

Delegation of France

**STATEMENT BY
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REPRESENTATIVE OF FRANCE TO THE OSCE,
AT THE 960th MEETING OF THE
OSCE PERMANENT COUNCIL**

11 July 2013

In response to the statement at the Permanent Council meeting of 4 July by the Russian Federation on the adoption of the law on same-sex marriages

In its response to the European Union regarding the promulgation of the law prohibiting propaganda advocating non-traditional sexual relations made at the last meeting of the Permanent Council, the delegation of the Russian Federation cast doubt on the “democratic” nature of the French law on same-sex marriage. In response, I should like to clarify the following six points:

1. The adoption of this law strictly followed the legislative procedure provided for in our constitution, which is consistent in every respect with the democratic standards and commitments of the OSCE in this regard.

The law on same-sex marriage and adoption was passed by the National Assembly on 23 April after examination in a first reading by the Assembly and the Senate. It was validated by the Constitutional Council on 17 May and promulgated by President Hollande the next day.

Of 566 voters and 566 votes cast in the National Assembly, there were 331 votes in favour and 225 votes against, that is, a clear majority. Owing to the public debate, there were over 170 hours of debate in Parliament from January onwards.

2. Outside the legislative process, large-scale public consultations were held on the draft law from September 2012.

Throughout the month of September 2012, the ministers for justice and the family held very extensive consultations both with the voluntary sector and with religious authorities.

Thus, the following were heard: the associations were the National Union of Family Associations (UNAF), the National Confederation of Catholic Families, the Association of the Departments of France, SOS homophobie, the Association of Gay and Lesbian Parents

and Future Parents, the Movement for Adoption without Borders; experts, including child psychiatrists; and representatives of Catholic, Protestant, Jewish and Muslim religious authorities. The council on adoption was also consulted as prescribed by the law.

3. The adoption of this law followed a promise contained in President Hollande's electoral campaign programme published in January 2012. The President as well as the National Assembly were elected in democratic elections based on direct universal suffrage whose standards were assessed as being of high quality by the observers from the Office for Democratic Institutions and Human Rights in 2102.

4. Demonstrations by the persons opposed to same-sex marriage took place in a free and fair atmosphere in accordance with the principles of freedom of association and assembly.

5. The purpose of this law is essentially to amend Article 143 of the French Civil Code, which now reads as follows: "marriage is entered into by two persons of different sex or of the same sex". It also opens the way to adoption by homosexual couples. It does not jeopardize the rights of persons who were married before the Civil Code was amended. Nor is it a matter of jeopardizing the rights of children or the freedom of conscience and religion, which are fully protected under French law and to which all of the French State authorities are deeply committed.

6. We are aware that a considerable amount of work remains to be done in combating homophobic prejudice in France in accordance with the OSCE commitments to combat all forms of discrimination and intolerance. On 15 November 2012, I had the opportunity of presenting to the Permanent Council my Government's programme of action to counter violence and discrimination on the grounds of sexual orientation or gender identity adopted on 31 October 2012.