

## **THE RECOGNITION OF SAME-SEX MARRIAGES WITHIN THE EUROPEAN UNION AND ITS IMPLICATIONS FOR ROMANIA**

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**ABSTRACT:** *This paper examines the legal recognition of same-sex marriages within the European Union, a subject that continues to generate significant legal, political, and social debate. While same-sex marriage has gained widespread legal and social acceptance in many Western European states, it remains a highly contested issue in more conservative countries such as Romania. The study provides a comparative analysis of the European and national legal frameworks, highlighting the tension between traditional societal values and evolving human rights standards. Furthermore, the paper explores the role of European judicial institutions, public opinion, and cultural factors in shaping state responses to this issue. By addressing both supranational and domestic perspectives, the paper contributes to a deeper understanding of equality, non-discrimination, and the protection of fundamental human rights within the European legal order.*

**KEY WORDS:** *workplace harassment, bullying, mobbing, psychological well-being, labor rights.*

**JEL CLASSIFICATIONS:** *J28, J81, J83.*

### **1. INTRODUCTION**

The legal recognition of same-sex relationships has emerged as one of the most complex and contested issues within contemporary European legal scholarship. This debate reflects broader transformations in societal attitudes toward equality, non-discrimination, and the scope of fundamental rights, as well as enduring tensions between supranational human rights norms and national legal traditions (Gerstmann, 2017). In particular, the institution of marriage has increasingly been placed at the intersection of legal pluralism, cultural identity, and evolving interpretations of human dignity and personal autonomy.

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Within the European Union, equality and respect for fundamental rights constitute core values embedded in primary law and reinforced through judicial interpretation (European Commission, 2012). However, as family law remains largely within the competence of the Member States, divergent legislative approaches persist with regard to the recognition of same-sex marriages and alternative forms of legal partnership. This structural division of competences has generated a fragmented legal landscape, in which European-level principles of non-discrimination coexist with markedly different national regulatory models (Buyantueva & Shevtsova, 2020).

As demonstrated in this paper, judicial institutions have played a decisive role in mediating these tensions. Through the jurisprudence of the Court of Justice of the European Union and the European Court of Human Rights, binding standards have been developed concerning the protection of private and family life, the interpretation of the concept of "spouse" in the context of free movement, and the positive obligations of states to provide legal recognition for same-sex couples (Coman and Others v. Romania, 2018; Buhuceanu and Others v. Romania, 2023). These landmark cases illustrate how European courts have progressively limited the margin of appreciation enjoyed by Member States, without formally imposing an obligation to legalize same-sex marriage (Gerstmann, 2017, pp. 89–92).

Romania represents a particularly relevant case study within this broader European context. Despite its membership in the European Union and its obligations under the European Convention on Human Rights, Romania continues to provide neither access to same-sex marriage nor an alternative form of legal recognition. As further examined in Chapter 2, this legislative inertia places Romania among the small group of Member States that remain resistant to both marriage equality and civil partnership models, despite increasing pressure from European judicial bodies (ECtHR, 1950, Arts. 8–14; Buhuceanu and Others v. Romania, 2023).

Against this background, the present article aims to analyze the recognition of same-sex marriages within the European Union by combining a supranational legal perspective with a focused examination of the Romanian case. Methodologically, the study relies on doctrinal legal analysis, comparative examination of national legislation, and case-law analysis of relevant decisions of the Court of Justice of the European Union and the European Court of Human Rights. By structuring the analysis across a theoretical-legal framework (Chapter 1) and a comparative-legislative assessment (Chapter 2), the article seeks to contribute to ongoing scholarly debates on legal integration, fundamental rights protection, and the evolving boundaries of national autonomy in the field of family law (Buyantueva & Shevtsova, 2020).

## 2. STATE OF THE ART OF LEGISLATION ON SAME-SEX MARRIAGES IN THE EUROPEAN UNION

The current legislative framework concerning the recognition of same-sex marriages within the European Union is characterized by significant diversity, reflecting the absence of harmonized EU competence in the field of family law. As outlined in Chapter 2, Member States have adopted distinct regulatory approaches shaped by constitutional provisions, political dynamics, and prevailing societal

attitudes toward sexuality and family (European Commission, 2012; Buyantueva & Shevtsova, 2020).

