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Investing in family cohesion as a development factor in times of crisis

Reply to Recommendation[1]: Recommendation 1912 (2010)
Committee of Ministers

1. The Committee of Ministers has examined attentively Parliamentary Assembly Recommendation 1912 (2010) on "Investing in family cohesion as a development factor in times of crisis". The text was forwarded to governments and to the different competent committees[2], the comments of which are appended to this reply.

2. The Committee of Ministers recognises that the global economic downturn may have implications on social policies and has the potential to have a negative impact on families and family relationships, and consequently on the well-being of both adults and children. It also fully agrees that a cohesive family can represent an important force in providing solidarity and support to its members in times of difficulty.

3. In line with the Assembly's recommendation, the Committee of Ministers would therefore invite member states to bear the recommendation in mind, where appropriate, when developing their national family policies. In this respect, it would also recall Article 16 of the revised European Social Charter which provides that "the family as a fundamental unit of society has the right to appropriate social, legal and economic protection to ensure its full development", and underline its particular relevance in the current economic climate. Furthermore, it recalls that the New Strategy for Social Cohesion[3] states that "families are where social cohesion is first experienced and learned. Families therefore play an important role in building confidence in the future and in developing viable life projects". For these reasons, in the Council of Europe Action Plan for Social Cohesion[3], member states are invited to support families and, in particular, with regard to the need to invest in social rights and a cohesive society, to "promote families' stability, well-being and autonomy, which are critical for the quality of life and the prevention of poverty".

4. Against this background, the Committee of Ministers shares the view of the Assembly that it is useful to consider the family perspective in order to promote a deeper understanding on issues such as gender, solidarity between generations, ageing, fertility, family models, youth, children, migration and health, as stated in paragraph 1.2.3 of the recommendation. It would also point out that these issues were addressed comprehensively in the report of the High level Task Force on Social Cohesion in the 21st Century[4] which remains a reference text for the Organisation's activities in the field of social cohesion.

5. With regard to specific activities of the Organisation of particular relevance to the recommendation, in particular with regard to family law, gender equality and health, the Committee of Ministers would refer the Assembly to the comments appended to this reply.

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1. adopted at the 1101st meeting of the Ministers' Deputies (8 December 2010)
2. The European Committee on Legal Co-operation (CDCJ), the European Committee for Social Cohesion (CDCS), the European Health Committee (CDSP) and the Steering Committee for Equality between Women and Men (CDEG).
3. Approved by the Committee of Ministers at their 1090th meeting (7 July 2010).
4. Document CM(2007)175.

6. Finally, the Committee of Ministers would highlight the crucial role of regional and local authorities in promoting cohesion within families and local communities, in particular through access to fundamental rights, including social and economic ones, with heightened attention being given to the more vulnerable members of society who may feel the effects of the economic crisis more acutely.

7. In light of these issues, and in line with the Assembly recommendation, the Committee of Ministers agrees on the usefulness of taking a multidisciplinary approach to family questions, as well as on the benefit of exchanges on best practices and knowledge on pro-family policies. Whilst acknowledging that such practices are already underway in certain areas, it would encourage committees concerned by family issues to pursue synergy and co-operation with other sectors, with a view to ensuring a more strategic approach. This, in turn will allow for activities with a higher impact in member states. Such an approach would also espouse the objective of the Organisation's reform process to rationalise and better target resources.

Appendix 1 to the reply

Comments of the Bureau of the European Committee on Legal Co-operation (CDCJ),

1. Following the adoption by the Parliamentary Assembly, on the occasion of its Sitting of 27 April 2010, of Recommendation 1912 (2010) on "Investing in family cohesion as a development factor in times of crisis" (Appendix I), the Committee of Ministers[5] decided to send this recommendation to the European Committee on Legal Co-operation (CDCJ) for information and possible comments.

2. The Bureau of the CDCJ took note of this Parliamentary Assembly recommendation and decided to make the following comments.

3. The Bureau of the CDCJ shares the concerns of the Parliamentary Assembly with regard to the implications of the global economic downturn for social policies and relations, and to the potential negative impact of the current economic crisis on families and family relationships, and consequently on the well-being of both adults and children.

