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Young people's right to assemble peacefully. A mapping study, in preparation of the first review of the recommendation CM/Rec (2016)7

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Executive summary

This study maps the relevant publications, documents and reports in preparation of the first review of the recommendation CM/Rec (2016)7.¹ It refers exclusively to the Article 1.2. (removing any legal, administrative and practical obstacles to the right of young people to assemble peacefully and to freely form, join and be active in associations and trade unions). Based on secondary sources, the study looks for responses to several questions: *Why young people's right to assemble peacefully and to freely form, join and be active in associations and trade unions, matters? Where is this right under threat? Who is (more) affected? Who limits young people's right to assemble peacefully? Why? How? What works in removing the obstacles? What doesn't work? What sounds promising? What we do not yet know? What is the relevance of the Article 1.2. of the Recommendation in the recent COVID 19 context?*

The study argues that the literature and the reports are generally concerned with formal organisations and associations/ trade unions. Yet, the barriers on the right to assemble, often target the informal manifestations of civil society: manifestations and protests. Moreover, not all youth organisations and young people taking part in civic life are affected and not all in the same way and to a similar degree. Some are better equipped than others to navigate unfriendly environments or to take action when threatened. Some are not threatened at all. Also, although **online participation** is occasionally considered an equivalent to the off-line, the two are complementary and meet different functions. Previous research argued that the celebration of e-participation as an alternative to physical assemblies is damaging and likely to do a disservice to democracy (Deželan et al., 2020).

The right to assemble, form and join associations is at the intersection of major structural forces. Buyse (2018) and Deželan et al. (2020) provide excellent analyses of the recent socio-economic and political transformations. There are **formal reasons** (which refer to the declared 'rationales' or states' 'theories' of why restrictive measures are necessary) and **underlying causes** (long-term and global phenomena that are deeper and structural in nature). States are responsible for any limitations of rights experienced by their citizens. But it is not always that (only) states are

¹ The author would like to express her gratitude to Aline Brüser and Ignacio Doreste for providing prompt and detailed information on the work of the European Trade Union Confederation.

violating these rights. Corporations and far right actors are also involved in restricting young people's rights.

There seems to be different levels of threat for organisations depending on their geo-political location: EU15 and EEA, EU13, rest of Europe (Deželan et al., 2020). However, imitations on Article 1.2 are no longer limited to countries in crisis or in post-conflict times. Moreover, it is increasingly argued that the degree of economic development, democratic institutions, wealth, human rights record, geographical location should not be automatically correlated with positive civic outcomes (Youngs and Echagüe, 2017). The 'repertoire of restrictions' for limiting young people's right to assemble peacefully includes attacks and brutality, financial barriers, (para-)legal restrictions and fear of retribution, criminalisation, stigmatisation, negative labelling. Not all barriers are obvious and easy to unpack. The study points to several such elusive barriers that became known through qualitative research.

Organisations are not passive when faced with barriers to the rights to assemble peacefully. Their responses range from resistance in adversity, to adaptation and compliance with the interests of dominant illiberal powers. There is increased evidence on organisations' change of mission from advocacy towards provision of social services.

What to do about it? The study argues that the actions of those restricting the rights are increasingly sophisticated and the ways of counteracting their efforts have to be even more strategic, bold and agile. The removal of legal, administrative and practical obstacles to the right to assemble peacefully require approaches that are highly complex. Isolated examples of 'good practice' may be both insufficiently structural (when carried out by a single organisation or through a single legislative measure) and weakly transferable. The study is in favour of highlighting several principles of action likely to carry effect, even if some have not yet been implemented in full.

The initiatives that have some potential are well-planned and strategic, long-term, based on a collective commitment of strong coalitions with diverse actors and based on different tools. They refer to organisations' work with local authorities, the need for broad coalitions of diverse actors as an alternative to the civil society coalitions. Previous work suggests that shifting the narrative from needs-based to rights-based approach is likely to bring some effect. The language of rights reminds states of the social contract. Often, civic education in school usually comes as an answer, yet, it has many ethical dilemmas attached. *Who should do it in ways that are free from manipulation and other agendas?* Education systems are good at 'adding' a new course/ module when need arises, without democratic principles being incorporated in the school life and in the overall curricula. This way, civic education risks being insulated and the overall structure

untouched. Ultimately, whilst many young people in schools have classes on civic/ citizenship education, the content often focuses on *good* citizenship and less on *active* citizenship.

Justice matters. Calling authoritarian states to remain accountable, based on the mechanisms that enable these processes, is important. National authorities can take action in regard to domestic affairs, but they can also influence the extent (youth) civic rights are being respected elsewhere, when functioning in a donor capacity. Several European countries (Denmark, Sweden, Norway) have a legacy of working as donors for civil society organisations (CSOs) in countries with unstable or emerging democracies.

Initiatives that do not work are more likely to be ad-hoc, time-bound, isolated, carried out by single organisation or based on advocacy campaigns only supported by CSOs. Several **gaps in knowledge** are later discussed (rural young people's right to assemble, the role of market actors in limiting this right, the unorganised young people, the severe underrepresentation of the issue in research, the dilemmas of mainstreaming civil rights in policies etc). The relevance of the Article I.2. of the Recommendation in COVID 19 context is touched upon based on very recent studies.

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Why young people's right to assemble peacefully, matters?

The right to assemble, to form, join and be active in associations and trade unions ensures free exchange of information across civil society actors, including authorities; it amplifies the voices of minority and other at-risk groups by increasing the visibility of issues that would otherwise be neglected (Deželan et al., 2020). When exercising these rights, young people learn about and have a first-hand experience of active citizenship and participatory democracy. Global monitoring suggests a **deterioration of political and civil liberties** in the last decade, although the attempts to squeeze civic space are not new (see the cold war) (Freedom House, 2018; FRA, 2020). The decreased trust of individuals in the democratic political systems indicates that the 'social contract between those who are governed and those in power must be protected, strengthened, or even, in some cases, renegotiated' (Council of Europe, 2019). The way to regain the public trust is by public authorities to demonstrate through direct citizen participation that civil society's voice and contributions 'matter and produce change' (Council of Europe, 2019).

Defining the issue

The freedom of expression, freedom of association and the freedom of peaceful assembly are three basic civil liberties that sit at the core of civic space. The discussion of these rights is often carried out under the broader literature on civic space and civil society organisations (CSOs). However, the discussion on 'civil society organisations' or CSOs carries the limitation of homogenising the specific meaning of these rights. For instance, membership in formally registered and organised groups *is only one* of the many manifestations of the right to take part in civic life. Research indicates that other 'activities and interactions' are also expressions of civil society ([Buyse, 2018](#); [Transnational Institute, 2017](#);) and are particularly relevant for young people. They may include manifestations and protests, situations when an online group can organise a physical public protest, or decide to contest state action at international level ([Buyse, 2018](#)). The barriers related to the right to assemble are often related to these **informal manifestations of civil society**, although the literature and the reports are generally concerned with **formal organisations** and associations/ trade unions.

Moreover, formally registered (youth) organisations are extremely **heterogenous**. Although, many are small in scale, youth-led and fragile in adverse environments, there are also bigger networks and international organisations with stronger capacities to navigate restrictions and to act. Besides, the notion of civil society organisations (CSOs) is changing, in ways that differ from the conventional triangle civil society-state-market. New '**hybrid forms of organisations**' need to be considered. They include novel intersections between the civil society, the state and the

market ([Buyse, 2018](#)). For example, the government-organised non-governmental organisations (GONGOs) are NGOs created or sponsored by undemocratic governments in order to control the civil society sector, to further political interests and mimic civism and civil society organizing. A critical question is **who decides and for whom** whether and what civil rights are violated. Recent literature explored the North-South, East-West and other power dynamics involved in such debates ([Transnational Institute, 2017](#); [Deželan et al., 2020](#)).