At one end of the legislative spectrum, a substantial group of Member States has fully legalized same-sex marriage, thereby granting same-sex couples legal equality with opposite-sex couples. States such as the Netherlands, Belgium, Spain, France, Germany, Austria, Slovenia, and Estonia have incorporated marriage equality into their domestic legal systems, ensuring comprehensive protection in areas including inheritance, taxation, medical decision-making, and parental rights (Gerstmann, 2017). These legal frameworks represent the most advanced form of legislative alignment with European equality and non-discrimination principles.

A second category of Member States has opted for intermediate solutions by introducing civil partnerships or registered unions as alternatives to marriage. While these arrangements provide legal recognition and a degree of protection for same-sex couples, they often entail differentiated or limited rights when compared to marriage. As discussed in Chapter 2, the scope of rights associated with civil partnerships varies significantly across jurisdictions, particularly with regard to adoption and access to medically assisted reproduction (Buyantueva & Shevtsova, 2020).

At the opposite end of the spectrum are Member States that provide no form of legal recognition for same-sex couples, including Romania, Bulgaria, Poland, Latvia, Lithuania, and Slovakia. In these states, same-sex couples remain excluded from legal protections associated with family life, despite evolving European jurisprudence. As highlighted in Chapter 1, the European Court of Human Rights has increasingly emphasized that the complete absence of legal recognition is incompatible with Article 8 of the European Convention on Human Rights (ECtHR, 1950, Art. 8; Buhuceanu and Others v. Romania, 2023).

At the supranational level, European Union law does not impose a direct obligation on Member States to legalize same-sex marriage. Nevertheless, as demonstrated through the analysis of CJEU case law in Chapter 1, EU legal norms concerning free movement and non-discrimination have progressively constrained national discretion, particularly through the interpretation of Directive 2004/38/EC (Directive 2004/38/EC, 2004; Coman and Others v. Romania, 2018).

In light of these developments, the legislative recognition of same-sex marriages and partnerships within the European Union must be understood as a dynamic and evolving process. The coexistence of divergent national models, examined in Chapter 2, continues to generate legal uncertainty and raises fundamental questions regarding equality before the law, mutual recognition, and the future trajectory of European family law (European Parliament, 2019).

### **3. THE LEGAL AND INSTITUTIONAL FRAMEWORK OF THE EUROPEAN UNION REGARDING SAME-SEX MARRIAGES**

At the foundation of the contemporary European Union lies a set of fundamental pillars that emphasize respect for human dignity, civil liberties, equality among citizens, and democracy. In essence, these principles reflect the Union's overarching commitment to the full respect and protection of human rights. All these

values are developed and consolidated within the Charter of Fundamental Rights of the European Union, which functions as a key normative reference for both EU institutions and Member States (European Commission, 2012).

From a historical perspective, the Charter entered into force in 2009, concurrently with the entry into force of the Treaty of Lisbon. Prior to its adoption, a series of fundamental human rights—such as the right to life, the prohibition of torture and slavery, the right to liberty and security, and the right to a fair trial—were regulated primarily through the European Convention on Human Rights (ECHR). This Convention was adopted in 1950 in Rome by the Member States of the Council of Europe and established the European Court of Human Rights (ECtHR), an institution that plays a central role in relation to the topic addressed in this paper (ECtHR, 1950).

Returning to the Charter in relation to the subject under analysis, it is important to highlight the existence of a specific provision concerning non-discrimination, namely Article 21. This article explicitly prohibits discrimination on grounds such as sex, race, colour, ethnic or social origin, language, religion, political opinions, age, disability, and sexual orientation. It states that “any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited” (European Commission, 2012, Art. 21). This provision constitutes a clear legal foundation for the protection of LGBTQ+ persons within the European legal order.

In recent years, the recognition of the rights of LGBTQ+ persons has increasingly dominated social and legal debates at the European level. This development has compelled European Union legislation and jurisprudence to evolve in order to ensure effective protection of fundamental rights. The interpretations provided by both the Court of Justice of the European Union (CJEU) and the European Court of Human Rights have had a significant impact on the manner in which Member States subsequently organize and adapt their domestic legislation with the aim of safeguarding fundamental rights. In this evolving legal context, European courts have become key actors in shaping standards of equality and non-discrimination.

