

The Protection of the Family in International Treaties

حماية الأسرة في المواثيق الدولية



Dr.Mekhaneg Abdallah 1
Faculty of Law and Political Science
University of Khemis Miliana



تاريخ النشر: 2023-04-26

تاريخ القبول: 2023-04-22

تاريخ الإرسال: 2023-04-11

Abstract:

The international system of human rights within the United Nations or other regional organizations, especially after the adoption of the Universal Declaration of Human Rights on 1948, enacted an arsenal of international covenants that focused on family issues as a basic social structure. In this regard, we can't deny the role of international treaties that brought positive legal issues related to women, family and children, which constituted over years valuable legal provisions that enriched International Human Rights Law. However, the effort of international communities faced various obstacles and challenges such as the intent to unify the international regulations concerning the family despite the different concepts, the diversity of cultures and the multiplicity of religious beliefs that characterized societies, in addition to the discriminatory behaviours manifested against women, domestic violence and the violation of children's rights.

The present research paper is dedicated to analyse the articles of international conventions concerning the rights of the family, in order to evaluate their effectiveness and ability to provide the required legal protection for the family.

Key words:

International conventions; the Family; Non-discrimination; Women's Rights; Children's protection .

ملخص:

رصدت المنظومة الحقوقية الدولية في إطار الأمم المتحدة وغيرها من المنظمات الإقليمية، و خاصة بعد صدور الإعلان العالمي لحقوق الانسان عام 1948 ترسانة من المواثيق الدولية ركزت محور اهتمامها حول شؤون الأسرة باعتبارها تركيبة أساسية داخل النسيج الاجتماعي. و مهما يكن من أمر، لا يمكن إنكار أو تجاهل دور المواثيق الدولية التي حملت في طياتها أحكاما إيجابية تعلق بالمرأة والأسرة و الأطفال، شكلت على مر السنوات رصيда قانونيا هاما أثرى القانون الدولي لحقوق الانسان ، و لكن رغم ما بذل من جهود معتبرة على المستوى الدولي لوضع حد للانتهاكات التي تطال الأسرة في مشارق الأرض و مغاربها، إلا أن هذه المساعي اصطدمت بجملة من المعوقات و التحديات، لعل أهمها محاولة توحيد الأحكام المرتبطة بالأسرة رغم الاختلاف البين في المفاهيم و وتنوع الثقافات وتعدد المعتقدات الدينية التي تميز المجتمعات، بالإضافة الى استمرار مظاهر التمييز ضد المرأة و نقشي ظاهرة العنف الأسري وانتهاك حقوق الأطفال دون حسيب أو رقيب.

نحاول من خلال هذه الورقة البحثية تحليل نصوص الاتفاقيات الدولية المهمة بحقوق الأسرة و تقييم مدى فعاليتها في توفير الحماية القانونية المطلوبة للأسرة بكل مكوناتها.

الكلمات المفتاحية:

الاتفاقيات الدولية، الأسرة، عدم التمييز، حقوق المرأة، حماية الأطفال

1 Corresponding author: Mekhaneg Abdallah, e-mail: a.mekhaneg@univ-dbk.m.dz

Introduction:

The family is considered to be one of the most important and influential human groups in the society as it is the basic unit through which various other social groups are structured. In addition, it plays

the main role in building the edifice of society, strengthening its unity, and regulating the behaviour of its members in accordance with the specific rules respecting moral and social ethics.

The family is also the nucleus of society, so, it needs to be given much attention and protection against all kinds of violence and social disintegration. It is also the cradle of the child and the natural place for caring and upbringing, and the first environment where the human being is raised and inculcated spiritual, religious and moral values. For this reasons, it is always receiving a great attention in various societies, regardless of their political and ideological orientations, not only because of the psychological and social stability factors they represent, but also its significant role to shape the personality, entity and conscience of the community.

The question of the research is the following:

To what extent the International Instruments of human rights provided an effective protection to the family?

