

## Youth Partnership

Partnership between the European Commission  
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# DEFINING YOUTH IN CONTEMPORARY NATIONAL LEGAL AND POLICY FRAMEWORKS ACROSS EUROPE

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## **Defining Youth in Contemporary National Legal and Policy Frameworks across Europe**

### **1. Introduction and Methodology**

Objective of this analytical paper is to serve as a mapping document and evidence base support to the Working Group of the Council of Europe aimed at preparing the recommendations on youth work. The paper provides concise, but comprehensive overview on how youth is defined in legislation, policy and programmatic documents in different countries across Europe. It argues the level of consistency/variety in defining youth age (lower and upper limit), as well as differences when it comes to their recognition within the national legal and strategic framework — constitutions, laws, strategies and other policy and programmatic youth documents. Therefore, the main outcome of the paper is a conceptual contribution to the comparative overview of youth age definition across European countries, especially within the context of prolonged youth age and postponed transition to adulthood.

The paper is based on desk research, examining the country sheets on youth policies submitted within the European Knowledge Centre on Youth Policy (EKCY), other relevant documents of the Council of Europe (for instance, national youth policy reviews) and the European Union (for example, EU Youth Strategy for 2010-2018 and Eurostat reports), complemented with other relevant sources from national institutions (constitutions, laws, strategies and programmatic documents dealing with youth policy). This study contains data on youth policy from Belarus and 47 member states of the Council of Europe, excluding Monaco, where no available official documents or reliable evidence were found. Each chapter is consisted of basic methodological notes to enable better understanding of the statistics presented. The date of extractions differs according to the various sources of information, but all data have been extracted during March, 2016.

### **2. Background on Youth**

One of the main assignments of this paper is to answer the question: what is the understanding of “youth” across European countries in terms of age definition. Mostly, youth is defined as “the passage from a dependant childhood to independent adulthood” when young people are in transition between a world of rather secure development to a world of choice and risk (Eurostat 2009: p. 17). Young people are certainly in a specific social position since they are not entitled to child benefits and protection any more, but need additional care since they still do not enjoy all the possibilities and opportunities available to adults. It is widely known that there is no clear-cut definition of who exactly young person is, since youth presents a very heterogeneous category with various social, economic, cultural and educational backgrounds, interests, challenges and needs. Thus, finding a commonly accepted definition of youth is quite a challenging task. Age could be a useful, but insufficient indication to characterise the transition to adulthood. So far, age distinction has been mostly considered as prevailing approach in defining youth, but we should not neglect that social status and life situations may also play a role.

There is wide consensus among European youth researchers that existing youth definitions and concepts are becoming more and more blurred as a result of the de-standardisation of

life trajectories. Not only does youth tend to start earlier and end later, but the transitions from childhood into adulthood are increasingly fragmented which is particularly visible through increasing discrepancies between different policy areas (Council of Europe International Review Team 2008: p. 17).

Nevertheless, the concept of youth as a social group requires homogeneity, based on shared social position that differs from other age groups. In that context, young people should be seen as a unique group requiring attention because of their vulnerability and exposure to abuse during the most important period of their lives (ibid.). Depending on youth policy conceptualisation, social patterns and models of family transitions to adulthood, European countries determine national approaches and definitions on persons entitled to youth support, rights and measures of protections. There is a wide variety of solutions how national authorities and policy makers deal with this task and which legal, strategic or policy instruments they use, but some patterns could be perceived.

### 3. Overview on national youth age definitions

This overview is conducted mostly on the basis of combination of reliable data from EKCYP country sheets, different youth policy reports and, where data availability permits, information from Eurostat data sources. Consequently, the author has tried to gather countries with similar attitude, thus reaching six groups of current solutions namely age definitions<sup>1</sup>, presented below:

- a. 14/15/16 and 29/30 years — predominant European model followed by: Andorra, Albania, Armenia, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Denmark, Georgia, Italy, Lithuania, Hungary, Moldova, Germany, Poland, Russia, Slovenia, Serbia, Turkey, Croatia, Montenegro, Czech Republic and Spain;
- b. 13/15/16 and 24/25 years — shortened youth age model followed by: Ireland, Latvia, “the former Yugoslav Republic of Macedonia”, Switzerland and Sweden;
- c. 12/13 and 30 years — start earlier and end later youth age model followed by: United Kingdom, Luxembourg, Malta, Norway and Portugal;
- d. 12/14/15/16 and 32/35 years — prolonged youth age model followed by: Greece, Cyprus, Romania, San Marino and Ukraine;
- e. 3/6/7 and 25/26/30 years — youth age model comprising also childhood age followed by: France, Estonia and Iceland; and
- f. 0 and 25/29/30 years — children and youth merging model followed by: Austria, Belgium, Liechtenstein, Slovak Republic, Finland and the Netherlands.

