hlpf>

⁸⁹ <https://www.unicef.org/agenda2030/>

Target 2: By 2030, end preventable deaths of newborns and children under 5 years of age, with all countries aiming to reduce neonatal mortality to at least as low as 12 per 1,000 live births and under-5 mortality to at least as low as 25 per 1,000 live births

Goal 4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

Target 1: By 2030, ensure that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes

Goal 5. Achieve gender equality and empower all women and girls

Goal 6. Ensure availability and sustainable management of water and sanitation for all

Goal 7. Ensure access to affordable, reliable, sustainable and modern energy for all

Goal 8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all

Target 7: Take immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms

Goal 9. Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation

Goal 10. Reduce inequality within and among countries

Goal 11. Make cities and human settlements inclusive, safe, resilient and sustainable

Goal 12. Ensure sustainable consumption and production patterns

Goal 13. Take urgent action to combat climate change and its impacts

Goal 14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development

Goal 15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss

Goal 16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Target 2: End abuse, exploitation, trafficking and all forms of violence against and torture of children

Goal 17. Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development

Approaches, methods and instruments

The implementation of this Agenda and its Goals and targets will be followed-up and reviewed over the next years, up until 2030. This processes will be voluntary and country-led. The Goals and targets will be followed up and reviewed using a set of global indicators. These will be complemented by indicators at the regional and national levels which will be developed by Member States, in addition to the outcomes of work undertaken for the development of the baselines for those targets where national and global baseline data does not yet exist. Progress will be reviewed at the subnational, national, regional and global levels.

In §39, the Resolution explains that “(t)he scale and ambition of the new Agenda requires a revitalized Global Partnership to ensure its implementation. We fully commit to this. This Partnership will work in a spirit of global solidarity, in particular solidarity with the poorest and with people in vulnerable situations. It will facilitate an intensive global engagement in support of implementation of all the Goals and targets, bringing

together Governments, the private sector, civil society, the United Nations system and other actors and mobilizing all available resources.”

References to youth

References to youth in the SDG’s are elaborated below (4.2.3).

4.2. UN policy agenda on youth

4.2.1. Legal basis

In 1965, the UN General Assembly proclaimed the **Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples**.⁹⁰ According to this non-binding instrument, young people shall be brought up “in a spirit of peace, justice, mutual respect and understanding” (Principle I) and “in the knowledge of the dignity and equality of all men, without distinction as to race, color, ethnic origins or beliefs” (Principle III). Associations of young people are encouraged to promote the purposes of the United Nations (Principle V).

4.2.2. Decision-making body

Within the United Nations system, the General Assembly is the main policymaking organ. It comprises all 193 Member States of the United Nations.

4.2.3. Historical overview

In 1979, the Assembly decided to designate 1985 as the **International Youth Year: Participation, Development, Peace**.⁹¹ The year offered a “useful and significant opportunity for drawing attention to the situation and the specific needs and aspirations of youth, for increasing co-operation at all levels in dealing with youth issues, for undertaking concerted action programmes in favor of youth and for improving the participation of young people in the study, decision-making processes and resolutions of major national, regional and international problems.”⁹²

In the **Millennium Development Goals**⁹³, following the adoption of the **Millennium Declaration**⁹⁴ at the Millennium Summit of 2000 young people are explicitly mentioned under the first goal of eradicating poverty and hunger, namely in its target 2: “Achieve full and productive employment and decent work for all, including women and young people.”

Following the Millennium Declaration, the resolution “**Transforming our world: the 2030 Agenda for Sustainable Development**”⁹⁵ was adopted by the UN General Assembly at the UN Sustainable Development Summit in September 2015. World leaders declared their vision of a “*world which invests in its children and in which every child grows up free from violence and exploitation.*” The document sets out 17 Sustainable Development Goals to be achieved by 2030, some of which explicitly target young people (see 4.1.4 above).

