



Name of Country and Jurisdiction:

Cuba



What forms of legally recognized relationships are available?



LEGAL RECOGNITIONS FOR OPPOSITE-SEX COUPLE	GEOGRAPHY	LAW	AVAILABLE TO SAME-SEX COUPLE?
Marriage, registered	Cuba	<p><i>Constitución de la República de Cuba</i> [Constitution], Feb. 15, 1976, Article 36 (Cuba): "Marriage is the voluntary established union between a man and a woman, who are legally fit to marry."</p> <p><i>Código de la Familia</i> [Family Code], Title I, Chapter I, Article 3 (Havana, 1775) (Cuba): The man and the woman are authorized to formalize matrimony so long as they are at least 18 years old.</p>	No
<i>De facto</i> marriage	Cuba	<p><i>Código de la Familia</i>, Title I, Chapter I, Article 18:</p> <p>The existence of a union between a man and a woman who have the legal ability to marry and who meet the requirements of stability and exclusivity will be treated as if they were formally married following recognition by a competent court.</p>	No

A civil union bill was introduced twice but failed to pass the legislature. Mariela Castro, daughter of President Raúl Castro, was promoting a new bill before the country's legislature, but support for the bill has stalled.*

* *Mariela Castro says Cuba to consider civil unions for gays*, GlobalPost (Jan. 17, 2012), available at <http://www.pri.org/stories/2012-01-17/mariela-castro-says-cuba-consider-civil-unions-gays>; Daniel Trotta, *Cuba Marks Gay Rights Advances, But Same-Sex Marriage Remains Distant*, Reuters (Feb. 2, 2016), available at http://www.huffingtonpost.com/2014/05/11/cuba-gay-rights-advances-_n_5302301.html.

■ Sources:

Primary:

- *Constitución de la República de Cuba* [Constitution], Feb. 15, 1976, Article 36 (Cuba), available at <http://www.cuba.cu/gobierno/>. Available in English at <http://www.constitutionnet.org/files/Cuba%20Constitution.pdf>.
- *Código de la Familia* [Family Code], Title I, Chapter I (Havana, 1775) (Cuba), available at http://www.cepal.org/oig/doc/Cub_1975_Ley_1289_CodFamilia.pdf. Available in English at <http://ufdc.ufl.edu/AA00021904/00001/6j>.
- Law No. 51, Havana, July 15, 1985, Article 73 (Cuba), available at http://files.sld.cu/prevemi/files/2013/03/ley_51_registro_estado_civil_1985.pdf.

Secondary:

- Mariela Castro says Cuba to consider civil unions for gays, GlobalPost (Jan. 17, 2012), available at <http://www.pri.org/stories/2012-01-17/mariela-castro-says-cuba-consider-civil-unions-gays>.
- Daniel Trotta, *Cuba Marks Gay Rights Advances, But Same-Sex Marriage Remains Distant*, Reuters (Feb. 2, 2016), available at http://www.huffingtonpost.com/2014/05/11/cuba-gay-rights-advances-_n_5302301.html.
- Michael K. Lavers, *Cuba same-sex marriage campaign gains traction*, The Washington Blade (June 7, 2016), available at <http://www.washingtonblade.com/2016/06/07/cuba-same-sex-marriage-campaign-traction>.