



Name of Country and Jurisdiction:

Croatia

- 1. What forms of legally recognized relationships are available?
- 2. What are the requirements to be able to enter into the above relationships?
- 3. Differences between marriage and civil unions and how the two sets of laws interact.
- 4. What kinds of pre-existing relationships make you ineligible to enter each kind of relationship?
- 5. When a couple comes to Croatia, is their pre-existing relationship recognized? If not, is there any formalized avenue for obtaining recognition?
- 6. How can each form of relationship be dissolved? What is the residency requirement or other link to Croatia for an authority to grant a divorce/ dissolution?



1. What forms of legally recognized relationships are available?



LEGAL RECOGNITIONS FOR OPPOSITE-SEX COUPLE	GEOGRAPHY	LAW	AVAILABLE TO SAME-SEX COUPLE?
Marriage, registered	Croatia	Family Act 2003	No
Civil union, registered	Croatia	Life Partnership Act 2014 (fully effective 1st September 2014)	Yes
Civil union, unregistered	Croatia	Same-Sex Unions Act 2003 (replaced by Life Partnership Act 2014)	Yes

Q

2. What are the requirements to be able to enter into the above relationships?

A

FORM OF LEGAL RELATIONSHIP	REQUIREMENTS
Marriage (Family Act 2003)	<ul style="list-style-type: none"> • A civil marriage must be concluded before the Registrar. • A religious marriage must be concluded before an official of a religious community with legal relations with the Republic of Croatia and must be preceded by application to and issuance of a certificate by the Registrar.
Civil union (Life Partnership Act 2014)	Life partnerships can be formalized by (i) registration or (ii) cohabitation for a minimum of 3 years.

Q

3. If both marriage and civil unions exist:

- (a) Identify any significant differences in eligibility; and
- (b) Briefly highlight how they interact if both are in effect (e.g., in some countries, entering into a marriage with the same or a different person automatically dissolves any civil union that the two parties were previously party to, making the latter vulnerable and potentially circumventing separation laws).
- (c) If both marriage and civil unions are available to same-sex couples, briefly highlight areas where major differences exist between marriage and civil unions (e.g., taxes, adoption, immigration, etc.).

A

(a)	Life partnerships can be formalized by (i) registration or (ii) cohabitation for a minimum of 3 years.
(b)	If you are already married or already have a civil partner, you cannot enter into a civil union.
(c)	Not applicable.

Q

4. What kinds of pre-existing relationships make you ineligible to enter each kind of relationship?

A

Marriage (Family Act 2003)	If you are already married to the same or a different person, you cannot marry again.
Civil union (Life Partnership Act 2014)	If you are already married or already have a civil partner, you cannot enter into a civil union.

Q

5. When a couple comes to Croatia, is their pre-existing relationship recognized? If not, is there any formalized avenue for obtaining recognition?

A

Marriage	Yes
Civil union (Life Partnership Act 2014)	Foreign formed same-sex marriages and partnerships as well as unregistered same-sex relationships where couples have been cohabitating for a minimum of 3 years are recognized as life partnerships.

Q

6. How can each form of relationship be dissolved? What is the residency requirement or other link to Croatia for an authority to grant a divorce/ dissolution?

A

Marriage (Family Act 2003)	A court can terminate a marriage by annulment or divorce.
Civil union (Life Partnership Act 2014)	Information on dissolution is not yet available; however, it appears that life partnerships will operate in the same way as marriage, save in respect of adoption of children. Therefore the assumption is that the grounds for and process in respect of dissolution of a marriage will apply equally to a life partnership.

Sources:

- Chapter 9 'Between Recognition and Homophobia: Same-Sex Couples in Eastern Europe' (Bodnar, A. and Sledzinska-Simon, A.)
- Croatia 2003 Family Act
- http://www.evs-eu.org/doc/Vortrag_Hlaca.pdf
- <http://jurist.org/forum/2014/01/tina-dalessio-croatia-referendum.php>