



Doc. 15588

01 July 2022

Best interests of the child and policies to ensure a work-life balance

Reply to Recommendation¹: Recommendation 2216 (2021)
Committee of Ministers

1. The Committee of Ministers has carefully considered Parliamentary Assembly [Recommendation 2216 \(2021\)](#) “Best interests of the child and policies to ensure a work-life balance”. It has forwarded the text to the Steering Committee for the Rights of the Child (CDENF) and to the European Committee of Social Rights (ECSR), for information and possible comments.
2. The Committee of Ministers shares the view of the Assembly regarding the importance of protecting the best interests of the child in designing policies to ensure a work-life balance. According to the United Nations Convention on the Rights of the Child and its Article 3, the best interests of the child must be a primary consideration in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies.
3. The Assembly also makes specific reference to Article 17 of the European Social Charter which requires the States Parties to provide the necessary protection for children’s development. In this respect, the Committee of Ministers recalls that the Charter, including Article 17, outlines the rights of the child in a comprehensive manner that fully embraces the issues raised in the Assembly’s recommendation as regards the best interest of the child and the work-life balance. In addition to Article 17, the rights enshrined in Articles 16 and 27 of the Charter are of particular relevance. Article 17 focuses on the right of children and young persons to social, legal and economic protection which requires that children and young persons have the care, the assistance, the education and the training they need, while having regard to the rights and duties of their parents. Article 16 of the Charter is centred around the family and is pivotal in providing an overarching social, legal and economic protection of the family. This provision englobes both the protection of the best interests of the child and the cohesion of the family as a fundamental unit of society. It requires the States Parties to ensure that childcare facilities are available, affordable and of good quality² and are available and accessible to workers with family responsibilities.³
4. In response to paragraph 5.1. of the recommendation, to “incorporate issues linked to the policy for the first 1 000 days into the next Strategy for the Rights of the Child and its ground-breaking work on the roots of poverty”, the Committee of Ministers would inform the Assembly that the draft for the current Strategy for the Rights of the Child (2022-2027), adopted by the Committee of Ministers on 23 February 2022, had already been finalised and approved by the relevant intergovernmental committee prior to the adoption of Parliamentary Assembly [Recommendation 2216 \(2021\)](#). However, under its second strategic objective, the Strategy will continue focusing on “equal opportunities and social inclusion for all children” in order to leave no child behind and to contribute to breaking cycles of disadvantage for children from an early age onwards.

1. Adopted at the 1437th meeting of the Ministers’ Deputies (15 June 2022).

2. [Conclusions 2019, Azerbaijan](#)

3. [Conclusions 2005](#), Statement of Interpretation on Article 27§1c; see e.g. [Conclusions 2005, Estonia](#).



5. In paragraph 5.2 of the recommendation, the Assembly recommends that the Committee of Ministers consider “[helping] the member States to prepare national strategies on early childhood, promote good practices and foster exchanges of information between the authorities running these national strategies”. The Committee informs the Assembly that under its [terms of reference](#), the CDENF is committed to facilitating regular exchanges of knowledge, good practices and experiences among member States in the areas covered by the Rome Strategy, and contributing to the achievement of, and review of progress towards, the UN 2030 Agenda for Sustainable Development, in particular with regards to Goal 1: No poverty. The Committee of Ministers invites the CDENF to take due note of the importance that it and the Assembly attaches to early childhood as an important stage of development of children and to bear this in mind in its future activities.

6. Finally, the Committee of Ministers has taken note of the call of the Assembly to advocate the opening of negotiations for the European Union to accede to the revised European Social Charter (ETS No. 163), to enhance the consistency of European standards with regard to socio-economic rights.