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Committee on Equality and Non-Discrimination

Parliamentary Platform for the rights of LGBTI persons in Europe

Conference on “Ensuring equality for rainbow families in Europe” – 12 September 2025 in San Anton, Malta

Conclusive remarks

Background

1. On 12 September 2025, more than one hundred participants came together in Malta for the parliamentary conference “Ensuring equality for rainbow families in Europe”, co-organised by the Parliamentary Platform for the rights of LGBTI persons in Europe, the Committee on Equality and Non-Discrimination and the Maltese Delegation to PACE under the auspices of the Maltese Presidency of the Committee of Ministers of the Council of Europe.
2. The event gathered members of the Parliamentary Assembly, national parliamentarians, representative of local institutions, legal experts, civil society organisations, academics, human rights defenders and representatives of rainbow families. Taking place during Malta Pride, the conference provided a unique opportunity to reinforce political commitment to equality and non-discrimination in family life.
3. The event built on PACE’s work on the protection of the rights of LGBTI persons, including [Resolution 2239](#) (2018) “Private and family life: achieving equality regardless of sexual orientation” and [Resolution 2543](#) (2024) “Freedom of expression and assembly of LGBTI people in Europe.” The European Court of Human Rights has also affirmed that sexual orientation and gender identity cannot justify discrimination in family life.
4. Despite progress, rainbow families across Europe continue to face legal uncertainty and unequal protection. Many member States still lack comprehensive frameworks recognising same-sex partnerships, marriages, or parenthood, while others maintain restrictive rules that limit parental rights or social benefits. These gaps not only undermine family unity but also create practical obstacles for children and parents, particularly when crossing borders. The Conference highlighted the urgent need for harmonised legal and policy measures to ensure that all families enjoy equal rights, protection, and dignity, regardless of sexual orientation or gender identity, and to uphold the principles of equality, non-discrimination, and children’s best interests across Europe.

Main conclusions

➤ The European legal landscape: the need for coherent and harmonised recognition

5. The first session examined the current European legal framework governing rainbow families, highlighting the tension between national competence in family law and Europe-wide obligations to protect fundamental rights. Participants recalled that while States remain free to decide whether to open marriage or registered partnership to same-sex couples, European law nonetheless requires them to provide some form of legal recognition and protection for same-sex relationships and families. This has been confirmed by the evolving case law of both the European Court of Human Rights and the Court of Justice of the European Union, which have recognised that stable same-sex couples and their children fall within the notion of “family life” and benefit from the guarantees of Articles 8 and 14 of the European Convention on Human Rights and relevant EU law provisions.
6. The session showed that, despite this progress, the absence of coherent and harmonised rules for recognising rainbow families across borders leads to a “patchwork” of protection in Europe. Families lawfully established in one State may find their marital status or parental ties ignored when they move or travel to another, with severe consequences for children’s legal identity and recognition of identity documents, access

to services, succession rights and migration status. Participants pointed in particular to the unresolved questions around the scope of cross-border recognition of same-sex marriages and parenthood beyond free-movement situations, and to the delays in adopting comprehensive EU instruments on the mutual recognition of parenthood. They stressed that ensuring continuity of family status throughout Europe is essential to uphold mutual trust between States and to give full effect to the principle that no child's rights should depend on the country in which their parents choose to live.

➤ **Privacy and family life: protecting rainbow families from discrimination and legal insecurity**

7. The second session underscored that privacy and the protection of family life for rainbow families extend far beyond what legislation promises. From Maltese social work practice to broader European examples, speakers emphasised that the right to privacy under Article 8 of the ECHR often clashes with daily realities: families are regularly forced to disclose their structure in intrusive ways, face micro-aggressions in institutions, and endure invasive questioning in spaces meant to be safe, like schools and clinics. Such experiences undermine dignity, increase psychological stress for parents and children, and erode trust in social institutions, making privacy not only a legal concept, but a crucial foundation for wellbeing and inclusion.

8. Speakers identified systemic barriers like heteronormative forms, inconsistent data protection, and insufficient training of professionals interacting with rainbow families. Best practices to address these include inclusive documentation replacing gendered terms with neutral ones, consent-based approaches to information sharing, and ongoing cultural competence training for staff. Promoting positive visibility further helps reduce discrimination and affirms family legitimacy.

9. Finally, the interventions stressed that lasting change demands transforming cultural attitudes within organisations as much as updating laws. Effective privacy protection for rainbow families means enabling them to decide how and when they disclose personal information, rather than making it a daily struggle. Where law and practice converge on respect for privacy, families can flourish, and Europe's commitment to equality will be meaningfully realised.

➤ **Inclusion and political responsibility: the role of parliamentarians**

10. The third session highlighted the crucial role parliamentarians play in both advancing and safeguarding the rights and inclusion of rainbow families. Across Europe, parliamentarians carry the responsibility not only to legislate for legal recognition and equality but also to ensure effective implementation and monitor real-world impacts. Engaging with rainbow families and civil society is essential to identify gaps and support needs in access to education, healthcare, social services, and family formation opportunities such as adoption.

11. Speakers emphasised that legal progress must be matched by social acceptance. Parliamentarians have a vital role in shaping positive social attitudes through public advocacy and education campaigns that foster understanding and inclusion of diverse family forms. These efforts help counter persistent stigma and exclusion that many rainbow families still face even in countries with strong legal protections.

Steps forward

12. Many participants stressed the importance of political leadership on an issue where significant legal progress exists, yet national legislations still lack harmonisation to enable effective cross-border recognition and co-operation for rainbow families, reflecting the inherently transnational nature of family life today.

13. National parliaments have a key role in addressing this pressing human rights issue with wide-ranging implications. As legislators and overseers, parliamentarians can build on existing international and regional tools, including Council of Europe standards, and work to align domestic frameworks with these. Moreover, parliaments can organise hearings and debates to deepen understanding and develop tailored solutions to advance the rights of rainbow families in each country.

14. The Conference highlighted the individual realities behind legislative challenges: each rainbow family is a living community deserving dignity and equality. Political will must translate into concrete action, and such commitments should be expected of member States.

Resources

[Webpage of the conference](#) including background documents adopted by the Parliamentary Assembly.

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