

FAMILY

ALBANIA

CSOs continued pushing for the recognition of same-sex unions, including strategic litigation work.

The case of a lesbian couple, where the <u>birth registry</u> <u>office</u> and the <u>Administrative Court of Appeal</u> refused to recognise the non-biological mother, was filed at the High Court. According to experts, a judgement in the case could be expected within two years. The couple, leaders of the organisation Pro LGBT, stated they would go to the European Court of Human Rights if necessary.

Support for equal marriage has grown in recent years with one in four Albanians supporting the recognition of marriage for LGBTI people, according to ERA's <u>regional</u> study.

ARMENIA

(See under Bias-motivated Violence)

ANDORRA

On 30 January, the Parliament <u>voted</u> in favour of amending the wording of the 2022 <u>Law of the Person and Family</u> in order to replace the distinction between between church marriage and civil marriage with one only one term 'matrimoni'.

This amendment implements the October 2022 <u>ruling</u> of the Constitutional Court, which set out that differentiating between church marriage and civil marriage, the former only being available to heterosexual couples, was discriminatory on the basis of sexual orientation. The new law <u>entered</u> into force on 17 February.

AUSTRIA

In December, a court <u>recognised</u> automatic coparenthood of same-sex parents who are married or in a registered partnership. In other cases, future parents have to notify the registry. The ruling includes children of rainbow families conceived via home insemination. The ruling will apply as of 1 January 2024.

BELARUS

Several trans minors were kicked out of their homes by their parents.

Rainbow families, particularly trans parents, continue to face multiple difficulties due to the lack of legal

protections and fear the consequences of future 'LGBTQ+ propaganda' legislation on their right to adoption. Currently, LGBT people are not explicitly prohibited from adopting. (see more under Freedom of Assembly and Sexual and Reproductive Rights)

An ex-partner threatened to expose a queer woman's LGBT identity to the court, to put her custody rights at risk. She sought legal advice from LGBTI organisations.

BELGIUM

This year <u>marked</u> the 20th anniversary of marriage equality in Belgium.

BOSNIA HERZEGOVINA

The Federal Government instructed the Ministry of Justice to nominate experts who will draft the same-sex partnership law, with SOC members as observers.

In February, a same-sex couple filed the first-ever appeal to the Constitutional Court after their same-sex partnership, issued in Croatia, was not recognised by local authorities. In March, a lesbian woman filed an appeal to the same court, claiming her right to inherit from her partner.

BULGARIA

In March, the Supreme Court <u>denied</u> Baby Sara the right to a birth certificate and citizenship, despite the CJEU ruling.

On 8 August, the Supreme Court <u>ruled</u> that there was no right to officially register de facto cohabitation in Bulgaria and as no such right exists, couples (both different- and same-gender) should not be allowed to request recognition in court or appeal. The ruling goes against a previous judgement, where a lower court did not recognise the couple's cohabitation either, but <u>suggested</u> this could possibly be done if they can prove their address is the same, that the contract is on both their names, and a witness supports their plea.

The ECHR <u>ruled</u> in favour of Liliya Babulkova and Darina Koilova and established that Bulgaria must create a legal framework to recognise same-sex relationships.

1,428 same-sex couples were living together in 2021, according to the national census held that year and published in 2023. It was the first time that this information was collected.



CYPRUS

In October, the Green party tabled a <u>bill_in</u> parliament to remove the exclusion of same-sex couples from adoption in the civil union's legislation. Any proposal must first be heard by the relevant committee of the Parliament. It is up to the president of the committee to include it in the agenda, which currently has not been done.

NORTHERN CYPRUS

A trans person reported receiving death threats from their family to the QCA Solidarity Line.

CROATIA

In a statement in January, the Croatian Protestant
Conference <u>distanced</u> itself from the practice of marrying and supporting the marriage of same-gender couples.

In 2022, the High Administrative Court <u>issued</u> its landmark ruling establishing that same-sex couples have the right to adopt children. Civil society <u>has claimed</u> that uncertainty and discrimination against same-sex couples in this process remain.

Children of same-sex couples born abroad continued to be <u>unable</u> to get Croatian citizenship, as the state refuses to recognise two mothers or fathers on their papers.

