



Court's judgment concerning Austrian authorities' refusal to allow marriage of homosexual couple becomes final

The five-judge panel of the Grand Chamber of the European Court of Human Rights, meeting on 22 November 2010, rejected the referral request relating to the case of [Schalk and Kopf v. Austria](#) (application no. 30141/04) submitted by the applicants. The Court's Chamber judgment of 24 June 2010 has thereby become final (Article 44 of the European Convention on Human Rights).

The case concerned the complaint by a same-sex couple that they were not allowed to contract marriage and did not have any other possibility to have their relationship recognised by law before the entry into force of the Registered Partnership Act in Austria in January 2010. In its Chamber judgment of 24 June 2010, the Court found that Article 12 of the Convention (right to marry) did not impose an obligation on the Austrian Government to grant a same-sex couple access to marriage. It therefore held that there had been no violation of that Article. The Court also found that there had been no violation of Article 14 (prohibition of discrimination) in conjunction with Article 8 (right to respect for private and family life). See [press release](#).

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.