



SECRETARIAT WORKING PARTY

TASK-FORCE
ON THE
" INTERGOVERNMENTAL CONFERENCE "

WORKING PARTY SECRETARIAT

JF/bo/267/97

Luxembourg, 10 March 1997

No 44
BRIEFING
ON
YOUTH AND THE IGC

PE 166.673
Or. EN

These Briefings have been drafted by the Parliament Secretariat Task Force on the Intergovernmental Conference. Their purpose is to gather together, in an organized, summary form, the proposals and suggestions which the authorities in the Member States, the Union's institutions and specialist commentators have put forward on the issues likely to be on the IGC/96 agenda. Briefings will be updated as negotiations proceed.

Already out:

1. The Court of Justice
2. The Commission
3. The Court of Auditors, ESC and COR
4. Differentiated integration
5. The common foreign and security policy
6. The role of the national parliaments
7. The hierarchy of Community acts
8. Codecision procedure
9. CJHA
10. European citizenship
11. WEU, security and defence
12. Public services
13. Social policy
14. The European Parliament
15. The European Council
16. The Council of the European Union
17. The budget and the IGC
18. The IGC and transparency
19. Subsidiarity and the allocation of powers
20. The Union's legal personality and external representation
21. Commitology
22. Fundamental rights
23. The IGC and the democratic nature of the Union
24. The coherence of the external action of the EU under the first (Community) and second (CFSP) pillars
25. The 1996 IGC and the effectiveness of the Union
26. Europol
27. The IGC and the Schengen Convention
28. Combating fraud
29. Energy Policy
30. Tourism and the IGC
31. Economic and social cohesion
32. European environmental policy and the IGC
33. The common agricultural policy and the IGC
34. Civil protection and the IGC
35. Non-discrimination on sexual grounds
36. EU enlargement
37. Employment and the IGC
38. The IGC and Economic and Monetary union
39. Asylum and immigration policy
40. Social exclusion and the IGC
41. Children and the IGC
42. Fight against drugs and the IGC
43. The IGC and the fight against racism
44. Youth and the IGC

**BRIEFING
ON
YOUTH AND THE IGC**

Contents

I.	INTRODUCTION	4
II.	POSITIONS ADOPTED BY INSTITUTIONS OF THE EU	5
1.	European Council	5
2.	Reflection Group	6
3.	Presidencies of the European Council	6
3.1.	Italian Presidency	6
3.2.	Irish Presidency	7
3.3.	Dutch Presidency	8
4.	Council of the Union	8
5.	European Commission	8
6.	European Parliament	9
III.	POSITIONS ADOPTED BY MEMBER STATES OF THE EU	10
1.	Austria	11
2.	Belgium	11
3.	Denmark	11
4.	Finland	11
5.	France	11
6.	Germany	12
7.	Greece	12
8.	Ireland	12
9.	Italy	12
10.	Luxemburg	13
11.	The Netherlands	13
12.	Portugal	13
13.	Spain	14
14.	Sweden	14
15.	United Kingdom	14
IV.	POSITIONS ADOPTED BY YOUTH ORGANIZATIONS	15
1.	European Youth Forum	15
2.	European Forum for Child Welfare	17
3.	National Youth Council of Ireland	18
4.	Deutscher Bundesjugendring	18
V.	ANNEX: EU-ACTIVITIES IN THE FIELD OF YOUTH	19

BRIEFING ON YOUTH AND THE IGC

I. INTRODUCTION

On 29 March 1996 the Turin European Council officially opened the 1996 Intergovernmental Conference (IGC). Its purpose is to examine the revision of the Treaties and to adapt the policies, institutions and decision-making procedures of the European Union to the internal and external challenges of the future.

Extensive negotiations about the expansion of Community competences are not envisaged. Nevertheless the agenda leaves room for dealing with the EU's competence in the field of youth policy. Any Member State is free to take the initiative in this direction. Given the fact, however, that the timetable of the IGC is rather restricted - the Dublin European Council in October 1996 decided to conclude the negotiations in June 1997 - it is unlikely, that youth policy is going to play more than a marginal role. So far, only the governments of Spain and Sweden have submitted explicit statements related to this policy area.

