



**FAFCE**  
Fédération des Associations  
Familiales Catholiques en Europe

# The Family, a subject of rights

*A Conference organised by FAFCE  
in Strasbourg,  
1st October 2013*



**« Families are  
Europe's treasure! »**

## PRESS MATERIAL

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# The Family, a Subject of Rights

*European Year of Citizens*

&

*The 30<sup>th</sup> anniversary of the  
Charter of Rights of the Family of the Holy See*

*The family  
has the  
right  
to  
exist  
and to  
progress as  
a family.*

*- art. 6*

To mark the European Year of Citizens and to celebrate the 30<sup>th</sup> anniversary of the Charter of the Rights of the Family of the Holy See, the Federation of Catholic Family Associations in Europe (FAFCE) has organised this conference to draw attention to the rights of the family.

FAFCE wishes to strengthen the rights that already exist and are enshrined in legal instruments at the international, European and national levels. It also wishes to add to those rights.

The Family is entitled to protection and support from the State and the Society, however the reality is for many families in Europe a situation where sufficient support and family friendly policies are lacking.

Moreover, the family is in many places regarded as an object to be administered and not as a subject that is actively taking part in society while as families themselves are the best suited to know about their needs and express them, for example through family associations that can act towards the political level.

This conference will draw on the Charter of Rights of the Family of the Holy See and by will examine existing legislation in favour of the family as a resource for legislators at the European and national levels.

The conference is open to legislators, legal experts, law students, think tanks, family associations and others who take interest in the promotion of the family and its interest.

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# The Programme

*The family  
as a  
fundamental  
unit of  
society has  
the right to  
appropriate  
social,  
legal and  
economic  
protection to  
ensure its  
full  
development*

*- art. 16 of the  
European  
Social Charter*

9:30—10:00

**Opening and introduction**

**Antoine Renard**, President of the FAFCE and of the CNAFC, France

**SESSION I:**

***The Family, a subject of rights, not an object to be administrated-***

Moderator: **Me Jean Pailot**, President of the Federation of Catholic Family Associations of Bas Rhin (Alsace), France

10.00 – 10.40:

**The Charter of Rights of the Family, a proposal from the Catholic Church**

**Mgr Jean Laffitte**, Secretary, Pontifical Council for the Family

10.40 – 11.00:

**Q & A with the public**

11.10 – 11.30:

*Coffee break*

11.30 – 12.00:

**The family: a subject and not an object – a legal approach**

**Dr Grégory Puppinck**, Director of the European Centre of Law and Justice

12.00 – 12.15:

**Q & A with the public**

12.15 – 12.45:

**The European Charter of Social Rights and the recognition of rights of the family**

**Régis Brillat**, Head of the Department of the European Social Charter, Council of Europe

12.45 – 13.00:

**Q & A with the public**

13.00 – 14.30:

*Lunch*

*(continued over leaf)*

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# The Programme

## **SESSION II: The Family as the corner stone of society**

Moderator: Maria Hildingsson, Secretary General of the FAFCE

14.30 – 16.00:

### **Promoting the family in public policies**

Key note speech by **Dr Anna Záborská**, Member of the European Parliament, EPP; President of the Intergroup on Family, Childhood and Intergenerational Solidarity of the European Parliament, Slovakia

### **Panel debate: How can policy making contribute to a family friendly society?**

**Xavier Breton**, Member of the French Parliament (UMP)

**David Fieldsend**, President of the European Christian Political Foundation (ECPF), Belgium

**Valeriu Ghiltechi**, MP, Member of the Parliamentary Assembly of the Council of Europe (EPP), Moldova

16.00 – 16.30: *Coffee break*

16:30 – 17.50:

### **The family, a key factor of development for the society**

Key note speech by **On. Luca Volontè**, President of Foundation No-vae Terrae, Former President of the EPP group of the PACE, Italy

### **Panel debate: How can the civil society act in favor of education, marriage and freedom of conscience?**

**Algirdas Petronis**, Vice President of the FAFCE, Lithuania

**Dr Petar-Krešimir Hodžić**, Director of the Office for Life and Family, Croatian Bishops' Conference, Croatia

**Brian Brown**, President, National Organization for Marriage, United States

17:50 – 18.00:

### **Conclusion**

**Giuseppe Barbaro**, Vice President of the FAFCE, Italy

**The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.**

**- art. 16.3 of the Universal Declaration of Human Rights**

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# FAFCE—The Federation of Catholic Family Associations in Europe

