

1.2 National youth law

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Existence of a National Youth Law

The federal 'Belgian' level of government has limited competence in youth matters (e.g. some aspects of judicial youth protection), but there is no youth policy at the Belgian level. Person-related matters, such as education, health care, culture and youth are entitled to the Communities. Therefore, the most explicit youth policy and youth policy instruments can be found at this level. In the Flemish community, on 1 January 2013, the Flemish Parliament Act of 20 January 2012 on a renewed youth and children's rights policy entered into force and replaced the initial decree of 18 July 2008 (see revisions/updates).

Scope and contents

Youth Policy is based on the assumption that it is possible to implement a group policy. This is not self-evident, because the government applies a sectorial approach in most other domains. A group policy is a different way of implementing policy: instead of focusing on one sector, the starting point is young people's lives across the board, their needs and requirements. That is why youth policy permeates almost every other sector. Thus, youth policy can be seen as a broad, cross-sectoral approach to young people - partly young, partly all young people - including children. The Flemish Parliament Act of 20 January 2012 defines the policy for youth and children's rights as follows: *'the comprehensive and integrated vision and a government's resulting systemic and plan-based measures which aim to have a perceptible effect on youth, with a special focus on children's rights, as moral and legal framework'*. The act serves two major purposes:

1. It describes the basic instruments to implement youth policy. More specifically, five key instruments are mentioned:
 - Flemish Youth and Children's Rights Policy Plan

- Impact assessment of new legislation on children and youth (JoKER)
- Contact points for the policy on youth and children's rights in all departments and agencies of the Flemish Authorities and increased coordination
- A coordinating administration
- A 'Youth Progress Report' to monitor the situation of youth

Furthermore, the act also defines that the Flemish Government provides for the establishment of a Youth Council. Every month, twenty-four individual youngsters and representative of youth organisations gather for the General Assembly. During this meeting, they discuss policy developments relevant to youth and approve advices. With regard to its advisory task, the Flemish Youth Council can give advice at its own discretion or at the request of the Government of Flanders or the Flemish Parliament. As stipulated by law, the Government of Flanders shall request advice when making legislation implementing the Flemish Youth Policy Plan. The Flemish Youth Council shall approve its advices at the General Assembly with a two-third majority of the attendees. Importantly, the Government of Flanders shall explain its decision on the policy advices relating to its competences to the Flemish Youth Council. The Flemish Youth Council can also give policy advices in case its members find it necessary in view of the interests of young people.

1. It specifies the conditions for accreditation and funding of a large number of private organisations and youth-related associations operating at a Flemish level (i.e. not organisations operating at a regional or a local level as these receive funding by the municipalities, or by other parliament acts such as the Parliament Act on the support and stimulation of the municipal youth policy and the determination of provincial youth policy):
 - Nationally organised youth associations
 - Associations for participation and information
 - Cultural education associations
 - Political youth movements

The Flemish Parliament Act provides the coordination of youth policy as implemented in the different policy domains in Flanders. In an effort to mainstream youth policy, the policy plan is linked to other Ministries (and requires action from them) such as employment, education, welfare, urbanisation and mobility. The act addresses the youth population as a whole.

Revisions/updates

Overview

1. The Flemish Parliament Act of 18 July 2008 on conducting a Flemish policy on youth and children's rights. *Validity: 1 January 2009 – 31 December 2012*

1. The Flemish Parliament Act of 20 January 2012 on a renewed Flemish policy on youth and children's rights. *Validity: 1 January 2013 – ...*

Content of main revisions

The decree containing a renewed youth and children's rights policy was ratified by the Flemish Government on 20 January 2012. This new decree replaces the decree of 18 July 2008, which, after a thorough evaluation, had shown a number of amendments were necessary. The aim of the new decree is to facilitate a renewed youth and children's rights policy. It refers to 'renewal' because the decree does not make a tabula rasa with the previous decree of 2008. The previous decree has already brought about a major innovation in several areas. The evaluation of this decree showed a number of provisions needed to be refined and that a number of gaps had to be filled. However, the foundations of the integrated youth and children's rights remain intact. The Minister of Youth and a number of Flemish Members of Parliament want to turn the Flemish youth and children's rights policy plan into a more action-oriented plan. The aim is to come up with an action or project plan, in which a limited number of complex, cross policy themes per government period would be developed in an action-oriented/project-based way. An annual budget is then set aside for this purpose.

The most notable changes include:

- Continue and strengthen the integration of youth and children's rights policies
- Strengthen youth organisations through the unification of the status of nationally organised associations, information and participation associations and cultural education organisations on the basis of a number of objective parameters. As a result, these associations have a guaranteed fallback position.
- A separate arrangement for political youth movements
- A restructuring within the registered subsidised organisations whereby:
 - Support Centre Youth, Flemish Youth Council and VIP youth proceed to a merger.
 - Jint as a centre of expertise in the field of international mobility and the internationalisation of youth policy is maintained.
 - Expertise in the field of children's rights is developed with in Keki.
 - VVJ works as an interface between Flemish youth policy and local youth policy.
- Revision of project grants