

PAVE IMPLEMENTATION towards a Charter on the Rights and Responsibilities of Volunteers

Initiative of the European Youth Forum
in cooperation with AEGEE, AGE, CEV, ESN, EFIL, FEBA, Senior Expert Volunteers, WAGGS, WOSM, in
past processes

INTRODUCTION

On November 17th the Alliance Steering Group adopted the Policy Agenda on Volunteering in Europe (PAVE). On December 2nd the Alliance Working Group Co-chairs handed the PAVE over to the Commission.

Therefore the European Youth Forum, in cooperation with other CSO partners, invites the Alliance in order to discuss cooperation on the follow up of elements of the PAVE recommendations in the context of creating an enabling environment for volunteers.

The focus of this process is the “European Charter on the Rights and Responsibilities of Volunteers” as outlined in the PAVE recommendations. The aim is to a pan European consultation process across European Networks in order to truly reach out to volunteers on the grass root level when following up on PAVE and opening the existing draft European Charter on the Rights and Responsibilities of Volunteers to the critical input of Alliance members, based on their expertise.

This document provides all readers with a clear overview on the proposed follow up of the PAVE through building on past achievements and cooperations and allows everyone to join the development of a “European Charter on the Rights and Responsibilities of Volunteers”.

The European Charter of the Rights and Responsibilities of Volunteers creates a common understanding of the definition of volunteers, volunteering activities and volunteering providers from the local to the European level and provides a common set of basic rights for volunteers and volunteering providers. Further the Charter serves as an appeal for designing and updating policies related to volunteering on all levels, refraining from addressing concrete implementation mechanisms or identifying right bearers, but focusing on defining and stating the rights and responsibilities of volunteers.

RELEVANT “PAVE” ELEMENTS

The Introduction in Section 1 of the PAVE states that

“An enabling and facilitating environment for volunteering (...) needs a combination of support mechanisms and/or appropriate organisational structures which can be further strengthened by suitable legal frameworks and clearly identified rights and responsibilities for volunteers and volunteering.”

We will achieve this through the creation of support mechanisms for volunteers and their organisations and by advocating for a rights-based approach to volunteering.

Section 1 (2.1.4)

In this context the we commit to continue sharing its expertise on a rights-based approach to volunteering and to advocate to...

“...ensure that the rights and responsibilities of volunteers are recognized and respected and that volunteers

themselves are aware of them. A European Charter on the Rights and Responsibilities of Volunteers could be used as a reference for policy making and national legislation in this field.”

Section 3 – Working Group 2 Legal Framework

Further we draw from the outcomes of the Conclusions of the Alliance Working Group 2 – Legal Framework of volunteering, with special regards to the following recommendation by the experts:

“Charter on Volunteering (EU+MS)

We encourage the EU to adopt a European Charter on the rights of a volunteer with would outline the basic principles of a Rights Based Approach to volunteering and to apply them when designing/redesigning volunteering policies and legislation. A charter could include inter alia the subjects covered above and could be structured as follows:

- *Broad definition of volunteering, volunteer-involving organisations and volunteering*
- *Rights of a volunteer (core rights, support from volunteer-involving organisations and right for personal development)*
- *Responsibilities of volunteer*
- *Rights and responsibilities of volunteer-involving organisations*
- *Responsibility of public authorities “*

RIGHTS BASED APPROACH

Below we present the underlying elements of the rights based approach on volunteering, in referring to already existing documents.

“Declaration on the Need of a rights-based approach towards Volunteering”

The Stakeholder Conference took place during the biggest civil society event in the context of the European Year of Volunteering in 2011, organised by the European Youth Forum – the “Young Volunteers Stand Up! The II Youth Convention on Volunteering”. Recognising the value of volunteering, its contribution to the society, its cohesion and the skills volunteering provides to volunteers, the conference gathered stakeholders relevant in the field of volunteering at all different levels. It created a Forum that ensures that the voices of volunteers and their organisations are heard in order to commonly discuss the rights based approach on the basis of the Draft European Charter on the Rights and Responsibilities of Volunteers.

The Declaration on the rights-based approach towards volunteering was developed on the basis of the input gathered by the stakeholders' representatives at the Conference. This Declaration addresses the value of a rights-based approach to volunteering and focuses on the development of recommendations towards relevant authorities and stakeholders in order to implement the Charter.

“A rights-based approach towards volunteering must be put in place in order to ensure quality, recognition, protection and equal access for everyone, without any kind of discrimination. Whereas in some countries the absence of a legal framework is an obstacle to volunteers and volunteering providers, volunteers in other countries face limited access to volunteering opportunities as a result of a restrictive legal framework. An enabling environment for volunteers across Europe is needed, accompanied by a supportive infrastructure that recognises the value of their engagement.

While a rights-based approach needs to recognise and foster the diversity of volunteering and national realities, it will empower volunteers and enable them to realise their mission. Furthermore, it will pave the way towards legal ground for distinguishing volunteering from paid and unpaid work.”