1. Protection of the family in international human rights conventions

Since its foundation in 1945, the United Nations has given a wide attention to human rights. The family as a rampart of society has a privileged place in international human rights conventions. This is evident through the following international conventions:

1.1. Universal Declaration of Human Rights

The Universal Declaration of Human Rights¹ is considered to be the central international instrument in the United Nations human rights system that enshrines a wide range of civil and political rights, as well as economic, social and cultural rights. Concerning the provisions related to family, the declaration affirmed that men and women, when they reach puberty have the right to marry and found a family², without

any restriction due to race, nationality or religion, and they are equal in rights during the establishment of marriage and at its dissolution.³ As for the pillars of marriage, the declaration states that marriage does not take place unless both parties express fully their mutual consent.⁴

Providing the appropriate conditions and necessary services is the top priority for family protection. In this regard, the declaration stipulated that every person has the right to certain standard of living sufficient to ensure the health and well-being of himself and his family, especially in terms of food, clothing, housing and health care and social services. He has also the right to adequate protection in cases of unemployment, sickness, disability, widowhood, old age or other circumstances beyond his control that make him lose his livelihood. Motherhood and childhood are entitled to care, assistance and the right to enjoy adequate protection.⁵

1.2. Internationals Covenants on Human Rights

The adoption of two international covenants on human rights came as the summit of the efforts made by the United Nations to consecrate human rights. As the Universal Declaration of Human Rights was the beginning of a long process in matter of human rights implementation that paved way to a wide range of international treaties that emerged later on in the framework of the United Nations. Both the International Covenant on Civil and Political Rights⁶ and the International Covenant on Economic, Social and Cultural Rights⁷ dealt with many provisions related to the family.

1.2.1. International Covenant on Civil and Political Rights

The International Covenant on Civil and Political Rights defines the family as the natural and basic group unit in society, so it needs to be protected by the State.⁸ Concerning the issue of marriage, the covenant recognized the right to men and women of marriageable age

to marry and found a family.⁹ The Covenant also indicated that marriage does not take place except with free and full consent of both parties to be married without coercion.¹⁰ The International Covenant on Civil and Political Rights did not explicitly specify a minimum age for marriage, neither for a man nor for a woman, but it is necessary to precise that spouses are free to express their consents respecting the form and conditions stipulated in Law.¹¹ As for the responsibility of States Parties to guarantee particular rights related to the family, the Covenant obligated them to take appropriate measures to ensure equal rights and duties of spouses linked to marriage and its dissolution. In the case of dissolution it is stipulated that many measures must be taken to ensure the protection for the children.¹²

The covenant also emphasized that every child, without any discrimination as to race, colour, sex, language, religion, national or social origin, wealth or parentage has the right to benefit from the measures of protection of his family, society and the State required by his status as a minor. On the other hand, it was indicated that every child must be registered immediately upon birth and given a name, and that every child has the right to acquire nationality.¹³ The Covenant gives great attention to ensure the freedom of parents and guardians to adopt the religious and moral education of their children according to their own conviction.¹⁴

1.2.2. International Covenant on Economic, Social and Cultural Rights

Similarly to the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights included a list of rights broader than those contained in the Universal Declaration of Human Rights. Among the rights recognized in the Covenant: the right to an adequate standard of living, the right to

social security ,the right to fair conditions of work and it attached great importance to the family care.¹⁵

The International Covenant on Economic, Social and Cultural Rights affirmed that the family, which constitutes the natural and basic group in society, must be granted an adequate protection and assistance, especially in matter of the foundation of the family in order to reinforce its role related to the care and upbringing of the children.