4. The Bureau of the CDCJ concurs with the Parliamentary Assembly's recommendation that support be given to the exchange of knowledge on, and development of standards for, pro-family policies to allow a deeper understanding of such topics as gender, solidarity between generations, ageing, fertility, family models, youth, children, migration and health from a family perspective (paragraph 1.2.3). The work carried out by the CDCJ in the field of family law, and in particular by its subordinate committee, the Committee of Experts on Family Law (CJ-FA), which has 40 years of experience in this sphere, contributes to an updating of the concepts of parental responsibility, child protection and the family in general. In this connection, the CDCJ ensures that it adopts a multidisciplinary approach to family questions (paragraph 1.2.1) by inviting other relevant Council of Europe bodies to contribute to its work.

5. The Bureau of the CDCJ also subscribes to the Parliamentary Assembly wish, expressed in its Resolution 1720 (2010) on "Investing in family cohesion as a development factor in times of crisis" to promote joint parental responsibility. In this regard, it points out that it is currently drawing up a draft recommendation on the rights and legal status of children and parental responsibilities.

6. The Bureau of the CDCJ notes that the Parliamentary Assembly draws attention in its Resolution (1720) 2010 to rising debt levels. In this connection, the Bureau of the CDCJ points out that Recommendation CM/Rec(2007)8 of the Committee of Ministers to member states on legal solutions to debt problems was adopted with the aim of providing support to families in difficulty, whose cohesion is often at risk, in order to deal specifically with the question of debt, especially in "an era where the use of credit has become an essential part"[6] of the economy. It should be borne in mind that "the development of the consumer credit market can be beneficial both for the economic growth of member states and for the well-being of individuals",[7] but that it can occasionally lead "to increased debt problems and, in some cases, to over-indebtedness",[8] which carries the risk of the social exclusion of families.

7. The Bureau of the CDCJ furthermore underlines that in the current state of budgetary restrictions which affects its activities, it will carefully examine its priorities before giving any positive reply to the Parliamentary Assembly's proposals.

5. 1085th meeting, 26 May 2010.
6. Recommendation CM/Rec(2007)8 of the Committee of Ministers to member states on legal solutions to debt problems.
7. Document CM(2007)175.
8. Document CM(2007)175.

Appendix 2 to the reply

Comments by the European Committee for Social Cohesion (CDCS)

The CDCS welcomes and supports Parliamentary Assembly Recommendation 1912 (2010) and recalls all its long-lasting work in the field of family policies and the Council of Europe Conference of Ministers responsible for Family Affairs. Topics mentioned in this recommendation are of the competence of the CDCS, which applies a transversal approach to its fields of activity. For this reason, the CDCS suggests to continue the co-ordination among different areas of work and a multidisciplinary approach to family questions across the Organisation corresponds to the CDCS above-mentioned approach which allows also to rationalise and better target resources.

Appendix 3 to the reply

Comments by the European Health Committee (CDSP)

The CDSP welcomes Parliamentary Assembly Recommendation 1912 (2010) as it is a significant contribution to health and well-being. It is important that special support should be given to families in order to meet the challenges of life, especially against the background of the economic crisis. From a public health point of view, family relationships is one of the essential determinants for health, family affluence being a strong determinant of physical and emotional health especially for children, young people but also older people. The CDSP especially welcomes the inclusion of advocacy for children's special needs and the promotion of men's/ fathers' involvement in family life and household duties. Additionally, family-friendly workplaces and family-support services are as important factors for health as are the tackling of social exclusion and special consideration of single parent families, migrant families and families at risk. The CDSP therefore welcomes and fully supports the recommendation.

Appendix 4 to the reply

Comments by the Steering Committee for Equality between Women and Men (CDEG)

1. The CDEG took note of the recommendations of the Parliamentary Assembly transmitted by the Committee of Ministers.

2. The CDEG welcomes these recommendations which are in line with the priorities set up by the Resolution "Bridging the gap between *de jure* and *de facto* equality to achieve real gender equality" and the Action Plan "Taking up the challenge of the achievement of *de jure* and *de facto* gender equality" adopted by the Council of Europe Conference of Ministers responsible for Equality between Women and Men held in Baku, on 24 and 25 May 2010.

3. As regards Recommendation 1912 (2010) on "Investing in family cohesion as a development factor in times of crisis", the CDEG recalls that the proposed measures in Recommendation Rec(96)5 on "Reconciling work and family life", such as the organisation of working time, the development of adequately financed services in favour of families, the organisation of school time and curricula or the equal sharing of care giving and household responsibilities between women and men, aim to promote equality between women and men in the family and that family cohesion cannot be achieved without gender equality. It adds that the principle of equality between women and men is guaranteeing family cohesion. Effectively, the principle takes into account the interests and needs of both women and men permitting them to employ equally their skills and competences at the service of the family and society as a whole.