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Policy paper

YOUTH ASSOCIATION

Introduction

ON YOUTH POLICIES

In the past few years, youth policy in Slovenia has entered the socio-political agenda, and has become increasingly important and taken into account. Since 2010 it is also defined in the Act on the Public Interest in the Youth Sector (ZJIMS) as: “ /.../ a harmonised set of measures of various sectoral public policies with the purpose of promoting and facilitating the integration of youth in the economic, cultural and political life of the community and appropriate support mechanisms for developing youth work and operation of youth organisations, which is carried out in cooperation with autonomous and democratic representatives of youth organisations and professional and other organisations /.../«. ¹

The National Youth Council of Slovenia (MSS), the umbrella organisation of national youth organisations and the key partner in the social dialogue in the field of youth, strives for the development of youth policies and, consequently, for the improvement of the situation of young people. With this in mind, MSS adopts policy documents tackling different sectorial policies, which call upon relevant stakeholders to implement the proposed actions. Such documents – the present one, tackling youth association, being one of them – are a basis for MSS to, *inter alia*, enter into discussions with policy makers, to react to current affairs, and to inform young people and the wider public, as well as to implement other measures.

Youth policies intend to properly regulate these key transitions in the lives of individuals. Through policy papers, MSS wants to form these processes according to the views of young people.

POLICY PAPER »YOUTH ASSOCIATION«

Vertical measures aimed at fostering the inclusion of young people to youth work and to co-creation of youth policy, are far better developed than horizontal measures, i.e. the inclusion of youth issues into different sectoral policies – education, employment, social affairs, health, culture, housing policy, etc. Despite all this, the field of youth association faces certain difficulties that the National Youth Council of Slovenia wishes to highlight in the present document, and propose measures for their resolution.

The aim of this policy document is to define youth association, to point to certain inconsistencies in this framework and to propose measures to improve the conditions in which it takes place.

¹ Act on the Public Interest in the Youth Sector, ZJIMS, http://www.ursm.gov.si/fileadmin/ursm.gov.si/pageuploads/pdf/ZJIMS/ZJIMS_ENG.pdf. Original available at: <http://www.uradni-list.si/1/content?id=97951> (19. 8. 2010).

DEFINITIONS

The youth sector comprises several types of organisations and forms of associating. Broadly speaking, organisations can be divided into youth organisations and so-called organisations for youth.

1. Youth organisations

The National Youth Council of Slovenia identifies the following to be the **basic characteristics of youth organisations**: 1. **The age of members is mostly within the interval defined as youth.** Usually the appropriate age structure is determined in the statutes or in other rules of the organisation. 2. **The membership is voluntary.** Every individual becomes a member voluntarily and is free to terminate her/his membership. 3. **The structure is democratic.** The organisation functions through democratic mechanisms, which ensure the inclusion of the entire membership. Structures and procedures are usually set down in the organisation's rules of procedure. 4. **It works for the benefit of young people.** Areas covered by the youth organisation correspond to the areas of interest for youth. This can include general youth interests, such as education, employment, etc., or specific interests, which are the basis or the organisation's existence.

Legal status and autonomy

Formally registered youth organisations comply with the Act on Associations. The National Youth Council of Slovenia recognises as youth organisations also those which are not (independent) legal persons; these can be informal groups or parts of larger organisations (youth sections, youth wings, etc.), provided that they fulfil the criteria in the paragraph above. Regardless of its legal status the organisation must be autonomous, especially if it wishes to be a member of the youth council.

Membership

Youth organisations allow **individual and collective membership**; e.g. associations have individual membership, but several associations can join to form unions or federations – in this case we talk about collective membership. Organisations with collective membership, especially youth councils, are often not seen as "organisations" proper, but as "structures", because their active individuals represent an organisation, not "themselves".

The National Youth Council of Slovenia defines a **youth organisation** as an autonomous, democratic and voluntary association of young people, which works to enable young people to experience planned and unplanned learning and which enables them to form and express opinions, and to implement activities in line with their interests, culture, world view or political opinion.

Managing a youth organisation rests on active participation of all its members, which requires ensuring equal opportunities for all of them to participate in it.

Legally speaking, a youth organisation is an association, federation of associations or an autonomous youth organisation in a larger organisation, and has at least 90

percent of members up to the age of 29, and at least 70 percent of the leadership between 15 and 29 years of age.