In resolution “Transforming our world: the 2030 Agenda for Sustainable Development”, there are a few references to “youth” and “young adults”. Goal 8 aims to achieve “*full and productive employment and decent work for all women and men, including for young people and persons with disabilities*” and “*to substantially*

⁹⁰ UN Doc. A/RES/2037. For evaluation on the implementation of the Declaration, see UN Doc. A/RES/43/136.

⁹¹ UN Doc. A/RES/34/151.

⁹² UN Doc. A/RES/40/14.

⁹³ For more information, see <<http://www.unmillenniumproject.org/goals/>>.

⁹⁴ UN Doc. A/RES/55/2.

⁹⁵ UN Doc. A/RES/70/1.

reduce the proportion of youth not in employment, education or training". Goal 13 aims to *"promote mechanisms for raising capacity for effective climate change-related planning and management in least developed countries and small island developing States, including focusing on women, youth and local and marginalized communities."* Goal 4 intends to *"substantially increase the number of youth and adults who have relevant skills, including technical and vocational skills, for employment, decent jobs and entrepreneurship."*

4.2.4. Main policy document

At the tenth anniversary of the International Youth Year, in 1995, the United Nations strengthened its commitment towards young people by adopting the **World Programme of Action for Youth to the Year 2000 and Beyond (WPAY)**.⁹⁶ The WPAY is the key instrument of global youth policy, providing "a policy framework and practical guidelines for national action and international support to improve the situation of young people."

Institution responsible for monitoring implementation

The United Nations Focal Point on Youth is in charge of monitoring progress and constraints in achieving the goals of the WPAY. It resides under the Division for Social Policy and Development of UN-DESA. It has various publications on youth, among which the World Youth Reports.⁹⁷ The UN Focal Point on Youth is the permanent co-chair of the United Nations Inter-Agency Network on Youth Development, established in 2010, which aims to "increase the effectiveness of UN work in youth development by strengthening collaboration and exchange among all relevant UN entities".

Time frame

The WPAY is divided into three phases. The first phase included the drafting of the WPAY and its adoption by the UN General Assembly. The second phase concerned world-wide implementation to the year 2000. In the third phase, from 2001 to 2010, focus is on "further implementation and evaluation of progress made and obstacles encountered"; and suggestions should be formulated as regards "appropriate adjustments to long-term objectives and specific measures to improve the situation of young people." Resolution 66/121 of 19 December 2011 on policies and programmes involving youth reaffirmed the World Programme of Action for Youth, including its fifteen interrelated priority areas, and called for further implementation on all levels.

At the first Global Forum on Youth Policy in 2014, led by the UN Secretary General's Envoy on Youth, the co-conveners committed in the Baku Commitment to Youth Policies for "further promoting and supporting the implementation of the *World Programme of Action for Youth*" and "promoting synergies between youth policies and broader development policies and frameworks, particularly in the context of the Post-2015 Development Agenda and means of implementation thereof."

Objectives

The Programme of Action "focuses in particular on measures to strengthen national capacities in the field of youth and to increase the quality and quantity of opportunities available to young people for full, effective and constructive participation in society."

Agenda – Thematic priorities

⁹⁶ UN Doc. A/RES/50/81.

⁹⁷ The World Youth Report 2003 examined the global situation of young people. The World Youth Report 2005 was entitled "Young People today, and in 2015." The World Youth Report 2007, "Young people's transition to adulthood: Progress and challenges," provided a regional overview of the challenges faced by young people in the different priority areas. The World Youth Report 2010 focused on youth and climate change; the World Youth Report 2012 was entitled "Youth Employment: Youth Perspectives on the Pursuit of Decent Work in Changing Times". The World Youth Report 2013 was entitled "Youth and Migration".