E-participation

Although online participation is occasionally considered an equivalent to the off-line, the two are complementary and meet different functions. The digital association (via social media) is important for empowerment, sharing of information, mobilising and awareness raising ([Dahlgren, 2015](#)), as well as in promoting debate ([Bessant, 2012](#)). However, ‘the standard offline civic space remains an important factor for young people’s civic participation’ ([Deželan et al., 2020](#)). The celebration of e-participation as an alternative to physical assemblies is damaging and likely to do a disservice to democracy. The online is increasingly an object of surveillance, intimidation, censorship, harassment, stalking and threats including in countries with established democracies ([Deželan et al., 2020, 2020](#); [Transnational Institute, 2017](#)).

Why is the right to assemble peacefully under threat? Stated reasons and underlying causes

The limitation of rights to assemble, form and join associations is at the intersection of major structural processes. There are **formal reasons** (which refer to the declared ‘rationales’ or states’ ‘theories’ of why restrictive measures are necessary) and **underlying causes** (long-term and global phenomena that are deeper and structural in nature). According to [Buyse, 2018](#), there are several global enabling conditions for the rapid spread of pressures on civic space. They refer to: i) the increase in the number of countries that turn from dictatorship to democracy and the implicit turmoil of such processes; ii) the processes of North-South assistance and development cooperation in post-colonial contexts; iii) the terrorist attacks and the move to counter-terrorism; iv) information and media technology. More recently, one can add pandemic related restrictions, alongside cuts in funding in the context of other priorities. The violations/ restrictions of Article I.2. of the Recommendation have been linked to the rise of populism and the rising of extreme right wing populist parties in the context of increased inequality in the European societies ([European Trade Union Confederation, 2019](#)).

Who are the entities limiting young people's right to assemble peacefully?

States are responsible for any limitations of rights experienced by their citizens. But it is not always that (only) states are violating these rights. Corporations and far right actors are also involved in restricting young people's rights. Examples of such instances are the repression of young people's protests against goldmines or hydroelectric dams in situations where the business and state interests were very connected formally or informally ([United Nations, 2015](#)). Similarly, the anti-nuclear movements ([Ohana, 2012](#)) and youth activism directed against carbon emissions and incessant economic growth at the expense of environment are met with reserve by companies or governments ([Buckland, 2020](#)). Instances where states were complicit in protecting the private interests of 'super-wealthy elites' at the expense of public interest are increasingly reported ([CIVICUS, 2016](#)). They are country-specific and require background documentation of scale. For the case of Eastern Partnership countries, [EAP-CSF, 2019](#) developed the concept of the 'hybrid war' in order to reflect the tactics used to distort the process of changes that the post-soviet countries undertake, in order to keep or bring them under the influence of Russia. The violations of Article I.2 of the Recommendation are part of such tactics, together with propaganda, spreading lies, active penetration by special forces, attacks, cyberattacks on critical infrastructure, manipulation of criminal elements, actions of masked and disguised militarized elements and ultimately, direct military intervention ([EAP-CSF, 2019](#)).

Where is the Art I.2 of the Recommendation under threat?

CIVICUS, a global alliance of civil society organisations with over 9.000 members in 175 countries, mapped the threats to civil society globally. It proposed a global map of the state of civil society worldwide, concluding that as little as **4% of the global population lives in countries where there are no threats to civil society**. Depending on the political regime, some countries fair better than others. In Europe, the states from the **post-soviet bloc** (e.g. **Belarus, Georgia, Ukraine**) are a case in point for the severe obstructions posed on people's civil rights in turbulent political contexts of the last decade. A European Youth Forum survey including 322 organisations in Europe, suggests there are different levels of threat for organisations depending on their geo-political location: EU15 and EEA, EU13, Rest of Europe ([Deželan et al., 2020](#)).

However, the degree of economic development, democratic institutions, wealth, human rights record, geographical location should not be automatically correlated with positive civic outcomes ([Youngs and Echagüe, 2017](#)). Limitations on Article I.2 are **no longer limited to countries in crisis** or in post-conflict times. For instance, the Global Governance Institute, based on [CIVICUS, 2016](#) rated the civic space in the **United Kingdom** as 'narrowed', given 'concerns about the impact of

counter-extremism policies on associational life and ‘violent policing tactics in the management of public assemblies’ ([Kreienkamp, 2017: 4](#)). Concerns over the threats posed on the freedom of assembly in France, home to a vibrant civil society, are increasing ([Civic Space Watch, 2019](#)).

In **Romania**, a public protest in 2018 was met with ‘violent and disproportionate intervention by the police. The European Parliament ([2018](#)) called for Romanian authorities to reconsider the legislation on the financing, organisation and functioning of NGOs with regard to its potential intimidating effect on civil society and its entry into conflict with the principle of freedom of association. As of 2020, the results of the legal investigation were partially dismissed, generating deep social discontent among CSOs and young people. Limitations on the right to assemble peacefully have been reported in **Hungary and Poland** ([BalkanInsight, 2020](#)).

Who is (more) affected?

Not all youth organisations and young people taking part in civic life are affected and not all in the same way and to a similar degree. Some are better equipped than others to navigate unfriendly environments or to take action when threatened. Some are not threatened at all and it is important to recognise there is a big **heterogeneity** among youth organisations, associations and trade unions. As argued by [Transnational Institute, 2017](#), “conversations about ‘shrinking space’ boil down to whom and what is included – and thus legitimate –whom and what is excluded”. Important **risk factors** which may *intersect each other*, are given by:

- **the geo-political context** of the country (e.g. organisations from the post-Soviet bloc); organisations from **unstable economies**, with weak fundraising cultures and weak possibilities to raise domestic funds;
- **the mission** of the organisation (with the ones focused on providing social services to specific groups or active in ‘non-controversial’ issues being less affected);
- the organisational **size, structure and professional capacity**: large, umbrella-organisations that are internationally represented are better able to navigate and to negotiate the terms of their involvement, than grass-root, youth-led organisations with short institutional memory and high turnover;
- **the membership composition**: organisations working with disadvantaged groups, such as migrants and refugees, Roma are more threatened and more vulnerable to attacks. LGBTI organisations and activists even experience physical violence ([Council of Europe, 2019](#), see also [M.C. and A.C. v. Romania](#)). A recent memorandum by the Council of Europe [Commissioner for Human Rights](#) addressed the recent instances of stigmatisation of LGBTI people in **Poland**.

Associations and trade unions represent important *fora* where interests are represented and rights are exercised for the benefit of all. In order to have vibrant democracies, associations and trade unions need to reflect the social diversity of our societies. Young people from an **ethnic minority background, LGBTI, migrants and refugees, young people with disabilities, youth offenders** are at more risk of being underrepresented in associations and trade unions. They are most likely to be stigmatised, negatively labelled in processes of civil society discreditation. A 'politics of fear' and an ideology of 'othering' are at play ([Transnational Institute, 2017](#)). Recently, the [European Trade Union Confederation](#) (ETUC) started to address the structural problems linked to the underrepresentation in trade unions of young people in general and the most disadvantaged, in particular (e.g. young people furthest from full employment and those belonging to vulnerable groups).

