Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Recommendation 751 (1975)[1]

Position and responsibility of parents in the modern family and their support by society

Parliamentary Assembly

The Assembly,

1. Observing that the conditions of families are changing towards a more symmetrical internal relationship within which the married partners share the rights and duties more equally ;

2. Assured that society has not only a humanitarian duty but also a vital economic and social interest in ensuring that standards in the care of young children are preserved and improved ;

3. Observing the need of children for close contact with both mother and father, who therefore carry a joint responsibility as equal partners for the children's upbringing ;

4. Recognising that both parents are entitled to the opportunity to participate in the upbringing of children and in paid employment ;

5. Recognising as a fundamental principle the right of individual parents to decide for themselves how to fulfil their responsibilities, and the duty of society to provide the means for this choice to be realised, so far as possible without detrimental consequences ;

6. Observing that socio-economic changes common to all advanced societies lead to an increasing employment of parents in ways which, in present conditions, may conflict with personal care for their young children ;

7. Emphasising that this tension is particularly acute where children are brought up by a single parent, and that the situation of single parents in general is still extremely difficult ;

8. Noting that legal and administrative provisions tend to direct parents exclusively into either professional life or work in the home, and thereby restrict their freedom of choice ;

9. Considering that upbringing of children must be not purely a matter of physical shelter and care, but should be continually aiming at their long-term emotional, intellectual and social needs ;

10. Affirming its belief that the complex needs of children in their first years of life - and in particular their need for a stable personal relationship with an adult - are with few exceptions most effectively met through the personal care of a parent ;

11. Considering that the interests of parents and children are best served by the entry or re-entry of parents into employment or other work in society outside the home, once the most intense period of family responsibility is ended ;

12. Affirming its belief that governments should pursue family policies which promote good relations between all family members and which, regardless of income levels, grant the children a secure growth environment and encourage their emotional, intellectual, cultural and social development ;

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1. Assembly debate on 24 January 1975 (21st Sitting) (see Doc. 3531, report of the Committee on Social and Health Questions). Text adopted by the Assembly on 24 January 1975 (21st Sitting).

13. Having regard to Resolution (70) 15 of the Committee of Ministers, on the social protection of unmarried mothers and their children, Resolution AP (74) 2 of the Committee of Ministers (Partial Agreement in the social and public health field), on work by women, particularly in the light of technological progress, including automation, and Recommendation No. 123 (1965) of the International Labour Organisation, concerning the employment of women with family responsibilities,

14. Recommends that the Committee of Ministers :

invite member governments to adopt policies in the areas of family law, social legislation, labour and education etc., which promote and safeguard, as far as possible, the equality of men and women, and a genuine partnership between them, in such a way as to enable parents to choose between remaining in the home and taking paid employment, without prejudice in either case to the upbringing of their small children or their own interest in terms of social security and other social benefits ;

transmit to member governments the proposals contained in the appendix.

Appendix APPENDIX

a. To establish a family responsibility allowance, payable to households in which there are children under the age of three or requiring special care and :

not more than one of the two parents is in paid employment, or

there is only one parent.

b. The rate of the allowance specified under a shall be fixed at at least 50 % of the national minimum wage or of an adequate level to be determined. The allowance shall be fixed at at least twice this amount for category a. ii where the beneficiary is not in employment.

c. This allowance is not taxable.

I. Parents at home

A. Social security

1. To credit, without prejudice to other rights acquired or in course of acquisition, the social security contributions, at least in respect of medical and old-age insurance, of any parent wholly occupied in the home for so long as he or she has the full-time care of a young child or children, provided that where there are two parents only one may at any given time benefit from this provision.

2. To establish an allowance fixed at a reasonable proportion of the national minimum wage or equivalent, payable on account of the certified medical incapacity of any parent normally working full-time in the home with the care of young children.

3. To reduce, as far as is actuarially and administratively practicable, the qualifying period of contribution for an old-age pension.

