Family Provisions in World Constitutions

AFGHANISTAN

Chapter 2, Article 54

Family is a fundamental unit of society and is supported by the state.

The state adopts necessary measures to ensure physical and psychological well being of family, especially of child and mother, upbringing of children and the elimination of traditions contrary to the principles of sacred religion of Islam.

ALBANIA

Part 2, Chapter 4

Article 53

1. Everyone has the right to get married and have a family.

2. Marriage and family enjoy special protection of the State.

3. The entering into and dissolution of marriage are regulated by law.

Article 54

1. Children, the young, pregnant women and new mothers have the right to special protection by the State.

2. Children born out of wedlock have equal rights with those born within marriage.

3. Every child has the right to be protected from violence, ill treatment, exploitation and their use for work, especially under the minimum age for work, which could damage their health and morals or endanger their life or normal development.
ALGERIA

Title 1, Chapter 4, Article 58

The family enjoys the protection of the State and of the society.

Title 1, Chapter 5, Article 63

The entirety of the rights of every one are exercised with respect to others by the Constitution, especially with respect to the right of honor, intimacy and the protection of the family, youth and childhood.

Title 1, Chapter 5, Article 65

The law sanctions the right of the parents in the education and protection of their children as well as the duty of the children to aid and assist their parents.

ANDORRA

Title 2, Chapter 3

Article 13

1. The civil status of persons and forms of marriage shall be regulated by law. The civil effects of Canon Law marriage shall be recognized.

2. The public authorities shall promote a policy of protection of the family, which is the basic foundation of society.

3. Both spouses have the same rights and duties. All children are equal before the law, regardless of their parentage.

Article 14

The right to privacy, honor and reputation shall be guaranteed. All shall be protected by law against unlawful interference in their family and private life.

Article 20
3. Parents have the right to decide the type of education for their children. They also have
the right to moral or religious instruction for their children in accordance with their own
convictions.

ANGOLA

Part 2

Article 29

1. The family, the basic nucleus of social organization, shall be protected by the State,
whether based on marriage or de facto union.

2. Men and women shall be equal within the family, enjoying the same rights and having
the same duties.

3. The family, with special collaboration by the State, shall promote and ensure the all-
round education of children and young people.

Article 30

1. Children shall be given absolute priority and shall therefore enjoy special protection
from the family, the State and society with a view to their all-round development.

2. The State shall promote the harmonious development of the personality of children and
young people and create conditions for their integration and active participation in the life
of society.

Article 31

The State, with the collaboration of the family and society, shall promote the harmonious
development of the personality of young people and create conditions for fulfillment of the
economic, social and cultural rights of the youth, particularly in respect of education,
vocational training, culture, access to a first job, labor, social security, physical education,
sport and use of leisure time.

ANTIGUA AND BARBUDA

Chapter 2
3. Fundamental rights and freedoms of the individual.

Whereas every person in Antigua and Barbuda is entitled to the fundamental rights and freedoms of the individual, that is to say, the right, regardless of race, place of origin, political opinions or affiliations, colour, creed or sex, but subject to respect for the rights and freedoms of others and for the public interest, to each and all of the following, namely—

(c) protection for his family life, his personal privacy, the privacy of his home and other property and from deprivation of property without fair compensation,

ARGENTINA

Part 1, Chapter 1

23. To legislate and promote proactive measures that guarantee true equality of opportunity and treatment, and the full enjoyment and exercise of the rights recognized by this Constitution and by current international treaties on human rights, in particular with respect to children, women, the elderly and people with disabilities.

To enact a special and integral social security system that protects needy children, from gestation through the end of elementary schooling, and that protects the mother during pregnancy and nursing.

ARMENIA

Chapter 2

Article 20

Everyone is entitled to defend his or her private and family life from unlawful interference and defend his or her honor and reputation from attack.

The gathering, maintenance, use and dissemination of illegally obtained information about a person’s private and family life are prohibited.

Everyone has the right to confidentiality in his or her correspondence, telephone conversations, mail, telegraph and other communications, which may only be restricted by court order.

Article 32
The family is the natural and fundamental cell of society. Family, motherhood and childhood are placed under the care and protection of society and the state.

Women and men enjoy equal rights when entering into marriage, during marriage and in the course of divorce.

**AUSTRALIA**

Chapter 1, Part V

The Parliament shall, subject to this Constitution, have power to make laws for the peace, order, and good government of the Commonwealth with respect to:

(xx) marriage;

**AUSTRIA**

Chapter 1, Part A, Article 10(1)

Legislation and its implementation is a Federal concern in the following matters:

17. population policy insofar as it has for its object the granting of assistance to children and the creation of burden equalization in the interest of the family

**AZERBAIJAN**

Part 1, Chapter 2

Article 17

I. The family as the foundation of society is under special protection of the State.

II. To take care of the children and their upbringing is the obligation of the parents. The State sees to it that this obligation is fulfilled.

Part 2, Chapter 3

Article 34

I. Everybody has the right to marriage upon reaching the age specified by law.

II. Marriage is contracted on the basis of voluntary consent. No one shall be forced to marry.
III. Family and marriage are under the protection of the State. Mothers, fathers, children shall be protected by law. The State renders assistance to large families.

IV. The rights of husband and wife are equal. The care and raising of children is the right and obligation of both parents.

V. Children have the obligation to take care of their parents. Able-bodied children upon reaching the age of 18 have the duty to support their invalid parents.

BAHAMAS

Chapter 3

26. Protection from discrimination on the grounds of race, etc.

(1) Subject to the provision of paragraph (4), (5) and (9) of this Article no law shall make any provision which is discriminatory either of itself or in its effect.

(4) Paragraph (1) of this Article shall not apply to any law so far as that law makes provision—

(c) with respect to adoption, marriage, divorce, burial, devolution of property on death or other matters of personal law;

BAHRAIN

Chapter 2, Article 5

a. The family is the basis of society, deriving its strength from religion, morality and love of the homeland. The law preserves its lawful entity, strengthens its bonds and values, under its aegis extends protection to mothers and children, tends the young and protects them from exploitation and safeguards them against moral, bodily and spiritual neglect. The State cares in particular for the physical, moral and intellectual development of the young.

b. The State guarantees reconciling the duties of women towards the family with their work in society, and their equality with men in political, social, cultural, and economic spheres without breaching the provisions of Islamic canon law (Shari’a).

BANGLADESH

Part 3, Article 28
(4) Nothing in this article shall prevent the State from making special provision in favour of women or children or for the advancement of any backward section of citizens.

BARBADOS

Preamble (excerpt)

Now, therefore, the people of Barbados—

(a) proclaim that they are a sovereign nation founded upon principles that acknowledge the supremacy of God, the dignity of the human person, their unshakable faith in fundamental human rights and freedoms, the position of the family in a society of free men and free institutions;

BELARUS

Section 2, Article 32

Marriage, the family, motherhood, fatherhood, and childhood are under the protection of the State.

On reaching the age of consent women and men have the right to enter into marriage on a voluntary basis and start a family. A husband and wife are equal in family relationships.

Parents or persons in loco parentis are entitled and required to raise their children and to take care of their health, development and education. No child shall be subjected to cruel treatment or humiliation or used for work that may be harmful to its physical, mental or moral development. Children shall care for their parents or persons in loco parentis and render them assistance.

Children may be separated from their family against the consent of their parents or persons in loco parentis only according to the verdict of the court of law, if the parents or persons in loco parentis fail in their duty towards their children.

Women are guaranteed equal rights with men in their opportunities to receive education and vocational training, promotion in labor, socio-political, cultural and other spheres of activity, as well as in creating conditions safeguarding their labor and health.

The young people are guaranteed the right for their spiritual, moral and physical development.

The State creates all necessary conditions for the free and effective participation of the young people in the political, social, economic and cultural development of society.
BELGIUM

Title II, Article 22

Everyone has the right to respect of one’s private and family life, except in the cases and conditions established by law.

The law, the decree or the rule specified in Article 134 guarantees the protection of this right.

Article 22 bis

Every child has a right to the respect of its moral, physical, spiritual and sexual integrity.

The law, the decree or the rule, referred to in Article 134, guarantees the protection of this right.

BELIZE

Preamble (excerpt)

Whereas the people of Belize—

(a) affirm that the Nation of Belize shall be founded upon principles which acknowledge the supremacy of God, faith in human rights and fundamental freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by their Creator;

BENIN

Title 2, Article 26

The State shall assure to everyone equality before the law without distinction of origin, of race, of sex, of religion, of political opinion or of social position.

Men and women are equal under the law. The State shall protect the family and particularly the mother and child. It shall take care of handicapped and aged persons.

BOLIVIA

Part 1
Title 1, Article 8

Every person has the following fundamental duties:

(e) To care for, nourish, and educate his minor children, and to protect and support his parents if they are in a state of illness, poverty, or need

Title 5

Article 193

Matrimony, the family, and maternity are under the protection of the State.

Article 194

I. Matrimony rests on the quality of the rights and duties of the spouses.

II. Free or de facto unions that meet the conditions of stability and singularity, and that are maintained between persons having the legal capacity to marry, produce effects similar to marriage, both in the personal and property relations of the parties living together and with respect to the children born to them.

Article 195

I. All children, without distinction as to origin, have equal rights and duties in respect of their parents.

II. Filiation may be established by any means conducive to proof thereof, in accordance with the system specified by law.

Article 196

In cases of the separation of spouses, the situation of the children shall be determined by taking into account their best care and the moral and material interest in them. Agreements entered into or proposals made by the parents may be accepted by judicial authorities provided they conform to such interest.

Article 197

I. The authority of the father and of the mother, as well as of a guardian, is established in the interest of children, minors, and incompetents, in harmony with the interest of the family and of society. Adoption and institutions similar thereto shall likewise be organized to the benefit of minors.
II. A special code shall regulate family relations.

Article 198

The law shall determine what property shall comprise a family homestead [patrimonio familiar] which is unattachable and inalienable, and also family allotments under the social security system.

Article 199

I. The State shall protect the physical, mental, and moral health of children, and shall uphold the rights of children to a home and to an education.

II. A special code shall regulate the protection of minors in harmony with general legislation

**BOSNIA AND HERZEGOVINA**

Article 2

3. Enumeration of Rights. All persons within the territory of Bosnia and Herzegovina shall enjoy the human rights and fundamental freedoms referred to in paragraph 2 above; these include:

j. The right to marry and to found a family.

**BRAZIL**

Title 7

Chapter 2, Section IV, Article 203

Social assistance shall be provided to those who need it, regardless of contributions to social security, and shall have the following objectives:

I - protection of the family, maternity, childhood, adolescence and old age;

II - support of needy children and adolescents;

III - promotion of integration into the labor force;

IV - training and rehabilitation of the handicapped and promotion of their integration into the community;
V - guarantee of a monthly benefit of one minimum wage to the handicapped and elderly who prove that they are without means to provide for their own support or having it provided by their family, as provided by law.

Chapter 7

Article 226

The family, which is the foundation of society, shall enjoy special protection from the State.

§ 1º. Marriage is civil, and the marriage ceremony is free of charge.

§ 2º. Religious marriage has civil effects, as provided by law.

§ 3º. For purposes of State protection, a stable union between a man and a woman is recognized as a family unit, and the law shall facilitate conversion of such unions into marriage.

§ 4º. The community formed by either parent and his or her descendants is also considered a family unit.

§ 5º. The rights and duties of the conjugal society shall be exercised equally by men and women.

§ 6º. Civil marriage may be dissolved by divorce after prior judicial separation for more than one year, in cases provided by law, or after proven de facto separation for more than two years.

§ 7º. Based upon the principles of human dignity and responsible parenthood, couples are free to decide on family planning; it is incumbent upon the State to provide educational and scientific resources for the exercise of this right, prohibiting any coercion on the part of official or private institutions.

§ 8º. The State shall assure assistance to the family in the person of each of its members and shall create mechanisms to suppress violence within the family.

Article 227

It is the duty of the family, the society and the State to assure children and adolescents, with absolute priority, the rights to life, health, nourishment, education, leisure, professional training, culture, dignity, respect, liberty and family and community harmony, in addition to safeguarding them against all forms of negligence, discrimination, exploitation, violence, cruelty and oppression.
§ 1°. The State shall promote full health assistance programs for children and adolescents, permitting participation by non-governmental entities and obeying the following precepts:

I - allocation of a percentage of public health funds to assist mothers and infants;

II - creation of preventive and specialized care programs for the physically, sensorially or mentally handicapped, as well as programs of social integration for handicapped adolescents through job training and community living, and facilitation of access to public facilities and services by eliminating prejudices and architectural obstacles.

§ 4°. The law shall severely punish abuse of, violence towards, and sexual exploitation of children and adolescents.

§ 5°. Adoption shall be assisted by the Government, as provided by law, which shall establish the cases and conditions under which foreigners may adopt.

§ 6°. Regardless of whether born in or out of wedlock or adopted, children shall have the same rights and qualifications, prohibiting any discrimination with respect to filiation.

§ 7°. In attending to the rights of children and adolescents, the provisions of art. 204 shall be taken into consideration.

Article 228

Minors under eighteen years of age are not criminally responsible, subject to rules of special legislation.

Article 229

Parents have a duty to assist, raise and educate their minor children, and children of age have a duty to help and support their parents in old age, need or sickness.

BULGARIA

Chapter 1

Article 14

Family, motherhood, and children are under the protection of the state and society.

Article 46
(1) Marriage is a free union between a man and a woman. Only civil marriage is legal.

(2) Spouses have equal rights and duties in marriage and family.

(3) The form of marriage, the conditions and procedure for its conclusion and termination, and personal and property relations between spouses are regulated by law.

Article 47

(1) The upbringing and education of children until they come of age is the right and duty of their parents and is supported by the state.

(2) Mothers enjoy special protection of the state which provides them with a paid leave before and after childbirth, free obstetric care, easier work, and other social assistance.

(3) Children born out of wedlock have rights equal to those born in a marriage.

(4) Children left without the care of their relatives are under special protection of the state and society.

(5) The conditions and procedure for the restriction or removal of parental rights are determined by law.

BURKINA FASO

Title 1, Chapter 4

Article 23

The family is the basic cell of society. The State owes it protection.

Marriage is founded on the free consent of the man and of the woman. Every discrimination founded on race, color, religion, ethnicity, caste, social origin, fortune is forbidden in the matter of marriage.

Children are equal in rights and in duties within their familial relations. The parents have the natural right and the duty to bring up and to educate their children. They must give them respect and assistance.

Article 24

The State works to promote the rights of the child.
BURUNDI

Title 3

Article 32

The family is the fundamental natural unit of society. Marriage is its legitimate support. The family and marriage are placed under the particular protection of the State. Parents have the natural right and the duty to educate and raise up their children. They are supported in this task by the State and public collectivities. Every child has the right to special protective measures by the family, the society and the State, these being required by the status as a minor.

Article 46

Every Burundian has the duty to preserve the harmonious development of the family and work towards the cohesion and respect of that family, to respect at all times his parents, and to support and assist them in case of need.