Legal, administrative and practical obstacles posed on the right to assemble peacefully

This section will present the ‘repertoire of restrictions’ for limiting young people’s right to assemble peacefully. The mechanisms of repression, obstruction or silencing apply to young people and youth organisations. An important element is that the **persons and organisations are intertwined** and that obstacles are often posed on individuals in order to undermine organisations ([Buyse, 2018](#)). The types of obstacles may differ in time and place and different CSOs may experience different types and intensities of these obstacles ([Buyse, 2018](#)).

Attacks and brutality

Extreme cases when the freedom of assembly is threatened refer to **threats and intimidation** (including of family members), tracking and wiretapping of activists ([Bossuyt and Ronceray, 2020](#)). This is now the experience for many young people and organisations in **Belarus** ([Human Rights House, 2020](#)). Some youth organisations fear they may be banned or attacked by militant groups ([Council of Europe, 2019](#)). Non-state actors such as religious conservatives, corporations, far right groups can also act as perpetrators of violence against protesters ([Transnational Institute, 2017](#)). Pride parades are often targeted.

Major concerns refer to police and (recently) gendarmery **disproportionate use of violence** and especially the use of new weapons inappropriate for civil use. This has been the situation in **France** ([Civic Space Watch, 2019](#)) and **Romania** ([BalkanInsight, 2018](#)). These practices illustrate a move from the conventional role of police (to prevent the injury of protesters from violent demonstrators), towards creating ‘a climate of fear among the demonstrators conducive to a disincentive to demonstrate’ ([Civic Space Watch, 2019](#)). Despite the recommendation for a policy of ‘no surprises’ (based on prior warnings allowing time for protesters to respond) (cf. [OSCE, 2019](#)) still, police officers deployed in protest settings are often ‘poorly prepared’ to manage these situations ([Civic Space Watch, 2019](#)). There are several cases brought to the European Court of Human Rights in relation to violations of the freedom of assembly and association ([Laguna Guzman v. Spain](#), [Chernega and others v. Ukraine](#), [Yordan Ivanov and others v. Bulgaria](#), [M.C. and A.C. v. Romania](#)).

Financial barriers

Funding is considered ‘the single most pressing issue facing CSOs’ ([CIVICUS, 2016](#): 7). Funding is essential for creating structures where the right to assemble peacefully can be manifested, or for

organisations' functioning, including when organisations are operating exclusively with volunteers. One of the most frequent barriers is making funds unavailable for NGOs that either criticised the authorities or were perceived as politically 'troublesome' ([Council of Europe and YFJ, 2019](#)). A third of 322 youth organisations surveyed for a YFJ research declared they experience barriers to acquiring foreign funding. Often state-provided funding of youth organisations has strings attached. Acting in ways that are contrary to government actions involves **fear of retribution**. Funding restrictions generate a shift towards the **provision of social services**. Financial resources for advocacy, watchdog work, civil monitoring, community empowerment and activism are decreasing ([Council of Europe, 2019](#)).

One way of limiting organisations' access to funding is the exclusion of civil society organisations from the banking system under the guise of counterterrorism measures ([Transnational Institute, 2017](#)). Practices of this type became powerful barriers in Hungary. At a smaller scale, in **Austria**, a 2015 'Law on Islam' bans the foreign funding of Muslim religious organisations. The bill updates a 1912 law that was intended to guarantee the rights of Bosnia-Herzegovina's Muslims in the Austro-Hungarian empire ([Euractiv, 2015](#)).

(Para-)legal restrictions and fear of retribution

The 2019 survey among youth organisations in Europe carried out on behalf of YFJ highlighted that one in eight youth organisations experienced difficulties in organising or participating in public assemblies; only two in five of them do not feel certain that their organisation of, or participation in, such assemblies will not result in some form of retribution. Besides, one in five experienced governmental interference in the functioning of their organisation, while two in five youth organisations do not feel completely free from government interference ([Deželan et al., 2020:8](#)).

Recently, states interested in repressing CSOs use **modes of legislation** that restrict the advocacy or rights-focused activities to those receiving most of their funding (often up to 90%) from domestic sources ([Bossuyt and Ronceray, 2020](#)). There are several concrete ways of demobilising CSOs and of inducing the fear of retribution. Restrictions on mobilisations, banning of demonstrations, complex (and onerous) administrative processes required for registering organisation or for authorising protests, cracking down on unions in the name of 'public order' are examples of state-posed barriers to the exercise of rights, along with excessive accounting obligations ([Transnational Institute, 2017](#); [Deželan et al., 2020](#)).

However, it is not just that problematic laws and regulations are put in place. A serious problem is the '**misuse of legal provisions**', or the use of arbitrary measures 'under the guise of legality' ([Buyse, 2018](#)). Examples include: de-registration, office closures, seizures of property, excessive

fines, arrests, and travel bans. A major drawback is the ‘deliberately vague or broad wording’ of the laws in place, which leaves authorities a large space for manoeuvre ([United Nations, 2013](#); [Buyse, 2018](#)). Increased awareness of the technicalities involved in the actual content of the laws is, thus, paramount.

There are arguments that the term ‘shrinking civic space’ is unable to capture the **political interference of the highest order** involved in limiting young people’s rights. It can even depoliticise the situation. A better way according to [Transnational Institute, 2017](#) would be to point to the political nature of the ‘shrinking’ phenomena. As the metaphor of ‘shrinking space’ is not about space, but about ‘obstacles to the right to participate’ ([Transnational Institute, 2017](#)), a ‘rights based approach’ (as encouraged by Council of Europe and the European Youth Forum), seems better suited for this purpose than the ‘shrinking space’ narrative (see the section on promising practice, further in this review).

Legitimacy barriers: criminalisation, stigmatisation, negative labelling

Increasingly, CSOs perceived as ‘uncomfortable’ undergo a process of public discreditation. ‘Negative labelling’ became a practice especially in political contexts framed by security concerns, where issues of ‘national sovereignty’ rank high. At extreme, derogatory terminology is perpetuated in state laws, such as the ‘foreign agents’ label in Russian legislation ([Buyse, 2018](#)). Media function as channel of negative labelling and of shifting the public perception over the CSO sector. Examples are smear attacks targeted at certain CSOs aiming at de-legitimizing the entire sector and the individuals; fake news and narratives portraying CSOs as elitist and opportunistic. Criminalisation of human-rights defenders is an ultimate barrier to the exercise of civic rights.

According to Anna Rurka, President of the Conference of INGOs of the Council of Europe, ‘[...] the state no longer needs a specific law, such as the “foreign agent” law adopted in the Russian Federation, to weaken NGOs in the public space. The labelling occurs through the rhetoric used [...] To provide an efficient answer we need to react at an early stage of the problem [...] acting early means observing the interaction between negative labelling of NGOs and the restrictive steps taken by the state and undertaking action as soon as the labelling starts’ ([Council of Europe, 2019](#)).

Marketisation of the CSO sector

There is an increased agreement that CSOs moved from advocacy, watchdog work, civil monitoring, community empowerment and activism to provision of social services ([Council of Europe, 2019](#); [Bossuyt and Ronceray, 2020](#); [Deželan et al., 2020](#)). This process is part of the

currently dominating neoliberal governance in which states delegate/ share the provision of services with CSOs. There are *pros* and *cons* to this process. Arguments related to cost-efficiency, sharing of power, co-management and co-ownership of the delivery of social services are at stake. However, it is important to notice that involvement in such activities reshapes a whole sector, it may deviate from the initial mission and may even be a condition of organisational survival. Whilst some organisations engage in this trend unquestionably, others undergo profound mission drifts and experience organisational stress and identity concerns. The implications of evaluating organisations' activities according to complex performance indicators, proper to the market sector has been thoroughly discussed in [Deželan et al., 2020](#). Implications for donors and their funding programmes, including European Commission's Erasmus+ programme, require some in-depth reflection.

