

CHILD POVERTY IN SWITZERLAND

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Introduction

As the most-ratified convention on human rights ever, the UN Convention on the Rights of the Child (CRC) is unique because, in addition to citizens' and political rights, it also contains economic, social, and cultural rights for the first time. It differentiates itself from conventional human rights agreements by the fact that many of its provisions not only deal with the relationship between the State and children, but also with the relationship of adults and children in the private sphere. However, this does not mean that parents or other guardians vested with parental power are directly bound by the Convention. The Convention does not have any effect on third parties. It is not addressed to the parents, but to the State. This means that the State parties will have to regulate parents' rights and obligations by their internal legislation in such a way that the prerequisites of the CRC are being met. In Switzerland, it is the Federal Office of Social Security (BFS), which deals with matters of the CRC and its implementation at the federal level.

According to the rules applicable to the implementation of international law into nation-

al law, when the CRC entered into force in Switzerland, it became an integral part of the Swiss legal order. Provisions that have been sufficiently defined to determine a concrete legal claim are directly applicable; they may be called on immediately before Swiss courts. Other provisions that are less concrete, however, cannot be applied directly. But the authorities applying the law must take them into account when interpreting Swiss law. Furthermore, such provisions often have the function of postulates addressed to the legislator to create national law in this area.¹ This is the case with the child's right to an adequate living standard pursuant to Art. 27 CRC and/or its right to social security according to Art. 26 of the CRC, respectively.

The child's right to living standard and social welfare

According to Art. 3 of the CRC, the child has an innate right to life, and the State has the obligation of safeguarding the survival and the development of the child. Furthermore, the State has the obligation – besides the primary responsibility of the parents – to create the conditions that will allow an adequate living standard

to the child, if need be by costing maintenance payments (Art. 27 CRC), the same as each child has the right to benefits of social security, including social insurance (Art. 26 CRC). Up to now, this right has not been realized for all children – far from it. One of the measures postulated by the network “Netzwerk Kinderrechte Schweiz” on the basis of the recommendations of the UN committee to implement the CRC in Switzerland² thus consisted in the request for a national action plan to fight child poverty in Switzerland,³ a fact that has become ever more pressing in the past years.

Absolute and relative poverty

As reported by UNICEF, the United Nations Children’s Fund, last year, at present one billion children and juveniles are growing up in poverty. Of them, between 40 and 50 million children live in the most developed countries. It is estimated that more than 10 million children and juveniles die every year due to the consequences of absolute poverty. People living in absolute poverty lack absolutely indispensable goods such as food, access to drinking water, or health facilities.⁴ In Switzerland, the general living standard is comparatively high and “absolute poverty” does not exist. Here, somebody is considered poor – and this corresponds to a widely spread definition in the German speaking area – who has so few (material, cultural, and social) means that he/she is excluded from the life style that is considered as the minimum acceptable in his/her social stratum.⁵ This poverty, as it is found in Switzerland, is called relative poverty.

Relative poverty in Switzerland

The countries of the EU, the same as OECD countries, base their definition of the relative

poverty line on the median, available equivalent income of a person. The limit is set at 50% (in part also at 60%) of this income. The median income is the point at which half the population is earning more and the other half is earning less.⁶ According to that criterion, 8,3% (14,6%) of the population is living with less than 50% (60%) of the median income.⁷ Switzerland in turn defines the relative Swiss poverty limit on the basis of the guidelines of the Schweizerische Konferenz für Sozialhilfe (Swiss Conference for Social Aid = SKOS). According to the SKOS guidelines, the subsistence minimum is to assure the material existence on the one hand, and on the other to promote social and vocational integration. According to said guidelines, 6,1% of families subsist on a lower income than the subsistence minimum; they are therefore considered poor.⁸

Child poverty in the international context

Up to now, children and juveniles were always perceived as part of a family affected by poverty, but never independently as individuals. In international usage, children and juveniles are therefore considered poor when they hail from families earning less than 50% of the median income. A comparison with 26 member states of the Organization for Economic Cooperation and Development (OECD) shows that Switzerland, with a 6.8% share of poor children, ranks fifth best after the Scandinavian countries. In spite of that, child poverty in Switzerland is almost three times as high as in Denmark, which has the lowest poverty rate of all OECD countries.⁹

Child poverty in Switzerland

According to estimates by Caritas of the year 2006,¹⁰ more than 1 million, i.e. $\frac{1}{7}$ of the Swiss

population, are affected by poverty by now. The trend is increasing. Poverty affects in particular children and juveniles as well as young adults. The latest report of the Parliamentary Commission on Child and Juvenile Matters mandated by the Federal Council, published in August 2007,¹¹ which no longer covers children and juveniles as part of a family affected by poverty but as persons in their own right, shows that in the year 2005 almost 30% of all recipients of social relief in Switzerland were children and juveniles below 18 years of age. If we set the age limit for juveniles at 25 years, the share is almost 45%.