CAMBODIA

Chapter 3

Article 31

The Kingdom of Cambodia shall recognize and respect human rights as stipulated in the United Nations Charter, the Universal Declaration of Human rights, the covenants and conventions related to human rights, women’s and children’s rights.

Article 45

All forms of discrimination against women shall be abolished.

The exploitation of women in employment shall be prohibited.

Men and women are equal in all fields especially with respect to marriage and family matters.

Marriage shall be conducted according to conditions determined by law based on the principle of mutual consent between one husband and one wife.

Article 47
Parents shall have the duty to take care of and educate their children to become good citizens.

Children shall have the duty to take good care of their elderly mother and father according to Khmer traditions.

Article 48

The State shall protect the rights of children as stipulated in the Convention on Children, in particular, the right to life, education, protection during wartime, and from economic or sexual exploitation.

The State shall protect children from acts that are injurious to their educational opportunities, health and welfare.

Chapter 6

Article 73

The State shall give full consideration to children and mothers. The State shall establish nurseries, and help support women and children who have inadequate support.

CAMEROON

Preamble (excerpt)

— the Nation shall protect and promote the family which is the natural foundation of human society. It shall protect women, the young, the elderly and the disabled;

— the State shall guarantee the child's right to education. Primary education shall be compulsory. The organization and supervision of education at all levels shall be the bounden duty of the State;

CAPE VERDE

Title 2, Chapter 1

Article 44

(1) Everyone shall have the right to marry in civil or religious ceremony.

(2) Requirements and the civic status of marriage and its dissolution, apart from the ceremony, shall be regulated by law.
(3) Spouses shall have equal rights, civil duties, and responsibilities.

(4) Children may only be separated from parents by judicial decision in cases provided by law, if the parents do not fulfill their fundamental duties toward the children.

(5) There shall be no discrimination toward children born out of wedlock and no discriminatory designation as to their parentage.

(6) Adoption shall be permitted under forms and conditions regulated by law.

Article 49

(3) Families have the fundamental right to educate their children according to the ethical and social principles resulting from their philosophical, religious, ideological, aesthetic, political, or other convictions.

Title 3

Article 71

(1) All young people shall have the right to special protection by the family, the society, and the state, permitting the development of their personality, their physical and intellectual capacities, and their full integration in social, cultural, political and economic life.

2) The family, society, and State shall promote the free participation of young people in political life, economic and social development, and the exercise of social, cultural, political, and economic rights.

3) The State and society shall support the creation of organizations for youth for cultural, artistic, recreational, sports, and educational pursuits.

(4) The State, in cooperation with parents’ associations and educational associations, private institutions and youth organizations, shall adopt a national youth policy to promote and encourage professional training, access to initial employment, and the free intellectual and physical development of youth.

Title 6

Article 84

(1) The family is the fundamental element and the basis of all society.
(2) The family must be protected by society and by the State to create conditions for the accomplishment of its social function and for the personal fulfillment of its members.

(3) Everyone shall have the right to form a family.

(4) The State and social institutions must create conditions to assure the unity and stability of the family.

Article 85

(1) For the protection of the family, the State shall have the following duties:

(a) To assist the family in its mission of guarding the social values recognized by the community;

(b) To promote the social and economic independence of family units;

(c) To cooperate with parents in the education of their children;

(d) To define and execute, in consultation with associations representing families, a family policy of general, national scope.

(2) The State shall also have the duty to assure the elimination of conditions which tend to discriminate against women and to assure the protection of women’s rights, as well as the rights of children.

Article 86

(1) Fathers and mothers must give assistance to children born within or outside marriage, namely food, care, and education.

(2) Fathers and mothers shall have the right to the protection of society and the State to accomplish these duties in regard to their children.

(3) Fatherhood and motherhood constitute the highest social values.

Article 87

(1) All children shall have the right to the special protection of the family, society, and the State to guarantee conditions necessary for the whole development of their physical and intellectual capacities, and special care in case of orphans, abandoned children, or the emotionally deprived.
(2) The family, society, and the State must guarantee the protection of children against any form of discrimination or oppression, as well as abusive authority from family, public or private institutions to whom they are entrusted, and also against exploitation through child labor.

(3) Child labor shall be prohibited during the years of compulsory schooling.

CENTRALAFRICANREPUBLIC

Title 1, Article 6

Marriage and the family constitute the natural and moral basis of the human community. They are placed under the protection of the State.

The State and the other public collectivities have together the duty to strive for the physical and moral health of the family and to socially encourage it by appropriate institutions.

The protection of the youth against violence and insecurity, exploitation and moral, intellectual and physical abandonment is an obligation for the State and the other public collectivities. This protection is assured by appropriate measures and institutions of the State and the other public collectivities.

Parents have the natural right and primordial duty to raise and educate their children with the end to develop in them good physical, intellectual and moral aptitudes. They are supported in this task by the State and the other public collectivities.

Children born out of wedlock have the same rights to public assistance as legitimate children.

Legally recognized natural children have the same rights as legitimate children.

The State and the other public collectivities have the duty to create prerequisite conditions and public institutions which guarantee the education of children.

CHAD

Title 2, Chapter 1

Article 37

The family is the natural and moral base of the society.
The State and the Decentralized Territorial Collectivities have the duty to see to the well-being of the family.

Article 38

The parents have the natural right and the duty to raise and educate their children. In this task, they are supported by the State and the Decentralized Territorial Collectivities.

The children may be separated from their parents or from those who have them in charge, only when these fail their duty.

CHILE

Chapter 1, Article 1

All persons are born free and equal in dignity and rights.

The family is the fundamental nucleus of the society.

It is the duty of the State to safeguard the national security, to give protection to the population and the family, to promote the strengthening of this, to promote the harmonious integration of all sectors of the Nation and to assure the right of every person to participate equally in the national life.

Chapter 3, Article 19

Parents have the preferential right and the duty of educating their children. The State shall grant special protection for the exercise of this right.

Parents have the right to choose the educational establishment for their children.

CHINA

Chapter 1, Article 25

The state promotes family planning so that population growth may fit the plans for economic and social development.
Chapter 2

Article 46

The state promotes the all-round moral, intellectual and physical development of children and young people.

Article 49

Marriage, the family and mother and child are protected by the state.

both husband and wife have the duty to practice family planning.

Parents have the duty to rear and educate their minor children, and children who have come of age have the duty to support and assist their parents.

Violation of the freedom of marriage is prohibited. Maltreatment of old people, women and children is prohibited.

COLOMBIA

Title 1, Article 5

The state recognizes, without any discrimination whatsoever, the primacy of the inalienable rights of the individual and protects the family as the basic institution of society.

Title 2, Chapter 2
Concerning Social, Economic, and Cultural Rights

Article 42

The family is the basic nucleus of society. It is formed on the basis of natural or legal ties, through the free decision of a man and woman to contract matrimony or through the responsible resolve to comply with it.

The state and society guarantee the integral protection of the family. The law may determine the inalienable and unseizable family patrimony. The family's honor, dignity, and intimacy are inviolable.

Family relations are based on the equality of rights and duties of the couple and on the reciprocal respect of all its members. Any form of violence in the family is considered destructive of its harmony and unity, and will be sanctioned according to law.
The children born of a matrimony or outside it, adopted or conceived naturally or with scientific assistance, have equal rights and duties. The law will regulate responsibility to the offspring.

The couple has the right to decide freely and responsibly the number of their children and will have to support them and educate them while they are minors or non-self-supporting.

The forms of marriage, the age and qualifications to contract it, the duties and rights of the spouses, their separation and the dissolution of the marriage ties are determined by law.

Religious marriages will have civil effects within the limits established by law.

The civil effects of all marriages may be terminated by divorce in accordance with civil law.

Also having civil effects are decrees of annulment of religious marriages issued by the authorities of the respective faiths within the limits established by law.

The law will determine matters relating to the civil status of individuals and consequent rights and duties.

Article 44

The following are basic rights of children: Life, physical integrity, health and social security, a balanced diet, their name and citizenship, to have a family and not be separated from it, care and love, instruction and culture, recreation, and the free expression of their opinions. They will be protected against all forms of abandonment, physical or moral violence, sequestration, sale, sexual abuse, work or economic exploitation, and dangerous work. They will also enjoy other rights upheld in the Constitution, the laws, and international treaties ratified by Colombia.

The family, society, and the state have the obligation to assist and protect children in order to guarantee their harmonious and integral development and the full exercise of their rights. Any individual may request from the competent authority the enforcement of these rights and the sanctioning of those who violate them.

The rights of children have priority over the rights of others.

Article 45

The adolescent is entitled to protection and integral development.

The state and society guarantee the active participation of adolescents in public and private organs that are responsible for the protection, education, and progress of the youth.
Article 46

The state, society, and the family will all participate in protecting and assisting individuals in the third age bracket and will promote their integration into active and community life.

The state will guarantee to them services of integral social security and food subsidies in cases of indigence.

COMOROS

Preamble (excerpt)

Inspired by the Universal Declaration of the Rights of Man of the United Nations and of the Africa Charter of the Rights of Man and of Peoples, they proclaim and guarantee:

the right of each child to an education and to instruction by the State and by the parents and the teachers chosen by the latter, as well as the right of the child to protection, particularly that specified by international conventions regularly ratified.

the right to protection of the family, it being the basis of the society.

CONGO

Title 2

Article 31

The State has the obligation to assist the family in its mission as guardian of the morality and the traditional values recognized by the community. The rights of the mother and the child are guaranteed.

Article 32

Marriage and the family are under the protection of the law. All the children that are born within or outside the marriage, have, in regard to their parents, the same rights and duties. They enjoy the same protection in terms of the law. Parents have the same obligations and duties regarding their children.

Article 33

Every child, without discrimination of any kind has a right on the part of its family, society and the State to protection measures which its condition requires.
Article 34

The State must protect children and adolescents against economic and social exploitation. Work by children under sixteen years is prohibited.

Title 3, Article 43

Every citizen has duties toward the family, the society, the State and other legally recognized societies.

COSTA RICA

Title 5

Article 51

The family, as the natural element and basis of society, is entitled to the special protection of the State. Mothers, children, the aged, and the destitute infirm are also entitled to such protection.

Article 52

Marriage is the essential basis of the family and rests on equality of right of the spouses.

Article 53

Parents have the same obligations toward children born out of wedlock as those born within it.

Everyone is entitled to know who his parents are, according to law

Article 54

Any personal limitation based on the nature of filiation is prohibited.

Article 55

The special protection of mothers and children shall be entrusted to an autonomous institution known as the Patronato Nacional de la Infancia, in collaboration with other State institutions.

CÔTE D’IVOIRE (IVORY COAST)
Title 1, Chapter 1

Article 5

The family constitutes the basic unit of the society. The State assures its protection.

Article 6

The State assures the protection of children, the aged and the handicapped.

CROATIA

Title 3, Chapter 3

Article 61

The family enjoys the special protection of the State.

Marriage and legal relations in marriage, common-law marriage and families are regulated by law.

Article 62

The State protects maternity, children and young people, and creates social, cultural, educational, material and other conditions conducive to the realization of the right to a decent living.

Article 63

Parents have the duty to bring up, support and educate their children, and have the right and freedom to decide independently on the upbringing of their children.

Parents are responsible for ensuring the right of their children to a full and harmonious development of their personalities.

Physically and mentally handicapped and socially neglected children have the right to special care, education and welfare.

Children are obligated to take care of old and helpless parents.

The State takes special care of parentless minors or parentally neglected children.

Article 64

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Everyone has the duty to protect children and helpless persons.

Children may not be employed before reaching the legally determined age, nor may they be forced or allowed to do work harmful to their health or morality.

Young people, mothers and disabled persons have the right to special protection at work.

**CUBA**

Chapter III, Article 31

Neither marriage nor its dissolution affect the citizenship status of either of the spouses or their children.

Chapter IV

Article 35

The State protects the family, motherhood and matrimony.

The State recognizes in the family the fundamental cell of the society, and attributes to it essential responsibilities and functions in the education and training of the new generations.

Article 36

Marriage is the voluntary established union between a man and a woman, who are legally fit to marry, in order to live together. It is based on full equality of rights and duties for the partners, who must see to the support of the home and the integral education of their children through a joint effort compatible with the social activities of both.

The law regulates the formalization, recognition and dissolution of marriage and the rights and obligations deriving from such acts.

Article 37

All children have the same rights, regardless of being born in or out of wedlock.

Distinctions regarding a child’s filiation are abolished.

No statement shall be made either with regard to the difference in birth or the civil status of the parents in the registration of the child’s birth or in any other documents that mention parenthood.
The State guarantees, through adequate legal means, the determination and recognition of paternity.

Article 38

The parents have the duty to provide nourishment for their children; to help them to defend their legitimate interests and in the realization of their just aspirations; and to contribute actively to their education and integral development as useful, well-prepared citizens for life in a socialist society.

It is the children’s duty, in turn, to respect and help their parents.

Chapter V, Article 40

Children and youth benefit from particular protection on the part of the State and the society.

The family, the school, the State organs, and the mass and social organizations have the duty to pay special attention to the complete training of children and the youth.

CYPRUS

Part 2

Article 20

1. Every person has the right to receive, and every person or institution has the right to give, instruction or education subject to such formalities, conditions or restrictions as are in accordance with the relevant communal law and are necessary only in the interests of the security of the Republic or the constitutional order or the public safety or the public order or the public health or the public morals or the standard and quality of education or for the protection of the rights and liberties of others including the right of the parents to secure for their children such education as is in conformity with their religious convictions.

Article 22

1. Any person reaching nubile age is free to marry and to found a family according to the law relating to marriage, applicable to such person under the provisions of this Constitution.

2. The provisions of paragraph 1 of this Article shall, in the following cases, be applied as follows:—
(a) if the law relating to marriage applicable to the parties as provided under Article 111 is not the same, the parties may elect to have their marriage governed by the law applicable to either of them under such Article;

(b) if the provisions of Article 111 are not applicable to any of the parties to the marriage and neither of such parties is a member of the Turkish Community, the marriage shall be governed by a law of the Republic which the House of Representatives shall make and which shall not contain any restrictions other than those relating to age, health, proximity of relationship and prohibition of polygamy;

(c) if the provisions of Article 111 are applicable only to one of the parties to the marriage and the other party is not a member of the Turkish Community, the marriage shall be governed by the law of the Republic as in sub-paragraph (b) of this paragraph provided:

Provided that the parties may elect to have their marriage governed by the law applicable, under Article 111, to one of such parties in so far as such law allows such marriage.

3. Nothing in this Article contained shall, in any way, affect the rights, other than those on marriage, of the Greek-Orthodox Church or of any religious group to which the provisions of paragraph 3 of Article 2 shall apply with regard to their respective members as provided in this Constitution.

DENMARK

Part 8

76. All children of school age shall be entitled to free instruction in the elementary schools. Parents or guardians who themselves arrange for their children or wards receiving instruction equal to the general elementary school standard, shall not be obliged to have their children or wards taught in an elementary school.