CZECHIA

The legal process to introduce marriage equality, including joint parental rights, continued this year. On 29 June, the marriage equality bill, first introduced in 2018, passed its first reading and was sent to the second reading and to the committees for consideration. SPD (far-right), ODS (Conservatives), KDU-ČSL (Christian Democrats) maintained their almost unanimous opposition to equal marriage. At the same time, the proposal for a constitutional ban on equal marriage also passed to the second reading due to roughly 80-90% support from SPD, ODS, KDU-ČSL and the ANO Movement.

KDU-ČSL (Christian Democrats) attempted to stop the marriage equality bill by <u>proposing</u> a minor extension of registered partners' rights, excluding any possibility of joint parental rights.

On a positive note, President Petr Pavel remained consistent in his support for equal marriage.

In March, Czechia received UPR recommendations from at least 12 states to introduce marriage equality. The Czech government did not accept, only noted, this recommendation.

Various stakeholder groups continue to publicly support marriage equality and call on politicians to adopt it: 80 corporations, six youth political organisations, religious leaders, 25 theatres, 31 cinemas, celebrities etc. By the end of the year, over 170,700 individuals signed petitions calling for equal marriage.

DENMARK

On 26 January, the Supreme Court <u>ruled</u> in favour of a lesbian couple whose child was conceived through home insemination and ordered that the child's birth certificate recognise both women as co-mothers. The couple used sperm from a known donor and carried out the insemination after consulting a doctor. The court found this was sufficient to be in compliance with the Children's Act, amended by the parliament in 2022.

Civil society <u>has been calling</u> on the Ministry of Health not to block the adoption of the amendments ever since.

In December, the Ministry of Health gave up their refusal and the Ministry of Social Affairs now enforces the changes to the Children's Act.

In January, the Ethics Council <u>published</u> new recommendations, stating that healthcare personnel should be able to participate in altruistic surrogacy, but maintained its position against commercial surrogacy. The government <u>announced</u> reform plans in family law in April, including recognising the parenthood of intended parents in both altruistic and foreign commercial surrogacy. In September, an expert group <u>published</u> its <u>report</u> on commercial surrogacy, with recommendations on how to regulate surrogacy and parenthood recognition, centering on the rights of the child.

The National Research and Analysis Centre for Welfare (VIVE) <u>released</u> a new study in August, focusing on three-and four-parent rainbow families, finding that they face challenges on a daily basis and risk having no rights in case of separation and breakup. Civil society continued to lobby for multiple parenthood recognition (see <u>here</u> and <u>here</u>). Based on the study, a government working group is looking into giving multi parent families better rights.



The working group is expected to reach a decision in the summer of 2024.

ESTONIA

(See also under Asylum)

On 20 June, Estonia <u>became</u> the first Baltic country to introduce marriage equality, making it possible for same-sex couples to get married and also to adopt. Civil society had been advocating for this step for many years. The issue of marriage equality <u>was</u> one of the topics of <u>coalition</u> negotiations this year and the new government <u>received</u> backlash for supporting same-sex marriage. Conservative groups <u>held</u> a demonstration outside parliament to oppose marriage equality in late May. Opposition parties, particularly the Conservative People's Party of Estonia (EKRE), tried to halt the adoption process by <u>submitting</u> over 700 amendments to the Family Law. Estonia's former President and honorary Chair of EKRE, Arnold Rüütel, <u>stated</u> in June that marriage equality would antagonise and split Estonian society.

Incoming Prime Minister Kaja Kallas <u>spoke</u> proudly of the important legislation, which will enter into force on 1 January 2024. Those in a registered partnership will be able to transform the partnership into marriage in a simple procedure.

Earlier this year, the Supreme Court <u>ruled</u> in January that registered partnerships have to be entered into the population register and the Minister of Interior announced that registered partners would be <u>able</u> to take each other's names. The first same-sex couple <u>took</u> a common name in February.

FRANCE

This year <u>marked</u> the 10th anniversary of marriage equality in France. The Minister of Interior, Gérald Darmanin <u>said</u> in an interview he was wrong to vote against marriage equality back in 2013.

A trans couple <u>shared</u> their experiences of not being recognised on their child's birth certificate in their legal gender and stated they are willing to <u>start</u> a legal battle for recognition.

