



Portfolio sample by Stacy Dry Lara

Protection of the Family and Its Members September 16, 2014

On September 15, HRC27 held a panel discussion on the protection of the family and its members. The panel discussed the implementation of States' obligations under international human rights law and the challenges and best practices in this regard. Additionally, the panel discussed how to strengthen cooperation on all levels and measures to strengthen policies and programs devoted to the family in the context of an integrated overall approach to human rights. This panel follows the adoption of resolution A/HRC/26/11 adopted on 26 June 2014 at HRC26.

The panel concept note explains that the discussion will “contribute to exploring the correlation between better levels of protection and support for the family and promoting and protecting human rights in areas including poverty eradication, eradication of violence against women, protecting the rights of the child, protection and promotion of human rights of all family members including women, older persons, and persons with disability, and improving access to right to education, and also allow for discussing fostering research and exchanging of good practices in the areas of family policy, work/family balance, family support programs, data collection and processing, and empowering intergenerational solidarity through strengthening of the family unit, as well as the key challenges facing States in fulfilling their international human rights obligations in this particular domain.”

In her opening statement, Jane Connors, Director, Research and Right to Development Division, Office of the High Commissioner for Human Rights, said that, “the family and the rights of its members are addressed in provisions in a range of international human rights treaties. Despite these international legal obligations, women continued to experience, in varying degrees, discrimination within the family. Violence and exploitation within the family were also serious human rights concerns, as was the situation of single-parent families, which were often headed by women.”

Moderating the discussion was Yvette Stevens, Permanent Representative of Sierra Leone to the United Nations in Geneva. The Panelists were Aslan Khuseinovich Abashidze, Member of the Committee on Economic, Social, and Cultural Rights; Hiranti Wijemanne, Member of the Committee on the Rights of the Child; Zitha Mokomane, Chief Research Specialist, Human and Social Development Research Programme, Human Sciences Research Council of South Africa; Karen Bogenschneider, Rothermel Bascom Professor of Human Ecology, University of Wisconsin; and Rosa Inés Floriano Carrera, Coordinator, Department of Life, Justice and Peace, Caritas, Colombia.

Highlights from speaker presentations include elaborations that:

- Women continue to experience, in varying degrees, discrimination within the family.
- The definition of the family in each State is different and it was set up so States themselves to decide what groups were considered a family.

- The protection of families by States and societies is an important principle in international human rights law.
- Families are an integral part of human life
- Endorse the recommendation to undertake concerted actions to strengthen family-centred policies and programs.

In the discussion that followed, speakers noted that “family diversity was important and different forms of families required the tailored protection of the State. Even though the family unit itself was not a right holder, States still had the obligation and responsibility to protect the family and its members. Family units witnessed growing challenges such as the economic situation, lack of social protection, migration or armed conflict; research demonstrated that well protected families contributed positively to the rights of their members, particularly women and children. The gravity of violence within families, such as sexual violence or violence against children, was underlined.”

Taken from the official United Nations press release on the panel, here are a few comments made by Non-Governmental Organizations and member States:

Group of NGOs for the Convention on the Rights of the Child said that today’s topic was of direct importance to children’s rights. Without safe family based care, children were at risk of various forms of exploitation. A State’s international obligations towards families were to support and assist them to ensure the protection of the rights of all their members.

Egypt, speaking on behalf of the main sponsors, said that even though the family unit itself was not a right-holder, States still had the obligation and responsibility to protect the family and its members.

United Kingdom, speaking on behalf of a Group of States, reiterated that various forms of the family existed, including single-parent families, child-headed households, extended families, same gender and heterosexual families, as well as recomposed families. Family diversity was important and different forms of families required the tailored protection of the State to ensure the protection of its members.

Plan International, speaking in a joint statement, recalled the legal obligations for States to respect and protect children’s rights and recognized all forms of families to ensure that children were not discriminated against. It urged States to reaffirm that States were all rights holders, recognize all forms of families and ensure the rights of all family members.

Ethiopia, speaking on behalf of the African Group, said that the role of the family was underscored within the African Charter on Human and Peoples’ Rights, and that the African Union Plan of Action on the Family in Africa was adopted in 2004 to address challenges faced by families in Africa. The African Group called on all States and other stakeholders to put the family at the core of their agendas.

Russia said that the family was a complex social and cultural phenomenon. The object of the family was not the simple reproduction of the population but the continuation of the human race in the broadest understanding of the term. Russia was developing a State focused on the well-being of families.

Sierra Leone said that children within a family unit were protected and considered as right-holders within the family unit. The rights of children were protected in the various provisions of national law as well as by the national Constitution. It was up to each country to determine the definition of the family and how best to address the issues relating thereof.

Thanks for reading – until the next blog Stacy Dry Lara.

The material provided is a writing sample from the portfolio of Stacy Dry Lara. The portfolio contains opinions and statements of various information providers which I cover for my work and does not represent or endorse the accuracy or reliability of any advice, opinion, statement or other information provided by any information provider.