

CARE, A HUMAN RIGHT UNDER CONSTRUCTION

The Network for the Right to Care has the mission of achieving the social and political transformation necessary to recognise the right to care and create a National Care System in Catalunya (Spain).

Following up on the First Social Forum of Care held in March 2022 in Barcelona, on **11 February 2023** the event *“Care, a human right under construction”* took place at the Raval Campus of the University of Barcelona. Over 50 people met to further develop a conceptual framework for the Right to Care, highlight the injustices its absence generates, and create a public opinion in support of its development.

On this occasion, we convened professionals from the field of law and bioethics, as well as unpaid carers and groups with specific care needs: people in their old age, childhood or youth, people approaching the end of their life, people with functional diversity, mental health problems or chronic diseases. Below are some of the ideas shared during the event.



The Right to Care is...

A universal human right that evolves throughout life.

Care is a **basic human need** that is inherent to people, from birth until death. It is an essential activity to sustain life and to have a life worthy of being lived.



A right of rights.

A transversal right that intersects with many other rights; such as the right to dignity of labour, the right to intimacy, the right to health, to information, to housing and to dignity in old age and death, amongst others. It is a **multidimensional and multifaceted right**, which includes the right to receive care and the right to dignity in the provision of care.

The right to satisfy all basic personal needs.

The right to have the best possible conditions of **physical, mental and emotional wellbeing** in order to live a life of good quality even as our needs change, and thus fulfill aspirations at every life stage.



The right to autonomy and to develop one's own life project.

The right to have the physical, psychological, social and economic support necessary to have an autonomous life and fully take part in society with equal opportunities. **Being able to be the person you want to be.** The right to have infrastructure in the place where you want to live, which allows you to do what you want to do, when you want to do it. The right to be ourselves, to be treated as people and not as illnesses.

The right to be able to decide how to be cared for.

The right to be supported respectfully in our decisions related to care. The right to be informed rigorously in order to choose the best option, regardless of whether we want to receive care at home or in an institution. The right to express our will and to have our will respected, **in our day-to-day and until the end of our lives.** The right to have a voice and a say when decisions are made about public policies and care infrastructures that shape our lived experience.

The right to care with dignity and social justice.

Caring changes the identity and the life of carers. The Right to Care is also the right of all of them —paid and unpaid— to be able to follow their aspirations in life and live a life worth living. The right to regularisation, not to suffer job insecurity, not to fall ill. The right to rest and take part in social life. The right to have **the resources, means, support and training necessary to care with dignity.** The right to reject the condition of carer when it becomes oppressive. The right to the recognition and social support they deserve, since it is they who sustain life.

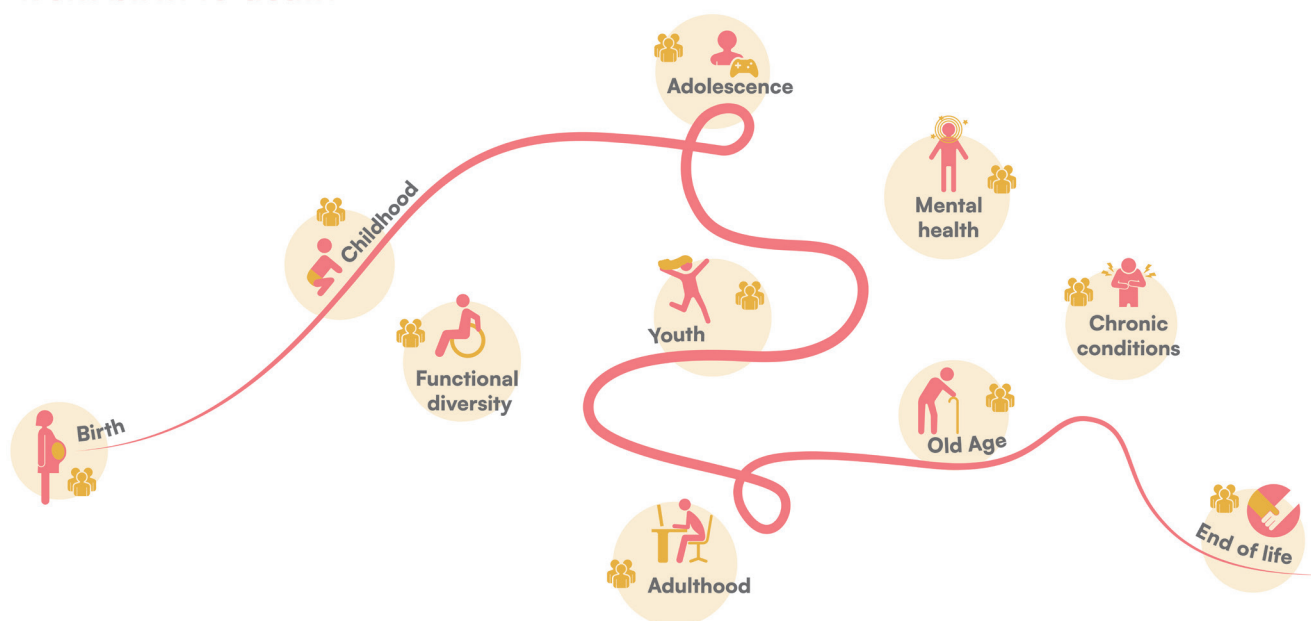
A right with gender perspective.