It is important to note that, with regard to competences, the European Union cannot impose the legalization of same-sex marriages on its Member States, as matters relating to family law and private life remain primarily within national jurisdiction. However, through the case law of the CJEU, the principle of recognition of same-sex marriages has been consolidated in the specific context of the right to free movement. Conversely, the ECtHR has focused on clarifying the obligations of states that are parties to the European Convention on Human Rights concerning the protection of private and family life for same-sex couples under Article 8 of the Convention (ECtHR, 1950, Art. 8).

Over time, the European Court of Human Rights has been confronted with several major cases that have led to the development of legal standards regarding the recognition of same-sex relationships. In general, the Court has required states to provide legal recognition and adequate legal protection for same-sex couples, even when it has not explicitly mandated the recognition of same-sex marriage itself. In this regard, the Court has often referred to alternative legal arrangements, such as civil

partnerships or registered partnerships, as acceptable means of ensuring protection. Numerous same-sex couples from states such as Austria, Greece, Italy, France, and Russia have appealed to European institutions, invoking violations of Articles 8 and 14 of the ECHR, which concern respect for private and family life and the prohibition of discrimination (Gerstmann, 2017).

In order to enhance legal protection and improve monitoring mechanisms, the European Commission adopted in 2020 the “LGBTIQ Equality Strategy 2020–2025.” This strategy aims to strengthen the legal protection of LGBTQ+ persons and same-sex couples across the European Union. It is structured around four main pillars: combating discrimination and hate speech, creating safer environments for LGBTIQ persons, reducing violence and abuse, and promoting social inclusion based on tolerance and acceptance of diversity (European Commission, 2020). According to the strategy, society as a whole must support the inclusion of these individuals by providing resources and institutional frameworks that facilitate equal participation.

Two of the most significant cases in this field, which have represented important reference points at the level of the European Union in the interpretation and application of European law within Member States, were initiated by same-sex couples against Romania. These cases illustrate the tension between national legal frameworks and European human rights standards and are particularly relevant for understanding the Romanian context.

#### A) Coman and Others v. Romania (initiated in 2012, decided in 2018)

In 2012, one of the most important cases concerning the recognition of essential rights for same-sex couples was brought before the Court of Justice of the European Union. Known as the Coman-Hamilton case, this legal action resulted in a landmark decision regarding the right of residence of same-sex spouses within the territory of EU Member States.

Adrian Coman and Clai Hamilton formed a married couple as of 2010, their marriage having been legally concluded in Belgium, a state where same-sex marriages are recognized. Under Belgian law, Clai Hamilton was therefore legally considered a member of Adrian Coman’s family. Subsequently, the couple expressed their intention to move together to Romania, where the Romanian authorities would have been required to recognize Hamilton’s status as “spouse” in order to grant him a right of residence exceeding three months.

Prior to relocating to Romania, the couple requested clarification from Romanian authorities regarding the legal procedures and conditions under which Hamilton could obtain a long-term right of residence as a family member of an EU citizen. In response, Romanian authorities informed them that Hamilton could benefit only from a three-month stay, on the grounds that he could not be considered Coman’s “spouse,” since same-sex marriages are not legally recognized under Romanian law.

Following this response, the couple initiated legal proceedings against the Romanian state, invoking discrimination and the infringement of their right to free movement within the European Union. The case was subsequently referred to the Romanian Constitutional Court, which in 2016 requested a preliminary ruling from the

CJEU concerning whether the notion of “spouse” under Directive 2004/38/EC on free movement also applies to same-sex couples (Directive 2004/38/EC, 2004).

In its judgment delivered in June 2018, the CJEU ruled in favour of the applicants, holding that the term “spouse” within the meaning of the Directive includes same-sex spouses. Furthermore, the Court emphasized that even if a Member State does not allow same-sex marriage under its domestic law, it is nevertheless obliged to recognize such marriages for the purpose of granting residence rights (Coman and Others v. Romania, 2018). This decision is widely regarded as having historic significance, as it imposed on Member States the obligation to grant residence rights to same-sex spouses in the context of EU free movement law.

Although the applicants succeeded in obtaining residence rights, Romania continues not to recognize their marriage as such. Consequently, Hamilton’s right of residence remains strictly dependent on the CJEU ruling, rather than on a change in domestic legislation. Nevertheless, while the case represents only a limited step toward the recognition of same-sex couples in Romania, its broader impact at the European level has been considerable. The decision clarified that Member States must recognize same-sex spouses for residence purposes and placed increased pressure on more conservative states. Following the judgment, countries such as the Czech Republic and Estonia accelerated discussions on the recognition of civil partnerships for LGBTQ+ persons, while the European Union conveyed a clear pro-diversity message, emphasizing that national or cultural values cannot be used to justify violations of fundamental European rights.