GEORGIA

ECRI's report, published in March, highlighted that

Georgia is yet to analyse where same-sex couples face discrimination due to a lack of legal recognition.

In June, Prime Minister Irakli Garibashvili <u>expressed</u> concern that foreigners use surrogacy services in Georgia and that some of them may be LGBT, and <u>announced</u> stricter legislation on surrogacy.

GERMANY

The synodal council of the Catholic Church in Germany voted in favour of blessing same-sex unions from 2026 onwards.

Civil society expressed disappointment over the European Court of Human Rights rulings OH and GH v Germany and AH and Others v Germany (see here and here) for failing to establish that the misgendering and misnaming of trans parents, i.e. trans mothers and gestational trans fathers, on their child's birth certification is a violation of the Convention.

The draft legal gender recognition law (see under Legal Gender Recognition) foresees for trans parents to be featured as 'parent' on birth certificates but <u>upholds</u> the misgendering of trans parents in the birth registry.

GREECE

Following the elections in June, Prime Minister Kyriakos Mitsotakis <u>affirmed</u> that the government wanted to introduce marriage equality within the next four years. Opposition party SYRIZA <u>shared</u> this stance vocally in the lead-up to the elections. Civil society continued to <u>call</u> for a comprehensive reform of family laws that <u>go beyond</u> marriage equality.

HUNGARY

In April, the parliament <u>adopted</u> a whistleblower protection law adding that anyone defying the "constitutionally recognised role of marriage and the family" and children's rights "to an identity appropriate to their sex at birth" could be anonymously <u>reported</u>. A trans activist, Flóris Balta, <u>reported</u> himself at the Office of the Commissioner for Fundamental Rights. President Novak <u>vetoed</u> the law and parliament <u>removed</u> the problematic provisions.

The number of single individuals applying to <u>adopt</u> dropped by a third between 2021 and 2022, in what is a



consequence of stricter regulations. In at least two cases in 2023, the court quashed decisions of the authorities who denied men, who were open about being gay, to adopt (see here and here and here). In both cases, the authorities had to start a new adoption process. A third case was refused in 2023 and a review against this decision is ongoing.

On September 14, the European Court of Human Rights declared the application of Sziványcsaládokért Alapítvány, an organisation requesting to be in the list of organisations working for families, inadmissible on September 14.

The U.S. Embassy organised a <u>Family Pride Event</u> for rainbow families during the Pride weekend.

IRELAND

In December, the government approved amendments to the new Assisted Human Reproduction Bill. Civil society welcomed the decision but expressed concern over the bill still falling short in ensuring adequate protection for rainbow families.

A Private Members Bill, written by LGBT Ireland and Equality for Children and sponsored by the Labour Party, was <u>tabled</u> in June to ensure that all children born to female same-sex parents are treated equally, for instance by automatic parenthood recognition. The Bill will go to second stage in early 2024.

ITALY

This year marked major setbacks in the area of family rights, in line with Prime Minister Meloni's <u>promises</u> during the 2022 elections. Meloni had previously said LGBT people <u>should_not be allowed</u> to have children.

In January, the Ministry of the Interior <u>sent</u> a letter to municipalities across the country to ensure that only the biological parent is featured on the birth certificates of children with same-sex parents. In March, the Ministry <u>called on Milan's mayor to stop providing legal recognition</u> to both parents, citing that this goes against Italian law. The Ministry's measures <u>mean</u> that only biological parents would be recognised, while the other parent would have no legal tie to their own child. Stepchild adoption would still be <u>available</u> for same-sex couples, but it is a costly and invasive procedure that can <u>take</u> years and highly depends on the composition of the court in the region.

Thousands protested against the Ministry's move (see here and here). Famiglie arcobaleno Association called on Italian mayors to disobey. The European Parliament condemned the developments in March, called for the measure to be withdrawn, and tabled written questions to the Commission.

Several mayors <u>want</u> to <u>continue</u> providing legal recognition to rainbow families. The mayor in Milan <u>vowed</u> to continue <u>fighting</u> for rainbow families and said he would leave birth certificates already approved, unchanged. Other cities have also stood with rainbow families (see <u>here, here, here, here, and here</u>).