DJIBOUTI

Title 6, Article 57

Laws shall establish the rules concerning: - The enjoyment and exercise of civil and civic rights, nationality, status and security of persons, organization of the family, the property and inheritance regime and the law of obligations

DOMINICA

Preamble (excerpt):
WHEREAS the People of Dominica—

(a) have affirmed that the Commonwealth of Dominica is founded upon principles that acknowledge the supremacy of God, faith in fundamental human rights and freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person, and the equal and inalienable rights with which all members of the human family are endowed by their Creator

DOMINICAN REPUBLIC

Title II, Section I, Article 8

15. With the aim of strengthening its stability and well-being, its moral, religious, and cultural life, the family shall receive the broadest possible protection from the State.

a. Maternity, regardless of the condition or status of the mother, shall have the protection of the public powers and shall be entitled to public assistance in case of desertion. The State shall adopt measures of hygiene and other steps designed to prevent infant mortality insofar as possible and to attain a healthy development of children. The establishment of the family homestead [bien de familia] is also declared to be of high social interest. The State shall encourage family savings and the establishment of credit, producer, distribution, and consumer cooperatives and any others that may be useful.

c. Marriage is recognized as the legal basis of the family.

EAST TIMOR

Part 2

Title 1

Article 18

1. Children are entitled to special protection by the family, the community and the State, particularly against all forms of abandonment, discrimination, violence, oppression, sexual abuse and exploitation.

2. Children shall enjoy all rights that are universally recognized, as well as all those that are enshrined in international conventions normally ratified or approved by the State.

3. Every child born in or outside wedlock shall enjoy the same rights and social protection.

Article 19
1. The State shall promote and encourage youth initiatives towards the consolidation of national unity, reconstruction, defense and development of the country.

2. The State shall promote education, health and vocational training for the youth as may be practicable.

Title 2, Article 39
Family, Marriage and Maternity

1. The State protects the family as the society’s basic unit and condition for the harmonious development of the person.

2. All have the right to establish and live in a family.

3. Marriage is based upon free consent by the parties and on terms of full equality of rights between spouses, in accordance with the law.

4. Maternity is dignified and protected, and special protection shall be guaranteed to all women during pregnancy and after delivery and working women shall have the right to be exempted from the workplace for an adequate period before and after delivery, without loss of remuneration or any other benefits, in accordance with the law.

ECUADOR

Title 3, Chapter 4

Third Section

Article 37

The State recognizes and protects the family as the fundamental cell of society and guarantees it conditions that favor the integral attainment of its ends. These [conditions] consist of legal or factual bonds and are based on the equality of its members’ rights and opportunities.

It protects marriage, maternity and family property. It equally supports women who are heads of households.

Marriage is based on the free consent of the contracting parties and on the equality of rights, obligations and legal capacity of the spouses.

Article 38
A stable and monogamous union of a man and a woman, free of matrimonial ties with another person, that in fact forms a household for a period of time, and under the conditions and circumstances prescribed by the law, shall create the same rights and obligations as families created through matrimony, including those relating to the legal presumption of paternity, and the conjugal society.

Article 39

Responsible maternity and paternity is advocated. The State shall guarantee the right of persons to decide on the number of children they want to conceive, adopt, maintain and educate. It is the obligation of the State to inform, educate and provide means that contribute to the exercise of this right.

The patrimony of the family is recognized as unattachable [inembargable] in the quantity and under the conditions established by the law, and with the foregoing limitations. The right to make a will and to inherit is guaranteed.

Article 40

The State protects mothers and fathers who are heads of their families, in the exercise of their obligations. It shall promote the corresponding paternal and maternal responsibility and shall oversee the fulfillment of the reciprocal obligations and rights among parents and children. Children have the same rights, without considering their derivation or adoption.

In registering births no statement shall be required regarding the nature of the parental relationship, and the document of identity shall not make reference to it.

Fifth Section

Article 47

In the political and private arena[, children, adolescents, pregnant women, persons with a disability, those who suffer from highly complex catastrophic diseases and senior citizens shall receive prioritary, preferential and specialized attention. In the same manner, one shall attend to persons in situations of risk and victims of domestic violence, child abuse, [and] natural or human [antropogénicos] disasters.

Article 48

It shall be the obligation of the State, society and the family to promote with maximum priority the integral development of children and adolescents and to assure the full exercise of their rights. In all cases the principle of the best interests of children shall be applied, and their rights shall prevail over those of all others.
Article 49

Children and adolescents have all the shared rights of human beings, in addition to those specific to their age. The State shall assure and guarantee their right to life from conception; to physical and psychological integrity; to their identity, name and citizenship; to integral health and nutrition; to education and culture, to sports and recreation; to social security, to have a family and enjoy family and community companionship; to social participation, to respect of their liberty and dignity, and to be consulted in matters that affect them.

The State guarantees their liberty of expression and association, [and] the free functioning of the student councils and other forms of assembly, in conformity with the law.

Article 50

The State shall adopt measures that assure that children and adolescents have the following guarantees:

1. Priority attention to children less than six years old that guarantees their nutrition, health, education and daily care.

2. Special protection at work, and against economic exploitation through dangerous work conditions that prejudice their education or are noxious to their health or personal development.

3. Preferential attention for the full social integration of those who have a disability.

4. Protection against trafficking in minors, pornography, prostitution, sexual exploitation, use of narcotics, psychotropic substances and consumption of alcoholic beverages.

5. Prevention and actions against abuse, neglect, discrimination and violence.

6. Priority attention in instances of disasters and armed conflicts.

7. Protection against the influence of harmful programs or messages that are disseminated through any means of communication, and [programs or messages that] promote violence, racial or gender discrimination, or the adoption of false values.

Article 51

Minors of less than 18 years are subject to the legislation on minors and the administration of specialized justice in the Judicial Function. Children and adolescents have the right to respect for their constitutional guarantees.
Article 52

The State shall organize a national decentralized system of integral protection of childhood and adolescence, charged with assuring the exercise and guarantee of their rights. Its governing organ on the national level shall equally [paritariamente] consist of the State and civil society and shall be empowered to define policies. Public and private entities shall form part of this system.

Division governments shall create local policies and assign preferential resources for services and programs oriented toward children and adolescents.

EGYPT

Part 2, Chapter 1

Article 9

The family is the basis of the society founded on religion, morality and patriotism.

The State is keen to preserve the genuine character of the Egyptian family—with what it embodies of values and traditions—while affirming and developing this character in the relations within the Egyptian society.

Article 10

The State shall guarantee the protection of motherhood and childhood, take care of children and youth and provide the suitable conditions for the development of their talents.

Article 11

The State shall guarantee the proper coordination between the duties of woman towards the family and her work in the society, considering her equal with man in the fields of political, social, cultural and economic life without violation of the rules of Islamic jurisprudence.

Article 12

The society shall be committed to safeguarding and protecting morals, promoting the genuine Egyptian traditions and abiding by the high standards of religious education, moral and national values, historical heritage of the people, scientific facts, socialist conduct and public morality within the limits of the law.
The State is committed to abiding by these principles and promoting them.

**EL SALVADOR**

Title 2, Chapter 2, Section 1

Article 32

The family is the fundamental basis of society and shall have the protection of the State, which shall dictate the necessary legislation and create the appropriate organizations and services for its integration, well-being and social, cultural, and economic development.

The legal foundation of the family is marriage and rests on the juridical equality of the spouses.

The State shall foment marriage; but the lack of this shall not affect the enjoyment of the rights established in favor of the family.

Article 33

The law shall regulate the personal and patrimonial relations of spouses amongst themselves, and between themselves and their children, establishing the rights and reciprocal duties on an equitable basis; and shall create the necessary institutions to guarantee its applicability. Likewise it shall regulate the family relations resulting from the stable union of a man and a woman.

Article 34

Every child has the right to live in familial and environmental conditions that permit his integral development, for which he shall have the protection of the State.

The law shall determine the duties of the State and shall create institutions for the protection of maternity and infancy.

Article 35

The State shall protect the physical, mental and moral health of minors, and shall guarantee their right to education and assistance.

Antisocial conduct of minors that constitutes a crime or misdemeanor shall be subject to a special juridical regime.

Article 36
Children born in or out of wedlock and adopted children, shall have equal rights before their parents. It is the obligation of these to give their children protection, assistance, education and security.

The records of the Civil Register shall not indicate any sign [calificación] of the nature of filiation, nor shall birth certificates express the civil status of the parents.

Every person has the right to have a name that identifies him. The secondary law will regulate this matter.

The law shall also determine the forms of investigating and establishing paternity.

**EQUATORIAL GUINEA**

Preamble (excerpt)

Desirous of upholding the authoritative African spirit of family and community set-up adapted to the new social and legal structures of the modern world;

Conscious of the fact that the charismatic authority of the traditional family is the foundation of the Equato-Guinean Society;

Part 1

Article 5

The principles that shall govern the Equato-Guinean society shall be:

b. The protection of the family, the basis of the Equato-Guinean society;

Article 21

The State shall ensure the protection of the family as the foundation of the society and shall secure the moral, cultural and economic conditions favorable to the achievement of objectives.

Article 22

The State shall ensure the protection of every person from birth, and foster his normal development and ensure his security for his moral, psychological and physical integration as well as his family life.

Article 24
The State shall protect responsible paternity and ensure appropriate education to promote the family.

**ERITREA**

Preamble (excerpt)

Appreciating the fact that for the development and health of our society, it is necessary that we inherit and improve upon the traditional community-based assistance and fraternity, love for family, respect for elders, mutual respect and consideration

Chapter 2, Article 9

2. The State shall encourage values of community solidarity and love and respect of the family.

Chapter 3, Article 22

1. The family is the natural and fundamental unit of society and is entitled to the protection and special care of the State and society.

2. Men and women of full legal age shall have the right, upon their consent, to marry and to found a family freely, without any discrimination and they shall have equal rights and duties as to all family affairs.

3. Parents have the right and duty to bring up their children with due care and affection; and, in turn, children have the right and the duty to respect their parents and to sustain them in their old age.

**ESTONIA**

Chapter 2

Article 26

All persons shall have the right to the inviolability of family life and privacy. State and local government authorities and their officials may not interfere with the family life or privacy of any person, except in the cases and in accordance with procedures established by law for the protection of health or public morals public order, the rights and liberties of others, or in order to prevent a criminal act or to apprehend a criminal.

Article 27
The family, being fundamental for the preservation and growth of the nation, and as the basis for society, shall be protected by the state.

Spouses shall have equal rights.

Parents shall have the right and the duty to raise and care for their children.

The protection of parents and children shall be established by law.

The family shall be responsible for the care of its dependent members.

**ETHIOPIA**

Chapter 3, Part 2

Article 34

1. Men and women, without any distinction as to race, nation, nationality or religion, who have attained marriageable age as defined by law, have the right to marry and found a family. They have equal rights while entering into, during marriage and at the time of divorce. Laws shall be enacted to ensure the protection of rights and interests of children at the time of divorce.

2. Marriage shall be entered into only with the free and full consent of the intending spouses.

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

4. In accordance with provisions to be specified by law, a law giving recognition to marriage concluded under systems of religious or customary laws may be enacted.

5. This Constitution shall not preclude the adjudication of disputes relating to personal and family laws in accordance with religious or customary laws, with the consent of the parties to the dispute. Particulars shall be determined by law.

Article 35

1. Women shall, in the enjoyment of rights and protections provided for by this Constitution, have equal right with men.

2. Women have equal rights with men in marriage as prescribed by this Constitution.
Article 36

1. Every child has the right:

(a) To life;

(b) To a name and nationality;

(c) To know and be cared for by his or her parents or legal guardians;

(d) Not to be subject to exploitative practices, neither to be required nor permitted to perform work which may be hazardous or harmful to his or her education, health or well-being;

(e) To be free of corporal punishment or cruel and inhumane treatment in schools and other institutions responsible for the care of children.

2. In all actions concerning children undertaken by public and private welfare institutions, courts of law, administrative authorities or legislative bodies, the primary consideration shall be the best interests of the child.

3. Juvenile offenders admitted to corrective or rehabilitative institutions, and juveniles who become wards of the State or who are placed in public or private orphanages, shall be kept separately from adults.

4. Children born out of wedlock shall have the same rights as children born of wedlock.

5. The State shall accord special protection to orphans and shall encourage the establishment of institutions which ensure and promote their adoption and advance their welfare, and education.

FIJI

Preamble (excerpt)

Reaffirming our recognition of the human rights and fundamental freedoms of all individuals and groups, safeguarded by adherence to the rule of law, and our respect for human dignity and for the importance of the family,

FINLAND

Chapter 2
Section 6

Children shall be treated equally and as individuals and they shall be allowed to influence matters pertaining to themselves to a degree corresponding to their level of development.

Section 19

The public authorities shall guarantee for everyone, as provided in more detail by an Act, adequate social, health and medical services and promote the health of the population. Moreover, the public authorities shall support families and others responsible for providing for children so that they have the ability to ensure the well-being and personal development of the children.

GABON

Article One

(8) the State, according to its possibilities, guarantees to all, notably to the child, the mother, the handicapped, to aged workers and to the elderly, the protection of health, social security, a preserved natural environment, rest and leisure;

(14) the family is the basic natural unit of society; marriage is the legitimate support of it. They are placed under the particular protection of the State;

(16) the support to be given to children and their education constitute, for parents, a natural right and duty which they exercise under the surveillance and with the aid of the State and public entities. Parents have the right, in the area of scholarly obligation, to decide upon the moral and religious education of their children. The children have, vis-a-vis the State, the same rights concerning assistance as well as their physical, intellectual and moral development;

(17) the protection of the young against exploitation and against moral, intellectual and physical abandon, is an obligation for the State and public entities;

(18) the State guarantees equal access of the child and the adult to instruction, to professional education and to culture;

THE GAMBIA

Chapter 4

27. Right to marry
(1) Men and women of full age and capacity shall have the right to marry and found a family.

(2) Marriage shall be based on the free and full consent of the intended parties.

28. Rights of women

(1) Women shall be accorded full and equal dignity of the person with men.

(2) Women shall have the right to equal treatment with men, including equal opportunities in political, economic and social activities.

29. Rights of children

(1) Children shall have the right from birth to a name, the right to acquire a nationality and, subject to legislation enacted in the best interest of children, to know and be cared for by their parents.

(2) Children under the age of sixteen years are entitled to be protected from economic exploitation and shall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education or be harmful to their health or physical, mental, spiritual, moral or social development.

(3) A juvenile offender who is kept in lawful custody shall be kept separately from adult offenders.

**GEORGIA**

Chapter 2, Article 36

1. Marriage is based on the equality of rights and the free will of the spouses.

2. The State supports the prosperity of the family.

3. The rights of motherhood and childhood are protected by law.

**GERMANY**

Part 1, Article 6

(1) Marriage and the family are under the special protection of the State.
(2) The care and upbringing of children is the natural right of parents and a duty primarily incumbent upon them. The State authorities watch over them in the performance of this duty.

