



European
Social
Charter

Charte
sociale
européenne

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

EUROPEAN SOCIAL CHARTER

Social Rights Monitoring 2023: Children, families and migrants

2023 Conclusions of the European Committee of Social Rights

RIGHTS EXAMINED IN 2023

In 2023, the European Committee of Social Rights (ECSR) examined the provisions of the European Social Charter relating to: the right of children and young persons to protection (Article 7); the right of employed women to protection of maternity (Article 8); the right of the family to social, legal and economic protection, (Article 16), the right of children and young persons to social, legal and economic protection (Article 17); the right of migrant workers and their families to social, legal and economic protection (Article 19); the right of workers with family responsibilities to equal opportunities and equal treatment (Article 27), and the right to housing (Article 31).

REPORTING

34 national reports relating to Children, families and migrants, in 2023.

The reports covered the period from 1 January 2018 until 31 December 2021

KEY FIGURES

- 799 conclusions
- 415 conclusions of conformity with the Charter.
- 384 conclusions of non-conformity.

799 situations examined in 2023



- 415 situations of conformity
- 384 situations of non-conformity

KEY FINDINGS IN 2023

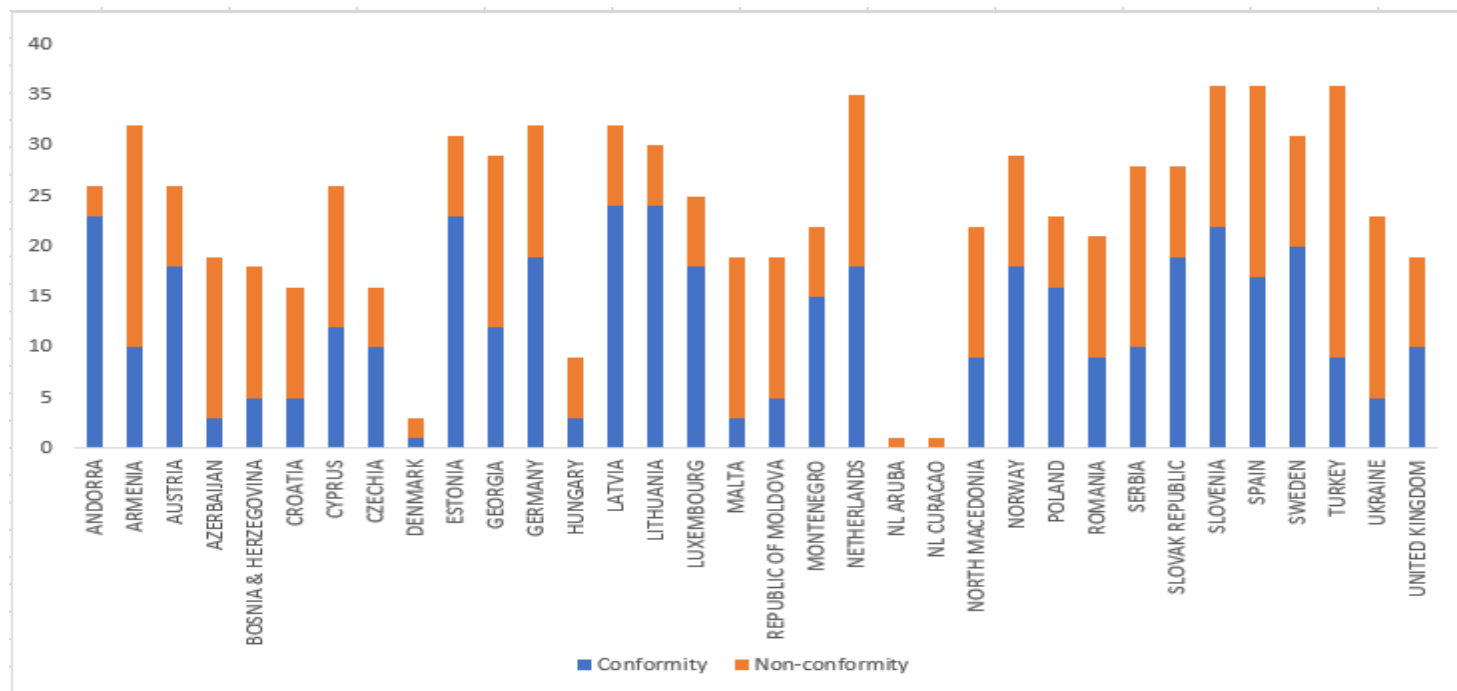
Non-conformities

- inadequate prohibition of employment under the age of 15 and insufficient monitoring of child labour;
- inadequate legal framework to criminalise all acts of sexual exploitation of children;
- insufficient data on the average waiting time for the allocation of social housing, as well as inadequate supply of social housing;
- Insufficient measures to ensure that accommodation facilities for children in an irregular migration situation, whether accompanied or not, are appropriate and adequately monitored;
- inadequate protection against dismissal whilst pregnant or on maternity leave;
- lack of information on the situation of Roma children in education and on measures taken to facilitate access to education for children from vulnerable families.

Positive developments in some states parties

- increased protection measures for children and young people in relation to cyberbullying, cybergrooming or other types of sexual exploitation.
- introduction of a new offence of domestic abuse which encompasses non-physical abuse and controlling or coercive behaviour and which provides for a number of statutory aggravating circumstances if such violence is perpetrated against a child;
- Limits on the working hours of persons under 18 years of age in accordance with their developmental needs and vocational training requirements.

DEGREE OF COMPLIANCE WITH THE PROVISIONS OF THE CHARTER ON CHILDREN FAMILIES AND MIGRANTS



BACKGROUND

The European Social Charter

The European Social Charter is a Council of Europe treaty that guarantees fundamental social and economic rights and imposes binding obligations under international law on the states that have agreed to be bound by it. It guarantees a broad range of human rights related to employment, housing, health, education, social protection and welfare. The Charter is a counterpart to the European Convention on Human Rights, which contains civil and political rights.

The European Committee of Social Rights

The Committee is a Council of Europe human rights monitoring body. It is composed of 15 independent and impartial experts who assess whether national situations are in conformity with the standards set out in the Charter.

Reports and Conclusions

The monitoring carried out by the Committee in 2023 took the form of the examination of national reports submitted by states on the thematic group of provisions related to Children, Families and Migrants' rights.

The Committee also takes into account comments made by trade unions and employers' organisations, national human rights institutions and non-governmental organisations, as well as any other source of information which it deems relevant to the examination of national situations. These comments (or 'parallel reports') frequently provide information which allows the Committee to gain a better and more

comprehensive understanding of national law and practice.

Statements of interpretation

The Committee also, issues statements of interpretation. These statements develop and clarify the meaning and scope of the Charter as regards specific issues.

In 2023, the Committee adopted a statement of interpretation on child poverty. The Committee stated that the prevalence of child poverty in a State Party, whether defined or measured in either monetary or multidimensional terms, is an important indicator of the effectiveness of state efforts to ensure the right of children and young persons to social, legal and economic protection under Article 17

RESOURCES

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