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Legal Framework for Youth Policy in the European Union

This article analyzes the key legal acts of the European Union (EU) regulating youth policy, highlighting their distinctive features and strengths, as well as the institutional mechanisms for implementing youth support at the EU level. It is emphasized that within Europe, and particularly within the EU, a governance model of youth policy has been established, characterized by a broad network of institutions and organizations responsible for specific areas of activity. Decisions concerning youth policy are adopted by the Council of Europe and the governing bodies of the EU, with young people themselves actively engaged in discussions and the formulation of recommendations through various institutional platforms. The analysis of EU legal acts on youth policy demonstrates that policymakers recognize young people as one of the most significant social groups in contemporary Europe, actively involving them in policy-making and democratic life. Youth policy in EU Member States is aimed not only at fostering the personal and professional development of young people but also carries an important political dimension. The EU uses youth policy as a tool for consolidating Member States, both institutionally and ideologically. Thus, youth policy is intrinsically linked to the inclusion of young people in democratic institutions and their integration into the political structures of the EU.

Keywords: European Union, political institutions, youth policy, legal framework, EU legal acts.

Віра Бурдяк[1]

Правове забезпечення молодіжної політики в Європейському Союзі

У статті здійснено аналіз основних нормативно-правових актів Європейського Союзу (ЄС), які безпосередньо регулюють молодіжну політику, виявлено їх особливості та сильні сторони; розкриті інституційні механізми реалізації політики у сфері підтримки молоді на рівні ЄС. Автор наголошує, що в Європі, і в межах ЄС, відбувається впровадження в життя моделі управління молодіжною політикою, з розгалуженою мережею інститутів та організацій, які відповідають за конкретні напрями діяльності молодої генерації. Рішення стосовно молодіжної політики зазвичай приймаються на рівні Ради Європи та керівних органів ЄС.

Підкреслено, що ключовим документом, на основі якого реалізується сучасна молодіжна політика в ЄС, є Молодіжна стратегія ЄС 2019-2027 рр. У ній держави-члени ЄС підтверджують, що молоді люди відіграють важливу роль у суспільстві; що вони, попри те, що стикаються з особливими сучасними викликами, прагнуть контролювати своє життя, взаємодіяти з іншими та підтримувати їх.

Молодь країн ЄС активно долучається до обговорення рішень щодо молодіжної політики та вироблення рекомендацій, беручи участь у різних інституційних об'єднаннях та молодіжних громадських організаціях. Аналіз правових актів, які безпосередньо стосуються молодіжної політики ЄС свідчить, що політичні актори залучають молодь до діяльності найбільш важливих соціальних груп населення країн сучасної Європи. Молодіжна політика країн-членів ЄС спрямована не лише на розвиток молоді, але має реальну політичну складову. ЄС згуртовує країни у межах організації та на ідеологічному рівні. Автор доводить, що молодіжна політика значно

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пов'язана із залученням молоді до демократичних інституцій, включенням молодих людей у систему політичних органів ЄС.

Ключові слова: Європейський Союз, політичні інститути, молодіжна політика, правове забезпечення, нормативно-правові акти ЄС.

Problem Statement. In today's world, youth plays a pivotal role in the social, economic, and political development of society. The European Union, as one of the most influential supranational entities, gives significant attention to shaping and implementing an effective youth policy based on the principles of equal opportunities, participation, inclusiveness, and sustainable development. One of the most critical factors in implementing such a policy is its legal framework, which defines young people's rights, establishes institutional support mechanisms, and provides tools for coordination at the level of the EU Member States.

The study of the legal provisions supporting youth policy implementation allows not only an assessment of its current effectiveness, but also an outline of its further development. The relevance of this topic stems from the necessity to examine the legal foundations of EU youth policy, particularly in light of contemporary challenges and threats associated with the large-scale Russian-Ukrainian war, changes in the labor market, social instability, the climate crisis, and digital transformation.

Analysis of Recent Studies. The foundations of the EU youth policy are embedded in the core articles of the Union's treaties, particularly those regulating education and vocational training. Consequently, the primary sources for this study include official documents of the EU and European youth organizations. In addition, the research draws upon the EU "White Paper for European Defense", the official website of the European Youth Parliament, the European Youth Centre in Budapest, as well as case studies from the youth policies of the Republic of Estonia and the Swedish Agency for Youth and Civil Society. Equally important, the analysis incorporates EU Youth Reports on youth participation in national parliaments, and the EU Youth Strategy 2019-2027.