(3) Children may be separated from their families against the will of their parents or guardians only pursuant to a law, and only if the parents or guardians fail to perform or if the children are in danger of serious neglect for other reasons.

(4) Every mother is entitled to the protection and care of the community.

(5) Children born outside of marriage are provided by legislation with the same opportunities for physical and mental development and for their position in society as those born within marriage.

GHANA

Chapter 5

27. Women’s Rights.

(1) Special care shall be accorded to mothers during a reasonable period before and after child-birth; and during those periods, working mothers shall be accorded paid leave.

(2) Facilities shall be provided for the care of children below school-going age to enable women, who have the traditional care for children, realise their full potential.

(3) Women shall be guaranteed equal rights to training and promotion without any impediments from any person.


(1) Parliament shall enact such laws as are necessary to ensure that—

(a) every child has the right to the same measure of special care, assistance and maintenance as is necessary for its development from its natural parents, except where those parents have effectively surrendered their rights and responsibilities in respect of the child in accordance with law;

(b) every child, whether or not born in wedlock, shall be entitled to reasonable provision out of the estate of its parents;
(c) parents undertake their natural right and obligation of care, maintenance and upbringing of their children in co-operation with such institutions as Parliament may, by law, prescribe in such manner that in all cases the interest of the children are paramount;

(d) children and young persons receive special protection against exposure to physical and moral hazards; and

(e) the protection and advancement of the family as the unit of society are safeguarded in promotion of the interest of children.

(2) Every child has the right to be protected from engaging in work that constitutes a threat to his health, education or development.

(3) A child shall not be subjected to torture or other cruel, inhuman or degrading treatment or punishment.

(4) No child shall be deprived by any other person of medical treatment, education or any other social or economic benefit by reason only of religious or other beliefs.

(5) For the purposes of this article, “child” means a person below the age of eighteen years.

GREECE

Part 2, Article 21

1. The family, being the cornerstone of the preservation and the advancement of the Nation, as well as marriage, motherhood and childhood, shall be under the protection of the State.

2. Families with many children, disabled war and peace-time veterans, war victims, widows and orphans, as well as persons suffering from incurable bodily or mental ailments are entitled to the special care of the State.

GUATEMALA

Preamble (excerpt)

We, the representatives of the people of Guatemala, elected freely and democratically, meeting in the National Constituent Assembly in order to organize the State juridically and legally; affirming the primacy of the human person as the subject and purpose of the social order; recognizing the family as the primary and fundamental genesis of the spiritual and moral values of the society and, the State, as responsible for promoting the common good
Title I, Chapter 1, Article 1

The State of Guatemala is organized to protect the person and the family; its supreme goal is the realization of the public good.

Title II

Chapter 1, Article 3

The State guarantees and protects the human life from the time of its conception as well as the integrity and security of the person.

Chapter 2, Section 1

Article 47

The State guarantees the social, economic, and juridical protection of the family. It will promote its organization on the legal basis of marriage, the equal rights of spouses, responsible paternity, and the right of individuals to decide freely the number and spacing [espaciamiento] of their children.

Article 48

The State recognizes de facto unions and the law will regulate everything relative to it.

Article 49

The state of matrimony can be authorized by mayors, councilors, practicing notaries, and religious ministers empowered by the corresponding administrative authority.

Article 50

All children are equal before the law and have the same rights. Any discrimination is punishable.

Article 51

The State will protect the physical, mental, and moral health of minors and the elderly. It will guarantee them their right to food, public health, education, security, and social insurance.

Article 52
Motherhood enjoys the protection of the State, over which it will watch in a special way for the strict fulfillment of the rights and obligations to be derived from it.

Article 54

The State recognizes and protects adoption. The adopted child acquires the status of child of the adopter. The protection of orphaned children and of abandoned children is declared to be of national interest.

Article 56

Measures against alcoholism, drug addiction, and other causes of family disintegration are declared to be of social interest. The State will have to take adequate measures of prevention, treatment, and rehabilitation to make said actions effective for the well-being of the individual, family, and society.

GUINEA

Title 2, Article 16

Marriage and the family which constitute the natural foundation of life in society, shall be protected and promoted by the State.

Parents have the right and the duty to assure the education and the physical and moral health of their children. Children owe care and assistance to their parents.

GUINEA-BISSAU

Title 2

Article 24

Men and women shall be equal before the law in all areas of political, economic, social, and cultural life.

Article 25

1. The State shall recognize the creation of families and guarantee their protection.

2. Children shall be equal before the law, independently of the civil state of their progenitors.

Article 40

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Children, youth, and mothers shall have the right to the protection of society and of the State.

**GUYANA**

Part 1, Chapter 2

28. Youth.

Every young person has the right to ideological, social, cultural and vocational development and to the opportunity for responsible participation in the development of the socialist order of society.

29. Equality for women.

(1) Women and men have equal rights and the same legal status in all spheres of political, economic and social life. All forms of discrimination against women on the basis of their sex are illegal.

(2) The exercise of women’s rights is ensured by according women equal access with men to academic, vocational and professional training, equal opportunities in employment, remuneration and promotion, and in social, political and cultural activity, by special labour and health protection measures for women, by providing conditions enabling mothers to work, and by legal protection and material and moral support for mothers and children, including paid leave and other benefits for mothers and expectant mothers.


Children born out of wedlock are entitled to the same legal rights and legal status as are enjoyed by children born in wedlock. All forms of discrimination against children on the basis of their being born out of wedlock are illegal.

**HAITI**

Title X

Article 259

The State protects the family, which is the foundation of society.

Article 260
It must also protect all families regardless of whether they are constituted within the bonds of marriage. It must endeavor to aid and assist mothers, children and the aged.

Article 261

The law ensures protection for all children. Any child is entitled to love, affection, understanding and moral and physical care from its father and mother.

Article 262

A Family Code must be drawn up to ensure protection and respect for the rights of the family and to define procedures of the search for affiliation. Courts and other Government agencies charged with the protection of these rights must be accessible free of charge at the level of the smallest territorial division.

HONDURAS

Title 3

Chapter II, Article 67

The unborn shall be considered as born for all rights accorded within the limits established by law.

Chapter III

Article 111

The family, marriage, motherhood and childhood are under the protection of the State.

Article 112

The right of a man and a woman to contract marriage is recognized, as well as the legal equality of spouses.

Only a civil marriage performed by competent officials and under the conditions established by the Law is valid.

De facto union between persons having the legal capacity to marry is recognized. The Law shall indicate the conditions under which it shall have the effect of a civil marriage.

Article 113
Divorce as a means of dissolving the matrimonial bond is recognized.

The Law shall regulate the grounds for divorce and its effects.

Article 114

All children have the same rights and duties.

Qualifications concerning the nature of filiation are not recognized. No statement of any kind as to differentiations in births or the marital status of the parents shall be contained in any birth registrations or in any document relating to filiation.

Article 115

Investigation of paternity is authorized. The procedure shall be determined by the Law.

Article 116

The right of adoption is recognized. The Law shall regulate this institution.

Article 117

CHAPTER IV

Article 119

The State has the duty to protect children.

Children shall enjoy the protection afforded to them in international treaties which look after their rights.

Child protection laws are matters of public policy, and the official establishments serving this purpose shall have the status of social welfare centers.

Article 120

Physically or mentally handicapped minors, those with abnormal behavior, orphans, and abandoned children shall be subject to special legislation for their rehabilitation, supervision, and protection as the case may be.

Article 121
Parents are under obligation to feed, assist, and educate their children during their minority, and beyond in those cases established by law.

The State shall provide special protection for minors whose parents or guardians are economically unable to do so, to provide for their care and education.

Under circumstances of equal qualifications, these needy parents and guardians shall be given preference in filling public positions.

Article 122

The Law shall establish the jurisdiction and the special tribunals which shall hear family and juvenile matters.

No one under eighteen years of age shall be permitted to be confined in a jail or prison.

Article 123

All children shall enjoy the benefits of social security and education.

Every child shall have the right to grow and develop in good health, for whom special care shall be given during the prenatal period, as much for the child as for the mother, both being entitled to food, housing, education, recreation, exercise and adequate medical services.

Article 124

Every child must be protected against every form of abandonment, cruelty and exploitation. No child shall be the object of any type of bondage.

No child shall work before reaching an adequate minimum age, nor shall he be permitted to dedicate himself to any occupation or employment that may be prejudicial to his health, education, or serve as an impediment to his physical, mental, or moral development.

The use of minors by their parents or other persons for the purpose of begging is prohibited.

The Law shall establish the applicable penalties for those who violate this provision.

Article 125

The communications media shall cooperate in the training and education of children.
Article 126

Every child, regardless of circumstances, shall be among the first to receive aid, protection, and assistance.

**HUNGARY**

Chapter 1, Article 15

The Republic of Hungary shall protect the institutions of marriage and the family.

Chapter 12

Article 66

(1) The Republic of Hungary shall ensure the equality of men and women in all civil, political, economic, social and cultural rights.

(2) In the Republic of Hungary mothers shall receive support and protection before and after the birth of the child, in accordance with separate regulations.

(3) Separate regulations shall ensure the protection of women and youth in the workplace.

Article 67

(1) In the Republic of Hungary all children have the right to receive the protection and care of their family, and of the State and society, which is necessary for their satisfactory physical, mental and moral development.

(2) Parents have the right to choose the form of education given to their children.

(3) Separate regulations shall establish the responsibilities of the State with regard to the situation and protection of the family and youth.

**ICELAND**

Chapter 7, Article 76

For children, the law shall guarantee the protection and care which is necessary for their well-being.

**INDONESIA**
Chapter XA, Article 28B

(1) Every person shall have the right to establish a family and to procreate based upon lawful marriage.

(2) Every child shall have the right to live, to grow and to develop, and shall have the right to protection from violence and discrimination.

**IRAN**

Preamble (excerpt)

Through the creation of Islamic social infrastructures, all the elements of humanity that hitherto served the multifaceted foreign exploitation shall regain their true identity and human rights. As a part of this process, it is only natural that women should benefit from a particularly large augmentation of their rights, because of the greater oppression that they suffered under the ṭāghūṭī regime.

The family is the fundamental unit of society and the main centre for the growth and edification of human being. Compatibility with respect to belief and ideal, which provides the primary basis for man’s development and growth, is the main consideration in the establishment of a family. It is the duty of the Islamic government to provide the necessary facilities for the attainment of this goal. This view of the family unit delivers woman from being regarded as an object or as an instrument in the service of promoting consumerism and exploitation. Not only does woman recover thereby her momentous and precious function of motherhood, rearing of ideologically committed human beings, she also assumes a pioneering social role and becomes the fellow struggler of man in all vital areas of life. Given the weighty responsibilities that woman thus assumes, she is accorded in Islam great value and nobility.

Chapter 1, Article 10

Since the family is the fundamental unit of Islamic society, all laws, regulations, and pertinent programmes must tend to facilitate the formation of a family, and to safeguard its sanctity and the stability of family relations on the basis of the law and the ethics of Islam.

Chapter 3, Article 21

The government must ensure the rights of women in all respects, in conformity with Islamic criteria, and accomplish the following goals:

1. create a favourable environment for the growth of woman's personality and the restoration of her rights, both the material and intellectual;
2. the protection of mothers, particularly during pregnancy and childrearing, and the protection of children without guardians;

3. establishing competent courts to protect and preserve the family;

4. the provision of special insurance for widows, and aged women and women without support;

5. the awarding of guardianship of children to worthy mothers, in order to protect the interests of the children, in the absence of a legal guardian.

IRELAND

Article 40

3° The State acknowledges the right to life of the unborn and, with due regard to the equal right to life of the mother, guarantees in its laws to respect, and, as far as practicable, by its laws to defend and vindicate that right.

Article 41

1. 1° The State recognises the Family as the natural primary and fundamental unit group of Society, and as a moral institution possessing inalienable and imprescriptible rights, antecedent and superior to all positive law.

2° The State, therefore, guarantees to protect the Family in its constitution and authority, as the necessary basis of social order and as indispensable to the welfare of the Nation and the State.

2. 1° In particular, the State recognises that by her life within the home, woman gives to the State a support without which the common good cannot be achieved.

2° The State shall, therefore, endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.

3. 1° The State pledges itself to guard with special care the institution of Marriage, on which the Family is founded, and to protect it against attack.

2° A Court designated by law may grant a dissolution of marriage where, but only where, it is satisfied that —
i. at the date of the institution of proceedings, the spouses have lived apart from one another for a period of, or periods amounting to, at least four years during the previous five years,

ii. there is no reasonable prospect of a reconciliation between the spouses,

iii. such provision as the Court considers proper having regard to the circumstances exists or will be made for the spouses, any children of either or both of them and any other person prescribed by law, and

iv. any further conditions prescribed by law are complied with.

3° No person whose marriage has been dissolved under the civil law of any other State but is a subsisting valid marriage under the law for the time being in force within the jurisdiction of the Government and Parliament established by this Constitution shall be capable of contracting a valid marriage within that jurisdiction during the lifetime of the other party to the marriage so dissolved.

Article 42.

1. The State acknowledges that the primary and natural educator of the child is the Family and guarantees to respect the inalienable right and duty of parents to provide, according to their means, for the religious and moral, intellectual, physical and social education of their children.

2. Parents shall be free to provide this education in their homes or in private schools or in schools recognised or established by the State.

3. 1° The State shall not oblige parents in violation of their conscience and lawful preference to send their children to schools established by the State, or to any particular type of school designated by the State.

2° The State shall, however, as guardian of the common good, require in view of actual conditions that the children receive a certain minimum education, moral, intellectual and social.

4. The State shall provide for free primary education and shall endeavour to supplement and give reasonable aid to private and corporate educational initiative, and, when the public good requires it, provide other educational facilities or institutions with due regard, however, for the rights of parents, especially in the matter of religious and moral formation.
5. In exceptional cases, where the parents for physical or moral reasons fail in their duty towards their children, the State as guardian of the common good, by appropriate means shall endeavour to supply the place of the parents, but always with due regard for the natural and imprescriptible rights of the child.

**ISRAEL**

Section C

22. Freedom of Religion and Conscience

d) Nothing in this section shall—

2. preclude recognition of a religious marriage or divorce of the parties’ choice, or affect any provision whereunder a person’s choice of any religious marriage subjects him to the laws of divorce of that religion;

**ITALY**

Title II

Article 29

The Republic recognizes the rights of the family as a natural society founded on matrimony.

Matrimony is based on the moral and legal equality of the spouses within the limits established by law to guarantee the unity of the family.

Article 30

It is the duty and right of parents to support, instruct and educate their children, even those born outside of matrimony.

In cases of the incapacity of the parents, the law provides for the fulfilment of their duties.

The law ensures to children born outside of marriage full juridical and social protection, compatible with the rights of members of the legitimate family.

The law lays down the norms and limits for the ascertainment of paternity.

Article 31
The Republic assists through economic measures and other provisions the formation of the family and the fulfilment of its duties, with particular regard for large families.