The Turin Medical Association <u>wrote</u> an open letter to say the measure will cause children in rainbow families to suffer discrimination.

The Prosecutor in <u>Padua requested</u> that all 33 birth certificates that feature same-sex parents be revoked, and the registry offices <u>complied</u>. Since January, countless families have received letters informing them that the nongestational parents were removed from the child's papers (see <u>here</u>, <u>here</u>, <u>here</u>, <u>here</u>). In November, the Prosecutor held hearings about the opposition from the families and decided to move the question of unconstitutionality to the Constitutional Court.

In April, the government <u>tabled</u> a bill to <u>extend</u> a national ban on surrogacy to those who go abroad to access the service. The bill was approved by the Lower Chamber in July. Those prosecuted could face prison for up to two years and a fine of up to 1 million EURO.

The European Court of Human Rights <u>declared</u> several cases submitted by same-sex couples concerning parenthood <u>recognition</u> and the <u>surrogacy ban</u> inadmissible. In August, the Court did <u>find</u> a violation of Art. 8 in <u>C. v. Italy</u>, where the authorities refused to recognise the parenthood of a heterosexual couple to their child born out of surrogacy abroad.

Since January, fathers have also <u>faced</u> difficulty getting any kind of legal recognition of their parenthood. In August, Milan was able to continue <u>registering</u> at least one father on the birth certificate of children born out of surrogacy abroad.

KAZAKHSTAN

In July, Kaspi bank introduced a beta version of its online



marriage registration application service, excluding samesex couples.

KOSOVO

Prime Minister Albin Kurti <u>said</u> during Pride week that he would "do his utmost" to get the Civil Code adopted by parliament. In 2022, the parliament <u>voted</u> against amendments to the Civil Code that would have opened the path to provide legal recognition to same-sex couples.

The Minister of Justice <u>shared</u> that a working group was set up to focus on legal recognition and draft a concept note and that the Ministry <u>wants</u> to send a bill to the parliament this year.

LIECHTENSTEIN

In March, the parliament <u>amended</u> the law on adoption, ensuring that same-sex couples enjoy the same rights as heterosexual couples in all aspects of <u>adoption</u>. In a January interview, Hereditary Prince Alois <u>said</u> he would support the parliament's decision. Stepchild adoption for same-sex couples is also available as of 1 June.

Debates on marriage equality continued this year. Fulfilling its promise to host broad public discussion on the topic before enacting any legislation, the government Launched a consultation in the summer. In late 2022, 23 out of 25 parliamentarians voted in favour of drafting a proposal.

LITHUANIA

In March, the UN Committee on Economic, Social and Cultural Rights <u>urged</u> Lithuania to provide legal recognition for same-sex couples.

Three same-sex couples <u>turned</u> to the courts in April to have their partnerships legally recognised as marriages. The couples <u>presented</u> different requests to the courts, namely, the recognition of civil partnership, the recognition of marriage, and the recognition of a marriage formed abroad in the Lithuanian civil registry. The courts rejected the first attempt on 21 April, <u>saying</u> there was no legal basis for the claim. The second attempt was <u>denied</u> in July, but the couple <u>appealed</u> and asked the second-instance court to request clarification from the Constitutional Court on whether the current legal system is discriminatory.

The parliament's Human Rights Committee hosted a

<u>conference</u> about parenting, including the rights and challenges of LGBT+ parents.

In May, the parliament <u>passed</u> the Civil Union Bill in its first reading with a <u>vote</u> of 60:52. The draft bill makes civil unions available for any couple regardless of gender. The draft is considered a much weaker version than the 2021 <u>Partnership Bill</u> and <u>seen</u> by many as too much of a compromise. Civil unions would be registered by a notary, not the civil registry office, and partners could not take each other's last names. The law would be a positive development in terms of inheritance rights and accessing a partner's health information. It however does not mention children at all, and like the previous Partnership Bill, does not allow for adoption either. The second vote was <u>put</u> on the agenda of the autumn session. The vote was delayed, and there has been no announcement of a new date.

On the occasion of IDAHOBIT, 22 embassies <u>expressed</u> support for the LGBTIQ+ community, including the right to be recognised as a family.

