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## Single lesbian can adopt in France

Court ruling could have an impact on gay adoption laws throughout Europe

Reuters. Strasbourg

The European Court of Human Rights ruled on Thursday that France had acted illegally by preventing a lesbian woman from adopting a child and ordered the state to pay her 10,000 euros (\$14,420) in damages.

The majority ruling, by 10 votes to seven, could have an impact on gay adoption laws throughout Europe.

"The consequences of this decision are important," her lawyer, Caroline Mecary said in a statement. "Henceforth, France will no longer be able to refuse approval to an unmarried person on the grounds of their homosexuality". "The same thing will be true for other member countries of the Council of Europe which allow adoption by unmarried people."

The woman, a 45-year nursery school teacher identified only as EB, lived in a couple with another woman and took France to the Strasbourg-based court after she was refused the right to adopt a child in 1998.

Like a number of other European countries, France allows unmarried people to adopt children and her lawyer said she had been discriminated against because of her sexuality. The court ruled there was no reason for single homosexuals not to be allowed to adopt.



Two women kiss each other at a Gay and Lesbian Parade in Germany -Getty images

In a written verdict, it said adoption could only be blocked in the case of "particularly serious and convincing" problems tied to the private life of a potential parent.

"There were no such reasons in the present case because French law allowed single persons to adopt a child, thereby opening up the possibility of adoption by a single homosexual," the court said.

The European Court of Human Rights said the refusal by regional authorities, upheld by two French courts, to autho-

rise the adoption request breached the woman's rights because it appeared motivated by her sexual orientation. It granted her \$35,500 in damages and court expenses. The French civil code allows singles over the age of 28 to adopt, but says two unmarried people cannot both adopt the same child. It does not mention homosexuality.

The French Association of Gay and Lesbian parents called the judgment a "moral victory" for homosexuals seeking to adopt.