It protects maternity, infancy and youth, promoting the institutions necessary for such purposes.

Title III, Article 37

Working women have the same rights and, for equal work, the same wages as working men. The working conditions must allow women to carry out their essential role in the family and ensure special adequate protection for the mother and the child.

JAPAN

Chapter 3

Article 24

Marriage shall be based only on the mutual consent of both sexes and it shall be maintained through mutual co-operation with the equal rights of husband and wife as a basis.

With regard to choice of spouse, property rights, inheritance, choice of domicile, divorce and other matters pertaining to marriage and the family, laws shall be enacted from the standpoint of individual dignity and the essential equality of the sexes.

Article 27

Children shall not be exploited.

KAZAKHSTAN

Section 2, Article 27.

1. Marriage and family, motherhood, fatherhood and childhood [are] under the protection of the State.

2. Care of children and their upbringing is a natural right and responsibility of parents.

3. Grown able-bodied children must take care of their non-able-bodied parents.

KUWAIT

Part 2
Article 9

The family is the corner-stone of Society. It is founded on religion, morality and patriotism. Law shall preserve the integrity of the family, strengthen its ties and protect under its auspices motherhood and childhood.

Article 10

The State cares for the young and protects them from exploitation and from moral, physical and spiritual neglect.

KYRGYZ REPUBLIC

Section 1, Chapter 2, Third Section, Article 26

1. The family is the fundamental unit of society; family, fatherhood, maternity and childhood are the subject of concern for the whole society and subject to protection by law; child care and upbringing are the natural right and civic duty of the parents. Able-bodied children of age are obligated to take care of their parents.

2. The state provides material assistance, up-bringing and education for orphans and children deprived of parental care.

3. Respect for the elderly, taking care of relatives and close [persons] is a sacred tradition of the people of Kyrgyzstan.

LAOS

Chapter 2, Article 20

The State pays attention to pursuing the policy toward mothers and children.

Chapter 3, Article 24

Citizens of both sexes enjoy equal rights in the political, economic, cultural and social fields and family affairs.

LATVIA

Chapter 8
110. The State shall protect and support marriage, the family, the rights of parents and rights of the child. The State shall provide special support to disabled children, children left without parental care or who have suffered from violence.

LESOTHO

Chapter 3

32. Protection of children and young persons

Lesotho shall adopt policies designed to provide that—

(a) protection and assistance is given to all children and young persons without any discrimination for reasons of parentage or other conditions;

(b) children and young persons are protected from economic and social exploitation;

(c) the employment of children and young persons in work harmful to their morals or health or dangerous to life or likely to hamper their normal development is punishable by law; and

(d) there are age limits below which the paid employment of children and young persons is prohibited and punishable by law.

LIBYA

Chapter 1, Article 3

Social solidarity constitutes the foundation of national unity. The family, based on religion, morality and patriotism is the foundation of society.

LIECHTENSTEIN

Chapter 3, Article 15

The State shall devote particular attention to education and schooling. These must be so ordered and administered that, as a result of the co-operation of the family, the school and the church, the younger generation may be imbued with religious and moral principles and patriotic feelings, and may be fitted for their future occupations.

LITHUANIA

Chapter 3
Article 38

The family shall be the basis of society and the State.

Family, motherhood, fatherhood, and childhood shall be under the care and protection of the State.

Marriage shall be entered into upon the free consent of man and woman.

The State shall register marriages, births, and deaths. The State shall also recognise marriages registered in church.

In the family, spouses shall have equal rights:

The right and duty of parents into bring up their children to be honest individuals and loyal citizens, as well as to support them until they come of age.

The duty of children is to respect their parents, to care for them in old age, and to preserve their heritage.

Article 39

The State shall take care of families bringing up children at home, and shall render them support in the manner established by law.

The law shall provide for paid maternity leave before and after childbirth, as well as for favourable working conditions and other privileges.

Children who are under age shall be protected by law.

LUXEMBOURG

Chapter 2

Article 11

(3) The State guarantees the natural rights of the individual and of the family.

Article 21

Civil marriage must always precede the religious wedding.

MACEDONIA
Section 2, Part 2

Article 40

The Republic provides particular care and protection for the family.

The legal relations in marriage, the family and cohabitation are regulated by law.

Parents have the right and duty to provide for the nurturing and education of their children. Children are responsible for the care of their old and infirm parents.

The Republic provides particular protection for parentless children and children without parental care.

Article 41

It is a human right freely to decide on the procreation of children.

The Republic conducts a humane population policy in order to provide balanced economic and social development.

Article 42

The Republic particularly protects mothers, children and minors.

A person under 15 years of age cannot be employed.

Minors and mothers have the right to particular protection at work.

Minors may not be employed in work which is detrimental to their health or morality.

MADAGASCAR

Title 2, Subtitle 2

Article 19

The State recognizes to each individual the right to the protection of his health, starting from conception.

Article 20
The family, the natural and fundamental element of the society is protected by the State. Every individual has the right to start a family and to transmit his personal possessions through inheritance.

Article 21

The State ensures the protection of the family for its free development, as well as that of the mother and of the child through legislation and by the appropriate social institutions.

MALAWI

Chapter 3, Article 13

(h) Children

To encourage and promote conditions conducive to the full development of healthy, productive and responsible members of society.

(i) The Family

To recognize and protect the family as a fundamental and vital social unit.

Chapter 4

22.—(1) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

(2) Each member of the family shall enjoy full and equal respect and shall be protected by law against all forms of neglect, cruelty or exploitation.

(3) All men and women have the right to marry and found a family.

(4) No person shall be forced to enter into marriage.

(5) Sub-sections (3) and (4) shall apply to all marriages at law, custom and marriages by repute or by permanent cohabitation.

(6) No person over the age of eighteen years shall be prevented from entering into marriage.
(7) For persons between the age of fifteen and eighteen years a marriage shall only be entered into with the consent of their parents or guardians.

(8) The State shall actually discourage marriage between persons where either of them is under the age of fifteen years.

Rights of children

23.—(1) All children, regardless of the circumstances of their birth, are entitled to equal treatment before the law.

(2) All children shall have the right to a given name and a family name and the right to a nationality.

(3) Children have the right to know, and to be raised by, their parents.

(4) Children are entitled to be protected from economic exploitation or any treatment, work or punishment that is, or is likely to—

(a) be hazardous;

(b) interfere with their education; or

(c) be harmful to their health or to their physical, mental or spiritual or social development.

(5) For purposes of this section, children shall be persons under sixteen years of age.

Rights of women

24.—(1) Women have the right to full and equal protection by the law, and have the right not to be discriminated against on the basis of their gender or marital status which includes the right—

(a) to be accorded the same rights as men in civil law, including equal capacity—

(i) to enter into contracts;

(ii) to acquire and maintain rights in property, independently or in association with others, regardless of their marital status;

(iii) to acquire and retain custody, guardianship and care of children and to have an equal right in the making of decisions that affect their upbringing; and
(iv) to acquire and retain citizenship and nationality.

(b) on the dissolution of marriage—

(i) to a fair disposition of property that is held jointly with a husband; and

(ii) to fair maintenance, taking into consideration all the circumstances and, in particular, the means of the former husband and the needs of any children.

(2) Any law that discriminates against women on the basis of gender or marital status shall be invalid and legislation shall be passed to eliminate customs and practices that discriminate against women, particularly practices such as—

(a) sexual abuse, harassment and violence;

(b) discrimination in work, business and public affairs; and

(c) deprivation of property, including property obtained by inheritance.

MALI

Preamble (excerpt)

- proclaim their determination to defend the rights of women and children as well as the cultural and linguistic diversity of the national community.

MAURITANIA

Preamble (excerpt)

the Mauritanian people proclaims, in particular, the inalienable guarantee of the following rights and principles:

— the rights attached to the family, the basic unit of Islamic society.

Title 1, Article 16
The State and society shall protect the family.

**MEXICO**

Title 1, Chapter 1

Article 3

c) It shall contribute to better human relationships not only by the elements which it provides toward strengthening and at the same time inculcating, together with respect for the dignity of the person and the integrity of the family, the conviction of the general interest of society but also by the care which it devotes to the ideals of brotherhood and equality of rights of all men, avoiding privileges of race, religion, class, sex, or individuals;

Article 4

A man and a woman are equal before the law. The organization and the development of the family will be protected by law.

Every person has the right to decide, in a free, responsible, and informed manner, the number and spacing of his or her children.

**MOLDOVA**

Title 2, Chapter 2

Article 48

(1) The family is the natural and fundamental constituent of society, and as such has the right to be protected by the State and by society.

(2) The family is founded on the freely consented marriage of husband and wife, on the spouses equality of rights and on the duty of parents to ensure their children’s upbringing and education.
(3) The law shall establish under which conditions a marriage may be concluded, terminated or annulled.

(4) Children have a duty to look after their parents and help them in need.

Article 49

(1) By economic and other actions the State shall support the formation and development of families, and the fulfillment of their duties.

(2) The State shall protect the motherhood, the children and the young and promote the development of the institutions required to put that protection into effect.

(3) All efforts aimed at maintaining, bringing up and educating orphaned children and those children deprived of parental care constitute the responsibility of the State and of society. The state promotes and supports charitable activities for the benefit of these children.

Article 50

(1) Mothers and children have the right of receiving special protection and care. All children, including those born out of wedlock, shall enjoy the benefits of the same social assistance.

(2) Children and young people enjoy a special form of assistance in the enforcement of their rights.

(3) The State shall grant the required allowances for children and the aid needed for the care of sick or disabled children. The law shall provide for other forms of social assistance for children and the young.

(4) Both the exploitation of minors and their misuse in activities endangering their health, moral conduct, life or normal development are forbidden.

(5) It is the duty of the public authorities to establish the conditions enabling the young people to take part freely in the social, economic, cultural and sporting life of the country.

MONGOLIA

Chapter 1, Article 16
11) Men and women shall enjoy equal rights in political, economic, social, cultural fields and in marriage. Marriage shall be based on the equality and mutual consent of the spouses who have reached the age determined by law. The State shall protect the interests of the family, motherhood and the child.

**MOZAMBIQUE**

Part 1, Chapter 4

Article 55

1. The family is the basic unit of society.

2. The State recognises and shall protect, in accordance with the law, marriage as the institution that secures the values of the family.

3. In the context of developing social relations based on respect for human dignity, the State shall guarantee the principle that marriage is based on free consent.

Article 56

1. Motherhood shall be protected and dignified.

2. The family shall be responsible for raising children in a harmonious manner, and teaching them moral and social values.

3. The family and the State shall ensure that children receive a comprehensive education, bringing them up in the values of national unity, love for their country, human equality, social respect and solidarity.

4. Children may not be discriminated against on grounds of their birth, nor subjected to ill treatment.

5. State and society shall protect orphans and abandoned children.

Article 57

1. The State shall promote and support the emancipation of women, and shall provide incentives to increase the role of women in society.

2. The State recognises and shall honour the participation of Mozambican women in the national liberation process.
3. The State recognises the value of, and shall encourage, the participation of women in the
defence of the country and in all spheres of the country’s political, economic, social and
cultural activity.

**MYANMAR (BURMA)**

Chapter XI, Article 154

(a) Women shall enjoy equal political, economic, social and cultural rights as men.

(b) Mothers, children and expectant mothers shall enjoy those rights prescribed by law.

(c) Children born of citizens shall enjoy equal rights.

(d) Women shall enjoy freedoms and rights guaranteed by law as regards marriage,
divorce, partition of property, succession and custody of their children.

**NAMIBIA**

Chapter 3

Article 14

(1) Men and women of full age, without any limitation due to race, colour, ethnic origin,
nationality, religion, creed or social or economic status shall have the right to marry and to
found a family. They shall be entitled to equal rights as to marriage, during marriage and at
its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending
spouses.

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

Article 15

(1) Children shall have the right from birth to a name, the right to acquire a nationality and,
subject to legislation enacted in the best interests of children, as far as possible the right to
know and be cared for by their parents.

(2) Children are entitled to be protected from economic exploitation and shall not be
employed in or required to perform work that is likely to be hazardous or to interfere with
their education, or to be harmful to their health or physical, mental, spiritual, moral or
social development. For the purposes of this Sub-Article children shall be persons under the age of sixteen (16) years.

(3) No children under the age of fourteen (14) years shall be employed to work in any factory or mine, save under conditions and circumstances regulated by Act of Parliament. Nothing in this Sub-Article shall be construed as derogating in any way from Sub-Article (2) hereof.

(4) Any arrangement or scheme employed on any farm or other undertaking, the object or effect of which is to compel the minor children of an employee to work for or in the interest of the employer of such employee, shall for the purposes of Article 9 hereof be deemed to constitute an arrangement or scheme to compel the performance of forced labour.

(5) No law authorising preventive detention shall permit children under the age of sixteen (16) years to be detained.

NEPAL

Part 3, Article 11

(3) The State shall not discriminate citizens among citizens on grounds of religion, race, sex, caste, tribe or ideological conviction or any of these:

Provided that special provisions may be made by law for the protection and advancement of the interests of women, children, the aged or those who are physically or mentally incapacitated or those who belong to a class which is economically, socially or educationally backward.

Part 4, Article 26

8) The State shall make necessary arrangements to safeguard the rights and interests of children and shall ensure that they are not exploited, and shall make gradual arrangements for free education.

NICARAGUA
Title 4

Chapter I, Article 24

All persons have duties to their families, the community, the homeland and humanity.

Chapter IV

Article 70

The family is the fundamental nucleus of society and has the right to protection by society and the State.

Article 71

Nicaraguans have the right to establish families. Family inheritance, which is not subject to seizure and exempt from all public levies, is guaranteed. The law shall regulate and protect those rights.

Childhood enjoys special protection and all the rights that its status may require [and] for that reason, the International Convention on Rights of Children [el Niño y la Niña] is fully applicable in Nicaragua.

Article 72

Marriage and stable de facto unions are protected by the State; they rest on the voluntary agreement between a man and a woman, and may be dissolved by mutual consent or by the will of one of the parties. The law shall regulate this matter.

Article 73

Family relations rest on the respect, solidarity and absolute equality of rights and responsibilities between the man and woman.

Parents must attend to the maintenance of the home and the integral development of children through joint efforts, with equal rights and responsibilities. Children are, as well, obligated to respect and assist their parents. These duties and rights shall be fulfilled in accordance with the legislation on this matter.

Article 74

The State grants special protection to the process of human reproduction.
Women shall have special protection during pregnancy and shall be granted maternity leave with pay and all appropriate social security benefits.

No one may deny employment to women for reasons of pregnancy nor dismiss them during pregnancy or the post-natal period; all in conformity with the law.

Article 75

All children have equal rights. There shall be no discriminatory designations due to matters of filiation. In ordinary legislation, no dispositions or classifications that reduce or deny equality among children have any value.

Article 76

The State shall create programs and develop special centers for the care of minors; minors have the right to measures of prevention, protection and education from their family, society and the State, as required by their condition.

Article 77

The elderly have the right to protective measures from their family, society and the State.

