



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 21 October 2008

14396/08

**JEUN 93
SOC 606
EDUC 240**

from : General Secretariat of the Council
to : Permanent Representatives Committee (Part 1)
No prev. doc. : 14282/08 JEUN 92 SOC 598 EDUC 239
No. Cion prop. : 11428/08 JEUN 71 SOC 402 EDUC 177
Subject : Draft Council Recommendation on the Mobility of Young Volunteers Across the
European Union
- *Adoption of the Recommendation (LA)*

At its meeting on 20 October 2008 the Youth Working Party, subject to linguistic and parliamentary reservations¹, reached agreement on the text of the above draft recommendation.

The Permanent Representatives Committee is accordingly invited, subject to the lifting of any linguistic and parliamentary reservations, to forward the text² to the Council for adoption.

¹ DK : parliamentary scrutiny reservation.

² Without prejudice to the legal-linguistic finalisation of the text prior to its submission to the Council.

Draft
Council Recommendation
on the Mobility of Young Volunteers Across the European Union

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 149(4) thereof,

Having regard to the proposal from the Commission³,

WHEREAS:

1. Mobility for young volunteers is part of the freedom of movement of people protected by Article 18 of the EC Treaty.
2. The Community may adopt measures in order to promote mobility of young volunteers through cooperation of organisers of voluntary activities, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that article, the present Recommendation does not go beyond what is necessary in order to achieve those objectives.

³ Council doc. 11428/08 (COM(2008) 424 final).

3. Regulation (EEC) No 1408/71 of the Council of 14 June 1971 on the application of social security schemes to employed persons and their families moving within the Community⁴ and related provisions only cover those volunteers who are insured under national security legislation, with the consequence that issues related to social protection can sometimes act as a disincentive to engage in voluntary activities in another Member State.
4. Recommendation N° 2001/613/EC invited the Member States to take the measures they consider appropriate, in accordance with Community law and in the framework of their national law, so that volunteers and their families are not discriminated against because of their mobility with respect to relevant social protection, such as health care and social welfare policies.
5. Recommendation 2001/613/EC of the European Parliament and of the Council on mobility within the Community for students, persons undergoing training, volunteers, teachers and trainers⁵ and Recommendation (EC) 2006/961/EC of the European Parliament and of the Council of 18 December 2006 on transnational mobility within the Community for education and training purposes: European Quality Charter for Mobility⁶ refer to volunteers.
6. Council Directive 2004/114/EC of 13 December 2004 on the conditions of admission of third-country nationals for the purposes of studies, pupil exchange, unremunerated training or voluntary service⁷ provides the possibility of granting special residence permits issued to third-country nationals who apply to be admitted to the territory of a Member State for the purpose of volunteering.

⁴ OJ L 149, 5.7.1971, p. 2.

⁵ OJ L 215, 9.8.2001, p. 30.

⁶ OJ L 394, 30.12.2006, p. 5.

⁷ OJ L 375, 23.12.2004, p. 12.

7. Resolution of 15 November 2004 of the Council and the Representatives of the Governments of the Member States meeting within the Council on common objectives for voluntary activities of young people⁸ and Resolution of 16 November 2007⁹ of the Council and the Representatives of the Governments of the Member States, meeting within the Council, on implementing the common objectives for voluntary activities of young people¹⁰ respectively set out common objectives for voluntary activities of young people and proposed exchanges of good practice and peer-learning activities to strengthen their implementation, and invited Member States to consider practical means of measuring progress. The latter Resolution also invited the Commission to make further proposals for the promotion and recognition of voluntary activities of young people.
8. The European Parliament adopted in April 2008 the report on the "Role of Volunteering in Contributing to Economic and Social Cohesion"¹¹ which encourages Member States and regional and local authorities to recognise the value of volunteering in promoting social and economic cohesion, and recommends the promotion of cross-border voluntary projects.

RECOGNISES THAT:

1. In the framework of this Recommendation, cross-border voluntary activities are characterised as follows: open to all young people, undertaken by their own free will in the general interest, for a sustained period, within a clear framework and in a country other than the country of residence, unpaid or with token payment and/or coverage of expenses. Voluntary activities should not have an adverse effect on potential or existing paid employment nor should they be seen as a substitute for it.

⁸ 13996/04 of 15 November 2004.

⁹ 14427/07 of 19 November 2007.

¹⁰ OJ C 241, 20.9.2008, p. 1.

