The Czech Republic has ruled against adoptions from same-sex couples registered abroad as anti-LGBT+ rhetoric continues spreading across eastern Europe.

On Monday (11 January) the Czech Constitutional Court rejected a regional court’s proposal to amend a law that prevents same-sex couples registered abroad from adopting Czech children.

Same-sex couples are currently unable to adopt as adoption is restricted to married couples, and same-sex marriage isn’t legal in the Czech Republic. So the Prague Regional Court proposed changes to the wording on private international law, allowing Czech courts to recognise same-sex partners registered overseas.

This was rejected in the new ruling, which suggested it would allow Czech adoption laws to be “circumvented” abroad, according to Expats.CZ.

“Should the legislators set the rules for adoption, they can substantially prevent the rules from being ‘circumvented’ via foreign legal arrangement,” the finding reads.

The Constitutional Court considered the amendment in relation to the case of a registered same-sex couple, a Czech and a Trinidad and Tobago citizen living in the US.

A court in New Jersey approved their decision to adopt two children with the US citizenship, but the men feared legal complications when travelling back to the Czech Republic as a family.

When they asked a local court to recognise the US adoption their request was dismissed, since private international law doesn’t allow for the approval of a decision that goes against Czech law.

The Czech LGBT+ advocacy group We Are Fair expressed regret over the ruling, saying that the decision is proof that the Czech Republic needs to legalise marriage for everybody.

The troubling news follows a wave of anti-LGBT+ sentiment rising across eastern Europe that has seen both Poland and Hungary restrict adoption for same-sex couples.

Poland’s president, Andrzej Duda, has suggested changing the country’s constitution to explicitly forbid adoptions from LGBT+ couples, while Hungary’s nationalist prime minister, Viktor Orbán, announced in November that a ban on same-sex adoption had “become necessary” due to coronavirus.

“Family ties shall be based on marriage and the relationship between parents and children. The mother is female, the father is male,” declared the Hungarian minister of family affairs as she announced the changes.

https://www.pinknews.co.uk/2021/01/12/czech-republic-same-sex-adoption-ruling-couples-registered-abroad-anti-lgbt/