Article 78

The State protects responsible paternity and maternity. The right to investigate paternity and maternity is established.

Article 79

The right to adoption for the exclusive interest of the integral development of the minor is established. The law shall regulate this matter.

NIGER

Title 2

Article 18

Marriage and family constitute the natural and moral foundation of the human community. Marriage and family are under State protection.

The State and the public institutions shall bear the duty of looking after the physical, mental and moral health of the family, particularly of the mother and child.
Article 19

The parents have the right and the duty of raising and educating their children. They are supported in this task by the State and the public institutions.

Youth is protected by the State and the public institutions against exploitation and abandonment.

The State shall look after the aged.

The State watches over the equality of opportunities of disabled people with the view of their advancement and/or their social rehabilitation.

Moreover, the State shall secure the material and intellectual blossoming of the youth. The State shall secure the well-being of the people.

NIGERIA

Chapter 2, Article 17

f) children, young persons and the aged are protected against any exploitation whatsoever, and against moral and material neglect;

(g) provision is made for public assistance in deserving cases or other conditions of need; and

(h) the evolution and promotion of family life is encouraged.

NORTH KOREA

Chapter 5

Article 77

Women are accorded an equal social status and rights with men.

The State shall afford special protection to mothers and children by providing maternity leave, reduced working hours for mothers with many children, a wide network of maternity hospitals, creches and kindergartens, and other measures.

The State shall provide all conditions for women to play a full role in society.

Article 78
Marriages and the family shall be protected by the State.

The State pays great attention to consolidating the family, the basic unit of social life.

**OMAN**

Chapter 2, Article 12

The family is the basis of the society and the Law regulates means of protecting it, preserving its legal entity, reinforcing its ties and values, looking after its members and providing the suitable conditions to develop their potential and capabilities.

**PAKISTAN**

Part 2, Chapter 2

35. Protection of family, etc.—The State shall protect the marriage, the family, the mother and the child.

**PALAU**

Article IV

Section 11

Slavery or involuntary servitude is prohibited except to punish crime. The government shall protect children from exploitation.

Section 13

The government shall provide for marital and related parental rights, privileges and responsibilities on the basis of equality between men and women, mutual consent and cooperation. Parents or individuals acting in the capacity of parents shall be legally responsible for the support and for the unlawful conduct of their minor children as prescribed by law.

**PANAMA**

Title 3, Chapter 2

Article 52
The State protects marriage, motherhood and the family. What is relative to civil status shall be determined by law.

The State shall protect the physical, mental and moral health of minors and shall guarantee their rights to support, health, education and social security. In an equal manner, the elderly and the sick who are destitute shall have the right to this protection.

Article 53

Marriage is the legal basis of the family. It rests on equality of rights of both spouses and may be dissolved in accordance with the provisions of the law.

Article 54

The de facto, or common-law union between persons legally capable of contracting marriage, maintained continuously during five years under conditions of singleness and stability, shall have all the effects of civil marriage.

To this end, it will suffice that the interested parties request the Civil Registrar, jointly, to record the de facto union which can be processed through the Precinct Representatives. When this request has not been made, the marriage may be proved, for the purpose of claiming the rights thereof, by any of the spouses or any interested person, in accordance with the procedures established by law. But the Public Ministry, in the interest of morals and of law, or third persons who assert rights susceptible of being affected by the aforesaid recording, provided always that the recording was contrary to fact, may object to the recording, or contest it after it has been effected.

Article 55

Parental authority [patria potestad] is the aggregate of rights and duties parents have in respect to their children.

Parents are obliged to support, educate and protect their children to ensure their proper physical and spiritual upbringing and development, and the latter are obliged to respect and assist their parents.

The exercise of parental authority shall be regulated by law in accordance with social interests and the welfare of the children.

Article 56

Parents have, with respect to their children born out of wedlock, the same duties as towards their children born in wedlock. All children are equal according to law, and have
the same rights of inheritance in intestate successions. The rights of minors or incapacitated children and of destitute parents in testate successions, shall be recognized by law.

Article 57

Investigation of paternity shall be regulated by law. Classifications as to the nature of the relationship are abolished. There shall not be entered any statement establishing differences of birth, or, on the civil status of the parents, in the registration records, or in any attestation, baptismal or christening records, or certificate referring to the relationship.

Authority is hereby granted to the father of a child born before the effective date of this Constitution to protect the child by the provisions of this Article, by means of rectifying any record or attestation in which any classification may have been established with respect to said child. The consent of the mother is not required but if the child is of legal age, he must give his consent thereto. In acts of acknowledgement of paternity, anyone who is legally affected by said act may oppose this measure.

Article 58

The State shall protect the social and economic development of the family and shall organize the family homestead, determining the nature and amount of property that must constitute it, on the basis that it is inalienable and unattachable.

Article 59

The State shall create an Entity for the protection of the family, for the purposes of:

1. Promoting responsible parenthood through family educational programs;

2. Establishing educational programs for pre-school age children, in specialized centers, which children may attend upon the request of their parents or guardians;

3. Protecting minors, and the elderly, and accomplishing the social readjustment of those who are abandoned, helpless, morally misguided, or who have behavior maladjustment problems.

The functioning of a special jurisdiction over minors, which among other duties, shall take cognizance of suits concerning the investigation of paternity, family desertion, and juvenile behavior problems, shall be organized and determined by law.

PAPUA NEW GUINEA

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Preamble (excerpt)

(5) the family unit to be recognized as the fundamental basis of our society, and for every step to be taken to promote the moral, cultural, economic and social standing of the Melanesian family; and

(12) recognition of the principles that a complete relationship in marriage rests on equality of rights and duties of the partners, and that responsible parenthood is based on that equality.

(h) in the case of parents, to support, assist and educate their children (whether born in or out of wedlock), and in particular to give them a true understanding of their basic rights and obligations and of the National Goals and Directive Principles; and

(i) in the case of the children, to respect their parents.

PARAGUAY

Part I, Title II

Chapter I

Section I, Article 4

The right to life is inherent to the human being. Life is protected, in general, after the time of conception.

Chapter IV

Article 49

The family is the foundation of society. Full protection for the family will be promoted and guaranteed. The family is the stable union of a man and a woman, their children, and the community formed by either of the parents with their descendants.

Article 50

Everyone has the right to constitute a family, in its formation and development under which a man and a woman will have the same rights and obligations.

Article 51
The law will establish the formalities to be observed for the marriage between a man and a woman, the requirements for it, and the causes for separation or dissolution and its effects, as well as property management provisions and other rights and obligations for both spouses.

A common-law marriage between a man and a woman having no legal impediments to get married and engaging in a stable, monogamous relationship will produce similar effects to that of a legal marriage, in accordance with the provisions established by the law.

Article 52

The union in marriage by a man and woman is one of the fundamental factors in the formation of a family.

Article 53

Every parent has the right and obligation to care for, to feed, to educate, and to support his children while they are minors. The laws will punish those parents who fail to comply with their duty to provide their children with food.

Children who are no longer minors must provide assistance to their parents if necessary.

The laws will regulate the assistance that should be given to large families and to women who head families.

All children are equal before the law. This makes it possible for every child to investigate who his parents are. It is hereby forbidden to classify a child in any personal documentation.

Article 54

Families, society, and the State have the obligation of guaranteeing a child the right to a harmonious, comprehensive development, as well as the right to fully exercise his rights by protecting him against abandonment, undernourishment, violence, abuse, trafficking, or exploitation. Anyone can demand that a competent authority comply with these guarantees and punish those who fail to comply with them.

In case of conflict, the rights of a child will prevail.

Article 55

Responsible maternity and paternity will be protected by the State, which will promote the creation of the necessary institutions to this end.
Article 56

The State will promote conditions conducive to the active participation by the young people in the political, socioeconomic, and cultural development of the country.

Article 57

Every senior citizen has the right to receive full protection by his family, society, and the State. State organizations will promote the well-being of senior citizens by providing them with social services to meet their needs for food, health, housing, culture, and leisure.

Article 58

Families, society, and the State will guarantee health care for exceptional persons, as well as education, recreation, and professional training so that they may be fully integrated into society.

The State will formulate a policy for the prevention, treatment, rehabilitation, and integration into society of physically disabled and psychologically or sensorially impaired individuals, who will be entitled to receive the specialized care they need. These people are entitled to equal opportunities to enjoy the rights guaranteed by this Constitution to every inhabitant of the Republic, seeking to offset their disadvantages.

Article 59

Family property is hereby recognized as an institution of a social interest. The law will implement a system under which it will operate. Family property will consist of the family house or estate and its furniture and working tools, which cannot be subjected to any attachment.

Article 60

The State will promote policies aimed at preventing violence within the family and other causes that undermine family solidarity.

Article 61

The State recognizes the right of everyone to freely and responsibly decide the number of children they plan to have, as well as the time span between one child and another. Through a coordinated effort with the appropriate organizations, they are also entitled to receive education, scientific guidance, and adequate services.
Special plans will be implemented to ensure reproductive health and maternal-child health care for low-income people.

PERU

Title I, Chapter II

Article 4

The community and the State are especially mindful to protect the child, the adolescent, the mother, and the elderly when they are dependent. The State also protects the family and encourages marriage. It recognizes those as society’s natural and basic institutions.

The form of matrimony and the reasons for separation and dissolution are regulated by law.

Article 5

The stable union of a man and woman, without any impediment to marry, which form a de facto household, gives rise to communal property subject to the society’s regime governing joint earnings, when applicable.

Article 6

The country’s population policy holds as its objective the promotion of responsible parenthood.

The State recognizes the right of families and persons to make a choice. In this respect, the State guarantees adequate educational programs and information and access to secure these so long as they do not threaten life or health.

It is the right and duty of parents to feed, educate, and provide security to their children. The latter must in turn respect and assist their parents.

All children have equal rights and duties. Any mention of the personal status of the parents and the nature of filiation in civil status registers and in any other identification document is prohibited.

Article 7

Everyone has the right to the protection of one’s health, that of the family circle, and that of the community, and it is everyone’s duty to contribute to their development and protection. The incapacitated person, on account of a physical or mental deficiency, is entitled to the
respect of dignity and to a legal system affording protection, care, readjustment, and security.

**PHILIPPINES**

Article II, Section 12

The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution. It shall equally protect the life of the mother and the life of the unborn from conception. The natural and primary right and duty of parents in the rearing of the young for civic efficiency and the development of moral character shall receive the support of the Government.

Article XV

Section 1

The State recognizes the Filipino family as the foundation of the nation. Accordingly, it shall strengthen its solidarity and actively promote its total development.

Section 2

Marriage, as an inviolable social institution, is the foundation of the family and shall be protected by the State.

Section 3

The State shall defend:

(1) The right of spouses to found a family in accordance with their religious convictions and the demands of responsible parenthood.

(2) The right of children to assistance, including proper care and nutrition, and special protection from all forms of neglect, abuse, cruelty, exploitation, and other conditions prejudicial to their development;

(3) The right of the family to a family living wage and income; and

(4) The right of families or family associations to participate in the planning and implementation of policies and programs that affect them.

Section 4
The family has the duty to care for its elderly members but the State may also do so through just programs of social security.

**POLAND**

Chapter 1, Article 18

Marriage, being a union of a man and a woman, as well as the family, motherhood and parenthood, are placed under the protection and care of the Republic of Poland

Chapter 2

Article 48

1. Parents have the right to rear their children in accordance with their own convictions. Such upbringing shall respect the degree of maturity of a child as well as his freedom of conscience and belief as well as his convictions.

Article 53

3. Parents have the right to assure their children a moral and religious upbringing and teaching in accordance with their convictions. The provisions of Article 48, paragraph 1 apply correspondingly.

Article 71

1. The State, in its social and economic policy, shall take into account the good of the family. Families, finding themselves in difficult material and social circumstances, particularly those with many children or a single parent, have the right to special assistance from public authorities.

2. A mother, before and after birth, has the right to special assistance from public authorities, to the extent specified by law.

Article 72

1. The Republic of Poland ensures the protection of the rights of the child. Everyone has the right to demand of organs of public authority that they defend children against violence, cruelty, exploitation and demoralization.

2. A child deprived of parental care has the right to care and assistance provided by public authorities.
3. Organs of public authority and persons responsible for children, in the course of establishing the rights of a child, shall consider and, as far as possible, give priority to the views of the child.

4. The law defines the competence and procedure for the appointment of the Commissioner for Children’s Rights.

PORTUGAL

Title 2, Chapter 1, Article 36

1. Everyone has the right to found a family and to marry on terms of full equality.

2. The requirements for, and the consequences of, marriage and its termination by death or divorce, are regulated by law, independent of the manner in which the marriage is contracted.

3. Spouses have equal rights in relation both to their civil and political capacity and to the education and maintenance of their children.

4. Children born outside marriage shall not be discriminated against on that ground; terms describing filiation that are discriminatory cannot be used by the law or by government departments.

5. Parents have the right and the duty to educate and maintain their children.

6. Children shall not be separated from their parents unless the parents fail to perform their fundamental duties towards the children, and in that case only by judicial decision.

7. Adoption is regulated and protected by the law, which ensures expeditious conduct of the procedure.

Title 3, Chapter 2

Article 67

1. The family, as a fundamental element of society, has the right to protection by the community and the State and to the creation of all the conditions that permit the personal realization of its members.

2. It is incumbent on the State to protect the family, in particular by:

a. to promote the social and economic independence of family units;
b. to promote the creation of, and guaranteeing access to, a national network of daycare centers and other social facilities for family support, and a policy for the aged;

c. To cooperate with parents in the education of their children;

d. To guarantee, with respect for individual liberty, the right to family planning, promoting information and access to the respective methods and means, and making the legal and technical arrangements that enable fatherhood and motherhood to be planned;

e. To regulate assisted procreation, in such terms as safeguard human dignity;

f. To adjust taxes and security benefits to reflect family responsibilities;

g. To determine, after consultation with associations representing families, and to implement an overall and integrated policy for the family.

Article 68

1. In performing their unique role with respect to their children, in particular as regards their education, parents have the right to be protected by the community and the State, with guarantees for self-fulfillment in their occupations and for their participation in the civic life of the country.

2. Motherhood and fatherhood are preeminent social values.

3. During pregnancy and after giving birth, women have the right to special protection, and working women are also have the right to an adequate period of leave from work without loss of remuneration or other privileges.

4. The law regulates the allocation of an adequate period of leave from work to mothers and fathers, in accordance with the interests of the child and the needs of the family unit.

Article 69

1. Children have the right to be protected by the community and the State for their full development, particularly against all forms of abandonment, discrimination and oppression and against the abuse of authority in the family or other institutions.

2. The State shall guarantee special protection to children who are orphaned, abandoned, or in any way deprived of a normal family environment.

3. Access to work is forbidden, in accordance with the law, to school-age minors.
Article 70

1. Young people enjoy special protection so that they may achieve their economic, social and cultural rights, in particular with respect to:

a. Education, vocational training and culture;

b. Access to a first job, work and social security;

c. Access to habitation;

d. Physical education and sport;

e. The use of leisure time.

