

Ashley Chisholm

London

Our ref: TP/TK/SP/140chisholm
Date: 27 March 2008

Dear Ashley,

Thank you for your letter concerning human rights in respect of choice in marriage.

The Commission supports the right of individuals to choose their spouses based on free and full consent – regardless of factors such as gender, faith or ethnicity. We recognise that cultural justifications are sometimes invoked to deny individuals freedom of choice when selecting a partner / spouse, and we oppose this. We consider this societal pressure to be at odds with the protection and promotion of the right to marry and the right to respect for private and family life, both of which are expressly protected in the Human Rights Act 1998.

While this is not simply an issue to be addressed by legislation, we are encouraged by the developments in the law in respect of choice in marriage, such as the recognition of same-sex couples, and the importance placed on an individual's feeling as part of his or her wellbeing in the Forced Marriage (Civil Protection) Act 2007.

In respect of your second question, as you correctly identify the Race Relations Act 1976 is designed to combat racial discrimination in the public sphere. As we state on our website, the Race Relations Act is concerned with people's actions and the effect of their actions, not their opinions or beliefs. Affecting opinions and beliefs is a slow and gradual process, best achieved through public education, challenging fears and misconceptions, promoting tolerance of difference and diversity, within a

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context of making clear that human rights are not subject to cultural relativism. By ratifying the European Convention on Human Rights and many other international human rights instruments, and enacting the Human Rights Act, these standards have become directly enforceable in the UK. The recent emphasis placed on investigating the extent of forced marriage in the UK and seeking to identify appropriate action to challenge this is a good example of how human rights standards are being implemented in the UK in 2008.

The work of organisations such as MixTogether is critically important in promoting the societal change necessary at a community level. Such organisations raise awareness and stimulate change in a way which government, and which legislation, cannot. The Commission strongly encourages the work of MixTogether and the significant positive change it can make.

Yours sincerely,



John Wadham

Group Director Legal, Equality and Human Rights Commission

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