The aim of this briefing is to provide a collection of the positions adopted by the institutions of the European Union, the fifteen Member States, and of youth organizations related to their priorities in the IGC and to the topic of youth. Depending on the nature and the content of the relevant documents the important passages are either quoted or summarized.

The briefing deals with youth policy in its strict meaning, that is youth policy based on Art. 126 of the Maastricht Treaty on European Union (TEU). "Indirect" youth policy, e.g. in the fields of employment and education, can not be taken into account, since this would not fit into the framework of the briefing. The Annex, however, which quotes Art. 126 TEU and gives a very brief account on what has happened on youth in the framework of the EU so far, takes a broader perspective.

European and national youth organizations lobbied heavily in order to make national governments place the issue of a stronger EU youth policy on the agenda of the 1996 IGC. On the whole, however, the interest in revising the TEU in this area is very limited, and it is clear that youth policy is not a major issue in the discussions among the national delegations.

II. POSITIONS ADOPTED BY INSTITUTIONS OF THE EU

All the actors referred to in this chapter agree that the IGC has to concentrate on a certain range of tasks in order to be successful. Youth policy is not one of these tasks. Only the European Parliament is explicitly in favour of strengthening the Union's competence in this area.

1. European Council

Madrid European Council of 15 and 16 December 1995, Presidency Conclusions

[...]

1. The European Council received with great interest the Report by the Reflection Group, [...]. It considers that the guidelines distilled within the Group, following a thorough analysis of the internal and external challenges facing the Union and the possible responses, constitute a good basis for the work of the Conference.

2. [...] The European Council also reaffirms the guidelines laid down at its Cannes meeting. The Intergovernmental Conference will, in general, have to examine the improvements which will have to be made to the Treaties to bring the Union into line with today's realities and tomorrow's requirements, in the light of the outcome of the Reflection Group's proceedings.

[...]

Turin European Council of 29 March 1996, Presidency Conclusions

[...]

The Heads of State consider that the Conference should, in the light of the Reflection Group's report and without prejudice to other questions which might be raised during the Conference, mainly focus its work on the areas described hereafter,

1. A Union closer to its citizens

[...]

2. The Institutions in a more democratic and efficient Union

[...]

3. A strengthened capacity for external action of the Union

[...]

Florence European Council of 21 and 22 June 1996, Presidency Conclusions

[...]

The Conference can turn now to seeking balanced solutions to the main political issues raised.

[...]

In this perspective, the European Council asks that a general outline for a draft revision of the Treaties be prepared by the Irish Presidency for the Dublin meeting, addressing in particular the following areas:

1. bringing the Union closer to its citizens [...]
2. strengthening and enlarging the scope of the Union's common foreign and security policy [...]
3. and, finally, assessing, also in view of enlargement, the good functioning of Institutions while respecting their balance, and the efficiency of the decision-making process [...]

Dublin European Council of 13 and 14 December 1996, Presidency Conclusions

[...]

The European Council welcomed the general outline for a draft revision of the Treaties submitted by the Presidency. This makes it possible for the negotiations to move now into their final phase.

[...]

2. Reflection Group

Reflection Group Report of 5 December 1995

[...]

- The fifth indent of Article B makes clear that, to maintain in full the "acquis communautaire" and build on it, the Conference will have to analyse to what extent "the policies and forms of cooperation introduced by this Treaty may need to be revised with the aim of ensuring the effectiveness of the mechanisms and the institutions of the Community";[...].

[...]

140. The general feeling within the Group is that the Community should try to do not more but better.

[...]

3. Presidencies of the European Council

3.1. Italian Presidency (January-June 1996)

Priorities of the Italian Presidency of the Council of the European Union, January 1996

[...]

European citizens must once more be able to look to the Union as a guarantor of freedom and security, as well as an authority able to foster the development of individual and

collective identities. In recent years the European Union's action in sectors of high symbolic value such as Culture, Youth, Education, Tourism, and Health seems to have been shackled by an excessively mechanistic concept of the principle of subsidiarity, a principle which is of course fundamental. The Italian Presidency considers that action in these sectors should be more decisive and higher in profile, taking full account of the expectations of European citizens and the fundamental commitment to the achievement of an ever closer Union between the peoples of the Member States.

