

Love Makes a Family

A Guide to Legal Recognition and Equality





Outright International. Together for better LGBTIQ lives.

Outright International works with partners around the globe to strengthen the LGBTIQ human rights movement, document and amplify human rights violations against LGBTIQ people, and advocate for inclusion and equality.

Founded in 1990, Outright works with civil society organizations, the United Nations, regional human rights monitoring bodies, governments, humanitarian and development institutions, and philanthropic and corporate partners to create lasting change. With staff in twenty countries, Outright holds consultative status at the United Nations, where it serves as the secretariat of the UN LGBTI Core Group.

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Cover Image: Happy lesbian multiethnic couple in love with children at home.

De: NDABCREATIVITY

Fonte: Adobe Stock

ID do ativo: 459626425

Love, Family, and the Fight for Recognition

What makes a family? **Love, commitment, and care**—not just legal documents.

Families are the foundation of our lives, shaping who we are and providing us with security, support, and belonging. But in many places, the law **fails to recognize the full diversity of families**, leaving millions without the protections they need.

For **LGBTIQ families**, this legal invisibility can have devastating consequences. A parent can be denied custody of their own child. A grieving partner can be forced out of their home because inheritance laws don't recognize their relationship. A spouse may be barred from making medical decisions for their loved one in a crisis. **Basic rights that others take for granted are still out of reach for many.**

Legal recognition is not just about paperwork—it's about **dignity, security, and equality**. Without it, families are left vulnerable, forced to navigate a world where their rights can be ignored, challenged, or even erased.

Why Legal Recognition Matters

- ▲ **Protecting children** by ensuring both parents have equal rights.
- ▲ **Securing family homes and assets** through inheritance and property laws.
- ▲ **Guaranteeing health care access** and medical decision-making rights for partners.
- ▲ **Ensuring family unity** across borders through inclusive immigration policies.
- ▲ **Protecting survivors of domestic violence**, regardless of gender or family structure.
- ▲ **Ensuring the right to form a family** through access to fertility treatments, adoption, and legal protections—while eliminating discriminatory barriers such as forced sterilization or restrictive parenthood laws.



About This Guide

This guide breaks down the **10 essential legal protections** that every family deserves. It explores key challenges, real-life stories, and the policy changes needed to ensure full equality for all families—because **love, not law, should define a family.**

Image: Happy gay couple with adopted child.

De: Pixel-Shot
Fonte: Adobe Stock
ID do ativo: 267553258

10 Essential Protections for Family Legal Recognition

1. Equal Parental Rights for Same-Sex Parents

The Issue

Parents and guardians are the foundation of family security, but many governments fail to **recognize both parents** in same-sex relationships automatically. Non-biological parents often have to undergo costly and time-consuming adoption procedures to gain legal rights over their own children. In some cases, they may be denied custody entirely. This legal oversight leaves families **vulnerable to separation, discrimination, and instability**.

Intersex individuals are often infertile due to their innate sex characteristics or as a result of medical interventions. Family building requires either invasive, costly infertility treatments, surrogacy arrangements, or time-consuming adoption procedures. **These hurdles are daunting for intersex individuals desiring to be parents and a barrier to parenthood for many.**

The Impact

- ▲ A **non-biological parent** may be unable to make medical decisions for their child in an emergency.
- ▲ If the couple **separates**, the unrecognized parent can lose all access to their child—even if they are an equal caregiver. Children are left in **legal limbo**, lacking financial or social protections tied to both parents.
- ▲ Some intersex individuals **lose their reproductive capacity** or are **denied access to family building** through alternative means.

What's Needed?

- ▲ **Automatic recognition** of both parents at birth—eliminating the need for second-parent adoption.
- ▲ **Streamlined adoption laws** for LGBTIQ parents to ensure equal rights.
- ▲ **Custody protections** that prevent discrimination against LGBTIQ parents in family courts.
- ▲ **Laws ending medically unnecessary nonconsensual surgeries** on intersex children that may leave them sterile.