The Vilnius District Court <u>denied</u> the request of a long-term same-sex couple, who sought to legally require the Vilnius City Civil Registry Office to recognise their marriage. The couple intends to pursue cassation.

LUXEMBOURG

In July, the parliament <u>extended</u> parental leave to nongestational parents in same-sex couples. Leave was previously only <u>available</u> for fathers in a heterosexual couple or if the second parent in a same-sex couple proceeded with adoption.

The new Constitution, which entered into force on 1 July, enshrines that everyone has the right to start a family.

MOLDOVA

Following the ruling of the European Court of Human Rights on Fedotova v. Russia in January, family rights became a heated topic in Moldova. The Court affirmed that the lack of legal recognition for same-sex couples is a violation of the right to private and family life (Art. 8). Moldova's Metropolitan for instance called the judgement "outrageous" and ex-President Igor Dodon said recognition for same-sex couples would never happen in Moldova. In June, the People's Advocate, Moldova's NHRI, said the state will have to find a solution to comply



with the ECtHR ruling. Currently, the Constitution defines family as marriage between a man and a woman and the Family Code sets out that same-sex marriage is not permitted.

Six couples turned to the authorities to request legal recognition, including in the form of marriage (see here, here) - all six were denied. Several couples shared their stories in interviews this year (see here, here, and here, here, and here). Six couples turned to the courts after the registry denied their request.

MONACO

Following its 2022 country report, ECRI organised a roundtable in Monaco in April. The roundtable focused on ECRI's recommendations, including the importance of tackling hate speech and ensuring that same-sex and heterosexual couples enjoy the same rights. ECRI highlighted that the recognition of same-sex marriages formed abroad are very difficult in Monaco, jeopardising family rights.

MONTENEGRO.

According to Queer Montenegro, more than 100 couples have <u>entered</u> a same-sex partnership since the law entered into force in 2021. Most ceremonies were <u>held</u> in Budva. The amendment process of roughly 20 by-laws that are necessary for the <u>implementation</u> of the 2020 same-sex partnership law <u>remained</u> stalled this year, much to civil society's concern. As part of its fourth Universal Periodic Review (UPR), UN States <u>recommended</u> Montenegro to remedy this gap and adopt the necessary by-laws. The European Commission <u>echoed</u> this concern in May and <u>in</u> November.

Children of same-sex parents, one of whom is a Montenegrin citizen, <u>continue</u> to be unable to access citizenship. The Ministry of Interior has delayed deciding on the issue over the past six years. This year, the family and Queer Montenegro <u>sued</u> the state to <u>challenge</u> the discrimination, after the ministry rejected the mediation initiative.

NETHERLANDS

Civil society continued calling for legal recognition for families with more than two parents. The outgoing Cabinet stated that recognition should be introduced, but would be the task of the new coalition.

The government <u>tabled</u> an altruistic surrogacy bill in June. The rules are currently unclear, <u>jeopardising</u> the child's best interests, and creating uncertainty for the surrogate and the intended parents. The bill <u>envisions</u> automatic legal recognition for the intended parents, financial support for the surrogate, and a registry where the child can look into the surrogacy agreements made by their families.

The regulation giving gestational trans men the option to be featured as 'parent who gave birth' on their child's birth certificate, entered into force in March.

NORTH MACEDONIA

ECRI <u>urged</u> the government to provide some form of legal recognition to same-sex couples.

POLAND

14 rainbow families requested that local authorities change their children's IDs to recognise both parents. Faced with a refusal, some families <u>filed</u> a complaint to the European Commission against the Polish government. In 2022, the CJEU <u>ruled</u> that Poland has the obligation to legally recognise both parents in a same-gender couple in travel documents to ensure the family's freedom of movement, but the government failed to do this.

In December, the ECHR <u>ruled</u> that Poland had failed to ensure a specific legal framework providing for the recognition and protection of same-sex unions in the Przybyszewska and Others v. Poland case. The applicants were five same-sex couples.

PORTUGAL

The National Council of Ethics for Life Sciences <u>published</u> an advisory report to the government on regulating altruistic surrogacy, which recommends that children born out of surrogacy could have three parents on their birth certificate, if the surrogate revokes their contractual agreement. The Council also recommends ongoing psychological support for surrogates. The parliament previously adopted a surrogacy law, in 2021, but implementation and regulation has been lacking since, forcing many to opt for surrogacy abroad.