According to their level of action, youth organisations can be national (those with units in the majority of statistical regions in Slovenia) and local (those working mainly at the local level).

A youth council is an umbrella association of youth organisations and represents the interests of young people and youth organisations. A youth council can work at the national level (the National Youth Council of Slovenia) or at the local level – as the youth council of the local community. Youth councils are founded and act on the basis of the Youth Council Act.

2. Organisations for youth

Youth organisations differ from other membership-based organisation with regard to age limitations and/or the programmatic focus on youth, but can also differ regarding the (non-)voluntary character of membership. In the field of youth work other forms of organisations exist: youth centres are particularly characteristic. Such organisations are seen by the National Youth Council of Slovenia as “organisations for youth”. They are different from youth organisations in the first three criteria above, but both have one thing in common: working for the benefit of young people.

A youth centre is, as defined by the National Youth Council of Slovenia, a regularly organised functional centre, whose basic activity is to manage the infrastructure designed for youth up to the age of 29. It also ensures adequate space and equipment for youth work and adequately trained staff to support youth work.

The significance of youth association

Youth is understood as the period of entering adulthood, which is characterised by the so-called points of growing up (completion of formal education, moving away from parents, employment, marriage, children, etc.). Young people are supposed to use this time to gain competences for autonomous life, which alongside competences for social and economic independence also include active and responsible citizenship. The basis for economic and social independence is achieved mostly through formal and non-formal education and informal learning in the family and other social networks; competences for active and responsible citizenship can, however, in the most direct way be acquired in youth organisations, which represent a unique learning environment for democratic processes. Youth organisations not only ensure internal democratic processes, but use information, training and other activities to encourage their members to be actively included in these processes – both in the organisation and in the society at large.

1. Youth association is a matter of public interest

Democratic societies are based on responsible citizens. Youth organisations, as the learning environment for democracy, build upon young individuals as active and responsible citizens, who will keep such attitudes for the rest of their lives.

For a country to develop, it must recognise the interest both in the upbringing of responsible citizens, and in the highest possible fostering of autonomy, i.e. in acquiring competences for independent life. Youth organisations train and enable young people to influence the society, help them on their path to economic and social independence and consequently have key influence on the development of the country.

2. Democratic functioning of youth organisations

For a youth organisation to be able to offer learning space for active and responsible citizenship, it must have a democratic structure, which **enables and encourages participation of all its members at all levels.**

Elements of a democratic structure are:

- formal regulation of democratic processes in the organisation's statutory documents,
- a representative body (of the entire or, for larger organisations, delegated membership) as the organisation's highest decision-making body,
- an executive body, accountable to the highest body,
- a supervisory body.

The democratic character of a youth organisation is not only reflected in its structure and representative system of management. Next to the basic elements of a democratic structure it adheres to additional democratic standards, which enable it to create learning environment for active and responsible citizenship:

- through its structure and work, a youth organisation enables regular participation of the entire membership in its work and its management, and

at the same time encourages the majority of its members to take responsibility for its management.

- Making decisions in a manner that respects the principles of democratic decision-making processes, is key for youth organisations.
- The length of time needed to communicate between members and the management depends on the size of membership. The higher level ensures enough time to the lower level to become acquainted with the issue at stake, to conduct needed debates and to take positions.
- Youth organisations ensure sufficient quorum needed to take decisions at different levels.
- Youth organisations establish mechanisms that ensure responsibility of executive bodies to their highest body.
- In their work and management youth organisations ensure equal opportunities for participation to the entire membership, regardless of gender, race, skin colour, ethnic or social background, genetic characteristics, language, religion or belief, political or other opinion, belonging to a national minority, property, birth, disability, age, sexual orientation or any other personal circumstances.
- Youth organisations ensure to their membership the access to education and training and to adequate information in all fields of their work.

3. The work of youth organisations improves the quality of life.

Membership in youth organisations over several years leads to active and responsible citizenship and improves young people's quality of life, both during and after their membership, because it ensures the acquisition of knowledge, skills, important values and responsibility for the society, and thus contributes to their successful development in all areas of life.

Youth organisations' activities also improve the quality of life in their surroundings, because they contribute with new ideas, strengthen intercultural and intergenerational solidarity, stimulate change and enrich the offer of leisure time activities.

4. International activity

National youth organisations are normally included in international platforms, but the added value of their international activities often remains overlooked.

