

Additional resources relevant to Article 12 (Equal recognition before the law)

The following are excerpts from existing human rights conventions:

International Covenant on Civil and Political Rights (ICCPR)

Article 16: Everyone shall have the right to recognition everywhere as a person before the law.

Article 26: All persons are equal before the law and are entitled without any discrimination to the equal protection of the law.

Convention on the Elimination of All Forms of Racial Discrimination (CERD)

Article 5(a): In compliance with the fundamental obligations laid down in article 2 of this Convention, States Parties undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: (a) The right to equal treatment before the tribunals and all other organs administering justice (...)

Article 5(d): States Parties undertake (...) to guarantee the right of everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights: ... (v) The right to own property alone as well as in association with others; (vi) The right to inherit;

Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

Article 13(b): States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular: ... (b) The right to bank loans, mortgages and other forms of financial credit;

Article 15 (1): States Parties shall accord to women equality with men before the law.

Article 15 (2): States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.

Convention on the Rights of the Child (CRC)

Article 12(1): States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

Article 12(2): For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.