It has to be mentioned that youth policy documents usually refer to some definition without giving a clear reference, reason or background explanation of opting for such age bend. Certainly, it is not a matter of coincidence. Mixture of different economic, social, cultural, historical, even geographical impact stands behind such policy decisions. In a lot of national policies there is a lack of unique, formally accepted definition, but it is somehow consensual that the framework within youth is recognised, refers essentially to young people between certain age groups. Also, there is a wide range of countries that have several definitions of youth age depending on level of government (federal, provincial or local), purpose (statistics, national or European programme support), as well as on the type of policies

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<sup>1</sup> Those classification and titles represent only the author’s concept and view created only for the comparison purpose within this Paper and they are not officially accepted or defined in any policy document

(employment, education, housing, social care, well-being, etc.), which leaves enough space for flexibility and tailor made policies in different domains.

Concerning the most often definition (predominately 15-29) and the prevailing model, even 23 countries out of 47<sup>2</sup> (49%) belong to this category. This figure is not surprising bearing in mind European policy (EU Youth Strategy – Investing and Empowering 2010-2018, Erasmus + and Youth in Action Programmes, Eurostat reports and Eurobarometer surveys) that determine young people as those aged 15-29 years. This kind of definition is also followed by sociologists who normally examine youth as a group starting from completion of compulsory schooling until reaching social maturity that is individuals from 15 until celebrating 30 years of age.

Shortened youth age model is accepted in five countries (10.6%) who share youth definition that mainly refers to 15-24 age bend, which is in line with the definition used by the United Nations. It could be noted that this model focuses on supportive youth work and providing children an easier transition to adulthood. Also, the model may be influenced by statistical demands related to the youth unemployment definition (referring to the persons between the age of 15 and 24 who are unemployed), since unemployment has been one of the most burning issues of young people all across Europe recently.

Start earlier and end later youth age model is presented in five countries (10.6%) who define youth as those persons between the age of 12 or 13 and 30 years. It brings together all services, support and measures taken in favour of youth, broadly interpreted in a way that comprises children, adolescents and young adults. Countries that favour this model often do not have clear, distinctive or consistent youth policy, which does not refer necessarily to the position and wellbeing of young people.

Prolonged youth age model, recognised also in five countries (10.6%) is often caused by widespread trend of delaying the transition into adulthood and it is mainly typical for the Southern Europe (Mediterranean) societies and late type of family transitions (that is Greece, Cyprus). It is ubiquitous scene that the young, despite they are in mid-thirties fail to accomplish key points considered as characteristics of adulthood (employment, financial and residential independence, marriage and childbearing). Difficult inclusion of young people into the labour market is usually seen as the main reason for prolonging youth age. Consequently, it may be expected that more and more European countries would keep up with this trend, moving the upper age limit further towards 35 or even 40 years for some policy areas (employment, housing, social protection, etc.). For example, in Italy some initiatives targeting youth as a category from 15 to 35 are becoming more and more frequent.

Early years' youth age model comprising also childhood age can be found within three national youth policies (6.3%), namely in those countries where no clear distinction between childhood and youth exists in policy context. The same goes for the children and youth age merging model where characteristics of respective groups are even more blurred, and laws or strategies define only upper age limit, usually at 29 or 30 years of age for child and youth age group (six countries, 12.7%).

Comparing all these different models, one may conclude that there is a broader consensus regarding the lower age limit, since it usually matches the end of compulsory education (13-15). It may be seen as the time when young persons are incited to make the first big choice concerning their future professional life. Defining the upper age limit is followed by more diversity and it goes from 24/25, 29/30 or even 35 years of age. The recent experience from

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<sup>2</sup> Council of Europe member states plus Belarus minus Monaco

drafting the Serbian Law on Youth could serve as an illustrative example. The Article 3 of this Law, which gives a definition of young people, was among three most commented articles during the broad consultative process and public hearings. Although lower age limit was almost indisputable, there was long and intense debate on upper age limit. Some experts in youth field claimed that we should keep up the core characteristics of youth generation limiting the upper age on 24, while others underlined that youth age is prolonged in all European countries and we had to take it into consideration. We also conducted a detailed comparative analysis that included a large number of European countries in order to get the deeper insight into the other national policy solutions. At the end of this process, considering both national requirements and the European practice, the Government opted for 15-30 years of age as the most acceptable solution.