¹¹ REGI/6/50546, 2007/2149, of 21 April 2008

2. Voluntary activities constitute a rich experience in a non-formal educational and informal learning context which enhances young people's professional skills and competences, contributes to their employability and sense of solidarity, develops social skills and smoothes integration into society, and fosters active citizenship.
3. There exists a large variety of voluntary activities throughout Europe organised by civil society and public authorities and these activities should be preserved, developed further and cooperation between the organisers of voluntary activities should be facilitated.
4. Cross-border mobility in Europe can be an important tool for promoting education, employment and regional and social cohesion, and for helping to improve mutual understanding and active participation in society. This is particularly the case for young people in a labour market which increasingly values adaptability and flexibility.
5. Local communities hosting young volunteers benefit greatly from their activities, that can take place in a wide array of fields, such as promoting social inclusion, preserving cultural heritage, fostering intergenerational solidarity and protecting the environment, while at the same time enriching the cultural diversity of the hosting communities.
6. Voluntary activities have been a priority of the open method of coordination in the field of youth, which has already identified a great number of good practices. In this context the European Voluntary Service (EVS), an action of the EU Youth Programme since 1996, has allowed young people to engage in voluntary service in a variety of areas. The current Youth in Action Programme reinforces this action.

7. Despite these efforts, there may still be obstacles to the cross-border mobility of young volunteers across Europe and this Recommendation therefore aims primarily at providing a framework for Member States to intensify their cooperation, without prejudice to the diversity of their national situations.
8. Better cooperation between the organisers of voluntary activities in different countries and more information sharing may stimulate all young Europeans whatever their nationality to engage more in voluntary activities in third countries.
9. Special attention should be paid to young people with fewer opportunities as voluntary activities constitute a particularly valuable possibility of mobility for those young people who otherwise would benefit less, or not at all, from mobility programmes.

HEREBY RECOMMENDS THAT THE MEMBER STATES:

- A. Promote the mobility of young volunteers across Europe by enhancing the conditions for cooperation between the organisers of voluntary activities in different countries, whether civil society or public authorities, so that every young person shall have the opportunity to volunteer in Europe if she or he wishes to do so.
- B. Facilitate the development to that purpose of the following lines of action while having due regard to their national frameworks and legislation in the field of voluntary activities, to their own overall national priorities and existing local opportunities and respecting their public expenditure regimes:
 - (1) improve the level of knowledge of voluntary activities within their national territories and transfer this information to the European Commission for further dissemination;

- (2) make information about opportunities for voluntary activities abroad easily accessible to young people and to those active in youth work and youth organisations;
- (3) make information available to all the relevant actors of the rights and opportunities that arise from existing provisions at European and national level on cross-border voluntary activities;
- (4) promote the exchange of information on opportunities for voluntary activities with other Member States and the simplification of the necessary procedures in order to make it easier for young volunteers of a Member State to take part in voluntary activities in other Member States;
- (5) adopt, where appropriate, a flexible approach to developing opportunities for cross-border voluntary activities in Europe, for example by:
 - supporting the development of the hosting capacity for cross-border volunteers;
 - supporting the creation of contact points for young European volunteers, in connection, if feasible, with National Agencies of the Youth in Action Programme;
 - promoting the use of existing European mechanisms that can help youth mobility such as mobility cards;
 - promoting the cross-border mobility of those active in youth work and youth organisations;
 - supporting the development of information and training of those active in youth work in youth organisations, local authorities and civic services about cross-border voluntary activities of young people;

- (6) increase awareness of the importance of intercultural competences and language learning among young people in order to reduce barriers to the cross-border mobility of young people;
- (7) encourage organisers of voluntary activities to develop self-assessment tools, taking into account the EVS experience, in order ensure the quality of the cross-border voluntary activities they are taking part in;
- (8) encourage organisers in both sending and receiving Member States to cooperate in providing assurances about the protection of young volunteers and service recipients. This should include sufficient information about both the voluntary activity, its organisers and the volunteer, so as to enable both parties to make an informed decision about the activity's suitability and meet any legal requirements;
- (9) examine further relevant social protection provisions through the appropriate existing EU fora with a view to making full use of the possibilities under EU and national legislation;
- (10) promote appropriate recognition of learning outcomes of voluntary activities in line with Community provisions and within the respective national systems or frameworks for qualifications, where existing;
- (11) promote the use of instruments at EU level that can facilitate cross-border voluntary activities by ensuring the transparency of qualifications, such as Europass, Youthpass and the European Qualifications Framework;
- (12) give particular attention to young people with fewer opportunities in order to enhance their access to voluntary activities and especially to cross-border voluntary activities.

HEREBY ENDORSES THE COMMISSION'S INTENTION TO

- (1) support the Member States in the above tasks by using the EU cooperation framework in the field of youth and in particular the open method of coordination and the Youth in Action programme;
- (2) encourage and organise, in liaison with Member States, an exchange of information and experiences about the cooperation between the organisers of voluntary activities in different countries, whether representatives of civil society or public authorities;
- (3) develop a European Youth Volunteer Portal on voluntary activities based on national youth volunteering portals, databases or specific websites, where they exist;
- (4) report to the Council four years after the adoption of this Recommendation to determine whether the measures proposed are working effectively and to assess the need for further actions.

Done at Brussels,

For the Council

The President