ROMANIA

There <u>continues</u> to be no implementation of the <u>Coman</u> judgement, despite the pre-infringement procedure



launched by the European Commission in 2020.

In May, the European Court of Human Rights <u>ruled</u> in <u>Buhuceanu and Others v. Romania</u> that Romania's failure to provide legal recognition and protection to samesex couples is a violation of Art. 8. The case was <u>brought</u> to the Court by 21 families. Romania filed an appeal in August, which the Court rejected. CSOs called the appeal shameful

In July, the Internal Affairs Ministry published a legislative proposal for the execution of the Coman judgement. In August, the Internal Affairs Ministry <u>organised</u> a public debate inviting only the Christian Office for Rights and Liberties. At the request of the latter, the Internal Affairs Ministry removed mentions covering civil unions from the proposal.

In September, the government <u>adopted</u> the <u>proposal</u>, which moved onto the parliamentary procedure. The bill no longer requires that a Romanian citizen's spouse's right of residence be conditional upon the transcription of their marriage certificate in the Romanian registry. Civil society highlighted that same-sex spouses will <u>continue</u> to face discrimination, as with this bill, they will be able to reside in the country for a year, but their relationship <u>will not</u> <u>be recognised</u> in Romania - they will not enjoy any of the benefits and rights that heterosexual married couples do.

SAN MARINO

In September, the parliament <u>voted</u> against cohabiting unmarried couples adopting children.

SERBIA

A study released in May by the IDEAS Center for Research and Development of Societies <u>found</u> that 86% of LGBTIQ+ people in Serbia believe that the issue of same-sex partnership is the most important or very important for them. 77% want to get married one day and 51% want to have children.

The draft Law on Same-Sex Partnerships, which was presented in 2021, continued to be <u>stalled</u>. In June, Belgrade Pride submitted a freedom of information request to the government to request an update about the process.

In September, the Green-Left Front <u>tabled</u> a civil partnership bill in parliament.

Also in September, President Aleksandar Vučić <u>said</u> that <u>regardless</u> of the Prime Minister's stance, he would always veto any legislative attempts to provide legal recognition to same-sex couples and defy criticism from the EU. The Commissioner for the Protection of Equality, Brankica Janković, <u>expressed</u> support for legal recognition, but said it cannot be an overnight change. The Minister for Human and Minority Rights and Social Dialogue Tomislav Žigmanov <u>echoed</u> a similar stance saying such decisions required 'consensus'.

SLOVAKIA

Despite the new government's 2020 promise to adopt legislation on inheritance and property rights for cohabiting and same-sex couples, little progress took place this year. Inakost's study found that 77% of gays and lesbians think that the most pressing issue for the LGBTIQ+ community is the lack of legal recognition of same-sex partnerships. The Progressive Slovakia party, which received the second most votes, included marriage equality in its election campaign. The President continued to support introducing registered partnerships. The Ombudsperson expressed support for recognising marriage or civil partnership concluded abroad.

In January, Minister of Justice Viliam Karas <u>proposed</u> that same-sex partners receive a 'confidant' status, which would allow them to visit or get medical information of their partner, for instance, if hospitalised. Civil society <u>expressed</u> deep disappointment with the proposal, and continued to lobby for the <u>adoption</u> of the Life Partnership Act and equal adoption rights for same-sex couples. The initiative was <u>criticised</u> by the Ombudsman and was eventually <u>withdrawn</u> by Minister of Justice, Jana Dubovcová in May.

In March, a parliamentary committee <u>adopted</u> a resolution which would recognise parental rights obtained abroad, but reversed its decision shortly after.

In May, over 30 MPs <u>turned</u> to the Constitutional Court <u>asking it</u> to call on the parliament to provide legal recognition for same-sex couples. There have been no further updates.

In the autumn, Smer <u>shared</u> they might seek a constitutional ban on adoptions by same-sex parents.

