

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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HRC resolution on family must not undermine the human rights of individual family members

A group of countries has presented a resolution on “protection of the family” to the current session of the UN Human Rights Council. The purpose of the resolution is purportedly to celebrate the 20th anniversary of the International Year of the Family through a panel discussion on “the issue of the protection of the family” .

A Human Rights Council resolution about the family must put human rights front and centre. This must be reflected clearly in the text of the resolution, its title, and the theme of the proposed panel discussion.

In particular, the *resolution must*:

- be about State obligations to respect, protect and fulfill the human rights of individual members of the family;
- ensure recognition of the equal rights of individuals irrespective of family form, by recognising the existence of diverse forms of family and reaffirming that “in different cultural, social and political systems, various forms of family exist” as the Council unanimously asserted in its resolution A/HRC/RES/7/29 on the rights of the child;
- address the importance of promoting and protecting the human rights of individual family members. Failure to do this could result in a resolution that lends itself to undermining the Council’s work on a number of relevant issues such as the prevention of child, early and forced marriage, female genital mutilation, domestic violence, and sexual abuse of children.

Amnesty International is troubled that the sponsors of the resolution have not accepted proposed amendments that would address adequately the above-mentioned issues and make it possible to achieve consensus on a resolution that reflects States’ human rights obligations.

The rejection of such proposed amendments makes it appear that the resolution is being used to pursue objectives unrelated to the promotion and protection of human rights of individual family members.

Amnesty International urges the sponsors to put forward a draft human rights resolution that is based on international human rights law and that will attract consensus within the Human Rights Council.

Background

A group of thirteen States (Bangladesh, China, Côte d'Ivoire, Egypt, El Salvador, Mauritania, Morocco, Namibia, Qatar, Russian Federation, Sierra Leone, Tunisia and Uganda) have tabled a draft resolution entitled "Protection of the Family" at the UN Human Rights Council 26th session in Geneva (A/HRC/26/L.20). The draft resolution calls on the Council to convene a Panel discussion on "the issue of the protection of the family" in 2014, in celebration of the 20th anniversary of the International Year of the Family.

The focus on "protection of the family" in the resolution is not consistent with the Council's mandate, which is to promote and protect human rights. It is more appropriate to the Commission on Social Development. Human rights adhere to individual persons; the family, as a grouping, in and of itself is not a subject of human rights protection.

Various forms of the family exist in all contexts. States have an obligation to respect, protect and fulfill the human rights of all individual members belonging to the various forms of family, including, but not limited to, extended families, single-parent families, nuclear families, child-headed families, joint families, same-sex-families, childless families, polygamous families, intergenerational families and more.