[...]

Progress Report on the Intergovernmental Conference from the Italian Presidency to the European Council, 17 June 1996

[...]

It has been suggested that new Treaty provisions should be introduced, or existing ones fleshed out, in the following areas: the fight against drugs; social exclusion; the outermost regions; island regions; animal welfare and protection; the application of competition rules to agriculture (Article 42); reform of the common fisheries policy; sport; consumer protection; creation of a European office for restrictive practices; the possibility that the Community might support privately-financed projects of common interest in the context of trans-European networks (Article 129c); the situation of Churches in the Union.

[...]

3.2. Irish Presidency (July-December 1996)

The European Union today and tomorrow. Adapting the European Union for the benefit of its peoples and preparing it for the future. A general outline for a draft version of the Treaties. Dublin II, Brussels, 5 December 1996

INTRODUCTION TO THE DOCUMENT

The Presidency submits herewith a general outline for a draft revision of the Treaties as requested by the European Council in Florence.

The document addresses the particular aims identified by the European Council. [...] Delegations remain free to advocate their own proposals and to press their concerns in further negotiations. [...]

The Conference has also received submissions proposing that the provisions of the Treaty in relation to youth policy should be developed.

[...]

Priorities for the Irish Presidency of the Council of the European Union, 5 July 1996

[...]

In the area of Youth Affairs, the Presidency will explore the participation of young people in society with particular emphasis on participation within local structures.

[...]

3.3. Dutch Presidency (January-June 1997)

Priorities for the Dutch Presidency of the European Council, 15 January 1997

[...] the (Dublin) outline (for a draft revision of the Treaties) reflects the fact that ideas and opinions are still considerably divided, particularly in the complex areas of institutional reform and enhanced cooperation/ flexibility. These issues touch upon the structure of the Union itself, a structure which will come under great pressure when the EU enlarges its membership if we fail to reform it in time. At the same time, the reforms must make the Union more accessible and democratic. It is up to the IGC to achieve a substantial, cohesive and satisfactory compromise in all these areas. [...] The IGC will also have to pay particular attention to the enhancement of cooperation between judicial authorities and police forces in connection with the free movement of persons, and to the need to strengthen the Union's external action. Finally, energetic steps will be taken to simplify treaty layout [...].

4. Council of the Union

With view to the 1996 IGC the European Council asked all institutions of the EU to produce reports on the operation of the TEU.

Report of 6 April 1995 on the operation of the Treaty on European Union

[...]

48. The TEU laid new foundations for Community action in the areas of trans-European networks, education, vocational training and youth, culture, public health, consumer protection and industry.

Most of the new legal bases have already been used. Major texts have been adopted in the form of action programmes on education and vocational training; others, relating particularly to trans-European networks, are in the process of being adopted.

[...]

5. European Commission

Report of 10 May 1995 on the operation of the Treaty on European Union

[...]

115. In line with the preoccupations of several Member States, the Treaty conferred decision-making powers on the Community in a number of areas, many of them directly related to the everyday lives of its citizens, e.g. visa policy (Articles 100c and 100d), education, training, and youth policy (Article 126), consumer protection (Articles 129a) and industry (Articles 130).

In most cases, the Treaty aims to encourage cooperation between the Member States. It expressly rules out harmonization of national provisions (education, youth and training). Either unanimity or majority support is required, depending on the importance of the measures in question, with no clear link to the decision-making procedure (culture and industry).

116. Since only limited use has been made of these new provisions so far, a detailed assessment is not possible. That in no way reduces the possible future importance of Community measures, adopted by a majority and aimed at encouraging cooperation. European measures look set to play an increasingly significant role in the areas referred to above, as can be seen from the Leonardo and Socrates programmes, adopted using the new legal bases.

[...]

Commission Opinion of 28 February 1996, "Reinforcing political union and preparing for enlargement"

Pursuant to Article N of the TEU, the Italian Presidency requested Parliament and the Commission to deliver opinions on the holding of an IGC. This document comprises the Commission's opinion.

The issue of youth is not mentioned. The Commission only identifies social affairs, employment and environmental policy as policy areas to be addressed.