“Resolution on the rights-based approach to volunteering”

The European Youth Forum endorsed the Policy Agenda on Volunteering in Europe (PAVE) in form of an urgent Resolution at our Council of Members. The Resolution provides a clear outline on the principles of the rights-based approach:

“A rights based approach to volunteering establishes volunteers and volunteering providers as active rights-holders and creates corresponding duties for responsibility-holders. The European Youth Forum's understanding of a rights-based approach to volunteering means that:

- *policies affecting volunteers should be based on recognised human rights standards ensuring that volunteers are not disadvantaged, stigmatised or discriminated against on the grounds of their willingness to volunteer their time and expertise for society, and securing all volunteers' equal access to rights, as well as to lawful remedies for rights violations;*
- *specific documents that interpret the meaning of international human rights treaties, such as explanatory reports for Council of Europe conventions, or general comments for UN conventions, should also include references to the applicability and implementation of relevant rights for volunteers;*
- *volunteering providers should be given the means and the opportunity to act as awareness raisers among volunteers regarding their rights and responsibilities, as well as legal means that volunteers have at their disposal to contest the violations they might be subject to;*
- *All volunteers should be informed about their rights and how to address violations of their rights.”*

PAVE – SECTION 3 Legal Frameworks – Conclusions:

Please see below the mentioning of the Rights-based approach in the PAVE....

“The propose of the policy recommendations is to facilitate the development of more favorable policies and legal environment for volunteers, volunteering and volunteer-involving organisations within the EU and its Member States and to provide the EU institutions as well as the governments of the EU Member States and with concrete and evidence based guidance on the reshaping of the legal provisions which pertain to volunteering, promoting a Rights Based Approach to volunteering.”

BUILDING ON PAST WORK – BUILDING A CHARTER

Presentation of the Charter Process

The **Draft European Charter on the Rights and Responsibilities of Volunteers** was developed through keeping the legal dimension on volunteering as concrete reference point in an open discourse with all relevant stakeholders in the area of volunteering throughout 2011.

- In a first phase: **collection, analyses and interpretation of existing studies, surveys and statistical data** on the legal status of volunteers and volunteering organisations and publishing the “Report on the Rights of Volunteers in Europe”.
- In the **consultation and drafting process** the Forum focussed intense cooperation with Member Organisations, Institutional and Civil Society Partners. In this context the Forum organised a series of activities and events such as two Working Group on Volunteering Meetings, a Policy Commission and Plenary on Volunteering at the Council of Members, a EurActiv Stakeholder Lunch with institutional partners, two Civil Society Consultation/ Cooperation meetings and a broad online consultation.
- In a third step the **Declaration** on the rights based approach on volunteering was developed by all 70 stakeholders present at the **YFJ Stakeholder Conference** in September 7/8/2011 in Brussels, during the Volunteering Convention. This Declaration addresses the value of a rights-based approach to volunteering and focuses on the development of recommendations towards relevant authorities and stakeholders in order to implement the Charter.
- Finally the European Youth Forum adopted a **Resolution at the Council of Members**, welcoming the **adoption of the Policy Agenda on Volunteering in Europe (PAVE)** by the EYV2011 Alliance¹ and declaring its support to the PAVE and commitment to its implementation in the context of the rights-based approach on volunteering.

“Resolution on the rights-based approach to volunteering”

The Resolution provides an outline on core principles that shall be reflected in a charter on bases of the Conclusion of Alliance Working Group 2:

“The Charter on the rights and responsibilities of volunteers should reflect the rights that match the needs and the responsibilities of all volunteers and volunteer providers, such as that

- *Providing that they want it, everyone who is doing a volunteering activity is entitled to have the recognised status of “volunteer”, and should be entitled to the basic rights laid out in the Charter and protection against any kind of discrimination.*
- *All volunteers shall be informed about their rights and responsibilities.*
- *Every volunteer has the right to volunteer outside of their country of residence or birth. Therefore, if needed, a visa free of charge must be obtainable through an open, accessible and transparent procedure which favours volunteer’s mobility.*
- *All skills that are gained through volunteer activities should be recognised by the educational system, institutions and employment market.*
- *Non-profit organisations and groups, that are independent, govern themselves as well as other non-profit entities or public authorities that provide volunteering opportunities, are entitled to the status of a “volunteering provider”.*
- *Volunteering providers are entitled to a stable and sustainable support and legal framework as well as enabling environment, including adequate funding structures that provide accessible, sustainable and flexible financing.*
- *Volunteering providers are entitled to participate in political decision-making processes at all levels in the area of volunteering, representing the interest and needs of volunteers. Considering the expertise of volunteering providers, as actors that are the closest to the volunteer, they must be consulted on matters in decision- making processes regarding the volunteering sector at all levels.”*

COORDINATION OF COMMON FOLLOW UP

You are kindly invited to join the process towards the implementation of the respective elements of the PAVE.

Consultation

- January bilateral meetings, to support organisations that have not been part of the process so far
- January Alliance meeting: presentation and call for online consultation
- Online consultation: deadline February 15th 2012, 14:00 (CET) to Magdalena.kurz@youthforum.org

Endorsement

- The final draft “European Charter on the Rights and Responsibilities of Volunteers” will be presented at the Alliance meeting in March.
- Organisations are invited to endorse the Charter at the most appropriate level, may it be at a Statutory Meeting, Board Meeting or other appropriate levels
- Once it stops being a living document it should be best translated into French

Please do not hesitate to contact Magdalena.kurz@youthforum.org in case you have got any further questions.