Also, it gave a great deal of interest to the conclusion of marriage that shall be with free and full consent of both parties. A special protection should be given to mothers during a reasonable period before and after childbirth. It mentioned that working mothers should be granted paid leave or adequate social security benefits. In this sense, special measures of protection and assistance have to be taken for the benefit of all children and adolescents without any discrimination due to parentage or other considerations. It is also noted that children and adolescents must be protected from economic and social exploitation. The employment of children in work that harms their morals, health or normal development should be subject to punishment by law.¹⁶

The Covenant also recognized that every person has an adequate standard of living for himself and his family, providing what meets their needs in terms of food, clothing, and shelter to improve the living conditions. It obliged States Parties to take appropriate measures to guarantee this right.¹⁷ In the area of children's right to education, the States Parties agreed that parents or guardians are free to choose schools for their children other than public schools, provided that the selected educational institution adheres to the minimum standards that may be imposed or approved by the State, and to provide the religious and moral education of children according to their own conviction.¹⁸

1.3. Convention on the Elimination of All Forms of Discrimination against Women

The Convention on the Elimination of All Forms of Discrimination against Women¹⁹ is one of the UN fundamental instruments that gave a great consideration to women rights and freedoms.

It is worth noting that the discrimination against women constitutes a violation of the principles of equal rights and respect for human dignity. On the other hand, it is an obstacle to the full and effective participation of women in the political, social, economic and cultural life in their countries and the progress and prosperity of their families. It didn't neglect the significant role of women in the well-being of the family and the development of society, the social importance of motherhood and the role of both parents concerning the socialization of children.²⁰

Regarding marriage, the States Parties insisted that it is necessary to take all appropriate measures to eliminate discrimination against women in all issues relating to marriage and family relations and ensuring the equality of men and women in such affairs. The convention allocated several rights to spouses in connection to marriage contract and the freedom to choose a spouse and assume responsibilities during marriage or after its dissolution in all matters related to child care. The same rights are allocated to both spouses in connection with possession of property supervision and management. The convention expressed interest for motherhood as a social function, and recognized the joint responsibility of parents in providing appropriate conditions for the upbringing of children and taking into account their best interests.²¹

In connection to the right to health protection and safe working conditions, the convention indicated that in order to prevent discrimination against women on grounds of marriage or maternity, and to guarantee their effective right to work, the State Parties are obligated to take necessary measures, including: prohibiting dismissal from service due to pregnancy or maternity leave with the imposition of penalties for violators. In addition to the introduction of a system of paid or occupied maternity leave with many social benefits and the provision of the necessary social services to enable parents to combine family obligations with work responsibilities and participation in public life. Especially by encouraging the establishment and development of a network of child care facilities to provide special protection for women during pregnancy. On the other hand, the convention stressed governments to take appropriate measures to eliminate discrimination against women in the field of health care and obligated States Parties to provide adequate health services for women during pregnancy and childbirth.²²

More importantly, the convention affirmed the equality between women and men in all questions related to marriage and family relations during marriage and its dissolution. It is important to precise that due to the contradiction of various provisions of the convention with religious principles several Arab countries have made reservations about certain of its articles.²³

1.4. Convention on the Rights of the Child

The preamble to the Convention on the Rights of the Child²⁴ stated that the Parties convinced that the family is the basic unit of society and the natural environment for the growth and well-being of all its members, especially children. For these purposes, the States Parties endeavour to ensure the necessary assistance for it and assume their

entire responsibilities and recognize that the child should grow up in a family environment where happiness, love and understanding.

The Convention on the Rights of the Child covered various issues related to family affairs and emphasized respect for the right of the child to preserve his identity, including his nationality and name, and the right to parental care as recognized by Law.²⁵

In addition to this, the convention obliged States Parties to assure that the child shall not be separated from his parents against their will, except when the competent authorities decide to do so in accordance with the laws and procedures in force, provided that such separation is necessary to preserve the interest of the child. Such decision may be required in specific cases such as the case of Parents' abuse or neglect of the child, or when the parents live separately. States Parties should also respect the right of a child detached from his parents or one of them to maintain personal relationships and direct contacts with them in conformity with the interests of the child.²⁶ The Convention put on parents joint responsibilities in the upbringing of the child. In order to ensure these rights, the Convention obliged the States Parties to furnish appropriate assistance to parents or legal guardians in carrying out the task of raising the child and providing services for him.²⁷ On the other hand, the Convention obligated States Parties to take all legislative measures to protect the child from all forms of physical or mental violence, injury, abuse, negligent treatment or exploitation.²⁸

