



Brussels, 03 November 2016

**NELFA PRESS RELEASE:**

**More equality in Spain: Parents of children born through gestational surrogacy now have the right to parental benefits!**

NELFA, the Network of European LGBTIQ\* Families Associations, is delighted by the recent decision of the Supreme Court in Madrid. On 20 October 2016, the Court ruled in favour of parents with children born through gestational surrogacy.

Spanish laws don't permit gestational surrogacy in Spain, but children born through gestational surrogacy abroad now have recognized Spanish citizenship. Although some companies and public employers granted the parental leave benefits, in several cases social security in Spain had refused the payment of maternity benefits, assuming a fraudulent intent.

The Court took a different view: the care of minors should be the first priority and they can't be victims of conflicting regulations. In one case, a single father of two girls can now receive social benefits. The surrogate in India had transferred all rights and responsibilities to the Spanish man and the children got the Spanish citizenship.

NELFA's President, Maria von Känel, says, *'The recent decision in Spain is in line with the case law of the European Court of Human Rights in Strasbourg and indicates tremendous progress. Once more, it has succeeded in removing injustice and re-directing the focus solely on the well-being of the children and their families, in whatever configuration.'*

Jordi Anton, Board member of NELFA, and a father through gestational surrogacy himself, adds, *'The decision is another step forward protecting children born through gestational surrogacy. Children of heterosexual couples, single parents or LGTBIQ\* families will be able to enjoy the benefits of being cared by their parents, exactly as any other child in the country. So, finally – after several appeals – another battle is won and I'm very pleased about it!'*

About **NELFA**: NELFA is the European platform of LGBTIQ\* families associations, bringing together LGBTIQ\* parents and parents-to-be from all over Europe. NELFA currently represents 31 organisations in 18 European countries with more than 25,500 members. NELFA is a member of ILGA-Europe and Transgender Europe. Website: <http://www.nelfa.org>

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Get involved in the International Family Equality Day (IFED): [www.internationalfamilyequalityday.org](http://www.internationalfamilyequalityday.org)  
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