## Members

*ACER, Czech Republic*

*Ass. of Cath. Fam. V. Ghika, Romania*

*CNAFC, France*

*Family solidarity, Ireland*

*FdK, Germany*

*FORUM, Italy*

*HKRS, Slovakia*

*KMR, Slovakia*

*KFS, South Tyrol*

*KFÖ, Austria*

*Lithuanian Family Centres, Lithuania*

*MAKACS, Hungary*

*Polska Federacja Ruchów Obronyżycia, Poland*

*Stowarzyszenie Przy- mierze Rodzin, Poland*

## Affiliated members

*Cana Movement, Malta*

*Cro-Bios, Croatia*

*Familias, UK*

*Christian Families - Light of the Orient, Ukraine*

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## Who we are

The Federation of Catholic Family Associations in Europe (FAFCE), was founded in 1997. It is acknowledged by the Council of Europe as a Non-Governmental Organisation with a participatory status.

The FAFCE ensures a political representation for family interests from a Catholic perspective, on the basis of the Catholic Church's Social and Family teaching as well as of the testimony of faith and experiential knowledge of Christians in Church and in society.

The FAFCE is an umbrella organisation that serves as a European liaison platform for exchange of experiences of pastoral care of the family and family policy issues for its members. Our member associations provide important catholic expertise and contacts on the local level.

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## Our Vision

**Family is the centre and starting point for the formation of the person in society.** For us the family based on the marriage of a man and a woman provides the best environment for children.

**Family as a community is the most important social entity where the gift of life is welcomed and accompanied until its natural end.** Emphatically we insist on the inalienable dignity of every person, especially at the outset and the end of life.

**Family is, as a general rule, the social space where children establish reliable relations, gain confidence and thus grow up to be independent persons.** Therefore parents must be acknowledged as the first and most important educators of their children and be supported in their educational task.

**Children are the most important resource for our future.** Hence it is the common responsibility of all social domains to provide parenthood services to support and promote the family.

**Parents invest a lot to offer their children the best chances for their development.** They are entitled to an appropriate compensation of the costs involved and an adequate recognition of their efforts. All social domains are requested to guarantee a well-balanced combination of financial means, time and services for all families (child care facilities, assistance for the elderly...).

**Parents have the right to choose by themselves between gainful employment and family work.** The renunciation of gainful employment for the benefit of family work must be compensated by equivalent transfer payments. Moreover general conditions of the working environment must be adapted to be compatible with family life.

**Parents and children live within an inter-generational community of reciprocal responsibility.** It is indispensable to enhance the practised solidarity of generations with the solidarity of society as a whole in the form of adequate social security systems.

# FAFCE—The Federation of Catholic Family Associations in Europe

## Our actions

FAFCE conducts advocacy work at the European level in favour of family friendly policies. The areas covered by the FAFCE are all connected to the family in a life cycle approach: balance between family life and work, rights of the family, education, human dignity and bioethics...

Since 2009 the FAFCE has an office in Brussels where the Secretariat General monitors and analyses the political and legal trends within the European Union and at the Council of Europe.

The FAFCE is entitled to file collective complaints, a procedure foreseen by the European Social Charter. In 2013 two complaints were filed, one against Ireland regarding the situation of children who are victims of trafficking, and one against Sweden based on the absence of a right to conscientious objection for medical staff, a situation considered as discriminatory by the FAFCE.

The FAFCE publishes a newsletter 6 times per year to inform about its actions and the issues at the forefront of family matters in Europe. The newsletter is free of charge and can be subscribed to on our website.

## Chairmanships

1997-2000

*CNAFC, France*

2000-2003

*KFS, South Tyrol*

2003-2006

*KFÖ, Austria*

2006-2009

*FdK, Germany*

2009 -

*CNAFC, France*

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## Events

**FAFCE organises and co-organises conferences and other events on family related issues, recent events included:**

*Conference on Family and Work Balance, Preparatory Conference for the 20th Anniversary of the International Year of the Family, European Parliament, Brussels, 15 May 2013*

*Screening of the « Goldsmiths’ Shop » by Karol Wojtyla at the European Parliament in connection with the International Marriage Week, 2012*

*Conference on the added value of ‘invisible work’ to the social cohesion at the European Economic and Social Committee, 2011*

## The Charter of the Rights of the Family presented by the Holy See in 1983 (extracts)

*“The spouses, in the natural complementarity which exists between man and woman, enjoy the same dignity and equal rights regarding the marriage”*