6. European Parliament

Resolution of 17 May 1995 on the operation of the Treaty on European Union with a view to the 1996 Intergovernmental Conference - Implementation and development of the Union

[...]

The Union must strengthen its existing policies.

10. There should be more effective policy making in a number of other key fields;

(xii) The Chapter on education, vocational training and youth should be strengthened in order to focus attention on the rights and interests of children and young people and to provide for account to be taken of the consequences that current policies can have on children and young people and their families.

[...]

Resolution of 13 March 1996 on the European Council in Turin

[...]

2. (The European Parliament) Reaffirms and reiterates its aforementioned resolution of 17 May 1995 as the basis of its position on the IGC; considers that there are a number of key priorities which need to be successfully tackled at the IGC if the outcome is to be worth ratifying;

[...]

4.11. The Union should promote the development of common policies in the sphere of youth;

[...]

14.1. The Union should promote cooperation between Member States to encourage the development of transversal policies in the field of youth.

[...]

Resolution of 17 January 1996 on the general outline for a draft revision of the Treaties

The European Parliament,

- having regard to its previous resolutions of 17 May 1995, 13 March 1996, 14 November 1996 and 11 December 1996,

[...]

C. noting that the Irish Presidency's text pays tribute to the contribution made by the European Parliament to the work of the Intergovernmental Conference through its two observers, but stressing nevertheless that it in no way considers itself bound as an institution by the interim results and that it remains free to make a political assessment during the course of and at the end of the Conference,

[...]

III. POSITIONS ADOPTED BY MEMBER STATES

Only two Member States of the European Union, Spain and Sweden, have taken an explicit position related on youth affairs.

Concerning the other countries, France, Germany, Italy, Ireland, Greece, Luxemburg, Belgium, and Portugal might be willing to discuss a Treaty revision in this field. This is suggested by the tone and/ or content of their official positions and/ or their traditionally pro-integrationist attitude towards European Integration. In contrary, given the tenor of their position papers and their rather intergovernmentalist approach, the governments of Austria, the United Kingdom, the Netherlands, Denmark, and Finland are unlikely to support an extension of Community competences in the field of youth.

The member states are listed in alphabetical order.

1. Austria

1996 Intergovernmental Conference: Fundamental Positions of Austria, 26 March 1996

The Austrian government stresses, that for the time being the focus should not be placed on the expansion, but on the implementation of EU-competences.

2. Belgium

Coordinating their negotiation positions, the three Benelux-countries Belgium, the Netherlands and Luxemburg, produced a joint memorandum stating their aims and intentions concerning the IGC. All of the also produced several memoranda. None of these documents, however, deals with youth affairs.

3. Denmark

Open Europe: The 1996 Intergovernmental Conference. Basis for Negotiations, 11 December 1995

On the whole this paper has an inter-governmentalist tenor, mostly arguing for enhanced intergovernmentalist cooperation and not integration.

While the Danish government is explicitly in favour of strengthening the Community's competences in the areas of employment, environment, social policy and consumer policy, any interest in Art. 126 has not been demonstrated.

4. Finland

Finland's points of departure and objectives at the European Union's Intergovernmental Conference in 1996, Report to the Parliament, 27 February 1996

Except in the fields of civil protection and consumer protection, the Finnish government sees no need for an expansion of Community competences.

5. France

The French government has outlined its IGC priorities in several general and specific documents, notably in two joint Franco-German letters of President Jacques Chirac and Chancellor Helmut Kohl to the Presidency of the European Union. The issue of youth policy, however, is not mentioned in these documents.

6. Germany

Again the issue of youth policy is not mentioned.

German Aims concerning the Intergovernmental Conference, 26 March 1996

This document is more explicit in viewing the agenda of the 1996 IGC in the context of the europolitical Agenda 2000, adopted by the Madrid European Council. The German government argues, that the IGC should not be overloaded, especially since it is not the last stage in the process of European integration.

7. Greece

For a democratic European Union with Political and Social Content. Greece's Contribution to the 1996 Intergovernmental Conference, May 1996

In this contribution to the 1996 IGC the Greek Government argues for the introduction/ expansion of Community competences in several areas: civil defence, energy, tourism, environment, public health, culture, and demographic policy.

Against this background it seems not impossible that the Greek Government would support an expansion of the EU's competence in the field of youth, even though this area is not mentioned.