Undermining organisations' and people's capacity to communicate

Online communication allows organisations to reach their members when there are obstacles on physical presence. In situations of protests, limitations on internet access are critical (see the situation in **Belarus** during the 2020 protests, where internet was closed down). Practices of 'mass surveillance' have been noticed in Europe ([Transnational Institute, 2017](#)). [Ways in which the](#) ability of organisations to communicate is undermined include: closing social media or co-opting them to access user data, hacking of the accounts, filtering of content and shutting down the internet in a region during specific periods ([Bossuyt and Ronceray, 2020](#); [Buyse, 2018](#)).

Subtle barriers

Many obstacles posed on young people's access to rights to assemble peacefully are less evident and hard to be classified as strictly 'legal, administrative and practical'. The focus on the concrete mechanisms of repression generated went parallel with 'little systematic analysis of the more elusive, non-legal practices that states use to clamp down on civil society' ([Kreienkamp, 2017](#)). Qualitative research is ideally suited to retrieve unanticipated and elusive (yet, with effect) ways in which young people's rights are being threatened.

Interviews with young activists involved in CSOs and long term observations ([Civic Space Watch, 2019](#); [Deželan et al., 2020](#); [Buyse, 2018](#); [Council of Europe, 2019](#)) highlighted the following subtle barriers:

- the **technocratic language**, with jargon terms that are not accessible to young people without consolidated professional backgrounds. When information on funding is presented in inaccessible language, organisations are decapitated from accessing funding. Cleavages

withing the youth sector follow, with professional organisations having a comparative advantage over voluntary grass roots, youth-led organisations;

- information necessary for applications, made **available upon request** and revealed at the last-minute;
- **selective invitations** to take part in consultation processes;
- **age barriers** on participation in certain events and boards;
- **unequitable processes** of consultation which marginalise the voice of young people in comparison with more professional and competitive stakeholders from the powerful organisations and the business sector;
- **reduced career opportunities** for activists involved in controversial issues;
- **socio-economic problems** faced by young people;
- **physical distance** from the centre of political life and unavailability of public spaces that are free, open, accessible and safe (this is the topic of the 8th cycle of the EU Youth Dialogue);
- **'cooptation processes'**: neutralising the organisations by establishing strong ties between the activities, positions or interests of CSOs to those of the state or other important stakeholders;
- channelling the income of CSOs through a **government fund**;
- establishing (mandatory) umbrella platforms of all CSOs;
- the deliberate ambiguity of domestic laws;
- **bribing** of key CSO persons in ways that enable organisations to function, yet, in ways that deviate from the stated mission;
- **risk aversion among donors** who limit or withdraw funding for both grassroots activism and marginalized causes in favour of large, less politicized organisations and less 'controversial' issues;
- **subtle techniques of repression**: the use of 'less-lethal weapons' and 'kettling' as a police tactic (e.g. a large number of demonstrators are encircled and immobilised for several hours).

Organisations' responses

CSOs are **not passive** when faced with barriers to the rights to assemble peacefully. They respond in different ways. When discussing organisations 'responses' one should consider that the CSO sector has a very large **internal diversity** in terms of structures, interests, modes of organisation, willingness to compromise or to react etc. Analysis needs to balance the tendency to highlight organisations' manifestations of **resistance** in adversity, on the one hand, with practices of **compliance** with the interests of dominant illiberal powers, on the other. The barriers to young people's rights to assemble peacefully come under a spectrum of many degrees and forms, which are very specific to each country and time in history. The shrinking of civic space is continuously dynamic.

Resistance involves documenting abuses in order to inform advocacy work. Thus, organisations may collect evidence on internet disruptions for political purposes, may mobilise citizens and youth movements, unveil the narratives that divide the CSO sector into ‘good actors’ (contributing to the national development agenda) and ‘bad actors’ (that defend democratic accountability and human rights) ([Bossuyt and Ronceray, 2020](#)). At extreme, strategies may include the changing of name or re-registering the organisation [while maintaining the mission](#) ([Council of Europe, 2019](#)). The process of organisations going ‘off the radar’, operating out of the public eye, in response to repression has been named ‘disbanding’ ([Bossuyt and Ronceray, 2020](#)). Reliance on crowdfunding and operational support in neighbouring countries is often a choice for maintaining activity.

Adaptation includes a range of strategies: from the ones more conformist in nature, to some that involve strategic (including dissident) ways of operating. At one end of the adaptation spectrum is the choice of organisations to follow the political line of the moment and prioritize their internal stability at the expense of engaging with controversial issues ([Council of Europe, 2019](#)). Organisations protect themselves from the possible negative consequences derived from public engagement. They may focus on ‘service delivery’ and renounce advocacy and the alliances within the CSO community. These organisations are ‘**desisting**’, according to [Bossuyt and Ronceray \(2020\)](#). Some organisations may choose to carry out service delivery alongside some ‘soft advocacy’ work on issues that are not *highly* controversial. This is ‘**mixed work**’. It involves self-censorship, orientation towards domestic philanthropy, cooperation with local authorities. To them, provision of civic education becomes an indirect way of addressing social concerns ([Bossuyt and Ronceray, 2020](#)).

People adapt as well. For instance, despite state attempts to interrupt protesters’ communication, people may find ways round internet blackout, by communicating through Telegram messaging to coordinate anti-government action. This has been the situation in **Belarus** ([Reuters, 2020](#)).

Exit: In extreme situations, the smallest NGOs dissolve, when unable to cope with the pressure and restrictions and negative labelling ([Council of Europe, 2019](#)). The possible ways the international community responds to threats to the right to assemble peacefully, including some implications for donors, have been widely analysed ([Bossuyt and Ronceray, 2020](#);

Organisations (and their members) experience **mission drift** differently, depending on their history and the personal commitment of their members. Older organisations may experience **mission drift** in a more stressful way, in comparison with new organisations that accommodate service delivery early in their mission. However, small organisations such as grass-root youth-led

NGOs, have weaker capacity to navigate environments shaped by labelling and financial pressures derived from barriers to funding, expensive lawsuits etc.

According to Matjaz Gruden, Director of Democratic Participation in the Council of Europe, ‘youth organisations have a particular and important role to play in any response to the phenomenon of shrinking space’ and in order to meet this role, they (and other CSOs) need ‘democratic intelligence – skills, knowledge and attitudes, empathy and solidarity and historic memory – to understand what happens when there is no democracy or rule of law’ ([Council of Europe, 2019](#)).

Interventions for removing legal, administrative and practical obstacles to the right to assemble peacefully

The actions of those restricting the rights are increasingly sophisticated and the ways of counteracting their efforts have to be even more strategic, bold and agile. It is increasingly becoming evident that the removal of legal, administrative and practical obstacles to the right to assemble peacefully require approaches that are complex, at different levels and on long term. Many actions have been *ad-hoc*, without the structural commitment that is needed for significant change. Besides, each state has its own mechanisms that lead to the abuse of these rights in ways that are very specific, contextual and time-bound. Thus, isolated examples of ‘good practice’ may be both insufficiently structural (when carried out by a single organisation or through a single legislative measure) and weakly transferable. Thus, one proposal would be to highlight several principles of action likely to carry effect, even if they some have not yet been implemented in full. This section presents some of those principles.

By and large, the publications reviewed suggest that initiatives that have some potential are well-planned and strategic, long-term, based on a collective commitment of strong coalitions with diverse actors and based on different tools. Initiatives that do not work are ad-hoc, time-bound, isolated, carried out by single organisations or based on advocacy campaigns only supported by CSOs.