#### 4. Types of documents that address youth

To get a better insight of how young people are addressed in 47 European countries, the author examined the recognition of young people in available legal and strategic acts — constitutions, laws, strategies and other policy and programmatic youth documents, by combining the data available at EKCYP country sheets, reliable information from the EU Youth Report 2015, the Council of Europe reviews, as well as national legal and strategic frameworks.

With a comparative perspective in mind, the analysis has shown that generally it is possible to group countries into three main clusters. The distinction can be made between the countries that have recognised young people within their constitutions; the countries that have recognised young people by the law on youth or other legal act and the countries that have addressed youth by youth strategic or other programmatic documents.

Within the first cluster – countries recognising young people within their constitutions (to be more precise, whose constitution's articles explicitly refer to youth), there are: Austria, Belarus, Greece, Italy, Hungary, Germany, Poland, Portugal, Romania, Slovak Republic, Slovenia, Turkey, Croatia, Albania and Spain. It is noticeable that almost one third of examined countries mentioned youth in its supreme legal act. In these cases, the constitution usually guarantees basic rights to young people, such as the right to moral, professional, intellectual and physical development and protect the interests of youth.

When it comes to the second cluster – countries recognising young people by the law on youth or other legal acts, there are: Azerbaijan, Bosnia and Herzegovina, Bulgaria, Iceland, Latvia, Lithuania, Liechtenstein, Luxembourg, Moldova, San Marino, Serbia, Finland, the Netherlands and Switzerland, addressing young people by the general law on youth. The law on youth usually prescribes youth policy principles, ways of supporting the development of youth and improving their life quality and general position in the society. In the domain of defining youth work, as well as the provisions and national co-ordination of youth work services, Estonia, Ireland, Slovak Republic and Malta arranged it by the specific Youth Work Act. In order to enhance the participation of young people in decision-making processes in relation to public matters of interest and importance to young people, Belgium (French Community), Slovenia, Romania and Croatia regulated the establishment of Youth Councils, also by the Law. Belgium and Norway are quite specific, dealing with young people through laws related at first to children and social care. Thus, Belgian care for young people lies in Act on renewed policy on youth and children's rights and Decree relative to

youth care and youth protection, while Norway covers different aspects related to youth by The Child Welfare Act and The Children Act.

It is worth of mentioning that in a number of examined countries, different areas dealing with young people as a cross-sectorial issue, are covered and accompanied by other laws, such as Education Act, Criminal Code, Employment and Protection on Work Act, Health Insurance Act, Juvenile Sanctions Act, Act on Volunteering, etc.

The third cluster is marked by the countries that tackle youth issues by strategic or other programmatic documents. Georgia, "the former Yugoslav Republic of Macedonia", Malta, Andorra, Armenia, Russia, France, Montenegro, Slovak Republic and Czech Republic have decided in favor of creating the National Youth Strategy or the National Youth Plan. Namely, national youth strategies mainly encompass policy interventions, main objectives and activities in different areas, such as education, employment, welfare, culture, social inclusion of vulnerable youth, etc. Moreover, in the field of youth work, there are countries inclined to develop separate youth work strategies as the United Kingdom (all four nations - England, Scotland, Wales and Northern Ireland have recently developed new youth work strategies). Sweden and Ukraine have a programmatic youth documents with youth as the focus in the field of social programme or dedicated to young people who neither work nor study. On the other hand, Spain and Denmark are perceived also as countries which developed programmatic documents, but in employment domain. Hence, three years ago Spain endorsed The Strategy for Youth Entrepreneurship and Employment, while Denmark prepared special Youth Package, both aimed at improving young people's employability and promoting youth employment, equal opportunities and entrepreneurship.

Cyprus is the only country in which there is no coherent youth policy outlined yet, but as from 2015, the country has started the process of laying out the specific goals and targets of youth policy on the national level.