International youth organisations include the element of learning about active citizenship, which is the main element of youth association. Especially at the international level (specifically the EU) the processes of joint policy making and exchange of views between stakeholders and decision-makers are very well developed. Through international cooperation, young people gain important competences in the field of intercultural learning and understanding of diversity, and begin to understand the relevance of cooperation between countries. Youth organisations at the European or international level offer an immense array of good practice that youth organisations can use to enrich and upgrade their work.

Every international event organised by national youth organisations, is the consequence of mid- and long-term engagement in the international arena, and as such contributes to the visibility of Slovenia at the international level. Youth organisations with international activities thus importantly contribute to strengthening the role of Slovenia in the international community.

Key issues in the area of youth association in Slovenia

Youth organisations work in poor conditions. They are especially burdened by the lack of finance and human resources.

The financial weakness of the sector leads to different problems faced by youth organisations. There are only limited financial means for the purpose of their work and for ensuring internal democratic processes. The lack of such means creates youth organisations' dependency, because the primary sources of finance are public institutions at the national and local levels, which mostly provide project funding.² The latter unfortunately too often means that youth organisations must adapt their mission, aims and activity to the requirements of calls for tenders, which limits their autonomy.

Certain public calls for tenders that youth organisations might be able to apply for, often do not allow them to do so, because youth organisations do not have specific programme profiles. For example, youth organisations cannot apply for calls in which the right to apply is limited to content-based non-governmental organisations (certain organisations working in specific fields).

The tax legislation is adapted to for-profit organisations and negatively influences the development of the non-governmental sector. Due to low income, youth organisations, which are usually not able to take loans, can implement long-term activities only over a longer period of time. This requires having a surplus of income over expenditure, but the surplus is currently subject to corporate profit tax. The surplus is used to implement youth organisations' vision, which is in public interest, and should not be subject to the same measures as apply to the for-profit sector.

The absence of means also implies a lack of means for employees, which forces youth organisations to seek new sources of financing employment; these are often inappropriate for the youth sector because (1) they do not enable the employment of adequately qualified staff and (2) do not enable sustainable employment in the sector. Such cases, for example, are calls for employment of long-term unemployed people and calls that enable only activity-based employment of limited duration.

The key characteristic of youth organisations, youthfulness (young membership and leadership) is also a weak point. The constant change in leadership and change of generations within the organisations often brings additional staff- and organisation-related challenges. Among the key ones is how to successfully and timely transfer knowledge to the next generation. Youth organisations – due to constant entry of new generations – cannot be as professional as other non-governmental organisations, their functioning is less routinised, the leaders often do not have a very good social network, the organisations have difficulties applying to calls or gaining financial means, etc.

² The funds of the Slovenian Office of Youth are an exception, but they are insufficient to cover the basic needs of youth organisations, required for democratic functioning.

The consequence of poor financial means is evident in lacking human resources, endangered mission and activities, lower number of participants in programmes, lower membership, lower quality of democratic processes, limited infrastructure, etc. Insufficient human resources are additionally related to a too low participation of young volunteers, which derives from a lack of time for such activities. The extent of school and study obligations often prevents young people from participating in youth organisations.

The status of youth organisations as units of larger membership-based organisations, is not regulated.

Youth wings of political parties, defined as youth organisations in the Act on Political Parties, and youth sections of larger membership-based organisations (associations, unions, trade unions) remain inadequately regulated, which prevents them from applying for most calls and limits the autonomy of their functioning in general.

The National Youth Council of Slovenia should aim for the widest possible representation of youth interests through its membership; however, in the current regulatory framework only national youth organisations can be its members.

The formal basis (statute) of the National Youth Council of Slovenia enables it to accept as members also specific content-based youth organisations which do not fulfil the formal criteria for national youth organisations but do cover specific youth issues or represent the interests of disadvantaged youth at the national level. Such organisations cannot become members according to the revised Youth Council Act,³ although this would contribute to its better representativity and to more quality in the pursuing of its mission.

Local youth councils are likewise excluded from the work of the National Youth Council of Slovenia, and have no other umbrella organisation that would enable them to contribute to the formulation of national aspects of youth policy.

Youth councils are not always recognised as non-governmental organisations.

Despite its legal and organisational basis, youth councils function according to the same principles as unions of associations. However, the Ministry of Public Administration, in charge of non-governmental organisations, does not count them as such, and this often prevents them from applying for calls for tenders.

