

“The Advocacy Activity at the UN on the Protection of the Family”

H.E. Archbishop Ivan Jurkovič

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It is an honor and pleasure to intervene today on Pope Francis’s Post-Synodal Exhortation on the Family *Amoris Laetitia*, organized under the auspices of the Pontifical Council for the Family and the Working Group on the Family of the Forum of Catholic Inspired NGOs in Geneva. I sincerely thank His Excellency, Archbishop Vincenzo Paglia for inviting me to speak on the advocacy activity and the work undertaken by the Holy See Mission to the United Nations and specialized organizations in Geneva in regard to the protection of the family. Most of the humanitarian agencies of the UN are based in Geneva; thus the activities of these institutions touches the lives of people across the face of the earth. It is therefore important for the Holy See to have a strong and active voice in favor of the promotion and the protection of the family in these multilateral structures. This brief intervention is comprised of two parts. In the first part, we will look at the active participation of the Permanent Mission of the Holy See to the UN in Geneva in the promotion and protection of the family. In the second part, we will look at some aspects of the Post-Synodal Apostolic Exhortation, *Amoris Laetitia*, which provide further direction for the advocacy in the years to come.

We know from experience that the family is the fundamental unit and the foundation of human society itself. In fact, the stability of any society depends on the stability of the families from which it springs. Family, which is based on marriage, the union of life between a man and a woman, is a community of life and solidarity, which is unique in teaching and transmitting cultural, ethical, spiritual and religious values and essential to the development and well-being of its own members and of society. Thus, family is the basic and natural resource of coexistence.

Since the United Nations System was first developed, the Holy See has actively and consistently advocated for the role and the importance of the family be accorded consistent recognition. The Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights explicitly oblige all states to provide protection and support for the family as the natural and fundamental unit of society. Concretely, the Universal

Declaration of Human Rights from 1948 addresses the family as, “the natural and fundamental group unit of society” and is therefore “entitled to protection by society and the State”. “Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family”. Another example is the 1994 International Conference on Population and Development in Cairo, which stated that, “The family is the basic unit of society and as such should be strengthened. It is entitled to receive comprehensive protection and support. (...) Marriage must be entered into with the free consent of the intending spouses, and husband and wife should be equal partners. Governments should formulate family-sensitive policies in the field of housing, work, health, social security and education in order to create an environment supportive of the family”. Furthermore, the 2000 Summit for Social Development recognized that “[family] plays a key role in social development and is a strong force of social cohesion and integration” (III §56). The Holy See has been actively engaged in these conferences and declarations and sees them as a strong foundation for the basis of the family in the international community.

The importance of the family has also been actively promoted when addressing migrant issues or children rights, as quoted from the 1990 Children Summit: “for the full and harmonious development of the children’s personality, they should grow up in a family environment, in an atmosphere of happiness, love and understanding” (§18). Moreover, UN resolutions give importance to the role and status of the family in the Post 2015 Development Goals by “safeguarding the dignity of every human person and the centrality of the family”. On the occasion of the 20th anniversary of the International Year on the Family in 2014, a specific panel was organized, in conjunction with a meeting of the UN Human Rights Council, on the topic of protection of the family. This panel focused on the implementation of states’ obligations under relevant provisions of international human rights law to discuss challenges and best practices in this regard. Within the United Nations system, the Focal Point on the Family, located in the Division for Social Policy and Development (DSPD) of the Department of Economic and Social Affairs (DESA), builds an awareness of the global situation of families and promotes family-oriented policies and programs. A UN Trust Fund on Family Activities has also been set up.

In recent years, however, there has been a shift, perhaps indicating a sort of mistrust, over the notion of family within the international community. In 2011, the UN

Secretary General Ban Ki-Moon remarked “At the international level, the family is appreciated but not prioritized in development efforts. The very contribution of families to the achievement of development goals continues to be largely overlooked (...).”¹

The present practical mistrust over the notion of family results directly from two trends: the first has been the push for so –called “sexual and reproductive rights”; the second is the evolution of practice and law in relation to marriage and family. The ongoing battle for legal recognition of free and same sex unions in UN texts has resulted in making the use of the word *family* a conflicting term that parties are keen to avoid in policy making.