With the aim to get deeper insight, this part of analysis was broadened by inclusion of an overview of economic, social, housing and juvenile policies that directly tackle youth issues. By contrast, across all 47 states, when analysing the voting age, as well as the minimum age for candidacy and criminal responsibility, it can be concluded that there is no so much inconsistency regarding the age limits related to the above mentioned issues. Considering the legal and voting age, except Austria with 16, in all countries the age of 18 is the lowest limit. In the case of the minimum age for criminal responsibility, known also as juvenile delinquency, the majority, 28 out of 47 countries, defines it as of 14 years of age (Austria, Albania, Azerbaijan, Belarus, Bosnia and Herzegovina, Bulgaria, Georgia, Denmark, Estonia, Italy, Armenia, Cyprus, Latvia, Lithuania, Lichtenstein, "the former Yugoslav Republic of Macedonia", Malta, Moldova, Germany, Romania, Russia, Slovak Republic, Slovenia, Serbia, Ukraine, Croatia, Montenegro and Spain). The United Kingdom (except Scotland with 12), Ireland and Switzerland have the lowest age for criminal responsibility – 10 years of age and they are followed by Andorra, Belgium, Hungary, San Marino, Turkey and the Netherlands, where it is 12. Greece and France stipulated 13 years, while Iceland, Norway, Poland, Finland, Czech Republic and Sweden opted for 15. Portugal is the only country where that boundary is 16, whereas Luxembourg has the highest limit — 18 years. Taking into account the state governance, societal context, tradition and culture features, the minimum age to stand for election as a candidate varies considerably across countries from 18 and 21 to 23 or 25, depending mostly of the type of elections.

Based on different national policy settings and context, it is obvious that in some cases the definition of "youth" is sector or programme dependent. For example, in the field of labour

market and employment policies, countries generally have developed preventive interventions for those as young as 25, such as Youth Guarantee or extended it up to 30 (Croatia), while some others (Andorra, Greece, Italy, Portugal, Ukraine) extended its employment measures up to 35-40 years, as a way of coping with youth economic uncertainty. Also, in the domain of housing, there are countries such as the United Kingdom, Portugal and Romania, which moved the upper age limit further towards 35, allowing these young people to benefit from programmes and initiatives aimed to facilitate at first their housing independence from parents.

## 5. Conclusion

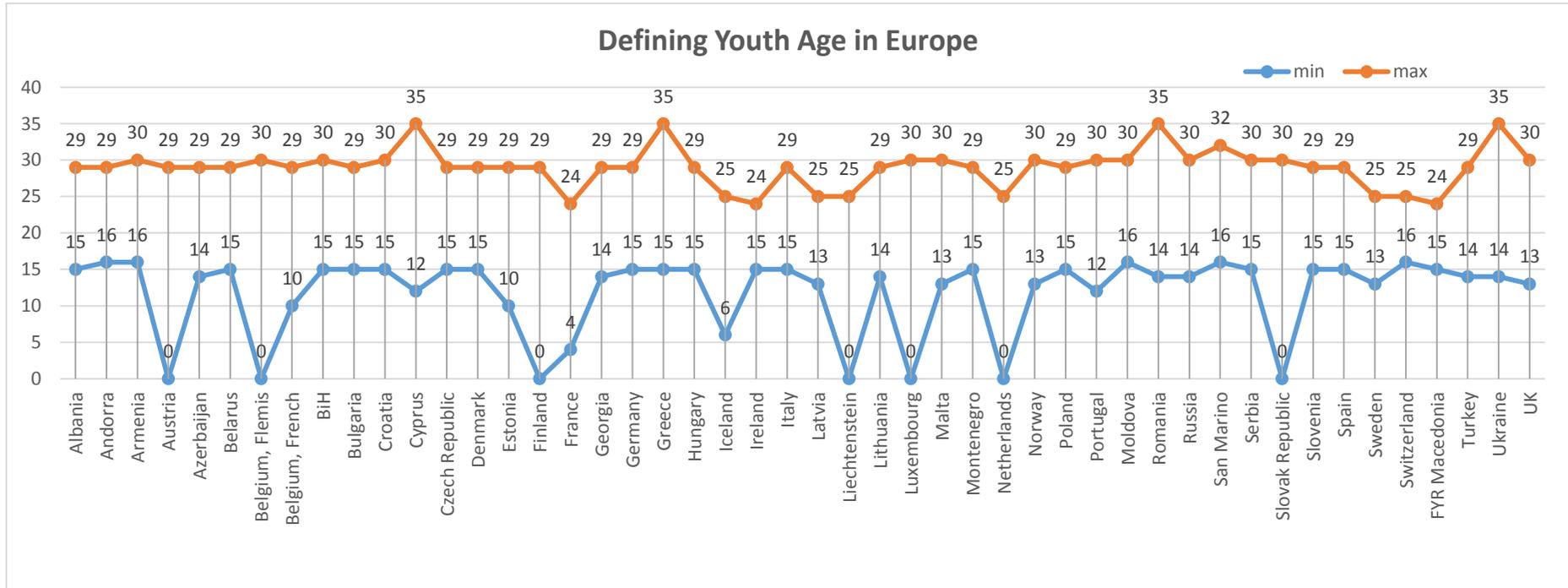
This is a paper with two-fold purpose. The first is to give a comprehensive overview on national youth age definitions within 47 European states, while the second is to provide a portrait regarding the types of national documents that address youth. This has been based on a deep insight of the country sheets on youth policies submitted within the EKCY, national youth policies reviews conducted by the Council of Europe, European Union and Eurostat reports, as well as other relevant sources from the national level, in order to provide a comprehensive comparative overview.