On the basis of a cross-sectoral approach, ten priority areas for youth development are identified in the WPAY, namely, education, employment, hunger and poverty, health, environment, drug abuse, juvenile delinquency, leisure-time activities, girls and young women and the full and effective participation of youth in the life of society and in decision-making. The WPAY includes various references to “children and youth” and “street children” and refers to the UN Convention on the Rights of the Child in the context of the protection of girls and young women from economic exploitation and hazardous work. Nevertheless, no structural links with policies on children’s rights have been established.

The World Youth Report 2003 examined the global situation of young people.⁹⁸ In the first ten chapters, the different priority areas of the WPAY were reviewed. In the five following chapters, more recent issues were addressed. These new themes were thereafter formally acknowledged by the UN General Assembly as additional priority areas for youth development: globalization, information and communication technology (ICT), HIV/AIDS, armed conflict, and intergenerational issues.⁹⁹

In the World Youth Report 2005, “Young People today, and in 2015”, these fifteen priority areas were grouped into three clusters, “representing the broad contexts in which today’s youth deal with challenges and concerns that many of them share in spite of the vast differences in their cultures, societies and communities.”¹⁰⁰ The first cluster “youth in the global economy” includes the topics of globalization, education, employment, and hunger and poverty; the second cluster “youth in civil society” comprises the issues of environment, leisure, participation in decision-making, intergenerational relations, and ICT; whereas the last cluster “youth and their well-being” focuses on concerns relating to health, HIV/AIDS, drug abuse, juvenile delinquency, the situation of girls and young women, and youth in armed conflict.

In 2007, the UN General Assembly adopted the **Supplement to the World Programme of Action for Youth to the Year 2000 and Beyond**, which expanded on the five additional priority areas.¹⁰¹ The Supplement contains various references to “children and youth”. Interestingly, with respect to armed conflict, a series of proposals for action aims at “protecting youth under age 18 from direct involvement in armed conflict”, and is thus in fact limited to a specific age group within youth that coincides with the international definition of “children”, i.e. minus 18 years old.

Approaches, methods and instruments

According to the WPAY, “[i]mplementation of the Programme of Action is ultimately the responsibility of Governments with the support of the international community and in cooperation, as appropriate, with the non-governmental and private sectors.” In the implementation, Governments “should promote an active and visible policy of mainstreaming a gender perspective in all policies and programmes.” As regards the implementation of the WPAY at national level, the Programme (moreover) urges or calls on governments to:

- Formulate and adopt an integrated national youth policy as a means of addressing youth-related concerns;
- Undertake special efforts to develop and disseminate model frameworks for integrated policies and to identify and organize an appropriate division of responsibilities among governmental and non-governmental entities concerned with youth-related issues.
- Strengthen national capacities for data collection and dissemination of information, research and policy studies, planning, implementation and coordination.
- Establish or strengthen national coordinating mechanisms for integrated youth policies and programmes.

⁹⁸ UN Doc. A/58/79-E/CN.5/2003/4.

⁹⁹ UN Doc. A/RES/58/133.

¹⁰⁰ UN Doc. A/60/61-E/2005/7. See also UN Doc. A/RES/60/2.

¹⁰¹ UN Doc. A/RES/62/126.

In a report of the Secretary General of 2007, the advancements and difficulties as regards the participation of young people in the global economy were analyzed.¹⁰² In its resolution on “Policies and programmes involving youth: youth in the global economy”, the UN General Assembly formulated various recommendations towards Member States in this respect.¹⁰³ A report of the Secretary General of 2009 focused on the implementation of the two other clusters, the well-being of youth and their role in civil society.¹⁰⁴ Again, the UN General Assembly extracted various policy recommendations from this report with respect to the eleven priority areas:¹⁰⁵

In December 2009, the UN General Assembly decided to proclaim the year commencing on 12 August 2010 the **International Year of Youth: Dialogue and Mutual Understanding**, among others to commemorate the twenty-fifth anniversary of the International Youth Year of 1985.¹⁰⁶ Until 11 August 2011, a wide range of activities took place throughout the world, guided by the United Nations Framework approach. This system’s approach focused on three key areas: create awareness (increase commitment and investment in youth); mobilize and engage (increase youth participation and partnerships); and connect and build bridges (increase intercultural understanding among youth).

