



Consultation
Thematic report of the UN Special Rapporteur
on extreme poverty and human rights
to the Human Rights Council
“Social protection: a reality check”

Make Mothers Matter welcomes the opportunity to contribute to the upcoming report of the UN special rapporteur on extreme poverty and human rights. Our submission addresses 2 of the questionnaire’s 5 questions, and mainly focuses on two of the nine social security contingencies¹: maternity and family responsibilities.

Maternity protection is part of social security which is a fundamental human right. Maternity protection contributes to the realisation of a mother’s right to health. It also prevents or at least alleviates poverty and reduces vulnerability, social exclusion, discriminations and inequality linked to motherhood (the “motherhood penalty”). It is also fundamental to children’s right to life and health, their right to be cared for and to develop to their full potential. Maternity protection should be part of a more comprehensive approach to gender equality that promotes an equitable sharing of paid and unpaid care work, and responsibilities between men and women.

Supporting families through improved income security and social protection for children also has wide-ranging impacts; it is crucial for family wellbeing, which in turn determines child wellbeing. Like maternity protection, it contributes to the alleviation of poverty, child poverty in particular, and all related deprivations such as malnutrition and poor education, which perpetuate the intergenerational nature of poverty.

Both maternity protection and supporting persons with family responsibilities, parents especially, is about investing in so-called human capital. Social security for children and for mothers and other caregivers is not charity; it is taking a longer-term perspective and investing in the future.

What are the key gaps that remain in your country’s social protection system? Which population groups, and in which regions, are inadequately covered by social protection schemes?

According to the ILO’s World’s Social Protection Report² *‘Women still experience significantly lower social protection coverage than men, a discrepancy that largely reflects and reproduces their lower labour force participation rates, higher levels of part-time and temporary work and of informal employment (especially informal self-employment), gender pay gaps and a disproportionately high share of unpaid care work, which national social protection strategies often fail to recognize.’*

¹ As defined by the Social Security (Minimum Standards) Convention No. 102 (1952)

² ILO’s World Social Protection Report 2020–22: Social protection at the crossroads - In pursuit of a better future – September 2021 https://www.ilo.org/global/publications/books/WCMS_817572/lang--en/index.htm – p55

Focussing on maternity protection, out of 185 surveyed countries and territories, only two - the U.S. and Papua New Guinea - do not provide maternity leave with legal provisions for cash benefits. **Still, in spite of most countries having anchored maternity protection in their legislation, globally, 830 million women workers are not adequately covered in practice, mainly in developing countries³. Only 44,9%, of mothers with new-borns receive cash maternity benefits⁴** - a figure which varies greatly across regions: in the Arab States and Africa it drops to 12,2% and 14,9% respectively; while in Europe 83,6% of mothers with new-borns receive cash maternity benefits.

Coverage gaps puts the health of mothers and children at risk and exposes families to significantly increased risk of poverty. In particular, maternal mortality and morbidity is still a dire reality in too many developing countries. In 2017, 295'000 women died of causes related to pregnancy or childbirth, 86% of those deaths occurring in sub-Saharan Africa and South Asia. And after years of slow but steady decline, maternal mortality is expected to rise again due to the Covid-19 crisis and the breakdown of health systems.

These important coverage gaps in maternity protection are linked to the fact that in most countries social protection is still largely linked to formal employment. As a result, the system excludes many women who although they do so-called 'productive work', do not have access to any form of social protection – including maternity protection; these notably include:

- Informal workers, many of whom are women – a particular concern in developing countries
- Domestic workers – the large majority of whom are women, often migrant women ((according to ILO estimates, 15.6 million women domestic workers do not have legal rights to maternity protection⁵)
- Unpaid female workers in family farms or family-owned enterprises

And even if they are in the formal paid workforce, many women do not have access to full social protection due to their work status: Depending on national policies and legal frameworks, part-time, temporary or self-employed workers are not always covered, or only partially. This puts mothers at a particular disadvantage as many of them actually choose these types of work in order to have the necessary flexibility to combine paid work with their caring responsibilities.

The way maternity protection is financed also indirectly impacts coverage. Research shows that employer liability schemes, which is quite prevalent in Africa, can generate discrimination against women, as employers might become reluctant to hire, retain or promote women of childbearing age.

It must also be noted that only 74 countries meet the ILO minimum standards of maternity leave duration (at least 14 weeks) and cash benefits level (at least 2/3 of previous earnings). There is therefore room for improvement as well in the level of maternity protection.

In addition, maternity protection should go hand in hand with all the other measures and policies that support the involvement of fathers and a more equal sharing of parenting responsibilities and unpaid care work between men and women and between families and society – which also translates into more gender equity on the labour market. In the formal world of work, paternity

³ Source: ILO Report Maternity and paternity at work - Law and practice across the world, November 2021
https://www.ilo.org/global/publications/books/WCMS_242617/lang--en/index.htm

⁴ Unless otherwise specified, all the figures given in this contribution are from the ILO's World Social Protection Report 2020–22: Social protection at the crossroads - In pursuit of a better future – September 2021
https://www.ilo.org/global/publications/books/WCMS_817572/lang--en/index.htm

⁵ Source: ILO Report Maternity and paternity at work - Law and practice across the world, November 2021
https://www.ilo.org/global/publications/books/WCMS_242617/lang--en/index.htm

leave and parental leave are key social protection instruments which do contribute to the greater involvement of fathers - especially if part of the parental leave is reserved for the father.

However, only 78 countries' legislation include paternity leave entitlements, with large variations in the duration and the level of benefits - from 1 day of full pay in Tunisia to 90 days of 80% pay in Iceland. **Similarly, parental leave is available in only 66 countries**, mostly developed countries, with great variations in their design and related impact on the involvement of fathers⁶.

