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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Associazione Comunita Papa Giovanni XXIII, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.


[15 February 2015]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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The protection of the family

Associazione Comunità Papa Giovanni XXIII takes note of the Report of the Office of the United Nations High Commissioner for Human Rights A/HRC/28/40 entitled “Summary of the Human Rights Council panel discussion on the protection of the family”.

The panel discussion was held during the twenty-seventh session of the Human Rights Council as requested by resolution 26/11 that was adopted by voting on 26 June 2014, at the twenty-sixth Human Rights Council regular session.

Regrettably, such a resolution on protection of the family, that was meant to mark the 20th anniversary of the International Year of the Family and to offer a useful opportunity to draw further attention on increasing cooperation at all levels on family issues and on undertaking concerted actions to strengthen family - centred policies and programs, did not find consensus among all the Member States.

Undoubtedly, the right of the family to live as an integral whole is protected by a variety of international instruments whether under international human rights law or international humanitarian law.

States have the obligation to provide the widest possible support and protection for the family as the natural and fundamental group unit of society and allow it to fully assume its role in the community and provide a conducive environment for the growth and well-being of its members.

Several internationally agreed documents reaffirm the central and vital role of the family in society, acknowledging its key role in fostering social development, its strong force for social cohesion and integration, and underscore its primary responsibility for the nurturing, guidance, and protection of children.

Examples of these international Treaties and Conventions are: the Universal Declaration of Human Rights¹, the International Covenant on Civil and Political Rights², the American Convention on Human Rights³, the Preambles of the Convention on the Rights of the Child and the Convention on the Rights of Persons with Disabilities⁴. The treaties all state that: “*The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.*”

Pope Francis recently commented: “The family remains always the cell of society, and the primary place of education. It is the community of love and of life in which every person learns to relate to others and with the world. And, thanks to the bases acquired in the family, he is able to project himself in society, to frequent positively other formative environments ... Thus, in this integration between the bases assimilated in the family and “outside” experiences, we learn to find our way in the world.”

Owing to rapid socio-economic and demographic transformations that have affected society and culture in recent years, the family as the first, fundamental and vital cell of society, finds itself increasingly challenged. The economic situation has caused many families to be separated by migration and the search for employment; financial problems strain many households in almost all countries. While all too many people live in dire poverty, others are caught up in materialism and lifestyles that are destructive of family life. The family is also threatened by growing efforts on the part of some to redefine the very institution of marriage, by relativism, by the culture of the ephemeral and by a lack of openness to life. It is true that domestic violence occurs in a certain number of families around the world, but many more families live “in fidelity to those values that constitute the foundation of the institution of the family.” As the African proverb says “

¹ UDHR Art. 16.3

² ICCPR Art. 23.1

³ ACHR Art 17

⁴ CRPD Art. 23

A falling tree makes more noise than a growing forest”.

In this regard, we regret the fact that many States and some United Nations agencies portray the family more as a “problem” than as a resource.

Notwithstanding the fact that human rights of individuals must be always protected within the family, to focus only on the rights of family members as advocated by some States means to deny that the family is much more than the sum of its individuals. The family, in fact, is a community of persons bonded by love and life, where husband and wife, parents and children, grand parents and relatives live in reciprocity, mutual donation and a sense of belonging contributing as a whole to the good of society.

The family is the natural environment for the growth and well being of all its members and particularly children⁵; in the family we learn how to socialise and develop the ability to relate with others; we learn cooperation and solidarity and how to love. The family is also the most adequate place for responsible procreation. It is the first place for education. It is also a bridge among generations. Especially in times of economic crisis and unemployment, the family constitutes a very important and irreplaceable social security cushion.

In all countries and cultures, the family has a very precious role in the care of children, elderly and sick persons. A clear example of this is the role that the African extended family plays as a copying mechanism in countries most affected by epidemics such HIV and AIDS, Ebola etc. both in the care for the sick and the orphans.

Moreover, the family is the natural place for hospitality and welcoming of the people in need. In this regard, APG23 can bear witness to this through its numerous open families and family-homes run by married couples and present in 30 countries on five continents that welcome and care for children in need, disabled, homeless, elderly, ex-prisoners and most vulnerable people in society.

As conditions have worsened for many families around the world, States and international organizations must commit to enact effective policies and measures to provide the necessary comprehensive support for the family and its members including through promoting affordable, accessible and quality care services for children and other dependents, parental and other leave schemes, as well as formulating family sensitive policies in the field of housing, work, health, social security and education in order to create an environment supportive of the family. In protecting the family, every society actually protects itself.

⁵ Convention of the Rights of the Child