2. The primary objectives of a youth policy shall be the development in young people of their personality, the creation of conditions to lead to a full and active life, and a pleasure for originality and a sense of service to the community.

3. In collaboration with families, schools, businesses, organizations of residents, cultural associations and foundations and cultural and recreational groups, the State promotes and assists youth organizations in the pursuit of those objectives, and international exchanges of youth.

QATAR

Chapter 2

Article 21

The family is the nucleus of society. Its pillars are the religion, morals, and love of the Homeland. The law regulates the means capable of its protection, maintaining its structure, strengthening its ties, and safeguarding motherhood, childhood, and old age within its framework.

Article 22

The State takes care of the youth, preserves it from the causes of corruption, protects it against exploitation, safeguards it against the evil of physical, mental and spiritual neglect, and provides appropriate conditions for it to develop its talents in different sectors, in the light of sound education.

ROMANIA
Title 2, Chapter 2

Article 44

1. The family is based on a marriage which is freely consented to by the spouses, on their equality, and on the right and cuts of parents to raise, educate, and instruct their children.

2. The conditions in which marriages may be contracted, dissolved, and annulled are stipulated by law. A religious marriage ceremony can be celebrated only after the civil ceremony.

3. Children born out of wedlock are equal before the law to those born in wedlock.

Article 45

1. Children and youth will enjoy special protection and assistance in realizing their rights.

2. The state will give state allocations for children and aid for the care of sick or handicapped children. Other forms of social protection of children and youth will be determined by law.

3. The exploration of minors and their use in activities which would be harmful to their health or morals or which would endanger their life or normal development are prohibited.

4. Minors under the age of 15 cannot be hired as employees.

5. Public authorities must contribute to ensuring conditions for the free participation of the youth in the political, social, economic, cultural, and sports life of the country.

RUSSIA

Chapter 1, Article 7

2. In the Russian Federation the work and health of the people are protected, the guaranteed minimum wage is established, state support for family, motherhood, fatherhood and childhood, and also for the disabled and for elderly citizens, a system of social services and government pensions, benefits and other social security guarantees are established.
Article 38

1. Motherhood and childhood, and the family are under state protection.

2. Care for children and their upbringing are the equal right and duty of the parents.

3. Employable children who have reached 18 years old shall care for their non-employable parents.

Article 39

1. Everyone is guaranteed social security in old age, in case of disease, invalidity, loss of breadwinner, to bring up children and in other cases established by law.

RWANDA

Title 2, Chapter 1

Article 26

Only monogamous civil marriage between a man and a woman is recognized.

No person of feminine or masculine gender may be married without his or her free consent.

Parties to a marriage have equal rights and duties during their marriage and at the time of divorce.

The law determines conditions, forms and effect of marriage.

Article 27

The family, which is the natural basis of Rwandan society, is protected by the State.

Both parents have the right and duty to bring up their children.

The State puts in place appropriate legislation and institutions for the protection of the family and the mother and child in particular in order to ensure that the family flourishes.

Article 28
Every child has the right to special measures of protection by his or her family, society and the State that are necessary, depending on the condition of the child, in conformity with national and international law.

SAINT VINCENT AND THE GRENADINES

Preamble (excerpt)

(c) realise that the maintenance of human dignity presupposes safeguarding the rights of privacy of family life, of property and the fostering of the pursuit of just economic rewards for labour

SAMOA

Part 2

15. Freedom from discriminatory legislation

(1) All persons are equal before the law and entitled to equal protection under the law.

(3) Nothing in this Article shall—

(b) Prevent the making of any provision for the protection or advancement of women or children or of any socially or educationally retarded class of persons.

SAO TOME AND PRINCIPE

Part 2, Title 2, Article 25
1. All have the right to form a family and to enter into matrimony in conditions of full equality.

2. The law regulates the requirements and effects of marriage and of its dissolution, by death or divorce, independent from the form in which it was celebrated.

3. Spouses have equal rights with respect to civil or political competency and to the maintenance and education of their children.

4. Children born out of wedlock cannot, for that reason, be the object of any discrimination.

5. Parents have the right and duty of educating and maintaining their children.

Part 2, Title 3

Article 50

1. As the fundamental element of the society, the family has the right to the protection of the society and of the State.

2. It is incumbent, especially, upon the State:

   a) To promote the social and economic independence of family tenant farmers;

   b) To promote the creation of a national network of maternal infant assistance;

   c) To cooperate with parents in the education of their children.

Article 51

Children have the right to the respect and to the protection of the society and of the State, with a view toward their complete development.

Article 52

The youth, especially the young workers, enjoy special protection in order to render effective their economic, social and cultural rights.

SAUDI ARABIA

Article 9
The family is the nucleus of Saudi society, and its members are raised on the basis of the Islamic creed and obedience to the almighty god, prophet and rulers, respect for the system, love of the homeland and pride of its history.

Article 10

The state is keen on enhancing relations among members of the family, preserving Arab and Islamic values and taking care of all members, enabling them to develop their skills.

SENEGAL

Title II

Article 17

Marriage and the family constitute the natural and moral basis of the human community. They are placed under the protection of the State. The State and the public collectivities have the duty to watch over the physical and moral health of the family, in particular the handicapped and aged persons.

The State guarantees to families, in general, and to those living in a rural environment, in particular, access to services of health and well being. It guarantees equally to women in general and to those living in rural environment, in particular, the right to alleviation of their living conditions.

Article 18

The forced marriage is a violation of individual freedom. It is forbidden and punishable under conditions fixed by law.

Article 19

The woman has the right to patrimony (equally) as her husband. She has the right to the personal management of her belongings.

Article 20

The parents have the natural right and the duty to bring up their children. They are sustained in this task by the State and the public collectivities against exploitation, drugs, narcotics, moral neglect and delinquency.
SEYCHELLES

Chapter 3, Part 1

30. Right of working mothers

The State recognises the unique status and natural maternal functions of women in society and undertakes as a result to take appropriate measures to ensure that a working mother is afforded special protection with regard to paid leave and her conditions at work during such reasonable period as provided by law before and after childbirth.

31. Right of minors

The State recognises the right of children and young persons to special protection in view of their immaturity and vulnerability and to ensure effective exercise of this right the State undertakes—

(a) to provide that the minimum age of admission to employment shall be fifteen years, subject to exceptions for children who are employed part-time in light work prescribed by law without harm to their health, morals or education;

(b) to provide for a higher minimum age of admission to employment with respect to occupations prescribed by law which the State regards as dangerous, unhealthy or likely to impair the normal development of a child or young person;

(c) to ensure special protection against social and economic exploitation and physical and moral dangers to which children and young persons are exposed;

(d) to ensure, save in exceptional and judicially recognised circumstances, that a child of young age is not separated from his parents.

32. Protection of families

(1) The State recognises that the family is the natural and fundamental element of society and the right of everyone to form a family and undertakes to promote the legal, economic and social protection of the family.

(2) The right contained in clause (1) may be subject to such restrictions as may be prescribed by law and necessary in a democratic society including the prevention of marriage between persons of the same sex or persons within certain family degrees.
**SLOVAK REPUBLIC (SLOVAKIA)**

Part 2, Chapter 5, Article 41

(1) Matrimony, parentage, and family are protected by law. Special protection shall be enjoyed by children and young persons.

(2) Pregnant women shall be entitled to special treatment, terms of employment, and working conditions.

(3) Children born of matrimony and those born out of lawful wedlock shall be guaranteed equal rights.

(4) Child care and upbringing are the rights of parents; children shall have the right to parental care and upbringing. The rights of parents may be limited and minor children may be separated from parents against the parents’ will only by a court order as provided by law.

(5) Parents taking care of their children shall have the right to assistance provided by the State.

(6) Details of the rights pursuant to paragraphs (1) to (5) are provided by law.

**SLOVENIA**

Part 2

Article 53

Marriage is based on the equality of spouses. Marriages are solemnized before a competent state organ.

Marriage and the legal relations within it and the family, as well as those within an extramarital union, are regulated by law.

The state protects the family, motherhood, fatherhood, children and young people and creates the necessary conditions for such protection.

Article 54
Parents have the right and duty to maintain, educate and raise their children. This right and duty may be revoked or restricted only for such reasons as are provided by law in order to protect the child's interests.

Children born out of wedlock have the same rights as children born within it.

Article 55

The decision on childbearing is free.

The state guarantees the opportunities for exercising this freedom and creates such conditions as will enable parents to decide on childbearing.

Article 56

Children enjoy special protection and care. Children enjoy human rights and fundamental freedoms consistent with their age and maturity.

Children are guaranteed special protection from economic, social, physical, mental or other exploitation and abuse. Such protection is regulated by law.

Children and minors who are not cared for by their parents, who have no parents or who are without proper family care, shall enjoy the special protection of the state. Their position shall be regulated by law.

SOMALIA

Chapter 3, Section 3, Article 56

1. The state recognising the family as the basis of society shall protect the family and shall assist the mother and child.

2. The state shall be responsible for the care of the handicapped, children of unknown parents and the aged, provided they shall not have anybody to care for them.

3. The state shall guarantee the care of children whose parents die while defending the country.

SOUTH AFRICA

Chapter 2

28. Children
(1) Every child has the right—

(a) to a name and a nationality from birth;

(b) to family care or parental care, or to appropriate alternative care when removed from the family environment;

(c) to basic nutrition, shelter, basic health care services and social services;

(d) to be protected from maltreatment, neglect, abuse or degradation;

(e) to be protected from exploitative labour practices;

(f) not to be required or permitted to perform work or provide services that—

(i) are inappropriate for a person of that child’s age; or

(ii) place at risk the child’s well-being, education, physical or mental health or spiritual, moral or social development;

(g) not to be detained except as a measure of last resort, in which case, in addition to the rights a child enjoys under sections 12 and 35, the child may be detained only for the shortest appropriate period of time, and has the right to be—

(i) kept separately from detained persons over the age of 18 years; and

(ii) treated in a manner, and kept in conditions, that take account of the child’s age;

(h) to have a legal practitioner assigned to the child by the state, and at state expense, in civil proceedings affecting the child, if substantial injustice would otherwise result; and

(i) not to be used directly in armed conflict, and to be protected in times of armed conflict.

(2) A child’s best interests are of paramount importance in every matter concerning the child.

(3) In this section “child” means a person under the age of 18 years.

**SOUTH KOREA**

Chapter 2

Article 32
(5) Special protection shall be accorded to working children.

Article 36

(1) Marriage and family life shall be entered into and sustained on the basis of individual dignity and equality of the sexes, and the State shall do everything in its power to achieve that goal.

(2) The State shall endeavor to protect mothers.

**SPAIN**

Title 1, Chapter III, Article 39

1. The public authorities shall assure the social, the economic, and juridical protection of the family.

2. The public authorities shall assure the complete protection of children, who are equal before the law regardless of their parentage and regardless of the marital status of their mothers. The law shall make it possible to investigate paternity.

3. Parents must provide their children, born in or out of wedlock, with assistance of every kind during the time they are minors and in other cases where it is legally proper.

4. Children shall enjoy the protection provided in international agreements which safeguard their rights.

**SRI LANKA**

Chapter 6, Article 27

(12) The State shall recognize and protect the family as the basic unit of society.

(13) The State shall promote with special care the interests of children and youth, so as to ensure their full development, physical, mental, moral, religious and social, and to protect them from exploitation and discrimination.

**SUDAN**

Part 1
14. The State shall care for children and youth and protect them against exploitation and physical and spiritual neglect, and shall direct policies of education, moral care, national guidance and spiritual cleansing to grow a good generation.

15. The State shall care for the institution of the family, facilitate marriage and adopt policies to purvey progeny, child upbringing, pregnant women and mothers. The State shall emancipate women from injustice in all aspects and pursuits of life and encourage the role thereof in family and public life.

**SURINAME**

Chapter 6, Ninth Section, Article 35

1. The family is recognized and protected.

2. Husband and wife are equal before the law.

3. Every child shall have the right to protection without any form of discrimination.

4. Parents shall have the same responsibilities towards legal or natural children.

5. The State recognizes the extraordinary value of motherhood.

6. Working women shall be entitled to paid maternity leave.

**SWITZERLAND**

Title 2, Chapter 1

Article 8

3. Men and women have equal rights. The law is solicitous for their legal and actual equal standing, especially in the family, upbringing and work. Men and women have a claim to equal pay for work of equal value.

Article 11

1. Children and youth have a claim to special protection of their integrity and the fostering of their development.
2. They exercise their rights within their capacity of discernment.

Article 14

The right to marriage and family is guaranteed.

Title 3, Chapter 2, Section 8

Article 116

1. The Confederation, in fulfilling its tasks, takes into account the needs of the family. It may support measures to protect the family.

2. It may issue regulations on family allocations and operate a federal family compensation fund.

3. It institutes a maternity insurance. It may also obligate persons to contribute who cannot benefit from the insurance.

4. The Confederation may declare it obligatory to join a family compensation fund and maternity insurance generally or for certain categories of persons, and may make its subsidies dependent upon just contributions by the Cantons.

Article 119

1. Humans are protected against the abuse of medically assisted procreation and gene technology.

2. The Confederation issues regulations on the use of human reproductive and genetic material. It ensures the protection of human dignity, of personality, and of family, and in particular it respects the following principles:

   a. all forms of cloning and interference with genetic material of human reproductive cells and embryos are prohibited;

   b. non-human reproductive genetic material may not be introduced into or combined with human reproductive materials;

   c. methods of medically assisted procreation may only be used when sterility or the danger of transmission of a serious illness cannot be avoided otherwise, but not in order to induce certain characteristics in the child or to conduct research. The fertilization of human ova outside a woman's body is permitted only under conditions determined by law. No more
human ova may be developed into embryos outside a woman’s body than can be immediately implanted into her;

d. the donation of embryos and all forms of surrogate maternity are inadmissible;

e. no trade may be conducted with human reproductive material or with any product obtained from embryos;

f. a person’s genetic material may only be analyzed, registered or disclosed with the consent of that person, or if a law so provides;

g. every person has access to the data concerning ancestry.

SYRIA

Chapter 1, Part 4

Article 44

(1) The family is the basic unit of society and is protected by the state.

(2) The state protects and encourages marriage and will eliminate the material and social obstacles hampering marriage. The state protects mothers and infants and extends care to adolescents and youths and provides them with the suitable circumstances to develop their faculties.

Article 45

The state shall guarantee for women all opportunities enabling them to fully and effectively participate in the political, social, cultural, and economic life. The state must remove the restrictions that prevent women’s development and participation in building the socialist Arab society.

Article 46

(1) The state insures every citizen and his family in cases of emergency, illness, disability, orphanhood and old age.

(2) The state protects the citizens’ health and provides them with the means of protection, treatment, and medication.

TAIWAN

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Chapter 13, Section 4

Article 153

The State, in order to improve the livelihood of laborers and farmers and to improve their productive skills, shall enact laws and carry out policies for their protection.