#### B) Buhuceanu and Others v. Romania (initiated in 2019, decided in 2023)

In 2019, a new legal action concerning the recognition of same-sex couples was brought before European courts, this time directly addressing the lack of any form of legal recognition in Romania. Twenty-one same-sex couples, with the support of the NGO ACCEPT Romania, lodged an application before the European Court of Human Rights, arguing that the Romanian state failed to provide either recognition of their marriages or an alternative legal framework.

The applicants invoked violations of Article 8 of the European Convention on Human Rights, which guarantees the right to respect for private and family life, as well as Article 14, which prohibits discrimination (ECtHR, 1950, Arts. 8–14). In the absence of a legal framework, same-sex partners in Romania are deprived of several essential rights, including participation in medical decision-making, access to social benefits, inheritance rights, and other patrimonial rights typically associated with marriage.

As a result of the complaints submitted, the ECtHR delivered its judgment on 23 May 2023, holding that Romania had violated Article 8 of the Convention by failing to ensure respect for the private and family life of same-sex couples (Buhuceanu and Others v. Romania, 2023). The Court concluded that, although states enjoy a margin of appreciation in matters of legal recognition, Romania is nonetheless required to provide an adequate form of legal protection for these couples.

Following the judgment, the Romanian Government challenged the decision, arguing that the applicants had not exhausted all available domestic remedies prior to seizing the European Court. However, this objection was rejected. Despite the clarity of the Court's ruling, political reactions in Romania remained hesitant. While the Minister of Foreign Affairs called upon the Government and Parliament to re-examine the judgment and take steps toward compliance, subsequent political statements suggested that the issue was not considered a legislative priority and that Romanian society was not yet prepared for such changes.

In conclusion, we can highlight the clear intention of the European Union and its judicial institutions to promote respect for individual freedoms and to ensure the protection of human dignity in a modern democratic society. Although significant progress has been achieved at the European level regarding the protection of LGBTQ+ rights, major discrepancies persist among Member States. Romania remains a relevant example of a state that implements only those obligations explicitly imposed by European institutions, while refraining from taking independent legislative initiatives aimed at the legal recognition of same-sex couples.

#### **4. THE LEGAL STATUS OF SAME-SEX MARRIAGES AT THE LEVEL OF THE EUROPEAN UNION AND IN ROMANIA**

As previously outlined, the legislative diversity within the European Union is extensive and reflects the cultural, social, and political differences that characterize its Member States. Consequently, national approaches to the recognition of same-sex marriages vary significantly across the Union, resulting in a fragmented legal landscape in the field of family law (Buyantueva & Shevtsova, 2020). From a comparative perspective, Member States may be grouped into three broad categories based on their level of legal recognition.

The first category includes states that fully recognize same-sex marriage and provide comprehensive legal protection for such unions. These states grant same-sex couples the same rights and obligations as opposite-sex couples, including inheritance rights, access to medical decision-making, and, in many cases, adoption rights. Among these states are the Netherlands, Belgium, Spain, Sweden, Portugal, Denmark, France, Luxembourg, Ireland, Finland, Malta, Germany, Austria, Slovenia, and Estonia (Gerstmann, 2017). In these jurisdictions, marriage equality represents the most advanced level of alignment with principles of equality and non-discrimination under European human rights law.

The second category consists of states that do not permit same-sex marriage but recognize alternative legal arrangements, such as civil partnerships or registered unions. While these legal frameworks offer a degree of protection to same-sex couples, the scope of rights granted varies considerably from one state to another. For example, adoption by same-sex couples is permitted in Greece, whereas in Italy it remains generally prohibited and is allowed only in specific circumstances through judicial decisions. Similarly, medically assisted reproduction is permitted in Cyprus but restricted or prohibited in states such as the Czech Republic, Greece, and Italy (Buyantueva & Shevtsova, 2020). This category illustrates the existence of partial

recognition models that seek to balance non-discrimination obligations with domestic political and cultural constraints.