³ *The Revised Youth Council Act*, Ur.l. RS št. 42/2010. Slovenian version available at: <http://www.uradni-list.si/1/content?id=97952> (24. 8. 2010).

Local communities too often consider youth centres to be the representative interlocutor with youth.

However, due to their structure and basic aims youth centres cannot represent youth. Youth organisations as voluntary youth associations enable young people to form and express opinions and, on that basis, to implement activities; local youth councils are platforms for local youth organisations. Compared to these two, youth centres do not have a structure that could legitimately and directly represent youth. Youth organisations, especially local youth councils, ensure the space to develop views of young people towards local authorities.

Youth centres mainly ensure the infrastructure for youth work, while local youth councils are platforms of local youth organisations. At the local level this division is often unclear and leads to inadequate cooperation between youth centres and youth councils, which often causes conflict.

Due the above-mentioned problems, especially those related to financing, youth organisations focus too much on quantitative results.

This way they neglect a key aspect of their mission – (quality) work programmes and the running of democratic processes. For youth organisations the way towards an outcome is as important as the outcome itself. Due to external demands youth organisations are forced to focus on increasing their membership rather than ensuring internal quality; at the same time they lack the conditions to properly include the entire membership in their functioning, which would equip young people for active participation in the society. The Youth Council Act⁴ provisions determine that youth councils bring together autonomous and democratic organisations. However, in the view of the National Youth Council of Slovenia the democratic character of an organisation is not sufficiently proven simply by adhering to the law, but by a process of decision-making at all levels within an organisation, coherent with democratic standards. Member Organisations of the National Youth Council of Slovenia should be good examples of youth organisations which provide learning space to acquire competences for active and responsible citizenship. However, faced with the obstacles presented in this document, they are not always capable of reaching the quality standards of democracy.

⁴ *The Youth Council Act (ZMS)*, Ur.l. RS št. 70/2000. Available at: http://www.ursm.gov.si/fileadmin/ursm.gov.si/pageuploads/pdf/zakon_o_mladinskih_svetih_en.pdf (24. 8. 2010).

Recommendations

The situation and conditions for work of youth organisations, as identified in the present document, must urgently be improved. The National Youth Council of Slovenia strives for the implementation of a range of measures through the state, local communities and civil society structures – all these are the key agents of change in the area.

1. **The state (at the national level) and local communities (at the local level) must ensure means for the basic functioning of youth organisations, and must adopt measures for employment in this sector.** The funds of the Slovenian Office of Youth, which are the only general funds for youth organisations, must increase, so that they will enable a normal functioning of organisations, including an appropriate number of staff. We also call upon the Slovenian government to draft and the National Assembly to adopt amended legislation regulating local communities in a way that will oblige them to finance youth organisations.

Those who co-fund youth organisations must recognise their importance, which is twofold: (1) as spaces to learn about democracy and active and responsible citizenship, and (2) as competent providers of area-specific programmes and projects. Therefore, they should provide means that will enable a two-tier financing of the sector – for its functioning and its programmes. The Slovenian Office of Youth and local authorities should provide means to ensure the functioning, and respective ministries should enable youth organisations to apply to calls for tenders. The National Youth Council of Slovenia proposes that funds for the functioning of youth organisations are separated to (1) finance democratic processes in organisations, such as councils of members and other forms of including membership in the leadership structure, and (2) finance other needs related to the functioning of youth organisations, such as staff, offices, equipment, etc.

2. **International cooperation in the youth sector should be adequately placed in the funding system.** International cooperation, mostly in the EU framework, but also wider, is one of the key components of youth association. Since it is characterised by high cost, and since young people are economically the weakest part of the population, it is especially important to ensure adequate funding for it.
3. **We call upon the Slovenian government to set up a fund for youth organisations,** which will bring in additional means for the Office of Youth to be able to fund youth organisations. The means should come into the fund from the non-allocated part of the 0.5 percent of the personal income tax.