From another perspective, the Convention clarified that a child who is temporarily or permanently deprived of the family environment has the right to protection and appropriate assistance that the State guarantees. It also obliged the State Parties to ensure, in accordance with their national laws, alternative care for such a child, including

custody, and if necessary the placement in appropriate institutions for the care of children, taking into account the child's ethnic, religious, cultural and linguistic background.²⁹

2. Protection of the family in the regional conventions of human rights

Within the framework of regional organizations, States have been obliged to implement human rights and guarantee the rights of individuals and groups including the family in human rights conventions in the scope of the European, American, African and Arab levels.³⁰

2.1. European Social Charter

The European Social Charter³¹ was adopted to complete the European Convention on Human Rights and Fundamental Freedoms.³² This Charter concentrated on the economic and social rights with many provisions related to the family. It recognized the rights of social groups and their legal protection by providing the appropriate conditions for the full development of the family as the basic unit of society. Besides providing social housing and financial aid for newly married couples.³³

The Charter also obliged States to create legal frameworks to enshrine the right of children and youth to social protection inside the family, and to ensure adequate care to them in the field of education and training and to protect them against all forms of violence and exploitation.³⁴ On the other side, the Charter compelled States Parties to protect the rights of vulnerable groups in society against poverty and social deprivation, especially for poor families, and to highlight efforts to develop health and education services for its members.³⁵

It also attached a considerable importance to the rights of working women aiming to protect the implementation of the right of such social category to benefit from maternity leave. The Charter also

ensured the right of migrant workers and their families to be granted protection, assistance and free services and social care.³⁶

2.2. American Convention on Human Rights

The American Convention on Human Rights³⁷ like many other international and regional human rights treaties devoted a set of articles to items related to the family. Among the most important of them is the right to marry and form a family.³⁸ Besides a wide range of children's rights and their social upbringing in the family environment.³⁹ The convention was followed by the additional protocol to the American Convention on Human Rights.⁴⁰ which gave great consideration to the family and considered it as the natural and basic element of society, thus, it insisted on the responsibilities of States to protect the unity of this social institution and provide it with the required care and considerations.

In addition to ensure the rights of working women and providing the necessary services for children such as health, education and protection for youth and adolescents to achieve their full development and establishing comprehensive programs for the rehabilitation and training of family members.⁴¹ This additional protocol recognized also the right of the child, whatever his parentage, to protection against social ills and obliged Parties to protect the family that undertakes the tasks of the harmonization and the socialization of the child.⁴²

In the same vein, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women⁴³ dealt with a range of rights related to the family and emphasized particularly the protection of women from all kinds of violence committed inside the family.

2.3. African Charter on Human and Peoples' Rights

The African Charter on Human and Peoples' Rights⁴⁴ considered the family as the natural unit and the foundation of society, and put on States heavy responsibilities to guarantee its rights and integrity. It also obliged the State Parties to eliminate all forms of discrimination against women and ensure the rights of children as stipulated in international declarations and treaties.⁴⁵

The African Charter required individuals to perform obligations towards the family, society, and the State as well as the international community. In this regard, it stated that every person should preserve the family entity, work for its cohesion, respect his parents and care about them.⁴⁶ Noting that African Charter on the Rights and Welfare of the Child⁴⁷ contains several articles closely related to the protection of the family which constitutes, as previously mentioned, the social environment for the upbringing and safe keeping the child.

2.4. Arab Charter on Human Rights

It was stated in the preamble to the Arab Charter on Human Rights⁴⁸ that the Arab world is the cradle of religions and civilizations with the respect of human values, rights and freedom and the principles of equity and justice recognized in international treaties.

As for rights and freedoms, the Arab Charter contained a wide range of rights in which the family's rights constitute an integral part. In this context, the Charter indicated that the family is the basic natural unit of society, and that marriage needs the consent of spouses. The Charter stipulated also that the legislation in force have to define rights and duties of a man and a woman during the conclusion of marriage and at its dissolution.