References to children(’s rights) policies

The World Programme of Action for Youth contains some references to “street children” and “children and youth”, but no links with policies on children(’s) rights are established.

¹⁰² UN Doc. A/62/61-E/2007/7. See also UN Doc. A/62/61/Add.1–E/2007/7/Add.1, elaborating on goals and targets for monitoring the progress of youth in the global economy.

¹⁰³ UN Doc. A/RES/62/162.

¹⁰⁴ UN Doc. A/64/61-E/2009/3.

¹⁰⁵ UN Doc. A/RES/64/130.

¹⁰⁶ UN Doc. A/RES/64/134.

Annex 1: European and international policy agendas on children, youth and children’s rights: state of the art

FRAMEWORK OF REFERENCE		POLICY AGENDAS ON CHILDREN’S RIGHTS		
	United Nations Convention on the Rights of the Child	European Union	Council of Europe	United Nations
Legal basis		<ul style="list-style-type: none"> - Article 24 of the Charter of Fundamental Rights of the European Union (2000/2007) - Article 3 (3) al. 2 of the Consolidated Version of the Treaty on European Union (2008) 	<ul style="list-style-type: none"> - European Convention on Human Rights (1950) - European Social Charter (1961/1996) - Council of Europe conventions relevant to children - Warsaw Declaration and Action Plan (2005) 	<ul style="list-style-type: none"> - UN Convention on the Rights of the Child (1989) and three Optional Protocols - ILO Convention No. 138 concerning the Minimum Age for Admission to Employment (1973) - ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (1999)
Decision-making body		<p>For trafficking and sexual exploitation of children: European Parliament and Council of the European Union</p> <p>For other measures that impact on children(’s rights): linked to the substantive field</p>	<p>Committee of Ministers through the work of the Ad hoc Committee for the Rights of the Child (CAHENF). Current Terms of Reference of the CAHENF are valid from 1 March 2016 until 31 December 2017. Council of Europe Committee for the Protection of Children from Sexual Exploitation and Sexual Abuse</p>	<p>United Nations General Assembly</p> <p>International Labour Conference</p>
Main policy document		<i>“An EU Agenda for the Rights of the Child”</i>	<i>“Council of Europe Strategy for the Rights of the Child 2016-2021” (the Sofia Strategy)</i>	<i>“Transforming our world: the 2030 Agenda for Sustainable Development (SDGs)”</i>
Type of document	Convention (binding)	Communication of the European Commission (non-binding)	Decision of the Committee of Ministers (taken at meeting of Ministers’ Deputies) (non-binding)	Resolution of the United Nations General Assembly (non-binding)
Institution responsible for	United Nations Committee on the Rights of the Child	Unit C2 Fundamental Rights Policy of the Directorate C Fundamental Rights and	The Council of Europe’s work on the rights of the child will continue to be coordinated	The high-level political forum (HLPF) on sustainable development under the