The purpose of this article is to examine the principal legal acts that regulate youth policy in the EU, to identify their distinctive features, strengths, and potential shortcomings. The study also addresses the institutional mechanisms for the policy implementation at the EU level and explores the specific forms of cooperation among Member States in the field of youth support.

Presentation of the Main Material. Today, youth policy has become one of the priority directions of state policy in most developed countries. This is primarily due to the recognition that the younger generation represents not only a vital resource for the future but also a crucial element of present-day society, capable of making a substantial contribution to its transformation, modernization, and comprehensive advancement. For the EU, supporting young people and creating favorable conditions for their development are regarded as integral components of the economic and socio-political stability of the integration union. EU youth policy is grounded in the fundamental principles and legal provisions of European legislation as reflected in the official documents of the European Parliament and the European Council.

In 1993, when the Member States signed the Maastricht Treaty, special attention was given in Articles 126-127 to the Union's role in encouraging youth development, particularly youth exchange programs and access to vocational training. Later, the Lisbon Treaty (which entered into force on 1 December 2009, following ratification by all EU Member States in accordance with their constitutional procedures) reaffirmed the Union's commitment to advancing a Europe-wide policy in the areas of education, professional training, vocational education, youth, and sport. Even earlier, in 1988, within the framework of the Single European Act, Europe launched its first program dedicated exclusively to young people across the continent – "Youth for Europe." The Lisbon Treaty further established that the "legislative foundation for youth policy is Article 165 of the Treaty on the Functioning of the EU (TFEU)"[2].

In analyzing the fundamental legal acts, it is important to consider the Treaty on the Functioning of the EU. Article 149 of this legal document stipulates that a series of international cooperation programs would be implemented within the EU, including those in the field of youth policy. Specifically,

[2] Council of the European Union (2008) Consolidated version of the Treaty on the functioning of the European Union. Available at: https://data.consilium.europa.eu/doc/document/ST-6655-2008-INIT/en/pdf.

it provides that the actions of the Community should be directed toward promoting youth exchanges as well as exchanges of teachers[3].

The key foundational legal documents that have defined the conceptual framework and mechanisms for implementing youth policy in the EU Member States include: "The White Paper on Youth – A New Impetus for European Youth (2001), European Youth Pact (2005), European Commission Communication "Promoting Young People's Full Participation in Education, Employment and Society" (2007), An EU Strategy for Youth – "Investing and Empowering" for 2010-2018, and the EU Strategy for Youth (2019-2027)[4]. Together, these documents laid the foundations for a Europe-wide youth policy and marked significant stages in the conceptual evolution of youth policy within the EU.

The White Paper "A New Impetus for European Youth," outlined the main priority areas for the development of youth policy in Europe in the near future. Among the tasks identified in the White Paper are the application of the open method of coordination in the field of youth policy and the integration of youth-related considerations into other sectoral policies that directly affect young people[5]. The preamble to the document emphasizes that most of the proposals presented in the text are addressed to the Member States and European regions, which bear the primary responsibility for implementing youth-related measures.

The Member States of the EU are expected to create living conditions in which "where young people can see the results of their personal commitment, [where] active citizenship becomes a reality. It is by taking part in the life of schools, neighbourhoods, local districts or associations that young people can acquire the experience and the confidence they need to go a step further, either now or later, in public life – including at European level"[6].

At the same time, the White Paper introduced a new strategy for European cooperation in the field of youth policy, which comprised two key dimensions: the use of the open method of coordination in specific areas of youth policy, and greater consideration of youth-related issues in the implementation of other EU policy domains.

Among the conceptual foundations of youth policy highlighted in the White Paper are two important observations: first, that youth as a life stage now extends over a much longer period; and second, that the social roles of young people have significantly evolved, with individuality becoming much more pronounced. The White Paper also put forward "Four key messages", which can be regarded as goals or priority directions of European youth policy at the beginning of the 21st century: active citizenship of young people; expansion of fields and opportunities for experimentation; development of autonomy and independence among the younger generation; strengthening of European values within the youth environment, with the EU acting as a promoter of shared values[7].