CSOs working with local authorities

Policy making is closest to young people at the local level. Recent research suggests that CSOs concentrating their advocacy efforts at local level are more likely to find a more fertile ground than those placing their efforts at national level ([Bossuyt and Ronceray, 2020](#)). Actions with local authorities are more capable of generating local change due to the closeness of the actors

involved, the legacy of previous cooperation and the stronger capacity for the people to follow authorities' adherence to their claims. Lessons learned from the implementation of Enter! Recommendation show that local authorities started very recently to work with young people on social rights and that some avenues for cooperation opened up together with the availability of several support measures ([Braziené and Garcia Lopez, 2019](#)). The implementation of Article I.2. of the Recommendation can build up on the increased cooperation possibilities opened up by Enter!

Broad coalitions of diverse actors

Broad coalitions of local actors are more effective than coalitions of CSOs only. In order to reach critical institutions such as national Parliaments where restrictive laws can be passed, more voices are needed. Examples of 'positive stories about the contribution of civil society' and seeking to respond to the concerns of members of Parliament are instrumental in this process. 'Sequencing the steps', gaining credibility and working incrementally helps 'making the case' for civil society organisations ([Bossuyt and Ronceray, 2020](#)). Council of Europe (2020) strengthens the need for youth organisations to work both locally, nationally and on international level and to create coalitions with different stakeholders (e.g. researchers from the youth field, human rights and legal fields).

Fostering a language of rights and the principle of solidarity

It is increasingly becoming evident that youth organisations need to work towards shifting the narrative from needs-based to rights-based approach (RBA) by national public authorities. European Youth Forum contributes to this process also by proposing a [Checklist for youth rights](#). It enables and empowers youth organisations to adopt a rights-based approach in their work. The underlying principle goes back to the social contract between State and citizens. A RBA stands for the accountability of 'duty-bearers' (the State in all its forms) towards 'rights-holders' (the citizens). [European Centre for Development Policy Management](#) (ECDPM) operationalises the Rights-based approach in five guiding principles:

- legality: it calls States to apply the existing human rights frameworks and treaties;
- empowerment of right holders, which enables citizens, CSOs, movements to claim their rights;
- participation: citizens and organisations have the ownership over the process;
- non-discrimination;
- accountability of duty bearers.

Participation and democracy in schools

Citizenship is experiential in nature. When young people learn about participation and democracy and experience it in action, while at school, they are more likely to demand and to act towards democratic structures. Youth work and citizenship education support the empowerment and participation of young people and awareness raising on civic rights ([Council of Europe, 2019](#)). Whilst many young people in schools have classes on civic/ citizenship education, the content often focuses on *good* citizenship and less on *active* citizenship. Important dilemmas refer to the entity able to infuse civic ideas in ways that are free from manipulation and other agendas. Especially in countries with histories of ideological manipulation in schools, civic education is met with reserve, especially towards the end of the school cycles. The *patriotic education* in Moldova and, more recently in Hungary is a problematic replacement of civic education.

Education systems are good at ‘adding’ a new course/ module when need arises. It is often that external entities, such as youth organisations step in, to fill the void in curricula. However, without democratic principles being incorporated in the school life and in the overall curricula, the experiential nature of civic education is under-utilised, civic education remains insulated and the overall structure remains unchanged.

Young people’s right to assemble and the media

Young people need enabling circumstances to understand and to judge the social, economic and political situations they are part of. Media literacy is essential for critical and independent judgement and for active engagement in democratic life. The protection of media freedom and the safety of journalists entered as major concerns for the Council of Europe. For instance, the Council of Europe Platform for the promotion of journalism and the safety of journalists raises awareness on the undue restrictions faced by journalists and even risks of injury and harm to media workers. Recent concerns were expressed with reference to the Nagorno Karabakh conflict ([Council of Europe, 2020](#)). Fighting the spread of fake news, manipulation and propaganda is increasingly part of many Erasmus+ projects. Also, in 2019, the Erasmus Students Network launched a training program on medial literacy.

Ensure the justice system is ‘part of the battle’

An important, yet often neglected part is ‘ensuring the justice system is part of the battle’ ([Bossuyt and Ronceray, 2020](#)). Calling authoritarian states to remain accountable, based on the

mechanisms that enable these processes, is important. Part of the same process is the engagement with the principle that ‘injustice anywhere is a threat to justice everywhere’, and the need to give visibility to ‘those whose struggles are being repressed to the ultimate detriment of us all’ ([Transnational Institute, 2017](#)). These actions need to be seen as part of a process on engendering genuine solidarity with those on the front lines of the fight for young people’s rights to assemble peacefully. Several duplicitous practices of donors externalising the risks involved in the fight for the right to assemble in authoritarian states have been discussed in the literature.

Tracking governmental funding

[CNVOS](#), an umbrella organisation for 1400 associations, societies, institutes and institutions in **Slovenia**, provides an analysis on the overall amount of government funding and its distribution. It documented the increase in the funding obtained by NGOs until 2011 and the subsequent annual decreases. In addition, CNVOS is amending around 30 regulations and policies annually ([Fundamental Rights Agency, 2018](#)). In **Estonia**, a [network of Estonian NGOs](#) in cooperation with the [Centre for Applied Social Sciences](#) developed a methodology on ‘how and from where to collect data on government funding of NGOs’. The project was commissioned and financed by the Estonian Ministry of the Interior ([Fundamental Rights Agency, 2018](#)).

Trade union renewal

There is now an increased awareness that current trade union membership in Europe is aging and that a ‘generational renewal’ is essential for maintaining the movement. Recently, ETUC called for trade unions to be more strategic and proactive in reaching young people in general and untapped sub-groups of young people in particular (e.g. unemployed, platform workers, platform owners etc). Such strategies may include exploring unconventional spaces (such as festivals, malls, restaurants, hubs etc) in culturally-sensitive ways. At a more structural level, ETUC proposes to replace a hierarchical participation model, with more horizontal decision-making processes that actively search to involve young people in decision making ([ETUC-Youth Committee, 2019](#); [Education International et al, 2019](#)).

Governmental foreign policy that addresses the right to assemble peacefully

State authorities can take action in regard to domestic affairs, but they can also influence the extent (youth) civic rights are being respected elsewhere, when functioning in a donor capacity. Several European countries have a legacy of working as donors for CSOs in countries with unstable or emerging democracies. There are several examples of their work towards the Article I.2. of the Recommendation. According to [Bossuyt and Ronceray, 2020](#), **Denmark** has a ‘multi-

level response to shrinking civic space’ that incorporates: a strong adherence to international norms and standards; engagement with global monitoring and advocacy, *inter alia* through grants to international NGO alliances; engagement with national and European authorities for mainstreaming civic space in different policies and programmes; iv) dialogue and rapid support to local civil society in threatened environments.

When the foreign policy is long term, time-bound and based on clear reporting mechanisms, partners are incentivised to update the analysis, to take action and the actors responsible for change are clearly identified. This has been the *modus operandi* of **Sweden’s** government agency for development cooperation (SIDA) which has a strategy for the period 2016-2022 ([Bossuyt and Ronceray, 2020](#)). Important elements that helped SIDA work were the careful operationalisation of the strategy and the comprehensive mapping of the concerns. This process interpreted what the guiding principles mean in practice and the modes of action depending on the degree of infringements of rights ([SIDA, 2019](#)).