1. Equal Parental Rights for Same-Sex Parents

How This Looks Like

Claudia and Mary have raised their daughter, Sofia, together since birth. But when they separate, Mary—who isn't legally recognized as a parent—loses all parental rights. She cannot make medical decisions, participate in Sofia's education, or maintain a legal relationship with the child she helped raise. This legal failure **severs family bonds and causes emotional harm to both parent and child.**

Image: Two lesbian women with a baby boy at home
De: bernarbodo
Fonte: Adobe Stock
ID do ativo: 482912264



2. Protection of Shared Property & Inheritance Rights

The Issue

When a **heterosexual spouse dies**, their partner automatically inherits shared property, pensions, and assets. But in many places, **same-sex couples lack these protections**, leaving surviving partners at risk of losing their homes or financial stability. Discriminatory laws allow **estranged biological family members** to claim assets—often against the wishes of the deceased.

The Impact

- ▲ **Surviving partners** may be **forced out of their home** because property laws favor biological relatives.
- ▲ **Same-sex couples** without marriage recognition face legal disputes over shared assets.
- ▲ Financial insecurity is worsened by the **denial of pensions, retirement benefits, and social security entitlements.**

What's Needed?

- ▲ **Joint property ownership laws** that secure rights for all partners.
- ▲ **Automatic inheritance rights** for same-sex spouses and partners.
- ▲ **Legal frameworks** that prevent asset disputes between surviving partners and extended family.

2. Protection of Shared Property & Inheritance Rights

How This Looks Like

John and Miguel have shared a home for **20 years**. But when Miguel passes away suddenly, his estranged siblings **claim ownership of their house**, arguing that John has no legal standing. Without explicit protections for **same-sex property and inheritance rights**, John is **evicted from the home he built with Miguel**, left grieving and financially vulnerable.



Image: Two young multiracial men sitting on living room
De: Anna Neubauer
Fonte: Adobe Stock
ID do ativo: 681253718

3. Legal Recognition of Marriage & Civil Unions

The Issue

Marriage is more than a cultural institution—it grants **legal security** in areas like health care, taxation, immigration, and spousal rights. Yet, in many countries, **same-sex couples, trans people, and intersex people remain excluded**, forcing them into **legal uncertainty** in critical life moments. Even where civil unions exist, they often provide only **partial rights**, leaving couples unprotected in emergencies or across borders.

The Impact

- ▲ Without **next-of-kin status**, partners can be **denied hospital visitation** during medical emergencies.
- ▲ **Lack of spousal immigration rights** forces binational same-sex couples into separation.
- ▲ **Unequal tax laws** penalize same-sex spouses, denying them financial benefits granted to heterosexual couples.
- ▲ Some intersex people are **denied the right to marry anyone legally**.

What's Needed?

- ▲ **Full marriage equality** that ensures that same-sex attracted individuals, trans people, and intersex people can marry a partner of the sex and gender of their choice, to ensure equal legal recognition worldwide.
- ▲ **Cross-border protections** so marriages and civil unions are respected internationally.
- ▲ **Spousal benefits parity**, including access to health care, tax benefits, and social security.

3. Legal Recognition of Marriage & Civil Unions

How This Looks Like

Marcus and Terrence are a married same-sex couple. When they relocate for work, they discover that their marriage **isn't recognized in their new country**. When Marcus suffers a medical emergency, Terrence is **denied hospital access** because he is **not considered a legal spouse**. This blatant inequality **blocks same-sex partners from critical rights and protections**.