The next key document setting out the conceptual foundations and directions of pan-European youth policy is the European Youth Pact, adopted by the European Council in March 2005. The Pact further developed the ideas introduced in the White Paper, placing strong emphasis on improving the quality of education and vocational training for the younger generation, enhancing opportunities for social mobility, and creating conditions for professional employment and social inclusion of European youth into the socio-political, economic, and cultural processes of Europe. The core areas of youth policy defined in the European Youth Pact include employment, integration, and social development. Similar to the White Paper, the Pact also stresses the importance of encouraging civic engagement among young people and their participation in public life as a crucial element of social adaptation and as a means of addressing existential challenges, including those related to youth policy itself. The adoption of the European Youth Pact marked an important legislative step in the evolution of Euro-

[3] Iacovou, M. (2002). Regional differences in the transition to adulthood. *The Annals of the American Academy of Political and Social Science*. 2002, p. 66.

[4] Youth Partnership (N.d.). EU Youth Strategy 2019-2027. Available at: https://pjp-eu.coe.int/en/web/youth-partnership/recognition-resources/-/asset_publisher/llpkrN7I27by/content/eu-youth-strategy-2019-2027.

[5] European Commission (2001). European Commission White Paper. A New Impetus for European Youth. Available at: https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52001DC0681, p. 5.

[6] Ibid., p. 6.

[7] Ibid., p. 8.

pean youth policy. Whereas the White Paper was regarded more as a conceptual document outlining the vision of future youth policy, the Pact became a binding legal act within the framework of the EU[8].

In 2007, the European Commission issued the Communication "Promoting Young People's Full Participation in Education, Employment and Society", which laid the groundwork for more substantial support for youth through increased funding of educational programs, academic and scientific mobility schemes, and employment opportunities. In April 2009, the European Commission adopted a new EU Youth Strategy for the coming decade. Building on the earlier experience (the White Paper and the European Youth Pact) and recognizing the need to enhance support for youth in light of emerging challenges, the "Strategy for Youth – Investing and Empowering" established a new framework for European youth policy. The document is based on two central premises: first, that youth is one of the most vulnerable social groups, particularly in times of economic crisis; and second, that youth represents Europe's most valuable resource, especially given demographic trends of population ageing[9].

Accordingly, the EU Youth Strategy is structured around a dual approach: "on the one hand, investing in youth by increasing resources for sectors that directly affect young people's well-being; and on the other hand, empowering young people by fostering their potential to contribute to the renewal of society and the realization of European goals and values" [10]. Furthermore, the EU Youth Strategy was developed with an awareness of the broader crises affecting contemporary Europe. As highlighted in the European Commission's 2012 communication on youth issues: "Europe is undergoing a crisis that has hit young Europeans with unprecedented levels of unemployment and the risk of social exclusion and poverty. Europe 2020, the EU strategy for smart, sustainable and inclusive growth, sets the framework for a coordinated European response in order to emerge stronger from the crisis… Europe 2020 focuses strongly on young people"[11].

The key document on the basis of which contemporary youth policy in the EU is implemented is the EU Youth Strategy 2019-2027. In this strategy, EU Member States reaffirm that young people play a vital role in society while also facing specific challenges. They aspire to take control of their own lives, engage with others, and provide support within their communities. The European Youth Strategy is designed to help young people address the challenges they encounter. It involves national, regional, and local authorities, the EU and international organizations, youth councils, youth workers, researchers, civil society organizations, and the broader public. The European youth goals provide a vision of Europe's approach to youth policy, ranging from strengthening the connection between the EU and young people to promoting mental health and well-being[12].

The EU Youth Strategy identifies 11 goals for the development of youth policy in Member States: enabling young people to be the architects of their own lives, supporting their personal development and resilience; encouraging and providing them with the necessary resources to become active citizens; improving policies that affect them, particularly in relation to employment, education, health care, and social inclusion; helping to eradicate poverty among young people and all forms of discrimination; and fostering social integration, among others[13].

At the core of the strategy lie principles such as equality and non-discrimination (fighting discrimination and promoting gender equality); inclusion (acknowledging that young people have diverse needs, lives, and opportunities, and designing policies accordingly); participation (recognizing youth as a resource for society and encouraging their involvement in policymaking and implementation); global dimension (taking into account international, European, national, regional, and local levels of

[8] European Youth Forum Position on a Renewed and Updated European Youth Pact (2005). Available at: https://pjp-eu.coe.int/documents/42128013/47261806/European_Youth_Forum_position_paper_on_a_renewed_and_updated_European_youth_pact.pdf/8223f8c2-f4d5-4e7d-bfc1-5d9fdd8465bd?t=1382945914000

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[10] European Union (2012). 2012 EU Youth Report. Available at: https://op.europa.eu/en/publication-detail/-/publication/140db4a0-f27e-4b4f-a3d2-e846fc0165b7.