It affirmed that the State guarantees the family protection and prohibits various forms of violence and mistreatment between its members, especially against women and children. It is also necessary,

according to the Charter, to guarantee the protection of motherhood , childhood , the rights of elderly people and persons with special needs. To achieve the agreed goals, the Charter constrained States to take all legislative and administrative measures to ensure the full protection and well-being of children in respect of the values of freedom and dignity taking into consideration the best interest of young peoples.⁴⁹ The Charter also affirmed that every person has the right to an appropriate standard of living and a decent life, including food, clothing, housing and social services.⁵⁰ For these considerations, the States parties are obliged to provide social services free of charge for all persons with disabilities, and do whatever is needed to provide support to those persons, their families or the persons caring for them.⁵¹

Conclusion:

Our research investigation on international and regional conventions allows us to deduce that it is obvious that there are undeniable international efforts made to provide the required legal protection for the family as a fundamental pillar of every society, but such international instruments have often been unable to achieve their goals.

The findings and recommendations can be summarized as follows:

- By analysing the form and content of international and regional conventions regarding family protection, we have come up with several conclusions that can be summarized as follows:
- Most of the international conventions recognized the legitimate rights of the family in all its components.
- Despite various human rights conventions adopted by the United Nations and regional organizations that recognized the rights of the family and tend to provide the protection of all its members, there is

still a wide gap between theoretical principles and the real implementation or between provisions and reality.

-The Provisions calling for absolute equality between men and women in all matters related to the family as stated in Article 16 of the Convention on the Elimination of All Forms of Discrimination against Women affect deeply the values and beliefs of certain societies.

- The failure of the international community to provide the required protection is due, in our opinion, to several reasons such as the weakness of the supervisory bodies and means of protection since most of conventions rely on the reporting system.

-The discrimination against women is still widespread because of the deficiency of States to fully implement the conventions.

- Ignoring cultural and religious specificities of some societies has pushed States to express reservations on many provisions of international conventions that concern the family.

-A considerable number of States have not fulfilled their commitments contained in the international agreements they have signed.

So, in order to provide the appropriate protection for the family it is necessary to:

- Give due consideration to the implementation of international treaties for the purpose of confronting the challenges facing the family.

- The international community needs to work together to undertake realistic measures to meet the aspirations of the family worldwide.

- The Coordination between countries to improve the international legal mechanisms of the protection of the family.

Considering what has been said, it is crucial for the international community to take urgent steps to provide full protection for the family that covers all its members without any discrimination based on race, sex, race, religion or any other considerations.

¹ The Universal Declaration of Human Rights was adopted by the United Nations General Assembly Resolution 217 A on December 10, 1948 and thereafter has been observed by international community as Human Rights Day.

² Susan Waltz ,*Reclaiming and Rebuilding the History of the Universal Declaration of Human Rights* , Third World Quarterly, Vol 23, No 3, 2002 p 437 .

³ Art 16/2 of the Universal Declaration of Human Rights 1948.

⁴ *Ibid.*, Art 16/3 .

⁵ *Ibid.*, Art 25 .

⁶ The International Covenant on Civil and Political Rights was adopted by United Nations General Assembly Resolution 2200 A on December 16, 1966, and entered into force on March 23, 1976, in accordance with the provisions of Article 49.

⁷ The International Covenant on Economic, Social and Cultural Rights adopted by United Nations General Assembly Resolution 2200 A on December 16, 1966, and entered into force on January 03, 1976 in accordance with Article 27

⁸ Art 23/1 of the International Covenant on Civil and Political Rights.

⁹ *Ibid.*, Art 23/2 .

¹⁰ *Ibid.*, Art 23/3.

¹¹ Martha C. Nussbaum, *A right to marry?* California Law Review Vol.98, No.3, June 2010,p.681.

¹² Sarah Joseph & Melissa Castan, *The International Covenant on Civil and Political Rights: Cases, Materials, and Commentary*, Oxford University Press, 2014, p 123.

