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Social benefits in EU Member States

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Foreword

The right to social security consists of the right to social insurance and the right to social assistance. Even if they belong to the same category, these rights do differ, firstly in the manner in which the funds for their exercise of such rights are acquired. Social insurance is provided by employees, where they set aside a portion of their personal income in order to provide themselves and their families with a fee envisaged for unplanned situations. As opposed to social insurance, social assistance consists of fees acquired by individuals on the basis of their status (unemployment) without obligation to allocate money from their own funds, since social assistance funds are generated from public funds deriving from taxation. One of the rights granted on the basis of social assistance is the right to financial benefits.

The right to social benefits is regulated in a detailed manner by the European Social Charter, which envisages that states should ensure an efficient exercise of the right to social assistance to any individual who is without adequate resources and is unable to secure such resources (Article 13 paragraph 2).

Given the importance of family, as a fundamental unit of society, special protection of children and mothers is envisaged when starting a family and raising children. The European Social Charter (Article 16) envisages the obligation of states to promote economic and social protection of family life through fiscal and other arrangements or similar measures aimed at improving the conditions for the development of the family.

In accordance with the International Covenant on Economic, Social and Cultural Rights, the state must ensure that mothers during the period before and after childbirth are given leave with adequate social security benefits. The European Social Charter regulates the right of employed women to protection of maternity, through the obligation of the contracting parties to ensure that mothers are granted paid leave, or adequate social security benefits or benefits from public funds. The aim is to provide protection to mothers during the most delicate period of their lives as well as to ensure income.¹

This paper contains an overview of legal solutions in EU member states in regards to social benefits policy, respectively child allowance, support for families with the right to financial support, as well as receiving compensation during maternity or parental leave.

¹ V. Dimitrijević, D. Popović, T. Papić, V. Petrović „Međunarodno pravo ljudskih prava“, Beogradski centar za ljudska prava, Beograd, 2007, str. 315-322

In order to gather as much information as possible on legal solutions related to the aforementioned issue, Section for Research, Analysis, Library and Documentation, through the European Centre for Parliamentary Research and Documentation (ECPRD), submitted a questionnaire² to 27 parliaments of EU member states.

The Questionnaire consisted of questions related to the following:

- Amount of child allowance and child allowance beneficiaries, including the ratio between the amount of child allowance and average salary in the country;
- Amount of financial resources paid to the employee for maternity or parental leave, including the amount of funds reimbursed to an employer for payment of salary compensation to an employee for maternity or parental leave, and
- Amount of financial benefits for individuals capable for work, including the ratio between the amount of financial benefits and the average salary in the state.

Based on the received replies, this paper provides data from 16 EU member states: Austria (*Österreichisches Parlament*), Belgium (*Chambre des representants and Senate*), Denmark (*Folketinget*), Estonia (*Riigikogu*), Finland (*Suomen eduskunta*), Greece (*Hellenic Parliament*), Ireland (*Houses of Oireachtas*), Italy (*Senato i Camera dei Deputati*), Latvia (*Saeima*), Lithuania (*Seimas*), Hungary (*National Assembly*), Germany (*Bundestag and Bundesrat*), Romania (*Camera Deputatilor*), Slovenia (*Državni zbor*), Spain (*Congreso de los Diputados*) and United Kingdom (*House of Commons*).

In order to provide as much quality and comprehensive information as possible regarding the Child benefit packages in EU countries, aside from the data gathered through the ECPRD network, the paper contains data collected from the European Alliance for Families³ website. The collected information was analysed and summarised for 26 countries, followed by a tabular representation with main research findings (Appendix 1) and a comparative overview.

Similarly, presented information related to maternal and parental leave, comprises data obtained through the ECPRD responses, supplemented with the data gathered from web pages of the Organisation for Economic Co-operation and Development – OECD⁴. Tabular representation of key findings involving maternal leave comprises of 27 EU member states, whereas of parental leave (Appendices 2 and 3) it comprises of 24 EU member states. The follow-up comparative overview consists of countries that provided concise responses through the ECPRD Network.

² ECPRD Request no. 2191 *Social Welfare in EU Member States (financial support for the family)*, January 7, 2013

³ http://europa.eu/familyalliance/countries/index_en.htm (23 January 2013)

⁴ *Key characteristics of parental leave systems*, OECD - Social Policy Division - Directorate of Employment, Labour and Social Affairs <http://www.oecd.org/social/socialpoliciesanddata/oecdfamilydatabase.htm> (23 January 2013)

When it comes to data involving social benefits, this paper covers only the countries that submitted responses through the ECPRD network. In addition, the summarised data is presented in a tabular form (Appendix 4), as well through comparative overview.

The remainder of this document contains the key research findings and comparative overview of EU member states for each individual question, as well as tabular representation of key research findings, for each question and country presented individually.

Finally, it should be emphasised that the part of social policy, which is subject of this research paper, is highly complex and differs from country to country. Models and categories of compensation for maternal leave, child allowance and financial support of families vary very often in terms of coverage, beneficiaries, as well as the conditions under which they are awarded. Furthermore, this kind of research in which responses and information serving as source of information are provided in English, may lead to terminological inconsistency, as a result of different translation of professional terms by different countries.

In addition, this research covers a large number of countries, respectively almost all EU member states, where, 11 countries haven't submitted their response through the ECPRD network, while some of the obtained responses contained insufficient and imprecise data. In order to provide the most comprehensive overview, Section for Research, Analysis, Library and Documentation pursued, to the extent possible, to obtain the missing data from other sources, primarily official internet presentations, systematise and present them in the clearest way possible.

Given all the aforementioned reasons, it should be noted that there may be some imprecision of the presented data, and that the given data may not always be fully comparable.

The complete document in Montenegrin language can be found at: http://www.skupstina.me/images/dokumenti/biblioteka-i-istrazivanje/Socijalna_davanja_u_zemljama_%C4%8Dlancama_Evropske_unije.pdf