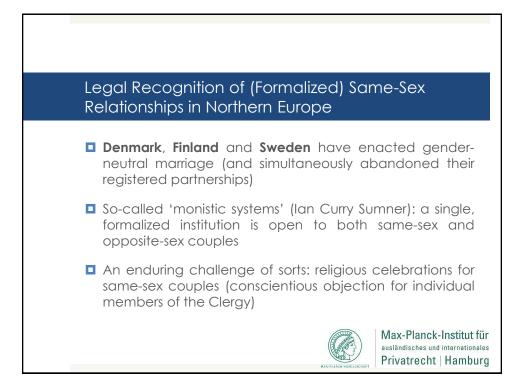






- Northern Europe: Denmark, Finland, Sweden
- Western Europe: Austria, the Benelux countries, France, Germany, the Republic of Ireland, the United Kingdom
- Southern Europe: Cyprus, Greece, Italy, Malta, Portugal, Spain
- Eastern Europe: Bulgaria, Croatia, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia

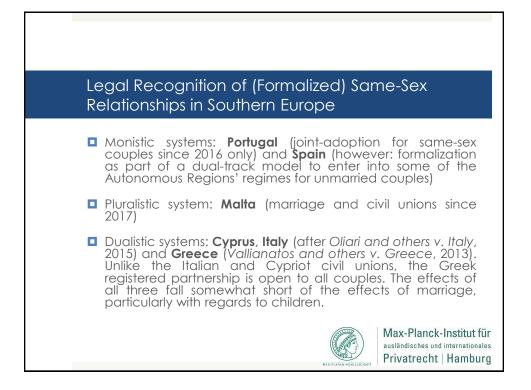






- Steady progress: same-sex couples can marry in all jurisdictions except from Northern Ireland (the Democratic Unionist Party (DUP) has so far managed to block every attempt at a reform; another is currently underway). Germany and Austria tipped over in 2017
- Dualistic system: Northern Ireland
- Monistic systems: Germany and Ireland (after both abandoning their registered partnerships)
- Pluralistic systems: Austria (2019, after extending the registered partnership to opposite-sex couples), the Benelux countries, France. Great diversity
- The curious case of Great Britain

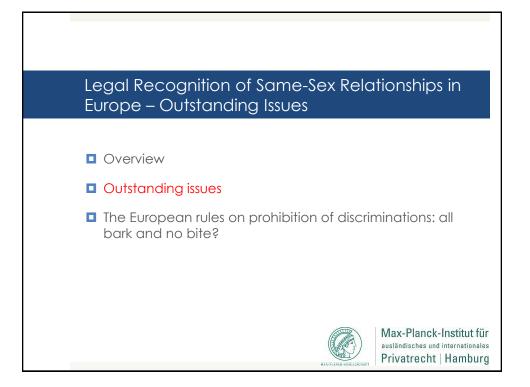


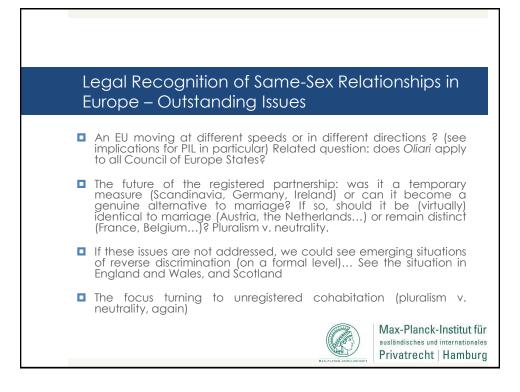


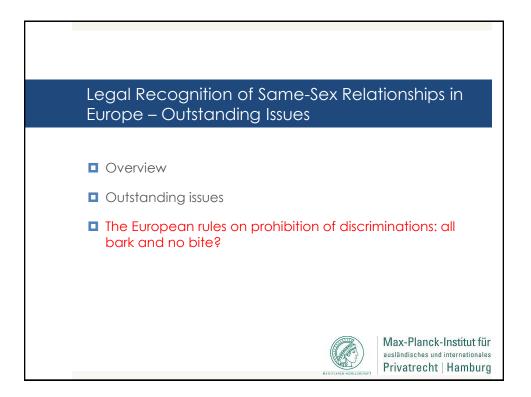
Legal Recognition of (Formalized) Same-Sex Relationships in Eastern Europe

- No jurisdiction in Eastern Europe permits same-sex marriages. Most of these countries have constitutional bans on samesex marriage (Croatia, Lithuania, Latvia, Bulgaria, Poland, Hungary, Slovakia). Strikingly, most of these have been enacted fairly recently: Latvia (2006), Hungary (2011), Croatia (after a referendum, 2013), Slovakia (2014).
- Dualistic systems: Croatia, the Czech Republic, Estonia, Hungary, Slovenia
- Impossibility for same-sex couples to formalize their relationship: Bulgaria, Latvia, Lithuania, Poland, Romania, Slovakia. Again, some degree of diversity.









The European rules on prohibition of discriminations : all bark and no bite?

- All the more striking because the language of equality / the prohibition of discriminations is ubiquitous when the family is involved, and particularly when same-sex couples are involved. Both the general public and academic debates (Honneth's theory of recognition?).
- The limits placed on the EU anti-discrimination law are well known when it comes to Family law (lack of competence). Still, this is not the whole story – the ECJ's reluctance to apply art. 21 of the Charter, even when it is invited to do so, is striking (see last week ECJ, Coman, 5 June 2018, C-673/16).
- Relatively speaking, the same could be said of art. 14 ECHR, which is semi-autonomous (i.e. a claim must come within the ambit of another protected right). More of a rhetorical device, which can be dispensed with, esp. given the role played by art. 8 ? See Schalk & Kopf (2010), Oliari and Orlandi (2017) (no need), Hamalaînen v. Finland, 2014 (no discrimination, very curt)...