8. Ireland

On 14 May 1996 the Irsih government issued "The European Union and the New Europe, Ireland's Contribution to the Intergovernmental Conference 1996". This extensive memorandum does not mention youth policy.

9. Italy

The Italian Government did not produce a proposal with regard to Article 126. However, it demonstrated its concern for youth affairs with an explicit statement in its "Priorities" for its Presidency of the European Council (see above) as well as within the context of employment.

Position of the Italian Government on the Intergovernmental Conference for the Revision of the Treaties, Rome 16 March 1996

[...]

Now is the time to reaffirm our convictions and to indicate the Europe we want. In keeping with the pro-Europe commitment which has always distinguished the action of Italy's main political, economic and social forces, the Government intends to reiterate its commitment to strengthening the process of European Integration [...].

[...]

[d] Employment will have to be one of the Conference's key points. Youth unemployment and long-term unemployment could have seriously corrosive effects at a political and social level, excluding entire generations from the world of work. Italy therefore believes that the next Treaty should include a chapter on employment, establishing the Member States' commitment to a better coordination of their labour policies, on the basis of certain strategic guidelines already largely agreed at the European Councils in Essen and Cannes. [...]

10. Luxemburg

Aide-mémoire du Gouvernement luxembourgeoise sur la Conférence Intergouvernemental de 1996, Luxembourg, le 30 juin 1995

In this memorandum the government of Luxemburg stresses that, in order to eradicate nationalism, the Union should not only integrate with regard to economic and social affairs, but also in the field of cultural affairs. In any case, no reference is done concerning the field of the youth.

11. Netherlands

Between Madrid and Turin: Dutch priorities on the eve of the 1996 IGC, March 1996

The dutch government stresses the point that the IGC on the true priorities. Otherwise it would be difficult to conclude the IGC in a satisfactory manner.

12. Portugal

The programmatic memorandum of Portugal issued in March 1996 gives the impression that Portugal could be in favour of strengthening Article 126.

Portugal and the Inter-Governmental Conference for the Revision of the Treaty on European Union, Lisbon, March 1996

[...]

Portugal continues to favour the deepening of the European integration process and defend a positive and dynamic interpretation of the principle of subsidiarity, considering as fundamental the respect for the Community acquis which the new enlargements must not jeopardise.

[...]

Indeed we consider that the Community system is now suffering form a degree of internal imbalance which needs to be corrected, an imbalance between the Internal market and the respective follow-up policies which could advantageously be strengthened.

[...]

13. Spain

Stressing the importance of voluntary service for the social cohesion and the civic spirit of the EU, Spain in September 1996 proposed the inclusion in the TEU of a specific legal basis for voluntary service. It argues that Article 126 and 127 which have so far been used as the basis for activities in this field are not adequate because of the special characteristics of voluntary service.

The Spanish Government believes that Community action should aim at developing the European dimension in voluntary service activities, particularly through the exchange of information and experience; by promoting the cooperation between voluntary organizations and undertakings; by encouraging the participation of European citizens, especially the young and elderly, in voluntary work.

14. Sweden

Written Communication of the Government: The 1996 Intergovernmental Conference of the European Union

This document stresses that the mandate of the European Union in the field of youth is very limited. The government demands that, in order to exploit the manifold opportunities provided by the single market, measures should be envisaged to strengthen the possibilities of transnational cooperation. The Swedish government does also attach special importance to the issue of youth unemployment.

15. United Kingdom

The UK opposes the notion of transferring additional competences to the European level.

A Partnership of Nations. The British Approach to the European Union Intergovernmental Conference 1996, March 1995

[...] The Government is clear about the sort of Union it believes in. We are committed to the success of the European Union, and to playing a positive role in achieving that success. We are confident that it can be achieved if the EU develops as a Union of nations cooperating together under Treaties freely entered into and approved by the national Parliaments of every Member State; a Union which respects cultural and political diversity; which concentrates single-mindedly on what needs to be done at a European level, and doing it well; which does not interfere where it is not needed; and which is outward-looking, freetrading, democratic and flexible. We shall not accept harmonisation for its own sake, or further European integration which is driven by ideology rather than the prospect of practical benefit. [...] Common European decision-making, as opposed to cooperation, can only be justified where it brings benefits for British security, prosperity and quality of life which are so significant that they justify some loss of unfettered national control over decision-making in the area concerned, or where common action enables nation states to exercise joint control which is not open to them individually. [...]

