

European Court of Human Rights reminds Italy of obligation to protect same-sex couples

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In the [Orlandi and Others v Italy decision](#) released today, the European Court of Human Rights has condemned Italy for failing to legally protect same-sex couples who married abroad.

This judgment reaffirmed that Council of Europe member states have an obligation to safeguard the family life of same-sex couples. This means putting in place a framework for recognition of their relationship (within the meaning of [Article 8 – the right to respect for private and family life](#)).

The European Court of Human Rights found that by failing to recognise applicants' marriages contracted abroad (before the law on [civil unions](#) came into force in 2016), Italy had left the couples in a legal vacuum, continuously facing obstacles in their daily lives.

While acknowledging that states have the discretion on the question of whether or not they introduce marriage equality, the Court did take into account rapid developments in recognition through civil unions or registered partnerships, thus finding a violation of Article 8.

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- The [Orlandi judgment is available in full here](#).
 - Read the [ECtHR press release on the decision here](#).