### Article 1

**All persons have the right to the free choice of their state of life and thus to marry and establish a family or to remain single.**

a) Every man and every woman, having reached marriageable age and having the necessary capacity, has the right to marry and establish a family without any discrimination whatsoever; legal restrictions to the exercise of this right, whether they be of a permanent or temporary nature, can be introduced only when they are required by grave and objective demands of the institution of marriage itself and its social and public significance; they must respect in all cases the dignity and the fundamental rights of the person.

b) Those who wish to marry and establish a family have the right to expect from society the moral, educational, social and economic conditions which will enable them to exercise their right to marry in all maturity and responsibility.

c) The institutional value of marriage should be upheld by the public authorities; the situation of non-married couples must not be placed on the same level as marriage duly contracted.

### Article 2

**Marriage cannot be contracted except by free and full consent duly expressed by the spouses.**

a) With due respect for the traditional role of the families in certain cultures in guiding the decision of their children, all pressure which would impede the choice of a specific person as spouse is to be avoided.

b) The future spouses have the right to their religious liberty. Therefore to impose as a prior condition for marriage a denial of faith or a profession of faith which is contrary to conscience, constitutes a violation of this right.

c) The spouses, in the natural complementarity which exists between man and woman, enjoy the same dignity and equal rights regarding the marriage.

### Article 3

**The spouses have the inalienable right to found a family and to decide on the spacing of births and the number of children to be born, taking into full consideration their duties towards themselves, their children already born, the family and society, in a just hierarchy of values and in accordance with the objective moral order which excludes recourse to contraception, sterilization and abortion.**

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## The Charter of the Rights of the Family presented by the Holy See in 1983 (extracts)

*“Children,  
both before  
and after  
birth, have  
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and  
assistance,  
as do their  
mothers  
during  
pregnancy  
and for a  
reasonable  
period of  
time after  
childbirth”*

*(continued)*

- a) The activities of public authorities and private organizations which attempt in any way to limit the freedom of couples in deciding about their children constitute a grave offense against human dignity and justice.
- b) In international relations, economic aid for the advancement of peoples must not be conditioned on acceptance of programs of contraception, sterilization or abortion.
- c) The family has a right to assistance by society in the bearing and rearing of children. Those married couples who have a large family have a right to adequate aid and should not be subjected to discrimination.

### **Article 4**

**Human life must be respected and protected absolutely from the moment of conception.**

- a) Abortion is a direct violation of the fundamental right to life of the human being.
- b) Respect of the dignity of the human being excludes all experimental manipulation or exploitation of the human embryo.
- c) All interventions on the genetic heritage of the human person that are not aimed at correcting anomalies constitute a violation of the right to bodily integrity and contradict the good of the family.
- d) Children, both before and after birth, have the right to special protection and assistance, as do their mothers during pregnancy and for a reasonable period of time after childbirth.
- e) All children, whether born in or out of wedlock, enjoy the same right to social protection, with a view to their integral personal development.
- f) Orphans or children who are deprived of the assistance of their parents or guardians must receive particular protection on the part of society. The State, with regard to foster-care or adoption, must provide legislation which assists suitable families to welcome into their homes children who are in need of permanent or temporary care. This legislation must, at the same time, respect the natural rights of the parents.
- g) Children who are handicapped have the right to find in the home and the school an environment suitable to their human development.

### **Article 5**

**Since they have conferred life on their children, parents have the original, primary and inalienable right to educate them; hence they must be acknowledged as the first and foremost educators of their children.**

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## The Charter of the Rights of the Family presented by the Holy See in 1983 (extracts)

(continued)

***“The primary right of parents to educate their children must be upheld in all forms of collaboration between parents, teachers and school authorities”***

a) Parents have the right to educate their children in conformity with their moral and religious convictions, taking into account the cultural traditions of the family which favor the good and the dignity of the child; they should also receive from society the necessary aid and assistance to perform their educational role properly.

b) Parents have the right to freely choose schools or other means necessary to educate their children in keeping with their convictions. Public authorities must ensure that public subsidies are so allocated that parents are truly free to exercise this right without incurring unjust burdens. Parents should not have to sustain, directly or indirectly, extra charges which would deny or unjustly limit the exercise of this freedom.

c) Parents have the right to ensure that their children are not compelled to attend classes which are not in agreement with their own moral and religious convictions. In particular, sex education is a basic right of the parents and must always be carried out under their close supervision, whether at home or in educational centers chosen and controlled by them.

d) The rights of parents are violated when a compulsory system of education is imposed by the State from which all religious formation is excluded.

e) The primary right of parents to educate their children must be upheld in all forms of collaboration between parents, teachers and school authorities, and particularly in forms of participation designed to give citizens a voice in the functioning of schools and in the formulation and implementation of educational policies.

f) The family has the right to expect that the means of social communication will be positive instruments for the building up of society, and will reinforce the fundamental values of the family. At the same time the family has the right to be adequately protected, especially with regard to its youngest members, from the negative effects and misuse of the mass media.