A survey of the Swiss Workers Relief (*schweizerisches Arbeiterhilfswerk*) of the year 2003¹² shows that the poverty quota among children and juveniles to the age of 18 (poverty line according to the SKOS guidelines) amounts to 12 to 15%, or in absolute figures at least 200,000 to 250,000 children. The difference between these figures and the ones of the above-named report of the Parliamentary Commission on Child and Juvenile Matters can be explained by a large share of hidden poverty. According to current data from the Federal Office of Statistics, more and more people are receiving social assistance in Switzerland, but a substantial part of the persons living in poverty do not make use of their right to receive social aid, although frequently they live on less than the social subsistence minimum.¹³ The share of people who live in poverty but do not draw any social aid, the so-called hidden poverty, is estimated at 50%, or in other words, every second poor person in Switzerland does not apply for social relief, even though they are entitled to do so.¹⁴ The situation of these people and children is not covered by any system.

Swiss Social Aid Statistics, published by the Federal Office of Social Insurance in June 2007¹⁵

proves that the social aid quota (the social aid quota refers to the ratio of all social aid recipients to the population as a whole and is therefore an indicator of the risk of becoming or being poor, or becoming dependent on social aid benefits, respectively) is highest among children up to ten years of age, followed by the age bracket of 18 to 25 years. Children and juveniles up to 18 years therefore show the highest risk of becoming dependent on social aid of all age brackets. Within this group, the youngest are again the ones most frequently dependent on social aid. According to overall Swiss statistics, about 32% of all children and juveniles receiving support are younger than 6 years old, 25% are older than 12. However, the risk of children to become dependent on social aid strongly depends on the type of family. More than half of the children are living in a single parent household. For foreign children between 10 and 15, the social aid quota is even higher, at approx. 9.5%.¹⁶ A further alarming aspect is the fact that the social aid quota in Switzerland – and thus also the share of children and juveniles receiving social aid – has continued to rise in spite of the economic upturn. As proven by an analysis of the report by the Federal Office of Statistics, the new percentage of 31% of children and juveniles receiving social aid is substantially above average.¹⁷

The figures prove that in Switzerland, children under the age of 10 bear the greatest risk of becoming poor. Children of foreign origin, children of unemployed parents, children of single parents or children with 2 or more siblings living in the same household are especially at risk. A continued problem is the comparatively high risk of becoming dependent on social aid of young adults aged 18 to 25 years. A partial explanation may surely be the fact that 70% of the

juvenile social aid beneficiaries did not complete any vocational training, according to the analysis by the Federal Office of Statistics.

Child poverty marginalizes

Material poverty has an evident negative effect on the perception of the rights vested in the CRC. Children from poor families are at a disadvantage and marginalized in many respects. In any case, the lack of financial means affects the physical and mental development potential, the training opportunities, and also the socialization of the child. Deficient training and poor vocational perspectives cement biographies of poverty. Poverty is far more than a weakness in generating income. Who grows up in poor circumstances usually will be poor as an adult. Poverty coins the existence.

Measures in Switzerland

A UNICEF study from 2005¹⁸ shows a clear interrelationship between the amount of social benefits paid by the state and child poverty. In countries investing less than 5% of the GDP in social benefits, more than 15% of children live in relative poverty; in states with a share of social benefits above 10% (of their GDP), child poverty is below 10%. These figures suggest that social aid can help to reduce child poverty. According to the survey, the child poverty ratio can be reduced by 40% on average by social aid payments to the unemployed or persons earning little.

A decisive step to realize the child's right to social security (Art. 26 CRC) is the nation-wide harmonization of child subsidies as foreseen in the federal bill on family subsidies of March 24, 2006, with a uniform national minimum supplement of CHF 200.– for children up to 16 years of age, and at least CHF 250.– for juveniles in

training up to 25 years old. Not only employees and workers, but in future also unemployed people with modest incomes will have the right to claim this subsidy. From now on, the granting of children's subsidies will no longer depend on the parents' employment – in the past a genuine disadvantage for single parents without any income of their own.¹⁹ The proposed new arrangement allows to substantially improve the situation of poverty-afflicted children with a justifiable increase in expenditures.