IV. POSITIONS ADOPTED BY YOUTH ORGANIZATIONS

European youth organizations lobbied intensively for youth affairs becoming an issue in the 1996 IGC. As the number of youth organizations involved in this lobbying is almost infinite, only four organizations shall be mentioned in this briefing:

- the European Youth Forum, which is the representation of a large number of national governmental and non-governmental youth organizations at the European level;
- the European Forum for Child Welfare, which is a regional group of the International Forum for Child Welfare;
- National Youth Forum of Ireland;
- Deutscher Bundesjugendring.

To the last two organizations it is referred to as two examples of national youth organizations.

1. European Youth Forum

Directed at the Heads of State and Government, the European Youth Forum issued a declaration, proposing the inclusion of a "Chartes des Droits des Jeunes" as well as the introduction of a new Article 126 bis into the revised treaty.

Declaration to the Heads of State and the heads of Government of th European Union on the occasion of the 1996 Intergovernmental Conference.

[...]

The Europe in which we live faces serious problems. High unemployment, notably among young people, and increasing numbers of young citizens living in a marginalized situation are a threat to the coherence of our societies.

[...]

In the future, European debates and decision-making need to be open and transparent, and relevant information on the Union's policies should reach all citizens. Young people have the right to know in what way their future is determined. Young people are eager and committed to participate in the debates on Europe's future. Young people should be listened to and given the right to express themselves at all levels, particularly, because of its great importance, in the IGC.

[...]

Young people demand improvement of livign conditions, propoer education for all and access to the labour market. We believe that this can be ensured when the European Union develops a global and integrated youth policy, complementary to and reinforcing the existing national policies. The policy needs to foster mutual understanding and transnational cooperation in Europe and beyond.

The rights of citizens in the European Union need to be clarified and improved. The IGC should produce a Charter of Citizens Rights, which should be binding for governments an the EU institutions. This Charter should also include specific youth rights. The EU should adhere to the UN Convention on Children's Rights.

[...]

The European Union must never become a fortress but be open to and active in the outside world. Youth organisations expect the European Union to admit the applicant countries in Central and Eastern Europe, and Malta and Cyprus, just as we have already included representatives of these countries in our structures.

[...]

Article 126 bis

1. The Union recognises the important role which young people have to play in European construction. It shall defend the interests of all young Europeans in the European Union without discrimination, [...]

2. The Union shall implement a global youth policy which takes a coherent view of the different social, economic and cultural factors which can influence the personal and professional development of young people. The interests of young people shall be taken into consideration in the definition and implementation of other Union policies, in particular:

- policies on education and training;
- social policy;
- employment policy;
- health policy;
- environment policy;
- policies against racism, xenophobia, antisemitism and other forms of intolerance;
- policies to encourage equal opportunities between men and women.

3. The Union shall develop and improve education, training and youth exchange programmes.

It shall take active measures to make participation in such programmes democratic and to encourage the involvement of disadvantaged young people.

4. The Union and the Member States shall foster cooperation with third countries, with a view to promoting understanding and tolerance between young people in Europe and young people from other parts of the world.

5. The Union shall endeavour to involve young people in the European Union directly and actively in European construction. To this end, it will:

a. develop an active information policy, geared to young people's needs and interests. This information shall be made understandable and accessible to young people from all social and educational backgrounds. Particular importance will be placed on the need to provide adequate information on youth rights.

b. consult regularly with representatives of youth organisations on all policies and programmes relating to young people. National governments will also consult in a similar way with the relevant youth structures at Member State level.

c. ensure that all European programmes affecting young people are managed in partnership with youth organisations at both European and national level.

6. The Union shall incorporate in a Citizens' Rights Charter specific provisions concerning Youth Rights.

2. European Forum for Child Welfare

Revision of the Maastricht Treaty. Statement by the European Forum for Child Welfare (EFCW)

[...]

