

Iceland authorizes same sex marriages

The Icelandic Parliament (Althingi) approved yesterday by 49 votes to none against a law that allows marriage between same sex partners. The so called rule of “neutral marriage ” means the end of the rules on partnerships, existing since 1996. With the adoption of this new law that will enter into force later this month, Iceland has become the ninth country to allow marriage between same sex couples, after the Netherlands, Spain, Belgium, Canada, South Africa, Norway, Sweden and Portugal (on May 17 the President of the Republic of Portugal enacted a law allowing civil marriage for same sex couples, without the right to adoption; the law had been approved by the Parliament on February).

With regard to Latin America, homosexual marriage is accepted by Mexico City since December 2009. On May 2010 the Chamber of Deputies of Argentina became the first Latin American legislative body to approve a bill allowing marriage between same sex; however, it still needs to be approved by the Senate. So far, five couples have been married, but mediating judicial authorization that can be appealed. It is worth recalling that on March, the 30th, Argentina decreed the expulsion of a Spanish woman married in Canada since 2008 to an Argentinian citizen (also a woman). The enforcement of the decree has nevertheless been suspended.

We will have to wait to see the PIL implications of these laws. As for Spain, Spanish law is always applied, and therefore two persons of the same sex can always get married in Spain regardless of their national law (obviously provided they meet the reminding requirements).