

# U.N. FAMILY RIGHTS CAUCUS

June 19, 2017

Dear Permanent Missions in Geneva,

On behalf of the UN Family Rights Caucus, which represents individuals and organizations in over 170 countries, we wish to call your attention to the resolution for the Protection of the Family: role of the family in supporting the protection and promotion of human rights of older persons.

This resolution reminds Member States of their duty to protect the family as the fundamental unit of society with a focus this year on the crucial role the family plays in the support and protection of older persons.

We are, however, deeply concerned by the attacks being launched against this resolution in what should be a completely noncontroversial document. Therefore, we would like to respond to a number of false claims that were raised during negotiations.

## **False Claim 1: If the family is protected then individual rights will suffer.**

Quite the opposite is true. The family is the first protector of children's health and rights. A wealth of social science research shows that not just children, but also women and men, experience fewer violations of their rights when in a stable, intact family. Where violations do occur, there are ample existing laws that can and should be used to address them.

## **False Claim 2: If this resolution passes, it will enable family members to abuse more vulnerable family members.**

This is a scare tactic. Protecting the family as an institution in no way negates all the existing laws that protect the human rights of individuals, either within the family or outside the family. To imply that this resolution protecting the family will result in more men beating their wives or more parents abusing their children is outrageous.

## **False Claim 3: The elderly are most often abused by their families, therefore, protecting the family facilitates abuse.**

This is probably the most ridiculous of all the attacks. While abuse sometimes does occur within families, this is the exception rather than the rule. The reality is that the family unit is often the



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first line of care for the elderly and defense of their rights. Protecting the institution of the family and enhancing the family's ability to support its older members will not facilitate abuse; instead, it will facilitate care.

**False Claim 4: We must recognize “various forms of the family” in the resolution or families that are not considered traditional (single-parent, child-led, divorced, etc.) will be marginalized.**

While the term “various forms of the family” appears in a number of nonbinding UN documents, it does not appear in *any* binding international UN human rights instrument, and States are under no obligation to accept it in any UN documents moving forward. This controversial and divisive term is too vague and, thus, is open for interpretation.

With the emergence of multiple controversial family forms that are detrimental to children (i.e., incestuous, polyamorous, polyandrous, group marriage families, etc.), for the protection of children, it is now imperative that nations reject this ambiguous and elastic term unless it is clearly defined to not include family forms harmful to children. For example, Columbia has just legally recognized three-man marriage. (See <http://www.dailymail.co.uk/news/article-4602742/Colombia-s-THREE-man-marriage-legally-recognised.html#ixzz4kCLrHxYI>) Certainly this kind of “family form” cannot be in the best interest of children.

Maintaining the reference to “the family,” which is the consensus language used in five binding UN treaties (CRC, ICESCR, ICCPR, Disabilities, and Migrant Workers) and the UDHR, as well as 110 world constitutions, allows all nations to interpret and define “the family” according to their own national laws and cultures, while being consistent with international consensus language. However, forcing nations to recognize “various forms of the family” will open up a Pandora's box of problems.

**False Claim 5: The family is not a rights holder and therefore does not merit protection.**

While it is true the family is not a collective rights holder, nations are under treaty obligation to protect the family. This resolution helps fill the policy gap that exists with regard to the fulfillment of those binding obligations.

**False Claim 6: There is no need to protect the family.**

This claim flies in the face of a plethora of UN consensus documents, which clearly indicate that the family should be protected from the effects of disintegration,<sup>[1]</sup> HIV/AIDS,<sup>[2]</sup> migration,<sup>[3]</sup> disease,<sup>[4]</sup> pornography,<sup>[5]</sup> poverty,<sup>[6]</sup> family separation,<sup>[7]</sup> substance abuse,<sup>[8]</sup> and unemployment.<sup>[9]</sup>

In summary, for far too long the protection of the family as a unit had been largely ignored by the UN. Instead, the Human Rights Council and other UN bodies have focused solely on individual rights in a way that has undermined the institution of the family and contributed to family disintegration worldwide.



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A renewed thinking at the international level needs to be developed to address the family in human rights forums through a holistic approach, and the adoption of the previous protection of the family resolutions has been a great step in the right direction. This resolution, in particular, will help families in their critical role in assisting, caring for and supporting the elderly.

Therefore, the UN Family Rights Caucus strongly encourages you to vote in favor of this year's family resolution. We also urge you to cosponsor the resolution and to oppose any amendments that would force States to recognize "various forms of the family."

Sincerely,



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*The UN Family Rights Caucus was established in 2008 to ensure that the family is protected in UN conferences and commissions, delivering speeches, sponsoring events, and holding caucus meetings to facilitate initiatives to protect the family at the United Nations. The Family Rights Caucus has member organizations in over 170 countries representing over four million people.*

<sup>[1]</sup> Social Summit +5 (2000), III 56; Beijing (1995), 22; ICPD (1994), 5.4

<sup>[2]</sup> ICPD (1994), 5.4, HIV/AIDS (2011), 68; ICPD +5 (1999), 21-c; HIV/AIDS (2011), 20

<sup>[3]</sup> ICPD (1994), 5.4; Migration (1995), 22

<sup>[4]</sup> Social Summit (1995), 40(d)

<sup>[5]</sup> Beijing (1995), 243(f); Social Summit (1995), 16(d)

<sup>[6]</sup> ICPD (1994), 5.4; Habitat +5 (2001), 30

<sup>[7]</sup> Social Summit (1995), 77 (b); ICPD (1994), 10.9; Habitat +5 (2001), 30

<sup>[8]</sup> Beijing +5 (2000), 72 (q); ICPD (1994), 5.4

<sup>[9]</sup> ICPD (1994), 5.4



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