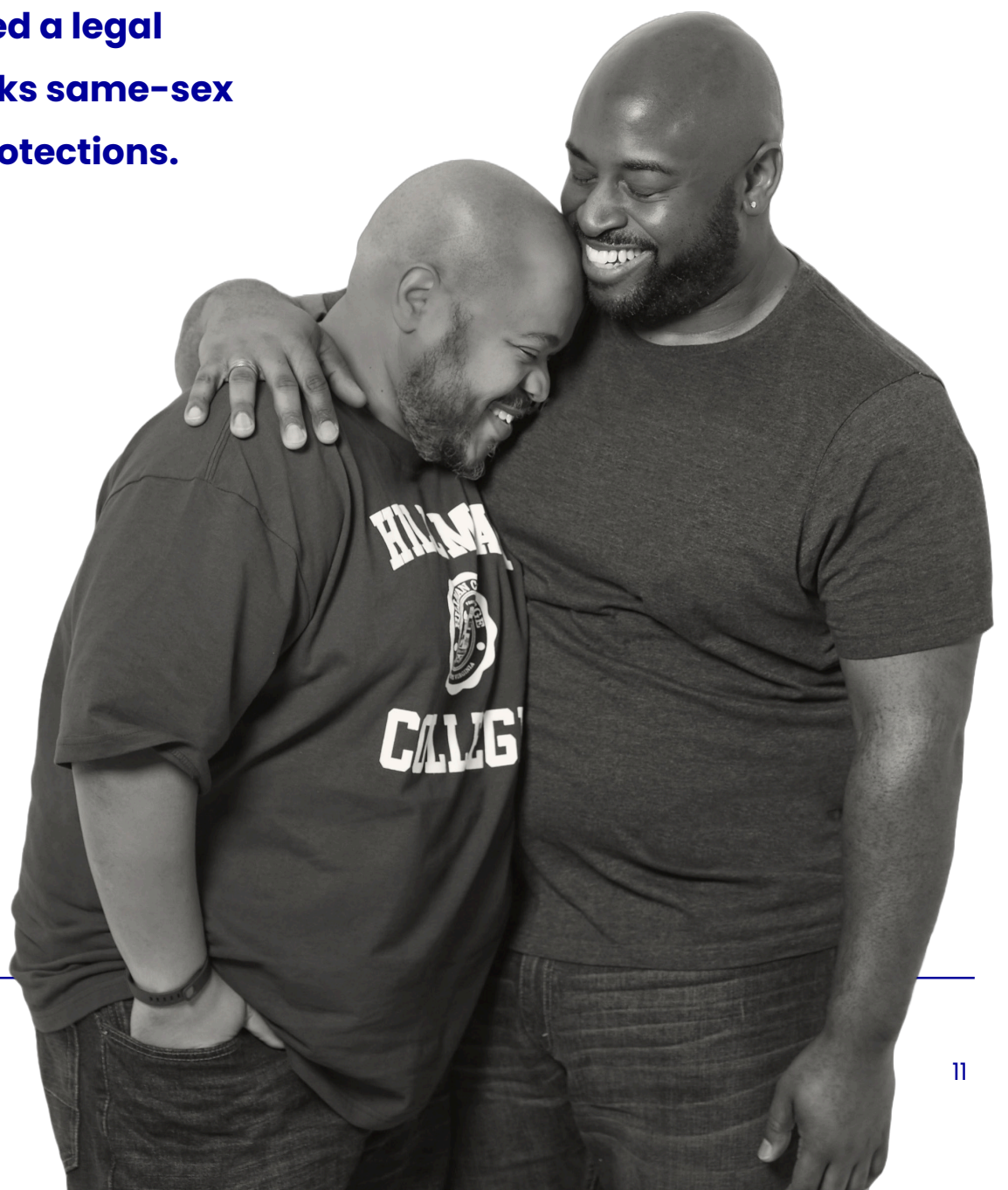


Image: Studio portrait of couple laughing together
De: Lee
Fonte: Adobe Stock
ID do ativo: 159522150

4. Protection from Domestic & Family Violence

The Issue

Domestic violence laws exist to protect survivors—but many **fail to include same-sex couples**. Some governments **refuse to acknowledge** that intimate partner violence exists outside heterosexual relationships, leaving **LGBTIQ survivors with no legal protection**. Others lack safe shelters or trained support services, **forcing victims to remain in dangerous situations**.

LGBTIQ children often face physical violence, emotional abuse, and neglect from their families. In some countries, children born with intersex traits are abandoned or even killed, and their **mothers are shunned by their communities and abandoned by their husbands**. Legal systems that reinforce discrimination or provide inadequate legal protection for LGBTIQ children leave children trapped in violent and abusive situations.

