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The Issue of Same-Sex Couples in Romania

Potential Change in the *status quo*

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ABSTRACT

Recent years have seen relevant developments across many jurisdictions in the European Union on the legal recognition of same-sex couples' rights. However, there are no harmonized rules on the marital status of these couples, as the EU does not have competence in this area.

Through legal, sociological and historical approach, the thesis provides an overview of the legal developments regarding gay and lesbian persons in Romania, an Eastern European country. The research illustrates the legal developments in the fight for recognition of the LGBT community in a country with strong religious and cultural values. In parallel, changes in social attitude towards homosexuality will be observed. The theory of small changes, which assumes a step-by-step progress from decriminalization of "sodomy" law, to anti-discrimination laws based on sexual orientation and recognition of same-sex marriage is challenged by the local specificity. The accession of Romania to the Council of Europe and the European Union highly contributed to decriminalization of "sodomy" law and achievement of the minimum standard of protection against discrimination based on sexual orientation. A Court case in full swing which ruling could trigger changes in the *status quo* of the same-sex couples in Romania will be observed.

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