In October, the first-instance Žilina Regional Court



<u>established</u> in the case of a married Slovak-Argentinian gay couple that denying permanent residence to same-sex spouses of Slovak citizens is discriminatory

The Constitutional Court <u>heard</u> a case concerning the recognition of same-sex marriages formed abroad. The case passed its preliminary hearing and is ongoing.

SLOVENIA

The <u>amendments</u> of the Family Code, which introduced marriage equality and equal adoption rights in 2022, <u>entered</u> into force on 1 February. Slovenia is now the first country in the former socialist bloc that has marriage equality in place. Several politicians and Slovenia's President welcomed this important milestone (see <u>here</u>, <u>here</u>, and <u>here</u>). Marriage equality was introduced thanks to the Constitutional Court's ruling in July 2022.

345 couples in a registered partnership <u>transformed</u> their legal status to marriage before the 31 July deadline.

SPAIN

The LGTBI law, adopted in February, <u>allows</u> same-gender female couples to both be automatically recognised as parents, without having to be married and go through adoption.

The new Family Law, adopted in March, <u>recognises</u> and protects diverse family forms.

SWEDEN

RFSL continued to <u>lobby</u> for law reform that protects all families. Since 2022, the <u>presumption</u> of <u>parenthood</u> is automatic for all couples who are married and have a child in Sweden, regardless of gender. The law includes two exceptions where parenthood can be later invalidated - in the case of home insemination or assisted reproduction that was conducted abroad and with an unknown donor.

SWITZERLAND

The Federal Statistical Office shared in March that a total of 749 same-sex couples got married in 2022, and 2,234 couples converted their registered partnership to marriage. Switzerland introduced marriage equality in 2022.

Geneva <u>introduced</u> additional parental leave in June, without discrimination on grounds of sexual orientation

and including where a child was adopted.

TURKEY

In his victory speech in May, President Erdogan <u>promised</u> to protect the institution of the 'family', which many fear means a continued and increased crackdown on LGBTI+ rights and organisations. In October for instance, Erdogan called LGBTI+ people one of the greatest threat to 'family'.

UKRAINE

In March, Ombudsperson Dmytro Lubinets's annual report highlighted that the lack of legal recognition for same-sex couples has become an "acute" issue. In the context of the war, the Ombudsperson highlighted that same-sex couples do not have mutual rights and obligations, in terms of jointly acquired property, inheritance, guardianship, social guarantees provided to family members, the possibility of accompanying a partner's minor child abroad, the right to decide on the possibility and scope of medical interventions or the possibility of burying a person, etc.

In March, 18 MPs tabled a bill (nr. 9103) on the institution of registered partnerships in parliament. The bill would make registered partnerships available to all couples regardless of gender and would endow the same rights as in marriage, with the exception of adoption. The bill was approved by a number of parliamentary committees. The Ministry of Justice stated that it will not push an alternative bill and will support bill 9103 with some amendments.

The Ministry of Defense has <u>not supported</u> efforts to recognise partnerships, <u>saying</u> the number of LGBTI soldiers cannot be confirmed. In autumn, after the appointment of a new minister and the subsequent team reshuffle, the Ministry <u>changed</u> its stance and started supporting the law.

In May, a march "for family values" was held in protest against bill no. 9103, but <u>received</u> widespread criticism online for attacking LGBTI people and Ukraine's European integration.

In June, the European Court of Human Rights ruled in Maymulakhin and Markiv v. Ukraine that the government violated the applicants' right to privacy, in conjunction with non-discrimination, when failing to provide any legal recognition to them as a couple in 2014. The Court welcomed that Ukraine plans to introduce civil



partnership, but noted that this was already included in the 2019 Human Rights Action Plan and has not been implemented. The Court also took into consideration the increase in support for legal recognition in the country (see Public Opinion) and Ukraine's bid to join the EU.

UNITED KINGDOM

The Queer Parent, a book to help LGBTQ+ families was <u>published</u> this year, following the successful podcast *Some Families*.

UZBEKISTAN

Article 76 of The Constitution of Uzbekistan, adopted on April 30, 2023, states that marriage is based on the traditional family values of the people of Uzbekistan, free consent and equality of those entering into marriage.

Article 2 of the Family Code of Uzbekistan specifies a marital union as that of between a man and a woman, thus depriving LGBTI people from the right to officially register same-sex marriage.