Norway’s EEA grants have been described as useful in developing the capacity of small organisations to communicate with their constituencies in contexts of state scrutiny ([Council of Europe, 2019](#))

Other promising experiences include:

Member States:

- Implementing as standard practice a post-event debriefing of law-enforcement officials together with assembly organisers after non-routine events ([OSCE, 2019](#)). This process may include, among others, an analysis of any barriers posed on the right to assemble peacefully, lessons learned and future training needs in order to ensure social rights are respected.

Organisations:

- Developing strong links between youth work and social work in order to increase the awareness at their rights among disadvantaged young people (Czech Republic cf. Consultative Council of Europe e-Meeting, 2020);
- ‘Winning citizens’ solidarity’ by informing them often about the processes of state scrutiny (e.g. press conferences, social media etc) ([Council of Europe, 2019](#)).

Gaps in knowledge

- There is increased awareness that youth organising is too often a ‘metropolitan’ phenomenon. There are, however, signs that **young people in rural** areas are an untapped

group that is civically minded, yet, weakly able to connect to concrete associational forms. A recent survey in **Belarus** concluded that ‘people aged 15-24 in rural areas are those most interested and ready to participate in civic activities’, yet, they have not been approached to get involved ([EaP, 2019](#)). Further research and initiatives on ways to inform, reach and involve young people in rural areas are needed.

- **How successful interventions look in practice?** Active citizenship requires both opportunity and competence ([CM/Rec\(2015\)3](#)). Yet, many projects/ initiatives aiming to inform young people of their civic rights and to empower them in this process, take the form of service-provision or are insufficiently powerful in distinguishing between ‘good citizenship’ and ‘active citizenship’. The country review in **Albania** highlighted the orientation towards ‘practical projects’ rather than ‘empowerment’ and rights ([Williamson, 2017](#));
- There is a lot of youth organising taking place in informal ways ([Council of Europe, 2019](#)). However, we know little on **youth groups/initiatives outside youth organisations**. The distinction between youth organisations and other organisations is also, not always clearly specified. The particularities of youth organising can be, at best, implied.
- The **role of market agents** and the ‘complicity of governments and corporations’ in limiting (young) people’s rights to assemble peacefully are insufficiently recognised in the policy discourses and, implicitly, less addressed.
- There is insufficient **critical engagement with the language** of speaking about young people’s right to assemble peacefully whilst avoiding the language of rights. Appealing metaphors such as ‘reversed transitions’, ‘shrinking civic space’ have merits and limitations that call for deeper analysis.
- Although an important concern are **protests and public manifestations**, the debates on young people rights to assemble peacefully revolve mainly in relation to formally registered organisations;
- The appropriation of the civic space by the market actors (marketisation) is insufficiently discussed, although the **reduction of physical spaces** is a structural limitation of young people’s civic rights ([Williamson, 2017](#));
- There is **insufficient research** in the academia on young people’s right to assemble peacefully. The largest part of research is carried out by organisations themselves ([Buyse, 2018](#)). As argued by [Bossuyt and Ronceray, 2020](#), there is a ‘relative dearth of in-depth research, empirical evidence and specific knowledge on what really happens in-country regarding civic space’. As knowledge on the exercise of rights and the civic space is very country-specific, **qualitative research** from diverse countries is needed;
- There is insufficient analysis of the **heterogeneity within the broader area of youth organisations**. Youth organisations have different capacities, histories, organisational structures and resources to advocate or to navigate complex political environment. They

respond differently to the same challenges. Some inferences on the situation(s) of youth organisations as invariably victims or resilient survivors, call for analysis;

- Is **mainstreaming** of civil society issues in other policies, a successful approach? On the one hand, mainstreaming works well for issues such as gender, climate, youth. Yet, incorporating issues related to civic rights in other policies may overburden policy making processes, or risk delegating the responsibility for action;
- How to **balance a focus on local action** (where action and alliances work better) with the notion that decisions are taken in **Parliaments**?

Relevance of the Article I.2. of the Recommendation in COVID 19 context

The context of implementing the Article I.2. of the Recommendation undergoes change. The **Covid-19 crisis** brought to the fore increased concerns related to the risk of posing undue limitations on young people's right to assemble peacefully. There is an increased anxiety over possible reversal of democratic progresses and emergence of anti-democratic tendencies in states with weakened democracies. Concerns over Covid-19 health crisis offering grounds to adverse forces for restricting public debate emerged (Bossuyt and Ronceray, 2020). New dilemmas over the identity of youth organising (and civil society, by large) come to the fore, as some forms of assembly move away from the values of solidarity or are perceived to be so. This is the situation of the **anti-mask movements** or the protests against the physical restriction measures when the lockdown prolonged (O'Donovan, J. and Zentner, 2020). The far-right responses to **Black Lives Matter** remind that values such as equality and social justice need not be taken for granted and that democracy is continuous work-in-progress.

The Article I.2. is timely as a **policy priority in the European Union**. The focus of the 8th cycle of **EU Youth Dialogue** in the frame of the German, Portugal and Slovenia joint EU presidency is "Space and Participation for All" under the title "Europe for YOUTH - YOUTH for Europe: Space for Democracy and Participation". The Trio Statement of the National Youth Councils of Germany, Portugal and Slovenia was 'Youthless politics is useless politics!' (DBJR, 2020).

Young people's rights to assemble peacefully become increasingly relevant given the reported tendencies towards the polarisation of the politically involved citizens, largely under the influence of a perceived decrease in the quality of news (European Commission, 2018). Research suggests that especially young people and low-income groups tend not to trust media and to operate with 'degrees' rather than with distinctions between 'fake' and 'real' news (O'Donovan and Zentner, 2020). The **distrust in the quality of media** can feed into young people's sense of participation in ways that de-mobilize action and lead to apathy.

Importantly, however, besides its obvious negative consequences, the Covid-19 crisis holds some positive implications for youth work in particular and youth participation in public life, in general. **Intergenerational solidarity** became a real-life issue and, after years of mixed achievements, young people were seen as 'agents of change' (O'Donovan and Zentner, 2020). Besides, the youth sector was faced with the challenge of developing **new ways of reaching young people**. The health crisis showed that youth work can access previously untapped groups when carried out in unconventional ways: outdoors or digitally (O'Donovan and Zentner, 2020). Opening up the array of possibilities is an important move for a youth sector struggling to overcome inclusion barriers posed by traditional approaches.

References:

BalkanInsight (2018). *Romanian Riot Police Tear Gas Protesters in Bucharest*. Available at: <https://balkaninsight.com/2018/08/10/romanian-riot-police-tear-gas-protesters-in-bucharest-08-10-2018/>

BalkanInsight (2020). *Democracy digest: Poland and Hungary refuse to back down over EU veto*. Available at: <https://balkaninsight.com/2020/11/27/democracy-digest-poland-and-hungary-refuse-to-back-down-over-eu-veto/>

Bossuyt and Ronceray (2020). *Claiming back civic space Towards approaches fit for the 2020s?* Available at <https://ecdpm.org/wp-content/uploads/Claiming-Back-Civic-Space-Towards-Approaches-Fit-2020s-Report-May-2020-ECDPM.pdf>

Brazienė, Rūta and Garcia Lopez (2019). *Review of the implementation of the Enter! recommendation. Desk research Surveys, Focus groups*. Available at <https://rm.coe.int/report-enter-rec-review-studies-/16809ca31f>

Buyse, Antoine (2018). *Squeezing Civic Space: Restrictions on Civil Society organisations and the Linkages with Human Rights*, *The International Journal of Human Rights*, 14(5), pp. 1–23.

CIVICUS (2016). *State of Civil Society Report*. Johannesburg: CIVICUS. Available at: <https://www.civicus.org/index.php/socs2016>.

