

Regional Lazio Court Rules in Support of Gay Plaintiffs

Cristina Esmiol (March 10, 2015)



As the only country left in Western Europe to not have same-sex marriage legalized, Italy is taking steps regionally to provide more rights to homosexual couples. This Monday, the transcription of gay marriages performed abroad was ruled in favor of the gay plaintiffs.

In Rome this Monday a step was made toward greater equality for homosexual couples in Italy. According to the Agenzia Nazionale Stampa Associata (ANSA), "The Lazio regional administrative court (TAR) ruled in favor of gay plaintiffs Monday that only civil courts, not prefects can annul the transcription in Italy of gay marriages contracted abroad." This was against the orders of Interior Minister [Angelino Alfano](#) [2] who wanted to annul the marriage transcriptions of homosexual couples that married abroad.

This move follows a number of Italian cities, Bologna, Florence, Reggio Emilia, Milan, Trieste, Rome and Udine, whose mayors are going against Alfano and choosing to transcribe gay marriages. The mayors of these cities have created registers specifically for these unions and have begun to



officially transcribe them.

In a comprehensive government survey conducted in 2012, results revealed the mixed opinions of the Italian people regarding homosexuality. However, nearly two-thirds of respondents did feel that that gay couples should have the same rights as a married couples.

Yet, despite a majority of Italians now in favor of expanding the rights of homosexual couples, the Italian constitution recognizes the family as “natural society founded on matrimony” therefore couples who are in a civil union do not have a family that is considered “legal” according to their constitution and cannot receive the benefits that they would if their partnership was considered legal. Italy is the sole country in Western Europe in which same-sex marriage is illegal.

But, in October in the country’s capital 16 gay marriages that were performed outside of Italy were recognized by Rome’s major, [Ignazio Marino](#) [3]. Marino also stated that Rome’s legal department was contemplating bringing the issue to the European Court of Human Rights. While gay marriage is still illegal in Italy, some cities, like Rome, have allowed gay couples that were legally married to register their marriage as a union in city halls. Criticism followed from Alfano, who is considered a part of Italy’s New [Center-Right party](#) [4], and Italy’s Episcopal Conference, the national association of bishops.

Change for this social issue has been challenging due to the importance of Catholic Church in Italy and in Italian politics. Nevertheless, change is occurring. Aside from this Monday’s ruling, last month [Giuliano Pisapia](#) [5], Mayor of Milan announced on Facebook that he plans to “oppose...a discriminatory decision” that would cancel Milan’s registry of gay marriages performed legally abroad. Also just last month, Matteo Renzi’s [Democratic Party](#) [6] pledged to begin to construct a law regarding civil unions in Italy following a meeting with LGBT groups in Rome.

Looking ahead, LGBT rights groups have announced that there are plans for a mass wedding celebration to take place in Rome this May for 100 couples. Perhaps this mass demonstration will pave the way for the legalization of same-sex marriage in a country that has long been resistant to such change.

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[4] http://en.wikipedia.org/wiki/Centre-right_coalition

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