



“Protection of the Family” Joint Statement will undermine work to end child early and forced marriage, violence against women and sexual abuse of children

Our organizations are highly concerned over the “protection of the family” joint statement at the current session of the Human Rights Council.

States who have signed onto this statement or who are considering signing onto it should be aware that their support for the statement seriously undermines the important work the Council has led to tackle the issues of child, early and forced marriage, violence against children, child sexual abuse, domestic violence and violence against women. We believe that support for this statement signals the unwillingness of those co-signing States to address these key issues or to see the Council’s work on these issues to advance.

We urge all States to NOT sign onto this or to WITHDRAW their endorsement if they have already signed.

When a statement on “protection of the family” is discussed and addressed, it ostensibly appears to be straight forward. Yet governments should be aware of the complexities and the implications of an overarching “protection of the family” statement and framing on human rights.

“Family” has always been understood as the basic unit of societies for all peoples. While families are targeted during communal and sectarian violence or conflict situations and families tend to protect each other as communities protect each other during an extremely violent situation, families often times are also the site of violence.

Most families do not function in a democratic and participatory fashion, but rather in an autocratic and hierarchical manner, with one “head of the family” which is usually the eldest male member of the family, who has the authority to make decisions on the family’s behalf. This kind of patriarchal set up with a paternalistic head who makes decisions for everyone in the family is a situation that is neither unique to any one State, nor is it new.

States working at the Human Rights Council have since its inception been working tirelessly to counter these kinds of systems which can help to perpetuate violence and discrimination in society. Endorsing this “protection of the family” statement moves the Council (and potentially efforts on the ground) backwards from the important advancements that have been made. Some such examples of human rights concerns are given below which are merely illustrative and not exhaustive:

- ▲ **Domestic violence against women** as the name suggests occurs in the “domestic sphere” – that is, in the supposedly safe space of the family – and most times involves women being assaulted by male family members. When States call for “protection of the family”, the family system, which *in all societies* already leans towards the perpetrator of violence, will tilt even more to ensure complete silence on the issue and protect the perpetrator from any culpability for his



actions. States should worry about the message they are sending out by endorsing a statement that in effect protects the violator of the right to live free from violence.

- ^ The Human Rights Council for the first time in its history passed the historic resolution condemning **child, early and forced marriages (CEFM)** in June 2013. CEFM began and continues to exist because of certain family systems where children who are married do not have a voice to express their opinion or choice. Women and girls particularly, who do not have the means to question or fight this decision made for them in the family structures, are trapped in marriages which can be harmful to them in various ways. By endorsing a statement on “protecting families”, States are endorsing that this family too should be protected and given the right and authority to marry children at any age to whomsoever they want without any accountability.

- ^ Another issue where families have traditionally tacitly consented and participated in continuing violence is **child sexual abuse**. Children are most often abused by a family member, someone they know closely and the silence around this issue has been deafening. However, recently considerable efforts has gone into creating systems where children are protected from violence alongside efforts to also prevent such violence. Most of the silence around the issue comes from a familial understanding of this abuse being a “*private matter*” which is resolved internally within the family. All States are now setting up systems and processes to tackle this without further traumatizing children. In such cases, the “protection of the family” fails children by ignoring complaints and symptoms of sexual violence or by not taking action, because most times it is a member of the family perpetrating this violence.

In all the instances mentioned above, serious human rights abuses are perpetrated with impunity out of desire to protect the family at all costs, and, as a corollary, the head of the family. In effect the rhetoric around “protection of the family” is about the protection of systems of power concentrated in the hands of few. While this is unacceptable in any circumstance, the Human Rights Council and the human rights framework designed to affirm and protect the rights of individuals including those who do not have this power, and who suffer at the hands of this power structure, should not be used as a forum to endorse these structures.

By endorsing this statement, Member and Observer States are sending a message to all individuals that they are endorsing violence and discrimination.

We urge all States to not sign onto this statement, or withdraw their endorsement if they have already signed on.