

Poland: Supreme Administrative Court confirms EU law obligation to recognise same-sex marriages concluded abroad

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On 20 March 2026, Poland's Supreme Administrative Court issued a landmark ruling implementing an earlier CJEU judgment and confirming that the refusal to transcribe same-sex marriages concluded abroad is incompatible with EU law.

In a historic ruling, the Polish Supreme Administrative Court upheld the interpretation of the Court of Justice of the European Union (CJEU) in the [judgment](#) of 25 November 2025 in the case of *Jakub Cupriak-Trojan and Mateusz Trojan v Wojewoda Mazowiecki (C-713/23)* according to which Poland was required to recognise same-sex marriages legally concluded in other EU Member States. The CJEU ruling was based on provisions on freedom of movement and residence in the Treaty on the Functioning of the European Union (TFEU) and on the Charter of Fundamental Rights of the EU, particularly the right to respect for private and family life and the prohibition of discrimination based on sexual orientation. The Supreme Administrative Court confirmed the CJEU's finding that, under [Polish law](#), the only way to fulfil this obligation is through the transcription of foreign marriage certificates in civil status registers.

The case, ongoing since 2019, concerns a couple who were repeatedly refused transcription of their marriage certificate by the Civil Registry Office. Following the CJEU's preliminary ruling in November 2025, the case returned before the Polish Supreme Administrative Court, which has now overturned earlier administrative and court decisions and referred the case to the Civil Registry Office to transcribe the foreign marriage certificate.

According to legal representatives in the case, the Court has ordered the Civil Registry Office to transcribe the marriage certificate within 30 days once it receives the case files. This effectively closes the case and marks a significant legal breakthrough.

"Today's judgment is a victory for the many same-sex couples in Poland who have been deprived of marriage recognition for years and a first step towards equality. It also shows that domestic courts can swiftly implement CJEU judgments, contrary to what we have seen in other CJEU cases. We hope the Civil Registry Office will now conform with today's ruling and that other countries that still do not provide any legal recognition and protection to same-sex couples in the EU will also follow," said Marie-Hélène Ludwig, Senior Strategic Litigation Advisor at ILGA-Europe, underlining that full equality will depend on how the ruling is implemented in practice.

The judgment is expected to have broader implications beyond this individual case. It sets a precedent requiring civil registry offices across Poland to follow the same interpretation and allow transcription of same-sex marriages concluded abroad. Civil society organisations and legal experts will be closely monitoring compliance by authorities.

Recognition of marriages concluded abroad represents a crucial step towards ensuring that same-sex couples can access equal rights linked to family life, including areas such as social security, taxation, and inheritance.

ILGA-Europe provided support to the applicants and their lawyers from KMA Law Firm, Pawe? Knut, Artur Kula, Anna Mazurczak and Milena Adamczewska-Stachura in the CJEU case.

This ruling is a reminder that Member States must uphold their obligations under EU law and respect the rights of same-sex couples moving within the European Union. Read Campaign Against Homophobia's statement [here](#).