

Input to Human Rights Council resolution 29/22 on the protection of the family

First, we want to thank you for the opportunity to make an input to the report. For this purpose we want to highlight the following points:

Families in all cultures and societies are considered to be the basic unit of social relations and social reproduction. We suggest that the concept of family is understood in terms of individuals assuming a shared responsibility for social reproduction. As family functions are vital for the survival and regeneration of societies, the rights of individuals in families have to be secured, and families as social units have to be supported by states, public institutions and public services in their task of bringing up and educating children, caring for food, health and well-being of all family members, and caring for sick and elderly. Access to and the provision of public services like health, education and social security should not be regulated on the basis of markets, but easily accessible for all citizens on an individual basis as a matter of social rights.

As specified in Paragraph 16 of the CEDAW Convention, States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and shall ensure equality of men and women in the family. States are responsible to ensure the means to enable women to fully exercise their rights as individuals on the basis of non-discrimination.

Unpaid and paid care work within the family, mostly done by women, has to be fully recognised as work and the contribution of unpaid work for social well-being has to be acknowledged. To enable all adult family members to earn an income, the maternity protection of women has to be ensured on the basis of international conventions and the necessary care work in families has to be shared between men and women. States can facilitate the necessary redistribution in the gender division of labour by regulations like parental leave, tax compensations, accounting for care work in old age security systems or pension schemes etc.

All family members have to be protected against violence from inside and outside the family. A lot of attention has lately been given to violence against women and children. Much of this violence is exercised by family members, mostly against women and girls, including marital rape, forced marriage, sexual abuse of children, corporal punishment, female infanticide. States and civil societies have to intensify their efforts to reduce and avoid all forms of violence within families and ensure the protection of all family members.

Families take a diversity of forms and lived realities in various countries and cultures such as patchwork, single parent, same sex and transnational families. Current developments like migration, war and refuge contribute to many changes in the way family life is organised. Recognizing the lived diversity of family realities, states are obliged to respect, protect and enforce the human rights of all family members, their personal integrity and their dignity at the individual level, in particular sexual and reproductive rights. States must not take a family entity consisting of more members as a precondition for granting rights.