

HUMAN RIGHTS IN THE FAMILY

CONTENTS

	Page
Introduction	1
Women's Human Rights: Family, Culture and the Convention	1
Convention monitoring	3
Women's Human Rights and Legal Capacity	4
Article 15: Legal Capacity	5
15(1). Equality before the law	6
15(2). Contracts, property and majority	6
15(2). Equal treatment before courts and tribunals	8
15(3). Contracts limiting legal capacity	8
15(4). Freedom to choose residence and domicile	9
Article 9. Nationality	10
9(1). Nationality	10
9(2). Nationality of children	11
Article 16. Marriage and Family Law	12
Family, custom and change	12
Civil marriage	13
16(1)(a). Entry into marriage	13
16(1)(b). Right to choose spouse and consent to marriage	13
16(1)(c). Rights and responsibilities during marriage and at dissolution	15
16(1)(d). Rights and responsibilities as parents	16
Single-parent families and parental rights and responsibilities	17
16(1)(e). Rights to decide on number and spacing of children	
Access to information and means to exercise the rights	18

16(1)(f). Rights and responsibilities regarding guardianship, wardship, trusteeship and adoption	19
16(1)(g). Personal rights as husband and wife: family name, profession and occupation	20
16(1)(h). Equal rights for both spouses in respect of property	21
16(2). Minimum age of marriage and registration of marriage	22
Minimum age of marriage	22
Registration of marriage	23
Conclusion	23
Appendix A: Convention Articles 9, 15, 16	
Appendix B: Draft General Recommendation on Women, Family and State	
Appendix C: Recommendations on Articles 9, 15, 16	