4. To divide equally in case of the cessation of marriage by reason of death, divorce or separation, the old-age pension rights acquired by the two partners of the marriage in the course of its duration.

5. To eliminate for divorced, separated or widowed persons any provision which would prevent the enjoyment of rights acquired both by dependence and through personal entitlement.

B. Family property

6. To give priority over other claims upon the assets of a divorced or legally separated spouse to the right to maintenance of his or her former spouse when not in employment and having the care of children of the marriage.

7. To provide that any division of property acquired by a couple in the course of their marriage, and in particular real property, shall take fully into consideration the contribution in terms of effort and responsibility made by both partners even where this has not involved a financial share.

8. To provide that a husband or wife not formerly the head of the family, who is left with the care of his or her children on the cessation of marriage by reason of death, divorce or separation, shall have the right to the same degree of protection in respect of tenancy or mortgage liabilities as the former spouse enjoyed or would have enjoyed.

C. Re-entry into employment

9. To establish facilities of vocational training appropriate to the needs of mature students of either sex, such facilities to cover the whole range of employment for which training is required.

10. To encourage women to seek training and employment outside the fields traditionally regarded as women's work and, in appropriate cases, to become teachers and instructors in such fields.

11. To provide for all parents previously unemployed, within the year following the entry into compulsory schooling of their youngest child, the opportunity to receive a grant of up to one year's duration, sufficient to cover the cost of undergoing vocational training as specified in paragraph C.1 above.

12. To give priority in the access to facilities of vocational training, and if necessary, in the provision of grants, to single parents.

II. Parents in paid employment

A. Social security and taxation

1. To establish a right to sickness benefit in cash on account of the sickness of a child under the age of 10 living in the care of the beneficiary and payable for 10 days in any year on account of any one child, on the same terms as sickness benefit :

a. to any employed parent having the care of such a child whose spouse also is in employment and not receiving such benefit ;

b. to any employed parent having the care of such a child whose spouse also is in employment and not receiving such benefit ;

c. to any single parent in employment having the care of such a child.

2. To reorganise systems of direct taxation - for example, by giving the full allowances of an employed person to each spouse where both work - in such a way as to promote equality between working parents of both sexes in the net rewards of their employment.

B. Organisation of work

3. To establish by law the right of either one of the parents to take leave of up to one year from the birth of a child, and thereafter to resume work without loss of status or seniority.

4. To promote the development of part-time work with full protection for the employee, with priority to be given to parents having the care of young children.

5. To provide the administrative arrangements which would enable parents with young children to share their employment and family responsibilities, by means which would include the institution of shorter working days.

6. To promote the development of flexible working arrangements, including personalised working hours, unpaid leave during school holidays etc., which would facilitate the combining of paid employment with the care of children.

C. Child care facilities

7. To increase substantially the number of places available in public and publicly controlled day care facilities for young children, paying equal attention to physical care and to long-term emotional and intellectual needs.

8. To require any person receiving several children under 10 years of age into day care for payment - whether in a specially established institution or in a private residence - to obtain the permission of the local health and education authority.

9. To grant permission as specified under paragraph C.2 above only to those fulfilling satisfactory requirements in respect of physical facilities, standards of hygiene, educational capacity and fees charged.

10. To require persons seeking permission as specified under paragraph C.2 above to undergo a brief initial training at public expense and further periods of continuous training also at public expense, such training to be a condition of the renewal of the permission.

11. To make every effort to ensure that the requirement to register (C.2 above) and the training and assistance available (C.4 above) are as widely known as possible, and that the formalities should not be carried out in such a way as to deter those concerned.

12. To make the granting of any allowance or credit for the costs of child care by a third person conditional upon the production of evidence that the care provided conforms to the standards laid down.

13. To create, according to a choice to be made by each government, either grants or tax exemptions which may be claimed where both parents or a single parent are in employment, in respect of a close relative living in the home and undertaking the care of their children.

14. To give priority for places in public creches and kindergartens - after those coming from physically or morally harmful home environments - to the children of single parents in paid employment.