The Impact

- ▲ Same-sex survivors are **denied restraining orders** because the law does not recognize their relationship.
- ▲ **Law enforcement often fails to intervene** in LGBTIQ domestic violence cases.
- ▲ Lack of access to **shelters and emergency aid** puts survivors at risk of homelessness or further abuse.
- ▲ **LGBTIQ children are vulnerable to abuse**, with limited prevention and protection efforts.

What's Needed?

- ▲ **Laws recognizing intimate partner violence** in all family structures.
- ▲ **Equal access to shelters, protective orders, and legal aid** for all survivors.
- ▲ **Training for police, social workers, and judicial systems** to handle LGBTIQ domestic violence cases fairly.
- ▲ **Government support for programs** that provide emergency shelter, legal assistance, and, where relevant, family reintegration support for LGBTIQ children experiencing family violence.
- ▲ **Visibility and education campaigns** normalizing the birth of intersex children as a blessing, not a curse to be discarded.

4. Protection from Domestic & Family Violence

How This Looks Like

Jamila is in an **abusive relationship** with her same-sex partner. When she finally gathers the courage to file for a **restraining order**, she is told that **domestic violence protections do not apply to same-sex couples**. Left without legal recourse, she remains trapped in a cycle of violence and fear.

Image: Young woman sitting in the park
De: Sophia Emmerich
Fonte: Adobe Stock
ID do ativo: 545261920



5. Equal Access to Employment & Social Benefits

The Issue

Employment benefits—such as health insurance, parental leave, and pensions—are often designed for legally married couples, excluding many LGBTIQ families. In countries where same-sex marriage is not recognized, same-sex partners are denied spousal health coverage, leaving them financially vulnerable. Employers may also deny parental leave to non-biological parents, reinforcing economic inequality.

The Impact

- ▲ **Same-sex partners** lose access to **family health insurance.**
- ▲ LGBTIQ parents **struggle to access parental leave**, increasing financial strain.
- ▲ **Pension and retirement benefits** aren't extended to same-sex spouses, affecting long-term financial security.

What's Needed?

- ▲ **Strong legal protections** that apply across all workplaces, explicitly prohibiting discrimination based on sexual orientation, gender identity and expression, and sex characteristics.
- ▲ **Equal access to employment benefits**, including health insurance, leave, and pensions.

5. Equal Access to Employment & Social Benefits

How This Looks Like

Danielle’s employer provides **health insurance** to employees’ spouses—but **denies coverage to same-sex partners**. This forces her partner, Alicia, to pay exorbitant private insurance costs, placing an unnecessary **financial burden** on their family simply because of **discriminatory employment policies**.

Image: Transgender woman turning to look at the camera
De: Iván Moreno
Fonte: Adobe Stock
ID do ativo: 520473604



6. Nationality & Immigration Rights for Diverse Families

The Issue

Laws governing nationality and immigration are often designed with **heteronormative assumptions**, making it difficult for same-sex partners and their children to secure **legal status, visas, or residency rights**. Many countries do not recognize same-sex marriages or partnerships, making **family reunification impossible** under their immigration policies.

The Impact

- ▲ **Binational same-sex couples** may be forced to live apart because their relationship is not legally recognized.
- ▲ **Non-citizen parents or partners** may be denied residency, work permits, or social protections, disrupting family stability.
- ▲ Some children of **same-sex parents** born abroad may be denied citizenship, rendering them stateless.

What's Needed?

- ▲ **Recognition of same-sex partnerships and parenthood** in immigration policies.
- ▲ **Legal protections ensuring family reunification** for LGBTIQ families.
- ▲ **Non-discriminatory nationality laws** that grant citizenship to children of same-sex parents.

