



“The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.”

– Universal Declaration of Human Rights (Art. 16)

- No other institution is so universally recognized and so strongly affirmed. The family is prior to the State. It is not subordinate to the State in any way.
- International Covenant on Civil and Political Rights Art. 23, International Covenant on Economic, Social and Cultural Rights Art. 10, Convention on the Rights of the Child Preamble, Convention on the Rights of Persons with Disabilities Preamble
- American Convention on Human Rights Art. 17, African Charter on Human and Peoples’ Rights (Banjul Charter) Art. 18

Men and women have the right to marry, to found a family, and to have children.

- UDHR Art. 16, ICCPR Art. 23, Convention on the Elimination of All Forms of Discrimination against Women Art. 16, CRPD Art. 23
- Charter of Fundamental Rights of the European Union Art. 9, European Convention of Human Rights Art. 12, ACHR Art. 17
- The decision to have children must be free of coercion. State mandates on the number of children violate CEDAW Art. 16.
- There is no international right to same-sex marriage. Treaties guarantee “everyone” most rights, but the right to marry is specifically for “men and women” and is tied to the right to found a family, indicating that treaty drafters intended marriage to be a male-female union.

Everyone has the right to respect for, and shall be free from interference in, his family life.

- UDHR Art. 12, ICCPR Art. 17, CRC Art. 16, CRPD Art. 22
- EU Charter Art. 7, ECHR Art. 8, ACHR Art. 11
- Family unification is a priority, and there must be strong standards for removal of children from the home.

Parents have the right to choose their children’s education, the right to ensure the moral and religious education of their children in accordance with their own beliefs, and the right to direct their children in the exercise of their rights.

- The family is not the family without the parents. Treaties acknowledge the importance of parents in children’s lives.
- UDHR Art. 26, ICCPR Art. 18, ICESCR Art. 13, CRC Arts. 3, 5, & 14
- EU Charter Art. 14, ECHR Art. 2, ACHR Art. 12
- Corresponding duties and responsibilities of parents to care for their children: CRC Arts. 18 & 27

Mothers and children are entitled to special care and assistance.

- Pregnancy is a special condition; children are to be protected within the family and the family is the best place for them to be.
- UDHR Art. 25, CEDAW Preamble & Art. 5, CRC Preamble, ICESCR Art. 10
- EU Charter Arts. 24 & 32, ACHR Art. 19, Banjul Charter Art. 18

Keeping families/parents and children together is a priority and in the best interests of the child.

- CRC Arts. 9, 10, 20, & 22, CRPD Art. 23, EU Charter Art. 24

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Despite these clear protections in international and regional treaties, the family is increasingly devalued and denigrated at the UN and by international organizations. This denigration manifests in a number of ways:

- Devaluation of motherhood and childbearing: promotion of abortion and contraception instead of improvements to get mother and baby safely through pregnancy and childbirth; claims that pregnancy is the most dangerous condition for women
- Deletion of parents’ rights and promotion of autonomy of children: call for youth “autonomy,” “privacy,” and “confidentiality” in the provision of “reproductive health services” (abortion, contraception) and “comprehensive sex education” programs
- Claims that the family is harmful to children and marriage is harmful to women: IPPF assertion that “empowerment” means “challenging and transforming [ . . . ] institutions that perpetuate discrimination and inequality (such as family [ . . . ])”; assertions that marriage poses a danger to women with respect to HIV transmission
- Lobbying for inclusion of “various forms of the family” in UN documents: move away from the mother-father-children structure envisioned by the framers of the UDHR and subsequent treaties

Both society and the State must protect the family, including the unique roles of mothers and fathers and the special place of children within the family. States must follow their obligations under international law and regional law and ensure that their own national and local laws conform to these standards. UN conferences, commissions, and agencies, as international policy-setters, must reaffirm the importance of the family.

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