

The conceptualisation and delivery of family policy and support in Europe: A review of international and European frameworks and standards

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Executive summary

1. Context to the report

The European Family Support Network is dedicated to enhancing the role of family support research, policy and practice in promoting children's rights and family welfare. Under the auspices of EurofamNet and funded by the European Cooperation in Science and Technology (COST) scheme, the network is completing a four-year (2019-2023) programme of research and knowledge exchange activities[1]. As part of a larger scoping study that examined 'the conceptualisation and delivery of family support in Europe[2]', this report presents the findings of a review of international and European policy and provision standards and frameworks related to family support, parenting support and children's rights.

2. The review focus and structure

The review examined international and European policies and frameworks concerned with family policy and family support orientated towards support and services for parents, children and families to enhance the care and well-being of children and young people. In our conclusions we argue that to fulfil children's rights as embedded in the UNCRC, children's rights must be explicitly linked to family policy and support.

Family policy refers to a broad range of legislation and policies, which regulate and support families' living standards, functions and relations. It encompasses family support which in general terms refers to resources and services provided to support and assist family roles and members. We suggest that family policy and support should include: income transfers (e.g. family allowances, child benefits); social welfare schemes (e.g. housing support); work-family reconciliation schemes (e.g. paid maternity, paternity and parental leave); open-access to family support services and social services (e.g. community centres, parenting support groups and services) and professional services, specialist support and targeted provision (e.g. family

[1] Based on collaborations between researchers and stakeholders, this programme of work (COST Action CA18123) is organised around the activities of working groups with dedicated remits concerned with a) the conceptualisation and delivery of family support in Europe; b) the use and quality of evidence-based services and programmes in Europe; and c) frameworks for qualifications and training for frontline practitioners in Europe. For further information visit: https://Eurofamnet.eu/home.

[2] In addition to our policy review, the larger scoping study includes a review of family support theoretical literature; and a compendium of national reports on policy and provision among EurofamNet countries.

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caseworker roles; disability support services; parenting education programmes; and child and family social work). Given our focus, it is important to note that 'parenting support' is an important aspect of family support for the purposes of our review.

Reviews of family policy and family support often focus on national contexts and reforms. This reflects the primary significance of national governments in developing and delivering family policy and family support for citizens and residents. However, wider international and European policy actors, debates and developments are also vitally important. These spheres incorporate international and European 'inter-governmental organisations' (IGOs) including the United Nations (UN) and its associated bodies as well as the Council of Europe (CoE) and the European Union (EU) and their associated bodies. These IGOs have wide-ranging human rights and public policy mandates based on inter-governmental agreements and international treaties. Their mandates encompass: (1) establishing international standards and regulations including those concerned with human rights; (2) addressing cross-border issues; and (3) legislation, policies and ideas which inform and influence national social and family policies. These supranational spheres also include numerous 'non-governmental organisations' (NGOs) that influence all aspects and levels of social and family policy debates and developments. Their activities incorporate research, advocacy, advisory and provision roles. NGOs are often the primary actors that place family support, children's rights, and social justice issues on the agendas of European and global IGOs agencies.

Primarily concerned with the significance of supranational policy developments in family policy, family support and children's rights, our review identified and examined relevant and significant legislation and policies adopted by the UN, CoE and EU. Combining policy scoping and literature review methods, the aims of the review were to:

- Outline imperatives and frameworks for rights to family and parenting support that arise from international human rights laws and campaigns, most prominently the UN Convention on the Rights of the Child (UNCRC, 1989).
- Chart the developmental phases and current advancements related to legislative and policy frameworks for children's rights, family policy and family support spearheaded by the CoE and EU.
- Outline the ways in which the most significant UN, CoE and EU policy frameworks advocate a comprehensive and integrated approach to family policy and family support informed by children's rights and social justice perspectives.

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- Review family support and children's rights concerns and EU policy responses during the COVID-19 pandemic.

Based on these aims, four research questions guided the review:

1. How do the UNCRC, additional human rights instruments and UN campaigns conceive and promote entitlements to family support and duties of state parties?
2. What are the remits of the CoE and EU in respect of children's rights and family policy? How have their objectives, instruments and actions in these areas evolved to encompass family and parenting support?
3. What are the key tenets of the most significant UN, CoE and EU legislation and instruments related to family policy, family support and parenting support? To what extent do these promote comprehensive and integrated children's rights and social justice approaches?
4. How have family support concerns and measures figured in the EU response during the COVID-19 pandemic?

3. Report findings and conclusions

Below we summarise the main findings of our review drawing on Chapters 2-5 of our report. We then highlight our overall conclusions drawing on Chapter 6 of our report. The review concluded that the UN, CoE and EU have introduced several progressive and comprehensive frameworks and standards to promote rights-based approaches to family and parenting support spanning economic, employment and social services provision. However, the review also highlights relative strengths and limitations in the policies adopted by each organisation. It also points to the need to address pressing implementation and political challenges in order to fully realise the children's rights approach in practice.

International human rights, children's rights and family support

Focusing on UN-level frameworks and campaigns, the report examined the range of international human rights instruments and campaigns that place major emphasis on rights to, and development in, family and parenting support. Several imperatives for rights to family support emerged from the *International Bill of Rights*[3] and its emphasis on rights to economic support,

[3] The *Universal Declaration of Human Rights* (UDHR, 1948) together with the *International Covenant on Civil and Political Rights* (ICCPR, 1966) and its two Optional Protocols, and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR, 1966) are collectively known as the *International Bill of Human Rights*.

employment support, healthcare and education, and social services for children, parents and families. Additional human rights instruments stress the importance of ensuring human rights for groups experiencing disadvantage such as minority groups, women and those experiencing disability. These human rights instruments promote access to family support (e.g., economic, employment and social services support for children and parents) as measures to combat discrimination, inequality, disadvantage and vulnerability. Most prominently though the highly significant and far-reaching *1989 UN Convention on the Rights of the Child (UNCRC)* provides a comprehensive framework of children's rights to 'protection, provision and participation' which incorporates family and parental support. Central to our review, the UNCRC recognises families and parents as children's primary caregivers. On this basis the UNCRC stipulates to promote the best interests of children, nation states have duties to:

- Provide resources, support, guidance and services to children, parents, families and communities to ensure children reach their full potential, enjoy good health, have an adequate standard of living, have equal opportunities and have their views taken seriously.
- Protect children from all forms of violence and exploitation.
- Ensure children and adults are aware of children's rights and the UNCRC.

The UNCRC recognises there are exceptions when birth parents are not best placed for care for a child or when children and parents live apart. These circumstances sharply bring into focus the role of the state to protect and promote children's rights and best interests; and, act in accordance with children's rights to protection, provision and participation.

In addition, key UN agencies and campaigns (including the *2030 Sustainable Development Goals* agenda) promote family-friendly policies (UNICEF, 2019). UNICEF (2019) advocating for "a holistic and balanced package of time-related, resource-related and service-related policies" (p.2) which for parents with young children, stipulates should include: (1) paid employment leave for parents to enable them to care for young children and balance work and family roles; (2) affordable, accessible and quality childcare and healthcare services for children, parents and families; and (3) adequate provision of child and family benefits and cash support.

The Council of Europe, children's rights and family support

The report considers the human rights mandate of the CoE and its articulation of human rights and children's rights approaches to family policy. The analysis highlights the CoE's foremost human rights instruments, the *1950 European Convention on Human Rights (ECHR)* and

1961/1996 European Social Charters (ESC/RESC), which incorporate significant emphasis on the provision of family support. Through these major human rights instruments as well as their array of recommendations and resolutions, it is argued the CoE has developed a substantial range of policies that promote rights to, and developments in, family policy and parenting support. For example, the review examined CoE conventions, recommendations, strategies and campaigns that promote children's rights approaches to 'positive parenting' and family support, gender equality measures, work-family reconciliation policies, the abolition of corporal punishment, measures to reduce abuse and exploitation, measures to promote the rights of migrants and their families, and measures to promote the rights of those with disabilities and their families. These perspectives resonate with calls for family policies that promote multi-generational family support and tackle gender inequality as advocated in COFACE's (2020b) *Child Compass 2030* campaign.

However, the review of CoE developments recognised complexities to its human rights mandate and within the relationship between the CoE and its member states. For example, consideration of diverse national family and social policy approaches and contexts among member states leads to an emphasis on securing gradual adoption of CoE-endorsed human rights and children's rights standards among its member states. Further, beyond EHRC caselaw, CoE developments for social rights and children's rights tend to rely on the use of soft-law guidance and policy learning actions. Nevertheless, within these roles over the years, the CoE has had much impact and influence on national-level family and childhood policies although its impact and influence does also vary and fluctuate across member states.

European social policy and the European Union

The report examined the developmental phases and contemporary advancements related to family policy, social policy and children's rights spearheaded by the EU. The review recognised the dominance of employment concerns and social inclusion measures within EU policies and actions related to parents and children. At the EU-level, these concerns have prompted social protection measures, gender equality policies, work-family reconciliation policies, active labour market policies, and childcare support initiatives. In addition, the report recognised that recent years have seen children's rights policies and social rights concerns move up the EU agenda. Crucial for our focus several recent EU Directives and Recommendations, alongside, the *2017 Social Pillar of Rights* and the *2021 European Child Guarantee*, explicitly promote improved rights to time-related, resource-related and service-related policies and provisions for children, parents and families as envisaged by COFACE (2019) and UNICEF (2019). We endorse calls for the forthcoming *European Child Guarantee* framework to firmly encourage member states to

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prioritise child poverty reduction policies and to develop more holistic and enabling family and childhood policies.

Towards a European children's rights framework for family policy and support

Taking the 1989 UNCRC as a starting point in the conceptualisation of family support, the report examined how the CoE and EU follow up and implement children's rights to family support, in particular children's rights to provision. A fundamental tenet of the 1989 UNCRC is it does not see the child as a person standing alone in the world. We argue that to fulfil children's rights as embedded in the UNCRC, they must be explicitly linked to family policy and family support measures. The UNCRC emphasised the value of 'the family' as a fundamental social institution to be afforded protections and assistance, especially in relation to ensuring children's rights to family life, quality care and their rights to an adequate living standard.

The CoE and EU recommend measures to strengthen children's rights and support parents as their primary caretakers. They advocate for universal provision serving all children and families combined with targeted provision for individuals and groups in situations of poverty, migration, disabilities or other challenges. Employment and adequate income support are crucial means by which families with children secure adequate resources. Further, parents' rights to employment leave and children's rights to quality childhood education and care services (ECEC) must be in place. Overall, we call for European family policies and family support reforms to be firmly grounded in this children's rights approach.

In these regards there have been particularly noteworthy CoE and EU developments in recent years. These include the following:

- *The CoE's 2006 (19) Recommendation on policy to support positive parentin*g, *2011 (12) Recommendation on children's rights and social services friendly to children and families* and its *Strategy for the Rights of the Child (2016-2021).* These Recommendations strongly advocate investment in family policy measures and family support provision in order to promote child welfare, safeguard children's rights, strengthen families and prevent social harm. This CoE's children's rights strategy built on two previous strategies and placed emphasis on children's rights to participation and to be heard in different contexts. It has explicitly endorsed a children's rights approach to family policy and family support as part of efforts to reduce and prevent all forms of violence, abuse and exploitation of children and young people; and counter childhood disadvantage.
- *The EU's 2013 Recommendation on investing in children: breaking the cycle of disadvantage* and *2017 European Pillar of Social Rights*. These frameworks promote

increased social investments in universal and targeted support and services for children and parents; and seek to strengthen social and economic rights for EU citizens. The *Pillar of Social Rights* principles include an emphasis on raising standards among EU member states in the areas of work-life balance policies, access to quality early childhood education and care (ECEC) and child poverty reduction policies. Recent initiatives such as the *2019 Directive for Work-Life Balance* and the *European Child Guarantee* constitute concrete follow-up EU actions. The *European Child Guarantee*, currently in development, promises to introduce child poverty reduction targets and measures; and promote access to support and services for children living in poverty.

Children, families and the COVID-19 pandemic

The report considered how family support concerns figured in EU policies introduced to support countries during the COVID-19 pandemic. This analysis was included in our review in order to assess what resources would potentially be available to support and augment current family support provision across the EU. Chapter 5 outlines profound ways in which the pandemic has considerably increased family stress and pressures (Eurofound, 2020a, 2020b and 2020c; Eurochild, 2020). The *Coronavirus Response Investment Initiative* and the *EU Recovery Fund (2021-2027)* were identified as two overarching economic responses to the COVID-19 crisis designed to help alleviate the negative social and economic effects of it. While the *Coronavirus Response Investment Initiative* was an initial economic support response for EU member states, the *EU Recovery Fund (2021-2027)* offers a more medium-term funding support mechanism. Through the *EU Recovery Plan (2020-2027)*, there is an emphasis on ring-fencing resources allocated by European Support Funds (ESF and ESF+) for child poverty reduction measures, as well as the proposed implementation of the *European Pillar of Social Rights* and the *European Child Guarantee*. Details on how family support measures and services will be supported and augmented in individual member states, however, are less clear at present but, we argue, should be important features of their national resilience and recovery plans. We are, therefore, at a critical juncture. Many stakeholder representative groups have been advocating for increased resources for family support and social services. Chapter 5 evidences a growing body of research and an array of NGO campaigns that highlight increasing needs for economic and social support for parents, children and families arising from a proliferation of socio-economic and psycho-social pressures during the pandemic; and the intensification of social inequalities for children, families and communities already experiencing disadvantage in society.

Moving towards a more holistic family policy

Ultimately our review of international and European legislation and policy frameworks for family policy and family support found important building blocks are in place to promote and realise children's rights and social justice approaches. However, focusing on developments across the UN, CoE and EU we also concluded there is not a sufficiently holistic and coherent vision of families' rights to welfare and an adequate standard of living across all three agencies. We argue, therefore, in particular for broader co-operation and alignment between the CoE and the EU to mainstream the children's rights and social rights approaches and to focus more firmly on promoting policies to support disadvantaged groups. Taking advantage of their different profiles as respectively a human rights organisation and an economic and social union, may contribute to better align social rights with human rights, placing human beings and their rights at its centre; not as passive recipients of services but as right-holders with agency.

Finally, we draw the attention to implementation policies. The role of the EU and CoE's recommendations cannot be overstated. Yet, member states carry the main responsibility to fulfil social and children's rights. When progress is lagging behind it brings up the question as to what degree the member states are willing and able to implement EU and CoE policies? Should and can the CoE and the EU do more to promote effective implementation strategies? The latter can be promoted through a wider array of dedicated funding schemes, routine research and evaluation programmes, and inter-governmental policy forums. Alternatively, should these European IGOs seek more extensive remits to enable them to place more demands to increase investment in children and development of family support among their member states? A more systematic approach to EU policy guidance, monitoring and evaluation could significantly promote family policy and children's rights reforms among member states; and promote collaborative learning about the nature of, and how to address, implementation challenges. These are key considerations for the European Family Support Network (EurofamNet) and within current EU debates related to the *European Child Guarantee*.

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Chapter 1: Introduction: Aims and approach of the review

1.1 Introduction

The European Family Support Network aims to promote children's rights and family welfare through advancements in family support research, policy and practice. Under the auspices of EurofamNet and funded as a COST action scheme, the network is currently undertaking a four-year programme of research and knowledge exchange activities[4]. Advancing the workstream 'the conceptualisation and delivery of family support in Europe[5]', this report presents a review of international and European treaties and policies related to family and parenting support spearheaded by the United Nations (UN), Council of Europe (CoE) and European Union (EU). Overall, the review sought to:

- Outline the imperatives for developments in family and parenting support arising from international human rights instruments and campaigns, most prominently the UN Convention on the Rights of the Child (UNCRC, 1989).
- Chart the key phases and features of major legislation and policy frameworks related to children's rights, family policy and family support developed by the CoE and EU.
- Appraise these international and European frameworks in respect of the standards, approaches and guidance they promote for national-level family and parenting support policies and provisions.

Below we set out the aims and approach of our review in more detail. The first section clarifies our analytical focus and influences. It highlights how our review is primarily concerned to examine formal policy and provision approaches to, and frameworks for, family and parenting support. In general terms, it defines family and parenting support in these regards as referring to a range of state support measures that provide resources and guidance that seek to support family roles, members' and groups (including those targeted at parents and parenting) (Daly, 2015; COFACE, 2019). Further, this section establishes the importance of considering the

[4] Based on collaborations between researchers and stakeholders, these activities are organised around activities undertaken by working groups concerned with a) conceptualisation and delivery of family support; b) evidence-based services and programmes; and c) qualifications and training for frontline practitioners.

[5] In addition to our policy review, the larger scoping study includes a review of family support theoretical literature; and a compendium of national reports about policy and provision among EurofamNet countries.

broader family policy context viewing family support as a major sub-field of family policy; and emphasises the importance of family support developments to the advancement of children's rights and social justice. The second section introduces the significance of the supra-national European and international policy and practice context for national-level approaches to, and developments in, family and parenting support across European countries. The third section elaborates on the aims and objectives of our study, the research questions and the policy review approach adopted. The final section summarises the main content of the report.

1.2 Family support as 'provision, policy and values'

As a fundamental social unit, 'the family' is a primary environment for social care, belonging and inclusion. Experiences of family upbringing, relationships and circumstances have profound implications for children and adults alike. In various capacities, European countries heavily rely on family groups and members to: meet the developmental needs of children and young people; provide care and protection for the welfare of children and adults; nurture intimacy, belonging and support; and cultivate social values and inclusion.

Given the personal and social significance of family functions and circumstances, formal 'family support' measures that are organised and funded in varying degrees by the state incorporate resources and activities that provide support and guidance for family roles, groups and members (Daly et al, 2015; COFACE, 2019). Specific measures include economic support for children, parents and families as well as wider assistance, support and resources for parental roles and family members. However, across European countries, family support measures differ considerably in their focal aims and key features. There is also 'varied terminology used to describe family support measures' (Sandbæk, 2007, p. 60). This diversity generates ambiguity about what the term 'family support' involves; and reflects different perspectives about 'desirable and effective' family support (Canavan et al., 2016). These differences in turn encompass broader debates about family norms; what constitutes effective social support; and what constitutes the role of the state vis-à-vis 'the family'. It is, therefore, useful to clarify further the conception of family support that informs our review.

Our policy review is primarily concerned with family support policy and provision that seeks to assist the roles of parents and families with respect to the care and upbringing of children and young people. Given this focus, 'parental and parenting support' are prominent features of family support for the purposes of our review. However, 'family support' can at times refer to more general support measures for family members and groups, while 'parental and parenting support' is more specific and targeted support for parents and children. Overall, we use the term 'family support' as an overarching term in this report which aligns with the broad

conception of family support informing the aims and activities of EurofamNet. However, at other times, we also refer more specifically to family support and/or parenting support.

An additional important distinction to highlight is our review examines 'family and parenting support' as both 'provision domain' and 'policy field'. Elaborating on the first emphasis, family and parenting support provision can broadly incorporate:

- **Income transfers and taxation concessions** such as family allowances, child benefits, tax reliefs, tax credits and welfare benefits for children, parents and families.
- **Additional social welfare schemes** such as housing support measures, food voucher schemes and education resources programmes.
- **Work-family reconciliation schemes** such as maternity and paternity leave, parental leave, flexible working arrangements and childcare.
- **Universal support services** such as parenting helplines, web-based information and guidance services, parenting support groups and services, and community youth schemes; and for children 'early childhood education and care' (ECEC).
- **Targeted support services** such as child health schemes; family support practitioners, disability support services; parenting education programmes; and family social work.
- **And more remedial, intensive and therapeutic social services** provided to highly vulnerable children and families such as child and family social work, family casework, foster care support and intensive family support.

Collectively, these provisions can be described as providing vital resources including time, cash, information, professional expertise and in-kind services that assist parental roles, support family functions, promote child welfare and ensure children's rights (Canavan et al., 2016; COFACE, 2019). However, while most European countries have developed these modalities and types of provisions, there is much cross-national variety in the ways these types of support and services are designed, delivered and inter-related.

Mindful of this diversity, there remain significant gaps in research and theories about family support provisions (Daly et al, 2015). However, the substantial and emerging international evaluation research literature indicates family and parenting supports as public policy measures can help to:

- Reduce levels and risks of child poverty, child maltreatment and neglect, health and educational inequalities, domestic abuse and youth offending (Acquah & Thevenon, 2020; OECD, 2009, 2011).
- Promote children's rights, development and well-being; and reduce risks of adverse childhood experiences (Ulferts, 2020).
- Reduce parental stress and enhance family resilience (Acquah & Thevenon, 2020; Devaney et al., 2013).
- Strengthen parent-child relationships, improve parenting capabilities, and strengthen wider family relationships (OECD, 2011; Ulferts, 2020).
- Support mothers' / parental employment, support fathers' full role as parents and promote gender equality (Adema, 2014).
- And reduce social isolation, facilitate social networks, and enhance social capital among family members and groups (Devaney et al., 2013).

This literature provides important research messages about the importance of well-designed, accessible, and tailored services. Attention is often placed on: (a) significant and sustained social investment and reform; (b) comprehensive and formal rights to support and services; (c) evidence-informed policy and practice; and (d) service user/target group participation in the development and review of provision. Informed by these considerations, our review is interested in the development of family and parenting support approaches and measures as mechanisms to promote the human rights of all family members as well as enabling parents and families to promote children's rights.

Consideration of family and parenting support as a 'policy field' (Daly, 2015) highlights the importance of political, legislation and statutory orientations and frameworks for approaches to frontline provision. Important aspects of this wider policy context include:

- Legislation about the rights and responsibilities of parents and families vis-à-vis children and young people; and associated entitlements to state support.
- Roles and responsibilities for child welfare, family support and social welfare among government and state departments and agencies.
- Statutory frameworks that govern how family support is developed, provided, organised and funded (e.g., qualifications and standards for parenting education and family support practitioners; statutory specifications for service eligibility and delivery; or policy/provision

reforms introduced as part of government strategies concerned with children's rights, child welfare, parenting and family support).

European countries also vary in these regards given their different public policy traditions and contexts (Eydal and Rostgaard, 2018; Daly, 2015; Hantrais, 2004; Thevenon, 2011). Critical points of difference, for example, can relate to: conceptions of parental roles and social citizenship; the role of the state versus civil society and the private sector in provision; conceptions of gender roles in relation to parenthood and families; and the configuration of centralised versus decentralised government structures. Further, cross-national policy studies have often found that statutory remits for family policy can be highly dispersed across government departments (Hantrais, 2004). In recent years though, European countries have witnessed similar macro-social changes and challenges (e.g., changing family structures, falling fertility rates and increasing maternal employment) and engaged with significant international and European developments (e.g., promotion of children's rights and European Union initiatives) (OECD, 2009, 2011; Putnina, 2020). These trends have contributed to greater interest in, and adoption of, similar family policies and family support reforms.

1.3 The significance of European cooperation and governance

Reviews of family policy and family support often focus on national-level contexts and reforms. This reflects the primary significance of national frameworks and contexts to the ways in which family policy and family support are conceived, developed, delivered and regulated. However, wider European and global perspectives are also important not least because everyday childhood and family relationships for many are trans-national in nature. The broader supra-national also needs consideration because internationally and across Europe societies and economies are highly inter-connected and inter-dependent. In our policy review, it is the supra-national policy context related to family support and children's rights that provides our main focus. More specifically, our policy review primarily examines the supra-national spheres of global and European social policy, family policy and human rights frameworks.

These supranational policy spheres involve actors and agencies which broadly encompass two main types: 'non-governmental organisations' (NGOs) and 'inter-governmental organisations' (IGOs) (Armingeon, 2010). An impressive array of European and global NGOs is highly significant and influential in advancing children's rights, family policy and family support initiatives. Described as 'agencies, networks and forums who influence all aspects of social policy debate, design and implementation' (Yeates, 2007, p. 645), NGOs can incorporate research, advocacy, advisory and provision roles. Their activities span: funding international, national and local initiatives; providing support to children, parents and families; undertaking

advocacy and campaigning roles; promoting policy/professional collaboration and guidance; and conducting cross-national data collection, research and knowledge exchange. Operating as individual organisations or as collaborative networks, NGOs such as COFACE (Confederation of Family Organisations in Europe), Eurochild, the European Social Network, the European Alliance for Investing in Children, Make Mothers Matter, the European Anti-Poverty Network (EAPN) and the European Association of Service Providers for Persons with Disabilities (EASPD) have played critical roles in advancing children's rights and family policies among European and international policy-makers. These organisations and networks are among the primary actors that place family support, children's rights and social justice issues on the agendas of European and global policy makers; and provide a strong voice advocating social supports for parents, children and families.

European and international 'inter-governmental organisations' (IGOs) are defined by Armingeon (2010, p. 306) as 'European and international organisations in which national governments are represented'. These include the UN and its various associated bodies (e.g. UNICEF, the World Health Organisation (WHO) and International Labour Organisations (ILO)), the CoE and the EU. With wide nation-state membership, these institutions and agencies have substantial respective human rights and public policy mandates. Their mandates are established and modified by international and European treaties and conventions. These agencies have public policy remits that encompass: (1) 'setting international standards and creating international rules'; (2) 'distributing resources for welfare purposes'; and (3) 'formulating and distributing ideas and information which frames the outlook and options of national policy-makers' (Armingeon, 2010, p. 312). Deacon (2007, p. 4) also emphasised that organisations such as the UN, CoE and EU have fundamental roles in "the articulation and governance of citizen and human rights that operate across borders". IGOs also undertake important statistics and research functions via the production and analysis of cross-national statistics, and analysis of national trends, policies and programmes. Of focal interest to our review, is consideration of how the supra-national inter-governmental agencies of the UN, CoE and EU employ these mandates to promote family support and children's rights developments among member states.

1.4 The review aims and methodology

Informed by the concepts and considerations above, our policy review aims to: (1) chart the ways in which international and European human rights frameworks, and European social policies as developed by the UN, CoE and EU conceptualise and promote family and parenting support developments among member states; and (2) review their approaches to, and developments in, family and parenting support informed by children's rights and social justice perspectives. The

review examines the significant yet dispersed nature of EU and CoE developments related to family and parenting support. Further, it locates and reviews policy developments at the European-level within the broader context of international human rights treaties and policies advanced by UN bodies. Furthermore, informed by children's rights perspectives, as articulated by the UNCRC (1989), the review examines the ways in which European policy frameworks develop standards and guidance for member states based on children's rights to protection, participation and provision. In addition, social justice concerns are focal to our review. Social justice can broadly refer to the distribution of wealth, opportunities, and privileges within a society; and promote social policies orientated towards the reduction of social inequalities and the promotion of a more equitable distribution of economic, political, and social rights and opportunities. The distribution of resources, how people are treated, and access to services and opportunities are all essential aspects of social justice. With these considerations in mind, our review examines approaches to, and features of, family and parenting support policies and provisions promoted by international human rights frameworks, the CoE and the EU. Further, over the course of our review, we sought to recognise the emerging implications for children, parents and families arising from the COVID-19 pandemic. In this regard, our review considers recent EU-level responses and policies related to family support, children's rights and the COVID-19 pandemic.

Overall, four research questions guided our review:

1. How do the UNCRC, additional international human rights instruments and UN campaigns conceive and promote entitlements to family support and the duties of state parties?
2. What are the remits of the CoE and EU in respect of children's rights and family policy? How have their objectives, instruments and actions in these areas evolved to encompass family and parenting support?
3. What are the key tenets of the most significant UN, CoE and EU legislation and instruments related to family policy, family support and parenting support? To what extent do these promote comprehensive and integrated children's rights and social justice approaches?
4. How have family support concerns and measures figured in the EU response to the COVID-19 pandemic?

The methodology combined policy review and literature review approaches. As a policy review, the study sought to analyse relevant legislation and policy frameworks documented and articulated within legislative documents, policy strategies, policy reports and organisational

websites. Our review was reliant on publicly available sources published in English. The review also incorporated a selective literature review to develop our critical and analytical approach and insights. Key literature included academic literature about international human rights, European family policy, European social policy, children's rights and family support as well as grey literature published on these topics by NGOs and policy/practice bodies.

1.5 Report structure

The report has four main chapters. Addressing RQ1 above, Chapter 2 introduces the importance of international human rights imperatives, instruments and campaigns for developments in family support. Addressing RQ2, Chapter 3 sets out the overarching remits of CoE and EU as European institutions that promote human rights and common European social policies; and charts their increasing interest and activities in developing European frameworks and recommendations for children's rights, family policy and family support. Addressing RQ3, Chapter 4 examines current EU and CoE frameworks and policies in further depth. This chapter examines and evaluates how these European institutions promote children's rights to family support (as expressed in the UNCRC, 1989) with regards to their family support and positive parenting policies. Addressing RQ4, Chapter 5 reviews issues and developments arising in the context of the COVID-19 pandemic. The chapter draws on recent research and data to chart the emerging concerns and issues related to children's rights and family welfare. In response to these concerns, it examines European-level initiatives introduced up to the end of January 2021 and by the EU. The final chapter of our report sets out our conclusions which recognise the wide scope of international human rights and European family policies; and highlights their collective significance for conceptions of, and approaches to, family and parenting support for member states and European countries. The conclusion calls for European countries to better realise the combined vision of progressive and comprehensive approaches to family policy, family support and children's rights based on these international and European frameworks. However, the conclusion chapter also recognises some tensions arising from the international and European frameworks; and some of the challenges that arise for European countries during processes of adoption and implementation.

Chapter 2: International human rights, family policy and family support

"To be effective, family-friendly policies need to be designed as a holistic and balanced package of time-related, resource-related and service-related policies to provide adequate provisions." (UNICEF, 2019, p. 2)

2.1 Introduction

The articulation and governance of international human rights are important aspects of the international context for European debates and actions related to family policy, children's rights and family support. This chapter introduces the human rights functions of the United Nations (UN) and its associated bodies; and examines the ways in which international human rights conventions and campaigns promote rights to family support. The chapter addresses RQ1: How do the UNCRC, additional human rights instruments and UN campaigns conceive and promote rights to family support and the duties of state parties to provide family support? To address all elements of this question, the chapter has six sections. The first section introduces the role of the UN and its human rights functions and bodies. The second section examines how the foundational human rights instruments knowns as the *International Bill of Human Rights* establish rights to family support. The third section introduces the *UN Convention on the Rights of the Child* (UNCRC, 1989) and examines its comprehensive articulation of rights to family support on the basis of fulfilment of parental and state duties to ensure the full realisation of children's rights in families and society more broadly. The fourth section considers the importance of additional human rights instruments that lay out rights to family support as part of measures to address disadvantage and discrimination. Looking more widely at UN-related policy roles and activities, the fifth section highlights the influential roles of several UN bodies, such as the World Health Organisation (WHO) and the United Nations Children's Fund (UNICEF), in the fields of children's rights and family support; and highlights key tenets of their current relevant campaigns. Finally, the sixth section reviews the importance of the *2030 Sustainable Development agenda* and goals.

2.2 The UN, its bodies and international human rights

Since the mid-1940s, the advancement and governance of international human rights have been directed by the United Nations[6] (UN) and laid out in its treaties. As the largest international inter-

[6] See Appendix 1 for further background information about the UN and its bodies.

governmental organisation with near global membership, the UN promotes universal human rights and associated world-wide state duties. Such a role is guided by the purposes and principles contained in the Charter of the UN (UN Charter), in terms of the development of international cooperation in solving international economic, social or humanitarian problems, and in promoting and encouraging respect for human rights and fundamental freedoms (UN Charter art. 1). Recognising the sovereign equality of all its member states, the UN is also based on the principle that member states shall act in good faith in fulfilling all the obligations assumed by its founding Charter (UN Charter art. 3). These obligations refer to the duty of states to respect, follow and integrate UN adopted standards in their national legal systems and policy frameworks.