6. Nationality & Immigration Rights for Diverse Families

How This Looks Like

Julien and Wei, a binational same-sex couple, **want to build their life together** in a new country. But because their relationship isn't legally recognized, Julien **can only stay on a temporary tourist visa**, which prevents him from working, accessing healthcare, or obtaining long-term stability. The couple is forced to endure repeated separations or live in uncertainty—**a hardship that heterosexual couples do not face.**

Image: Senior couple sitting indoors
De: LIGHTFIELD STUDIOS
Fonte: Adobe Stock
ID do ativo: 180705309



7. Representation of Diverse Families in Education

The Issue

Schools play a crucial role in shaping **societal attitudes** and **challenging discrimination**. However, many **education systems fail to reflect family diversity**, leaving children from LGBTIQ families vulnerable to bullying and exclusion. Schools often exclude same-sex parents from official documents, fail to provide inclusive curricula, and neglect to **train teachers** on how to support diverse families.

The Impact

- ▲ LGBTIQ children and children from LGBTIQ families face **bullying, exclusion, and stigma in school environments**.
- ▲ **Educators are unprepared** to address the existence of family diversity, reinforcing harmful biases.
- ▲ **Same-sex parents are excluded** from school forms, parent-teacher associations, and decision-making.

What's Needed?

- ▲ **Curricula that represent diverse students and families** and challenge stereotypes.
- ▲ **Anti-discrimination laws** that protect students and parents from diverse families.
- ▲ **Teacher training programs** to foster inclusive school environments.

7. Representation of Diverse Families in Education

How This Looks Like

Noura and Paula's son is bullied at school **because his classmates don't understand what it means to have two moms**. School staff **fail to intervene** due to a lack of training on family diversity. Without inclusive education policies and anti-bullying protections, children from diverse families continue to experience **stigma and isolation**.



Image: Same sex caucasian lesbian family with a child
De: anna_gorbenko
Fonte: Adobe Stock
ID do ativo: 283045952

8. Access to Reproductive Technologies & Fertility Preservation

The Issue

Many fertility services—including **in vitro fertilization (IVF), surrogacy, and sperm/egg donation**—are heavily **restricted or unavailable** to same-sex couples, transgender people, intersex people, and single people. Even where these services exist, **cost barriers and discriminatory policies** often prevent LGBTIQ people from accessing the care they need to build their families.

Additionally, some intersex people are either naturally infertile or have been sterilized as a result of nonconsensual medical procedures subjected to in childhood. Similarly, transgender individuals who undergo gender-affirming treatments may lose their ability to have biological children **if fertility preservation options are not accessible or covered by insurance.**

The Impact

- ▲ **Same-sex couples and LGBTIQ individuals are denied access** to reproductive services due to restrictive laws.
- ▲ **High costs prevent LGBTIQ individuals** from accessing fertility preservation before medical transition.
- ▲ **Discriminatory health care policies exclude** LGBTIQ people from assisted reproduction programs.

What's Needed?

- ▲ **Equal access to fertility treatments**, including IVF and surrogacy, regardless of sexual orientation, gender identity and expression, sex characteristics, or marital status.
- ▲ **Affordable fertility preservation** for trans and nonbinary individuals before medical transition.
- ▲ **Laws banning nonconsensual medically unnecessary surgeries on intersex children, including involuntary sterilization.**
- ▲ **Inclusive health care policies** that recognize diverse family-building needs.

8. Access to Reproductive Technologies & Fertility Preservation

How This Looks Like

Alex, a trans man, and his partner, Ethan, dream of having children. But when Alex seeks to preserve his eggs before starting gender-affirming hormone therapy, he is **met with high costs and a lack of supportive medical providers**. The couple also faces discriminatory policies that exclude same-sex partners from IVF access. These barriers **delay their plans for parenthood** and cause unnecessary emotional and financial stress.



Image: Trans couple sitting on couch
De: Carlos David
Fonte: Adobe Stock
ID do ativo: 570067850

9. Recognition of Gender Identity in Family Documents

The Issue

For transgender, nonbinary, and some intersex individuals, **legal gender recognition** is crucial—but family-related legal documents often **fail to reflect their gender identity**. Many trans parents remain **misgendered on birth certificates, custody agreements, and other family records**, creating legal and emotional distress.

Even when people are able to legally change their gender, they may **face bureaucratic obstacles** in updating family documents, leading to challenges in medical, educational, and legal settings.