The analysis has shown that still there is no official, unambiguous definition of young people. It varies due to circumstances, especially with regard to socio-cultural patterns, geography and various policy settings. Common to all observed countries is that the period of youth is marked with the important life changes: milestone in education to job market transition, maintaining residential independence from the parental home, from being financially dependent to managing its own money, from being a son/daughter to raising the ones. However, national legislation which defines age brackets of a category labeled "youth" or "young people" as 15-24 or 15-29 age cohort, mostly serves in statistical and comparative purposes for assessing the trends, challenges and needs of this generation. To illustrate, for the statistical purposes, the United Nations defines youth as those persons between the ages 15 and 24, without prejudice to other definitions by Member States (United Nations General Assembly 2001: p. 2), while the EU in its strategic framework targets young people between 15 and 29 years of age. There is no more or less correct or justified solution — it is only the matter of consensus among countries who seek to compare their national youth policy achievements with others in order to have clearer picture on how they are positioned in wider European or global context.

In line with all aforementioned, all covered countries except Cyprus have national youth policy in the form of law, strategy or other programmatic document. Undoubtedly, that supports the notion that these days, the youth finds its place on national policy agenda: out of 198 countries, 122 countries (62%) in 2014 had a national youth policy, comparing to 99 (50%) in 2013 (Youth Policy Press 2014: p. 8).

Following the presented findings and comparative perspective, the author has tried to provide an overview of basic indicators that may determine youth policy framework, bearing in mind the importance of evidence-based policy and comprehensive facts and figures on youth all across Europe.

Appendix



<b>Types of documents that predominantly address youth</b>						
<b>Country</b>	<b>Youth in constitution</b>	<b>Law on Youth</b>	<b>Other relevant act(s)</b>	<b>National Youth Strategy</b>	<b>Youth Work Act/Strategy</b>	<b>Programmatic document</b>
<b>Albania</b>	•			•		
<b>Andorra</b>				•		
<b>Armenia</b>				•		
<b>Austria</b>	•	•				
<b>Azerbaijan</b>		•				
<b>Belgium</b>			•			
<b>Belarus</b>	•	•				
<b>Bosnia and Herzegovina</b>		•				
<b>Bulgaria</b>		•		•		
<b>Croatia</b>	•		•	•		
<b>Cyprus*</b>						
<b>Czech Republic</b>				•		
<b>Denmark</b>						•
<b>Estonia</b>					•	
<b>Finland</b>		•				•
<b>France</b>				•		
<b>Georgia</b>			•	•		
<b>Germany</b>	•		•	•		
<b>Greece</b>	•					
<b>Hungary</b>	•			•		
<b>Iceland</b>		•				

Country	Youth in constitution	Law on Youth	Other relevant act(s)	National Youth Strategy	Youth Work Act/Strategy	Programmatic document
Ireland				•	•	
Italy	•		•			
Latvia		•				
Liechtenstein		•				
Lithuania		•				
Luxembourg		•				
Malta				•	•	
Moldova		•				
Monaco						
Montenegro				•		
the Netherlands		•				
Norway			•			•
Poland	•					•
Portugal	•					•
Romania	•	•	•			
Russia				•		
San Marino		•				
Serbia		•		•		
Slovak Republic	•			•	•	
Slovenia	•		•	•		
Spain	•					•
Sweden						•
Switzerland		•		•		
FYR Macedonia				•		
Turkey	•			•		

<b>Country</b>	<b>Youth in constitution</b>	<b>Law on Youth</b>	<b>Other relevant act(s)</b>	<b>National Youth Strategy</b>	<b>Youth Work Act/Strategy</b>	<b>Programmatic document</b>
<b>Ukraine</b>						•
<b>the United Kingdom</b>			•		•	

\*note: Cyprus is in the process of defining youth policy

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