Within the structures and powers of the UN, member states agree and implement its multilateral international treaties; and complete ratification procedures within their own country to integrate these into their legal orders[7]. There are nine core UN human rights treaties, several of which are listed in Table 2.1. and considered in further depth in this chapter. As parties to international human rights treaties, member states have obligations to "respect, protect and fulfil" human rights:

> The obligation to respect means that States must refrain from interfering with or curtailing the enjoyment of human rights. The obligation to protect requires States to protect individuals and groups against human rights abuses. The obligation to fulfil means that States must take positive action to facilitate the enjoyment of basic human rights. (ohchr.org 2021).

In addition, member states may adopt optional treaty protocols as voluntary measures.

The principal organ of the General Assembly incorporates the various Committees set up by UN human rights treaties to monitor compliance following ratification by member states. These include highly important monitoring bodies such as the Human Rights Committee (OHCRC), the Committee on Economic, Social and Cultural Rights (CESCR) and the Committee on the Rights of the Child (CRC). The UN committees also receive and review periodic reports submitted by member states related to human rights treaties; and address their concerns and recommendations to the state parties in the form of 'concluding observations'. In addition, the UN committees issue interpretations of the provisions of the UN human right treaties in the form

[7] In some cases, specific provisions of a multilateral treaty can be subject to reservations or declarations whereby a state can "exclude or modify the legal effect of certain provisions of the treaty in their application to that State" (Evans, 2003, p. 191) as long as the latter are not considered incompatible with the object and purpose of the Convention.

of general comments or general recommendations. These are not legally binding but provide important guidance for the implementation of specific treaty provisions, which are usually formulated in broad and general terms. Overall, through these mechanisms, the UN and its associated bodies oversee the promotion of human rights on a global basis influencing the actions among nation-states and their social policies (Evans, 2003; Deacon, 2007).

Table 2.1. *International human rights treaties and instruments highly relevant to children's rights and family support*

	Treaties
1965	International Convention on the Elimination of all forms of Racial Discrimination (ICERD)
1966	International Covenant on Civil and Political Rights (ICCPR)
1966	International Covenant on Economic, Social and Cultural Rights (ICESCR)
1979	Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
1989	Convention on the Rights of the Child (CRC)
1990	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW)
2006	Convention on the Rights of Persons with Disabilities (CRPD)
	Other Documents
1948	Universal Declaration of Human Rights (UDHR)
2010	UN General Assembly, Guidelines for the Alternative Care of Children
2014	UN Human Rights Council, Protection of the Family
2015	UN Human Rights Council, Protection of the Family: contribution of the family to the realisation of the right to an adequate standard of living for its members
2016	UN Human Rights Council, Protection of the Family: role of the family in supporting the protection and promotion of human rights of persons with disabilities

2.3 The International Bill of Human Rights, family policy and family support

The *Universal Declaration of Human Rights* (UDHR, 1948) together with the *International Covenant on Civil and Political Rights* (ICCPR, 1966) and its two Optional Protocols, and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR, 1966) are collectively known as the *International Bill of Human Rights*. In the aftermath of the Second World War, the 1948 UDHR re-affirmed the universality of human rights based on the equal status and worth of all human beings (Article 1) and the non-discrimination principle (Article 2). Its articles placed major significance on the importance of civil rights and freedoms (e.g., the right to life; freedom from abuse, cruelty and torture; rights to freedom of thought; rights to escape persecution and seek asylum in another country) and political democratic rights (e.g., rights to participate in democratic processes and decision-making; rights to stand for political office). Reference to civil rights in the UDHR (1948) incorporate rights to privacy and protection from "arbitrary state interference" in "family and home life" (Article 12). In addition, the UDHR stipulated "the family" is a "fundamental unit in society" that should be "entitled to protection by society and the state" (Article 16); and that "motherhood and childhood" should be "entitled to special care and assistance" irrespective of the marital status of parents (Article 25). Further, the UDHR (1948) incorporated proclamations of social and economic rights as critical to the full realisation of civil rights, political rights and the non-discrimination principle. For example, the UDHR (1948) stipulated social and economic rights to education (Article 26); to decent employment conditions and equal employment opportunities (Article 23); and to an adequate standard of living for equality, health and well-being (Article 25).

In the 1960s, the adoption of the ICCPR (1966) and ICESCR (1966) strengthened the legal basis for these human rights, elaborated on their scope and introduced formal compliance procedures. The ICESCR (1966) with its emphasis on social and economic rights is particularly relevant for our review. Alongside the promotion of rights to social security, social services, healthcare and education for all, the ICESCR (1966) stipulates "the widest possible protection and assistance should be afforded to the family" especially "while it is responsible for the care and education of dependent children" (Article 10). State parties are particularly directed to ensure families have access to an adequate income, healthcare and social services to ensure children enjoy healthy development (Articles 7, 10-12); and to provide "social protection for mothers before and after childbirth", including healthcare and maternity leave schemes (Article 10).

An important feature of the ICESCR (1966) is its articulation of the interrelated and interdependent nature of all categories of human rights. Social and economic rights are not viewed as secondary to civil and political rights. Rather all categories of human rights are viewed

as central to the full realisation of the inherent dignity and potential of all. In this sense, international human rights instruments, such as the ICESCR (1966) as well as the international human rights movement more widely, seek to challenge the inadequate development of social and economic rights among state parties across the world. Ratification of the ICESCR (1966) establishes state duties for implementation and compliance which enables the Committee on Economic, Social and Cultural Rights (CESCR) to challenge efforts to dismantle and restrict social rights among European welfare states such as through austerity programmes in recent years (Commissioner for Human Rights of the Council of Europe, 2013; Fredman, 2008). However, it is also recognised within international human rights law that the development of social and economic rights demands significant national resources and development. Debates on these issues meant the ICESCR (1966) took several years to develop. In addition, for these reasons the ICESCR (1966) specifies state parties "commit to the progressive realisation" of its social and economic rights (Article 2). This pragmatic approach, though, raises concerns about the marginalisation of social and economic rights within international human rights frameworks and actions (Fredman, 2008). However, the ICESCR (1966) remains an important human rights instrument which, by late 2020, had been ratified by 171 state parties[8]. The CESCR plays a central role in monitoring compliance and providing guidance for implementation.

2.4 The UNCRC, family policy and family support

The *UN Convention on the Rights of the Child* (UNCRC, 1989) has major resonance for family and parental support. As one of the most ratified international human rights treaties, the UNCRC (1989) is a highly influential framework for advocating and developing children's rights at national, European and global levels. It is notable for its holistic vision of children's civil, political, social, economic and cultural rights; its conception of children as independent citizens and rights-holders; and its articulation of the duties of parents and nation-states for the promotion and fulfilment of children's rights (Stalford, 2012; Dolan et al., 2020).

The UNCRC (1989) was introduced in recognition of children's vulnerabilities and needs; and as an articulation of the rights of all children and young people under the age of 18 years. In general terms, the Convention is often described as concerned to promote the three 'Ps': the participation of children in decision-making; the protection of children against discrimination and all forms of neglect, violence and exploitation; and the promotion of children's welfare,

[8] A further four state parties had also signed but not ratified the ICESCR by late 2020 (see https://indicators.ohchr.org/)

development and potential. Within the articles of the UNCRC (1989), these goals are translated into four overarching principles for understanding and promoting children's rights:

- UNCRC rights apply to every child without discrimination (Article 2).
- The best interests of the child should be the primary consideration in all decisions and actions that affect children (Article 3).
- All children have rights to life, survival and development (Article 6).
- All children have rights to participate in decision-making that affects their lives according to their evolving capacities (Article 12).

The UNCRC (1989) recognises that children are most often cared for and raised by parents and families. The UNCRC (1989) seeks to uphold children's family and cultural rights in these regards as well as promote their best interests and rights within family and community settings as well as society more widely. These rights are articulated, on the one hand, in terms of children's rights to be cared for, raised by, reside with and be in contact with, their parents and families (Article 2, Article 5, Article 7; Article 8, Article 10, Article 20, Article 30); children's rights to grow up free from abuse, neglect and violence (Article 17, Article 19, Article 34); and children's rights to enjoy an adequate standard of living, right to education, right to good health and rights to leisure and social opportunities (Article 24, Article 27, Article 28, Article 31). They are also articulated with regards, on the other hand, to the duties of parents and families to promote children's rights and best interests (Article 3, Article 5, Article 6, Article 9, Article 18). Emphasis is placed on the duties of "both parents" to share these duties (Article 18). In addition, the UNCRC (1989) clearly stipulates children's rights and parental duties mean that nation-states duties are to both: (1) directly promote and fulfil children's rights throughout society (including within family settings and relationships); and (2) ensure and support the fulfilment of parental and family duties in the best interests of children. In these respects, state parties must respect parental and family rights "to provide guidance and direction to their children and their care" (Article 5) and pro-actively:

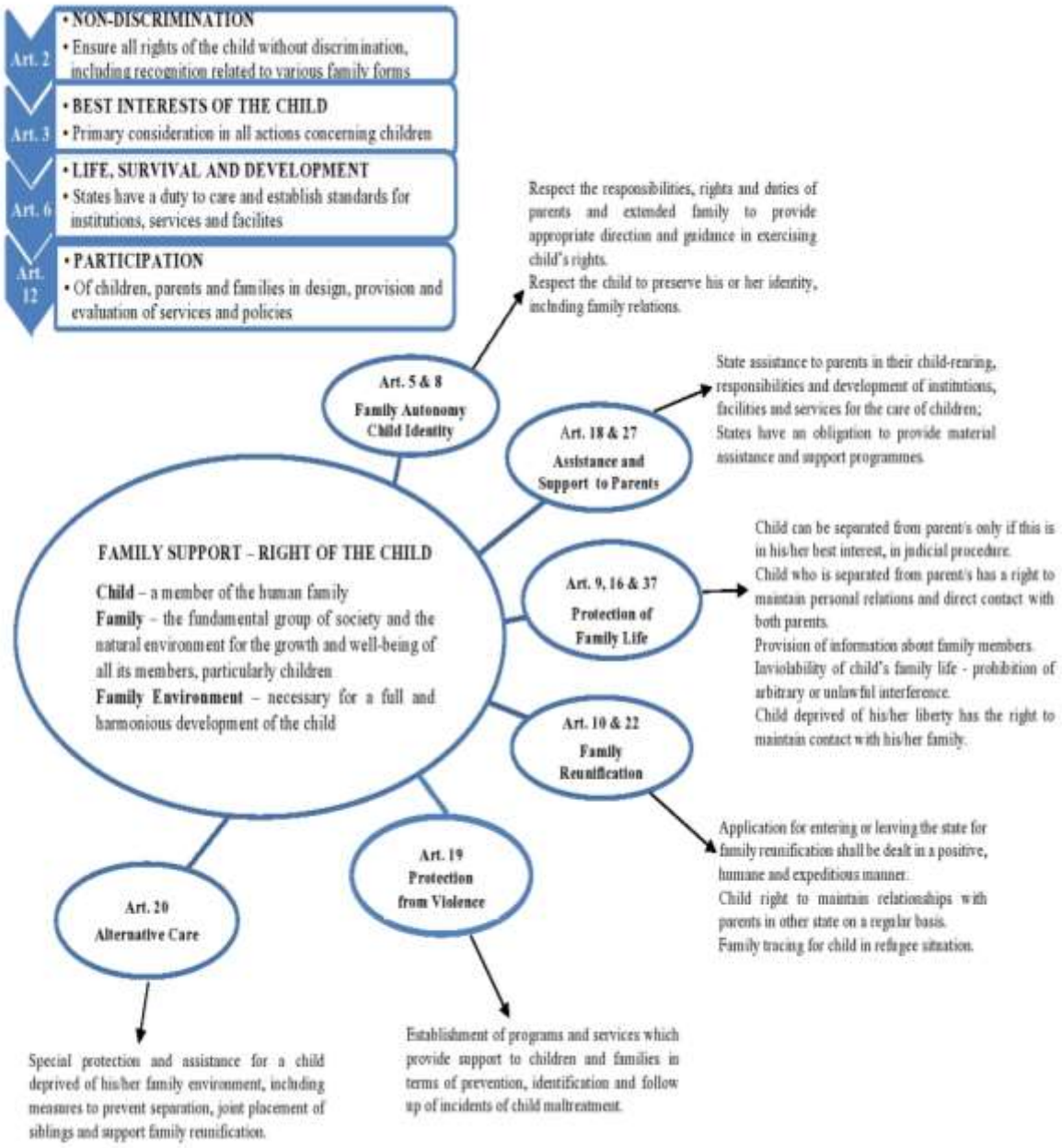
- Provide support, resources, guidance and services to children, parents, families and communities to ensure children reach their full potential, enjoy good health, have an adequate standard of living and enjoy the right to education (Article 3, Article 5, Article 6, Article 12, Article 23, Article 24, Article 26, Article 27, Article 28).

- Ensure children are involved and supported to be involved in formal decision-making that directly impacts on their lives and have their views taken seriously within these processes and have their views acted upon (Article 12).
- Protect children from all forms of neglect, violence and exploitation including via child welfare and protection measures directed at parents and family members; and to provide therapeutic services to aid recovery from these experiences (Article 17, 19, 34, 35, Article 36 and Article 39).
- Raise awareness among children and adults of children's rights according to the UNCRC (Article 4).

Of critical importance, the UNCRC (1989) also affords additional protection to vulnerable groups including child refugees and asylum seekers, children affected by disability, children involved in the state care system and children living in institutions. State parties, therefore, have particularly important duties to protect and promote children's rights in these regards. Overall, state parties have further wider duties to promote children's rights throughout society. States have key roles to elevate children's social status as rights-bearing citizens; to promote their rights across all aspects of their lives; and to involve children in decision-making.

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Figure 2.1. *Family support within a child's rights framework (Dolan et al 2020, p. 16)*



Drawing on Dolan et al (2020, p. 16), Diagram 2.1 above provides a visual overview of the implications of the UNCRC for a children's rights approach to family and parental support. Informed by the UNCRC (1989), Dolan et al (2020) state that "children's rights to Family Support is a prerequisite for the full and indivisible exercise of the rights of the child" (p. 9) and call on all governments to "build the capacities of families as an integral part of their efforts to realise the rights and well-being of children" (p. 9). Their overview of a children's rights approach also stresses the duties on state parties to provide high quality alternative care for children unable to reside with their birth families; and, where appropriate, to support them to have ongoing contact in these circumstances with birth parents. Support for parents that adopt children within these systems as well as support for those who provide kinship care and foster care therefore are important features of the duties of states to provide assistance to parents and families.

With respect to implementation and compliance procedures, state parties to the UNCRC (1989) are obliged to provide national reports about the implementation of the UNCRC (1989) in their country to the Committee on the Rights of the Child (CRC). The Committee monitors the implementation of the UNCRC (1989), issues observations and recommendations in response to state party reports, and issues guidance on how to interpret and implement the UNCRC (1989). To fully realise children's rights, the CRC "favours direct and full incorporation as the method of implementation, thus giving full legal effect to the binding commitments made by governments when ratifying the CRC" or at least domestic law changes based on articles within the UNCRC (Lundy et al., 2012, p. 3). The CRC also advocates national policy actions and campaigns which include: the continuous development and evaluation of national strategies and cross-sector actions plans for children and families; the establishment of well-resourced children's rights bodies (e.g. children's commissioners; cross-departmental children's rights units); children's rights training for all those working with and on behalf of children; and the development and collection of data on children's lives and well-being (Lundy et al, 2012).

2.5 Additional human rights instruments, family policy and family support

Further human rights imperatives for the development of family support arise from additional conventions that seek to ensure human rights among disadvantaged, vulnerable and minority groups. From a women's rights perspective, the *Convention on the Elimination of All Forms of Discrimination Against Women* (CEDAW, 1979) requires state parties to develop public policies and provisions that safeguard women from abuse and violence, and promote equality between men and women in the private and public spheres. On the basis of women's status as mothers and parents, CEDAW (1979) prohibits dismissal and discrimination in employment on the basis of marital status or pregnancy (Article 11) and calls for "provision of supporting social services

to enable parents to combine family obligations with work responsibilities" including paid maternity leave schemes and affordable childcare services (Article 11). To promote maternal welfare, it calls for "access to family planning" (Article 12) and "access to mother and child healthcare services" (Article 11). To reduce risk of poverty for women, it calls for women's rights to family benefits (Article 12). To reduce risks of domestic violence and abuse, it calls for improved prevention, reporting and prosecution services (Article 12).

The *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* (ICMW, 1990) is also highly significant. Important features of this Convention include recognition of the family rights of migrant workers and consideration of the implications of economic migration for family roles and relations. Within this Convention, "family members" were conceived as "persons married (or similar) to migrant workers", "the dependent children of migrant workers" and other "legal family members" (ICMW, 1990). Mindful of social, family and children's rights, the ICMW (1990) laid out rights for migrant workers and their families with respect to access to social security, education and healthcare, housing and social services to migrant workers and their families. The rights of migrant workers to be reunified with their children and family members as well as have their cultural identity respected are also specified.

In addition, the *Convention on the Rights of Persons with Disabilities* (CRPD, 2006) recognised that disabled people experience disadvantages due to "social barriers that hinder their full and effective participation in society on an equal basis with others" (CRDP, 2006). It stipulates that state parties should undertake pro-active measures to ensure disabled people and their families can secure their human rights. The CRPD (2006) calls for state parties to "eliminate discrimination of disabled people in matters relating to marriage and parenthood" and to take measures to protect disabled adults and children from abuse and exploitation (CRDP, 2006). It reaffirms disabled adults and children's rights to a decent standard of living, which requires positive state actions to "assist disabled people in poverty to access disability related expenses, training, counselling, financial support and respite care" (CRDP 2006). It asserts the rights of disabled adults and children to access "in-home and community support services" where needed (CRDP, 2006). More specifically for children, the CRDP (2006) emphasises the rights of disabled children to "reach their potential" that requires state parties to provide specialist education and family support as well as appropriate healthcare and social services. States parties are required to respect the evolving capacities of disabled children and promote their rights to be involved in decisions about their lives.

2.6 Human rights campaigns, children's rights and family policy

Beyond the development and governance of international human rights law, various bodies operating as part of the UN are highly influential agencies in international family policy, children's rights and social rights debates including UNICEF, UN Women, the WHO and the International Labour Organisation (ILO). The latter two organisations are legally independent inter-governmental organisations, with their own rules, membership, organs and treaties.

UNICEF promotes children's rights by undertaking a range of campaigning, policy development, research and data analysis, and programme delivery activities. Research undertaken and sponsored by UNICEF has been particularly influential. A wealth of research in these regards has contributed to international comparative indicators and research to understand and monitor patterns of child poverty and well-being, including among European countries (Adamson, 2012; Toczydlowska & Bruckauf, 2017) as well as authoritative reviews of the design, efficacy and implementation of various social protection, social services and family support provisions and programmes for children, parents and families (Daly et al., 2015; Saran et al., 2020). Informed by research and consultation, UNICEF provides guidance for developing child-friendly policies and campaigns for children's rights, prioritising in particular actions to benefit disadvantaged children, families and communities. In recent years, these actions have encompassed policy briefings and campaigns orientated towards the promotion of 'family-friendly policies' (UNICEF, 2019). This campaign has sought to promote supportive policies and provisions for parents and families with children. According to UNICEF (2019):

> Family-friendly policies are defined as those policies that help to balance and benefit both work and family life that typically provide three types of essential resources needed by parents and caregivers of young children: time, resources and services (p. 9).

The UNICEF (2019) family-friendly policy campaign calls for improvements worldwide in four policy areas: (1) paid employment leave for parents to enable them to care for young children and balance work and family roles; (2) support and services for breastfeeding; (3) affordable, accessible and quality childcare services; and (4) adequate provision of child and family benefits and cash support.

Research and campaigns spearheaded by the WHO and ILO very much endorse these features of family-friendly policies and family support measures. The WHO pursues a vision where "all attain the highest possible level of health" (who.org, 2021). Adopting an evidence-based and prevention-orientated public health approach as well as based on commitments to human rights, the WHO has been highly influential in advancing social policies and programmes

in a range of areas including measures to tackle and reduce all forms of neglect and violence against children, young people and women; and measures to promote child and adolescent health. Its recent *Global Strategy for Women's, Children's and Adolescent Health 2016-2030* (who.org, 2021) called for improvements in maternal and child health services, child and adolescent health screening, universal healthcare provision, mental healthcare services, community-based support for families and children, and social services for children and families. The ILO is an influential inter-governmental organisation dedicated to the promotion of labour and economic rights. Through its adoption and implementation of treaties and legal instruments as well as its wider policy, research and campaigning activities, the ILO is instrumental in advancing employment rights and social security policies as fundamental family support, anti-poverty, social equality and gender equality measures.

2.7 The 2030 Agenda and UN imperatives for family policy and family support

Building upon its international human rights framework and the actions of the UN bodies discussed above, in 2015 the UN General Assembly launched the *2030 Agenda for Sustainable Development* (UN General Assembly, 2015) as a global "plan of action for people, planet and prosperity" (UN General Assembly, 2015). This 15-year worldwide agenda encompassed 17 Sustainable Development Goals (SDGs) with 169 targets. Several SDGs indicate the need for further advances in national family policy and family support schemes as crucial features towards sustainable development; and guide the current campaigns of UN bodies.

As a universal policy document aiming to improve lives of people and the planet, the 2030 Agenda calls upon member states to implement and adapt their family-centred policies and measures in order to: eradicate poverty in all its forms (SDG 1); secure access to safe, nutritious and sufficient food and clean water and sanitation (SDG 2 and 6); ensure access to health care services (SDG 3) and inclusive quality education (SDG 4); achieve gender equality (SDG 5); support full and productive employment and decent work (SDG 8); and reduce all forms of violence and abuse (SDG 16). Although all SDGs are global in nature, interconnected and indivisible, they are also to be adapted to the socio-economic conditions prevailing among member states.

A variety of family policy and family support measures may significantly influence the accomplishment of the SDGs and targets. Social protection measures such as universal and targeted monetary transfers to families, both conditional and unconditional (e.g. child benefits, family allowances and social assistance) are essential to addressing poverty reduction (SDG 1) in terms of providing sufficient resources for food, clothing and housing. Moreover, these measures may also have positive effects on increasing access to healthcare services and

education opportunities for children, protecting poor families from the effects of unemployment as well as on the overall improvement of basic living conditions of all family members. On a contrary, when lacking adequate family support measures, families living in poverty often attempt to manage their situation in ways detrimental to welfare such as "reducing the number and quality of meals, postponing health-related expenditure, withdrawing children from school and/or engaging in child labour, engaging in informal employment, and adopting less productive, but safer crops" (Mokomane, 2012, p. 5). Therefore, it is crucial to implement well-designed family policies with nationally appropriate social protection systems and measures to achieve substantial poverty reduction coverage, ensure equal economic resources and access to basic services for men and women, and build the resilience of the poor and vulnerable (UN General Assembly, 2015).

Additionally, sustainable development means to ensure healthy lives for all (SDG 3), thereby implying support for healthy family environments. Related to this, parental roles and family practices have the potential to decrease health risks by promoting healthy lifestyles and well-being among family members. Furthermore, where health problems are present, families remain valuable sources of support which increases possibilities for positive treatment outcomes. Hence family-centred health programs and services (e.g. child and maternal health schemes, parenting and family education programs, family support groups and child health visitors) should be promoted as an important part of family policy. In the same manner, family supportive programs and activities (such as childcare, preschool schemes, parental leave and conditional cash transfers) may positively affect school enrolment rates and learning outcomes contributing to more inclusive and quality education for all (SDG 4). Policies that balance work and family life (such as maternity leave, paternity leave, flexible-working arrangements and other work-family balance measures) are of special value for promoting sustainable economic growth through promoting employment and decent work for all (SDG 8) alongside gender equality (SDG 5) (O'Brien, 2012).

Having in mind that families are fundamental social units of any society with key roles to provide care and protection of all their members as well as secure the developmental needs of children and youth, it is understandable that provision of support to families has an important part to play in meeting most of the sustainable development imperatives. The *2030 Agenda for Sustainable Development* needs to recognise parents, children and families should be involved in policy and programme planning; and serve as key driving forces for sustainable development. In this sense, SDGs and associated targets provide important global imperatives for national family policy frameworks to develop, implement and improve family support measures. Within

these efforts, European inter-governmental organisations (namely the CoE and EU) and non-governmental organisations also have significant roles to promote the SDG agenda.

Although the progress envisaged by the 2030 Agenda for Sustainable Development is now heavily affected by the crisis caused by the COVID-19 pandemic (UN, 2020), the sustainable development imperatives for the improvement of economic, social and environmental aspects of people's lives remain steadily important for all countries. Moreover, the crisis caused by the COVID-19 pandemic has contributed to a greater necessity for well-designed and responsive family policy frameworks with family support measures tailored to serve the needs of families facing specific health and socioeconomic challenges. As already stated, within these global efforts, families should be recognised as beneficiaries and crucial actors contributing to better achievement of sustainable development objectives.

2.8 Conclusion

This chapter has established international human rights instruments and campaigns support wide-ranging rights to family support. In particular, a comprehensive approach to family support arises from the duties placed on parents and the state from the UNCRC which seeks to ensure young people under the age of 18 reach their full potential without discrimination and are pro-actively recognised as rights-bearing citizens. In addition, further international human rights instruments also place emphasis on the provision of family support measures to reduce gender inequality, counter social disadvantage and promote family and cultural rights. Although it is beyond the scope of this review to examine the implementation of international human rights instruments among nation-states, the chapter highlighted factors such as national economic and political conditions influence the actions and non-actions of nation-states. The final sections of the chapter recognised the highly influential roles UN-associated international agencies make to the advancement of children's rights and family support; and the prominence that family support has in the achievement of the 2030 SDGs.

Chapter 3: Three phases of developments: The Council of Europe, the European Union, family support and children's rights

"The Council of Europe has been at the forefront in progressing knowledge and understanding of childhood and family life as well as in working for the betterment of the lives of vulnerable and excluded groups and individuals. This organisation recognises that the balance between children's rights and parental responsibility and resources needs to be further developed." (Daly, 2007, p. 8)

"Children's rights have evolved at EU level over the last two decades from piecemeal provisions in just a few substantive areas to a more comprehensive, explicit and ambitious plan of action." (Frazer et al, 2020, p. 88)

3.1 Introduction

This chapter sets out the broader policy context at the European-level that informs our review of family policy, family support and children's rights policies. It addresses RQ2: *What are the remits of the CoE and EU in respect of children's rights, family policy and social policy? How and why have their objectives and actions encompassed family and parenting support initiatives?* [9] Firstly, the chapter highlights the human rights mandate of the CoE and its' associated interests in family policy, social rights, and children's rights. This section recognises the fundamental significance of long-standing human rights and family policy actions related to family support spearheaded by the CoE as well as the driving influences of its current social cohesion and children's rights strategies to its contemporary innovations and actions related to family support. Secondly, turning to the EU, the chapter highlights the distinctive nature of the EU as a supra-national political entity and the range of its public policy objectives based on its common market, EU citizenship and EU social policy mandates and competences. Resonating with the review of CoE policy developments, the chapter also recognises the importance of longer-standing EU mandates for several of its family policy related actions (particularly those concerned with employment, social protection and freedom of movement issues) as well as the current centrality of its social investment, social rights and children's rights agendas. The conclusion reflects on the overall emerging themes and debates which arise when we consider the broad picture of European-level policy mandates and actions. It recognises the importance of the European-level

[9] This chapter omits consideration of the COVID-19 pandemic and European policy responses which are examined in Chapter 5.

policy domain as a sphere where advocacy campaigns, legislative developments, policy strategies, research and knowledge exchange actions have sought to advance family support, parenting support and children's rights. It emphasises the importance of recent initiatives at the European-level that endorse policy frameworks based on positive parenting, children's rights and social rights orientations. These frameworks are then examined in more depth in Chapter 4.

3.2 The Council of Europe, children's rights and family support

The CoE[10] is the largest European inter-governmental organisation with 47 member states. Since its establishment following the end of WWII, it has sought to safeguard and strengthen human rights, democracy and the rule of law in the European regional context. The current political mandate of the CoE was agreed in 2005 at the Third Summit of the Heads of State and Government of the CoE. This Summit reiterated the core aims of the CoE are to protect human rights, democracy and the rule of law (Council of Europe [CoE], 2005). In addition, in the contemporary context, the CoE emphasised aims to recognise and protect cultural diversity across Europe, and to promote collaborative solutions to common social challenges (CoE, 2005).

The CoE's approach: Towards unity and harmonisation

From its foundation, the CoE set out to harmonise domestic law of the member states in fields relevant to its mandate (Lowe, 2006). This is stated in the first article of its Statute defining the CoE's aim "to achieve a greater unity between its Members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress" (CoE, 1949). Akin to the United Nations (UN) discussed in Chapter 2, central to these objectives are the human rights conventions adopted by the CoE and its formal processes for monitoring these to promote ratification and implementation among member states. Following the Universal Declaration of Human Rights (UDHR, 1948), in its foundational years the CoE adopted the *Convention for the Protection of Human Rights and Fundamental Freedoms [ECHR] (1950).* With its emphasis on the establishment of fundamental standards for civil and political rights for European citizens, this convention is by far the most important CoE instrument and all prospective states must adopt it as a condition of membership. Further, a second foremost early CoE instrument was the *European Social Charter (ESC)* adopted in 1961 which sought to complement the ECHR (1950) with its emphasis to "improve standards of living" ad "promote social well-being" among European citizens (ESC, 1961, Preamble, p. 1). Although not as widely ratified by member states, the *Revised European Social*

[10] See Appendix 1 for further background information about the CoE and its bodies.

Charter (RESC, 1996) sought to further strengthen these guarantees and enhance positive state duties to uphold social and economic rights. These major CoE instruments are important to family support and discussed further below (and in Chapter 4). The CoE has also been the underwriter of additional international human rights conventions, mainly directed towards the protection of children's rights and the rights of vulnerable and discriminated groups (see Table 3.1). Although some of these conventions and instruments have not been widely ratified among CoE member states (Lowe, 2006, p. 8), they form important standards and frameworks which in varying degrees influence national-level family policy and social policy agendas and reforms.

Beyond upholding convention rights and duties, the CoE pursues its mandate through 'soft-law' instruments and inter-governmental cooperation. The selective summary provided in Table 3.1 illustrates that many *CoE Recommendations* are particularly noteworthy in the areas of family policy and family support. Although CoE recommendations provide policy guidelines rather than binding directives, they result from lengthy official discussions among high-level and ministerial representatives; and reflect high-level policy agreements among member states. Additionally, they are employed to provide guidelines for the implementation of existing conventions as well as to form policy agreements that inform future conventions. Most importantly, recommendations encourage member states to ensure their legislation and policies comply with European standards (Lowe, 2006). They are addressed to all member states, which are expected to act upon them immediately. Considering this as well as a more mixed picture of ratification for CoE's conventions concerning family issues and social rights, recommendations have been recognised as influential instruments in European family policy and family law fields (Lowe, 2016, p. 99).[11] Although not binding, their implementation is monitored on the basis that Article 15 of the CoE's Statute, stipulates the Committee of Ministers can "request governments of members to inform it of the action taken by them with regard to… recommendations" (COE, 1949). However, as recommendations, member states are not subject to sanctions for non-compliance.