(monitoring) implementation		Rule of Law in the Directorate General Justice and Consumers of the European Commission + other structures	by the Children's Rights Division within the Directorate General of Democracy. The Inter-Secretariat Task Force on Children's Rights will facilitate this task.	auspices of the Economic and Social Council United Nations Children's Fund – UNICEF monitors the SDG agenda so that it delivers for all children globally.
Time frame -	Adopted 20 November 1989, entry into force 2 September 1990	Adopted 15 February 2011 Actions to be implemented until 2014 "at the latest"	Adopted 2 March 2016 For the period 2016-2021	Adopted 25 September 2015 for the period 2015 – 2030
Objectives of policy on children('s rights)	Core principles: - Non-discrimination (art. 2) - Best interests of the child (art. 3) - Survival and development (art. 6) - Respect for the views of the child (art. 12)	- "Promoting, protecting and fulfilling the rights of the child in all relevant EU policies and to turn it into concrete results" - Support the efforts of Member States in this field	- To remedy the gaps in children's legal protection, and even more between law and practice. - Strong political commitment paired with the allocation of sufficient resources and a broad societal awareness of the rights of the child are needed to ensure that children are seen and treated as full rights-holders. -	A post-2015 development agenda on people, planet, prosperity, peace and partnership -
Agenda (Thematic priorities)	Clusters of articles for reporting - General measures of implementation - Definition of the child - General principles - Civil rights and freedoms - Family environment and alternative care - Education, leisure and cultural activities - Special protection measures	Specific objectives - Child-friendly justice - Protection of children when they are vulnerable - Children in the EU's external action Child participation and awareness raising	Strategic objectives - Equal opportunities for all children; - Participation of all children; - A life free from violence for all children; - Child-friendly justice for all children; - Rights of the child in the digital environment -	Goals - End poverty in all its forms everywhere - End hunger, achieve food security and improved nutrition and promote sustainable agriculture - Ensure healthy lives and promote well-being for all at all ages - Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all

				<ul style="list-style-type: none"> - Achieve gender equality and empower all women and girls - Ensure availability and sustainable management of water and sanitation for all - Ensure access to affordable, reliable, sustainable and modern energy for all - Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all - Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation - Reduce inequality within and among countries - Make cities and human settlements inclusive, safe, resilient and sustainable - Ensure sustainable consumption and production patterns - Take urgent action to combat climate change and its impacts - Conserve and sustainably use the oceans, seas and marine resources for sustainable development - Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss - Promote peaceful and inclusive societies for sustainable development,
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				<p>provide access to justice for all and build effective, accountable and inclusive institutions at all levels</p> <ul style="list-style-type: none">- Strengthen the means of implementation and revitalize the Global Partnership for Sustainable Development
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Approaches, methods and instruments	<ul style="list-style-type: none"> - Reports of the State Parties to the Committee on the Rights of the Child - No individual complaint mechanism (optional protocol is being drafted) 	<ul style="list-style-type: none"> - Offer support and cooperation to Member States by the EC - Make annual report on implementation of the policy - Cooperate with stakeholders - Promote using existing legal instruments as common instruments for EU action - Include the rights of the child into the “fundamental rights check” in the EU legislation process - Improve the basic data and information to guide decision making 	<ul style="list-style-type: none"> - Making the standards work for children; - Involving all relevant stakeholders; - Communicating children’s rights; - Evaluating performance 	<p>Voluntary and country-led follow-up, based on a set of global indicators and in a global partnership.</p>
References to young people and/or youth policies	<p>No references to young people or youth policies</p>	<p>No references to youth (policies)</p>	<ul style="list-style-type: none"> - The radicalization of children and youth is mentioned as an issue of concern that calls for more investments into education for tolerance and intercultural dialogue - As part of the strategic objective of promoting child participation, it is stated that “action will be undertaken to facilitate exchange of experiences on rights-based child participation in co-operation with the Council of Europe youth sector, child and youth organizations, ombudspersons for children and child advisory bodies”. 	<p>Various references to “young people”, but no references to youth policies</p>
Cooperation with other policy levels		<p>The Commission will strengthen cooperation among the main stakeholders, making optimal use of existing networks and international organizations or bodies involved in children’s rights. To this end, the Commission brings the stakeholders</p>	<p>Cooperation with member States, EU, international organizations (such as UNICEF, CBSS, OIF), civil society, ombudspersons for children, academic networks, the private sector and children themselves.</p>	<p>“The interlinkages and integrated nature of the Sustainable Development Goals are of crucial importance in ensuring that the purpose of the new Agenda is realized.”</p>

		together in a <i>European Forum for the Rights of the Child</i> . The Forum includes all the relevant stakeholders (including Member States, UN agencies, the Council of Europe, civil society and children themselves), and contributes to the design and monitoring of EU actions and act as an arena for exchange of good practice.	The Special Representative of the UN Secretary-General on Violence against Children, the UN Special Rapporteur on the sale of children, child prostitution and child pornography, the Office of the UN High Commissioner on Human Rights and the Office of the UN High Commissioner on Refugees (UNHCR), are other valuable partners in this respect.	
Responsibilities of States Parties / Appeal to the Member States	Undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international cooperation.	To take an active part in the development of the Strategy on the Rights of the Child and so contribute to its success.		“All countries and all stakeholders, acting in collaborative partnership, will implement this plan.”

