



# Fedotova and Others v the Russian Federation:

*an Overdue Decision on Same-Sex  
Relationship Recognition*



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## Introduction: Understanding the essence of the Fedotova and Others v. the Russian Federation Grand Chamber’s decision

The Russian Federation joined the Council of Europe (CoE) and ratified the European Convention of Human Rights (ECHR) giving the European Court of Human Rights (ECtHR) jurisdiction in 1996. At the time of its accession to the Council, Russia was deemed not fitting of all accession requirements, however, it was decided that allowing Russia to join the Council would create an opportunity to improve the situation of human rights and freedoms on its territory.<sup>1</sup> However, following the invasion of Ukraine by the Russian forces that started on February 21<sup>st</sup> 2022, the Committee of Minister of the Council of Europe met to discuss the expulsion of the Russian Federation from the organisation. On March 16<sup>th</sup>, 2022, the Committee of Ministers of the CoE unanimously decided the exclusion of Russia from the Council.<sup>2</sup>

On January 17<sup>th</sup>, 2023, the Grand Chamber of the ECtHR released its decision on the case of *Fedotova and Others v. the Russian Federation*. This decision is part of the cases which were filed before September 16<sup>th</sup>, 2022 that the Court still has jurisdiction over after the exclusion of Russia from the CoE.<sup>3</sup> This is the first decision to be taken against Russia since its exclusion from the Council.

### Claims and judicial process

The case of *Fedotova and Others v. the Russian Federation*<sup>4</sup> is a compilation of applications in which applicants saw their request of seeing their same-sex marriage recognized rejected at the local level in the Russian Federation. Marriage is the only way of getting a relationship recognized in the Russian Federation as no other system of cohabitation is recognised. The applicants therefore had no other option but to request a marriage license to see their relationship recognized. These requests were denied. The rejections in both cases were justified on grounds of Article 1 paragraph 3 of the Russian Family Code which describes marriage as the “voluntary marital union between a man and a woman”.<sup>5</sup> All applicants challenged the rejection of their marriage license requests in their respective city courts on grounds that the Russian Family Code does not explicitly prohibit same-sex marriage. Additionally, they relied on the right to marry protected by the Russian Constitution as well as Article 12 of the ECHR.<sup>6</sup> Both the Moscow City Court and the Gryazi City Court found the claim ill-founded – meaning that they did not find the arguments of the applicants relevant to the applicable national law. The first one stated that “the absence of explicit ban on same-sex marriage could not be construed as state-endorsed acceptance”.<sup>7</sup> The second similarly held that the “national and religious traditions” marriage “as a biological union between a man and a woman”. It added that “the State’s policy of protecting the family, motherhood and childhood and the ban on the promotion of homosexuality” were incompatible with the concept of same-sex marriage.<sup>8</sup> It went further and quoted the Russian Constitutional Court

1 Busygina, I., & Kahn, J. (2019, September 30).

2 Council of Europe. (2022). *The Russian Federation is excluded from the Council of Europe*.

3 Council of Europe. (2022b). *Russia ceases to be a Party to the European Convention on Human Rights on 16 September 2022*

4 *Fedotova and others v. Russia* (2021)

5 *Ibid.* para. 6 [citing the Russian Family Code (*Semeinyi Kodeles Rossiskoi Federastii*)].

6 *Ibid.* para 9.

7 Ruling of Moscow City Court Jan. 21, 2010 [in Khosla (February 1, 2023)].

8 *Fedotova and others v. Russia* (2021) para 15.

in the case of Mr. E. Murzin<sup>9</sup> in which it clearly stated that there was no right to same-sex marriage.<sup>10</sup> Faced with these decisions, the applicants appealed to the ECtHR.

## Summary of the decision

On July 13, 2021, the third section of the ECtHR<sup>11</sup> rendered a judgment in which it found that the Russian Federation violated its positive obligation under Article 8 of providing a form of legal recognition for same-sex partnerships. The Court unanimously found a violation of the right to private and family life under Article 8 of the Convention. As the subsequent judgment of the Grand Chamber followed the reasoning of the Chamber's judgment, this article will pick from both judgments.<sup>12</sup>

On January 17<sup>th</sup>, 2023, the Grand Chamber rendered a definitive judgment. It held, by fourteen votes to three, that Russia had failed to provide enough justification to show why public interest prevailed over its obligation to organise some form of legal recognition for same-sex relationships. Although, the Russian Federation had relied on concepts such as the preservation of the 'traditional family', the protection of minors, and public opinion showing that a majority of the population was opposed to such legal recognition, the Court denied those arguments and pointed out that it could not "endorse policies and decisions which embodied a predisposed bias on the part of a heterosexual majority against a homosexual minority" and "traditions, stereotypes and prevailing social attitudes in a particular country cannot, by themselves, be considered to amount to sufficient justification".<sup>13</sup>

Further, the Russian Federation having failed to provide any argument supporting the societal harm that the organisation of same-sex relationship recognition would cause, the Court stated that "[i]n the present case, there is no basis for considering that affording legal recognition and protection to same-sex couples in a stable and committed relationship could in itself harm families constituted in the traditional way or compromise their future or integrity".<sup>14</sup> Not only that, but the Court also recognised the existence of a 'clear ongoing trend' at national and international levels in creating legal recognition for same-sex relationships. And affirmed that there was a general positive obligations of all states under the scope of the Convention to create adequate legal recognition and protection for same-sex couples.<sup>15</sup>

Following those findings, it is necessary to question the potential implications of this decision. In this sense, will the decision of the European Court of Human Rights in the *Fedotova and Others v. the Russian Federation* case redefine the landscape for same-sex relationship recognition in Russia and, overall, in the Council of Europe? In this sense, this paper will first look at the impact of the decision on the Russian system and if there is hope for an improvement of the situation of same-sex couples in the Russian Federation. Then, it will look at the implications of the decision on the Council of Europe's framework and the ways in which it redefines the Court's case-law on the matter and creates a general positive obligation.<sup>16</sup>

9 Decision of the Russian Federation Constitutional Court of Nov. 16, 2006.

10 *Ibid.* para 25.