In addition to the adoption of legal instruments, the CoE carries out its harmonisation efforts through other activities which are also highly significant to the fields of family policy and family support. For example, the CoE has organised conferences of European ministers[12] which

[11] Lowe gives the example of the 1984 Recommendation on Parental Responsibilities, which was the first international instrument to introduce the concept of parental responsibility, now accepted in numerous other instruments, including the UNCRC.

[12] The first conference of Ministers responsible for Family Affairs was held in Vienna in 1959. Numerous conferences of European ministers examined matters relating to family, such as co-operation in regard to the legal representation

have often resulted in resolutions on specific issues related to family policy in member states. The CoE also adopts strategies and programmes which seek to identify and promote 'best practice' policy learning harnessing expert and citizen views through expert committees, scientific meetings, international conferences, public consultations, and colloquies[13]. Further, the CoE often commissions comparative studies, public consultations, and expert reports to inform its recommendations and other legal instruments (Pintens, 2003, p. 16; Meulders-Klein, 2003, p. 111).

Three phases of development: The CoE, family support and children's rights

Since its establishment as a post-war organisation, there have been roughly three phases in the CoE's efforts to harmonise laws and practices in its member states, including in relation to family policy and children's rights. These phases are not entirely unique to these fields but are common to the overall development of the organisation and its activities. The first phase, from its establishment until the 1990s, was "focused on standard-setting and monitoring" advancing its mandate on human rights (Schmahl & Breuer, 2017, p. 15). The beginning of the second phase coincided with the eastern enlargement of the CoE when most of the Central European countries joined and the CoE experienced new heterogeneity. During this period greater focus was directed towards the protection of specific groups, often labelled as disadvantaged or endangered (Schmahl & Breuer, 2017, p. 16-17). In addition, this period closed with the launch of two major programmes, the *1998-2000 Programme for Children* and the *2000 Strategy for Social Cohesion,* both of which stressed the importance of improved social support for families and the need for a more comprehensive approach to children's rights. These strategic programmes spearheaded the most recent third phase in which we see the CoE take forward a more pro-active approach to family and parenting support informed by its children's rights and social rights perspectives. Below, we review each phase in more detail.

and custody of children (Resolution No 1 - 7th Conference 1972, Basle); harmonisation and reform of family law (Resolution No 1 - 10th Conference 1976, Brussels); acquisition of the surname (Resolution No 2 - 13th Conference 1982, Athens); the supremacy of the interests of the child in the field of private law (Resolution No 2 - 16th Conference 1988, Lisbon); sexual exploitation, pornography and prostitution of and trafficking in children and young women (Resolution No 3 - 16th Conference 1988, Lisbon); and victims of crime (Resolution No 1 - 27th Conference 2006, Yerevan).

[13] CoE has been holding colloquies on European Law since 1969, some of them have been of direct significance to family policy issues (e.g., in 1974 on and some of them "Legal representation and custody of minors", in 1981 on "Legal problems concerning unmarried couples" or in 1993 on "Transsexualism, medicine and law").

As introduced above, the first phase saw the adoption of the 1950 ECHR and 1961 ESC. The ECHR includes three articles dealing directly with family issues (Article 12 on the right to marry and form a family; Article 8 on the right to respect for private and family life; and Article 2 of Protocol No. 1 on the right of parents to decide on their children's education provider). Additional articles are also highly significant for family policy and family law fields (e.g. Article 14 prohibiting discrimination and Article 6 on the right to a fair trial). In addition, other articles within the ECHR have formed the basis of CoE actions in relation to children's and family rights. For example, since the 1970s Article 3 (prohibition of inhumane and degrading treatment) has provided the basis for CoE actions for child welfare such as to ban the use of corporal punishment in public/societal and private/family settings. Since 1959, the European Court of Human Rights (ECtHR) has judicated complaints submitted by individuals or states concerning violations of rights guaranteed under the ECHR. The ECtHR has powers to judicate in each case and its judgements are binding on parties to that case. Its case law has had an "enormous impact on the laws of the Contracting States" and was "a driving force behind many law reforms", including in the areas of family law, children's rights and social services (Coester-Waltjen 2016, p.58; Boele-Woelki 2005, p.161). For this reason, several landmark ECtHR judgements are considered in Chapter 4. Moreover, the significance of the ECHR arises from its direct incorporation, in varying degrees, into domestic legislation and constitutions among selective CoE member states through their adoption, for example, of related Human Rights Acts and/or national legislative reforms.

Adopted a decade later, the 1961 ESC declared 'the family is a fundamental unit in society' that should be afforded 'rights to appropriate social, legal and economic protections to ensure its full development' (ESC 1961, Part 1, para 16). It primarily sought to build on the ECHR particularly in relation to European standards in labour and social rights. Many of its articles have direct relevance for social policy and family support stipulating: Article 3 rights to safe and healthy working conditions; Article 3 rights to a decent living wage (including for dependents); Article 4 rights to equal pay for equal work for men and women; Article 8 rights to paid maternity leave (up to 12 weeks); Article 1r1 rights to healthcare; Article 12 rights of workers and their dependents to social security; Article 14 rights of those without resources to social and medical assistance; and Article 14 rights to social services support and care. The ESC reiterated 'the family is a fundamental unit of society with rights to social, legal and economic protections' (Article 17). It elaborated these protections place positive duties on state parties to develop supportive measures for parents, children and families. These included state duties to develop measures such as: social security and family benefits; housing support for families with children; child and maternal healthcare services; and assistance to migrants and their families (ESC,

1961). The ESC placed particular emphasis on "the rights of mothers and children, irrespective of marital and family relations, to appropriate social, legal and economic protection" (Article 17). Moving beyond a pro-marriage moral stance to family policy, this article sought to promote non-discrimination in access to support for children and mothers. While we evidently see the prominence of male breadwinner/female carer assumptions in the ESC (e.g. in its promotion of a family wage for male breadwinners and improved support for mothers as primary carers), we also see an emphasis on setting new standards for family policy based on non-discrimination principles (e.g. improved access to support for unmarried mothers, children and migrant families) as well as social and economic rights (e.g. rights to social security, housing support and healthcare).

By 1991, 20 (out of 24) member states[14] had ratified the 1961 ESC. However, critiques questioned the scope of the ESC and its regulatory framework. The diversity of social and family policy approaches and systems among member states inhibited consensus and contributed to lengthy policy discussions. Hence, the 1961 ESC was formulated as a framework of European common standards and principles to be adopted by member states in flexible and gradual ways. For example, Article 16 stipulates that "the Contracting Parties undertake to *promote* the economic, legal and social protection of family life by *such means* as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly- married, and other *appropriate means*" [Emphasis added]. In practice, this raised concerns state parties merely needed to "adopt some kind of defined family policy which includes economic, and possibly, social benefits" (Schmahl & Breuer, 2017, p. 530). In addition, while the CoE adopted mechanisms and measures to monitor the implementation of the ESC among member states, the monitoring bodies had limited powers to ensure compliance.

The first phase also saw further instruments adopted by the CoE more specifically related to family support and children's rights. As highlighted in Table 3.1, a series of instruments sought to further promote the non-discrimination principle promoting the status of children born to non-married parents, enhanced support for unmarried mothers and family rights for migrant workers. In addition, the ECHR (Article 3) and ESC (Article 17); the *1979 Recommendation concerning the protection of children against ill-treatment*; and the *1987 Convention for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment* provoked CoE actions and ECtHR rulings which called for the abolition of corporal punishment of children/youth in public

[14] By February 2021 32 member states were signatories to the 1961 ESC and 27 member states had ratified the 1961 ESC, see: https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/035/signatures?p_auth=bo0zm8Lf

(e.g., schools) settings (a campaign that progressed in the 1990s to call for a ban on corporal punishment throughout society). Greater emphasis on children's rights also led to greater emphasis on parental duties. The *1984 Recommendation on parental responsibility* was highly influential in these regards and elaborated on the range of duties placed on parents with respect of the care and rights of children. This recommendation also emphasised the dual role of the state to safeguard children's welfare and rights within families; and to support parental roles and duties. Furthermore, additional important recommendations promoted state duties to better support children, parents and families via improved childcare services, social services, abuse/violence prevention schemes and parenting support.

The second phase of developments occurred during the 1990s to the early 2000s whereby 21 Central and Eastern European countries joined the CoE increasing its membership to 45 member states by 2004. This increased heterogeneity provoked renewed actions to respect cultural differences and promote human rights. The context to CoE developments during this phase was also marked by campaigns and calls for greater European-level action to address social problems and challenges associated with profound social change (e.g. changing family formations, lower fertility rates, ageing populations and economic globalisation); and increasing socio-economic inequalities (Schmahl & Breuer, 2017, p. 16-17). In response, the CoE revised its strategic objectives to include social inclusion and vulnerability concerns. At the second Summit of the Heads of State and Government held in 1997, the CoE declared it would:

> [I]ntensify its efforts to fight racism and intolerance, promote more equal opportunities between men and women, combat all forms of exclusion, and ensure better protection for the weakest members of society (CoE 1997, p. 4).

The CoE pledged to "pursue social cohesion as an essential complement to the promotion of human rights and dignity" via: (1) "legislation and instruments in the social field"; (2) a new "strategy for social cohesion"; and (3) a new "programme for children" (CoE, 1997, p. 7).

Advancing social rights, the CoE adopted the revised 1996 European Social Charter (Revised ESC). The revised Charter stipulated more extensive social rights for European citizens in terms of protections against economic and employment disadvantage; protections against discrimination, exploitation, and abuse; and equal rights among men and women. Improved support for parents, children and families was a key theme. The revised ESC advocated improved housing support, childcare services, family mediation and counselling services for parents and families (Article 4; Article 7) and greater investment in domestic violence and child abuse prevention schemes (Article 16; Article 7). It advocated improvements for: income support schemes and family benefits (Article 4; Article 7); support and services for mothers and children

(Article 7); and social support and services for vulnerable families (Article 14). A new collective complaints procedure, introduced in 1995, also sought to strengthen member state compliance. This new procedure enabled social partners, NGOs and the CoE Committee on Social Rights to independently pursue compliance complaints against member states (Nolan, 2020). However, the emphasis on the gradual development of social rights among member states remained dominant and up to contemporary times the 1961 ESC and 1996 Revised ESC have lower rates of ratification compared to the other major CoE human rights treaties[15].

This second phase also saw the CoE adopt further instruments to protect the human rights of vulnerable and disadvantaged groups (Lowe 2016, p.16-17). Table 3.1 indicates several recommendations adopted during this period advocated advances in family support and children's rights to tackle poverty, gender inequality and child welfare strategies. Member states were encouraged to improve family benefits and state welfare; healthcare, childcare and social services; and work-family reconciliation measures. Further, during the 1990s the CoE adopted the *1996 Convention on the Exercise of Children's Rights* and *1998 Recommendation on children's participation in family and social life.* The 1996 Convention promoted children's rights in family law proceedings, placing central importance on the paramountcy principle (priority to be given to children's welfare and best interests) and children's rights to participation in formal decisions about their family life. The 1998 Recommendation adopted a broader lens responding to the need to move beyond an issue-based approach to children's rights (CoE CM, 1998). Based on the 1989 UNCRC, the 1998 Recommendation promoted children's status as citizens within families and society more widely. It emphasised the centrality of the principles of non-discrimination, non-violence and children's participation in the realisation of children's rights across all settings. However, there were ongoing concerns about the fragmented nature of the CoE's approach to children's rights and family policy. For example, the adoption of discrete instruments concerned with specific issues arguably contributed to piecemeal advancements among member states (Nolan, 2020). These concerns provoked the development of more holistic policy frameworks in recent years.

Relative to our focus, two initiatives in the late 1990s and early 2000s spearheaded a more holistic approach to CoE's actions related to children's rights and family support. Firstly, the *1998-2000 Programme for Children* sought to conceptualise and promote the notion of the child-friendly society and encompassed consultation and research actions involving academics

[15] As of 1st February 2021, the 1961 ESC has been ratified by 27 member states with a further 5 member states as signatories and the 1996 revised ESC has been ratified by 34 member states with a further 11 member states as signatories. See: https://www.coe.int/en/web/conventions/full-list

and stakeholders in its *Forum for Children and Families* (Daly, 2007). This programme sought to develop policy proposals for a child-friendly society where parents and families were enabled and supported to care for children in ways that respected and promoted children's rights. Secondly, the CoE Committee for Social Cohesion was established which took forward proposals developed by the *Forum for Children and Families* and incorporated these into the first CoE *Social Cohesion Strategy* adopted in 2000 and updated in 2004 (Daly, 2007, p. 8). The updated CoE strategy defined social cohesion as "the capacity of a society to ensure the welfare of all its members, minimising disparities and avoiding polarisation" (CoE, 2004, p.3-4). It stressed "a rights-based approach to social cohesion" whereby "rights put all members of society on an equal footing" (CoE, 2004, p. 6). It also stressed the "legal protection of rights has to be accompanied by determined social policy measures to ensure that everyone in practice has access to their rights" (CoE, 2004, p. 6). Explicit reference was made to advancing CoE commitments to equality between men and women, children's rights as envisaged in the UNCRC, and protections and supports for vulnerable groups (CoE, 2004, p. 5). In addition, "supporting families" became a focal policy objective on the basis that "it is within the family that social cohesion is first experienced and learned" (CoE, 2004, p. 10). The CoE pledged to take forward "the work on children and families" as part of its children's rights and social cohesion agendas, particularly with regards to "activities to promote good, effective parenting for the full and harmonious development of the child in modern society" (CoE, 2004, p. 20). A *Committee of Experts on Children and Families* was established which produced "recommendations to better support parents in the best interests of the child" which informed the *2006 Recommendation on Policy to Support Positive Parenting* (Daly, 2007, p. 8); and the *2004 Recommendation Europe-wide ban on corporal punishment of children*. These are briefly discussed further below and examined in more detail in Chapter 4.

Table 3.1. *Selective CoE instruments relevant for children's rights and family support*

	Conventions
1961	European Social Charter (Revised Charter adopted 1996)
1967	European Convention on the Adoption of Children (Revised Convention adopted 2008)
1975	European Convention on the Legal Status of Children Born Out of Wedlock
1980	European Convention on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody of Children
1987	European Convention for the Prevention of Torture and Inhumane or Degrading Treatment or Punishment
1996	European Convention on the Exercise of Children's Rights
1998	Framework Convention for the Protection of National Minorities
2003	Convention on Contact Concerning Children
2005	Convention on Action against Trafficking in Human Beings
2007	Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse
2011	Convention on Preventing and Combatting Violence against Women and Domestic Violence
	Recommendations (the Committee of Ministers)
1979	Recommendation concerning the protection of children against ill-treatment
1981	Recommendation concerning the care and education of children from birth to the age of eight
1984	Recommendation on parental responsibilities
1985	Recommendation on violence in the family
1992	Recommendation on making family benefits generally available
1994	Recommendation on coherent and integrated family policies
1996	Recommendation on reconciling work and family life
1997	Recommendation on securing and promoting the health of single parent families

1998	Recommendation on children's participation in family and social life
2002	Recommendation on child day-care
2006	Recommendation on policy to support positive parenting
2008	Recommendation on strengthening the integration of children of migrants and of immigrant background
2009	Recommendation on integrated national strategies for the protection of children from violence
2011	Recommendation on children's rights and social services friendly to children and families
2013	Recommendation on ensuring full inclusion of children and young persons with disabilities in society
2018	Recommendation on Guidelines to respect, protect and fulfil the rights of the child in the digital environment

The current third phase encompasses developments since 2005 following the Third Summit of the Heads of State and Government whereby the CoE declared it sought to:

> [B]uild cohesive societies by ensuring fair access to social rights, fighting exclusion and protecting vulnerable social groups...//...We are committed to eradicating violence against women and children, including domestic violence (CoE, 2005).

Reaching its current number of 47 member states by 2007, the CoE published a revised *2010-2016 Social Cohesion Strategy and Action Plan*. This took forward priorities to promote "the well-being and empowerment of families" and "family support to ensure children can grow up in a safe and supported environment" (CoE, 2010, p. 7). Actions undertaken as part of the revised Social Cohesion Strategy contributed to significant family policy and children's rights developments as highlighted further below. Then in 2016 the CoE launched *European Social Cohesion Platform (PECS)* as an ad-hoc committee concerned to promote social rights and mainstream the social cohesion agenda across CoE bodies and actions (coe.org). In 2020, the current two-year mandate for PECS was agreed and emphasised its aims to mainstream social cohesion actions across the CoE, examine new trends and challenge, and promote knowledge exchange among member states (CoE, 2020).

A related strand of strategic actions concerned children's rights. In 2006 the CoE launched its programme *Building a Europe for and with children* and in 2009 published its first children's rights strategy entitled *Building a Europe for and with children 2009-2011: the Stockholm Strategy* (CoE, 2009). This programme incorporated family policy proposals informed

by a children's rights perspective. The *Stockholm Strategy* advocated for better work-family reconciliation to improve parental opportunities to balance family and work roles as well as policies to support positive parenting (CoE, 2009, p. 4). The second CoE *Strategy for the Rights of the Child 2012-2015* then expanded the holistic vision of the CoE's children's rights policies and emphasised the importance of "child-friendly services and systems" (CoE CM, 2011). It also sought to better "guarantee the rights of children in vulnerable situations" and promote "children's participation in decision-making" (CoE CM, 2011). The most recent third *Strategy for the Rights of the Child (2016-2021)* built on this legacy and highlighted pressing challenges children, parents and families continue to face such as poverty, unemployment, economic insecurity and work-family conflict; and risks associated with violence, migration and digital technologies. It also raised concerns related to "an increase in hate speech against vulnerable groups and in racist violence", warning that the "radicalisation of children and youth is another issue of concern that calls for more investments into education for tolerance and intercultural dialogue" (CoE, 2016, p. 10). Children's rights, family support and social rights concerns have been, and continue to be, pursued by the CoE in its *Gender Equality Strategies (2009-2013, 2014-2017 and 2018-2023)*; *Disability Action Plan (2006-2015)* and *Disability Strategy (2017-2023)*.

In pursuit of these strategic objectives, the current third phase has seen the introduction of several treaties and recommendations relevant for our review. For example, at the level of conventions, the *2005 Convention on Action against Trafficking,* the *2007 Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse* and *the 2011 Convention on Preventing and Combatting Violence against Women and Domestic Violence* have elaborated on human rights to live free from slavery, abuse and exploitation. They have placed associated duties on member states to improve monitoring, prevention, prosecution and victim support systems and services. At the level of recommendations, there have been major developments focally concerned with family and parenting support. These include the *2006 Recommendation on policy to support positive parenting* and the *2011 Recommendation children's rights and social services friendly to children and families*. These recommendations advocate comprehensive rights-based approaches to the development and delivery of universal, targeted and specialist parenting and family support provision (also see Chapter 4). The *2006 Recommendation on policy to support positive parenting* stressed member states have duties to develop policies and provisions to enable children to grow up in a family environment that respects and promotes their rights to protection, participation and provision. It encouraged member states to "take all appropriate legislative, administrative and financial measures to create the best possible conditions for positive parenting" (Daly, 2015, p. 26). The *2011 Recommendation children's rights and social services friendly to children and families* built on

this framework to encourage member states to develop a comprehensive range of social services, particularly for disadvantaged children, parents' and families. These instruments are important "policy-setting recommendations" in the family support field (Lowe, 2016, p. 114-115; Daly, 2015). They have also been complemented by further recommendations promoting children's rights among migrant groups, the rights of disabled people, national strategies to protect children from all forms of violence, and safeguarding children's rights in the digital environment (See Table 3.1).

3.3 The European Union, children's rights and family support

The EU[16] is a *sui generis* European inter-governmental organisation incorporating, following the departure of the UK, 27 member states. The public policy objectives and functions of the EU are specified by its Treaties which constitute primary legislation directly applicable to member states (Craig and DeBurca, 2011). The scope and substance of these are, in turn, elaborated according to secondary legislation which includes:

- Regulations (binding legislation that stipulates regulations for member states).
- Directives (uniform regulations member states are obliged to implement within a given timeframe according to national delivery preferences).

Beyond this body of 'hard law', the EU issues *proposals* (which formally signal legislation and policy intentions) and *recommendations* (non-binding policy and guidance). Further, the functions of the EU involve obligations for member states to undertake a range of activities (e.g. collect and submit official EU statistics; submit national reports on EU programmes and strategies) as well as provide opportunities for stakeholders, researchers and agencies to participate in opportunities such as EU research programmes, educational exchanges and funding programmes (e.g. the European Social Fund[17]).

EU social policy as shared and supporting competence

Although the EU today retains a primary emphasis towards European integration and cooperation on economic grounds, it has evolved to incorporate more extensive objectives in

[16] See the Appendix 1 for further background information about the EU and its bodies.

[17] Established in 1958, the European Social Fund (ESF) is one of the main EU social policy financial instrument. The ESF provides funding for a wide variety of local, regional and national education, skills and employment-related programmes among EU member-states. It aims to promote economic development, employment opportunities and social inclusion. The European Commission and EU member states both agree periodic spending priorities for the ESF (ec.europa.eu).

the areas of social policy and children's rights. However, as discussed in relation to the CoE, these areas also very much remain matters primarily decided at the national-level. Overall, EU competence in the social policy sphere is formalised as "restricted and complementary" (European Commission [EC], 2020, p.10). The European Commission (EC) describes the role of the EU "in the social field" as governed by the principles of subsidiarity and proportionately, elaborating:

> *Subsidiarity* means that the EU only acts where action will be more effective at the EU level than at national level. Under the principle of *proportionality*, EU action must be limited to what is necessary to achieve the objectives of the EU treaties [Emphasis in original] (EC, 2020, p. 10).

Table 3.2. *Membership of the EU*

	Countries
1957	Belgium, Germany, France, Italy, Luxembourg, the Netherlands
1973	Denmark, Ireland, the United Kingdom*
1981	Greece
1986	Spain, Portugal
1995	Austria, Finland, Sweden
2004	Czechia, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovakia, Slovenia
2007	Romania, Bulgaria
2013	Croatia

* On 1st February 2020 the United Kingdom exited the European Union.

EU social policies therefore proceed on the basis of that its legally-defined competences should respect the jurisdiction of member states and should uphold the principles of subsidiarity and proportionality. For these reasons, EU measures related to social policy and family policy often entail the adoption of *Directives* (that establish common standards among member states to be implemented over time and according to instruments chosen by member states) and 'soft law' mechanisms such as *Recommendations* (that provide detailed guidance for national policies and programmes), strategic initiatives and knowledge exchange. These issues are important for understanding and evaluating EU policies and actions in the fields of social policy, family policy and children's rights (Kennett & Lendvai-Bainton, 2017; Hantrais, 2007). On the one hand, these

principles recognise that the scope and legitimacy of EU actions in these areas are a matter of political debate. On the other hand, they indicate how EU actions and policies in these areas often by design allow for national differences. It has been argued therefore that EU social policy often generates "bounded varieties of welfare" among member states (Falkner, 2010, p. 292) rather than EU-wide standard policies.

EU family support, children's rights, and social policy: Three phases of EU developments

Akin to the CoE, modern EU policies related to family policy and children's rights in part emerge from long-standing EU policy remits such as those related to labour market conditions and freedom of movement for EU workers and citizens. However, arguably even more so than the CoE, EU policies in these areas have significantly developed in recent decades with the emergence of new policy priorities related to social inclusion and children's rights. This section charts three phases of developments spanning: (1) the establishment in formal terms of the EU's social policy objectives from the post-war era to the late 1990s and ratification of the Maastricht Treaty; (2) the modern formulation of the EU's social policy approach during the late 1990s, the pursuit of the Lisbon Strategy 2000-2010 and the introduction of children's rights policies in 2006-2011; and (3) the social investment, social rights and children's rights emphases to EU social policies advanced since 2013.

Table 3.3. *Treaties of the EU*

	Treaties
1957/1958	Treaties of Rome: EEC and EURATOM treaties
1965/1967	Merger Treaty: Brussels Treaty
1986/1987	Single European Act
1992/1993	Treaty on European Union: Maastricht Treaty
1997/1999	Treaty of Amsterdam
2001/2003	Treaty of Nice
2007/2009	Treaty of Lisbon

The first phase of EU developments incorporates the post-war era to the late 1990s. From the post-war origins of the European Economic Community (EEC) to the 1980s, this phase saw incremental and piecemeal social policy actions closely aligned with European integration in economic market terms. For example, the 1957 Treaty of Rome provided an initial framework to harmonise aspects of economic and employment policies among the six members of the EEC. However, the scope of common social policies, such as in the areas of social security and equal pay for men and women, were contentious issues which led to greater emphasis on a policy cooperation than harmonisation approach. The 1957 Treaty stipulated "limited and specific EEC social remits" in terms of "close cooperation in matters which potentially distorted the rules of competition in economic and labour markets" (Hantrais, 2007, p. 3).

Nevertheless, the pursuit of EEC objectives over the next two decades incorporated initiatives relevant for social policy and family policy among member states in response to increased EEC membership, periods of severe recessions, flourishing social equality movements and patterns of socio-economic change. For example, the mid-to-late 1970s saw gender equality, anti-discrimination and migrant workers' rights initiatives taken forward by EU regulations and directives that stipulated: "equal pay for equal work of equal value" for employed women and men; "equal treatment of men and women regarding working conditions and social security rights"; "prohibition of discrimination due to marital and family status in the workplace"; and enhanced social and economic rights for migrant workers and their dependents (Hantrais & Letablier, 1996, p. 117). Further, the introduction of *Social Action Programmes* complemented the ESF and expanded EU instruments for supporting economic development and equal opportunities initiatives among member states such as providing funding for training and childcare schemes.

The 1980s and 1990s saw vibrant debates about, and significant moves towards, greater European integration in economic, social and political terms. Socio-economic integration was taken a stage further with the Schengen agreement[18] whereby selective EU and neighbouring European countries agreed to operate according to common 'freedom of movement' principles and reduced cross-border checks for their citizens. In addition, family policy concerns emerged as significant Community issues. Amidst debates about family changes, gender equality and

[18] The following European countries are members of the Schengen area some of which are not members of the EU: Austria, Belgium, the Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden and Switzerland.

poverty rates, in 1983 the European Parliament issued a resolution that "family policy should become an integral part of Community policies" which provoked the European Commission to published its *1989 Communication on Family Policy* (Hantrais & Letablier, 1996, p. 140). The latter promoted EU-level actions to "reconcile work and family life"; promote enhanced support for "disadvantaged and large families"; address "cross-border child protection issues"; and "assess the impact of Community policies on the family" (Hantrais & Letablier, 1996, p. 140). The Council of Ministers supported these proposals but also stressed the need to "respect the special features of different national [family] policies already created and the varying socio-economic contexts in which policies operate" (Hantrais & Letablier, 1996, p. 143). In the main, an emphasis on policy monitoring and research developed and the *European Observatory on National Family Policies* was established. This body published many influential reports before its functions were subsumed within the modern-day *Directorate-General for Employment, Social affairs and Inclusion* established in 2004. Concerns aired in these family policy debates also informed the *1989 Charter of the Fundamental Social Rights of Workers (Social Charter)*, a non-binding declaration of standards in social rights, social protection and working conditions. This declared, for example, member states should provide 14 weeks job-protected paid maternity leave and improve labour rights for part-time and temporary workers.

A step-change in EU social policies, however, emerged from the *1992 Maastricht Treaty* and its *Protocol on Social Policy*. The former established the European Union (EU) in its current configuration, increased its social policy competences and established greater economic integration (e.g., via the development of the Euro currency). The latter, as an optional agreement, endorsed the *1989 Social Charter* due to lack of support for full adoption of this within the Treaty from the UK. The *1989 Social Charter* and *1992 Maastricht Treaty* inspired the following:

- *1992 Recommendation on childcare* which called for 'measures to better enable men and women to reconcile their family and occupational duties' through improved parental leaves and childcare provision (Council of the European Communities [CEC], 1992a).
- *1992 Recommendation on the convergence of social protection objectives and policies* which called for "the basic right of a person to sufficient resources and social assistance to live in a manner compatible with human dignity' and 'policies to address the multi-dimensional nature of social exclusion' (CEC, 1992b).
- *1992 Directive on the introduction of measures for pregnant workers and breastfeeding mothers at work* which stipulated employed mothers should have the right to 14 weeks of job-protected maternity leave (CEC, 1992c).

- *1996 Directive on the framework agreement on parental leave* which stipulated that working parents with children (up to 8 years old) have individual rights to 12 weeks job-protected leave for child-related and urgent family reasons (Council of the European Union [CEU], 1996).
- *1997 Directive on the framework agreement on part-time work and temporary workers* which established greater emphasis on parity of rights between part-time and temporary workers vis-à-vis full-time, permanent workers (CEU, 1997).

These measures were orientated to tackling unemployment, gender inequality and poverty concerns. They emphasised the key roles that social security, childcare and employment support measures for children, parents and families have in these regards. However, several commentators and analysts were critical of the scope of these measures and debates. For example, the Social Charter spoke of workers not citizen rights; the Directives allowed for member state opt-out and incrementalism; and gender equality debates side-lined concerns about the gendered division of labour in family/parental roles and households (Daly, 2017; Hantrias & Letablier, 1996).

The second phase spans the late 1990s to 2010 which saw the EU expand its social policy remit and establish its' fundamental rights agenda within the context of the enlargement of EU membership. An important spur to the EU's expanding social policy remit was extended social policy objectives and actions adopted as part of the *1997 Treaty of Amsterdam* and its amendments to the *Treaty on European Union*. These Treaty changes: (1) expanded the objectives of the EU to include the promotion of better working and living conditions and improved public health; (2) elevated the status of the *1989 Charter of Fundamental Social Rights for Workers* and the *1992 Protocol on Social Policy* to binding agreements applicable to all member states (now with UK ratification); and (3) formalised the use of new 'soft law instruments' (e.g. the collation and monitoring of National Employment Policy Plans) as mechanisms that enable the EU to influence and support national-level policy goals and decisions. In tandem, in 1997 the EU launched the *European Employment Strategy* which sought to increase coordination among member states to promote common labour market policies, reduce unemployment and promote economic growth. Key tenets of these Treaty changes and the *Employment Strategy* then informed the aims and aspirations of the *2000-2010 Lisbon Strategy* which heralded a turning point for EU social policy.

Adopted at the 2000 Lisbon European Council, the *Lisbon Strategy* denoted a step-change in EU social policy actions orientated towards the pursuit of longer-term, multi-facted and target-based "productive" social policies (Van Kersbergen & Hemerijck, 2012; Esping-

Andersen, 2002). Overall, the *Lisbon Strategy* sought to "make Europe the most competitive and dynamic knowledge-based economy in the world, capable of sustained economic growth with more and better jobs and greater social cohesion" (European Council, 2000). Inter-dependent "economic and social pillars" sought to achieve these goals (European Council, 2000). In economic terms, the Lisbon Strategy promoted investment in the knowledge-based economy (e.g., investment in skills, employability, research and technology). The social pillar encompassed promoting employment-orientated social policies and the "modern European social model" (European Council, 2000). The latter sought:

> The pursuit of common objectives to promote a decent quality of life and standards of living for all in an active, inclusive and healthy society that encourages access to employment, good working conditions and equality of opportunity (European Council, 2000).

