

AKSIE MORELE STANDAARDE ACTION MORAL STANDARDS

Verwoerdburg

Submission:

Provision to be made to include a RIGHT TO THE PROTECTION OF THE FAMILY AND OF MARRIAGE to the new constitution.

- * In terms of the Constitutional Principle (ii) of the Interim Constitution everyone shall enjoy all the universally accepted Human Rights which shall be provided protected by the Constitution.
- * However, the New Constitution adopted on 8 May 1996 by the Constitutional Assembly does not directly provide for a right of protection of family and marriage.
- * This right is indeed universally protected and evidenced by inter alia the following:
 - (i) Section 12 of Universal Declaration of Rights of the U N (1948)
 - (ii) Article 10 of Internal Covenant on Economic, Social and Cultural Rights(1966)
 - (iii) Article 23(1) of the International Covenant of Civil and Political Rights (1966)
 - (iv) Article 8(1) and (12) of the European Convention of Human Rights (1950)
 - (v) Article 5(d)(iv) of the International Covenant on the Illimination of all of Racial Discrimination (1965)
 - (vi) Part 1(16) of the European Social Charter (1961)
 - (vii) Article 18 of the Banjul Charter on Human and People's Rights (1981) - (The African Charter of Human Rights)
 - (viii) Article 6 of the German Basic Law (1949)
 - (ix) Article 41 of the Irish Constitution (1937)
- * In view of the above it is submitted that the New Constitution must be amended to make provision for the inclusion of a right on the protection of the family and of marriage.

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