¹³ Art 24 of the International Covenant on Civil and Political Rights

¹⁴ Felipe Gómez & Isa Koen de Feyter, *International Human Rights Law in a Global Context* , *University of Deusto Bilbao*, 2009,p 277.

¹⁵ Mathew C.R. Craven, *The Domestic Application of the International Covenant on Economic, Social and Cultural Rights*, *Netherland International Law Review* , Vol. 40,Issue 3, December 1993,p 373.

¹⁶ Art 10 of the International Covenant on Economic, Social and Cultural Rights.

¹⁷ *Ibid.*, Art 11/1

¹⁸ *Ibid.*, Art 13/3

¹⁹ The Convention on the Elimination of All Forms of Discrimination against Women was adopted by United Nations General Assembly Resolution 34/180 on December 18, 1979, and entered into force on September 3, 1981, in accordance with the provisions of Article 27.

²⁰ Zhuolin Zhu ,*The Causes and Solutions of Gender Inequality in the Workplace*, *Education and Humanities Research*, Vol. 615 Proceedings of the 2021 4th International Conference on Humanities Education and Social Sciences, 2021,p693.

²¹ Art 16 of the Convention on the Elimination of All Forms of Discrimination Against Women.

²² Anne Hellum & Henriette Sinding Aasen, *Women's Human Rights*, CEDAW In International, Regional and National Law , Cambridge University Press ,London, 2013, p.242.

²³ Algeria has made reservations concerning certain provisions such as article 16 of the Convention on the Elimination of All Forms of Discrimination against Women which are in contradiction with the Family Code.

²⁴ The Convention on the Rights of the Child was adopted by United Nations General Assembly Resolution 44/25 on November 20, 1989, and entered into force on September 02, 1990 in accordance with article 49.

²⁵ Russel Lawrence Barsh, *The Convention on the Rights of the Child, A Reassessment of the Final Text*, Journal of Human Rights, Vol. 7 Issue. 1, 1989 A, p145.

²⁶ Art 9 of the Convention on the Rights of the Child.

²⁷ *Ibid.*, Art 18.

²⁸ *Ibid.*, Art 19 .

²⁹ *Ibid.*, Art 20.

³⁰ Vera Shikhelman ,*Implementing Decisions of International Human Rights Institutions , Evidence from the United Nations Human Rights Committee* , The European Journal of International Law, Vol. 30 No. 3, 2019 , p 765.

³¹ The European Social Charter was adopted by the Council of Europe in 1961, entered into force in 1965, and amended in 1996.

³² The European Convention on Human Rights and Fundamental Freedoms was adopted by the Council of Europe in 1951 , entered into force on Sept. 3, 1953, and amended by Protocols 3, 5, 8, and 11 which entered into force respectively on 21 September 1970, 20 December 1971, 1 January 1990, and 1 November 1998 . The Convention focused on civil and political rights.

³³ Art 16 of the European Social Charter of 1996.

³⁴ *Ibid.*, Art 17.

³⁵ Carole Benelhocine, *The European Social Charter*, Council of Europe Publishing, Strasbourg, 2012,p 27.

³⁶ Art 19 of the European Social Charter of 1996.

³⁷ The American Convention on Human Rights was adopted by the General Assembly of the Organization of American States in 1969 and entered into force on July 18, 1978.

³⁸ Art 17/2 of the American Convention on Human Rights.

³⁹ Thomas M *et al*, *The American Convention on Human Rights*, Essential Rights ,Oxford University Press,London, 2017,p 31.

⁴⁰ The Additional Protocol to the American Convention on Human Rights on Economic, Social and Cultural Rights was adopted by the General Assembly of the Organization of American States on 1988 and entered into force on November 16, 1999.

⁴¹ Art 15 of the Protocol to the American Convention on Human Rights on Economic, Social and Cultural rights.

⁴² *Ibid.*, Art 16.

⁴³ The Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women was adopted by the General Assembly of the Organization of American States in 1994 and entered into force on March 5, 1995.