On the one hand, this model was critical of free-market neo-liberalism and sought sustained social protections for European citizens. On the other hand, it called for modernised welfare states that moved away from male-breadwinner assumptions; promoted employment opportunities for all; and more effectively responded to the "quantum shifts" in European societies, namely globalisation, digitalisation and ageing populations (European Council, 2000). Increasing employment rates, particularly among women and disadvantaged groups, have since become focal EU social policy objectives on the premise that "a job is the best guarantee of social cohesion and inclusion" (European Council, 2000).

Incorporating aspects of family policy and family support, the *Lisbon Strategy* promoted the adoption of policies and programmes such as welfare-to-work schemes, training schemes, in-work financial support (e.g., tax credits) and improved childcare provision. It also set several headline policy targets including: to raise the average EU employment rate to 70% and the EU female employment rate to 60% by 2010. Associated with the Strategy, the 2002 Barcelona Summit also adopted targets for member states to ensure 90% of 3-6 yr olds and 33% of 0-2 yr olds had access to formal early education and childcare provision by 2010. An additional development was the *Open Method of Coordination (OMC)*. This entailed greater use of policy monitoring processes to promote the aims and objectives of the Lisbon Strategy among member states. For example, the OMC process saw EU bodies review *National Employment Action Plans* against the Lisbon Strategy objectives and targets.

Over the period of the Lisbon Strategy, its policy agenda was further enhanced by a midterm review and European Commission communication (EC, 2008). The Communication stated there was a need to "revise and reinvigorate" the social policy aims and approach of the

Lisbon Strategy (EC, 2008, p. 4). In particular, the Communication emphasised the need to tackle social exclusion and stressed the importance of "cross-cutting and multi-dimensional" policy strategies (EC, 2008, p. 3). "Children and Youth" emerged as one of seven priority concerns due to proportion of those across the EU that "lack the opportunities and the access to education and training to realise their full potential" (EC, 2008, p. 7). The Communication declared intentions to adopt more extensive monitoring of EU child poverty trends and targeted initiatives to enhance member state child poverty reduction strategies. In addition, "combatting poverty and social exclusion" was another priority area (EC, 2008, p. 12). Proposed actions under this theme referred to "supporting families" and "fostering gender equality" via improved work-family reconciliation policies, childcare reforms and gender sensitive EU statistics (EC, 2008, p. 14). Concrete measures that followed included the *2010 Parental Leave Directive* which stipulates an individual right for working parents with children under 8 years old to be entitled to at least four months job-protected parental leave (Council Directive 2010/18); and the *2010 Recommendation on Parental Leave* which advocated 20 weeks paid maternity leave for working mothers, 2 weeks paid paternity leave for working fathers and the use of father quotas in parental leave provisions.

In tandem with these social policy developments, the early 2000s saw the EU established its 'fundamental rights' agenda. This agenda was spurred forward by the adoption of the *2000 Charter of Fundamental Rights of the European Union* which, following the implementation of the *Lisbon Treaty* and *Consolidated Treaty of the European Union*, in 2009 became legally binding in all EU member states. Known as the *European Charter of Fundamental Rights* this laid out the civil, political, economic and social rights of EU citizens in one formal document. Responding to calls from advocacy and stakeholder groups, these developments elevated the advancement of children's rights to an area of EU competence. Building on Article 3 of the *Consolidated Treaty of the European Union*, Article 24 of the *European Charter of Fundamental Rights* concerns "the rights of the child" (Charter of Fundamental Rights of the European Union [CFREU], 2012). It stipulates children's rights to care and protection, to express their views and have them taken into account on matters that concern them, and to "maintain on a regular basis" "contact with both his or hers parents, unless contrary to his or her interests" (CFREU, 2012). In addition, the *Charter* stipulates rights to non-discrimination, family life, social protection, healthcare and education. There is specific reference to parental rights to social support, childcare services and work-family balance measures; the rights of families with children to housing assistance and preventative healthcare; and the rights of children to education (CFREU, 2012). This enabled the advancement of a children's rights agenda at the EU-level. Following consultation, the European Commission published the Communication *Towards an EU Strategy*

on the Rights of the Child (EC Comm (2006) 367) and established the *European Forum on the Rights of the Child.*

The 2008 global financial crisis and EU's economic recovery policy, however, placed these new agendas under pressure. From 2001 to 2007, the EU economy, in GDP terms, consistently grew between 1% to 3% on an annual basis; and the EU unemployment rate fell to 7.2% by early 2008 (Rodriguez et al, 2010, pp. 62-65). However, the 2007/8 financial crisis exposed dependencies on international finance and triggered economic recession. From 2008 to 2013, the EU economy, in GDP terms, shrunk by 4%; and unemployment rose to 11.4% (Eurostat, 2021). Prominent themes in the EU's economic recovery plan and the European Central Bank's support for member states were imperatives to swiftly restore public finances and contain public spending. Across member states, programmes of austerity were adopted which in several countries generated cutbacks in support and spending for children, youth and families (Janta et al, 2019). Added to wider employment and wage pressures impacting on families, official EU statistics reported the number of children at risk of poverty and social exclusion in the EU grew by nearly 1 million from 2008 to 2013 (EU-SILC, 2013). Furthermore, while the official evaluation of the Lisbon Strategy published in 2010 pointed to valuable achievements and innovations (e.g., the OMC approach and social investment in education and skills), it also raised criticisms (Rodriguez et al, 2010, p. 11). One criticism was the "assumption that more jobs and increased growth would lead to social inclusion and reduced poverty" was not fully applicable (Rodriguez et al 2010, p. 14). The evaluation reported that many of the "new jobs" created across EU member states before the financial crisis "did not involve regular contracts, being either (involuntary) temporary positions or part-time jobs, often in vulnerable parts of the service sector" (Rodriguez et al, 2010, p. 11). The report was also critical the Lisbon Strategy did not sufficient mainstream gender inequality and labour market inequality concerns via the OMC process (Rodriguez et al, 2010, p. 11). Furthermore, children's rights advocates, were critical that the EU had not sufficiently progressed its pledges to develop child poverty reduction targets and policies (Save the Children, 2014). Slow progress here potentially increased risks of cutbacks in support and benefits for children, youth and families.

This leads us to the most recent post-Lisbon strategy third phase. This commenced with the launch of the *Europe 2020 Strategy* (EC, 2010) and *An EU Agenda for the Rights of the Child* (EC, 2011). Considering the criticisms above, the post-Lisbon *Europe 2020 Strategy* provided a renewed strategic framework for EU social policy. The *Europe 2020 Strategy* (EC, 2010) sought to promote sustainable and inclusive economic growth. It established new targets for the OMC policy implementation process, including by 2020 to increase the EU employment rate to at 75% and women's EU employment rate target to 70%. Importantly, a new poverty

reduction target was set: to lift at least 20 million people out of relative poverty (as measured by the EU) by 2020. Further targets were youth orientated, including the target to reduce average EU school drop-out rates to less than 10% by 2020. Given the challenging economic context, Daly (2012) argued that the *Europe 2020 Strategy* was hampered in its early years. However, from 2013, the EU introduced its *Social Investment Package* (EC, 2013a) which placed "more emphasis on the social dimension" (Daly, 2012, p. 10).

Alongside these developments, the EU children's rights agenda was advanced by the publication of *An EU Agenda for the Rights of the Child* (EC, 2011). This strategic policy document pledged to: mainstream a commitment to children's rights across EU policies; adopt policies in line with the UNCRC; promote child-friendly justice (e.g., children's rights principles and practice within family law proceedings); develop targeted EU action to improve outcomes among disadvantaged and vulnerable children; and improve the evidence-base for child well-being policies at the EU-level (EC, 2011). With respect of targeted action for disadvantaged and vulnerable groups, the *EU Agenda for the Rights of the Child* strategy pointed to unacceptable levels of child poverty and severe disadvantages among highly vulnerable groups including disabled young people, unaccompanied asylum seekers and Roma communities (EC, 2011). The Strategy emphasised the need to strengthen cross-border and national-level actions to reduce all forms of violence and abuse against children and young people, including child human trafficking (EC, 2011). Several concrete actions followed such as new guidance to promote better protection and support for unaccompanied minors in the context of immigration. However, the *2011 EU Agenda for the Rights of the Child* made little explicit reference to family and parenting support as focal areas for social investment and as measures with potential to prevent and reduce poor outcomes among children thereby promoting children's rights.

More extensive measures, however, since 2013 better addressed these issues. Two important developments were the introduction of the *2013 Social Investment Package* (EC, 2013a) and the *2013 Recommendation for Investing in Children: Breaking the cycle of disadvantage* (EC, 2013b). The *Social Investment Package* emphasised a the 'life-course approach' to social policy and investments in human capital and employability (EC, 2013a). It called for member states to "better reflect social investment in the allocation of resources and the general architecture of social policy" via "greater focus on policies such as childcare, education, training, and active labour market policies" (EC, 2013a, p. 9). In addition, the associated *2013 Recommendation for Investing in Children: Breaking the cycle of disadvantage* provided a dedicated framework to take this agenda forward specifically in relation to family policy and child-centred measures. Chapter 4 discussed this Recommendation in more detail. Suffice to say here, the Recommendation set out a new holistic vision on the part of the EU for

key tenets of social support for children, parents and families. Its framework emphasised the inter-related importance of three pillars of policy and provision: (1) "access to adequate resources" via employment and material support; (2) "access to affordable quality services" such as healthcare, social services and childcare provision; and (3) "children's right to participation" in social activities and policy decision-making (EC, 2013b). In the same year, the *European Platform for Investing in Children (EPIC)* was established with an important remit to promote EU-level knowledge exchange and research to advance engagement with, and implementation of, the 2013 Recommendation (Janta et al, 2019).

Concerns of slow progress in practice, however, resurfaced. In 2014, campaigners and MEPs submitted a written declaration to the European Parliament calling for more concerted action on the implementation of *2013 Recommendation on Investing in Children* recommendation (Eurochild & EU Alliance for Investing in Children, 2014). This led the European Parliament to call on the European Commission to take further action, make greater use of EU funding instruments to tackle child poverty and to review the proposal for a *Child Guarantee*. The latter was conceived as the formulation and introduction of an EU instrument which promotes access to essential services and a decent standard of living for children living in poverty. The Commission initially took up this policy concern by commissioning a major *Child Guarantee Feasibility Study (2017-2020)*. The wide-ranging *Feasibility Study* concluded a *European Child Guarantee* instrument could provide EU-level imperatives, targets, and standards for reducing child poverty, especially among vulnerable priority groups (Frazer et al., 2020). The current Commission President has placed a priority on this work and the imminent introduction of the *European Child Guarantee*.

Three further developments in recent years underscore the increasing importance being placed on social rights, parental support and children's rights within EU social policy. Firstly, the introduction of the *2017 Pillar of Social Rights* (EC, 2021) is an important development. This declares 20 principles for 'fair and inclusive labour markets and societies' across the EU covering three main areas: (1) equal opportunities and the labour market; (2) Fair working conditions; and (3) social protection and inclusion. Its launch was accompanied by the announcement of revised 2030 social policy targets including: to raise the EU employment rate to 78% and to reduce the number of EU citizens at risk of poverty by 1.5 million. Secondly, in pursuit of the aims of the Pillar of Social Rights, the *2019 Directive for Work-Life Balance* was adopted. After a failed seven-year debate which sought to take forward the 2010 Recommendation related to parental leave noted above and proposals for a new directive on maternity leave (it was proposed to extend maternity leave from 14 to 18 weeks), the EU withdraw it from negotiation. As a more wide-ranging alternative, the EU then proposed a broader approach concerned with work-life

balance. The emphasis became more broadly about facilitating female employment and men's involvement in care as well as recognising carers rights to employment support. Under this initiative, but also as one of the first 'deliverables' of European Social Pillar, the *2019 Directive* requires member states to introduce at least 10 working days of paternity leave compensated at least at the level of sick pay; two out of four months of parental leave as a non-transferable individual right for each parent; carers leave of five days per year for workers providing personal care or support to a relative and to extend the right to request flexible working arrangements. Lastly, the EU has commenced consultation on, and preparation of, its second Children's Rights Strategy. It has pledged a new strategy more comprehensive in its aims and scope.

3.4 Conclusion

This chapter examined the relationship between the functions of the Council of Europe (CoE) and European Union (EU) and the evolution of their approach to children's rights and family policy. It detailed the growing interest in childhood issues, family policies and family welfare concerns among these organisations; and the expanding scope and reach of their instruments and policies in the areas of family support, parenting support and child welfare. Children's rights, gender equality, social inclusion/investment and social rights campaigns, agendas and approaches have been dominant driving influences.

In several respects, both organisations pursue contemporary policies that encourage their member states to develop more ambitious and coherent portfolios and approaches to family and parenting support. Overall, the chapter charts substantial developments related to family support on the basis of European human rights initiatives as well as European-level social policies and children's rights strategies. It highlights since 2000 we have seen more ambitious and comprehensive children's rights and social cohesion/social inclusion policies on the part of the CoE and EU (Stalford, 2012; Frazer et al, 2020). However, the chapter also points to significant differences between the CoE and EU in the evolution of their policies related to family support and their focal concerns. As the foremost European human rights body, the CoE, for example, has developed a more focal and extensive children's rights agenda. Since the early 2000s this encompassed the adoption of 'positive parenting' theories and measures. On this basis, the CoE encourages member states to develop a spectrum of policy, support and services for children, parents and families. With its alternative economic and social policy remits, the EU in comparison has primarily sought to address socio-economic disadvantages for children, parents and families, and cross-national vulnerabilities and risks for children and youth. The former concerns have prompted a range of social protection, gender equality, work-family reconciliation, active labour market and childcare support policies and measures at the EU-level. The last 15 years,

however, have also seen the development of overt and focal children's rights and social rights agendas. The latest EU developments since 2013 reflect a new more ambitious policy phase.

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Chapter 4: Family policy and family support in the Council of Europe and the European Union grounded in children's rights

"[T]he child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding." (Preamble to the UN Convention on the Rights of the Child, 1989).

4.1 Introduction

In previous chapters we have introduced the main European and global institutions such as the Council of Europe (CoE), the European Union (EU) and the United Nations (UN). We have described their human rights imperatives as well as their main policies, roles and remits in relation to social policy, family policy and children's rights. The introduction chapter also alluded to the complexity of European governance concerning the variety of political and administrative structures as well as social policy regimes in European countries. It resides within the authority of individual member states to decide their own social policy, while international and European conventions set standards and establish commitments for governments, and recommendations provide guidelines for implementing policies. The relationship between the supranational organisations and member states is also complex. International standards are broad parameters with room for variation although they still indicate common directions. When EurofamNet explores family policy and family support an important starting point is the standards set by international political organisations such as the UN, setting global standards, and the CoE and the EU setting standards with relevance for European countries.

In this chapter, we take international standards and frameworks for children's rights, as expressed in the *UN Convention on the Rights of the Child* (UNCRC, 1989), as a starting point for evaluating existing family policy and support in Europe. The UNCRC (1989) represents a huge shift for children and parents, recognising children as individuals with their own rights and emphasizing parental responsibility on behalf of the authority. The UNCRC (1989) establishes a social contract between the Child, the Parents and the State to protect the human rights of all members of the family. With a conciliatory approach, the UNCRC (1989) bestows to the State Parties' positive and negative obligations, which entails that effective parenthood becomes a matter of public interest and investment. Parents have a primary role in the accomplishment of a public good, the child's well-being (Ruggiero et al. 2017). The concept of "positive parenting" represents parental upbringing in accordance with the UNCRC (1989), highlighting respect for the best interests and rights of the child while also taking account of the rights of parents and

families as well as their needs and capabilities (Daly, 2007; Sandbæk, 2017). We explore how the CoE and the EU follow up children's rights to provision, expressed in the UNCRC (1989), in terms of family policy and family support measures.

Building on the introduction to the major supranational instruments and policy developments set out in Chapters 2 and 3, this chapter begins with further examination of the UN instruments on family support and the 'Convention for the Protection of Human Rights and Fundamental Freedoms' which is mostly commonly known as the *European Convention on Human Rights* (Convention for the Protection of Human Rights and Fundamental Freedoms [ECHR], 1950). In addition, it examines the significance of relevant caselaw in these areas. The second section of the chapter examines in further depth the instruments and policies developed by the CoE and EU, focusing on their conception of, and significance for, family policy and family support. Among the CoE documents emphasis is put on *Recommendation 2006(19) on policy to support positive parenting* and *Recommendation (2011)12 on children's rights and social services friendly to children and families*. Among EU's instruments we particularly explore the European Commission's Recommendation *Investing in Children* (European Commission [EC], 2013b) and the *2017 European Pillar of Social Rights* (EC, 2021). The chapter concludes with summing up the CoE and EU's policy recommendations and instruments that we consider as important elements in family policy and family support based on children's rights.

4.2 UN Perspectives on Family Policy and Family Support

Within the international human rights framework, the significance of family policies and family support measures stems from several instruments developed under the auspices of the UN. Chapter 2 highlighted the *Universal Declaration of Human Rights (UDHR, 1948)* proclaiming the rights and freedoms of every human being. As universal human rights, the Declaration asserts the value of family as "the natural and fundamental group unit of society", which is "entitled to protection by society and the State" (UDHR, 1948, art. 16, para. 3). Flowing from this recognition, the discussion underscored how international human rights covenants stipulate the family should be provided with "*special* protection of the state" (International Covenant of Civil and Political Rights [ICCPR], 1966, art. 17 and 23), and that "the widest possible protection and *assistance* should be accorded to the family, particularly for its establishment and while it is responsible for the care and education of dependent children" (International Covenant on Economic, Social and Cultural Rights [ICESCR], 1966, art. 10, para. 1, our emphasis).

A major consideration for the importance of families is to exercise and protect the rights of the child. The UNCRC (1989) acknowledges that families, as "the natural environment for the growth and well-being of all its members, particularly children", should be provided with

necessary support “so that it can fully assume its responsibilities within the community” (UNCRC, 1989, Preamble). The Convention adopts a broad understanding of the family. It establishes the duty of states to support parents, members of the extended family and community, legal guardians or other persons responsible for the child “to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized” (UNCRC, 1989, art. 5). Although it is stated that parents and other legal guardians of the child have “primary responsibility for the upbringing and development of the child” (UNCRC, 1989, art. 18, para. 1) such responsibility does not lie only on the child’s primary caretaker. States also have a duty to provide “appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities” and have to “ensure the development of institutions, facilities and services for the care of children”. This includes ensuring that children of working parents have the right to benefit from childcare services and facilities (UNCRC, 1989, art. 18, paras. 2 and 3). In addition to children’s rights, therefore, comprehensive social rights provide complementary state-supported structures and provisions for parents, families and communities.

The state-family-child relationship is also emphasised in terms of the child's right to live in a family and their right to know their origin and to preserve family ties (UNCRC, 1989, art. 7-8). Therefore, the states are obliged to ensure that a child is not separated from his or her parents against their will, except when this is in the child’s best interest and solely based on the decision of the competent court (UNCRC, 1989, art. 9, para. 1). In the case of separation of the child from parents, the states are urged to ensure that the child retains meaningful contact with family members, unless it is contrary to his or her best interests (UNCRC, 1989, art. 9, para. 3).

In its General Comments, the Committee on the Rights of the Child (CRC) often underlines the *importance of family and parenting support* for the protection of the whole range of rights guaranteed to children. When discussing the principle of the best interests of the child, the Committee declares:

> Preventing family separation and preserving family unity are important components of the child protection system. Given the gravity of the impact on the child of separation from his or her parents, such separation should only occur as a last resort measure... separation should not take place if less intrusive measures could protect the child. Before resorting to separation, the State should provide support to the parents in assuming their parental responsibilities and restore or enhance the family’s capacity to take care of the child (United Nations Committee on the Rights of the Child [CRC], 2006, paras. 60-61).

The importance of family support is also marked in the recent jurisprudence of the Committee on the Rights of the Child. Namely, concerning Communication No. 30/2017 under the Third Optional Protocol to the UNCRC (OPCP, 2011), the Committee adopted Views in favour of the non-resident father who did not receive proper support by the State Party in order to maintain a relationship with his daughter (CRC, 2020). The Committee stated that "the preservation of the family environment encompasses the preservation of the ties of the child in a wider sense", which is particularly important "when the parents are separated and live in different places" (CRC, 2020, para. 8.4). Because of this, the Committee requested the State Party to undertake effective measures to ensure establishing the visitation regime "including through counselling and other appropriate and proactive support services" to try to rebuild the relationship between the girl and her father (CRC, 2020, para. 9).

State assistance is particularly important in situations when families need help in keeping their core functions, especially when financial support is necessary to secure the right of every child to a standard of living adequate for his or her development. This is why UNCRC requests the states parties to take appropriate measures to assist parents and others responsible for the child to implement this right, and to provide material assistance and universal as well as targeted support programmes, particularly concerning nutrition, clothing and housing (UNCRC, 1989, art. 27, paras. 1-3).

Within the UNCRC provisions, special protection and assistance is also guaranteed to a child who is temporarily or permanently deprived of a family environment. In these cases, the states are obliged to provide alternative care for a child (UNCRC, 1989, art. 20-21). Yet, even in cases in which the child needs alternative care, the Committee on the Rights of the Child stresses that "it is more likely that an early placement in a family or a family-like environment would lead to positive outcomes for young children" (CRC, 2006, para. 36b). Therefore, the Committee refers the states to provide alternative care "that can ensure security, continuity of care and affection, and the opportunity for young children to form long-term attachments based on mutual trust and respect, for example through fostering, adoption and support for members of extended families" (CRC, 2006, para. 36b). In the same manner, the UN Guidelines for the Alternative Care of Children (UN General Assembly [UN GA], 2010) indicate the need for the development of a set of services that provide help and support to the family, so to ensure that the child remains in the primary family environment (principle of necessity). Related to this, it is emphasised that "efforts should primarily be directed to enabling the child to remain in or return to the care of parents, or …other close family", and that "the state should ensure that families have access to forms of support in the caregiving role" (UN GA, 2010, para. 3).

Having in mind the importance of family relationships for children, the Committee on the Rights of the Child reminds us that “these relationships offer children physical and emotional security, as well as consistent care and attention” (CRC, 2006, para. 16). Further, crucially it is recognised through these family ties “children construct a personal identity and acquire culturally valued skills, knowledge and behaviours” (CRC, 2006, para. 16). Consequently, family support “should be directed towards protecting a wider range of relationships that the child has established, and which include extended family, as well as friends, school and the broader environment” (Dolan et al. 2020, p. 15). Special attention should be given to trans-national families and respect for family relationships that cross-national borders. In the context of these relationships, “the timely development and implementation of various measures of Family Support is a very important indicator that the state strives towards actually ensuring the welfare of children” (Dolan et al. 2020, p. 18).

Following the same family-oriented path, a number of other UN instruments (e.g., Convention on the Elimination of All Forms of Discrimination against Women, 1979, art. 5(b) and art. 16, para. 1(d); Convention on the Rights of Persons with Disabilities, 2006, art. 23, para. 1(b), and paras. 2-3) reiterate the message to the international community that a duty to uphold and defend various human rights places duties in particular on nation-states to develop comprehensive and sustained family policies “that mainly centre on the well-being of the family as a unit” (Dolan et al. 2020, p. 11). These instruments are a reminder of how important it is to empower families, and to provide them with needed support in various situations. These concerns are highly relevant for particular groups, such as the rights to cultural and family identity among ethnic minorities and migrant groups. Families with disabled persons may need dedicated and tailored support for parents as well as young people. Such issues should be embedded throughout family support services and measures.

Considering legal rules and standards developed under the auspices of the UN, it might be said that member states’ family policies, including family support measures and services, serve as a fundamental basis for better protection of the rights of children, as well as the rights of other family members and disadvantaged communities and groups. From the child rights and social rights perspectives, this means that without essential support for parents and families to connect with the necessary resources provided by the states and the society, certain human rights guaranteed to children and families simply cannot be fully realized. This is why the well-being of the child, as the core concept of the UNCRC, is also seen within the scope of the responsibilities of the states in securing support to parents and families to fulfil their family duties in the best interests of the child. Therefore, it is reasonably argued that for “a case for Family

Support, being more centrally located as a right within a human rights spectrum, needs consideration" (Dolan et al. 2020, p. 14).

4.3 Caselaw of the European Court of Human Rights relevant to family support

As explained in Chapter 3, the European Convention on Human Rights (ECHR) is the most prominent convention of the CoE and the backbone of many of its instruments and activities that has a bearing on national policies and legislation on family and parenting as well as children's rights. In this respect, Chapter 3 outlined the most relevant articles of the Convention and stressed the critical and far-reaching role of the European Court of Human Rights (ECtHR) in developing legal standards and their harmonization on the European level. In this part, caselaw on Article 8 is presented in more detail.

Article 8 ECHR (1950) (right to respect for private and *family life*, home and correspondence) deals with the attitude of the state towards these protected interests. This right is primarily envisaged as protection against arbitrary interferences by public authorities, that is, a classic negative obligation on the part of the state (*Kroon and Others v. the Netherlands*, para. 31). However, in addition to that, there might be a positive obligation by which the state would be obliged to undertake measures to secure the protection of one's right to private and family life. This principle was first recognised by the ECtHR in the case *Marckx v. Belgium*, which concerned the infringement of the right to family life by reducing inheritance rights for illegitimate children.

The ECtHR has developed a voluminous caselaw (European Court of Human Rights [ECtHR], 2020) and a clear position towards the sphere of application of the right to family life as well as interpretation of the notion of family in light of Article 8 ECHR (1950). For the Court, the notion of family is an autonomous concept, which it interprets regardless of the formulations or definitions given by national legislatures. That effectively means that the ECtHR evaluates the *de facto* situation of each case, while bearing in mind certain established criteria which demonstrate close personal ties (*Paradiso and Campanelli v. Italy*, para. 140). It has been defined that an "essential ingredient of family life" is the right to live together so that family relationships may develop normally (*Marckx v. Belgium*, para. 31) and members of the family may enjoy each other's company (*Olsson v. Sweden (no. 1)*, para. 59), even though family life also exists where family members do not live together.

In numerous cases, the ECtHR was asked to rule on the question who is to be considered a family member and the caselaw demonstrates that this includes a wide range of relationships – from couples (be it married, in registered partnerships or *de facto* cohabitation), parents and

children, adopters and adoptees, siblings, grandparents and grandchildren, elderly and vulnerable relatives, as well as other and, under certain circumstances, foster parents (ECtHR, 2020). Concerning parenthood, the fundamental element of family life is the "mutual enjoyment by parent and child of each other's company", and state measures hindering that would interfere with the right to family life protected by Article 8 ECHR (1950) (e.g. *K. and T. v. Finland*, para. 151; *Zorica Jovanović v. Serbia*, para. 68).

Although it did recognise that Article 8 does not include a right to parental leave and that there is no positive obligation of the states to provide parental leave allowances, the ECtHR found that parental leave and related benefits do "promote family life and necessarily affect the way in which it is organised", which thus includes them in the scope of the Article 8 (e.g. *Konstantin Markin v. Russia*, para 130).

The ECHR confirmed that in cases concerning children, their best interest is to be the guiding principle (EU Fundamental Rights Agency & Council of Europe [FRA & CoE], 2015). In that sense, the ECtHR often quotes the UNCRC (1989) and takes into account the conclusions of the UN Committee on the Rights of the Child in its judgements (*Wallová and Walla v. the Czech Republic*). As such, in some cases, the child's best interests may override the interest of the parents (*Sahin v. Germany*, para. 66). It is in the child's interest to maintain ties with the family, except where the family has proved particularly unfit, the intention being to cut family ties only when exceptionally necessary, while everything is to be done to preserve personal relations and, if possible, rebuild the family (*Gnahoré v. France*, para. 59). Otherwise, the states generally have positive obligations to ensure children's effective enjoyment of their right to respect for family life, including the child's right to be cared for by his/her parents, their right to maintain contact with both parents; and the right not to be separated from parents except in the child's best interest, as well as the right to family reunification (FRA & CoE, 2015, pp. 73-91).

The preceding paragraphs have demonstrated how numerous UN instruments, as well as the ECHR (1950), highlight the significance of family policy and family support measures. Children's rights, including their right to family life and provision, lead to the necessity of family policy and support measures. We will now introduce some important instruments from the Council of Europe and the European Union, both important actors in the field of family policy and support.

4.4 Children's rights to provision and family policy initiatives

In this chapter we take international standards and frameworks for children's rights as a starting point for evaluating existing family policy and support in Europe. As already mentioned, several

articles in the UNCRC (1989) address children's rights to adequate material and economic resources, in particular Articles 18, 26 and 27. These articles emphasise different aspects of securing children's living standards. The main messages are that mothers and fathers, or the child's legal guardians, have a common primary responsibility for the upbringing and development of the child, with the child's best interest as their basic concern. The state parties shall support these efforts. Article 27 expresses particularly clearly that every child has the right to an adequate standard of living to promote the child's physical, mental, spiritual and moral development. While the parent(s) or others responsible for the child have the primary responsibility to secure these conditions, within their abilities and financial capacities, the state parties shall, within the national conditions and means, take appropriate measures to assist parents in implementing these rights. Articles 3 (3) and 25 expect institutions and services to conform to standards established by competent authorities. European institutions follow up children's rights to adequate living conditions in several ways. Below we will present some of their important documents.

4.5 Council of Europe and family policy issues

As introduced in chapter 3, CoE's case law and general policy establishes normative standards based on human rights, such as the right to income, employment, housing, education and health. In the context of this report, it is worthwhile recalling the CoE's long history of engaging in family policy, based on the recognition of the family's right to social, legal and economic protection, stated in the revised European Social Charter (1996). Family policy contributes to ensuring these rights, particularly in the social and economic spheres. For 50 years, from 1959 until 2009, the CoE arranged Conferences of European Family Ministers addressing important family policy issues in Europe. The title of the last conference (2009) was *Public Policies Supporting the Wish to Have Children*. This conference centred on policies to protect the rights of the family. The preceding CoE Conference of Ministers responsible for Family affairs (2006) addressed *Children today, parenting tomorrow* with positive parenting and reconciling work and family life as two core topics. Here, a broad discussion took place about the concept of positive parenting and what became *CoE Recommendation 2006 (19) on Policy to support Positive Parenting* (Council of Europe Committee of Ministers [CoE CM], 2006), which will be addressed in depth below.

CoE Recommendation (2006) 19 on Policy to Support Positive Parenting

The recommendation explores parental practices that will secure children's rights in the family, with a particular emphasis on protection and participation, but also addressing provision. It stresses that parenting should be recognised as a legitimate and important area of policy intervention, enabling children to grow up in a positive family environment. It argues that while

respecting existing parental strengths and competencies, the state should support parents and create the conditions for positive parenting, such as via measures to provide all families with access to material, psychological, social and cultural resources. Regarding provision to parents/families, the recommendation specifies three elements of family policy: (1) public transfers and taxation to secure the living standards of families with children; (2) measures to balance work and family life and (3) infrastructures for childcare provision and social services. The recommendation advocates close cooperation between the state, local authorities, social partners and civil society in order to safeguard the rights and needs of children and families. It further recommends that social services should exist on a continuum from informal to semi-formal and formal. Such services must treat children and parents as right-holders and partners. All families should have access to support, while at-risk families may need particular attention. Thus, the recommendation emphasizes the importance of complementing general policies with more targeted approaches to parenting in challenging or vulnerable situations, such as first-time or teenage parents, and families facing social exclusion and difficult socio-economic circumstances (Dobrotić & Baran, 2015; Sandbæk, 2017). Migrant children and their families receive particular attention in the CoE *Recommendation (2008) 4 on strengthening the integration of children of migrants and of immigrant background* (CoE CM, 2008). The situation of children with disabilities is addressed in *Recommendation (2010) 2 on deinstitutionalisation and community living of children with disabilities* (CoE CM, 2010) *and Recommendation 2013 (2) on ensuring full inclusion of children and young persons with disabilities into society* (CoE CM, 2013). The *Guidelines on child-friendly health care* (CoE CM, 2011) is another example of a document that advocates tailoring services to meet the needs of children and families in specific situations.

