

# Conclusions

**M**aternity protection is a fundamental labour right enshrined in key universal human rights instruments. Maternity protection and work–family measures are essential to promoting the health and well-being of mothers and their children, achieving gender equality at work and advancing decent work for both women and men. The provision of child welfare and maternity protection has been a concern for the ILO from its very beginning. Today, 28 ILO member States have ratified Convention No. 183, while 66 are party to at least one of the three Maternity Protection Conventions. Virtually all countries have adopted important legislative provisions concerning maternity protection at work, while laws and measures to support workers with family responsibilities, including fathers, are increasingly emerging across the world. The report shows that many countries respect key aspects of Convention No. 183 even when they have not formally ratified it. For example, 98 countries (53 per cent) currently provide a statutory minimum of 14 weeks of maternity leave, and 42 of those countries meet or exceed the 18 weeks of leave proposed in Recommendation No. 191. A total of 58 per cent (107 countries) provide for cash benefits during maternity leave through national social security schemes. Over 80 per cent of countries set out explicit prohibitions against discrimination during pregnancy, leave, and/or an additional prescribed period. More than two-thirds of countries have statutory measures on dangerous or unhealthy work which affects pregnant or nursing women, the majority providing protective measures, such as alternatives to hazardous work.

In general, maternity protection standards have been gradually improving over time. At present, more countries provide payment during longer maternity leave periods than in 1994 (when the ILO published its first legal review), and the number of countries relying

exclusively on employers to provide cash maternity benefits decreased from 33 per cent in 1994 to 26 per cent by 2013. More than two-thirds (71 per cent) of countries provide breastfeeding breaks with almost all of these stipulating in 2013 that the breaks are to be paid (compared to just 37 per cent in 1994). Overall, many countries across the world increased the level of government support to families during the economic crisis. This included the introduction of paternity leave schemes, increases to the duration of maternity or parental leave periods, expansion of the scope of maternity and parental leaves, and increases in leave benefits. However, some countries that were hardest hit by the economic crisis cut some of their supports to families or postponed announced reforms as part of their austerity measures.

While these figures suggest that many countries have adopted the principles of maternity protection and support workers with family responsibilities in their legislation, lack of such protection in practice remains one of the major challenges for maternity and paternity at work today. The large majority of women, especially self-employed, agricultural and domestic workers and those on non-standard contracts, lack access to quality maternal and infant health care, income security, adequate rest and protection from discrimination based on pregnancy or maternity. Globally, just over two-fifths of employed women (40.6 per cent) enjoy a statutory right to maternity leave, while only 34.4 per cent of the total are legally entitled to maternity leave cash benefits. In practice, due to multiple implementation gaps, around 330 million mothers, representing only 28.4 per cent of women in employment, would receive income support in the event of childbirth. Almost 38 per cent of these mothers are workers in the Developed Economies, while in Africa and Asia, less than 15 per cent of women workers are effectively