In recent UN Documents, however, and during official UN meetings, the notion of *diversity of families* has increasingly been mentioned. Most Western countries call for recognizing the diversity of families, which includes married couples with or without children, cohabitating couples and their children, single parents and their children by choice or from divorce, separation or death, extended families, registered partnerships with or without children and same sex-parents and their children.

In relation to this new trend, the Holy See Mission to the UN in Geneva regularly promotes the natural definition of the family by recalling in interventions and negotiations that the redefinition of the family is in opposition to unchanging nature and dignity of the human person and that marriage is a lifelong, exclusive relationship between one man and one woman which is open to the creation and care of new human lives. It is neither possible to change the definition of marriage without forfeiting its meaning, nor wise to attempt to do so.

To counteract the increasingly secularized and individualistic culture that promotes so-called “new rights”, the Holy See participated in 2015 in the negotiation process of a new resolution where the natural definition of the family is reiterated. I quote Human Rights Council Resolution 29/L25 “Reaffirming that the family is the natural and fundamental group unit of society and is entitled to protection by society and the State, noting with concern that the contribution of the family in society (...) continues to be largely overlooked and underemphasized and urges Member States to

¹ Report of the Secretary-General on the Follow-up to the tenth anniversary of the International Year of the Family and beyond (2011), §9 . (A/66/62-E/2011/4, §9)

create a conducive environment to strengthen and support all families, recognizing the equality between women and men and respect for all human rights.”

The Holy See has intervened on numerous occasions for the protection of the family, as during the 26th Human Rights Council Session in 2014 and the International Dialogue on “Migration and the Family” in 2014. In addition, we organized two events in order to increase the importance of addressing the family as the fundamental unit of society within the international community. The first one in 2013, entitled “Promoting Human Rights and Freedoms through Legal and Social Protection of the Family”, was organized in collaboration with the Pontifical Council for the Family and the Forum of Catholic inspired NGOs in Geneva, so the same constellation as today. His Excellency, Archbishop Paglia intervened on that occasion. The second event was organized in 2014 for the 20th Anniversary of the International Year of the family on “Family as a source of strength and security when facing current societal challenges”, together with the *Caritas in Veritate* Foundation and the Forum of Catholic inspired NGOs in Geneva. These events facilitated in highlighting the importance of promoting and protecting the rights of the family.

Last but not least, the *Caritas in Veritate* Foundation, for which I serve as President, published a working paper in 2014 on “Creating a Future: Family as a Fabric of Society”. The first part of this Working Paper shows how a family approach to migration, poverty, and business actually adds valuable and original insights. The second part proposes some recent texts of the Catholic Church on the relationships between family and migration, poverty, and business. It also features a text written for this issue by the Pontifical Council of the Family presenting the overall development of Catholic thought about the family.

Building upon the activity of the Permanent Mission of the Holy See to the United Nations in Geneva regarding the promotion and protection of the natural family, I would now like to take a moment to give some consideration to the recent Post-Synodal Apostolic Exhortation of Pope Francis *Amoris Laetitia*. Before examining certain aspects of this document, it seems important, as with all ecclesial documents, to begin understanding it within its proper context. *Amoris Laetitia* is the fruit of more than two years of study, mediation and consideration within the framework of the Synod of Bishops meetings in 2014 and 2015. In many ways, the consideration of the theme of the family, one which is very dear to Pope Francis, was long overdue as the last Synod

of Bishops on the Family was in 1980 which resulted in the landmark Post-Synodal Apostolic Exhortation *Familiaris Consortio* in 1981. This is extremely important to take into mind. We are speaking of over 30 years passing since the last instance the Church has taken up the issues of the family on this level. How much has changed in respect to the social and cultural settings modern families find themselves now in comparison to 1980? How much has the pastoral demand and new challenges have changed in those 30 years?

Amoris Laetitia, while remaining true to the basic Christian message on marriage and the family, provides a sort of *aggiornamento* of the challenges and hopes families are facing today. All of this is presented within the personal style of Pope Francis and within the celebration of the Jubilee Year of Mercy, both of which invite us to accept mercy and to be merciful to others, especially in this case, with the reality that many Christians are facing in challenging marital situations whether separated, divorced, remarried outside the Church, domestic violence, abuse, and the like.