At the opposite end of the spectrum are states that provide no form of legal recognition for same-sex couples. This group includes Bulgaria, Latvia, Lithuania, Romania, Poland, and Slovakia. In these states, same-sex partners are excluded from legal protections associated with family life and marriage, despite a growing body of jurisprudence from the European Court of Human Rights aimed at placing pressure on such legislative inaction (ECtHR, 1950, Art. 8; Buhuceanu and Others v. Romania, 2023). In some cases, resistance to legal recognition has been accompanied by restrictive measures, such as limitations on public assemblies of LGBTQ+ communities or the creation of so-called “LGBTI-free zones,” particularly in Poland, as a means of countering what is perceived as “LGBTI ideology” (European Parliament, 2019). These developments highlight the tension between national legislative practices and evolving European human rights standards.

In Romania, several legislative initiatives have sought to introduce civil partnerships or alternative forms of legal recognition for same-sex couples. A notable legislative proposal submitted by independent members of Parliament in 2016 provided a detailed framework regulating the conclusion, rights and obligations, and termination of civil partnerships (Cemea et al., 2016). The proposal aimed to establish a legally coherent alternative to marriage, grounded in the principle of non-discrimination.

The draft legislation outlined several key differences between marriage and civil partnership, which are summarized in the table below. This comparative distinction illustrates the legislator’s attempt to differentiate civil partnerships from marriage while nonetheless providing a minimum level of legal protection for same-sex couples.

**Table 1. Differences between Marriage and Civil Partnership**

Marriage	Civil Partnership
The law explicitly requires a difference of sex between spouses	No reference to sex; regulation is based on the principle of non-discrimination
Minimum age: 18 (exceptionally 16)	Minimum age: 18
Concluded for the purpose of founding a family	No explicit purpose stated
Medical certificates must be presented to the civil status officer	Partners declare mutual disclosure of health status
Registered in the Civil Status Registers	Registered in a Civil Partnership Register

*Source: adapted by the author based on data from the Legislative Proposal on Civil Partnership, 2016*

Despite its detailed regulatory approach, this legislative proposal was ultimately rejected by the Legal Committee, which argued that such a law did not respond to a genuine social need. This position reflects a broader pattern of institutional resistance to the legal recognition of same-sex relationships in Romania.

Notably, alongside initiatives supporting civil partnerships, there were also legislative and civic efforts aimed at explicitly prohibiting same-sex marriages or partnerships.

In addition to legislative inertia, the Romanian Constitutional Court has played an indirect but significant role in shaping the domestic legal framework concerning the recognition of same-sex relationships. While the Court has not explicitly endorsed the legalization of same-sex marriage or civil partnerships, its reasoning increasingly reflects the influence of European legal standards, particularly with regard to the binding nature of decisions delivered by European courts. Nevertheless, the absence of an explicit constitutional interpretation in favor of legal recognition has contributed to continued legislative hesitation and normative ambiguity at the national level (European Commission, 2012; ECtHR, 1950, Art. 8).

In this context, the establishment of the “Coalition for the Family” marked a significant moment in Romania’s public debate on same-sex relationships. The Coalition initiated a constitutional referendum intended to prevent any future legal recognition of same-sex marriages by defining marriage exclusively as a union between a man and a woman. However, the referendum failed to meet the required validation threshold. Voter turnout reached only 21.1%, well below the 30% threshold necessary for validation (Viski, 2022).

Some commentators have argued that the failure of the referendum was influenced by public dissatisfaction with the perceived political involvement of the Romanian Orthodox Church, which was accused of excessively politicizing religious space. From a critical perspective, opponents of the referendum also considered it unnecessary, given that the Civil Code already clearly regulates marriage, as well as discriminatory and intrusive with regard to the private lives of same-sex couples (Viski, 2022). These arguments further illustrate the polarization of Romanian society on the issue of same-sex relationships.

Legislative resistance in Romania must also be understood in light of domestic political dynamics. Parliamentary debates on civil partnerships and same-sex marriage have frequently prioritized ideological and moral arguments over legal reasoning, thereby marginalizing considerations related to constitutional principles and European human rights obligations. This politicization has significantly constrained the development of coherent legislative initiatives in the field of family law (Buyantueva & Shevtsova, 2020).

The continued absence of any form of legal recognition for same-sex couples has profound implications for legal certainty in Romania. In the absence of a clear statutory framework, same-sex partners remain dependent on fragmented judicial interpretations and administrative discretion, leading to inconsistent legal outcomes. This situation undermines the principle of legal certainty and affects access to rights related to healthcare, social protection, and patrimonial matters (Buhuceanu and Others v. Romania, 2023).