POLICY AGENDAS ON YOUTH			
	European Union	Council of Europe	United Nations
Legal basis	- Arts. 6 and 165,2 of the Consolidated Version of the Treaty on the Functioning of the European Union of 2008	- Warsaw Action Plan (2005)	- Declaration on the Promotion among Youth of the Ideals of Peace, Mutual Respect and Understanding between Peoples (1965)
Decision-making body	Council of Youth Ministers	Committee of Ministers, supported by a system of co-management between the following institutions: <ul style="list-style-type: none"> - The European Steering Committee for Youth (CDEJ) - The Advisory Council on Youth - The Joint Council of Youth - The Programming Committee on Youth 	United Nations General Assembly
Main policy document	<i>Council resolution 27 November 2009 on a renewed framework for European cooperation in the youth field</i>	<i>Resolution CM/Res(2008)23 on the youth policy of the Council of Europe</i>	<i>World Programme of Action for Youth to the Year 2000 and Beyond (WPAY)</i>
Type of document	Resolution of the Council of Youth Ministers (non-binding)	Resolution of the Committee of Ministers (non-binding)	Resolution of the United Nations General Assembly (non-binding)
Institution responsible for implementation	Unit EAC.D1 (Youth policy and Erasmus+) of Directorate D on Youth, Sport and Erasmus+, of the Directorate-General for Education and Culture of the European Commission	Directorate of Youth and Sport, part of Directorate General IV – Education, Culture and Heritage, Youth and Sport	Commission for Social Development UN Programme on Youth, part of Division for Social Policy and Development of the Department of Economic and Social Affairs of the Secretariat of the United Nations
Time frame	2010-2018	Not specified (“for the coming years”)	1995-2010; reaffirmed in 2011 without specific timeframe
Objectives of youth policy	- To create more and equal opportunities for all young people in education and in the labour market,	To provide young people – girls and boys, young women and young men – with equal opportunities and experience which enable them to develop the	- To strengthen national capacities in the field of youth - To increase the quality and quantity of

	<p>and</p> <ul style="list-style-type: none"> - To promote the active citizenship, social inclusion and solidarity of all young people. 	<p>knowledge, skills and competencies to play a full part in all aspects of society</p>	<p>opportunities available to young people for full, effective and constructive participation in society</p>
<p>Agenda (Thematic priorities)</p>	<p>Fields of action:</p> <ul style="list-style-type: none"> - Education and training - Employment and entrepreneurship - Health and well-being - Participation - Voluntary activities - Social inclusion - Youth and the world - Creativity and culture 	<p>Priorities:</p> <p>Human rights and democracy, with special emphasis on</p> <ul style="list-style-type: none"> - human rights - participation - gender equality and gender-based violence - environment and sustainable development <p>Living together in diverse societies, with special emphasis on</p> <ul style="list-style-type: none"> - cultural diversity and intercultural dialogue - racism and discrimination - conflict prevention and management, as well as post-conflict reconciliation - youth work with young refugees, asylum seekers and displaced persons - sub-regional youth cooperation in Europe and beyond - global solidarity and cooperation <p>Social inclusion of young people, with special emphasis on</p> <ul style="list-style-type: none"> - integration of excluded young people - access to education, training and working life - transition from education to the labour market - young people's autonomy and well-being, as well as access to decent living conditions - cultural, sporting and creative activities - intergenerational dialogue and solidarity. 	<p>Priority areas (2000)</p> <ul style="list-style-type: none"> - Education - Employment - Hunger and poverty - Health - Environment - Drug abuse - Juvenile delinquency - Leisure-time activities - Girls and young women - Full and effective participation of youth in the life of society and in decision-making <p>Additional priority areas (2007)</p> <ul style="list-style-type: none"> - Globalization - Informations and communications technology - HIV/AIDS - Armed conflict - Intergenerational issues

