Leave policies from a child rights perspective

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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.
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.
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)
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!

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