From the perspective of European legal integration, Romania’s approach illustrates a pattern of minimal compliance with supranational obligations. While formal acknowledgment of European court judgments has been expressed, substantive legislative implementation has been systematically postponed. This divergence between formal compliance and effective implementation highlights ongoing tensions

between national legislative autonomy and binding European human rights obligations (Coman and Others v. Romania, 2018; Buhuceanu and Others v. Romania, 2023).

Despite persistent resistance, recent developments indicate the potential emergence of incremental legal change. Strategic litigation before European courts, combined with sustained pressure from civil society organizations, has gradually narrowed the margin of legislative discretion available to the Romanian state. Nevertheless, in the absence of explicit political commitment, such developments remain contingent and uncertain (Gerstmann, 2017).

In conclusion, the legislative status of same-sex marriages within the European Union reveals deep divisions among Member States, ranging from full marriage equality to complete absence of legal recognition. Romania remains situated at the restrictive end of this spectrum, characterized by legislative inertia and institutional resistance. As demonstrated in this chapter, the Romanian legal framework stands in contrast not only to the practices of many EU Member States but also to the evolving standards articulated by European judicial institutions. This discrepancy underscores the growing tension between national legislative autonomy and supranational human rights obligations.

## 5. CONCLUSIONS

Contemporary society has undergone a wide range of transformations over time and continues to evolve in response to multiple interconnected factors. Processes such as globalization, technological development, the expansion of mass media and social media, as well as shifts in individual and collective mentalities, have significantly contributed to redefining social values and challenging traditional norms. These dynamics have fostered increased openness toward issues that were previously considered taboo, including debates surrounding sexual orientation and family structures (Buyantueva & Shevtsova, 2020).

Within this broader context, the recognition of same-sex marriages represents one of the most intensely debated issues at the level of the European Union. Through the legal instruments at its disposal, the European Union has sought to influence Member States toward greater respect for equality and non-discrimination, while ensuring the protection of fundamental rights enshrined in its foundational legal documents (European Commission, 2012). While many Member States have either legalized same-sex marriage or introduced alternative forms of legal recognition, significant discrepancies persist across the Union, reflecting divergent cultural, social, and political realities.

As demonstrated throughout this article, European judicial institutions have played a central role in advancing the protection of LGBTQ+ rights. The jurisprudence of the Court of Justice of the European Union and the European Court of Human Rights has clarified the scope of states' obligations concerning free movement, private and family life, and non-discrimination. Although these courts have not imposed a general obligation to legalize same-sex marriage, they have increasingly emphasized the requirement for states to provide at least a minimum level of legal recognition and

protection for same-sex couples (Coman and Others v. Romania, 2018; Buhuceanu and Others v. Romania, 2023).

In Romania, the debate surrounding the recognition of same-sex relationships remains highly polarized. On the one hand, advocates for LGBTQ+ rights emphasize that legal recognition should not be perceived as a threat to traditional values, but rather as an opportunity to strengthen equality, protect human dignity, and reduce the social and psychological harm associated with legal exclusion. On the other hand, opponents of such recognition continue to invoke arguments rooted in religion, biological considerations, traditional family models, and moral norms. This opposition has translated into legislative inertia and the repeated rejection of proposals aimed at introducing civil partnerships or other forms of legal recognition (Cernea et al., 2016).

The analysis further reveals that Romania remains among the Member States that implement only those obligations explicitly imposed by European institutions, without adopting proactive legislative initiatives. As illustrated by the state's responses to the Coman and Buhuceanu cases, compliance has been largely formal and limited, rather than substantive. This approach contrasts with developments in other European states that have gradually moved toward broader acceptance through incremental legislative reforms (Gerstmann, 2017).

In conclusion, while Romania continues to be characterized by conservative legal and social attitudes, the increasing influence of European jurisprudence suggests the possibility of a gradual transition toward greater alignment with European human rights standards. The tension between national legislative autonomy and supranational legal obligations remains unresolved; however, the trajectory of European legal development indicates that continued resistance to any form of legal recognition for same-sex couples is becoming increasingly difficult to sustain within the framework of the European Convention on Human Rights and the legal order of the European Union.

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