If the European Union is to be truly inclusive it must concern itself with the impact of any negative consequence of its policies or strategies on specific sectors or groups within the Union. Specifically children may be adversely affected by unintended consequences of, for example, the movement of labour; social security regulations and child maintenance; rights of residence for families. [...] these issues are essentially transnational in effect and cannot be resolved by Member States acting alone.

[...]

REVISION OF THE MAASTRICHT TREATY IN 1996

1. Amendment to Article 3, new indent after (p)

"measures to strengthen the equality of all citizens irrespective of age, sex, ethnicity or disability."

[...]

2. Amendment to Article 8, new third paragraph

"Children shall have the rights of citizens of the Union other than those excluded to minors by law."

[...]

3. Amendment to Article 126, new paragraph after (2)

"2(a) The Community and the Member States shall pay particular attention to the rights and interests of children and young people including their healthy development."

[...]

4. Amendment to Article 128, new paragraph after (2)

"The Community and Member States shall foster the interests and rights of children and young people, including how these relate to their cultural heritage."

[...]

3. National Youth Council of Ireland

Paper suggesting amendment to the EC Treaty by the National Youth Council of Ireland, 15 November 1996

Insert at Chapter 3 - Education, Vocational Training and Youth, Article 126

"The Union recognises the important role which young people have to play in European construction and the importance of giving young people a sense of ownership of the Union's structure through direct participation.

The Union recognises its role in protecting young people from exploitation.

The Union shall endeavour to involve people directly and actively in the structures of the European Union. To this end it will:

- Develop exchanges of information and experiences on issues related on youth and youth policy between Member States.
- Develop a coherent policy on youth related on all community actions.
- Prioritise the development and dissemination of understandable and accessible information to empower young people with the knowledge and ability to achieve this objective.
- Consult regularly with youth organisations on policies relating to young people.
- Ensure that all European programmes affecting young people are managed in partnership with young people."

4. Deutscher Bundesjugendring

Statement of the Deutscher Bundesjugendring concerning the 1996 Intergovernmental Conference, 8 May 1996

This youth organisation demands that:

- young people get the opportunity to participate in the IGC and to obtain adequate information about it;
 - the opinions of youth organisations and their members are taken into account in the IGC;
 - that youth organizations are consulted on a regular basis in all matters concerning youth affairs, for example by way of a procedure similar to Art. 3 of the Social Protocol of the Maastricht Treaty regarding the social partners;
 - youth rights are incorporated in the Maastricht Treaty as proposed by the European Youth Forum;
 - the fight against unemployment, especially youth unemployment, becomes an issue of high priority;
 - structural funds include options for the funding of projects in youth affairs;
 - the principle of subsidiarity is taken into account;
 - that the free movement of young people in Europe is simplified;
- The inclusion in Art. 126 of new tasks in the field of youth is opposed.

V. ANNEX: EU-ACTIVITIES IN THE FIELD OF YOUTH

The Maastricht Treaty on European Union conferred an explicit competence to the Community to take action in the field of youth. Article 126 of the Maastricht Treaty (Chapter 3, education, vocational training and youth) states:

" 1. The Community shall contribute to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action, while fully respecting the responsibility of the Member States for the content of teaching and the organization of education systems and their cultural and linguistic diversity.

2. Community action shall be aimed at:

- developing the European dimension in education, particularly through the teaching and dissemination of the languages of the Member States;
- encouraging mobility of students and teachers, inter alia by encouraging the academic recognition of diplomas and periods of study;
- promoting cooperation between educational establishments;
- developing exchanges of information and experience on issues common to the education systems of the Member States;
- encouraging the development of youth exchanges and of exchanges of socio-educational instructors;
- encouraging the development of distance education.

3. The Community and the Member States shall foster cooperation with third countries and the competent international organizations in the field of education, in particular with the Council of Europe.

4. In order to contribute to the achievement of the objectives referred to in this article, the Council:

- acting in accordance with the procedure referred to in Article 189b, after consulting the Economic and Social Committee and the Committee of the Regions, shall adopt incentive measures, excluding any harmonization of the laws and regulations of the Member States;
- acting by a qualified majority on a proposal from the Commission, shall adopt recommendations."

However, already before this provision was introduced the Community became active in youth affairs, especially in the closely related fields of primary and secondary education and improving the situation of unemployed young people.