⁴⁴ The African Charter on Human and Peoples' Rights was adopted on June 27, 1981 and entered into force on Oct. 21, 1986.

⁴⁵ Art 18 of the African Charter on Human and Peoples' Rights.

⁴⁶ Solomon T. Eboobrah, *Towards a Positive Application of Complementarity in the African Human Rights System, Issues of Functions and Relations*, The European Journal of International Law Vol. 22 no. 3, 2011, p 667.

⁴⁷ The African Charter on the Rights and Welfare of the Child was adopted in 1990 and entered into force on November, 29, 1999.

⁴⁸ The Arab Charter on Human Rights was adopted on May 22, 2004 by the Council of the League of Arab States and entered into force on March 15, 2008.

⁴⁹ Art 33 of the Arab Charter on Human Rights.

⁵⁰ Mohamed Y. Mattar, *Article 43 of the Arab Charter on Human Rights: Reconciling National, Regional, and International Standards*, Harvard Human Rights Journal, Vol. 26, 2013, p 94

⁵¹ Art 40/2 the Arab Charter on Human Rights.

References:

1-Books

- Anne Hellum & Henriette Sinding Aasen, *Women's Human Rights, CEDAW In International, Regional And National Law*, Cambridge University Press, London, 2013.

-Carole Benelhocine, *The European Social Charter*, Council of Europe Publishing, Strasbourg, 2012.

-Felipe Gómez & Isa Koen de Feyter, *International Human Rights Law in a Global Context*, University of Deusto Bilbao 2009.

- Sarah Joseph & Melissa Castan, *The International Covenant on Civil and Political Rights: Cases, Materials, and Commentary*, Oxford University Press, 2014.

-Thomas M *et al*, The American Convention on Human Rights, Essential Rights Oxford University Press,, London, 2017.

2-Scientific Articles

-Mathew C.R. Craven, *The Domestic Application of the International Covenant on Economic, Social and Cultural Rights*, Netherland International Law Review, Volume 40, Issue 3, December 1993.

-Martha C. Nussbaum, *A right to marry?* California Law Review, Vol. 98, No. 3, June 2010

-Mohamed Y. Mattar, *Article 43 of the Arab Charter on Human Rights: Reconciling National, Regional, and International Standards*, Harvard Human Rights Journal , Vol. 26, 2013.

-Russel Lawrence Barsh, *The Convention on the Rights of the Child, A Reassessment of the Final Text Journal of Human Rights*, Vol. 7 Issue. 1 , 1989A .

-Solomon T. Ebobrah , *Towards a Positive Application of Complementarity in the African Human Rights System, Issues of Functions and Relations*, The European Journal of International Law Vol. 22 no. 3 , 2011.

-Susan Waltz , *Reclaiming and rebuilding the history of the Universal Declaration of Human Rights* , Third World Quarterly, Vol 23, No 3, 2002.

-Vera Shikhelman , *Implementing Decisions of International Human Rights Institutions , Evidence from the United Nations Human Rights Committee* , The European Journal of International Law, Vol. 30 No. 3, 2019 .

- Zhuolin Zhu , *The Causes and Solutions of Gender Inequality in the Workplace, Education and Humanities Research*, volume 615 Proceedings of the 2021 4th International Conference on Humanities Education and Social Sciences, 2021.

3-International Conventions

-Universal Declaration of Human Rights 1948

-International Covenant on Civil and Political Rights 1966

-International Covenant on Economic, Social and Cultural Rights 1966

-Convention on the Elimination of All Forms of Discrimination Against Women 1979

-Convention on the Rights of the Child 1989

4-Regional Conventions

-European Convention on Human Rights and Fundamental Freedoms 1951

-European Social Charter 1961

-European Social Charter revised 1988

-American Convention on Human Rights 1969

-Additional protocol to the American Convention on Human Rights on Economic, Social and Cultural Rights 1988

- Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women 1994
- African Charter on Human and Peoples' Rights 1986.
- African Charter on the Rights and Welfare of the Child 1990
- Arab Charter on Human Rights 2004