

PRESENTATIONS

3.2. Follow-up report on the 2011 Working Group on “Status of the Spouse – same sex partners” (presented by Finland)

At the Budapest Conference in 2011, the three following recommendations by the working group “Status of the Spouse – same sex partners” were presented:

- 1) MFAs should add this issue as a standard question to their post reports.*
- 2) Assist same-sex couples in finding suitable postings, especially outside the EU member countries.*
- 3) Help with accreditation for non-EU partners/spouses in EU member countries, which do not legally recognise same-sex partnerships/marriages.*

As the working group’s finding in 2011 mentioned, the following countries are recognise registered partnerships/marriages of same-sex couples: Austria, Belgium, Czech Republic, Finland, France, Germany, Hungary, Iceland, the Netherlands, Norway, Portugal, Spain, Sweden, Switzerland and the United Kingdom. Same sex partners are treated exactly as other partners within their MFAs (which does not mean automatically that special assistance is given to same sex partners). In addition, the EU Commission also recognises registered partnerships/marriages of its employees.

Feed back to this follow-up was received from: Austria, Czech Republic, Estonia, Finland, France, Germany, Hungary, Italy, Portugal, Spain, Sweden, Switzerland and the Netherlands.

The following countries reported that their MFAs had already implemented fully or partially the above 3 recommendations prior to the working group recommendations: Germany, Switzerland and the Netherlands. In Sweden, recommendation 2 and 3 are fully implemented and the spouse's Association is working to have recommendation 1 as a standard question on the post reports. In France and Finland, recommendation 1 is added now to the post report as a standard question and concerning recommendations 2 and 3, assistance (with accreditation for ex.) is provided when asked for. In Portugal no specific mention is made on post reports but assistance would be provided if asked for.

In Germany, a new law was passed (independent of the EUFASA recommendations), that applies to civil servants and employees: In all questions concerning the salary (allowances for partners), the social security and the reimbursement of medical care expenses by the government (for civil servants) the registered same sex partnership is treated in exactly the same way as marriage. This law was adopted in November 2011 retroactive to the 1.1.2009

No new developments were reported (and no specific assistance is given) in Austria and Hungary. The legal status has also not changed in Italy and Estonia (no recognition of same sex couples as of today).

In conclusion, the recommendations of the EUFASA working group 2011 had some positive developments in several countries.