4. We also **call upon the Slovenian government to increase to 1 percent the percentage of the personal income tax, which taxpayers may allocate to the non-governmental sector.**
5. **The state should change the tax legislation to exempt youth organisations from the corporate profit tax** and thus ensure more favourable conditions for long-term projects and regular work. The legislation should enable to save the surplus in the so-called association fund.
6. The Ministry of Education and Sport and the Ministry of Higher Education, Science and Technology should ensure, in addition to the reform of formal education, that **engagement in youth organisations will be recognised as part of formal school or university obligations.**
7. **We call upon the state to consider volunteer work as youth organisations' own financial contribution, and to regulate it in the legislative and other acts,** which cover calls for tenders by public institutions at the national and local levels, and which youth organisations can apply for. Moreover, the **percentage limit of co-funding of projects and programmes should increase** – thus ensuring higher co-funding of fewer quality projects and programmes, while the co-funding of more and less quality projects and programmes should be limited.
8. **We call upon the National Assembly to regulate the legal status of youth associations that exist in the framework of non-youth organisations.** The role and relation to the mother organisation must be regulated (statutory definition, membership fee, supervisory organs and responsibilities). These associations must be recognised as autonomous organisations with their own legal personality and with independent financial management (own bank account, separate accounting). The legislation should thus enable the organisation of independent internal units within every non-youth organisation, which will be composed of young people and which will represent them and their interests.
9. **We invite non-youth membership-based organisations, which already have separately organised young members within their structure, to establish mechanisms for independent functioning of their youth associations.** Moreover, the financing of youth organisations must be regulated. Calls for co-funding should be adapted in a way that youth organisations will also be able to benefit from them.
10. **We call upon the state to change the legislation regulating the functioning of youth councils where it now limits the membership in the National Youth Council of Slovenia to national youth organisations.** The state should do it in a way that will enable the National Youth Council of Slovenia to include different types of youth organisations in

order to ensure better representativity of the organisation and better fulfilment of its mission.

11. We call upon the National Assembly to change the Youth Council Act so that it will **recognise youth councils as non-governmental organisations** of public interest.
12. Last but not least **we call upon local authorities to establish dialogue with young people through local youth councils** and not through youth centres. The National Youth Council of Slovenia recognises youth centres as interlocutors of young people, not as a representative counterpart of the local community. This is what youth councils are for and local youth council without doubt best ensure representation at the local level, because they bring together youth organisations with different interests, views, cultural and political orientations and because they function in a democratic manner.

In order to improve the situation of youth organisations, which engage in youth work and thus offer to young people a large part of non-formal education and informal learning, the National Youth Council of Slovenia strives for them to also implement certain measures.

13. Youth organisations should first **organise their work so that they become the learning space for active and responsible citizenship**; only in this way will they gain the basis to include more new members.
14. Youth councils should in principle be inclusive to all organisations that fulfil legal criteria, but should critically assess especially their democratic processes. **Only organisations fulfilling democratic organisational standards should gain the status of a "real" youth organisation** and as such become full members of youth councils.
15. **Youth associations within larger membership-based organisations** (youth wings of political parties, defined in the Act on Political Parties as youth organisations, as well as youth sections within larger membership-based organisations such as associations, unions or trade unions) **should aim to internally regulate their status and gain autonomy.**
16. **The National Youth Council of Slovenia should take a position regarding the inclusion of local youth councils** in accordance with the principles of openness, representativity, and thus legitimacy of youth representation.
17. Should its member organisations call upon it to help them **fulfil democratic standards, the National Youth Council of Slovenia must ensure adequate professional support.** At the same time, member organisations are responsible for asking the National Youth Council of Slovenia for support in case they would not be able to ensure these quality standards on their own.

18. In order to ensure optimal conditions for work and development of young people at the local level **youth centres and local youth councils should consistently follow their aims, establish dialogue and complement each other.**

Conclusion

Regulating the conditions for youth association in Slovenia is a necessary step towards the improvement of the position of young people and youth organisations, and consequentially towards ensuring a sustainable development of the society. Youth organisations are often the most overlooked part of the civil society, which in the opinion of many does not need special measures. However, such reasoning does not hold, seen the importance of activities undertaken by young individuals in the framework of youth organisations. If we strive for a healthy, harmonious and interconnected society, giving a perspective for the future and enabling a happy and productive life, young people need to be properly provided for.

The National Youth Council of Slovenia works to foster cooperation between all stakeholders which can in any way contribute to the improvement of existing circumstances and conditions. We strive for the development of a long-term and coherent policy corresponding to the needs of young people and youth organisations, enabling their successful acquisition of non-formal skills and experience, and motivating them to life long learning. In this way, we can have an important influence on the quality of life in Slovenia and on the future of our society.