<p>Approaches, methods and instruments</p>	<p><u>Dual approach:</u></p> <ul style="list-style-type: none"> - Specific initiatives in the youth field - Mainstreaming initiatives <p><u>Method:</u> Renewed open method of coordination</p> <p><u>Instruments:</u></p> <ul style="list-style-type: none"> - Knowledge building and evidence-based youth policy - Mutual learning - Progress reporting - Dissemination of results - Monitoring of the process - Consultations and structured dialogue - Mobilization of EU Programmes and Funds 	<p>Approaches, methods and instruments</p> <p><u>As regards youth policy development and cooperation</u></p> <ul style="list-style-type: none"> - Intergovernmental and international cooperation - Service to countries - Cooperation with EU - Partnerships with other stakeholders - Co-management <p><u>As regards youth work, education and training</u></p> <ul style="list-style-type: none"> - Multilateral youth cooperation - Working with multipliers and supporting quality youth work - Intercultural learning - European Youth Centres and European Youth Foundations <p><u>As regards youth research and knowledge of youth</u></p> <ul style="list-style-type: none"> - Youth research and cooperation between youth researchers and policy makers in order to promote evidence-based youth policies - Carrying out of studies and production of publications - Development of European Knowledge Centre for Youth Policy 	<p>Means of implementation:</p> <p><u>At national level</u></p> <ul style="list-style-type: none"> - See “appeal to member states” <p><u>Regional cooperation</u></p> <p><u>International cooperation</u></p> <ul style="list-style-type: none"> - Data collection and dissemination of information - Research and policy studies - Planning and coordination - Technical cooperation, training and advisory services - Outreach and partnership among specialized constituencies
<p>References to policies on children(’s rights)</p>	<p>Preamble: “Recalling the Renewed Social Agenda which targets youth and children as a main priority”</p> <p>Annex 1, general initiatives: Including, where appropriate, a children's policy dimension, having regard to their rights and protection taking into account that the life and future prospects of young people are significantly determined by the opportunities, support and protection received during childhood</p>	<p>Preamble: “Convinced of the need for a dynamic youth policy in the Council of Europe, which includes children as well as young people”</p> <p>Text: “co-ordination between child- and youth-related activities should be further enhanced”</p>	<p>Some references, mainly to “street children” and “children and youth”, but no links with policies on children(’s rights).</p>

Cooperation with other policy levels	Cooperation with international organizations such as the Council of Europe, OECD and the United Nations should be continued	<u>As regards youth policy development and cooperation</u> <ul style="list-style-type: none"> - Intergovernmental and international cooperation on the development of youth policy, with particular focus on setting standards and supporting their implementation - Cooperation with the European Union 	See means of implementation “international cooperation”
Appeal to the Member States	<ul style="list-style-type: none"> - Work together to enhance European cooperation in the youth field - Adopt, on the basis of national priorities, measures at national level which can contribute to achieving the overall objectives outlined in the renewed framework, as well as consider whether inspiration can be drawn from mutual learning at EU level, when devising national policies in the youth field and other related policy areas. 		<ul style="list-style-type: none"> - Formulate and adopt an integrated national youth policy - Develop and disseminate model frameworks for integrated policies and identify and organize an appropriate division of responsibilities among governmental and non-governmental entities concerned with youth-related issues - Strengthen national capacities for data collection and dissemination of information, research and policy studies, planning, implementation and coordination. - Establish or strengthen national coordinating mechanisms for integrated youth policies and programmes.