[11] Ibid.

[12] European Union (2022). EU youth strategy (2019–2027). Available at: https://eur-lex.europa.eu/EN/legal-content/summary/eu-youth-strategy-2019-2027.html.

[13] Ibid.

policy); and the dual approach (integration of youth issues into all policy areas alongside specific youth initiatives)[14]. The Strategy also identified three key areas to be consistently implemented in young people's lives – engage, connect, and empower – as well as a set of measures to be adopted by Member State governments and the European Commission.

An important actor in both the development and implementation of youth policy in the EU is young people themselves. Their primary instrument of action is the European Youth Forum (EYF). The Forum's work is aimed primarily at the active involvement of young people in European public life. It seeks to improve the living conditions of young Europeans through a wide range of member organizations and direct representational functions. The Forum cooperates closely with the governing institutions of the EU to ensure that the opinions and interests of youth are genuinely taken into account in EU decision-making and in the implementation of youth programs. For instance, the EYF was a partner of the European Commission in drafting the White Paper on Youth Policy. In addition, the Forum coordinates and ensures the representation of young people within the youth sector of the Council of Europe: "According to the co-management structure, roughly one-third of the participants of the highest political body of the Directorate-General for Education, Youth, Sport and Culture of the Council of Europe are elected from among the representatives of non-governmental youth organizations that are members of the EYF at its assemblies" [15].

Today, the European Youth Forum has emerged as one of the key critics of the existing model of youth policy governance in the EU. It initiates various processes aimed at reforming and improving this model. For example, the Forum actively calls for the establishment of so-called inter-service groups within the European Commission in order to ensure that the interests of young people are fully taken into account. In this context, it should be emphasized that youth participation in European affairs remains one of the core priorities of EU youth policy. The authors of the document "Youth, Political Participation and Decision-Making" note that, following the Arab Spring, many young people in Europe became "more politically active, but they now tend to express this activity through political movements rather than political parties. In fact, youth political activism is no longer structured according to the principles of formal groups"[16]. In other words, young people increasingly prefer to self-organize rather than join formalized party structures, such as traditional youth wings of political parties.

The diversity of today's European youth compels EU policymakers to explore approaches and devise measures for a youth policy that is as universally applicable as possible. A recent survey conducted in eight EU countries revealed significant differences within youth communities on various issues. These differences can be observed both within individual countries and across countries. A notable current trend is the radicalization of youth, linked to unresolved social challenges such as unemployment. Consequently, in light of the rise in extremism, initiatives for preventing extremist activity among youth are currently being tested at the EU level [17]. When comparing specific preventive measures, one may cite the example of Germany, where the program "Competent for Democracy" – a counseling network against right-wing extremism has been operating for several years. This network provides professional advice and assistance to individuals in difficult situations, thereby expanding opportunities to counteract extremist behavior among youth[18]. In the United Kingdom, numerous similar programs are in place. For instance, the Muslim Youth Development Partnership identifies among

[14] European Union (2022). EU youth strategy (2019–2027). Available at: https://eur-lex.europa.eu/EN/legal-content/summary/eu-youth-strategy-2019-2027.html.

[15] Inter-Parliamentary Union (2023). Youth participation in national parliaments: 2023. Available at: https://www.ipu.org/resources/publications/reports/2023-10/youth-participation-in-national-parliaments-2023

[16] United Nations (N.d.). Youth, Political Participation and Decision-Making. Available at: https://www.un.org/esa/socdev/documents/youth/fact-sheets/youth-political-participation.pdf.

[17] United Nations (2015). *Enhancing Youth Political Participation throughout the Electoral Cycle. United Nations Development Program.* Available at: https://www.undp.org/sites/g/files/zskgke326/files/publications/ENG_UN-Youth_Guide-LR.pdf.

[18] Federal Government (2022). Germany, Federal Republic of: Written Commitments on the occasion of the "Summit for Democracy". Available at: https://www.state.gov/wp-content/uploads/2022/02/GERMANY-Summit-for-Democracy-written-commitments-Accessible-Final-2.pdf.

its objectives working with young people through education and engaging Muslim youth (including even football fans) in volunteering[19].

Thus, the European Union is undertaking measures to overcome the difficulties and challenges arising from the implementation of youth policy and the political participation of youth. It even involves the introduction of so-called "youth quotas", designed to promote the upward mobility of the most promising young individuals, including within political parties. Various mechanisms are proposed depending on the specific national contexts, constitutional reforms, electoral legislation, and the particular approaches of political parties toward youth[20].