Youth

On 16 June 1988 the Community adopted "Youth for Europe", which is an action programme designed to promote transnational youth exchanges in the Community, and

by this to contribute to the educational process of all young people outside educational systems. The idea is to:

- create the opportunity to gain understanding of the economic and cultural life of other Member States through direct contact with the host country;
- establish cooperative relationships between groups from different Member States;
- exchange ideas and identifying common interests with other Member States and develop an awareness of belonging to Europe.

This programme was extended twice, on 29 July 1991 and on 14 March 1995, the last time on the basis of Article 126.

Besides the project of a transnational voluntary service scheme for young people should be mentioned. Based on a proposal of the European Parliament issued on 22 October 1995 it is now being put in operation by the European Commission.

Education

In 1973 the Commission presented a working programme on research and education, in June 1974 the Ministers of Education set up an Education Committee, on 6 February 1976 they adopted a programme of action at both Member State and Community level. It covered the following fields:

- the education and training of nationals and the children of nationals of other Member States of the Community and of non-member countries;
- closer relation between educational systems;
- documentation and statistics;
- cooperation in the field of higher education;
- the teaching of foreign languages;
- equality of opportunity and unrestricted access to all forms of education.

On 25 July 1977 the Council adopted a first directive providing for the adaption of school structures and curricula to the specific needs of migrant workers' children.

On 9 and 20 June 1978 the Commission forwarded to the Council two communications comprising an educational programme intended for all pupils up to 18 years of age covering three main fields:

- the Community in its European context;
- the Community in action;
- the Community in the world context.

In June 1984 the Council of Ministers of Education adopted a number of "conclusions" laying down guidelines for the future in various areas, e.g. in the development of pre-school education, the fight against illiteracy and the reintegration of minorities.

In June 1985 a resolution was adopted setting out an action programme to promote equal opportunities for girls and boys in education and a recommendation on the adoption of measures to provide curricula, teacher training courses and teaching materials with a European dimension.

In the second half of the 1980s a number of important educational programmes was implemented:

a) On 15 June 1987 ERASMUS was launched, the Community action scheme for the mobility of university students aiming at creating a new type of exchange and increase inter-university cooperation in the Community. The first phase ended in 1990, the second one in 1995. Like COMETT II, the second phase of ERASMUS was extended to include the Central and Eastern European Countries via the special programme TEMPUS.

b) On 28 July 1989 LINGUA was introduced for a period of five years. It forms a part of ERASMUS and is designed to improve the linguistic knowledge of students and teachers in the Community. Via TEMPUS it does include the Central and Eastern European Countries, too.

At the beginning of 1995 ERASMUS and LINGUA were incorporated into a single framework, which is called SOCRATES and which includes an additional chapter regarding transnational partnerships between primary and secondary schools (COMENIUS).

Finally, acknowledging the fact that modern information- and communication technology is more and more changing the way we work and learn, the European Union is trying to analyze in detail the implications of these technologies and to develop adequate action-plans promoting the use of them in the field of education. On 2 October 1996, for example, the Commission launched the action-plan "Learning in the Information Society". It aims at fostering the use of multimedia in primary and secondary schools as a means of teaching and providing contacts between pupils in different European countries.

Employment

Since the second half of the 1980s the Community undertook a whole range of initiatives aiming at improving the situation of young people without employment. Some of them were explicitly directed at them, others were formulated more broadly.

At the beginning of 1995 the complicated conglomerate of measures was transformed to a more simple structure comprising only four programmes:

- the programmes PETRA, FORCE, EUROTCH, and COMETT II were transferred to the new programme LEONARDO DA VINCI;
- the programme HORIZON for disabled people continued as EMPLOYMENT-HORIZON;
- the programme NOW for women continued as EMPLOYMENT-NOW

- for young people without any professional qualification the programme EMPLOMENT-YOUTHSTART was introduced, containing parts of the former EUROFORM.

* * * * *

*For further information on this briefing, please contact:
Mr J. Javier FERNANDEZ / Mr Andreas LAUTZ, Task Force "1996 IGC",
Tel. 4300-2758/2442 - Fax: 4300-9027 (LUX).*