

Joint Declaration  
by  
Gay and Lesbian Organisations  
of  
Centre-Right Political Parties

Gay, lesbian, bi-, trans -, and intersexual (LGBTI) organisations affiliated with centre-right national parties have come together in Berlin to articulate common interests and to create a European network. We identify with the political, ethical and philosophical principles expressed in the **EPP Party Platform** (Bucharest 2012), to wit:

*116. All human beings enjoy equal rights because they are endowed with the same dignity based on human nature. In relationships with others, each person's freedom is, therefore, limited by a respect for others' freedom and dignity deriving from the recognition of that fundamental equality. Notwithstanding their differences in terms of gifts, talents and abilities, each person must be able to achieve personal development in freedom and equality regardless of his or her origin, sex, age, race, sexual orientation, nationality, religion, conviction, social status or state of health.*

We hold true to the attribution of a high regards towards identity, family and tradition. However, we are also aware that there exists a discrepancy between the claim to respecting fundamental human rights and the present reality. This is especially true with regard to our understanding of 'family'.

It is our deepest conviction that the Right to Marry or, equivalently the Right to a Civil Partnership, i.e. the Right to Family under Article 8 and Article 12 of the **European Human Rights Convention** must be accepted by all member States. The case law of the **European Court of Human Rights** (ECHR) has involved itself with this issue on several occasions. ECHR, Decision from 24.6.2010 30141/04 (Schalk and Kopf v. Austria) rules that *cohabiting same-sex couples in a stabile relationship constitute 'family life'*.

*211. As laid down in Article 16 of the Universal Declaration of Human Rights, the family is the natural and fundamental group unit of society and is entitled to protection by society and the state. Family is irreplaceable as the core institution where love and charity,*

*sympathy, and human solidarity are cherished and instilled, thereby uniting different generations. It is the place where parents and children take responsibility and practise solidarity for each other. Strong families are also a precondition for better demographic development.*  
**(EPP Party Platform, 2012)**

The Right to Marry and the Right to Establish a Family are plainly elements of a conservative set of values. Two persons who agree to form a partnership take on responsibility for each other, they support each other and their families, and if there be children in the household, they are cherished. All this gives stability to society. In a time of increasing instability and narcissism is this commitment to mutual support to be totally regarded as acceptable – not an example of depravity. Quoting British Prime Minister David Cameron:

*I say this: Yes, it's about equality, but it's also about something else: commitment. Conservatives believe in the ties that bind us; that society is stronger when we make vows to each other and support each other. "So I don't support gay marriage in spite of being a Conservative. I support gay marriage because I am a Conservative."*

Article 12 of the Convention, The Right to Marry, does not oblige member states of the Council of Europe to open marriage for same-sex couples. Member states may however opt to do so. Ten member states have opened the vows of marriage to same-sex couples; another fifteen allow for registered partnerships. We agree that the Principle of Subsidiary is a necessary and valid concept in European treaties. We also take note of the position of the ECHR that

*105. The Court cannot but note that there is an emerging European consensus towards legal recognition of same-sex couples. Moreover, this tendency has developed rapidly over the past decade. Nevertheless, there is not yet a majority of States providing for legal recognition of same-sex couples. The area in question must therefore still be regarded as one of evolving rights with no established consensus, where States must also enjoy a margin of appreciation in the timing of the introduction of legislative changes. ECHR, Decision from 24.6.2010 30141/04 (Schalk and Kopf v. Austria).*

Thus, in as much as the national states within the Council of Europe are parliamentary democracies and as such it lies with the political parties to form governments and create legislation, we demand that our own parties and governments enable marriage or fully equivalent partnerships, together with the right to adopt and the right, in accordance with Article 18 and Article 19 of the European Social Charter, to freedom of movement for all families in the pursuit of gainful occupation or employment. We also demand for a reciprocal recognition of marriages and partnerships and acceptance of all families.

Is there any place in our world where LGBT people can live in full equality, without enmity - a place without homophobia or transphobia? Some nations which have formally accepted the

**European Human Rights Convention** – even some member states of the European Union, in spite of the **Charter of Human Rights of the European Union**, have failed to enact appropriate legislation or have neglected enforcement efforts. So it is that in several Eastern European member states homophobia is rampant. In particular Russia has incorporated animosity toward same-sex couples and transgender individuals in recent legislative acts. We expect that all our parties and governments protest sharply against these developments. All means appropriate should be used to express their concern, and should Russia not yield, we ask that the Council of Europe considers suspending Russia's voting rights.

This day we establish a network for the purpose of better co-operation amongst our organisations to exchange ideas and provide mutual support. Together we undertake to convince our respective political parties to accept that equal rights extend to all persons and all family configurations.

Berlin, October 12th, 2013

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