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Youth human rights at risk during the crisis

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Young people have been one of the groups hardest hit by the economic crisis in Europe, with youth unemployment being the most common pathology of many countries implementing austerity measures. However, it is not only the social and economic rights of young people that are being undermined, but also their right to equal treatment, their right to participation, and their place in society, and more broadly, in Europe. Due to chronic unemployment, many young people are losing hope in the future of their countries, their faith in the political elite, and their belief in Europe. A rights-based approach should replace the current neglect of young people in discussions about the crisis.

Youth unemployment and labour standards

In March 2014, the [youth unemployment rate](#) (under 25 years) was 22.8% in the 28 members of the Council of Europe that are also European Union countries. The highest levels were recorded in Greece (56.8%), Spain (53.9%) and Croatia (49.0%). The youth unemployment rate in the EU was more than twice as high as the general average rate of 10.5%. Among other European countries, youth unemployment exceeded the 50% rate in 2013 in Bosnia and Herzegovina, Serbia and “the former Yugoslav Republic of Macedonia” according to the [ILO](#).

While youth unemployment is a major concern, increasing attention is also being paid to the rising number of young people who are not in employment, education or training (so-called “NEETs”). A report by [Eurofound](#) put their number in 2011 at 14 million, or 15.4% of the EU population aged between 15-29 years. In Bulgaria, Ireland, Italy and Spain the figures were higher than 20%. A [Eurobarometer survey](#) published in April found that more than half of young Europeans felt young people had been marginalised and excluded from social and economic life by the crisis.

The hurdles young people face in their transition from education to work can have long-term negative effects and impact their enjoyment of human rights. It is particularly difficult to reach NEETs and integrate them in the labour market. We risk producing a “lost generation” of disillusioned young people with serious consequences for inter-generational solidarity, social cohesion and political stability. Measures tackling youth and long-term unemployment should be given priority in labour policies, as I have stated in a recently published [Issue Paper](#) on the crisis.

Any temptation to lower labour standards and social protection when employing young people must be resisted. Schemes to work as an intern or an apprentice should not be abused in this respect. The [European Committee of Social Rights](#) has upheld a collective complaint against Greece about the rights of apprentices. It found violations of the European Social Charter in the fact that ‘special apprenticeship contracts’ had established a distinct category of workers who were excluded from the general range of protection offered by the social security system. There had also been age discrimination in remuneration as young people’s minimum wage had been set substantially lower than that of the general population, in fact falling under the poverty line.

Rights-based approach

Young people are not only concerned about unemployment, poverty and financial autonomy. The [European Youth Forum](#) has also highlighted the rights to education, participation and non-discrimination, the freedoms of expression, religion and movement, and the right to a healthy life and reproductive rights. The European youth movement is advocating a rights-based approach towards young people and raises awareness of the lack of specific attention afforded to young people in most European and international human rights instruments.

Although the European Convention on Human Rights does not have explicit provisions on young people, it protects the human rights of all people, including young persons. The case-law of the [European Court of](#)

[Human Rights](#) has covered many issues of interest to young people. Such cases have related, for example, to university education, access to a professional career, conscientious objection, expulsion of second-generation migrants and forced labour.

In contrast, the revised [European Social Charter](#) includes specific references to young people to ensure their social, legal and economic protection along with its general provisions applying to everybody. In addition to young people's labour rights, the European Committee of Social Rights has highlighted positive measures regarding young people's access to adequate housing and the rights to non-discriminatory access to education and professional training, among other issues.

Specific legal instrument

The recent trend in improving protection against [age discrimination](#) has highlighted questions about young people's enjoyment of human rights. New age-based human rights instruments are under consideration following the existing model of the UN Convention on the Rights of the Child. In the UN, the preparation of a convention on the rights of older persons is being discussed and the Council of Europe Committee of Ministers has already adopted a [Recommendation](#) on the topic. The [Parliamentary Assembly](#) of the Council of Europe has proposed the preparation of a binding legal framework on young people's access to fundamental rights.

It is essential that young people can exercise their right to participation in the elaboration of legal instruments related to them. At the same time, we have to stress the fact that existing human rights instruments do apply to young people even when they don't include specific references to young persons.

Empowering young persons

Young people should be empowered to assert their rights. This requires strengthening awareness of human rights and opportunities for effective participation in social, economic, cultural and political life. We have to be sure that being young does not become an obstacle to the full exercise of human rights during the crisis and that young people can participate in national decision-making to voice their needs, hopes and fears. Ombudspersons, equality bodies and human rights commissions should also reach out to young persons so that their concerns and complaints can be addressed. Governments should not only view young people as holding keys to our future but recognise their rights and role in Europe today.

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