Civic Space Watch (2019) *France*. http://civicspacewatch.eu/wp-content/uploads/2020/10/INT_ACTIVIZEN4_Web-1-2.pdf

Council of Europe (2015) *Access of young people from disadvantaged neighbourhoods to social rights Recommendation CM/Rec(2015)3 adopted by the Committee of Ministers of the Council of Europe on 21 January 2015*. Available at: <https://rm.coe.int/168066671e>

Council of Europe (2019). *Resolution CONF/PLE(2019)RES1 adopted by the Conference of INGOs on Friday 12 April 2019 The future of the Council of Europe: Civil Society's commitment*. Available at: <https://rm.coe.int/conf-ple-2019-res1-en-future-of-the-council-of-europe-civil-society-s-/168093f423>

Council of Europe (2019) *Compendium of Council of Europe documents related to youth NGOs and youth participation*. Available at <https://www.coe.int/en/web/youth/compendium>

Council of Europe Commissioner for Human Rights (2020) *Memorandum on the stigmatisation of LGBTI people in Poland*. Available at: <https://rm.coe.int/0900001680a08b8e>

Council of Europe (2019). *REPORT of the consultative meeting Shrinking space for civil society: the impact on young people and their organisations organised by the Youth Department of the Council of Europe in co-operation with the Council of Europe Conference of INGOs and the European Youth Forum*. Available at <https://rm.coe.int/cmj-2019-7-shrinking-space-report/168096cd0f>

Dahlgren, Peter (2000). 'The Internet and the Democratization of Civic Culture', *Political Communication*, 17(4), pp. 335-340.

Deutscher Bundesjugendring (2020) "Youthless politics is useless politics! – Trio Statement of the National Youth Councils of Germany, Portugal and Slovenia". Available at https://www.dbjr.de/fileadmin/PDFtmp/Trio_Statement_of_National_Youth_Councils.pdf

Deželan et al. (2020). *Safeguarding civic space for young people in Europe*. European Youth Forum. Available at https://www.youthforum.org/sites/default/files/publication-pdfs/SAFEGUARDING%20CIVIC%20SPACE%20FOR%20YOUNG%20PEOPLE%20IN%20EUROPE%202020_v4.0%20%281%29.pdf

Eastern Partnership (2019) *#LocalCorrespondent Opinion/ "It is important for CSOs not to turn into sects."* Are Belarusians ready to take part in the activities of CSOs and civic initiatives? Available at: <https://eapcivilsociety.eu/news/civil-society-news/localcorrespondent-opinion-it-is-important-for-csos-not-to-turn-into-sects.html>

EAP-CSF (2019) *Countering Hybrid Threats: Stronger Role for Civil Society in Post-2020 EaP Roadmap* Available at: https://eap-csf.eu/wp-content/uploads/Policy-paper_2019_EN_countering-hybrid-threats-stronger-role-for-cs.pdf

Euractiv (2015). *Austria passes 'Law on Islam' banning foreign money for Muslim groups*. Available at <https://www.euractiv.com/section/languages-culture/news/austria-passes-law-on-islam-banning-foreign-money-for-muslim-groups/>

European Trade Union Confederation (2019) *ETUC Youth Committee Resolution on right-wing Populism*. Available at: https://www.etuc.org/sites/default/files/circular/file/2019-03/20171212_ETUC_Youth_Resolution_Populism_final.pdf

European Court of Human Rights (nd) *M.C. and A.C. v. Romania. Laguna Guzman v. Spain, Chernega and others v. Ukraine, Yordan Ivanov and others v. Bulgaria, M.C. and A.C. v. Romania*. Available at <https://hudoc.echr.coe.int/eng#%20>

Freedom House (2018) *Freedom in the World 2018*. Available at: https://freedomhouse.org/sites/default/files/2020-02/FH_FIW_Report_2018_Final.pdf

Fundamental Rights Agency (2020) *Civic space — experiences of organisations in 2019 second consultation*. Available at: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-civic-space-organisation-experiences_en.pdf

Human Rights House (2020). *HRHF statement at Human Rights Council meeting on Belarus*. Available at <https://humanrightshouse.org/statements/hrhf-statement-at-human-rights-council-meeting-on-belarus/>

Kevin Buckland, Kevin (2020) “Flattening the Curve” while Flattening Emissions. EU-CoE Youth Partnership. Available at: <https://pjp-eu.coe.int/documents/42128013/62078632/Flattening-the-curve-Kevin-Buckland.pdf/759676b6-3bfe-b19c-1e9e-782059ce9f1b>

Kreienkamp, Julia (2017). *Responding to the Global Crackdown on Civil Society’. Policy Brief – September 2017*. Available at www.ucl.ac.uk/globalgovernance/news/2017/sep/responding-globalcrackdown-civil-society.

O'Donovan, J. and Zentner, M. (2020) *Towards a better understanding of the impact of Covid-19 on the youth sector*. EU-CoE Youth partnership.

Ohana, Yael. (Ed) (2012) *T-Kit Youth transforming conflict*. Council of Europe Publishing. Available at: https://pjp-eu.coe.int/documents/42128013/47261899/T-Kit12_EN.pdf/9791dece-4a27-45e5-b2f1-b7443cb2125b

Office for Democratic Institutions and Human Rights (2019) *Report Monitoring of Freedom of Peaceful Assembly in Selected OSCE Participating States (May 2017–June 2018)*. Available at <https://www.osce.org/files/f/documents/7/b/430793.pdf>

Reuters (2020) *Internet blackout in Belarus leaves protesters in the dark*. Available at <https://www.reuters.com/article/us-belarus-election-internet-idUSKCN2571Q4>

Sweden’s government agency for development cooperation (2019) *Guiding Principles for SIDA’s Engagement with and Support to Civil Society* https://reliefweb.int/sites/reliefweb.int/files/resources/10202931_guiding_principle_2019_no_examples_web.pdf

United Nation (2015) *Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai*. Available at https://webcache.googleusercontent.com/search?q=cache:dIXnX8TW9HAJ:https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session29/Documents/A_HRC_29_25_en.doc+&cd=1&hl=ro&ct=clnk&gl=ro&client=opera

United Nations (2013) *Civil society space: creating and maintaining, in law and in practice, a safe and enabling environment*. Available at <https://www.right-docs.org/doc/a-hrc-res-24-21/>

Transnational Institute. (2017). *On "shrinking space"*. Available at <https://www.tni.org/en/publication/on-shrinking-space>.

Youngs, Richard & Echagüe, Ana (2017). *Shrinking Space for Civil Society: The EU Response*. Brussels: European Parliament. Available at: [https://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU\(2017\)57803_9_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2017/578039/EXPO_STU(2017)57803_9_EN.pdf)

Williamson, Howard (2017) *Supporting young people in Europe looking to the future*. Available at <https://rm.coe.int/supporting-young-people-in-europe-looking-to-the-future/1680739f47>.

Appendix 1. Inventory of documents related to young people's access to rights

Inventory of documents related to young people's access to rights, including removing legal, administrative and practical obstacles to the right of young people to assemble peacefully and to freely form, join and be active in associations and trade unions
(Article I.2. of the Recommendation)

Council of Europe resources

Braziené, R. and Garcia Lopez, M. (2019) [Review of the implementation of the ENTER! Recommendation](#). Desk research Surveys, Focus groups.