### **Article 6**

**The family has the right to exist and to progress as a family.**

a) Public authorities must respect and foster the dignity, lawful independence, privacy, integrity and stability of every family.

b) Divorce attacks the very institution of marriage and of the family.

c) The extended family system, where it exists, should be held in esteem and helped to carry out better its traditional role of solidarity and mutual assistance, while at the same time respecting the rights of the nuclear family and the personal dignity of each member.

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## The Charter of the Rights of the Family presented by the Holy See in 1983 (extracts)

(continued)

### Article 7

Every family has the right to live freely its own domestic religious life under the guidance of the parents, as well as the right to profess publicly and to propagate the faith, to take part in public worship and in freely chosen programs of religious instruction, without suffering discrimination.

### Article 8

The family has the right to exercise its social and political function in the construction of society.

a) Families have the right to form associations with other families and institutions, in order to fulfill the family's role suitably and effectively, as well as to protect the rights, foster the good and represent the interests of the family.

b) On the economic, social, juridical and cultural levels, the rightful role of families and family associations must be recognized in the planning and development of programs which touch on family life.

### Article 9

Families have the right to be able to rely on an adequate family policy on the part of public authorities in the juridical, economic, social and fiscal domains, without any discrimination whatsoever.

a) Families have the right to economic conditions which assure them a standard of living appropriate to their dignity and full development. They should not be impeded from acquiring and maintaining private possessions which would favor stable family life; the laws concerning inheritance or transmission of property must respect the needs and rights of family members.

b) Families have the right to measures in the social domain which take into account their needs, especially in the event of the premature death of one or both parents, of the abandonment of one of the spouses, of accident, or sickness or invalidity, in the case of unemployment, or whenever the family has to bear extra burdens on behalf of its members for reasons of old age, physical or mental handicaps or the education of children.

c) The elderly have the right to find within their own family or, when this is not possible, in suitable institutions, an environment which will enable them to live their later years of life in serenity while pursuing those activities which are compatible with their age and which enable them to participate in social life.

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*“The  
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the right to  
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the  
construction  
of  
Society”*

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*“The Families are Europe’s Treasure!”*

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## The Charter of the Rights of the Family presented by the Holy See in 1983 (extracts)

(continued)

d) The rights and necessities of the family, and especially the value of family unity, must be taken into consideration in penal legislation and policy, in such a way that a detainee remains in contact with his or her family and that the family is adequately sustained during the period of detention.

### Article 10

**Families have a right to a social and economic order in which the organization of work permits the members to live together, and does not hinder the unity, well-being, health and the stability of the family, while offering also the possibility of wholesome recreation.**

a) Remuneration for work must be sufficient for establishing and maintaining a family with dignity, either through a suitable salary, called a "family wage," or through other social measures such as family allowances or the remuneration of the work in the home of one of the parents; it should be such that mothers will not be obliged to work outside the home to the detriment of family life and especially of the education of the children.

b) The work of the mother in the home must be recognized and respected because of its value for the family and for society.

### Article 11

**The family has the right to decent housing, fitting for family life and commensurate to the number of the members, in a physical environment that provides the basic services for the life of the family and the community.**

### Article 12

**The families of migrants have the right to the same protection as that accorded other families.**

a) The families of immigrants have the right to respect for their own culture and to receive support and assistance towards their integration into the community to which they contribute.

b) Emigrant workers have the right to see their family united as soon as possible.

c) Refugees have the right to the assistance of public authorities and International Organizations in facilitating the reunion of their families.

*“Families  
have  
a right to  
a social and  
economic  
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organisation  
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FAMILIALES CATHOLIQUES EN EUROPE*

*FÖDERATION DER KATHOLISCHEN  
FAMILIENVERÄNDE IN EUROPA*

*FEDERATION OF CATHOLIC FAMILY  
ASSOCIATIONS IN EUROPE*

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