

Assessing National Action on Children's Right to Health



The Convention on the Rights of the Child (CRC) commits nations to guaranteeing civil, political, social, and economic rights to children. This fact sheet series by the WORLD Policy Analysis Center examines the extent to which countries have enacted and passed laws and policies consistent with CRC commitments.

Background

- Article 24 of the CRC calls on States Parties to “recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.”
- Child health is shaped by the social and economic conditions in which children live. Constitutional provisions, laws and policies regarding health, as well as labor legislation enabling parents to care for children's health needs are fundamental to protecting and promoting child health.
 - Constitutional guarantees of health-related rights represent a formal pledge by governments that children's health should not be determined by socioeconomic status. These guarantees are also associated with higher levels of medical service delivery.
 - Breastfeeding can reduce child mortality by three-fold to five-fold. The World Health Organization recommends women breastfeed their infants for a minimum of six months. Yet employment may create barriers to breastfeeding.
 - Parental care is important in cases of child illness, as parents' involvement can improve recovery from both physical and mental health consequences.

Findings

Progress in Fundamental Protections

- As fundamental building blocks of a nation's government and laws, constitutional guarantees provide a foundation for demanding greater equity in the delivery of and access to basic services, such as health care.
- More than half of States Parties guarantee citizens the constitutional right to health, medical care services, or public health. These protections have increased over time. More than three-quarters of constitutions adopted after CRC ratification guarantee at least one of these rights compared to only 40% adopted before.

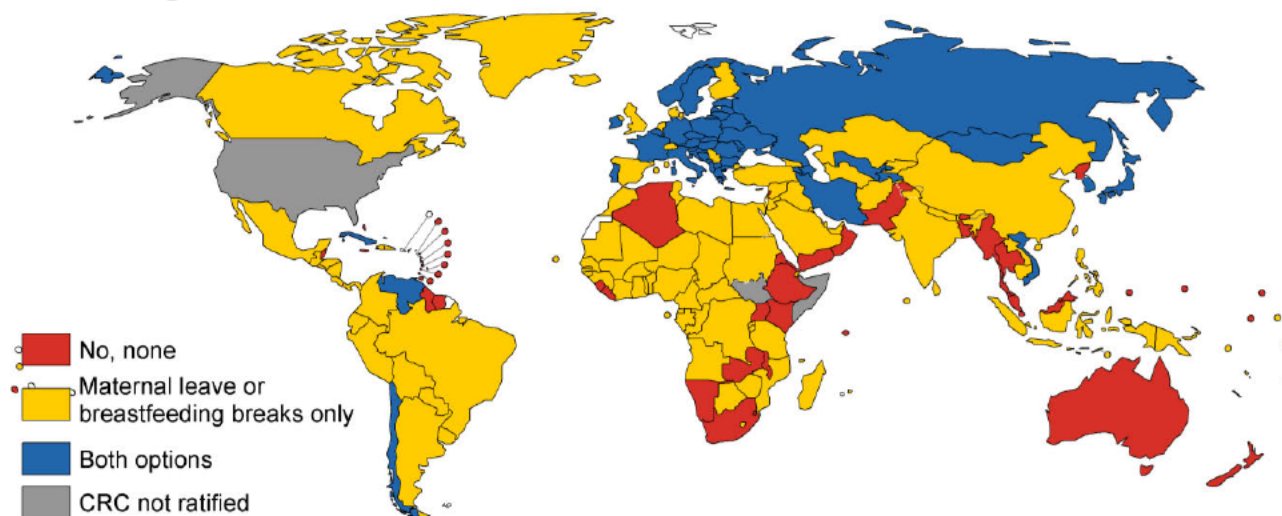
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- Nearly all States Parties (96%) guarantee mothers of infants paid leave. However, only 26% guarantee paid leave for at least six months.
- Fewer than half of States Parties guarantee both mothers and fathers access to any paid leave that can be used for children's health needs. Often this leave is limited to serious illnesses. Only 20% of States Parties explicitly guarantee paid leave to meet children's everyday health needs.

Table 1: Constitutional approaches to protecting health

Level of constitutional protection	Constitution adopted before CRC ratification	Constitution adopted after CRC ratification
Not granted in constitution	44 (44%)	3 (3%)
Granted to specific groups, not universally	2 (2%)	0 (0%)
Aspirational in constitution	15 (15%)	18 (20%)
Guaranteed in constitution	41 (40%)	67 (76%)

Map: Are working mothers guaranteed paid options to facilitate exclusive breastfeeding for at least 6 months?



Source: WORLD Policy Analysis Center, Adult Labor Database, 2014

Table 2: Leave to care for children’s health needs

Availability of leave	Any Leave for Health Needs	Leave Specifically for Health Needs	Leave Specifically for Everyday Health Needs
No leave available	80 (44%)	112 (60%)	135 (73%)
Unpaid leave	19 (10%)	14 (8%)	13 (7%)
Paid leave	84 (46%)	60 (32%)	38 (20%)

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