Council of Europe (2016) [Recommendation on young people's access to rights](#)

Council of Europe (2018) [Guidelines on the implementation of Committee of Ministers' Recommendation on young people's access to rights](#)

Council of Europe (2020) [Resolution on the Council of Europe youth sector strategy 2030](#)

Council of Europe [Compendium of Council of Europe documents related to youth NGOs and youth participation](#)

European Union resources

EU Charter of Fundamental Rights. Freedoms. Article 12 - Freedom of assembly and of association: [Case law references](#)

European Commission (2018) [Engaging, Connecting and Empowering young people: a new EU Youth Strategy](#)

Council of Europe (2018) [Recommendation of the Committee of Ministers to member States on the need to strengthen the protection and promotion of civil society space in Europe](#)

EACEA (nd) [National Policies Platform](#), section on Youth-targeted information campaigns about democratic rights and democratic values

Fundamental Rights Agency (2017). [Challenges Facing Civil Society Organisations Working on Human Rights in the EU](#).
Brussels: FRA.

[ProtectDefenders.eu](#) is the European Union Human Rights Defenders mechanism, established to protect defenders at high risk and facing the most difficult situations worldwide. Led by a Consortium of 12 NGOs active in the field of Human Rights

Legal instruments on Art. I.2. of the Recommendation (domestic)

- [National constitutional laws](#) in the EU related to Freedom of assembly and of association
- [Russia](#) – Articles 30 and 31 of the [Constitution of Russia](#) guarantee the freedom of association and peaceful assembly.
- [Turkey](#) – Articles 33 and 34 of the [Constitution of Turkey](#) guarantee the freedom of association and assembly.

European Trade Union Confederation

Cha. M., Dupuy, C.; Holgate, J.; Simms, M.; Tapia, M. (2019) [Unions are only as old as they feel: lessons on young worker engagement from the UK, France, Germany and the US](#). ETUI Policy Brief. ETUI. 2/2019.

Jansson, J.; Uba, K. The untapped possibilities of YouTube as a trade union tool. ETUI Policy Brief. ETUI. 7/2018.

Pasquier, V.; Wood, A. [The power of social media as a labour campaigning tool: lessons from OUR Walmart and the Fight for 15](#). ETUI Policy Brief. ETUI. 10/2018.

Marra, S., Akdoğan, D., Aydin, T. (2016). YOUTH IN UNIONS, UNIONS FOR YOUTH - A practical guide to trade unions in Europe and Turkey for young people. ETUC. Brussels.

Coatman, Claire (2020) [The missing half million. How unions can transform themselves to be a movement of young workers](#). Report from TUC, 01/2020

United Nations

The [Office of the High Commissioner for Human Rights](#) (OHCHR): Mandate of the Special Rapporteur on the rights to freedom of peaceful assembly and of association:

- [Ukraine](#) (2020)
- [Poland](#) (2018)
- [Poland](#) _ Reply of the Polish Government to the joint communication from the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly.

UN (2018) [Youth and human rights. Report of the United Nations High Commissioner for Human Rights](#)

Organisation for Security and Co-operation

OSCE (2019) [Report Monitoring of Freedom of Peaceful Assembly in Selected OSCE Participating States](#)

Office of the High Commissioner for Human Rights

Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on the situation of human rights defenders: [Poland](#), [Ukraine](#).

Leading International civil organisations reports (incl. shadow reports, policy briefs)

European Youth Forum (2018) [Regional Consultation on Youth and Human Rights Organised by the European Youth Forum and the Office of the UN High Commissioner for Human Rights, Report](#)

European Youth Forum (2020) [Diversity and Inclusion Guidelines](#)

European Youth Forum (2017) [Youth Progress Index FULL REPORT](#)

European Youth Forum (2018a) [REPORT of the consultative meeting Shrinking space for civil society: the impact on young people and their organisations](#)

European Youth Information and Counselling Agency (2018b) [European Youth Information Charter](#)

European Youth Forum (2019a) [Checklist #ForYouthRights](#)

European Youth Forum (2019b) [Resolution on Combating shrinking space with expanding opportunities for youth organisations, national youth councils and international non-governmental youth organisations](#)

European Youth Forum (2020) [Safeguarding Civic Space for Young People in Europe](#)

Human Rights Watch (2017). 2017 [World Report. New York: Human Rights Watch](#).

CONCORD (2018). [Analysis and Recommendations on the Promotion of Civic Space and Enabling Environment in EU External Action](#). Brussels: European NGO Confederation for Relief and Development (CONCORD).

ICNL (2018). [Effective Donor Responses to the Challenges of Closing Civic Space](#). Washington, DC: International Center for Not-for-Profit Law.

[The International Centre for Not-for-Profit Law](#) (ICNL) is the leading source for information and monitoring on the legal environment for civil society and public participation around the world.

It systematically collects data and carries out analyses on the number of countries affected by closing civic space and the most frequent type of restrictions applied by governments.

[Human Rights House Foundation](#) reports and news on rights defenders, freedom of association, freedom of expression and assembly in 11 CoE countries: [Armenia, Azerbaijan, Belarus, Croatia, Georgia, Norway, Poland, Russian Federation, Serbia, Ukraine, United Kingdom](#).

Organisations providing regional/ country updates on the state of human rights, including freedom of association

[Balkan Civil Society Development Network \(BCSDN\)](#)

[European Civic Forum \(ECF\)](#)

[International Partnership for Human Rights \(IPHR\)](#)

[Civil Liberties Union for Europe \(LIBERTIES\)](#)

[Liberties](#)

[SOLIDAR](#)

CIVICUS (2017) [CIVICUS Monitor](#): Tracking Civic Space and [CSI Reports](#): France

European Center for Not-for-Profit-Law (2020) [When and how can associations be dissolved? Permissible limitations on freedom of association under international human rights law](#)

USAid, ICNL, fhi360 (2020) [CIVIL SOCIETY ORGANIZATION SUSTAINABILITY INDEX FOR CENTRAL AND EASTERN EUROPE AND EURASIA](#)

Potential examples of good practice

ERYICA Series of good practice in youth information:

- [2020](#)

- [2018](#)

Civicus [Youth participation toolkit for civil society organisations](#)

The Swedish International Development Cooperation Agency (2018) [Effective to the Challenge of Closing Civic Space](#)

Research

Bossuyt, J. and Ronceray, M. (2020) [Claiming back civic space Towards approaches fit for the 2020s?](#) ECDPM.

Buyse, Antoine (2018). [Squeezing Civic Space: Restrictions on Civil Society organisations and the Linkages with Human Rights](#), *The International Journal of Human Rights*, 14(5), pp. 1–23.

Crowley Anne and Moxon, Dan (2017) [New and innovative forms of youth participation in decision-making processes](#). EU-CoE Youth Partnership

Dežela, Tomaž et al. (2020) [Safeguarding civic space for young people in Europe](#). European Youth Forum

EU-CoE partnership. [Compendium “The future of young people’s political participation: questions, challenges and opportunities”](#)

Kreienkamp, Julia (2017). ‘[Responding to the Global Crackdown on Civil Society](#)’ (Policy Brief, Global Governance Institute)

Lisney, John & Krylova, Petra (2018). [Youth Progress Index 2017: Measuring Young People’s Social Progress Globally](#). Brussels: European Youth Forum.

Transnational Institute (2017). [On “shrinking space” a framing paper](#)

Additional sources for reference

[The International Centre for Not-for-Profit Law](#) (ICNL) is the leading source for information and monitoring on the legal environment for civil society and public participation around the world. It systematically collects data and carries out analyses on the number of countries affected by closing civic space and the most frequent type of restrictions applied by governments.

[European Implementation Network](#) maps the implementation of leading judgments from the European Court of Human Rights in **47** states are signatories of the European Convention on Human Rights - every country in Europe except Belarus. Some judgements refer to the legal, administrative and practical obstacles to the right to assemble peacefully and to freely form, join and be active in associations and trade unions.

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