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eurochild
promoting the welfare and rights
of children and young people
pour la promotion du bien-être et
des droits des enfants et des jeunes

Leave policies from a child rights perspective

Mafalda Leal
Policy Officer



EUROCHILD

- Representing over 100 organisations from 35 European countries
- All members working directly with and for children
- Mission to promote the rights and welfare of children in Europe by:
 - Influencing policies
 - Helping to exchange good practice and knowledge
 - Raising awareness
 - Promoting the participation of children and young people
- Work underpinned by the United Nations Convention on the Rights of the Child

EU FRAMEWORK

- Parental leave (2010)
- Maternity leave
- Paternity leave (2011 consultation)
- Barcelona targets for child care placement (2002)
- Early years education & care – Council Conclusions (2011)

Eurochild view: broad policy framework linking labour market policies, family-related leaves, family support services & formal education systems as the basis to develop policies on ECEC services.

A CHILD RIGHTS PERSPECTIVE TO LEAVE POLICIES

UN CRC – all children entitled to all rights

“Early childhood is the period of most extensive (and intensive) parental responsibilities related to all aspects of children’s well-being covered by the Convention. Realizing children’s rights is in large measure dependent on the well-being and resources available to those with responsibility for their care.”

UN CRC Committee General Comment 7, 2005

Attainment of rights by young children differs from older children:

- particular vulnerabilities & higher risk of death and deficient growth, higher impact of abuse and neglect when occurred early in a child’s life;
- larger role of family in the lives of younger children;
- tremendous opportunities for improving children’s lives in the earliest years.

A CHILD RIGHTS PERSPECTIVE TO LEAVE POLICIES

Child rights approach to leave policies → meeting children's rights

→ in the best interest of the child

Care for all children – not depending on parents' labour-market status or job quality

UNCRC general principles & early childhood

- Right to life, survival and development – perinatal care for mothers & babies, reduce infant & child mortality and create conditions that promote the well-being of all young children.
- Right to non-discrimination – young children are especially at risk of discrimination because they are relatively powerless & depend on others for the realization of their rights. They may also suffer the consequences of discrimination against their parents.

A CHILD RIGHTS PERSPECTIVE TO LEAVE POLICIES

- Best interests of the child: responsible authorities to assess & represent their rights & best interests in relation to decisions & actions that affect their well-being, while taking into account of their views & evolving capacities.

art. 18.1: parents (...) or legal guardians have the primary responsibility for the upbringing & development of the child. The best interest of the child will be their basic concern.

→ applying to individual children & children as a group/ constituency

- Respect for the views & feelings of the child. Respect for the child's agency – as participant in family, community and society – often overlooked or rejected as inappropriate on the grounds of age and immaturity.

A CHILD RIGHTS PERSPECTIVE TO LEAVE POLICIES

Early Childhood policies → cross-cutting perspective, holistic & integrated approaches.



Families can provide a supportive environment for children's development

art. 18.2: state parties should provide appropriate assistance to parents in their child-rearing responsibilities.

art.18.3: (...)shall take appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.



Parents have the primary responsibility to ensure that the child has an adequate standard of living & ensure this responsibility can be fulfilled (art. 27)



States shall take legislative & administrative measures to ensure protection & care as necessary for the child's well-being (art.3.2)

A CHILD RIGHTS PERSPECTIVE TO LEAVE POLICIES

Health Care (art. 24): access to services; provision of prenatal and post-natal health care for mothers & infants

Education (art.29.1): aim at developing the child's personality, talent & mental & physical abilities to the fullest extent; shall prepare the child for an active adult life in a free society & foster respect for the child's parents, his/her own cultural identity, language & value, and for the cultural background & values of others.



Survival & development (art. 6.2)

Thank you for your attention!

Website: www.eurochild.org

E-mail: Mafalda.Leal@eurochild.org