Women and children engaged in labor shall, according to their age and physical condition, be accorded special protection.

Article 156

The State, in order to consolidate the foundation of national existence and development, shall protect motherhood and carry out a policy for the promoting of the welfare of women and children.

TAJIKISTAN

Chapter 2

Article 33

Family as the foundation of the society is under the protection of the State.

Everyone has the right to form a family. Men and women who have reached the marital age have the right to freely enter into a marriage. In family relations and in dissolution of the marriage, spouses have equal rights. Polygamy is prohibited.

Article 34

A mother and child are under special protection and patronage of the State.

Parents are responsible for the upbringing of children, and adult children able to work are obligated to take care of their parents.

The State provides protection of orphaned children and the disabled, their upbringing and education.

TANZANIA

Chapter 1, Part 3, Article 16
(1) Every person is entitled to respect and protection of his person, the privacy of his own person, his family and of his matrimonial life, and respect and protection of his residence and private communications.

**THAILAND**

Chapter 3, Section 53

Children, youth and family members shall have the right to be protected by the State against violence and unfair treatment.

Children and youth with no guardian shall have the right to receive care and education from the State, as provided by law.

Chapter 5, Section 80

The State shall protect and develop children and the youth, promote the equality between women and men, and create, reinforce and develop family integrity and the strength of communities.

**TOGO**

Title 2, Subsection 1, Article 31

The State has the obligation to assure the protection of marriage and the family.

Parents have the duty to provide support and education for their children. They shall be supported in this task by the State.

Children, whether born in a marriage or out of marriage, have the right to the same familial and social protection.

**TRINIDAD AND TOBAGO**

Preamble (excerpt)

(a) have affirmed that the Nation of Trinidad and Tobago is founded upon principles that acknowledge the supremacy of God, faith in fundamental human rights and freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by their Creator;
TUNISIA

Preamble (excerpt)

We proclaim that the republican regime constitutes:

- the most certain way for assuring the protection of the family and guaranteeing to each citizen work, health and education;

TURKEY

Part 2, Chapter 3

I. Protection of the Family

Article 41

The family is the foundation of the Turkish society and based on the equality between the spouses.

The state takes the necessary measures and establishes the necessary organisation to ensure the peace and welfare of the family, especially the protection of the mother and children, and for family planning education and application.

Article 62

The state take the necessary measures to ensure family unity, the education of the children, the cultural needs, and the social security of Turkish nationals working abroad, and takes the necessary measures to safeguard their ties with the motherland and to help them on their return home.

TURKISH NORTHERN CYPRUS

Part 2, Chapter III, Article 35

1. The family is the foundation of the community.

The State and other public corporate bodies shall adopt the necessary measures and establish the necessary organizations for the protection of the family, mother and child.

2. The rights and obligations of any male or female person reaching marriageable age to marry and to set up a matrimonial home shall be regulated by law.
TURKMENISTAN

Section 2

Article 25

A woman and a man after having attained marital age have the right, upon mutual consent, to be married and form a family. Spouses have equal rights in family relations.

Parents or guardians have the right to and are obligated to bring up their children, to take care of their health and development, education, to prepare them for work, to instill [in them] culture and respect for laws [and] historic and national traditions. Adult children are obligated to take care of their parents and provide assistance to them.

Article 34

Citizens have the right to social security in old age, in the event of illness, disability, loss of the ability to work, loss of the household provider, and unemployment.

Families with multiple children, children without parents, war veterans and other persons who lost their health while protecting State and public interests are provided with additional assistance and benefits from public funds.

The procedure and conditions for exercising of this right are regulated by law.

TUVALU

Preamble (excerpt)

4. Amongst the values that the people of Tuvalu seek to maintain are their traditional forms of communities, the strength and support of the family and family discipline.

UGANDA

Preamble (excerpt)

XIX. Protection of the family.

The family is the natural and basic unit of society and is entitled to protection by society and the State.

Chapter 4
22. Protection of right to life.

(1) No person shall be deprived of life intentionally except in execution of a sentence passed in a fair trial by a court of competent jurisdiction in respect of a criminal offence under the laws of Uganda and the conviction and sentence have been confirmed by the highest appellate court.

(2) No person has the right to terminate the life of an unborn child except as may be authorised by law.

31. Rights of the family.

(1) Men and women of the age of eighteen years and above, have the right to marry and to found a family and are entitled to equal rights in marriage, during marriage and at its dissolution.

(2) Parliament shall make appropriate laws for the protection of the rights of widows and widowers to inherit the property of their deceased spouses and to enjoy parental rights over their children.

(3) Marriage shall be entered into with the free consent of the man and woman intending to marry.

(4) It is the right and duty of parents to care for and bring up their children.

(5) Children may not be separated from their families or the persons entitled to bring them up against the will of their families or of those persons, except in accordance with the law.

33. Rights of women.

(1) Women shall be accorded full and equal dignity of the person with men.

(2) The State shall provide the facilities and opportunities necessary to enhance the welfare of women to enable them to realise their full potential and advancement.

(3) The State shall protect women and their rights, taking into account their unique status and natural maternal functions in society.

(4) Women shall have the right to equal treatment with men and that right shall include equal opportunities in political, economic and social activities.
(5) Without prejudice to article 32 of this Constitution, women shall have the right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom.

(6) Laws, cultures, customs or traditions which are against the dignity, welfare or interest of women or which undermine their status, are prohibited by this Constitution.

34. Rights of children.

(1) Subject to laws enacted in their best interests, children shall have the right to know and be cared for by their parents or those entitled by law to bring them up.

(2) A child is entitled to basic education which shall be the responsibility of the State and the parents of the child.

(3) No child shall be deprived by any person of medical treatment, education or any other social or economic benefit by reason of religious or other beliefs.

(4) Children are entitled to be protected from social or economic exploitation and shall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development.

(5) For the purposes of clause (4) of this article, children shall be persons under the age of sixteen years.

(6) A child offender who is kept in lawful custody or detention shall be kept separately from adult offenders.

(7) The law shall accord special protection to orphans and other vulnerable children.

**UKRAINE**

Chapter 2

Article 24

Equality of the rights of women and men is ensured: by providing women with opportunities equal to those of men, in public and political, and cultural activity, in obtaining education and in professional training, in work and its remuneration; by special measures for the protection of work and health of women; by establishing pension privileges, by creating conditions that allow women to combine work and motherhood; by
legal protection, material and moral support of motherhood and childhood, including the provision of paid leaves and other privileges to pregnant women and mothers.

Article 51

Marriage is based on the free consent of a woman and a man. Each of the spouses has equal rights and duties in the marriage and family.

Parents are obliged to support their children until they attain the age of majority. Adult children are obliged to care for their parents who are incapable of work.

The family, childhood, motherhood and fatherhood are under the protection of the State.

Article 52

Children are equal in their rights regardless of their origin and whether they are born in or out of wedlock.

Any violence against a child, or his or her exploitation, shall be prosecuted by law.

The maintenance and upbringing of orphans and children deprived of parental care is entrusted to the State. The State encourages and supports charitable activity in regard to children.

UNITED ARAB EMIRATES

Chapter 2

Article 15

The family shall be the basis of society. Its support shall be religion, ethics and patriotism. The law shall guarantee its existence and shall safeguard it and protect it from corruption.

Article 16

Society shall be responsible for protecting childhood and motherhood and shall protect minors and others unable to look after themselves for any reason, such as illness or incapacity or old age or forced unemployment. It shall be responsible for assisting them and enabling them to help themselves for their own benefit and that of society.

Such matters shall be regulated by Public Assistance and Social Security legislation.

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URUGUAY

Section 2, Chapter II

Article 40

The family is the basis of our society. The State shall safeguard its moral and material stability so that children may be properly reared within that society.

Article 41

The care and education of children, so that they may attain their fullest physical, intellectual, and social capacity, is the duty and the right of parents. Those who have large families to support are entitled to compensatory aid if they need it.

The law shall provide the necessary measures for the protection of infancy and youth against physical, intellectual, or moral neglect obey their parents or guardians, as well as against exploitation and abuse.

Article 42

Parents have the same duties toward children born outside of wedlock as toward children born within it.

Maternity, regardless of the condition or circumstances of the mother, is entitled to the protection of society and to its assistance in case of destitution.

Article 43

The law shall provide that juvenile delinquency shall be dealt with under a special system in which women will be allowed to participate.

UZBEKISTAN

Part 3, Chapter 14

Article 63

The family is the primary unit of society and shall have the right to state and societal protection.

Marriage shall be based on the willing consent and equality of both parties.
Article 64

Parents shall be obliged to support and care for their children until the latter are of age.

The state and society shall support, care for and educate orphaned children, as well as children deprived of parental guardianship, and encourage charity in their favour.

Article 65

All children shall be equal before the law regardless of their origin and the civic status of their parents.

Motherhood and childhood shall be protected by the state.

Article 66

Able-bodied children who are of age shall be obliged to care for their parents.

VANUATU

Chapter 2, Part 2

7. Every person has the following fundamental duties to himself and his descendants and to others—

(h) in the case of a parent, to support, assist and educate all his children, legitimate and illegitimate, and in particular to give them a true understanding of their fundamental rights and duties and of the national objectives and of the culture and customs of the people of Vanuatu;

(i) in the case of a child, to respect his parents.

VENEZUELA

Title 3, Chapter V

Article 75

The State will protect families as a natural association of society and as the fundamental place for the integral development of persons. Family relations are based on the equality of rights and duties, solidarity, common effort, mutual understanding and reciprocal respect between their members. The State will guarantee protection to the mother, the father or to those who exercise the leadership of the family.
Boys, girls and adolescents have the right to live, be raised and to develop in the midst of their family of origin. When that is impossible or contrary to a superior interest, they will have a right to a substitute family, in conformity with the law. Adoption has similar effects to filiation and it is always established for the benefit of the adopted, in conformity with the law. International adoption is subsidiary to national adoption.

Article 76

Maternity and paternity are integrally protected, whatever the civil status of the mother or the father may be. Couples have a right to decide freely and responsibly the number of sons and daughters that they wish to conceive, and to have at [their] disposal the information and the means which ensure [to] them the exercise of this right. The State will guarantee assistance and integral protection to maternity, in general from the moment of conception, during pregnancy, delivery and the post-natal period, and will ensure services of family planning based on ethical and scientific values.

The father and mother have the shared and irrenounceable duty to raise, train, educate, sustain and assist their sons and daughters, and the latter have the duty to assist them when [the parents] cannot do it by themselves. The law will establish the necessary and adequate measures to guarantee the effectiveness of [this] alimentary obligation.

Article 77

Matrimony between a man and a woman is protected, which is based on the free consent and on the absolute equality of the rights and duties of the spouses. The stable de facto marriage between a man and a woman that fulfills the requirements established in the law will produce the same effects as matrimony.

Article 78

Boys, girls and adolescents are full subjects of law and will be protected by the legislation, [and by] specialized organs and tribunals, which will respect, guarantee and develop the contents of this Constitution, the Convention on the Rights of the Child and the other international treaties on this matter that the Republic has subscribed and ratified. The State, the families and society will ensure, with absolute priority, integral protection, for which their superior interest in the decisions and actions that concern them will be taken into account. The State will promote their progressive incorporation to active citizenship, and a governing entity will manage the policies for the integral protection of boys, girls and adolescents.

Article 79
Young men and women have the right and the duty to be active subjects of the process of development. The State, with the joint participation of families and society, will create opportunities to stimulate their productive transit towards adult life and in particular the training and the access to the first job, in conformity with the law.

Article 80

The State will guarantee to elderly men and women the full exercise of their rights and guarantees. The State, with the joint participation of families and society, will be obligated to respect their human dignity, their autonomy and will guarantee to them integral attention and the benefits of social security that elevate and ensure their quality of life. The pensions and retirement payments granted by means of the system of social security cannot be inferior to the minimum urban salary. The right to an appropriate job for those who express their desire and who [have] capacity for it, will be guaranteed to elderly men and women.

Article 81

Every person with a disability or special needs has a right to the full and autonomous exercise of his capacities and to his family and community integration. The State, with the joint participation of the families and society, will guarantee to them the respect for their human dignity, comparable of opportunities, satisfactory job conditions, and will promote their qualification, training and access to employment appropriate to their conditions, in conformity with the law. To the deaf or mute persons the right to express themselves and to communicate through the language of signs, is recognized.

Article 82

Every person has a right to an adequate, comfortable, hygienic dwelling with basic services which include a habitat which humanizes family, neighborhood and community relations. The progressive satisfaction of this right is a shared obligation between the citizens and the State in all their areas.

The State will give priority to families and will guarantee the means so that the latter and especially those with scarce resources can be able to accede to social policies and to credit for the construction, acquisition or enlargement of dwellings.

VIE T N A M

Chapter 3

Article 31
The state creates conditions for citizens to comprehensively develop their capability; enhances the citizens’ consciousness and responsibility to live and work in accordance with the Constitution and law; preserves good morals and customs; builds happy families with a spirit of patriotism, love for socialism, and a spirit of authentic internationalism to befriend and cooperate with people in the world.

Article 40

The state, society, families, and citizens shall be dutybound to provide health care and protection to mothers and children and to carry out population and family planning programs.

Chapter 5

Article 63

Citizens of both sexes will have equal rights in all political, economic, cultural, social, and familial aspects. All forms of behavior which discriminate against women and offend their dignity are strictly forbidden. Workers of both sexes shall receive equal pay for equal work. Women workers are entitled to maternity policy benefits. Women state employees and wage earners are entitled to fully paid pre- and post-natal leave as stipulated by law.

The state and society will create conditions for women to raise the level of their knowledge and develop their role in society. It will take care of developing maternity homes, pediatrics, creches, and other social welfare facilities to alleviate family burdens and create conditions for women to produce, work, study, receive medical treatment, rest, and fulfill their duty as mothers.

Article 64

Families are the cells of society.

The state shall protect marriage and families. Marriages will abide by the principles of voluntarism, progress, monogamy, and equality between husband and wife.

Parents have an obligation to raise and educate their children to become good citizens. Children have an obligation to respect and care for their parents and grandparents.

The state and society will not accept discriminatory treatment of children.

Article 65

Children are protected, cared for, and educated by the family, state and society.
Article 66

The family, state, and society will create conditions for youths to study, work, and entertain themselves and to develop their physique and intelligence. It will educate youths on ethics, national traditions, sense of citizenship, and the socialist ideal; and encourage youths to take the lead in creative labor and national defense.

YEMEN

Part 1, Section 3

Article 26

The family, based on religion, morality and love of the homeland, is the nucleus of society. The family and family ties shall be protected and strengthened by law.

Article 30

The State shall protect the mother and safeguard the juvenile, the child and the youth.

Article 31

Women are akin to men having rights and obligations as demanded by the Sharia'a and stipulated by law.

ZAMBIA

Part 3, Article 12

(2) No person shall deprive an unborn child of life by termination of pregnancy except in accordance with the conditions laid down by an Act of Parliament for that purpose.