The exhortation touches on marriage and family life and realities that involve all persons in a most profound way. Each of us enjoys the gift of life, and of reflecting the very image of God in our lives, because the divine plan of spousal love. Part and parcel of defending human rights is the discussion on family life. As such, *Amoris Laetitia* indicates a useful trajectory for the activity of the Holy See in the international forum with regard to marriage and family, which I would now like to briefly consider.

Pope Francis rightly situates the challenges of family life within the cultural, social, and ideological backdrop affecting many societies today. “Anthropological and cultural changes in our times influence all aspects of life and call for an analytic and diversified approach” (n. 32). Extreme individualism weakens family bonds and ends up considering each member of the family as an isolated unit, creating an overly individualistic culture, caught up with possessions and pleasures leading to intolerance and hostility in families (cf. n. 33). Appreciating and understanding the force of this philosophical/cultural milieu in our day is essential for any proper approach to supporting the family. Bearing this in mind, the Holy Father offers an explanation of the way in which we should defend marriage and family. “It is true that there is no sense in simply decrying present-day evils, as if this could change things. Nor is it helpful to try to impose rules by sheer authority. What we need is a more responsible and generous effort to present the reasons and motivations for choosing marriage and

the family, and in this way to help men and women better to respond to the grace that God offers them” (n. 35). In this sense, Pope Francis demonstrates, by word and example, that defense of the family, including in the context of multilateral diplomacy, should not merely be limited to reiteration of doctrine or principles, which, by and large, are already well known, even by non-Christians. On the contrary, the positive approach must entail the constructive and encouraging dimension of the role of the family within society.

In *Amoris Laetitia*, much concern is expressed with regard to the influence of culture on the lived reality of family life. There is a general feeling of powerlessness in the face of socio-cultural realities that often end up crushing families... Families often feel abandoned due to a lack of interest and attention on the part of institutions. The negative impact on the social order is clear, as seen in the demographic crisis, in the difficulty of raising children, in a hesitancy to welcome new life, in a tendency to see older persons as a burden, and in an increase of emotional problems and outbreaks of violence. The State has the responsibility to pass laws and create work to ensure the future of young people and help them realize their plan of forming a family (cf. n. 43).

In this presentation, I have tried to outline the activity of the Holy See for the good of the family – this is our “advocacy” if you will. “The family is a good which society cannot do without, and it ought to be protected. The Church has always held it part of her mission to promote marriage and the family and to defend them against those who attack them, especially today, when they are given scarce attention in political agendas. Families have the right to be able to count on an adequate family policy on the part of public authorities in the juridical, economic, social and fiscal domains (cf. n. 44). The evolution taking place on the level of public policy is undeniably deconstructive of natural marriage and family. “In various countries, legislation facilitates a growing variety of alternatives to marriage, with the result that marriage, with its characteristics of exclusivity, indissolubility and openness to life, comes to appear as an old-fashioned and outdated option. Many countries are witnessing a legal deconstruction of the family, tending to adopt models based almost exclusively on the autonomy of the individual will. Surely it is legitimate and right to reject older forms of the traditional family marked by authoritarianism and even violence, yet this should not lead to a disparagement of marriage itself, but rather to the rediscovery of its authentic meaning and its renewal” (n. 53).

The Post-Synodal Exhortation also indicates other areas that touch upon family and married life. On numerous occasions, the Holy Father has emphasized the negative impact that extreme poverty, forced migration, lack of dignified work, among many other themes, have a negative effect upon the family. Here too, the advocacy of the Holy See undoubtedly plays an important role, because any issue touching on the enjoyment of a person's fundamental human rights also touches, whether directly or indirectly, on the family and married life. In all of these efforts, the activity of the Holy See in the United Nations and other international organizations continually seeks to encourage the international community to uphold the principles that defend the human person and the family and to put them into practice through adequate and just legislation.

In conclusion, I would simply like to thank all of you for your presence here this morning. For me, *Amoris Laetitia* is a rich resource for the continued advocacy of the Permanent Mission of the Holy See in Geneva, which frequently deals with marriage and family issues, among others, especially in the Human Rights Council. The Holy See Mission in Geneva constantly recalls the important role of the family as a whole and integral unit, which is based upon the marriage of a man and a woman, which transmits values, and which contributes to promoting the respect of human rights. It is of utmost importance for the family to be defended by the States, by the International Community but also by society as a whole. I hope this brief reflection will be useful for a fruitful discussion.