

Registered partnership – actual situation in Europe

Abstract

This thesis deals with the registered partnership and cohabitation of two persons of the same sex in the same-sex marriage. The thesis deals not only with the Czech legal system, but also with other European countries. The aim of the thesis is to compare the individual legal regulations and to review the actual tendencies of the European states in this respect. The text focuses mainly on the current situation in individual countries, the facts as concerning the establishment and termination of registered partnerships and partners' property relations are described. The subject of homoparentality and the possibility of adopting homosexual children is also discussed. The thesis is divided into 6 chapters, which gradually describe sub-areas related to this civil law institution. The first chapter defines the basic concepts and briefly describes the historical development of homosexual perceptions and the view of homosexuality. The next chapter describes the gradual legalization of a registered partnership in Europe, focusing on legislative processes in the Czech Republic. The third chapter discusses the emergence and termination of a legal partnership between same-sex persons, whether registered partnerships or same-sex marriages. The fourth chapter talks about the partners' property, are compared differences to the joint property of the spouses. In the next chapter, the author deals with one of the most controversial issues that are related to homosexual couples, even homoparentality. The discussion focuses primarily on the possibility of adopting and summarizes the look at surrogate motherhood. The last chapter, the author decided to devote to *de lege ferenda*, and he is mainly analyzing the draft amendment to the Civil Code in the Czech Republic, which should significantly influence the current definition of marriage and give rise to a gender-neutral definition that will allow marriage to all without discrimination of their sex and their sexual orientation.

Keywords

- Registered partnership
- Same-sex marriage
- Homoparentality