CoE Recommendation 12 (2011) on children's rights and social services friendly to children and families

This recommendation explores the range, coordination and management of social services in greater depth compared to *Recommendation 19 (2006) on Policy to Support Positive Parenting*. It defines "social services" in broad terms as a set of measures and activities to meet the needs of the child and/or the family at different levels. "Child-friendly services" refers to services that respect the rights of every child, including the rights to provision, participation and protection and the principle of the best interest of the child (II Definitions 4 & 5). When it comes to provision, the recommendation specifies that social services should ensure a supportive environment for the child and deliver services necessary to facilitate positive parenting and the empowerment of parenting skills (IIIA 2). The recommendation is also interesting from the perspective of defining quality standards of family and parenting support services. It seeks to ensure that services are

based on individual assessments of the child's needs and life circumstances. This is in line with what parents' themselves describe as quality standards. According to parents, services must practice a bottom-up approach and build on dialogue with children and parents, respecting their experiences and enhancing their self-confidence and competencies (Sandbæk, 2007).

While the CoE used to have a separate unit dealing with family policy, family issues have been included in the Children's Rights unit. *Council of Europe Strategy for the Rights of the Child (2016-2021)* (CoE CM, 2016) identifies poverty, inequality and exclusion as major challenges. It defines the family as the fundamental unit of society and the natural environment for the growth and well-being of children. It emphasises the necessity of supporting families and enabling them to implement children's rights. In 2021 a new *Council of Europe Strategy for the Rights of the Child (2021-2027)* will be presented under the supervision of the Steering Committee for the Rights of the child (CDENF).

4.6 EU and family policy issues[19]

As considered in Chapter 3, traditionally the EU has provided limited direction to family policy as a matter primarily dealt with by member states. However, Chapter 3 also set out how the EU in recent years has increasing addressed family policy and family support issues in conjunction with its attempts to modernise European social models. The *Lisbon Agenda (2000-2010)* intensified the EU's efforts in the field and expanded the open method of coordination to the area of poverty and social exclusion, paying special attention to public policies aimed at children and families living in difficult circumstances. Daly (2011) highlights three initiatives: 1) the EU 2009 Charter of Fundamental Rights and the EU first Children's Rights Strategy (EC, 2011), recognising children as right holders. 2) the adoption of Barcelona targets (Presidency Conclusions, 2002) directed at kindergartens from an early age and compulsory school start and 3) Directives to improve work-family balance. *Europe 2020* (EC, 2010) continued this policy, expanding measures aimed at work-family balance, in particular the provision of early childhood education and care (ECEC) and the promotion of gender equality. It also addresses measures aimed to prevent early school leaving (Dobrotić & Baran, 2015).

European Commission's Recommendation (2013) Investing in Children

[19] In this paragraph, we explore policy initiatives and recommendations by the EU. However, NGOs also play an important role in developing and implementing policies for children and their families. We will in particular mention two organisations, both stakeholders in EurofamNet. COFACE Families Europe www.coface-eu.org and EUROCHILD www.eurochild.org. As is evident from their websites, both organisations are actively involved in a number of initiatives to strengthen children's and families' rights.

The growing interest in parenting at the EU-level is evident in the EC Recommendation *Investing in Children: Breaking the Cycle of Disadvantage* (EC, 2013b), which calls on member states to take further action to reduce child poverty and social exclusion and improve child welfare. The recommendation recognises children rights whilst acknowledging the necessity of supporting families as their primary carers. To combat child poverty and promote equal opportunities for all children, the European Commission (EC) encourages member states to apply integrated approaches and to combine universal and targeted measures to ensure that children grow up in families with adequate resources. Three pillars form the basis for such integrated strategies: (1) Access to adequate resources; (2) Access to affordable quality social and health services, with an emphasis on early childhood education and care (ECEC); and (3) Children's rights to participation. Countries are asked to pay special attention to children facing increased risks such as children of migrants and ethnic minorities, children with special needs and disabilities, and children at risk of exclusion and poverty (Dobrotić & Baran, 2015; Sandbæk, 2017). We will explore each pillar below.

(1) *Access to adequate resources* can be reached either through work or with adequate income support. Adequate resources are necessary to safeguard children's rights and demands an appropriate combination of and balance between universal and targeted policies, called "progressive universalism" in related documents (Frazer & Marlier, 2017). There seems to be a broad agreement that "progressive universalism" is the best way to fight child poverty as universal policies promote the well-being of all children by securing a minimum standard of income and services, while targeted approaches support the most disadvantaged.

(2) *Access to affordable quality social and health services* focuses on investing in early childhood education and care programs (ECEC) to reduce inequality. The programs combine access to work and access to services. They provide parents with measures necessary to gain access to the labour market, such as education, job training and language courses, and include health services, kindergartens, and education for children. This second pillar also proposes to improve the education and healthcare systems, as well as housing, for disadvantaged children.

(3) *Children's rights to participation* addresses how to remove barriers such as cost, low income or living in disadvantaged neighbourhoods to provide equal access to play and recreation as well as cultural and sports activities. The rights for children to have their views heard in justice proceedings, and to participate in policy and service planning in

ways adapted to their age, are also emphasised (Dobrotić & Baran, 2015; Janta et al. 2019, p. 9).

European Pillar of Social Rights

The pillars from EC Recommendation (2013) are included and further developed in the *2017 European Pillar of Social Rights* (EC, 2021), which aims to modernise and strengthen the EU legal framework to provide EU citizens with effective social rights. The *European Pillar of Social Rights* sets out 20 key principles essential to achieving fair and well-functioning labour markets and welfare systems across the EU, structured in three categories: equal opportunities and access to the labour market; fair working conditions; and social protection and inclusion. While all the principles contained in the *European Pillar of Social Rights* contribute to the well-being of families and children, some principles are directly relevant to child and family policy. These are 1) the right to quality and inclusive education (Principle 1), work-life balance (Principle 9) and the right to affordable quality early childhood education and care (Principle 11) (Janta et al. 2019, p. 13).

We will briefly describe how the content of the pillars in the *Recommendation (2013)* is developed in the *European Pillar of Social Rights*, according to the report 'Recent Trends in Child and Family Policy in the EU' (Janta et al. 2019).

(1) Access to adequate resources

Supporting parental participation in the labour market, one of the key pillars of the EC *Recommendation (2013) Investing in Children*, is further developed through the *2019 Work-Life Balance Directive for parents and carers*. The Directive sets a new standard for leave policy in the EU by introducing a set of legislative actions designed to modernise the existing legal and policy frameworks. The intention is to better support a work-life balance for parents and carers, encouraging a more equal sharing of parental leave between men and women, and addressing women's under-representation in the labour market. Parliament approved the Directive in April 2019; it entered into force in August 2019 and will be transposed by the member states by August 2022.

Further, as part of providing adequate living standards, a *European Child Guarantee for Vulnerable Children* is under preparation (Frazer et al., 2020). It aims to ensure all children in the EU 27 have access to free health care, education and childcare, decent housing and adequate nutrition. There is a particular focus on disadvantaged groups, such as children living in precarious family situations, in alternative care, with a migrant background, including refugee

children, and children with disabilities. The *European Child Guarantee*, which is part of wider anti-poverty measures, will be launched in 2021, depending on funding from the member states.

The report 'Recent Trends' (Janta et al. 2019) also gives examples of how member states follow up the EU's policy initiatives. Many countries increase the value of existing benefits or introduce new forms of financial support, often directed to certain family types, such as large families or single-parent households, requiring extra support. Several countries have also introduced national strategies and actions to tackle poverty, seen as a root cause of many social problems. Some examples are France's comprehensive anti-poverty-plan, Ireland's implementation of a Whole of Government Strategy for Tackling Child Poverty and Denmark's 1000 days program to provide funds for various ECEC family and health support measures for children aged 0-3 (Janta et al. 2019, p. 8).

(2) Access to affordable quality services

The European Commission has issued a *Proposal for a Council Recommendation on High Quality Early Childhood Education and Care systems*, putting childcare quality on the EU and national-level policy agenda. The Education, Youth, Culture and Sport Council adopted the proposal in May 2019 with an objective to modernise the provision of early childhood services in the EU 27. This continues to be a priority and the report 'Recent Trends' (Janta et al. 2019, p. 9) mentions several examples from member states.

All member states have made progress towards the 2002 Barcelona targets of 33% of children aged under 3 and 90% of children aged between three and mandatory school starting age having access to a formal childcare place. However, there is still a wide variety with regard to the proportion of children in formal childcare (Eurydice, 2019).

Additional initiatives from member states under this pillar are different types of support to promote child well-being through positive parenting. These include the establishment in Germany of the Federal Foundation for Early Childhood Intervention; and the introduction in Malta of a National Strategic Policy for Positive Parenting (2016-2024); and the launch of information platforms for parents, including a free telephone helpline in the UK and an online portal in Sweden.

(3) Children's rights to participation

This is the third pillar in the EC *Recommendation (2013) Investing in Children* followed up in the *European Pillar of Social Rights*. The Bucharest *EU Children's Declaration (2019)* was agreed at the Children's Summit under the auspices of the Romanian Presidency of the Council of the

EU. It is co-drafted with children and a political commitment calling for mechanisms to ensure child participation in decisions that affect their lives. Several EU countries have tested the Child Participation Assessment Tool, developed by the CoE (CoE, 2016). It helps to measure how well children's rights to participate is protected in Europe and is now implemented across member states. Further, the EU Council has approved a renewed EU *2019-2027 Youth Strategy*, aiming to foster young people's engagement in civic and democratic life (UNESCO Youth, 2019; Janta et al. 2019, p. 9). The *CoE Rec 2012 (2) on the participation of children and young people under the age of 18* also provides valuable input in this area (CoE CM, 2012).

In addition to elaborating on the issues mentioned above, the report 'Recent Trends in Child and Family Policy in the EU' (Janta et al. 2019) explores more in-depth initiatives to support first- and second generation migrant children as well as children with disabilities and Roma and Traveller children. Many member states have implemented relevant initiatives. Actions often focus on educational services and provision of language training in host country language, considered an essential component of a successful integration into the host societies. It is essential to monitor implementation of these initiatives to ensure that they contribute to more inclusive societies.

The *European Pillar of Social Rights*, with its comprehensive principles and measures, represents important steps towards implementing valuable social policy measures in Europe. We will in particular recognise initiatives in the field of facilitating parents' participation in the labour force, such as parents' rights to leave and children's rights to quality ECEC services. Further, important measures are to ensure the living conditions of children at risk, such as the *European Child Guarantee*. Therefore, although the *European Pillar of Social Rights* operates as an aspirational set of principles for member states, as discussed in Chapter 3, it is providing the basis for higher-order policies (e.g. *2019 Directive on Work-Life Balance*). However, the scope of the recent initiatives, such as the *European Child Guarantee*, are still under negotiation. It is difficult to say to what degree they will respond sufficiently to the range of children's, parental and family support needs, not least in light of the Covid-19 pandemic, which will be the topic of the next chapter.

4.7 Conclusion

Building on the analysis set out in Chapter 2 and 3, this chapter has sought to examine in further depth the significant UN, EU and CoE documents, which all highlight the value of the family and its rights to protection and assistance. These assert children's rights to live with their families. They recognise there are exceptions when children cannot stay with their parents, and in these cases emphasise the best interest of the child is paramount when deciding where a child should

live and how they should be cared for. From the analysis provided in this chapter, children and their families are entitled to protection and support, both to ensure that children can live with their families and to safeguard their rights to an adequate living standard. Thus, one of the major conclusions to our policy review is the need to firmly argue for holistic family policies and approaches to family support explicitly based on children's rights.

This chapter has also explored how the CoE and EU follow up the obligations embedded in the UNCRC (1989) and ECHR (1950) concerning the rights of the child to live with their parents and to adequate standards of living. As a human rights organisation, the CoE's general policy builds on human rights such as the right to income, employment, housing, education and health. The CoE has had a consistent focus on family policy, manifested in the Conferences of Ministers Responsible for Family Affairs over the 50 years from 1959 to 2009. The CoE has also demonstrated a long-term interest in children's rights. The commitments to family policy and to children's rights merged in *Recommendation 19 (2006) on Policy to support positive parenting* and *Recommendation 12 (2011) on children's rights and social services friendly to children and families*. The first explores how to support parents to bring up their children in accordance with the UNCRC (1989), while the second addresses how to deliver social services based on children's rights. The CoE *Strategy for the Rights of the Child (2016-2021)* promotes a broad array of policies and actions to promote children's rights. As an economic and political union, the EU has for many decades primarily sought to address socio-economic concerns through social protection for all, improvement in work-life balance and childcare measures. However, the *Europe 2020 strategy* for smart, sustainable and inclusive growth (EC, 2010)**,** introduced a renewed focus which includes broader elements of social policies. The *Recommendation (2013) Investing in Children, Breaking the Cycle of Disadvantage*, highlights children's rights to an adequate standard of living and the necessity to enable their families to provide for them in accordance with their rights. The *European Pillar of Social Rights* also aims at strengthening the citizen's social rights and launching anti-poverty measures such as the European Child Guarantee.

Even though they each have their own profile, the CoE and EU build on each other's policy documents and share fundamental perspectives in this field. *First,* both organisations commit themselves to strengthen children's rights in accordance with the UNCRC, while also recognising parents as children's primary care persons. Thus, they do not advocate a view on children as persons standing alone but acknowledge their rights to live in a family context and the need to promote their welfare within family settings. *Second*, both underline the necessity to combine universals policies with more targeted interventions which in EU documents is called "progressive universalism". There is also an agreement on which groups need targeted

measures, namely children and families in situations of economic disadvantage, single mothers, children with disabilities, migrants as well as Roma and Traveller children and their families. *Third*, to provide families with adequate resources, the two organisations recommend access to work and/or access to adequate income support. To facilitate parents' participation in the labour market, they recommend interventions to balance work-life, including parents' rights to leave and children's rights to quality ECEC services. *Fourth,* both organisations address *children's* participation (Sandbæk, 2017). These elements are all important for a holistic approach to family policy and family support, which we discuss in the Conclusion chapter.

Policy implementation is also a core question. To what degree are the proposals sufficient and will they be implemented in the nation-states? Should the European institutions do more to enable member states to implement the recommended standards, such as provide more practical or economic support, or, on the contrary, put higher expectations on the member states? Can extended evaluation provide more information about the process from policy decisions in the CoE and the EU until the interventions reach the inhabitants in the nation states? We will also return to these questions in the Conclusion chapter.

Chapter 5: European Union COVID-19 economic responses and implications for family support[20]

"No child must be left behind in the aftermath of the coronavirus crisis." (European Commission [EC], 2020a, p. 1).

5.1 Introduction

Our policy review is primarily concerned with family support policy and provision that seeks to assist the roles of parents and families with respect to the care and upbringing of children and young people. The COVID-19 pandemic, however, presents a new challenging and evolving situation. This chapter will focus specifically on how family support concerns and measures figure in the EU economic response to the COVID-19 pandemic. It will do this by taking a three-pronged approach. Firstly, general family experiences during the COVID-19 pandemic and as captured in major studies and reports by early 2021 will be discussed. Secondly, the European-level COVID-19 economic responses, namely the *Coronavirus Response Investment Initiative (CRII)* and the *EU Recovery Fund (2021-2027),* and the general economic implications for family support provision will be considered. Thirdly, because of the extensive nature of family support (Canavan et al. 2016; Quinton, 2004; Sandbæk, 2007), an in-depth analysis of all emerging COVID-19 family support issues is not possible here. Instead, a more focused approach will be used by exploring the experience of four groups of children identified as being particularly vulnerable in the recent *Feasibility Study for a Child Guarantee* (Frazer et al. 2020) and their families. These are children living in precarious family situations, children with disabilities, children with a migrant background (including refugee children) and children in institutional care (Frazer et al. 2020). The *European Child Guarantee*, as referred to in earlier chapters, is an emerging EU policy framework that aims to ensure children in need have access to the services and the support that they need. How family support provision will be maintained and enhanced within the *EU Recovery Fund (2021-2027)* for these four groups of children identified as being particularly vulnerable and their families will be outlined. Finally, this chapter will conclude with reflections on the short and medium-term implications for family support in light of the *EU Recovery Fund (2021-2027)*.

[20] In this chapter the COVID-19 response was reviewed up to 31st January 2021.

5.2 The COVID-19 Pandemic: the emerging picture of general family experiences

The COVID-19 outbreak was declared a pandemic on the 11th of March 2020 by the World Health Organisation (WHO, 2020a). Unfortunately, the numbers of cases and deaths are increasing on a daily basis worldwide with countries experiencing repeated waves of virus transmission. The website *Our World in Data* provides an important source of up-to-date global, EU and individual country COVID-19 statistics.

Internationally, health systems, as well as economic and social systems, have been challenged to reduce the transmission rate of COVID-19. From the start of the pandemic, there have been various responses implemented including improving testing and contact tracing; increasing hospital and healthcare capacity; public health awareness campaigns to promote hand hygiene, cough etiquette and social distancing; and national, regional and local lockdowns which limit the movement of people and suspend all but essential services and activities. As this is a very fluid situation, responses across countries and within countries have varied (Capano et al. 2020). They will continue to vary in timing, modality, combination of measures and duration, as the pandemic ensues. Despite the very positive news about a vaccine, protective public health measures are likely to be in place for the foreseeable future, as vaccination programmes roll out and COVID-19 eventually becomes suppressed in a given country.

As well as an increased health risk (Clark et al. 2020), families have been experiencing multiple new stresses. Several key stresses are identified here. While these are not exhaustive, they are indicative of the new social reality that many families are experiencing. There has been increased pressure on parents to coordinate the demands of personal life, work, and raising children, without their usual supports, especially during closures of early childhood education and care services and schools in many countries (Blum & Dobrotić, 2020; Eurofound, 2020a and 2020b; Huebener et al. 2020; Fleming & O'Hara, 2020; Spinelli et al. 2020). Since the start of the pandemic, educational provision has been moving between classroom and digital education, in response to repeated waves of the virus in various countries. While parents are afforded an opportunity to spend more time with their children (Calvano et al. 2021), online education for children also poses challenges for children and parents. Not all households have access to the necessary resources, such as internet access, device availability or adequate space to facilitate learning from home. For example, in a 'Science for Policy Brief' published by the European Commission on *Educational Inequalities in Europe and Physical School Closures During COVID-19*, it was identified that "in half of the 21 European countries examined, 4th grade pupils from lower socioeconomic backgrounds were at best half as likely to have access to the Internet as their more advantaged peers" (Blaskó & Schnepf, 2020, p. 1). Given that this is a basic

requirement to facilitate and maintain access to schoolwork, resources and teachers, families already experiencing social inequality are now further disadvantaged by digital poverty, creating a new and additional stress for children and parents. In addition, research with parents (n=4612 in Northern Ireland) showed that parents experience challenges in meeting the different learning needs of children, particularly those with Special Educational Needs (SEN), during school closures and maintaining the physical and mental well-being of themselves and their child(ren) (O'Connor Bones et al. 2020).

Along with the above, there is a concern about growing gender inequalities, that is, mothers are at a higher risk to take over an increased range of the tasks related to care work, housework and home-schooling and reduce working hours or quit their jobs, or are generally exposed to a higher risk of dismissal (Eurofound, 2020c; Andrew et al. 2020; Adams-Prassl et al. 2020). Up to the end of June 2020, national policy responses to the COVID-19 pandemic for parents and other carers varied. In an *International Review of Leave Policies and Research* in 2020, Koslowski et al. (2020) documented that parental leave arrangements, for example, were extended in Hungary, Latvia and Slovakia, but not in other countries covered in the review. However, many families did benefit from broader social protection measures implemented in many countries in response to the crisis (Koslowski et al, 2020). In addition, *The Changing Face of Work and Family Life under Covid-19 Policy Brief* (COFACE, 2020a) reports on the extraordinary COVID-19 leave measures and income support initiatives in a selection of European countries. Support for families in exceptional times, for example during a pandemic, is critical as "family resilience, the capacity for a family to weather and even thrive during adversity, depends on a family's ability to balance stability and flexibility in changing circumstances" (Roffman, 2020, p.1).

As referred to in earlier chapters, the *Council of Europe Strategy for the Rights of the Child (2016-2021)* mentions poverty, inequality and exclusion as major challenges. In 2018, on average across EU member states almost one in four children were already growing up at risk of poverty or social exclusion (Eurostat, 2020a). The EU Alliance for Investing in Children (2020) links child poverty with low-wage jobs, unemployment or limited access to social benefits for parents. Due to some of the broader protective public health measures, referred to above, economic vulnerability for families has increased due to the termination or suspension of businesses, reduced income and job losses (Eurofound, 2020a, 2020b and 2020c; Fontanasi et al. 2020). A European e-survey, administered in April 2020 (63,354 complete responses for EU27) and in July 2020 (24,123 complete responses for EU27) by Eurofound, established that in April 2020, 46.7% of EU households had some level of difficulty in making ends meet, whereas by July 2020, as economies were starting to reopen, 43.5% of respondents reported this,

showing a small improvement. Only 33.4% of respondents indicated that they felt optimistic about their children or their grandchildren's future during lockdowns (Eurofound, 2020b). Within this, lie "stark differences between countries and between socioeconomic groups that point to growing inequalities" (Eurofound, 2020c, p. 68), such as an increased risk to those already experiencing unemployment. Studies also draw attention to rising bills (Intrum, 2020), with increased income expenditure on food, energy and home-schooling further increasing financial pressure on low-income families (Byrne et al. 2020; Brewer & Patrick, 2021). In addition, the risk of food poverty and food insecurity has increased for vulnerable families (Gibney et al. 2020; Power et al. 2020).

The prevalence of domestic violence and child maltreatment has also increased in the wake of the pandemic (Fegert et al. 2020; Evans et al. 2020). Several of the risk factors for domestic violence: unemployment, poverty, relationship conflict, alcohol use/abuse, family history of violence, social isolation, diminished supports and lack of information (Heise, 2011), as well as close contact under stress (Brooks et al. 2020) have been exacerbated by government measures to reduce COVID-19 transmission and suppress the virus. These include lock downs/stay-at-home orders, restricted travel, limited household contacts and social distancing measures.

Parents have been experiencing pressure and sustained strain, as they try to navigate family life in this new and very uncertain social reality:

> For most parents, to say the COVID-19 pandemic has been stressful would be a dramatic understatement. The combination of financial pressure, loss of childcare and health concerns is exceedingly challenging for families. Mental health problems are expected to rise dramatically as a secondary effect of COVID-19 and the measures that have been put in place to contain it (Roos & Tomfohr-Madsen, 2020, p.1).

Furthermore, there is emerging evidence that mental health and behavioural problems for children also increased during lockdowns. Singhi et al (2020), based on a narrative review of articles published on the mental health of children and adolescents during lockdowns, up to August 2020, showed that developmental age, educational status, pre-existing mental health conditions, experiencing economic disadvantage or being quarantined due to infection or fear of infection can all add to the stress experienced by children and adolescents. Behavioural problems for children also become more common in lockdowns. Based on assessments provided by Eurochild members in 25 countries, concerns about children's behavioural responses were identified in the reports for Bulgaria, Denmark, England, Estonia, Finland, France, Romania, Slovenia and Portugal (Eurochild, 2020). This report highlighted that "children

with no history of behavioural problems, are having trouble sleeping and are becoming increasingly aggressive" (Eurochild, 2020, p. 6).

While the above provides an overview of some of the key pressures on families directly and indirectly, including reinforcing existing inequalities, the full picture of living in a pandemic on a personal, family and community level, as well as issues related to child, parenting and family support, will continue to emerge as the pandemic ensues and as countries transition out of it. An increased demand for services, public health requirements restricting work, staff absences, reduced funding for some services, especially those dependent on donations, such as charities, are now additional unanticipated challenges. As countries continue to respond to changing and unpredictable circumstances, family policy and support requirements are likely to change on an ongoing basis. Considering this, the next section focuses on European level COVID-19 economic responses and likely resources available to sustain and augment family support services.

5.3 EU Level COVID-19 Economic Responses

Earlier chapters in this report have established that European governance comprises of a variety of political and administrative structures to enable standards and commitments for governments to be set. We have seen how the supra-national institution of the EU has adopted regulations and recommendations concerning European economic integration and citizenship rights that have implications for the family policies and social policies of member states. The European Commission, as the executive body of the EU, is responsible for developing new legislation and implementing the decisions of the European Parliament and Council of Ministers. Since February 2020, the European Commission has co-ordinated a common economic response to the COVID-19 crisis through a series of responsive policy extensions and developments to assist the national effort in member states. A detailed description of the national effort in member states is available in the European Commission (2020) document *Policy Measures Taken Against the Spread and Impact of the Coronavirus.*

As highlighted already, our main interest in this review is concerned with family support policy and provision that seeks to assist the roles of parents and families with respect to the care and upbringing of children and young people. Therefore, this section will look at two overarching COVID-19 EU economic measures, namely the *Coronavirus Response Investment Initiative* and the *EU Recovery Fund (2021-2027);* and examine the extent to which they do this. We also see over this whole period repeated calls from stakeholder representative groups, for families and services to families to be prioritised in funding allocations and spending. Priorities for service development and/or provision, as raised by various stakeholder groups, will also be highlighted.

Coronavirus Response Investment Initiative (CRII)

In April 2020, the EU Commission announced two packages of measures, approved by the European Parliament and the European Council, to alleviate the negative health and economic impact of the COVID-19 pandemic: the *Coronavirus Response Investment Initiative (CRII)* and the *Coronavirus Response Investment Initiative Plus (CRII+).* The CRII package allows unspent funds from the *European Structural Investment Funds* (ESIF)[21] to be used to respond directly to emerging crisis needs, thereby increasing the scope of funds. It simplified the procedures involved to do this. The *European Union Solidarity Fund* (EUSF), set up to respond to major natural disasters, was also extended to cover major health emergencies.

The CRII+ further simplifies procedural steps to reallocate unspent funds. It includes a provision whereby from the 1st of July 2020 to the 30th of June 2021, member states can apply for up to 100% financing for Cohesion policy programmes[22]. This alleviates pressure on national governments to provide match funding for programmes/projects, as would have been required before the pandemic. The CRII+ also facilitates the relaxing of application rules for the *Fund for European Aid to the Most Deprived* (FEAD) to support basic needs provision, whilst facilitating national authorities to provide non-material assistance and facilitate increased integration for those experiencing deprivation.

The European Commission has stated that "as of the 16th of December 2020, 25 EU countries and the UK have requested 239 amendments to their existing Cohesion Policy programmes using the flexibilities offered by CRII and CRII+" (EC, 2020b, p. 1). A summary of how CRII+ funds have been used by member states has been made available by the European Commission. Additional detail is also available through the European Commission *Cohesion Open Data Platform*.

[21] The ESIF comprises of the following: The European Social Fund (ESF). The European Regional Development Fund (ERDF) which focuses on economic and social cohesion in the EU through investment in the infrastructure and services of underdeveloped regions. The Cohesion Fund (CF) which applies to EU member states which have a Gross National Income (GNI) per habitant less than 90% of the EU-27 average. The European Agricultural Fund for Rural Development (EAFRD) which seek to address challenges facing EU's rural areas. The European Maritime and Fisheries Fund (EMFF) supports sustainability and diversification.

[22]"Cohesion policy is the policy behind hundreds of thousands of projects all over Europe that receive funding from the European Regional Development Fund (ERDF), the European Social Fund and the Cohesion Fund" (EC 2020, p. 1).

From a family support perspective, the *Coronavirus Response Investment Initiative*, facilitates emergency funding provision broadly to social services due to COVID-19 (EASPD[23], 2020; FEANTSA[24], 2020). Continuity of service provision is critical here as many services had to close or adapt their service provision to be compliant with public health guidelines. Prior to the pandemic, the ESF, as referred to in Chapter 3, was the primary fund used to support employment-related initiatives as well as social programmes. Under the *Coronavirus Response Investment Initiative*, it remains so. This is important because from 2014-2020, the ESF fund made a significant contribution to service provision in areas affecting the lives of children, parents and families. Within the themes for funding, there is an emphasis on access to employment and labour mobility, equality between men and women in all areas, active inclusion, integration of marginalised communities, enhancing access to services and community-led local development strategies. While we don't see a specific family focus here, these are all areas that directly and indirectly affect family life at any time, but more so in the exceptional times that we are now living in. More detail on ESF (2014-2020) funding allocations and achievements is available on the European Commission, European Social Fund Data webpage. In addition, the new instrument for temporary *Support to Lessen Unemployment Risks in an Emergency* (SURE) is now available to protect jobs and workers affected by the coronavirus pandemic. With these enhanced economic supports, we can see here immediate EU-level assistance being provided to member states that family support services can potentially benefit from.

EU Recovery Fund (2021-2027)

On the 21st of July 2020, EU heads of state or government reached a political agreement on the *EU Recovery Fund (2021-2027)*. By the 17th of December 2020, this was approved by the European Commission, the European Parliament and EU member states in the Council. The *EU Recovery Fund (2021-2027),* worth €1.8 trillion, is a dual approach to enable the recovery of the EU's economy and mitigate the short and long-term negative effects of the pandemic. It will comprise of two parts (a) an emergency *Next Generation EU* instrument, a bespoke response to alleviate the negative economic and social effects of the pandemic and (b) a reinforced *Multiannual Financial Framework* (MFF), the EU's long-term budget. The *EU Recovery Fund (2021-2027)* "will be the largest stimulus package ever financed in Europe" (EC, 2021a, p. 1). For the first time ever, there is a rule of law conditionality attached to this. This means that EU

[23] EASPD: European Association of Service Providers for Persons with Disabilities.

[24] FEANTSA: European Federation of National Organisations Working with the Homeless.

budget payments can be withheld from countries in which the rule of law and democratic principles of the EU are not upheld.

Both the *Next Generation EU* and the reinforced MFF will strengthen additional programmes, as well as establish customised regulations and instruments to respond to the COVID-19 crisis. As part of the *Next Generation EU*, the new *REACT-EU*[25] regulation will ensure that the pandemic measures delivered through the Coronavirus Response Investment Initiatives will be continued and be linked to the long-term recovery plan (EC, 2020c). In effect, this is top up funding to that still available under the 2014-2020 programmes. With this, current *Cohesion Policy* programmes[26] will be supported until 2022. This is particularly important for the aforementioned ESF funding strand to ensure continuity of service provision.

Inbuilt into the *Next Generation EU* is a *Recovery and Resilience Facility* (RRF), the centrepiece of *Next Generation EU*, comprising of loans and grants available to support the national recovery and resilience plans in member states. While the European Commission has been accepting preliminary draft plans from the 15th October 2020, the deadline for national plans is the end of April 2021. Payment of funds from the RRF is linked to the actual implementation of reforms and investments based on pre-defined milestones and targets. These must be completed before the end of August 2026.

As outlined, COVID-19 has placed significant strain on the health, economic and social infrastructures of EU countries, as well as countries worldwide. COVID-19 has considerably increased family stress and pressures (Eurofound, 2020a, 2020b and 2020c; Eurochild, 2020).