The Impact

- ▲ Trans and intersex parents may face **discrimination or legal barriers** when making decisions for their children.
- ▲ Family documents that misgender trans and intersex individuals **can lead to confusion, stigma, and legal issues**.
- ▲ Inaccurate legal documentation **forces trans and intersex individuals to out themselves** in situations where they should have privacy.

What's Needed?

- ▲ **Simplified processes** for updating gender markers on family documents.
- ▲ **Legal recognition of trans parents** in custody agreements and parental rights.
- ▲ **Policies that affirm gender identity** in birth certificates, passports, and family records.

9. Recognition of Gender Identity in Family Documents

How This Looks Like

Amina, a trans woman, is listed as **"father"** on her child's birth certificate—even though she has **legally changed her name and gender marker.** Every time she presents the document, she faces discrimination and invasive questions. Ensuring that family documents accurately reflect Amina's gender identity would **protect her privacy, legal rights, and parental authority.**



Image: Happy transgender male and female outside
De: Scott Griessel
Fonte: Adobe Stock
ID do ativo: 123367887

10. Cross-Border Family Protections

The Issue

Families formed across borders face unique legal challenges due to **varying national laws**. Many countries refuse to recognize **same-sex marriages, adoptions, and parental rights** established elsewhere—forcing LGBTIQ families into legal uncertainty when they move abroad.

Inconsistencies in **family law** mean that a parent legally recognized in one country may lose all parental rights in another. Likewise, some countries deny **immigration, inheritance, or spousal benefits** to families who migrate from countries with stronger legal protections.

The Impact

- ▲ A legally recognized **parent may lose custody** of their child upon moving to a new country.
- ▲ **Marriage equality protections do not always transfer**, leaving same-sex spouses without legal rights.
- ▲ Families may **struggle to access health care, inheritance, or legal protections** across borders.

What's Needed?

- ▲ **International recognition of same-sex marriages and parental rights.**
- ▲ **Harmonized laws** that ensure family protections remain valid across jurisdictions.
- ▲ **Legal safeguards for same-sex couples and parents** moving internationally.

10. Cross-Border Family Protections

How This Looks Like

Aisha and Claire, a married couple, **have twins through IVF**—with Claire as the biological mother. When they move abroad for work, the local government **refuses to recognize their marriage** or Aisha’s parental rights. This means Aisha **cannot enroll the twins in school, make medical decisions, or secure residency** as their legal parent. Without **internationally recognized family protections**, LGBTIQ families face separation, uncertainty, and legal battles.



Image: Happy LGBT family
De: (JLco) Julia Amaral
Fonte: Adobe Stock
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Diverse Families Deserve Recognition. Diverse Families Deserve Protection.

Legal recognition of diverse families isn't just about paperwork—it's **about human dignity, security, and the right to love freely**. The fight for LGBTIQ family rights is a fight for fairness, ensuring that no one is denied inheritance, parenthood, safety, or basic human rights because of who they love.

Some parts of the world have made tremendous progress toward recognizing LGBTIQ families, but the work isn't done. **In most countries, diverse families are denied recognition** and partners are treated as legal strangers, while in some countries, intersex and nonbinary people cannot legally marry anyone, and children can be separated from their parents simply because of who they love.

The right to family is a human right. By standing together, advocating for change, and refusing to accept inequality, we can build a future where every family—regardless of sex characteristics, gender identity or expression, sexual orientation, or nationality—receives the dignity, protection, and recognition it deserves.



Support Our Work & Stand With LGBTIQ Families

At Outright International, we are fighting to ensure that all families—regardless of sexual orientation, gender identity or expression, sex characteristics, or nationality—are protected under the law. Through research, advocacy, and direct action, we work alongside partners worldwide to dismantle discriminatory laws, challenge harmful policies, and push for full legal recognition of diverse families.

Join Our Movement. Take Action Today.

Become an Advocate

Help us raise awareness and push for policy change.

Donate to Outright

Your support funds legal advocacy, research, awareness raising, and emergency assistance for LGBTIQ families.

Stay Informed

Follow us for the latest updates on family recognition rights.

Together, we can ensure that love, commitment, and family are never denied the rights they deserve.



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