European Court of Human Rights Fails French Trans Mother

article, youth and families

The European Court of Human Rights ruled on 30 June in the case of a French family (C.V. and M.E.D. v. France) where a trans mother was denied registration in her child's birth certificate.

The family had complained of violations of their rights to private and family life (Article 8 ECHR) and non-discrimination (Article 14 ECHR).

Now, the Court decided to strike the case out of its list of cases and not deliberate on the case any further. It found that the issue had been settled by domestic courts already and that the applicants have thus lost their victim status before the ECtHR (§23).

The Court also found the length of proceedings (8 years to establish parent-child relationship) was not excessive (§24), but awarded the applicants 20.000€ for costs incurred for legal proceedings (§31).

TGEU alongside ILGA-Europe and NELFA submitted an intervention in the case, focusing on the harm done to children in families where a transgender parent is not recognised on their birth certificate.

TGEU regrets the Court's decision and sides with the applicants, who consider that the violations occurred have neither been adequately addressed by the European nor by the domestic courts.

Download the intervention