There are several overarching goals and deliverables, within the *EU Recovery Plan (2020-2021)*, that are likely to positively affect family support provision. For example, the reinforced MFF for 2021-2027, includes an enhancement to the existing ESF. With the new ESF+[27], at least 27% of resources are due to be allocated to the social inclusion of groups experiencing disadvantage, such as long-term unemployment, children, marginalisation and migrants (European Social Network (ESN), 2021b, p.1). The new ESF+ will also be used to

[25] REACT-EU is a Recovery Assistance for Cohesion and the Territories of Europe.

[26] Programmes that receive funding from the ERDF, the ESF and the CF.

[27] "For the period of 2021-2027, the European Commission has merged different funds and programmes which resulted in the European Social Fund+ (ESF+): the European Social Fund (ESF), the Youth Employment Initiative (YEI), the Fund for European Aid to the Most Deprived (FEAD), the programme for Employment and Social Innovation (EaSI) and the EU health programme" (Actiris.Brussels, 2021, p.1).

strengthen Europe's social dimension, by putting the principles of the *European Pillar of Social Rights* into practice (EC, 2020d). The *European Pillar of Social Rights*, builds on 20 key principles, underpinning the rights of all citizens in the EU, as referred to in chapter 4. Investment in children is also highlighted, particularly those who have been negatively impacted by the pandemic. Member states with a level of child poverty above the EU average should use at least 5% of their ESF+ resources to address this issue. All other member states must allocate an appropriate amount of their ESF+ resources to targeted actions to combat child poverty (EC, 2021b, p. 1).

With reference to the RFF, as part of the *Next Generation EU*, the ESN (2021a) draws attention to the importance of national recovery and resilience plans, as follows:

> The inclusion of social services for vulnerable children, families, people with disabilities, homeless people and older people in these plans will be crucial for public social services authorities in accessing funding from their own governments to reform their social inclusion programmes (p. 1).

As national plans are still being developed across member states, COFACE (2021) emphasises the importance of monitoring saying that it:

> [W]ill continue to follow up on the developments of the RRF process and review whether the NRRPs [National Recovery and Resilience Plans] respect the Member States' obligations under the UN Convention on the Rights of Persons with Disabilities (UNCRPD), the UN Convention on the Rights of the Child (UNCRC) and other human rights laws and policies, such as the upcoming EU Disability Rights Strategy 2021-2030 (p. 1).

As part of the *Next Generation EU*, the InvestEU programme will be enhanced. It has four different policy areas, one being social investments and skills, which includes "financing projects in skills, education, training, social housing" and "integration of migrants, refugees and vulnerable people and more" (EC, 2018, p.1). Again, while there is no direct mention of the family, there are likely to be service development areas that will directly impinge on family life.

In the context of the post COVID-19 *EU Recovery Plan*, the adoption of a *European Child Guarantee* is planned for early 2021. As highlighted in Chapters 3 and 4, this is important from a family support viewpoint as the *European Child Guarantee* aims to ensure all children in Europe who are at risk of poverty, social exclusion, or are otherwise disadvantaged have access to essential support and services of good quality (EC, 2020e).

Overall, we can see that enhancing financial resources in existing EU programmes, creating bespoke financial responses, implementing the *European Pillar of Social Rights* and adopting a *European Child Guarantee* will enhance child and family policy. There is also likely then to be an increased focus on children's rights across EU countries, ensuring appropriate and responsive family support service provision. The next section examines the likely implications of the *EU Recovery Fund (2021-2027)* for the aforementioned four vulnerable groups of children, while also keeping in mind the broader family context in which these children live.

5.4 The EU Recovery Fund (2021-2027) and Family Support Measures for Vulnerable Children

Each of the groups of children discussed in this section are those identified as being particularly vulnerable (children living in precarious family situations, children with disabilities, children with a migrant background (including refugee children) and children in institutional care) in the *Feasibility Study for a Child Guarantee* (Frazer et al. 2020). As stated by EU Roma (2020, p. 1) "the feasibility study is part of an EU Commission Preparatory Action to explore the establishment of a *European Child Guarantee* scheme". While the four groups are not representative of all children generally or all children experiencing social disadvantage, using a similar approach to Frazer et al. (2020) provides a way of identifying emerging COVID-19 family support-related issues for children, who are particularly vulnerable. Family-related issues will also be included. The key COVID-19 issues for each group will be considered separately and then a commentary on the potential implications of the *EU Recovery Fund (2021-2027)* for each overall group will be presented. However, it must be emphasised that while each group is looked at separately here, the causes of social disadvantage for children and their families is often very complex and not attributable to one single factor.

Children Living in Precarious Family Situations

Because of the scope of looking at children living in precarious family situations is potentially very broad, Frazer at al. (2020) examined the circumstances of specific sub-groups of children experiencing disadvantage. Below we consider each in turn.

Children who Experience Child-Specific Deprivation or live in an Income-Poor Household

In the EU, households have been placed under significant financial strain by the COVID-19 pandemic (EAPN, 2020). Unemployment rates rose significantly in all European countries during national lockdowns (Eurofound, 2020b). Pandemic-related unemployment increased the poverty risk for many families, as well as worsening the life situation for children who experience child-specific deprivation or live in an income-poor household. For more detail on the impact of poverty

for this group, from the start of the pandemic until August/September 2020 across 25 EU countries, please see Eurochild (2020) *Growing up in Lockdown: Europe's Children in the Age of COVID-19*. In both rounds of the Eurofound (2020b and 2020c) *Living, Working and COVID-19* surveys, those reporting difficulties in making ends meet was highest among unemployed respondents in April 2020, but, by July 2020, this was double that of working households. Moreover, stress was heightened in households, as nearly a quarter (22%) of those who lost their job felt tense all or most of the time in the previous two weeks, while 20% felt downhearted and depressed. In addition, European Anti-Poverty Network[28] (EAPN) research, involving questionnaire completion by 25 national networks and 3 European Organisations: SMES, IFSW (International Federation of Social Workers) and Age-Platform (European network of non-profit organisations for people 50+), supplemented by 27 interviews with people experiencing poverty in 23 countries, reveals that the COVID-19 crisis had a negative impact on low income households, children experiencing child-specific deprivation, Travellers, Roma, migrants and asylum seekers (EAPN, 2020). For these families and children, already experiencing economic fragility pre-COVID-19, the pandemic has worsened an already precarious living situation.

Children Living in Single-Adult Households

For children living in single-adult households, COVID-19-induced unemployment or reduced working hours, can negatively affect household finances. Women as the sole breadwinners of the family, especially in single-adult households, face the greatest burden in reconciling work and family responsibilities (EAPN, 2020), further intensifying gender inequalities (Eurofound, 2020c) and increasing the risk of social exclusion.

As referred to earlier in the chapter, mothers in particular are at a higher risk to take over an increased range of the tasks related to care work, housework and home-schooling and reduce working hours or quit their jobs, or are generally exposed to a higher risk of dismissal (Eurofound, 2020c; Andrew et al. 2020; Adams-Prassl et al. 2020). In 2019, across the EU27, the gender pay gap stood at 16% (European Institute for Gender Equality, 2021). This is due to a myriad of issues, such as lower labour market participation by women, increased likelihood of having non-standard work contracts or no contracts, more involvement in caring duties and varied

[28]European Anti-Poverty Network is a European network of national, regional and local networks, involving anti-poverty NGOs, grassroots groups as well as European organisations.

educational attainment across countries. A detailed discussion of this is provided by the European Institute for Gender Equality in their *Gender Statistics Database News Article*.

Left Behind Children of EU-Mobile Parents

The Feasibility Study report stated that:

> In the FSCG [Feasibility Study for a Child Guarantee], the notion of 'left-behind children' refers to children of EU-mobile citizens who are living outside their home countries (either one parent or both) and who leave the children in their respective countries of origin (Frazer et al. 2020, p. 40).

While abandonment may feature here, children can be left with one parent or integrated into the wider family structure on a temporary basis, especially during periods of seasonal work (Frazer et al., 2020). When this occurs, the left behind children of EU-mobile parents are part of transnational families where family members work in different locations, often outside the country, yet "hold together and create something that can be seen as a feeling of collective welfare and unity, namely 'familyhood', even across national borders" (COFACE, 2012, p. 3). However, if the household that children remain in experiences social disadvantage, then being at risk of poverty or living in poverty is very likely. Considering that households generally have been placed under significant financial strain by the COVID-19 pandemic (EAPN, 2020), then the living situation and life circumstances of children already living in households experiencing social disadvantage will have worsened.

Roma Children

The Feasibility Study report stated:

> Under the official definition of Roma used by the CoE and EU institutions, the term 'Roma' refers to Roma, Sinti, Kale, and related groups in Europe, including Travellers and the eastern groups (Dom and Lom), and covers the wide diversity of the groups concerned, including persons who identify themselves as Gypsies (Frazer et al. 2020, p. 35).

Recent research by the European Union Agency for Fundamental Rights (FRA, 2020) using face-to-face interviews with 4,659 respondents and their 8,234 co-habitants living in 4,449 households, who self-identify as Roma or Travellers in Belgium, France, Ireland, the Netherlands, Sweden and the United Kingdom shows that every fourth Roma and Traveller child surveyed lives in a household that cannot afford basic items, such as healthy food or heating, has difficulty paying the rent and a reduced life expectancy, compared to the general population. The COVID-19 crisis has further compounded this situation for Roma families (EAPN, 2020).

Overall, for children living in precarious family situations, COVID-19 has increased and highlighted existing family inequalities (COFACE, 2020a). In the new E*U Recovery Fund (2020-2021)*, children, living in precarious family situations and their families will directly benefit from the ESF+ as member states will have to allocate at least 27% of their ESF+ resources to promote social inclusion, with a focus on support for the most vulnerable, those experiencing job losses and income reductions (EC, 2021b, p. 1). Investment in children is also highlighted, particularly those who have been negatively impacted by the pandemic. The European Commission (2021b) stipulates that:

> Member states with a level of child poverty above the EU average should use at least 5% of their ESF+ resources to address this issue. All other member states must allocate an appropriate amount of their ESF+ resources to targeted actions to combat child poverty and the Commission is urging them to use this and other existing funding opportunities to further increase investments in the fight against child poverty (p. 1).

In addition, employment support will be delivered through the enhanced *InvestEU* programme to give an additional boost to investment, innovation and job creation in Europe, likely to increase employment opportunities for heads of households. The strengthened *Just Transition Fund* (JTF) will also provide funding for sustainable employment in green enterprise, support communities to transition to a low carbon economy, thereby creating new employment prospects.

Children with Disabilities

According to the *European Disability Strategy 2010-2020* and the *UN Convention on the Rights of Persons with Disabilities (UNCRPD)*, the definition of disability is rather broad and is based on an open concept: 'Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others' (Frazer et al. 2020, p. 25).

In April 2020, EASPD conducted a snapshot survey on the impact of COVID-19 on social services for people with disabilities across Europe (Bignal & Gouvier-Seghrouchni, 2020). Based on survey data collected from 19 EU member states, the United Kingdom and 3 non-EU member states from the 16th to the 23rd of April 2020, the results revealed that:

- Residential care centres for persons with disabilities remained open;

- Other forms of services (homecare, day-care, education, workshops, training and employment), apart from those providing for very high support needs or specific situations (children of key workers) changed to online services.

Bignal and Gouvier-Seghrouchni (2020) point out that this had a major impact on the care and support needs of people with disabilities and their families and/or care-givers, generally women.

EASPD has advocated for the inclusion of targeted social services in future COVID-19 European policy development and implementation (EASPD, 2020). In addition, COFACE (2021) has called for the:

> RRF to provide guarantees to ensure access to person-centred and empowering services in the community in line with the principles of the UN Convention on the Rights of Persons with Disabilities and the European Pillar of Social Rights. Therefore, all reasonable investment must be channelled towards the development and strengthening of family- and community-based services, including preventative services to keep children and their family together, and the promotion of independent living (p. 1).

Although mentioned here, in the context of children with disabilities, the above also applies to children in institutional care. The extent to which this will be achieved will be evident in national recovery and resilience plans and the successful implementation of these.

Children with a Migrant Background (including Refugee Children)

The Feasibility Study states:

> This TG [Target Group] consists of any child with a non-EU migrant background - that is, any child with at least one parent born outside the EU, whatever the country of birth of the child" (Frazer et al. 2020, p. 29).

Some 19% of the 26,800 refugees and migrants who entered Europe from January to June 2020 were children (UNICEF, 2020). COVID-19 lockdown and border closures in March-April meant that reception facilities became overcrowded making hygiene measures and physical distancing difficult (UNICEF, 2020). Unaccompanied minors are the most vulnerable persons among asylum-seekers, accounting for 7% of all asylum applicants in the EU aged less than 18 in 2019 (Eurostat, 2020b). This poses an additional settlement and integration challenge, as the child/young person had no immediate family support network.

As mentioned, the new ESF+ contains a provision that at least 27% of resources should be allocated to communities experiencing social disadvantage, marginalisation, deprivation, children, and migrants (ESN, 2021b, p.1). Along with an additional focus on child poverty (EC, 2021b, p.1), continued and/or newly developed targeted child and family supports for children with a migrant background (including refugee children) are likely to be a priority across EU countries.

Children in Institutional Care

In line with the UN guidelines for the alternative care of children, 'children in institutions' are children who, for various reasons, are deprived of parental care and for whom an alternative care placement in residential care institutions has been found. In various member states, alternative care placements for children without parental care can be provided in different environments, such as informal or formal kinship care (with relatives or friends), foster care, independent living arrangements (often for older children), or in residential care. Residential care can be provided in a family-like environment or in institutions (Frazer at al. 2020, p.18).

In spite of significant improvements to child protection, welfare and care systems in many EU countries over the last number of years, Frazer at al. (2020, p.24) highlight that in all member states where disaggregated data are available, children with disabilities, children with ethnic-minority or recent migrant background, children living in an income-poor household, and boys/teenagers/older children are still over-represented in the alternative care system. In a technical note, the Better Care Network[29] (BCN), the Alliance for Child Protection in Humanitarian Action[30] and UNICEF (2020) identified that children in alternative care needed additional supports during the COVID-19 lockdowns. They highlighted increased risk because kinship carers (grandparents and/or older adults), may not have been able to continue in the role due to health concerns, risks to children in residential care settings from closure of settings or remaining in the setting in a group environment, especially so for children with disabilities. In May, 2020, 15 child rights organisations collaborated to petition European governments and EU institutions to protect vulnerable families and children in alternative care across Europe, by "prioritising support to families in need and child protection systems strengthening in the post-

[29] Better Care Network: international network of organisations committed to supporting children without adequate family care around the world.

[30] Global, interagency group that sets standards and provides support to ensure that efforts to protect children from violence and exploitation are of high quality and effective.

crisis recovery" (Hope and Homes for Children[31] & Lumos[32], 2020, p. 4). While the implementation of the *European Pillar of Social Rights* and *European Child Guarantee* will go towards providing general protections to this group and all others included here, COFACE (2021) notes that there is no specific protection in the RRF to ensure transition from institutional care to community-based care. This contrasts with a special EU Commission provision in the ESIF from 2014-2020 requiring that funding could not be used for long-stay residential facilities, but instead had to facilitate deinstitutionalisation (COFACE, 2021).

5.5 Conclusion

The situation triggered by the COVID-19 pandemic is very dynamic and varies from country to country, internationally and across the EU. The pandemic has greatly affected family life and relationships in a number of ways: finances (difficulties caused by job loss), providing care (especially when schools are closed), the challenge of maintaining a balance between family life and professional life, mental/psychological and emotional problems (long exposure to stress, anxiety and sustained uncertainty about the future).

In the EU response, we see a historic collective effort through the *Coronavirus Response Investment Initiative* and the *EU Recovery Fund (2021-2027)* by EU political and administrative institutions to support member states to reduce the social and economic impacts of the COVID-19 crisis. With the *EU Recovery Fund (2021-2027)*, the real test for how family support services will be supported and augmented in the short and medium-term will be determined by individual member states' national resilience and recovery plans, as well as national priorities for the use of funding. The clear targets and deliverables set out in the *EU Recovery Fund (2021-2027)* augur well for resource allocation to family support service provision in the face of increased need, demand and pressures on staff and funding resources. To avail of funding, there will have to be alignment with these targets and deliverables, so compliance is likely. The rule of law conditionality will also be an important influence ensuring implementation of initiatives. However, follow-on WG2 research with all stakeholders will be essential to provide a clear picture of how the implementation in member states of the *EU Recovery Fund (2021-2027* initiatives actually play out in the lives of children and families. True success here will be determined by positive measurable effects in the lives of children and parents, as well as unquestionable benefits for family life across the EU.

[31] Hope and Homes for Children working with children, their families and communities in several countries in Central and Eastern Europe and Africa, to help children grow up in safe and productive environments.

[32] NGO Working to end the harm of institutionalisation and help children worldwide be reunited with family.

Chapter 6: Conclusion

6.1 Introduction

This review examined international and European policies and standards concerned with levels and types of state support and services for parents, children and families; and the role of these family policies and family support provisions have in enhancing the care and well-being of children and young people. For the purposes of our review, family policy referred to a broad range of legislation and policies which regulates and supports family functions and relations. As an important sub-field of family policy, family support was defined as measures concerned with providing resources, guidance, and assistance to support and strengthen family roles (COFACE, 2019; Daly et al, 2015). Our review particularly examined approaches to formal family and parenting support services and provisions for parents and families with children. These aspects of family support can include parenting support, economic support, social welfare schemes, work-family balance measures, family services and social services. Our review examined international and European perspectives about pressing family policy and support issues: how should the state support the vital social functions provided by parents and families? And how can policy and provision improve family conditions and relations for the benefit of children, adults, and society?

Looking beyond the national sphere, this report has examined the supranational sphere of policy and provision debates, frameworks and actions. Incorporating non-governmental (NGO) and inter-governmental (IGO) networks and agencies, the supranational sphere of family policy and family support debates and developments has major significance for European countries. It constitutes vibrant connections and interactions between policy actors, researchers, advocates and stakeholder groups that operate across the sub-national, national, European and global levels of policy and provision. Our particular focus, however, was an examination of the formalised policy and provision standards and frameworks related to family support and children's rights adopted and advocated by three major inter-governmental organisations: the United Nations (UN), Council of Europe (CoE) and European Union (EU). With wide European membership, these agencies pursue extensive human rights and public policy mandates. In a range of direct and diffused ways, their respective treaties, regulations, policies and actions have many implications for family and childhood policies among European countries.

Incorporating documentary analysis and literature review approaches, the review addressed four main research questions:

1. How do the UNCRC, additional international human rights instruments and UN campaigns conceive and promote entitlements to family support and the duties of state parties?
2. What are the remits of the CoE and EU in respect of children's rights and family policy? How have their objectives, instruments and actions in these areas evolved to encompass family and parenting support?
3. What are the key tenets of the most significant UN, CoE and EU legislation and instruments related to family policy, family support and parenting support? To what extent do these promote comprehensive and integrated children's rights and social justice approaches?
4. How have family support concerns and measures figured in the EU response to the COVID-19 pandemic?

In this conclusion chapter we firstly set out our key findings in relation to each of the main areas and agencies (international human rights, European human rights and European social policy); and highlight the ways in which collectively recent developments across these areas and agencies provide fundamental building blocks for a comprehensive and coherent rights-based approach to European family policy and support. Secondly, we emphasise arguments for European policies in the areas of family and parenting support to firmly and explicitly adopt a children's rights approach. In particular, we argue in order to implement the full spectrum of children's rights, as expressed in international and European human rights instruments, European agencies and countries need to ensure: (1) the development of more holistic family policies; (2) better integration and coordination across different policy and provision sectors and levels; and (3) advancement in the implementation of international and European standards at the national-level.

6.2 International human rights and UN strategic frameworks

Chapter 2 highlighted the ways in which, since the immediate post-war years, international human rights frameworks have laid emphasis on the duties of nation states to develop social policies, supports and services for children, parents and families as fundamental elements of their duties to respect and promote universal human rights. It charted the development of human rights imperatives for family support incorporating three key dimensions. Firstly, foundational post-war human rights instruments which make up the *International Bill of Rights* placed emphasis on rights to family support in economic, employment and service-based terms as measures that uphold universal civil, social, economic and cultural rights. Secondly, in recognition of the need to enhance human rights protections for disadvantaged groups,

additional human rights conventions laid out imperatives for family support measures as important features of social policies to combat inequality, disadvantage and vulnerability. Thirdly, as a highly significant and relevant development, the far-reaching implications of the *1989 UN Convention on the Rights of the Child (UNCRC)* were considered.

The 1989 UNCRC provides wide-ranging rationales for rights to parenting and family support on the basis of a comprehensive framework of children's rights to protection, provision and participation, and recognition of the additional needs of children in highly vulnerable situations and circumstances. Building on earlier human rights conventions, the UNCRC emphasises both universal and targeted forms of policies and services are needed to safeguard and promote children's welfare, development and life chances. Recognising families and parents are often children's primary caregivers, the UNCRC emphasises nation states have duties to:

- Provide resources, support, guidance and services to children, parents, families and communities to ensure children reach their full potential, enjoy good health, have an adequate standard of living, have equal opportunities and have their views taken seriously.
- Protect children from all forms of violence and exploitation.
- Ensure children and adults are aware of children's rights and the UNCRC.

The UNCRC recognises there are circumstances when birth parents are not best placed for care for a child or when children and parents live apart. These circumstances can sharply bring into focus the role of the state to protect children's rights; and the importance of deliberating and prioritising the best interests of the child in formal decision-making in consultation with children themselves. Crucially, the imperatives to both support parents and promote children's rights are strengthened when family policies pro-actively pursue the standards set by the UNCRC and explicitly adopt a children's rights approach. This approach recognises the importance of investing in parenting and family support to enable families and parents to provide care for children in accordance with UNCRC standards; and as measures to alleviate and prevent childhood disadvantage and harm. As noted in Chapter 2, recent UN campaigns have elaborated on the implications of the UNCRC for modern family policies and have also been informed by the *2030 Sustainable Development Goals (SDGs)*. Most notably, UNICEF's family-friendly policies campaign calls for nation states to "provide three types of essential resources needed by parents and caregivers of young children" (UNICEF, 2019, p. 9), namely "a holistic and balanced package of time-related, resource-related and service-related policies" (UNICEF, 2019, p. 2). Orientated towards global advancements in family-friendly policies, this campaign

seeks developments in: (1) paid employment leave for parents to enable them to care for young children and balance work and family roles; (2) affordable, accessible and quality childcare and healthcare services for children, parents and families; and (3) adequate provision of child and family benefits and cash support.

It was beyond the scope of our review to examine the implementation of international human rights instruments at the level of nation-states. However, drawing on recent literature Chapters 2 and 4 of our review recognised significant achievements in several areas as well as pressing shortcomings. Issues such as the varied progress towards the full adoption of the UNCRC within domestic legislation (Lundy et al. 2012; Committee on the Rights of the Child [CRC], 2020) highlight how national factors and contexts remain critically important. Central for our review, though, was consideration how the CoE and EU rights to family support within their human rights and social policy mandates, and as distinctive and instrumental European inter-governmental organisations.

6.3 European human rights and the Council of Europe

Chapters 3 and 4 considered the human rights mandate of the Council of Europe (CoE) and its articulation of human rights and children's rights approaches to family policy. These chapters highlighted how the CoE's foremost human rights instruments, the *1950 European Convention on Human Rights (ECHR)* and *1961/1996 European Social Charters (ESC/RESC)* build on international human rights instruments to strengthen fundamental European civil, political, social, economic and cultural rights. These instruments lay out several implications for family policies related to the duties of CoE member states to respect and promote rights to family life, non-discrimination, equality and welfare. Chapters 2 and 4 also underscored the importance of further human rights treaties and frameworks adopted by the CoE which seek to provide protections and provisions to uphold the human rights of disadvantaged, vulnerable and minority groups.

Incorporating a review of CoE conventions, recommendations, strategies and campaigns, Chapters 2 and 4 considered significant CoE measures and actions with respect to children's rights approaches to 'positive parenting' and family support, gender equality measures, work-family reconciliation policies, the abolition of corporal punishment, measures to reduce abuse and exploitation, measures to promote the rights of migrants and their families, and measures to promote the rights of disabled people and their families. Several recent developments provide highly valuable and significant frameworks for rights-based approaches to family support, which we return to in section 6.5.

Our review of CoE developments also recognised some of the complexities of its human rights mandate and relationship to national-level developments. For example, consideration of diverse national family and social policy approaches and contexts among member states leads to an emphasis on promoting progressive advancements towards CoE-endorsed human rights and children's rights standards. Beyond caselaw of the European Court of Human Rights (ECtHR), CoE developments for social rights and children's rights, therefore, also tend to rely heavily on the use of 'soft-law' and 'policy learning' roles. However, within this soft-power role and the promotion of its Recommendations, there is scope for significant CoE impact and influence when it comes to family policies and social policies among its member states - an issue we also return to below.

6.4 European social policy and the European Union

With its alternative economic and social policy remits, Chapter 3 highlighted in historical terms the specific and debated remit of the EU when it comes to family policy and children's rights. Overall, in several ways, the review pointed to the dominance of employment concerns and social inclusion measures within EU policies and actions related to parents and children. These concerns, it was argued, have prompted social protection, gender equality, work-family reconciliation, an active labour market and childcare support regulations and initiatives at the EU-level. Chapters 3 and 4, though, recognised that the last decade or so has also seen the development of a more overt children's rights agenda at the EU-level as well as a more wide-ranging child-centred social investment approach. The review recognised that some of the latest EU developments have potentially indicated significant progress towards more ambitious social rights and children's rights policies. Crucial for our focus and as envisaged by UNICEF (2019), several recent EU Directives and Recommendations, alongside, the *2017 Social Pillar of Rights* and the *2021 European Child Guarantee*, explicitly promote improved rights to "time-related, resource-related and service-related" policies and provisions for children, parents and families. As we discuss further below, there is keen interest in the potential of the *European Child Guarantee* framework to encourage member states to prioritise child poverty reduction policies and to develop more holistic and enabling family and childhood policies.

6.5. Children's rights and family policy within the Council of Europe and European Union

Building on the above review of the development of significant UN, CoE and EU policies and activities related to family policy and support and children's rights, Chapter 4 focally examined the ways in which these institutions conceptualise the scope family support goals and provisions among member states. The analysis highlighted how the reviewed UN, Council of Europe and EU documents, in particular the UNCRC and the ESC, emphasised the value of "the family" as

a fundamental social institution that should be afforded “rights to protections and assistance”, in particular in relation to parental and family roles for caring for, and raising, children. There are exceptions when a child cannot stay with its parents, and the best interest of the child is paramount when deciding where a child should live. However, in general, children have the right to live with their families. According to these instruments, children and their parents and families are entitled to protection and support, to ensure that children can live with their families and to safeguard their rights to an adequate living standard and to reach their full potential. To implement children’s rights as embedded in international human rights instruments, especially the UNCRC and ECHR, Chapter 4 concluded European policies in the areas of family and parenting support should make explicit links between children’s rights and family policy and support measures.

The review of significant CoE and EU family support instruments and guidance found important common denominators in the efforts of these European institutions in the fields of children’s rights and family policy which have important implications for their member states:

- Both organisations commit themselves to strengthen children’s rights, with a particular emphasis on their right to an adequate standard of living, their right to participation in decision-making related to their lives, and the rights of children and their parents and families to support and services to safeguard and promote children’s welfare, development and life chances.
- Both organisations recognise parents as children’s primary care persons and on this basis as being entitled to family policy and support measures in order to secure the families’ and thus the children’s rights to adequate living conditions. To reach these goals and fulfil these rights, both organisations recommend policies and provision should include universal provision serving all children, parents and families combined with targeted provision for individuals and groups with additional specific and greater needs. This approach is called “progressive universalism” in CoE and EU documents.
- Both organisations recognise that employment and adequate income support are both crucial means by which families with children secure adequate resources. To facilitate parents’ participation in the labour force, they recommend parents’ rights to paid employment leave and children’s rights to quality childhood education and care services (ECEC).
- Both organisations identify as groups in need of targeted measures children and families in situations of social exclusion and poverty, one-parent families especially those headed

by a mother, children with disabilities, parents with disabilities, vulnerable migrant children and parents, and Roma and Traveller children and their families.

- Both organisations merge human rights and social justice perspectives in terms of addressing the need for redistribution of resources in favour of poorer and disadvantaged groups as well as access to education, childcare, health and social services for all.

The review further concluded several recent initiatives indicate a renewed emphasis on children's rights and family support measures within current CoE and EU strategies and policies. These include the following:

- The CoE's comprehensive *Strategy for the Rights of the Child (2016-2021).* This develops the CoE's programme and policies for the advancement of children's rights. The strategy places renewed emphasis on children's rights to participation and to be heard in different contexts. Prohibiting all forms of violence, abuse and exploitation of children and young people is another core issue. In respect of the latter, the CoE strongly advocates investment in family and parenting support measures as crucial for prevention and early intervention.
- The EU's *2017 European Pillar of Social* Rights. This framework seeks to strengthen social and economic rights for EU citizens. Its principles include an emphasis on raising standards among EU member states in the areas of work-life balance policies, access to quality ECEC and child poverty reduction policies. Recent initiatives such as the *2019 Directive for Work-Life Balance* and the *European Child Guarantee* constitute concrete follow-up EU actions. The *European Child Guarantee*, currently in development, promises to introduce child poverty reduction targets and measures; and promote access to support and services for children living in poverty.

Collectively these propositions and measures are crucial elements of an approach to family policy and family support that is based on children's rights. A crucial point, however, is how these initiatives are prioritised and implemented within nation states. This will be considered further below when we discuss steps towards a more holistic family policy and implementation policies in member states.

6.6 Children, families and the COVID-19 pandemic

Chapter 5 focused on how family support concerns and measures figured in EU policies introduced to support countries during the COVID-19 pandemic. This analysis was included in our review in order to assess what resources would potentially be available to support and

augment current family support provision across the EU. Chapter 5 outlined profound ways in which the pandemic has considerably increased family stress and pressures (Eurofound, 2020a, 2020b and 2020c; Eurochild, 2020). The *Coronavirus Response Investment Initiative* and the *EU Recovery Fund (2021-2027)* were considered as two overarching economic responses to the COVID-19 crisis designed to help alleviate the negative social and economic effects of it. While the *Coronavirus Response Investment Initiative* was an initial economic support response for EU member states, the *EU Recovery Fund (2021-2027)* offers a more medium-term funding support mechanism. In the *EU Recovery Plan (2020-2027)*, there is an emphasis on ringfencing resources for child poverty reduction measures, as well as the proposed implementation of the *European Pillar of Social Rights* and the *European Child Guarantee*. All of these initiatives are likely to provide important resources and support in favour of children, family life and social support. Details on how family support measures and services will be supported and augmented in individual member states, however, are less clear at present but will be important features in their national resilience and recovery plans. We are, therefore, at a critical juncture. Many stakeholder representative groups have been advocating for increased resources for social services provision, especially in areas that seek to assist the roles of parents and families with respect to the care and upbringing of children and young people.