On March 26, 1997 the Swiss Parliament ratified the UN Convention on the Rights of the Child; this means that more than ten years have passed since the UN Convention on the Rights of the Child of November 20, 1989 (CRC) entered into force in Switzerland. In spite of this extensive period of time, the CRC is not yet sufficiently anchored in the awareness of the population, politics, business and industry, and not even among the authorities. In particular, information on the rights of the child is insufficiently divulged. For instance a survey among 3,200 persons (¼ of them grown-ups) at the end of 2006 among members of the network *Terre des hommes – Kinderhilfe* showed that the CRC is known to less than 10% of the respondents.²⁰ It is evident that a lot of information work still remains to be done.

Child Poverty in Switzerland

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- 1 Stephan Wolf, Von Recht und Kindeswohl, Zehn Jahre Uno-Kinderrechtskonvention, NZZ Jahre Uno-Kinderrechtskonvention, NZZ of March 26, 2007, p. 11.
- 2 In the year 2002, the UN Committee for the Rights of the Child dealt with the "First Report of the Swiss Government regarding the Implementation of the Convention on the Rights of the Child." Based on the report subsequently drawn up by Swiss Non-Government Organizations, the so-called "Shadow Report," the UN Committee in its concluding remarks gave 30 recommendations to the Swiss Government to improve implementation, cf. Schlussbemerkungen des UN-Ausschusses für die Rechte des Kindes in der Schweiz 07/06/2002, www.eda.admin.ch
- 3 Kinderrechte in der Schweiz, Was muss die Schweiz tun? Zehn Prioritäten zum Handeln, November 7, 2005. Edited by Netzwerk Kinderrechte Schweiz, download www.netzwerk-kinderrechte.ch
- 4 Based on the definition of absolute poverty, the World Bank has worked out a global, absolute existential minimum. According to these findings, all persons having to live on less than two dollars a day are considered poor. (www.worldbank.org/topics/poverty)
- 5 Eurostat, quoted by Leu, Burri, Priester, 1997, p. 70, publ. in Kehrli Christine, Knöpfel Carlo, CARITAS, Handbuch Armut in der Schweiz, Lucerne 2006, cit. Kehrli/Knöpfel, 2006
- 6 Cf. Kehrli/Knöpfel, 2006, p. 30
- 7 Cf. Netzwerk Kinderrechte Schweiz, media release of November 7, 2005, to be found under www.netzwerk-kinderrechte.ch
- 8 Cf. Netzwerk Kinderrechte Schweiz, media release of November 7, 2005, to be found under www.netzwerk-kinderrechte.ch. According to the guidelines of SKOS, the official poverty line in Switzerland is at CHF 2480.- monthly income for a single person household. For a couple with two children, it is at CHF 4600.-. These figures refer to the net income after deducting social contributions and taxes.
- 9 Kinderarmut in den OECD-Ländern, www.unicef.ch
- 10 Sozialalmanach 2006, [www.caritas.ch/\(EKKJ\)Jung](http://www.caritas.ch/(EKKJ)Jung) und arm: das Tabu brechen, report by the Parliamentary Commission on Child and Juvenile Matters.
- 11 (EKKJ) of August 2007, available under www.cfej.ch/c_data/d_07_rap_Armut.pdf
- 12 Schweizerisches Arbeiterhilfswerk, Armut in der Schweiz, SAH, 2003, quoted SAH.
- 13 Sozialalmanach 2006, www.caritas.ch
- 14 Cf. also Humanrights.ch information platform, "Armut in der Schweiz nimmt zu," January 11 2006, www.humanrights.ch
- 15 Schweizerische Sozialhilfestatistik 2005 of the Federal Office for Social Insurance of June 2007, available on www.ag.ch/staag/daten/B13/SoHi2005CH.pdf
- 16 The quota is most impressive in the city of Basel: every seventh child (to the age of 18) is dependent on social aid, cf. Städteinitiative, 2005,

- p. 16, publ. in Kehrli/Knöpfel, 2006, p. 107.
- 17** Armutsrisiko nimmt mit Kindern zu, Tages-Anzeiger of 26 June 2007, to be found under www.tagesanzeiger.ch/dyn/news/print/schweiz/765660.html
 - 18** Child poverty in perspective: An overview of child well-being in rich countries, 2005, Unicef, Innocenti Research Center, Florence, to be found under www.unicef.de
 - 19** At present, supplements for children vary between CHF 160.– and CHF 440.– per month. With the new bill passed into law, 17 cantons will have to increase the child subsidy and 24 cantons the training supplements. Due to the extensive adaptations in individual cantons, the family subsidy bill will only enter into force at the beginning of 2009.
 - 20** Complete report at www.tdh.ch, under Aktuell Schweiz.

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