Indeed, there is no such thing as paternity or parental leave in the informal world of work, or for temporary or independent workers.

So closing the coverage gap of care-related leave entitlements for parents, especially those targeting fathers, remains a big challenge, especially in the developing world.

Last but not least - also part of social protection to support families - addressing child poverty and its devastating impact on children's wellbeing and long-term development, has become more urgent than ever. **In 2017, 17.5% of children (i.e. 356 million) were living in extreme poverty**, and the Covid pandemic has dramatically reversed years of slow progress.

It should be noted that child poverty is also an issue in rich countries. A recent UNICEF study of 41 high-income countries shows that no country has reported child income poverty rates below 10%.

Unfortunately, globally, **only 26.4% of children receive social protection benefits, with large regional disparities**: while 82.3% of children in Europe and Central Asia do receive benefits, the figure drops to 18% of children in Asia and the Pacific, 15.4% in the Arab States and 12.6% in Africa.

What is the rate of non-take-up for the various social benefit schemes available in your country? What obstacles prevent eligible individuals and households from accessing the benefits to which they are entitled? What are the economic, psychological, and policy effects of non-take-up, both for the individual experiencing it and for the State? How can non-take-up be reduced?

Non-take-up of social benefits including maternity protection can have many causes, including:

- the lack of awareness of legal entitlements and their benefits
- obstacles to access these benefits like financial barriers, complicated or time-consuming administrative procedures (e.g. to register a micro-enterprise), online access only, conditionalities (like attendance to antenatal health checks or child vaccination)

These obstacles are not gender neutral: women earn less than men and have therefore more limited contributory capacities; online access can be particularly challenging for women due to the gender digital divide that prevails; and conditionalities mainly fall on women, adding to the time they have to spend on unpaid family care work.

Bridging coverage gaps and addressing non-take-up could be achieved by **making maternity protection universal (and collectively financed)**. Giving birth and becoming a parent is an incredible experience but it is also a challenging life transition. Taking care of a new-born baby IS work, hard and full-time work, 24 hours a day and 7 days a week; but it is also valuable work, which is essential for a child's development and future, and which therefore also serves the future of our society and our economy. Making maternity protection universal would recognize this fact.

⁶ *ibid*

Similarly, parent/families must also be supported through **universal child benefits** like it is done in an increasing number of countries. Given the rise and likely persistence of child poverty due to the Covid-19 pandemic and its economic fallout, unconditional and universal cash transfer to families with children has become an urgent necessity, especially for single-parent families – which are mostly single-mother families. In addition, a universal child allowance could be linked to birth registration, which is key for a child’s future access to essential public services like healthcare and education, and later in life, social protection.

We at MMM would like to argue that since unpaid family care work IS work, a fact which was established at the landmark 2013 resolution adopted by the International Conference of Labour Statisticians⁷, unpaid caregivers, mothers in particular, should have unconditional access to social protection – or at the very least to a **social protection floor**⁸ which includes full maternity protection, access to health services – in particular free maternal and child healthcare - and minimum income which alleviates child poverty.

By promoting a more equitable sharing of care responsibilities, paid paternity and parental leave recognize that mothers and fathers both have the dual responsibility as parents and contributors to household income.

Unfortunately, the up-take of paternity and parental leaves by men remains low even in Europe where the highest take-up of paternity leave is in Slovenia with about 80 men per 100 children born taking the fully paid 15-day paternity leave⁹.

There are very few countries where the level of benefits is high enough and the society and culture supportive enough to incentivize fathers to take those leaves, especially parental leaves. In Korea for example, after years of very low take-up, the numbers of men using parental leave increased significantly in 2020, thanks to a ‘fathers’ parental leave bonus’, a policy in which the second person to take parental leave for the same child -- usually the father -- is paid 100% of his normal wages for the first three months. Still, men’s share of parental leave remains relatively low at 21.2% of all parents taking child care leave¹⁰.

There is still a long way to go to make social protection work for a more equitable sharing of care responsibilities. One possibility is to make paternity leave – or at least part of it – compulsory. This is what France has done in July 2021 when it doubled paternity leave to 28 days, 7 of these becoming compulsory.

However, for maternity/paternity/parental leave to become truly accepted – and adequately financed, both society and the world of work must understand that being more supportive of workers with family responsibilities is an investment which is beneficial for both the worker and the employer, and ultimately also for society as a whole.

⁷ Resolution concerning statistics of work, employment and labour underutilization Adopted by the Nineteenth International Conference of Labour Statisticians (October 2013) - https://www.ilo.org/global/statistics-and-databases/standards-and-guidelines/resolutions-adopted-by-international-conferences-of-labour-statisticians/WCMS_230304/lang--en/index.htm

⁸ As per the landmark 2021 ILO recommendation no 202 on social protection floors - https://www.ilo.org/seccoc/areas-of-work/legal-advice/WCMS_205341/lang--en/index.htm

⁹ Source Eurofound 2019 report *Parental and paternity leave – Uptake by fathers* https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef18087en.pdf

¹⁰ Figures from <https://www.business-humanrights.org/en/latest-news/south-korea-figures-show-more-men-taking-parental-leave-in-private-sector/>

About Make Mothers Matter

Make Mothers Matter believes in the power of mothers to make the world a better place, advocating for their recognition and support as changemakers. Created in 1947, MMM is an international NGO with no political or religious affiliations, transparently voicing the concerns of mothers at the highest level: the European Union, UNESCO and the United Nations (general consultative status).

More on <https://makemothersmatter.org>