6.7 Moving towards a more holistic family policy

Our main findings highlight the value of multiple international human rights instruments and actions as well as a range of European-level developments spearheaded by the CoE and EU. Important building blocks are in place for a family policy based on children's rights. As positive examples, important EU developments include the *2013 Recommendation Investing in Children*, the *2017 European Pillar of Social Rights* and the *European Child Guarantee* as well as the EU's ongoing work to launch its *2021-24 Children's Rights Strategy*. From the CoE, the *2006(19) Recommendations on Positive Parenting* and *2011(12) Recommendation on Children's Rights and Child Friendly Social Services to Children and Families* provide comprehensive frameworks for the development of the full spectrum of family support and parenting support measures and services. The CoE has also promoted this agenda via its children's rights strategies in place since 2006 with, as noted in our review, its new Steering Committee for the Rights of Child (CDENF) looking towards what will follow the most recent *Strategy for the Rights of the Child (2016-2021)*.

Yet, beyond the recommendations we refer to above, European policy frameworks remain somewhat disjointed. For example, our review indicated many European and international legal instruments and policy frameworks in various ways promote rights to family and parenting.

However, the review also often found that these are rarely focally concerned with promoting supportive family policies and they are rarely informed by an overarching, holistic and explicit conception of parental and children's rights to family support. It is in this sense, we conclude European policy frameworks would benefit from further development towards formulating and promoting a holistic and coherent vision of families' rights to welfare, child well-being and children's rights within families. We recognise the recent developments, such as the recommendations discussed above and the European Child Guarantee, provide the vital building for these developments, especially with their emphasis on progressive universalism; providing economic, time and service-based resources for families; and advancing children's rights as conceived in the UNCRC. Further, we emphasise a dedicated and broad family support policy, vision and framework, must include: (1) consideration of the needs of all families and children in different circumstances, with different needs, risks and challenges. It is also vital: (2) family support policies and provision seek to recognise and build on family and parent strengths and promote parental and children's rights to active participation. Limited emphasis on these principles reinforces deficit thinking in family policy and family support debates. Another issue that must be addressed is (3) there remains some neglect of critical issues such as housing support, disability rights and welfare rights for asylum seekers. That is these issues do not tend to be consistently prioritised within CoE and EU policies. Further, (4) the COVID-19 pandemic has demonstrated that embedded systems of universal and targeted parental and child support are vital elements of the socio-economic supports needed to respond to a major public health crisis. In particular, responsive services and systems are needed capable of providing accessible and timely support to the most exposed families, parents' and children.

Our review of European-level developments further alerted us to the need for improved coordination between different policy areas and directorates. This is particularly important for the development of more holistic and comprehensive family policies based on children's rights. Broader co-operation between the CoE and the EU, taking more systematic advantage of their different profiles as respectively a human rights organisation and an economic and social union, may enhance the same end. A more coordinated and explicit focus and augmentation for a holistic family policy on the part of both organisations could seek to better raise awareness among member states and better support national-level campaigns.

As advocated by the *European Pillar of Social Rights*, an ever-increasing economic and social integration on the part of the EU demands attention is given to common social objectives. This is vital so that social policy measures seek to counter economic inequalities arising from common market developments and enhance welfare distribution. It is important to advocate for a strong social model that seeks to promote social justice among nation states and across the

EU in the long term (Eurodiaconia.org 2021). There remains great potential for the CoE, the EU and their bodies to develop and advocate more extensive rights-based visions of supportive childhood and family policies. With their mechanisms to promote dialogue and learning across member states, they can help to better identify and address political and implementation challenges in this field. Such an approach would be an important step forward to align social rights with human rights, placing human beings and their rights at its centre; not as passive recipients of services but as right-holders with agency.

6.8 Implementation

The role of the EU and CoE's recommendations and guidelines related to family support, parenting support and children's rights cannot be overstated. Undoubtedly, even if all European countries implemented their minimum standards with regards, for example, to social protection, work-family policies and human rights, there would be significant improvement in the lives of numerous people. Yet, the political reality is that it is the member states, as primary duty-bearers under international law, that carry the main responsibility to respect, protect and fulfil social rights.

When progress towards the goals of a more "equal and social Europe" (European Commission [EC], 2021) is lagging behind, creating worries and frustration, the attention is drawn to policy implementation and brings up the question as to what degree the member states have implemented EU and CoE policies?

There is a delicate balance between nation states' sovereignty and European institutions. Could more be done to promote and support national developments through more systematic consideration at the European-level of common challenges, better funding programmes and guidance such as on how soft law processes and mechanisms, such as recommendations and targets, can assist in promoting improved implementation? Or, conversely, should the CoE and the EU be placing more demands on their member states in the interests of social justice and children's rights? As indicated above, a more systematic, routine and resourced approach to policy monitoring, guidance and evaluation at the European-level (e.g., with respect to the implementation of the EU's *2013 Investing in Children Recommendation* and the CoE's *2011 Child Friendly Social Services Recommendation*) in relation to family and parenting support initiatives could be beneficial. A step-up in European level activities in these regards would increase pressure on member states and support their efforts to develop a broader spectrum of enabling family support measures. A key development, for example, would be for the launch of the *European Child Guarantee* to be accompanied by a recommendation that provides 'best practice and implementation guidance' to member states. Further, there could be greater

emphasis to mainstream the monitoring and support for member states' actions as part of EU agency roles in relation to children's rights and family support policy developments and implementation. More extensive EU resources are needed to improve data collection and analysis about children's rights and circumstances; and provide regular policy implementation and evaluation studies. Within the EU, the recent proclamation of a *European Pillar of Social Rights Action Plan* (EC, 2021) outlined concrete actions to implement the principles of the *European Pillar of Social Rights* in EU member states in ways that has much potential to promote a versatile framework for joined-up implementation. By joined-up implementation, here we mean not only providing a holistic set of principles and goals to guide various EU economic and social policies advancing economic and social rights, but also taking on board the *1996 European Social Charter* provisions that guarantee fundamental social and economic rights in CoE member states. A more human rights-based approach would not only help close social protection gaps for people living in Europe; it would also strengthen coherence among international, regional and national systems and enhance legal certainty for domestic courts.

Appendices

Appendix 1: Background information about the United Nations, Council of Europe and European Union.

The United Nations (UN)

The UN has six principal organs including: (1) the *General Assembly* which serves as the main policymaking and representative UN organ; and (2) the *Economic and Social Council* as the principal body that develops, coordinates, implements and monitors UN policies and actions related to economic and social issues (e.g., the Sustainable Development Goals). Within the wider system of the UN there are various subsidiary organs, departments, programmes, funds, and other entities that have an important role in the improvement of conditions needed for the implementation of human rights as well as in setting standards encouraging the development of family support policies and practices.

The *Human Rights Council* (HRC) is an inter-governmental body created by the UN General Assembly responsible for strengthening the promotion and protection of human rights worldwide, and for addressing situations of human rights violations and providing related recommendations. The *Department of Economic and Social Affairs* (DESA) connects global policies and national action in the economic and social spheres; and builds an awareness of the global situation of families and promotes family-oriented policies and programmes. Other significant entities particularly important in the areas of family policy and children's rights include the *UN Children's Fund* (UNICEF), the *Office of the UN High Commissioner for Human Rights* (OHCHR) and the *UN Refugee Agency* (UNHCR).

In addition, there are numerous organisations associated with the UN, either by agreement or by being created by the UN, referred as specialised agencies. These are legally independent international inter-governmental organisations, with their own rules, membership and organs, as well as their own treaties. Examples of these specialised agencies include the *International Labour Organisation* (ILO) and the *World Health Organisation* (WHO).

The Council of Europe (CoE)

The main bodies of the CoE are: the *Committee of Ministers* (CM), the *Parliamentary Assembly* (PACE), the *Congress of Local and Regional Authorities of Europe* (CLRAE), the *European Court of Human Rights* (ECtHR), the *Commissioner for Human Rights* and the *Conference of International Non-Government Organisations* (INGOs).

The *Committee of Ministers* is the decision-making body of the CoE, comprising the Ministers of Foreign Affairs of all the member states, or their permanent diplomatic representatives in Strasbourg. It concludes conventions, which are then offered to member states for ratification, adopts recommendations and resolutions, supervises the execution of ECtHR's judgements and has a predominant role in monitoring CoE's legal instruments in the member states. The *PACE* comprises parliamentary representatives of the member states, elected or appointed by national parliaments. It regularly monitors the honouring of commitments by member states and compliance of national policies with their obligations as members of the CoE. It issues recommendations and resolutions directed towards the Committee of Ministers or member states.

The CoE's dedication to issues of local and regional democracy is personified in the *CLRAE*, a political assembly of representatives of sub-national authorities of the member states of the CoE. Its role is to promote local and regional democracy, improve local and regional governance and strengthen authorities' self-government. It pays particular attention to the application of the principles laid down in the European Charter of Local Self-Government, an international convention ratified by all CoE member states, and it also adopts recommendations and resolutions.

The *ECtHR* is an international court overseeing the application of *European Convention on Human Rights* (ECHR) by ruling on individual or State applications alleging violations of the civil and political rights set out in the ECHR once all possibilities of appeal have been exhausted in the member state concerned. The *Commissioner for Human Rights*, elected by the PACE, independently addresses and brings attention to human rights violations. The *Conference of INGOs* is an advisory body of the CoE, including around 400 international NGOs, and it brings the voice of civil society to the CoE.

CoE's bodies adopt *conventions*, as legally binding documents subject to member states' ratification (such as the Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) or the European Social Charter (ESC)), as well as *recommendations, resolutions* and similar documents which are not directly legally binding but comprise a vast body of *soft law*. The specificity of the CoE's human rights mandate is in the existence of the European Court of Human Rights (ECtHR), which can rule on individual complaints against member states.

The European Union (EU)

There are three key decision-making bodies within the EU: (1) the *European Parliament*, *Council of Ministers* and *Commission of the EU*. Citizens of EU member states are represented by MEPs

in the European Parliament and member-states are represented in the European Council and the Council of Ministers (or Council of the EU). The *European Commission* is the executive body of the EU, responsible for developing new legislation and implementing the decisions of the European Parliament and Council of Ministers. It houses 27 Commissioners, representing each member-state, including the President of the Commission (elected by the European Parliament). Steering the priorities of the Commission, the *European Parliament* proposes new EU actions and policies, approves budgets and passes/ amends legislation. The *European Council*, made up of heads of member-states and national ministers, is also a primary decision-making body that decides EU priorities and policies on routine and major issues.

Legislative and policy consultation and scrutiny within the EU also formally involves national parliaments, NGOs and campaign/advocate groups. EU citizens, interest groups, expert groups and other EU bodies and forums. Furthermore, the *European Court of Justice* (ECJ) interprets and upholds EU law in relation to governments and public authorities that constitute member-states and other entities under EU legislation (e.g., companies).

Appendix 2: Extended lists of relevant and significant legal instruments, UN Treaties, General Comments and Recommendations and other documents

	Treaties
1965	UN General Assembly, International Convention on the Elimination of all Forms of Racial Discrimination (ICERD), 21 December 1965, UNTS, vol. 660, p. 195
1966	UN General Assembly, International Covenant on Civil and Political Rights (ICCPR), 16 December 1966, UNTS, vol. 999, p. 171
1966	UN General Assembly, International Covenant on Economic, Social and Cultural Rights (ICESCR), 16 December 1966, UNTS, vol. 993, p. 3
1979	UN General Assembly, Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), 18 December 1979, UNTS, vol. 1249, p. 13
1989	UN General Assembly, Convention on the Rights of the Child (UNCRC), 20 November 1989, UNTS, vol. 1577, p. 3
1990	UN General Assembly, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (ICMW), 18 December 1990, UNTS, vol. 2220, p. 3
2006	UN General Assembly, Convention on the Rights of Persons with Disabilities (CRPD), 13 December 2006, UNTS, vol. 2515, p. 3
2006	UN General Assembly, International Convention for the Protection of All Persons from Enforced Disappearance (CPED), 20 December 2006, UNTS, vol. 2716, p. 3
	General Comments and Recommendations (UN Treaty Bodies)
1989	UN Human Rights Committee (HRC), CCPR General Comment No. 17: Article 24 (Rights of the Child), 7 April 1989
1990	UN Human Rights Committee (HRC), CCPR General Comment No. 19: Article 23 (The Family) Protection of the Family, the Right to Marriage and Equality of the Spouses, 27 July 1990
1991	UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant), 13 December 1991, E/1992/23
1994	UN Committee on the Elimination of Discrimination Against Women (CEDAW), CEDAW General Recommendation No. 21: Equality in Marriage and Family Relations, A/49/38
1994	UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 5: Persons with Disabilities, 9 December 1994, E/1995/22
1999	UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 12: The Right to Adequate Food (Art. 11 of the Covenant), 12 May 1999, E/C.12/1999/5
2005	UN Committee on the Rights of the Child (CRC), General comment No. 6 (2005): Treatment of Unaccompanied and Separated Children Outside their Country of Origin, 1 September 2005, CRC/GC/2005/6

2006	UN Committee on the Rights of the Child (CRC), General comment No. 7 (2005): Implementing Child Rights in Early Childhood, 20 September 2006, CRC/C/GC/7/Rev.1
2007	UN Committee on the Rights of the Child (CRC), General comment No. 9 (2006): The rights of children with disabilities, 27 February 2007, CRC/C/GC/9
2008	UN Committee on Economic, Social and Cultural Rights (CESCR), General Comment No. 19: The right to social security (Art. 9 of the Covenant), 4 February 2008, E/C.12/GC/19
2009	UN Committee on the Rights of the Child (CRC), General Comment No. 12 (2009): The right of the child to be heard, 20 July 2009, CRC/C/GC/12
2011	UN Committee on the Rights of the Child (CRC), General Comment No. 13 (2011): The right of the child to freedom from all forms of violence, 18 April 2011, CRC/C/GC/13
2013	UN Committee on the Rights of the Child (CRC), General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1), 29 May 2013, CRC/C/GC/14
2016	UN Committee on the Rights of the Child (CRC), General Comment No. 20 (2016) on the implementation of the rights of the child during adolescence, 6 December 2016, CRC/C/GC/20
2017	UN Committee on the Rights of the Child (CRC), General Comment No. 21 (2017) on Children in Street Situations, 21 June 2017, CRC/C/GC/2
2017	UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), Joint General Comment No. 3 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 22 (2017) of the Committee on the Rights of the Child on the general principles regarding the human rights of children in the context of international migration, 16 November 2017, CMW/C/GC/3-CRC/C/GC/22
2017	UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families (CMW), Joint general comment No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and No. 23 (2017) of the Committee on the Rights of the Child on State obligations regarding the human rights of children in the context of international migration in countries of origin, transit, destination and return, 16 November 2017, CMW/C/GC/4-CRC/C/GC/23
	Other documents
1948	UN General Assembly, Universal Declaration of Human Rights (UDHR), 10 December 1948, 217 A (III)
1988	UN General Assembly, Need to Enhance International Co-operation in the Field of Protection and Assistance to the Family, 8 December 1988, A/RES/43/135
1989	UN General Assembly, International Year of the Family, 8 December 1989, A/RES/44/82
2010	UN General Assembly, Guidelines for the Alternative Care of Children, 24 February 2010, A/RES/64/142
2014	UN Human Rights Council, Protection of the Family, 16 July 2014, A/HRC/RES/26/11

2015	UN Human Rights Council, Protection of the Family: contribution of the family to the realisation of the right to an adequate standard of living for its members, particularly through its role in poverty eradication and achieving sustainable development, 22 July 2015, A/HRC/RES/29/22
2015	UN General Assembly, Transforming our world: the 2030 Agenda for Sustainable Development, 21 October 2015, A/RES/70/1
2016	UN Human Rights Council, Protection of the Family: role of the family in supporting the protection and promotion of human rights of persons with disabilities, 18 July 2016, A/HRC/RES/32/23

CoE instruments: Conventions, Resolutions and Recommendations

Conventions	
1961-1996	European Social Charter (ETS 035 / ETS 163)
1967-2008	European Convention on the Adoption of Children (ETS 058 / ETS 202)
1975	European Convention on the Legal Status of Children Born Out of Wedlock (ETS 085)
1980	European Convention on Recognition and Enforcement of Decisions Concerning Custody of Children and on Restoration of Custody of Children (ETS 105)
1996	European Convention on the Exercise of Children's Rights (ETS 160)
2003	Convention on contact concerning children [CETS 192]
2007	Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse [CETS 201]
Resolutions and recommendations (the Committee of Ministers)	
1968	Resolution (68) 37 laws and regulations designed to compensate family commitments
1970	Resolution (70) 15 social protection of unmarried mothers and their children
1976	Resolution (76) 6 containing recommendations to governments on prevention of accidents in childhood
1977	Resolution (78) 3 on the reunion of families of migrant workers in council of Europe member state
1978	Resolution (78) 37 on equality of spouses in civil law
1979	Recommendation R (79) 17 concerning the protection of children against ill-treatment
1980	Recommendation R (80)12 concerning marriage guidance and family counselling services
1981	Recommendation R (81) 3 concerning the care and education of children from birth to the age of eight
1982	Recommendation R (82) 2 on payment by the state of advances on child maintenance
1984	Recommendation R (84) 4 on parental responsibilities
1985	Recommendation R (85) 2 on legal protection against sex discrimination

1985	Recommendation R (85) 4 on violence in the family
1987	Recommendation R (87) 6 on foster families
1987	Recommendation R (87) 20 on social reactions to juvenile delinquency
1988	Recommendation R (88) 6 on social reactions to juvenile delinquency among young people coming from migrant families
1989	Recommendation R (89) 1 on contributions following divorce
1991	Recommendation R (91) 9 on emergency measures in family matters
1991	Recommendation R (91) 11 concerning sexual exploitation, pornography and prostitution of, and trafficking in, children and young adults
1992	Recommendation R (92) 2 on making family benefits generally available
1994	Recommendation R (94) 14 on coherent and integrated family policies
1996	Recommendation R (96) 5 on reconciling work and family life
1997	Recommendation R (97) 4 on securing and promoting the health of single parent families
1998	Recommendation R (98) 1 on family mediation
1998	Recommendation R (98) 8 on children's participation in family and social life
2001	Recommendation Rec (2001) 16 on the protection of children against sexual exploitation
2002	Recommendation Rec (2002) 4 on the legal status of persons admitted for family reunification
2002	Recommendation Rec (2002) 8 on child day-care
2003	Recommendation Rec (2003) 20 concerning new ways of dealing with juvenile delinquency and the role of juvenile justice
2006	Recommendation Rec (2006) 12 on empowering children in the new information and communications environment
2006	Recommendation Rec (2006) 19 on policy to support positive parenting
2008	Recommendation CM/Rec (2008) 4 on strengthening the integration of children of migrants and of immigrant background
2009	Recommendation CM/Rec (2009) 5 on measures to protect children against harmful content and behaviour and to promote their active participation in the new information and communications environment
2009	Recommendation CM/Rec (2009) 9 on the education and social inclusion of children and young people with autism spectrum disorders
2009	Recommendation CM/Rec (2009) 10 on integrated national strategies for the protection of children from violence
2010	Recommendation CM/Rec (2010) 2 on deinstitutionalisation and community living of children with disabilities;
2010	Guidelines on child-friendly justice

2011	Guidelines on child-friendly health care
2011	Recommendation CM/Rec (2011) 12 on children's rights and social services friendly to children and families
2013	Recommendation CM/Rec (2013) 2 on ensuring full inclusion of children and young persons with disabilities into society
2018	Recommendation CM/Rec (2018) 5 concerning children with imprisoned parents
2018	Recommendation CM/Rec (2018) 7 on Guidelines to respect, protect and fulfil the rights of the child in the digital environment
2019	Recommendation CM/Rec (2019) 11 on effective guardianship for unaccompanied and separated children in the context of migration
	Resolutions and recommendations (Parliamentary Assembly)
1979	Recommendation 869 (1979) on payment by the State of advances on child maintenance
1979	Recommendation 874 (1979) on a European charter on the rights of the child
1987	Recommendation 1065 (1987) on the traffic in children and other forms of child exploitation
1988	Recommendation 1071 (1988) on child welfare - providing institutional care for infants and children
1988	Recommendation 1074 (1988) on family policy
1990	Recommendation 1121 (1990) on the rights of children
1996	Resolution 1099 (1996) on the sexual exploitation of children
1996	Recommendation 1286 (1996) on a European strategy for children
1997	Recommendation 1121 (1997) on the rights of children
1997	Recommendation 1336 (1997) on combating child labour exploitation as a matter of priority
1998	Recommendation 1371 (1998) on abuse and neglect of children
2000	Recommendation 1443 (2000) on international adoption: respecting children's rights
2000	Recommendation 1460 (2000) on setting up a European ombudsman for children
2000	Recommendation 1469 (2000) mothers and babies in prison
2001	Recommendation 1501 (2001) parents' and teachers' responsibilities in children's education
2001	Recommendation 1532 (2001) on a dynamic policy for children and adolescents in towns and cities
2002	Resolution 1307 (2002) on sexual exploitation of children: zero tolerance
2002	Recommendation 1551 (2002) on building a 21st century society with and for children: follow-up to the European strategy for children (Recommendation 1286 (1996))
2002	Recommendation 1582 (2002) on domestic violence against women
2003	Recommendation 1596 (2003) on the situation of young migrants in Europe
2003	Recommendation 1639 (2003) on family mediation and gender equality
2004	Recommendation 1666 (2004) Europe-wide ban on corporal punishment of children

2004	Recommendation 1681 (2004) on the campaign to combat domestic violence against women in Europe
2004	Recommendation 1686 (2004) on human mobility and the right to family reunion
2005	Recommendation 1703 (2005) on protection and assistance for separated children seeking asylum
2005	Recommendation 1723 (2005) forced marriages and child marriages
2006	Resolution 1512 (2006) concerning parliaments united in combating domestic violence against women
2006	Recommendation 1769 (2006) on the need to reconcile work and family life
2007	Resolution 1530 (2007) on child victims: stamping out all forms of violence, exploitation and abuse
2007	Recommendation 1778 (2007) on child victims: stamping out all forms of violence, exploitation and abuse
2007	Recommendation 1798 (2007) on respect for the principle of gender equality in civil law
2009	Recommendation 1864 (2009) promoting the participation by children in decisions affecting them
2010	Resolution 1714 (2010) children who witness domestic violence
2010	Resolution 1761 (2010) guaranteeing the right to education for children with illnesses or disabilities
2010	Recommendation 1905 (2010) children who witness domestic violence
2010	Recommendation 1938 (2010) guaranteeing the right to education for children with illnesses or disabilities
2011	Resolution 1804 (2011) safeguarding children and young people from obesity and type 2 diabetes
2011	Recommendation 1966 (2011) safeguarding children and young people from obesity and type 2 diabetes
2013	Resolution 1952 (2013) children's right to physical integrity
2014	Resolution 1995 (2014) ending child poverty in Europe
2014	Resolution 2010 (2014) child-friendly juvenile justice: from rhetoric to reality
2014	Resolution 2020 (2014) the alternatives to immigration detention of children
2014	Recommendation 2044 (2014) ending child poverty in Europe
2014	Recommendation 2056 (2014) the alternatives to the immigration detention of children
2015	Resolution 2049 (2015) social services in Europe: legislation and practice of the removal of children from their families in Council of Europe member States
2015	Resolution 2056 (2015) the inclusion of children's rights in national constitutions as an essential component of effective national child policies
2015	Recommendation 2068 (2015) social services in Europe: legislation and practice of the removal of children from their families in Council of Europe member States
2016	Resolution 2119 (2016) fighting the over-sexualisation of children
2016	Recommendation 2092 (2016) fighting the over-sexualisation of children

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2016	Resolution 2139 (2016) ensuring access to health care for all children in Europe
2017	Recommendation 2117 (2017) child-friendly age assessment for unaccompanied migrant children
2017	Resolution 2194 (2017) cross-border parental responsibility conflicts
2018	Resolution 2232 (2018) striking a balance between the best interest of the child and the need to keep families together

EU Directives, Charters, Recommendations, Communications and other documents

	Directives
1975	Council Directive 75/117/EEC of 10 February 1975 on the approximation of the laws of the Member States relating to the application of the principle of equal pay for men and women
1976	Council Directive 76/207/EEC of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions
1979	Council Directive 79/7/EEC of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security
1986	Council Directive 86/378/EEC of 24 July 1986 on the implementation of the principle of equal treatment for men and women in occupational social security schemes
1986	Council Directive 86/613/EEC of 11 December 1986 on the application of the principle of equal treatment between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood
1992	Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding
1996	Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC
1997	Council Directive 97/80/EC of 15 December 1997 on the burden of proof in cases of discrimination based on sex
1997	Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC
2006	Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast)
2010	Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC

2011	Directive 2011/93/EU of the European Parliament and of the Council of 13 December 2011 on combating the sexual abuse and sexual exploitation of children and child pornography, and replacing Council Framework Decision 2004/68/JHA
2019	Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU
	Charters, Recommendations, Communications and other documents
1989	The Community Charter of the Fundamental Social Rights of Workers (Social Charter)
1989	COM (89) 363 final Communication from the Commission on family policies
1992	92/241/EEC: Council recommendation of 31 March 1992 on child care
1992	92/441/EEC: Council Recommendation of 24 June 1992 on common criteria concerning sufficient resources and social assistance in social protection systems
1993	COM (93) 551 final European Social Policy: Options for the Union. Green Paper.
1994	COM (94) 333 final European Social Policy - A Way Forward for the Union. A White Paper
2000	2000/C 364/01 Charter of Fundamental Rights of the EU
2000	COM/2000/0854 final Communication from the Commission to the Council and the European Parliament - Combating trafficking in human beings and combating the sexual exploitation of children and child pornography
2006	COM (2006) 367 Communication from the Commission Towards an EU Strategy on the Rights of the Child
2011	COM/2011/0060 final Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: An EU Agenda for the Rights of the Child
2011	2011/C 191/01 Council Recommendation of 28 June 2011 on policies to reduce early school leaving (Text with EEA relevance)
2012	COM/2012/0196 final Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions European Strategy for a Better Internet for Children
2013	COM/2013/083 final Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Towards Social Investment for Growth and Cohesion – including implementing the European Social Fund 2014-2020
2013	2013/112/EU Commission Recommendation of 20 February 2013 Investing in children: breaking the cycle of disadvantage
2017	COM/2017/0211 final Communication from the Commission to the European Parliament and the Council The protection of children in migration
2017	COM/2017/0252 final Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: An Initiative to Support Work-Life Balance for Working Parents and Carers

2017	COM/2017/0250 final Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions Establishing a European Pillar of Social Rights
2019	2019/C 189/02 Council Recommendation of 22 May 2019 on High-Quality Early Childhood Education and Care Systems
2021	COM/2021/137 final Proposal for a Council Recommendation Establishing a European Child Guarantee
2021	COM (2021) 142 final Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Strategy on the Rights of the Child

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References

Acquah, D., & Thevenon, O. (2020). *Delivering evidence-based services for all vulnerable families*. OECD Social, Employment and Migration Working Papers no 243, OECD. https://www.oecd.org/social/delivering-evidence-based-services-for-all-vulnerable-families-1bb808f2-en.htm

Actiris.Brussels (2021). *ESF+*. https://www.actiris.brussels/en/about-actiris/networks/esf/esf/

Adams-Prassl, A., Boneva, T., Golin, M., & Rauh, C. (2020). *Inequality in the impact of the coronavirus shock: Evidence from real time surveys.* Discussion Paper Series No. 13183. IZA Institute of Labor Economics. http://ftp.iza.org/dp13183.pdf

Adamson, P. (2012). *Measuring child poverty: New league tables for the world's rich countries*. Report Card 10. UNICEF Office of Research. https://www.unicef-irc.org/publications/660-measuring-child-poverty-new-league-tables-of-child-poverty-in-the-worlds-rich-countries.html

Adema, W. (2014). Greater gender equality: What role for family policy? *Family Matters*, *93*, 7-16.

Andrew, A., Cattan, S., Dias, M. C., Farquharson, C., Kraftman, L., Kritukova, S., Phimister, A., & Sevilla, A. (2020). *The gendered division of paid and domestic work under lockdown*. Discussion Paper Series No 13500. IZA Institute of Labor Economics. http://ftp.iza.org/dp13500.pdf

Armingeon, K. (2010). Intergovernmental organizations. In F. Castles, S. Leibfried, J. Lewis, H. Obinger, & C. Pierson (Eds.), *The Oxford handbook of the welfare state* (pp.306-317). Oxford University Press.

Better Care Network, The Alliance for Child Protection in Humanitarian Action and UNICEF (2020). *Protection of children during the covid-19 pandemic children and alternative care immediate response measures.* https://alliancecpha.org/en/system/tdf/library/attachments/covid-19_alternative_care_technical_note_final.pdf?file=1&type=node&id=37605

Bignal, T., & Gouvier-Seghrouchni, R. (2020). *EASPD snapshot report on the impact of covid-19 on disability services in Europe*.

https://www.easpd.eu/sites/default/files/sites/default/files/Publications2020/impact_of_covid-19_on_disability_services_in_europe_a_first_snapshot.pdf

Blaskó, Z., & Schnepf, S. V. (2020). *Science for policy briefs. Educational inequalities in Europe and physical school closures during Covid-19*. European Commission. https://ec.europa.eu/jrc/sites/jrcsh/files/fairness_pb2020_wave04_covid_education_jrc_i1_19jun2020.pdf

Brewer, M., & Patrick, R. (2021). *Pandemic pressures: Why families on a low income are spending more during Covid-19.* Resolution Foundation.

Brooks, S. K., Webster, R. K., Smith, L. E., Woodland, L., Wessely, S., Greenberg N., & Rubin G. J. (2020). The psychological impact of quarantine and how to reduce it: Rapid review of the evidence. *The Lancet*, *395*(10227), 912-920. https://doi:10.1016/S0140-6736(20)30460-8

Blum, S., & Dobrotić, I. (2020). Childcare-policy responses in the COVID-19 pandemic: Unpacking cross-country variation. *European Societies*, 1-19. https://doi:10.1080/14616696.2020.1831572

Boele-Woelki, K. (2005). The principles of European family law: Its aims and prospects. *Utrecht Law Review, 1*(2), 160. https://doi.org/10.18352/ulr.13

Bucharest EU Children's Declaration. (2009). International conference *children's participation in decision-making and policy-making at European Union level* (6-7 May 2019), Bucharest. https://www.unicef.org/romania/bucharest-eu-childrens-declaration

Byrne, S., Hopkins, A., McIndoe-Calder, T., & Sherman, M. (2020). The impact of Covid-19 on consumer spending. *Central Bank of Ireland, 15*, 1-19.

Canavan, J., Pinkerton, J., & Dolan, P. (2016). *Understanding family support: Policy, practice and theory*. Jessica Kingsley Publishers.

Calvano, C., Engelke, L., Di Bella, J., Kindermann, J., Renneberg, B, & Winter, S. W. (2021). Families in the COVID-19 pandemic: Parental stress, parent mental health and the occurrence of adverse childhood experiences - results of a representative survey in Germany. *European Child Adolescent Psychiatry* (published online ahead of print 1 March). https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7917379/

Capano, G., Howlett, M., Jarvis, D. S. L., Ramesh, M., & Goyal, N. (2020). Mobilizing policy (in)capacity to fight COVID-19: Understanding variations in state responses. *Policy and Society, 39*(3), 285-308.

Clark, A., Jit, M., Warren-Gash, C., Guthrie, B., Wang, H., Mercer, S., Sanderson, C., McKee, M., Troeger, C., Ong, K., Checchi, F., Perel, P., Joseph, S., Gibbs, H., Banerjee, A., Eggo, R., Nightingale, E., O'Reilly, K., Jombart, T., & Edmunds, W. (2020). Global, regional, and national estimates of the population at increased risk of severe COVID-19 due to underlying health conditions in 2020: A modelling study. *Lancet Global Health, 8*. e1003-17.

