



## Press release

### European LGBT families gathering in Strasbourg for historic case concerning second-parent adoption in a same-sex relationship

Strasbourg, 3rd of October 2012

Rainbow families from all over Europe have gathered in Strasbourg to highlight the importance of a case in the European Court of Human Rights. Families spread a huge rainbow family flag in front of the Court building to give visibility to the lack of human rights for children and parents living in rainbow families. Families were also present for the hearing of the case, which took place in the Grand Chamber.

The case being heard concerns second-parent adoption in Austria. Austria allows second-parent adoption for unmarried different-sex couples but not for unmarried same-sex couples. The Court has held in earlier cases that states cannot discriminate against unmarried couples based on their sexual orientation.

*“This was an important day for European LGBT families. It was an emotional experience to have the entire Grand Chamber of the Court consider our legal situation. We feel very hopeful that this case will lead to our children’s rights gaining better recognition throughout Europe. No group of children should be discriminated against because of their parents’ sexual orientation, gender identity or gender expression,”* said Juha Jämsä, the vice-president of NELFA (the Network of LGBT Families Associations), which also acts as a third-party intervener in the case.

During the hearing, the lawyer for the Austrian family, Helmut Graupner, pointed out that the scientific research on the well-being of children raised in rainbow families uniformly shows that a parent’s sexual orientation does not affect the child negatively. Rather, it is other factors, e.g. divorce, that may have a negative affect on children. The question is not, according to Mr. Graupner’s answer to the judges, whether an adoption should be confirmed but rather whether all children should have the possibility to have their case investigated by the state in the context of adoption. This was denied in this case due to the child’s parents’ sex and their sexual orientation.

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