Care is mostly provided by women. The Right to Care is also **the right to an equal and fair distribution of care responsibilities**; both in parenting and in adulthood. The right to a work/life balance and not being forced to give up a professional career or a good salary to be able to care. The right of Women of Color to build a future with dignity for themselves and their families, also in their countries of origin. The right to equal opportunities.

A right in proximity.

Care is not an individual or family responsibility, **it is a collective responsibility**. And therefore, it is a public responsibility too. It is the right to have access to quality care services nearby, to have public care spaces which are accessible for everyone, to be able to enjoy those spaces for socialisation and find support in the community. It is the right to be cared for by the institutions as well as the closest social fabric, regardless of whether you live in a small village, in the suburbs or in the city centre.

**Care is transversal in our lives,
from birth to death**



How to build a new fundamental right?

The first step for the construction of the Right to Care is to **recognise it and ground it in its social value**. Which means to seek the reasons, the motives and the needs that make its legal recognition possible. Once it has been grounded, we can demand its establishment through, for example, a law on care or constitutional recognition.

In this process it will be necessary to take into account those **groups in vulnerable situations** who need specific protections.

We should also look towards other international experiences from which we can learn (Scotland, Sweden, Chile or Mexico City, for instance).



Care must be guaranteed in all its dimensions:



1. Making it available and decommmodifying it. Ensuring it is recognised as a public and common good.
2. Making it accessible to everyone. Making access to information, services and benefits easier and faster so that people may cover their care needs without falling into precariousness.
3. Making it acceptable and of good quality both for carers and the people who need care throughout all stages of life.
4. Allowing all citizens to take part in building this right, regardless of their age, health condition or legal situation.
5. Making it sustainable in time.



But, most of all, if there is anything we learnt on 11 February is that, as any other fundamental right, **the Right to Care has to be defended and claimed for by the people, from below.** It is not only the work of jurists. It must be ensured that the right is applied, not just legislated. We have to connect it with other rights.

We must raise citizens' awareness of their rights and create tools to demand they be applied. We must educate younger generations and put it on the public and political agenda. We must report persistently whenever this right is violated, and we must continue to tally and highlight, as many times as necessary, the injustices the current care system generates.

We continue advancing towards the Right to Care

During the event we also celebrated some progress in the guarantee and achievement of the Right to Care. For example, the abolition of incapacitation, the Law on Euthanasia, the levelling of paternity and maternity leave, the Law on Patient Autonomy, advanced care planning, the ban on physical constraints in care homes, the Law for the Promotion of Personal Autonomy and Care of People with Dependency... Nevertheless, we have noted that we still have a lot to do.

The systematic commodification, privatisation and underfunding of care services and our welfare state, as well as the fact that the latter is maintained thanks to colonial extractivism and the institutional violence of migratory policy, have resulted in an insufficient care experience, not always accessible and too

often unacceptable, both for the carer and for the person who requires care.

We must end commodification and profit around the provision of care for dependency and at the end of life, and we must end restrictive facilities and deficient ratios in mental health care and in care homes for the elderly. We must make access to personal assistance, now still token, universal. We must speed up and roll out a solid Law on Dependency which covers people's increasing needs—including the social and spiritual— and ensures dignity in care work. We must achieve true integration and coordination among social, educational and health services to provide a service which is effective, holistic and respectful with people's lives.





Laws which are broken must be complied with. We must listen to people's needs, identify system's failures, and co-create solutions together. We heard repeatedly: *on paper anything works, but reality is something different.*

We must end societal taboos and stigmas around care that perpetuate the hiding of injustices and make progress in terms of rights harder. The socioeconomic system centred around productivity and the generation of capital in which we live in is ageist and ableist. It doesn't give space to people suffering mental health problems. We are a society that negates death despite it being inherent to life.

There is suffering, a feeling of guilt and people in a chronically vulnerable situation. *The Right to Care must be made effective.*

If the current system of care is already insufficient, *how can we guarantee that this right will be a sustainable right in the future?*

To sum up, the interventions made at the event as a whole made clear *the responsibility and the fundamental role citizens play in the construction of the Right to Care.* The voices we heard reinforce our mission as a Network: to strengthen the articulation of different groups and demands around care, combat the current fragmentation of voices since we can be louder together, open up spaces of mutual recognition and contribute with logical reason for the grounding and establishment of the Right to Care, in alliance with all the necessary stakeholders in order to achieve it.

Because of this and because of a lot more, the work of raising awareness, social impact and policy change of this Network for the Right to Care doesn't end here. *On the upcoming 6 May* we will hold a decentralised *Second Social Forum of Care* in Lleida, Tarragona, Girona and L'Hospitalet de Llobregat. We will be expecting you all, both at this new meeting and all along the long road ahead to the creation of a National Care System in Catalunya (Spain).

Word cloud captured at the end of the event on 11 February

Per mi 'dret a cura' és...



For me, the Right to Care is...

Chosen life / Occupying myself / Sustaining life giving attention / Social response
We have a right to that / Right to life / Responsibility / Mutuality / Solidarity / Tenderness /
Need / Cooperation / Love / Justice / Unpostponable / Compulsory / Value / Dignity
Guarantee / Equality / Interdependence / Future / Autonomy / Vital / Needs /
Thinking about the needs of all people / Recognition / Gender equality

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Thank you all very much!

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