Coester-Waltjen, D. (2016). The impact of the European Convention on Human Rights and the European Court of Human Rights on European family law. In J. M. Scherpe (ed.), *European family law* (Volume I, pp. 49-94). Edward Elgar Publishing. https://doi.org/10.4337/9781785363016

COFACE (2012). *Transnational families and the impact of economic migration on families.* COFACE. https://childhub.org/en/child-protection-online-library/transnational-families-and-impact-economic-migration-families

COFACE (2019). *A new deal for families today*. COFACE. http://www.coface-eu.org/wp-content/uploads/2019/09/NewDealFamiliesofToday.pdf

COFACE (2020a). *The changing face of work and family life under COVID-19.* COFACE. http://www.coface-eu.org/wp-content/uploads/2020/10/WLBCOVID_Brief.pdf

COFACE (2020b). *Child compass 2030*. COFACE. http://www.coface-eu.org/wp-content/uploads/2020/11/Child-Compass_FINAL.pdf

COFACE (2021). *The EU must prioritise social inclusion in its COVID-19 recovery.* COFACE. http://www.coface-eu.org/disability/the-eu-must-prioritise-social-inclusion-in-its-covid-19-recovery/?utm_source=rss&utm_medium=rss&utm_campaign=the-eu-must-prioritise-social-inclusion-in-its-covid-19-recovery

Commissioner for Human Rights of the Council of Europe (2013). *Safeguarding human rights in times of economic crisis*. Council of Europe. https://rm.coe.int/safeguarding-human-rights-in-times-of-economic-crisis-issue-paper-publ/1680908dfa

Convention for the Protection of Human Rights and Fundamental Freedoms (November 4, 1950). ETS 005.

Council of Europe (1997). *Second summit of the heads of state and government final declaration and action plan*. Council of Europe. https://rm.coe.int/168063dced

Council of Europe (2004). *A new strategy for social cohesion*. European Committee for Social Cohesion. https://www.coe.int/t/dg3/socialpolicies/socialcohesiondev/source/RevisedStrategy_en.pdf

Council of Europe (2016). *Child participation assessment tool.* https://www.coe.int/en/web/children/child-participation-assessment-tool

Council of Europe Committee of Ministers. *Recommendation No. R (1998) 8 of the Committee of Ministers of member states on children's participation in family and social life* (Adopted by the Committee of Ministers on 18 September 1998 at the 641st meeting of the Ministers' Deputies). https://rm.coe.int/09000016804e7768

Council of Europe Committee of Ministers. *Recommendation No. R (2006) 19 of the Committee of Ministers to member states on policy to support positive parenting* (Adopted by the Committee of Ministers on 13 December 2006 at the 983rd meeting of the Ministers' Deputies). http://rm.coe.int/native/09000016805d6dda

Council of Europe Committee of Ministers. *Recommendation No. R (2008) 4 of the Committee of Ministers to member states on strengthening the integration of children of migrants and of immigrant background* (Adopted by the Committee of Ministers on 20 February 2008 at the 1018th meeting of the Ministers' Deputies). http://rm.coe.int/native/09000016805afd49

Council of Europe Committee of Ministers. *Recommendation No. R (2010) 2 of the Committee of Ministers to member states on deinstitutionalisation and community living of children with disabilities* (Adopted by the Committee of Ministers on 3 February 2010 at the 1076th meeting of the Ministers' Deputies). http://rm.coe.int/native/09000016805cfa92

Council of Europe Committee of Ministers. *Guidelines on child-friendly health care* (Adopted by the Committee of Ministers on 21 September 2011 at the 1121st meeting of the Ministers' Deputies). http://rm.coe.int/native/09000016805c1527

Council of Europe Committee of Ministers. *Recommendation No. R (2011) 12 of the Committee of Ministers to member states on children's rights and social services friendly to children and families* (Adopted by the Committee of Ministers on 16 November 2011 at the 1126th meeting of the Ministers' Deputies). http://rm.coe.int/native/09000016805afddf

Council of Europe Committee of Ministers. *Recommendation No. R (2012) 2 on the participation of children and young people under the age of 18* (Adopted by the Committee of Ministers on 28 March 2012 at the 1138th meeting of the Ministers' Deputies). http://rm.coe.int/native/09000016805cb0ca

Council of Europe Committee of Ministers. *Council of Europe strategy for the rights of the child (2012-2015)*, CM(2011)171 final 15 February 2012. https://violenceagainstchildren.un.org/sites/violenceagainstchildren.un.org/files/documents/political_declarations/coe2012_2015.pdf

Council of Europe Committee of Ministers. *Council of Europe strategy for the rights of the child (2016-2021)* (Adopted by the Committee of Ministers on 2-3 March 2016 at the 1249 meeting of the Ministers' Deputies). http://rm.coe.int/native/09000016805c1d08

Council of Europe. *Warsaw Declaration adopted at the Third Summit of the Heads of State and Government of the Council of Europe*, held on 16-17 May 2005. https://www.cvce.eu/en/obj/final_declaration_of_the_third_council_of_europe_summit_warsaw_16_and_17_may_2005-en-54168ce8-3e8d-435c-94f4-efd3b3b90ca6.html

Council of Europe (2020). *European Social Cohesion Platform (PECS)*. Terms of reference 1 January 2020 to 31 December 2021. 16809f8440 (coe.int)

Council of Europe Parliamentary Assembly. *The need to reconcile work and family life - Parliamentary Assembly Recommendation No. Rec 1769 (2006).* http://rm.coe.int/native/09000016805d5ec8

Council of the European Communities (1992a). Council recommendation of 31 March 1992 on child care. *Official Journal, (L 123),* 16-18. http://data.europa.eu/eli/reco/1992/241/oj

Council of the European Communities (1992b). Council Recommendation of 27 July 1992 on the convergence of social protection objectives and policies*. Official Journal, (L 245)*, 49-52. http://data.europa.eu/eli/reco/1992/442/oj

Council of the European Communities (1992c). Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC). *Official Journal, (L 348)*, 1-8. http://data.europa.eu/eli/dir/1992/85/oj

Council of the European Union (2019). Council Recommendation of High-Quality Early Childhood Education and Care systems of 5 June 2019. *Official Journal, (C 189)*, 4–14.

Council of the European Union (1996). Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC. *Official Journal, (L 145)*, 4-9. http://data.europa.eu/eli/dir/1996/34/oj

Council of the European Union. (1997). Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC – Annex: Framework agreement on part-time work. *Official Journal, (L 014)*, 9-14. http://data.europa.eu/eli/dir/1997/81/oj

Council of the European Union. (2019). Council Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU. *Official Journal, (L188)*. https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L1158&from=EN

Craig, P., & De Búrca, G. (Eds.) (2020). *EU law, texts, and materials* (7th ed). Oxford University Press.

Daly, M. (Ed.). (2007). *Parenting in contemporary Europe: A positive approach*. Council of Europe Publications. http://ec.europa.eu/social/main.jsp?catId=1024&langId=en&newsId=1391&furtherNews=yes

Daly, M. (2011). *Building a coordinated strategy for parenting support*. Synthesis Report. European Commission.

Daly, M. (2012). *EU Social Policy: Developments in the field and insights for the study of social policy*. American Consortium of European Union Studies (ACES). ACES No. 2012.1. http://aei.pitt.edu/59149/1/ACES_Case_Daly_2012.pdf

Daly, M. (2015). Parenting support as policy field: An analytical framework. *Social Policy and Society*, *14*(4), 597-608.

Daly, M., Bray, R., Bruckauf, Z., Byrne, J., Margaria, A., Pecnik, N., & Samms-Vaughan, M. (2015). *Family and parenting support: Policy and provision in a global context*. Innocenti Insight, UNICEF Office of Research. https://www.unicef-irc.org/publications/770-family-and-parenting-support-policy-and-provision-in-a-global-context.html

Daly, M. (2017). The dynamics of European social policy. In P. Kennett, & N. Lendvai-Bainton (Eds.), *Handbook of European social policy*. Edward Elgar.

Deacon, B. (2007). *Global social policy and governance*. Sage Publishing.

Devaney, C., Canavan, J., Landy, F., & Gillen, A. (2013). *What works in family support?* Child and Family Agency Dublin. https://www.tusla.ie/uploads/content/Tusla_What_Works_in_Family_Support.pdf

Dobrotić, I., & Baran, J. (2015). Javnopolitički okvir Europske unije i međunarodnih organizacija [Policy framework of the European Union and international organisations]. In I. Dobrotić, N. Pećnik, & J. Baran (Eds), *Potrebe roditelja i pružanje usluga roditeljima koji podižu djecu u otežanim okolnostima [Parental needs and provision of support services to parents raising children in difficult circumstances]* (pp. 14-19). Roda. https://www.researchgate.net/publication/311846293_Potrebe_roditelja_i_pruzanje_usluga_roditeljima_koji_podizu_djecu_u_otezanim_okolnostima

Dolan, P., Zegarac, N., & Arsić, J. (2020). Family support as a right of the child. *Social Work & Social Services Review*, *21*(2), 8-26. https://doi.org/10.1921/swssr.v21i2.1417

European Anti-Poverty Nework (2020). *The impact of covid-19 on people experiencing poverty and vulnerability.* EAPN. https://www.eapn.eu/the-impact-of-covid-19-on-people-experiencing-poverty-and-vulnerability-eapn-report/

EASPD (2020). *The COVID-19 outbreak and support service providers for persons with disabilities.* EASPD. https://www.easpd.eu/en/content/covid-19-outbreak-and-support-service-providers-persons-disabilities

ECtHR, Kroon and Others v. The Netherlands, App. No. 18535/91 (October 27, 1994), http://hudoc.echr.coe.int/eng?i=001-57904

ECtHR, Marckx v. Belgium, App. No. 6833/74 (June 13, 1979), http://hudoc.echr.coe.int/eng?i=001-57534

ECtHR, Paradiso and Campanelli v. Italy, App. No. 25358/12 (January 24, 2017), http://hudoc.echr.coe.int/eng?i=001-170359

ECtHR, Olsson v. Sweden (no. 1), App. No. 10465/83 (March 24, 1988), http://hudoc.echr.coe.int/eng?i=001-57548

ECtHR, K. and T. v. Finland, App. No. 25702/94 (July 12, 2001), http://hudoc.echr.coe.int/eng?i=001-59587

ECtHR, Zorica Jovanović v. Serbia, App. No. 21794/08 (March 26, 2013), http://hudoc.echr.coe.int/eng?i=001-118276

ECtHR, Konstantin Markin v. Russia, App. No. 30078/06 (March 22, 2012), http://hudoc.echr.coe.int/eng?i=001-109868

ECtHR, Wallová and Walla v. the Czech Republic, App. No. 23848/04 (October 26, 2006), http://hudoc.echr.coe.int/eng?i=001-77715

ECtHR, Sahin v. Germany, App. No. 30943/96 (July 8, 2003), http://hudoc.echr.coe.int/eng?i=001-61194

ECtHR, Gnahoré v. France, App. No. 40031/98 (September 19, 2000), http://hudoc.echr.coe.int/eng?i=001-58802

Esping-Andersen, G. (Ed.) (2002). *Why we need a new welfare state*. Oxford University Press.

EU Alliance for Investing in Children (2020). *Contribution of the EU Alliance for Investing in Children to the European Commission public consultation on the Child Guarantee.* EU Alliance for Investing in Children. http://www.alliance4investinginchildren.eu/contribution-of-the-eu-alliance-for-investing-in-children-to-the-european-commission-public-consultation-on-the-child-guarantee/

EU Roma (2020). *Final report of the Feasibility Study for a Child Guarantee for vulnerable children released*. https://www.euromanet.eu/news/final-report-of-the-feasibility-study-for-a-child-guarantee-for-vulnerable-children-released/

EU-SILC. (2013) *European Union Statistics on Income and Living Conditions*. http://epp.eurostat.ec.europa.eu/portal/page/portal/microdata/eu_silc

Eurochild (2020). *Growing up in lockdown: Europe's children in the age of COVID-19.* Eurochild. https://www.eurochild.org/resource/growing-up-in-lockdown-europes-children-in-the-age-of-covid-19/

Eurochild & EU Alliance for Investing in Children (2014). *Why Investing in children needs the support of the European Parliament*. Eurochild. http://www.eurochild.org

Eurofound (2020a). *COVID-19: Policy responses across Europe*. Publications Office of the European Union.

Eurofound (2020b). *Living, working and COVID-19: First findings – April 2020.* Publications Office of the European Union.

Eurofound (2020c). *Living, working and COVID-19*, *COVID-19 series*. Publications Office of the European Union.

European Commission. (2006). *Towards an EU Strategy on the Rights of the Child, Communication from the Commission*, COM (2006) 367 final (July 4, 2006). https://ec.europa.eu/anti-trafficking/sites/default/files/com_2006_367_strategy_on_the_rights_of_the_child_en_0.pdf

European Commission. (2008). *Renewed social agenda: Opportunity, access and solidarity in 21st century Europe.* Com (2008) 412 final. https://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0412:FIN:EN:PDF

European Commission (2010). *Europe 2020. A European strategy for smart, sustainable and inclusive growth*, COM (2010) 2020 final (March 3, 2010). https://eur-lex.europa.eu/legal-content/en/ALL/?uri=CELEX:52010DC2020

European Commission (2011). *An EU agenda for the rights of the child.* Communication from the Commission to the European Parliament, the Council, the European economic and social committee and the Committee of the Regions, COM (2011) 60 final (February 15, 2011). https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:52011DC0060

European Commission. (2013a). *Towards social investment for growth and cohesion including the European Social Fund 2014-2020*. Comm (2013) 83 Final. file:///C:/Users/user/Downloads/COMM_Social-investment-package_en.pdf

European Commission (2013b). Commission Recommendation of 20 February 2013 Investing in children: Breaking the cycle of disadvantage. *Official Journal (L 59)*, 5–16. http://data.europa.eu/eli/reco/2013/112/oj

European Commission (2018). *EU budget for the future.* https://ec.europa.eu/info/sites/default/files/budget-june2018-investeu-finance_en.pdf

European Commission - Employment, Social Affairs and Inclusion (2019). *Work-life balance*. https://ec.europa.eu/social/main.jsp?catId=1311&langId=en

European Commission (2020a). *EU Budget for recovery: Questions and answers on REACT-EU, Cohesion Policy post-2020 and the European Social Fund+.* https://ec.europa.eu/commission/presscorner/detail/en/QANDA_20_948

European Commission (2020b). *Cohesion policy action against coronavirus*. https://ec.europa.eu/regional_policy/en/newsroom/coronavirus-response/

European Commission (2020c). *REACT-EU.* https://ec.europa.eu/regional_policy/en/newsroom/coronavirus-response/react-eu

European Commission (2020d). *A new, stronger European Social Fund Plus*. https://ec.europa.eu/esf/main.jsp?catId=62&langId=en

European Commission (2020e). *Basic services for children in need – European Child Guarantee.* https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12565-European-Child-Guarantee-

European Commission (2021a). *Recovery plan for Europe.* https://ec.europa.eu/info/strategy/recovery-plan-europe_en#main-elements-of-the-agreement

European Commission (2021b). *Commission welcomes political agreement on the ESF+.* https://ec.europa.eu/social/main.jsp?langId=en&catId=89&newsId=9906&furtherNews=yes

European Council (2000). *Lisbon European Council 23-24 March 2000. Presidency conclusions.* https://www.europarl.europa.eu/summits/lis1_en.htm

European Council (2020). *Presidency conclusions*, *Barcelona European Council.*

European Court of Human Rights (2020). Guide on Article 8 of the European Convention on Human Rights - *Right to respect for private and family life, home and correspondence*. Council of Europe. https://www.echr.coe.int/documents/guide_art_8_eng.pdf

European Parliament, European Council and European Commission (13 December 2017). Interinstitutional proclamation on the European pillar of social rights. *Official Journal C 428*. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32017C1213%2801%29

European Social Charter (Revised), May 3, 1996, ETS 163.

European Social Network (2021a). *Prioritising EU funding for social services. Three opportunities to look out for in 2021.* https://www.esn-eu.org/news/prioritising-eu-funding-social-services-three-opportunities-look-out-2021

European Social Network (2021b). *European parliament votes to increase ESF+.* https://www.esn-eu.org/news/european-parliament-votes-increase-esf

European Union (2012). Charter of fundamental rights of the European union. *Official Journal of the European Union, C 326*, 391-407. http://data.europa.eu/eli/treaty/char_2012/oj

European Union Agency for Fundamental Rights (2020). *Roma and Traveller in six countries.* https://fra.europa.eu/en/publication/2020/roma-travellers-survey

European Union Agency for Fundamental Rights and Council of Europe (2015). *Handbook on European law relating to the rights of the child*. https://www.echr.coe.int/Documents/Handbook_rights_child_ENG.PDF

Eurostat (2020a). *EU children at risk of poverty or social exclusion.* https://ec.europa.eu/eurostat/web/products-eurostat-news/-/DDN-20200305-1

Eurostat (2020b). *Almost 14 000 unaccompanied minors among asylum seekers registered in the EU in 2019.* https://ec.europa.eu/eurostat/documents/2995521/10774034/3-28042020-AP-EN.pdf/03c694ba-9a9b-1a50-c9f4-29db665221a8

Eurostat (2021). *Key macro-economic indicators*. https://ec.europa.eu/eurostat/cache/digpub/european_economy/bloc-1a.html?lang=en

Eurydice (2019). *Key data on early childhood and care in Europe*. https://op.europa.eu/en/publication-detail/-/publication/5816a817-b72a-11e9-9d01-01aa75ed71a1/language-en/format-PDF/source-102611557

Evans, M. D. (2003). *International law* (5th Ed). Oxford University Press.

Evans, M., Lindauer, M., & Farrell, M. (2020). A pandemic within a pandemic — intimate partner violence during Covid-19. *New England Journal of Medicine, 383*, 2302-2304. https://doi: 10.1056/NEJMp2024046

Eydal, G.B., & Rostgaard, T. (eds.) (2018). *The handbook of family policy*. Routledge.

Falkner, G. (2010). European Union. In F. G. Castles, S. Leibfried, J. Lewis, H. Obinger, & C. Pierson (Eds.), *The Oxford handbook of the welfare state*. Oxford University Press.

European Federation of National Organisations Working with the Homeless (2020). *European Commission's webinar: Helpdesk on support to social services to respond to COVID-19 crisis.* https://www.feantsa.org/en/news/2020/05/26/europe?bcParent=27

Fegert, J. M., Vitiello, B., Plener, P. L., & Clemens, V. (2020). Challenges and burden of the coronavirus 2019 (COVID-19) pandemic for child and adolescent mental health: A narrative review to highlight clinical and research needs in the acute phase and the long return to normality. *Child Adolescent Psychiatry Mental Health, 14*, 20.

Fleming, P., & O' Hara, J. (2020). *Impact on family life during the COVID-19 pandemic*. https://www.barnardos.ie/media/7698/impact-on-family-life-during-COVID-19-pandemic.pdf

Fontanesi, L., Marchetti, D., Mazza, C., Di Giandomenico, S., Roma, P., & Verrocchio, M. C. (2020). The effect of the COVID-19 lockdown on parents: A call to adopt urgent measures. *Psychological Trauma: Theory, Research, Practice, and Policy, 12*(S1), S79-S81. doi: 10.1037/tra0000672

Frazer, H., & Marlier, E. (2017). *Progress across Europe in the implementation of the 2013 EU Recommendation on 'Investing in children: Breaking the cycle of disadvantage'. A study of national policies*. European Social Policy Network (ESPN). European Commission. https://op.europa.eu/en/publication-detail/-/publication/c680a1b0-9171-11e7-b92d-01aa75ed71a1/language-en

Frazer, H., Guio A-C., & Marlier, E. (2020). *Feasibility study for a child guarantee: Final report*. European Commission. https://ec.europa.eu/social/main.jsp?catId=1428&langId=en

Fredman, S. (2008). *Human rights transformed: Positive rights and positive duties*. Oxford University Press.

Gibney, E., O'Reilly, S., O'Sullivan, A., Murrin, C., Feeney, E., & Timon, C. (2020). *The national COVID-19 food study.* University College Dublin and Dublin City University.

Hantrais, L. (2004). *Family policy matters: Responding to family change in Europe*. Policy Press.

Hantrais, L. (2007). *Social policy in the European Union* (3rd ed.). Palgrave Macmillan.

Hantrais, L., & Letablier, M. (1996). *Families and family policies in Europe*. Longman.

Heise, L. (2011). *What works to prevent partner violence? An evidence overview.* Strive Research Consortium.

Hope and Homes for Children, & Lumos. (2020). *COVID-19: Call to action to protect vulnerable families and children in alternative care across Europe.* https://www.easpd.eu/sites/default/files/sites/default/files/2020_covid-19_european_cta_final_vs2.pdf.

Huebener, M., Spiess, C., Siegel, N., & Wagner, G. (2020). Parental well-being in times of COVID-19 in Germany. *CESifo Working Paper,* No. 8487. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3676093

International Covenant on Civil and Political Rights, 16 December 1966, UNTS 999, https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280004bf5&clang=_en

International Covenant on Economic, Social and Cultural Rights, 16 December 1966, UNTS 993, https://treaties.un.org/Pages/showDetails.aspx?objid=080000028002b6ed&clang=_en

Intrum (2020). *European consumer payment report. Special edition white paper*. https://www.intrum.com/media/8047/ecpr-2020-special-edition-white-paper.pdf

Janta, B., Davies, L., Jordan, V., & Stewart, K. (2019). *Recent trends in child and family policy in the EU. European platform for investing in children: Annual thematic report*.

Kennett, P., & Lendvai-Bainton, N. (Eds.) (2017). *Handbook of European social policy*. Edward Elgar.

Koslowski, A., Blum, S., Dobrotić, I., Kaufman, G., & Moss, P. (2020) *International review of leave policies and related research.* https://doi: 10.18445/20200915-131331-0

Lowe, N. (2006). *Report for the attention of the committee of experts on family law (cj-fa) containing an evaluation of the Council of Europe legal instruments in the field of family law*. Council of Europe. http://orca.cf.ac.uk/60078/1/CJ-FA%20_2006_%201%20Rev.pdf

Lowe, N. (2016). The impact of the Council of Europe on European family law. In J. M. Scherpe (ed.), *European family law* (Volume I., pp. 95-123). Edward Elgar Publishing. https://doi.org/10.4337/9781785363016

Lundy, L., Kilkerry, U., Byrne, B., & Kang, J. (2011). *The UN Convention on the Rights of the Child: A study of legal implementation in 12 countries*. Queens University Belfast & UNICEF. https://www.unicef.org.uk/publications/child-rights-convention-2012-report/

Meulders-Klein, M. T. (2003). Towards a European civil code on family Law? Ends and means. In K. Boele-Woelki (ed.), *Perspectives for the unification and harmonisation of family law in Europe.* Intersentia.

Mokomane, Z. (2012). Anti-poverty family-focused policies in developing countries. In UN DESA (ed)., *Family-orientated policies for poverty reduction, work-family balance and intergenerational solidarity* (pp. 4-54). https://www.un.org/esa/socdev/family/docs/WorkFamilyBalanceandIntergenerationalSolidarity.pdf

Nolan, A. (2020). *A brief overview of the European social charter system* [Working Paper]. https://www.housingrightswatch.org/sites/default/files/Nolan_A%20Brief%20Overview%20of%20the%20European%20Social%20Charter%20System.pdf

Pintens, W. (2003). Europeanisation of family law. In K. Boele-Woelki (ed.), *Perspectives for the unification and harmonisation of family law in Europe* (pp. 3-36). Intersentia.

Power, M., Doherty, B., Pybus, K. J., & Pickett K. E. (2020). How COVID-19 has exposed inequalities in the UK food system: The case of UK food and poverty. *Emerald Open Research*, *2*, 11. https://doi.org/10.35241/emeraldopenres.13539.2

Putnina, A. (2020). Meeting the challenges of the 21st century: Social change and the family. *Social Work & Social Services Review*, *21*(2), 8-26.

O'Brien, M. (2012). *Work-family balance policies*. UN DESA. https://www.un.org/esa/socdev/family/docs/BP_WORKFAMILYBALANCE.pdf

O'Connor Bones, U., Bates, J., Finlay, J. Roulston, S., & Taggart, S. (2020). *Experiences of supporting children's home learning during COVID-19.* UNESCO Centre, School of Education, Ulster University.

OECD (2009). *Doing better for children*. OECD. https://www.oecd.org/els/family/doingbetterforchildren.htm

OECD (2011). *Doing better for families*. OECD. https://www.oecd.org/els/soc/doingbetterforfamilies.htm

Optional Protocol to the Convention on the Rights of the Child on a communications procedure, 19 December 2011, UNTS 2983, https://treaties.un.org/Pages/showDetails.aspx?objid=0800000280309665&clang=_en

Quinton, D. (2004). *Supporting parents: Messages from research*. Jessica Kingsley Publishers.

Rodriguez, R., Warmerdam, J., & Triomphe, C. E. (2010). *The Lisbon Strategy 2000-2010. An analysis and evaluation of methods used and results achieved*. European Parliament. Directorate-General for Internal Policies. https://www.europarl.europa.eu/thinktank/en/document.html?reference=IPOL-EMPL_ET(2010)440285

Roffman, A. E. (2020). *A work in progress: Family resilience & COVID-19.* https://nyulangone.org/news/work-progress-family-resilience-covid-19

Roos, L. E., & Tomfohr-Madsen, L. (2020). *Family mental health crisis: Parental depression, anxiety during COVID-19 will affect kids too.* https://theconversation.com/family-mental-health-crisis-parental-depression-anxiety-during-covid-19-will-affect-kids-too-144050

Ruggiero, R., Volonakis, D., & Hanson, K. (2017) The inclusion of 'third parties': The status of parenthood in the Convention on the Rights of the Child. In E. Brems, E. Desmet, & W. Vandenhole (Eds.), *Children's rights law in the global human rights landscape: Isolation, inspiration, integration?* (pp. 71-89). Routledge. https://doi.org/10.4324/9781315637440

Sandbæk, M. (2007). Services to support parenting. In M. Daly. (Ed.), *Parenting in contemporary Europe: A positive approach* (pp. 59-86). Council of Europe.

Sandbæk, M. (2017). European policies to promote children's rights and combat child poverty. *International Journal of Environmental Research and Public Health. Special Issue Poverty and Child Well-Being, 14*(8), 837. https://doi.org/10.3390/ijerph14080837

Saran, A., Subrahmanian, R., & White, H. (2020) *Interventions to reduce violence against children in low to middle-income countries*. Innocenti Research Brief 2020-21. UNICEF Office of Research & Campbell Collaboration. https://www.unicef-irc.org/evidence-gap-map-violence-against-children/

Save the Children (2014). *Child poverty and social exclusion Europe: A matter of children's rights*. Save the Children. https://resourcecentre.savethechildren.net/sites/default/files/documents/child-poverty-and-social-exclusion-in-europe-low-res.pdf

Schmahl, S., & Breuer, M. (2017). *The Council of Europe: Its law and policies* (1st ed.). Oxford University Press.

Singh, S., Roy, D., Sinha, K., Parveen, S., Sharma, G., & Joshi, G. (2020). Impact of COVID-19 and lockdown on mental health of children and adolescents: A narrative review with Recommendations. *Psychiatry Research*, *293*, 113429. https://doi.org/10.1016/j.psychres.2020.113429

Spinelli, M., Lionetti, F., Pastore, M., & Fasolo, M. (2020). Parents' stress and children's psychological problems in families facing the COVID-19 outbreak in Italy. *Frontiers in Psychology, 11*, 1-7.

Stalford, H. (2012). *Children and the European Union: Rights, welfare and accountability*. Hart Publishing.

Statute of the Council of Europe. May 5 1949. ETS 001. https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/001

Thevenon, O. (2011). Family policies in the OECD countries: A comparative analysis. *Population and Development Review*, *37*(1), 57–87.

Toczydlowska, E., & Bruckauf, Z. (2017) *Growing inequality and unequal opportunities in rich countries*. Innocenti Research Brief 2017-16. UNICEF Office for Research. https://www.unicef-irc.org/publications/918-growing-inequality-and-unequal-opportunities-in-rich-countries.html

Ulferts, H. (2020). *Why parenting matters for children in the 21st century: An evidence-based framework for understanding parenting and its impact on child development* (OECD Education Working Paper No. 222). OECD. https://www.oecd-ilibrary.org/docserver/129a1a59-en.pdf?expires=1592308261&id=id&accname=guest&checksum=F0D0EF4318C5593239137407843D4A71

UN General Assembly. (2015). *Transforming our world: the 2030 Agenda for Sustainable Development*. 21 October 2015. A/RES/70/1.

UNESCO Youth. (2019). *EU Youth Strategy for 2019-2027*. https://unescoyouth.gr/youth-strategies/eu-youth-strategy-2019-2027

UNICEF (2019). *Family-friendly policies: Redesigning the workplace for the future*. *A Policy Brief.* UNICEF. https://www.unicef.org/early-childhood-development/family-friendly-policies

UNICEF (2020). *UNICEF refugee and migrant crisis in Europe: Humanitarian situation report #36 (January – June 2020).* https://reliefweb.int/report/greece/unicef-refugee-and-migrant-crisis-europe-humanitarian-situation-report-36-january-june

United Nations (2020). *The Sustainable Development Goals Report 2020*. United Nations.

United Nations Committee on the Rights of the Child. *General comment No. 7 (2005): Implementing Child Rights in Early Childhood*, 20 September 2006, CRC/C/GC/7/Rev.1.

United Nations Committee on the Rights of the Child. *General comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration (art. 3, para. 1)*, 29 May 2013, CRC/C/GC/14.

United Nations Committee on the Rights of the Child. *Views adopted by the Committee under the Optional Protocol to the Convention on the Rights of the Child on a Communications Procedure, concerning Communication No. 30/2017,* 12 March 2020.

United Nations Convention on the Elimination of All Forms of Discrimination Against Women, December 18, 1979, 1249 UNTS 13. https://treaties.un.org/doc/Publication/UNTS/Volume%201249/v1249.pdf

United Nations Convention on the Rights of the Child, November 20, 1989, UNTS 1577,

https://www.ohchr.org/en/professionalinterest/pages/crc.aspx

United Nations Convention of the Rights of Persons with Disabilities, December 13, 2006, 2515 UNTS 3. https://treaties.un.org/doc/Publication/UNTS/Volume%202515/v2515.pdf

United Nations Convention on the Rights of the Child, November 20, 1989, UNTS 1577, https://www.ohchr.org/en/professionalinterest/pages/crc.aspx

United Nations General Assembly. *Guidelines for the Alternative Care of Children*, Resolution A/RES/64/142, 24 February 2010. https://digitallibrary.un.org/record/673583/?ln=en

Universal Declaration of Human Rights, 10 December 1948, General Assembly Resolution 217 A (III). https://www.un.org/en/about-us/universal-declaration-of-human-rights

Van Kersbergen, K., & Hemerijck, A. (2012). Two decades of change in Europe: The emergence of the social investment state. *Journal of Social Policy, 41*(3), 475-492. https://doi.org/10.1017/s0047279412000050

WHO (2020). *WHO Director-General's opening remarks at the media briefing on COVID-19 - 11 March 2020.* https://www.who.int/director-general/speeches/detail/who-director-general-s-opening-remarks-at-the-media-briefing-on-covid-19---11-march-2020

Yeates, N. (2007). *Understanding global social policy*. Policy Press.

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