The EU has sought to address these challenges by promoting the involvement of young people in politics and in political decision-making processes. In recent years, EU institutions have increasingly engaged European scholars in examining youth policy and its implementation across individual Member States. Researchers, approaching the matter from diverse perspectives, have attempted to identify the most effective ways of addressing youth issues. Many argue that young people in Europe today are often disconnected and alienated from official political activity, and are therefore compelled to create new forms of political participation[21]. For instance, N. Duke emphasizes that the EU should prioritize the inclusion of young people in the political process, particularly by encouraging voter participation and the activism within civic movements[22].

Many experts in youth policy argue that one of the most effective ways to activate and normalize youth political participation is to strengthen the work of various European youth forums and provide recommendations that could serve as platforms for expressing the political will of young people[23]. It should be noted that this is the path the EU has now chosen as the most optimal.

In addition to the European Youth Forum operating within the EU, there is also the European Youth Parliament (EYP), established in 1987. Today, the European Youth Parliament operates as a project of the Heinz-Schwarzkopf Foundation, Young Europe, under the patronage of the President of the European Parliament and the Secretary General of the Council of Europe. The organization maintains national representations in most European countries and serves as a discussion platform for young people aged 16 to 22. The Parliament consists of 32 national associations and organizations, engaging thousands of young people on a voluntary basis.

The main goal of the Parliament is to involve young people in the process of European integration and to advocate for youth interests at the international level. According to its foundational concept, the Parliament functions as "a form of practical learning, allowing young people from different European countries to better understand one another and the worldviews of other nations, to learn to respect these differences, and to collaborate for the common good"[24].

The development of youth parliamentarism is considered a key area of activity for most EU Member States. Although, in practice, it is often more of a simulation of politics than actual legislative work, this mechanism of political socialization possesses significant educational and formative potential[25].

Beyond the Youth Forum, other governance mechanisms for integrating youth into public life are actively developing across EU countries. For instance, "a general trend in implementing youth policy in developed European countries (Germany, the United Kingdom, France, Spain, etc.) is the broad involvement of civil society organizations in addressing the needs of various youth groups, alongside the active participation of state authorities in this process. Today, youth NGOs play a primary role in the

[19] Here of Youth (N.d.). The Muslim Youth Futures Research Project. Available at: https://hereforyouth.org/the-muslim-youth-futures-research-project/.

[20] European Union (2021). Youth policies in Estonia. Available at: https://national-policies.eacea.ec.europa.eu/sites/default/files/2023-04/Estonia_2021.pdf.

[21] Farthing R. (2010). The politics of youthful antipolitics: Representing the 'issue' of youth participation in politics *Journal of Youth Studies*. Vol. 13, no. 2, p. 188.

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[23] Swedish Agency for Youth and Civil Society (N.d.). Youth participation in democracy (2018-2021). Available at: https://www.mucf.se/en/youth-participation-democracy.

[24] Stroppe L.(2011). Eine Eigenständige Jugendpolitik für Deutschland. *Forum Jugendhilfe.* Heft 4, p. 5–9.

[25] European Youth Parliament (N.d.) Capacity-building. Available at: https://eyp.org/what-we-do/capacity-building/.

implementation of youth policy at all levels – national, regional, and local. Youth NGOs are highly significant in the life of Western civil society; for example, in Sweden, they engage approximately three-quarters of the entire youth population[26].

Conclusions. The conducted study allows us to conclude that in contemporary Europe, and particularly within the framework of the EU, a comprehensive model of youth policy governance is being implemented. This model encompasses a wide network of institutions and organizations responsible for specific areas of activity. Key decisions regarding youth policy are made at the level of the Council of Europe and the governing bodies of the EU. At the same time, European youth themselves are actively involved in discussions and the development of recommendations through participation in various institutional bodies, such as the European Youth Forum and the European Youth Parliament.

An analysis of the legal acts concerning EU youth policy indicates that European policymakers actively engage young people in the activities of the most important social groups within contemporary Europe. Furthermore, the youth policies of EU Member States are not solely focused on youth development but also carry a significant political dimension. This reflects the fact that Europe faces the task of consolidating states within the framework of the EU, including at the ideological level. Consequently, youth policy is closely linked to involving young people in democratic institutions and integrating them into the system of political bodies of the EU.

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