11 Lower level chamber of the European Court of Human Rights.

12 The judgment of the Grand Chamber confirmed the judgment of the Chamber.

13 *Fedotova and others v. the Russian Federation* (2023) para 217.

14 *Ibid.* para 212.

15 *Ibid.* para 178.

16 This will not impact all Council of Europe state parties similarly as 31 of the 46 members have already recognized same-sex partnerships either in the form of marriage (18) or others (12). There are still 15 (without counting the Russian Federation) States that have yet to recognize same-sex partnership and will likely be affected by the decision of the Court in the *Fedotova and others* case.

## Potential impact on the recognition of same-sex relationship in the Russian Federation

In 2015, the Russian Constitutional Court held in a judgment that the ECHR and subsequent case-law of the ECtHR could not be implemented into the domestic legal system if they were found in contradiction with the Constitution. In this sense, it premised the supremacy of Constitutional law – and thus national law – over the Convention. This decision entered into force in December of 2015 through the 2015 Federal Constitutional Act which gave the Constitutional Court the power to discard any judgment from any human rights body if it was deemed incompatible with the Constitution. This includes judgments of the ECtHR as well as the UN Human Rights Council. The Constitutional Court first used this new power in 2016 in reviewing the ECtHR decision in the case of *Anchugov and Gladkov v. Russia* which held that the blanket ban on prisoner’s rights to vote contained in Article 32(3) of the Russian Constitution was in violation of Article 3 of the Protocol 1 to the ECHR.<sup>17</sup> In 2020, this constitutional primacy was inscribed in the Constitution itself in Article 79. This practice of using “constitutional supremacy” to avoid implementation of the ECHR cannot be considered in line with international law, particularly with the Vienna Convention on the Law of Treaties (VCLT). If the Russian Constitutional Court was to discard the implementation of a decision rendered by an international body or mechanism on the basis of Article 79 of its Constitution, it would be in direct violation of Articles 26 and 27 VCLT to which Russia is still a signatory. These articles define the obligation of signatory parties to apply treaties in ‘good faith’ and their inability to invoke ‘provisions of internal law as justification for (their) failure to perform a treaty’.<sup>18</sup>

Such developments pose the question of the plausibility of the enforcement of the *Fedotova and Others v the Russian Federation* decision. However, it would be too hasty to say that there is no hope of seeing same-sex relationships being recognised opened following the decision. Indeed, the Fedotova implementation carries a small financial burden and there is no evident conflict between its content and the Russian Constitution.<sup>19</sup> While Article 72 of the Constitution does protect the interest of the state in preserving heterosexual marriage, it does not preclude the possibility of creating an alternative system of legal recognition that would be open to all couples regardless of sexual orientation.<sup>20</sup> In addition, the Court has also previously recognized that the Constitution did prohibit discrimination based on sexual orientation.<sup>21</sup>

In order to get an idea of the potential of implementation, it is necessary to keep in mind that the Russian Federation does not actually have a bad record of implementation when it comes to ECtHR decision.<sup>22</sup> This is even more so true for cases that do not touch too closely to political matters. However, it is still to be seen how the Constitutional Court will received the decision of the Court on a topic so controversial as same-sex relations recognition. Particularly in the context of the application of the ‘gay propaganda law’<sup>23</sup> which prohibits the promotion of homosexuality. However, this is not to say

17 *Anchugov and Gladkov v. Russia* (2013).

18 Vienna Convention on the Law of Treaties (VCLT), Article 26-27.

19 Khosla, M. (2022, March 10).

20 *Ibid.*

21 Bartenev D. (2021, July 16).

22 Khosla, M. (2022, March 10).

23 This law largely limit the right to freedom of expression in prohibiting all references to LGBTQIA+ topics and imagery in all sorts of media. It was founded on the government’s belief that children and the general public should not be exposed to queer ideology which are not supported by the national traditions. For more on this see Human Rights Watch. (2022, November 28).



that partnerships couldn't be allowed as part of private life, providing that they remain private. It is interesting to look for examples of similar contexts in different states in order to imagine the potential impact of the *Fedotova and Others* decision for the Russian Federation's legislative landscape. For instance, Hungary adopted a new Constitution in April 2011 (the 'Fundamental Law' of Hungary) which has a very similar provision to Article 72 of the Russian Constitution which prescribes the importance of preserving marriage as a heterosexual union in Article L paragraph 1.<sup>24</sup> Additionally, following a decision of its appeals Court in 2021, Hungary now follows a very similar policy on the prohibition of 'gay propaganda' as the Russian Federation. However, Hungary has open legal recognition of same-sex relationships and recognizes same-sex partners' further rights under law such as inheritance and pensions.<sup>25</sup> This comparison is particularly hopeful as Hungary is an ex-USSR state that still shares a lot of core values with the Russian Federation, particularly when it comes to the rights of LGBTQ+ persons. Moreover, this is not the only country that has opened legal partnerships to same-sex couples while having codified its opposition to same-sex relations. For instance, while having long been resistant to increasing the rights of LGBTQ+ persons, Italy passed a law opening partnerships to same-sex couples in 2016 following the injunction of the Court to do so in the case of *Oliari and others v. Italy*.<sup>26</sup> Furthermore, Montenegro opened same-sex partnership in July 2021 while Article 71 of its Constitution still defines marriage as the union of a man and a woman and was even previously interpreted to be an implicit ban on same-sex marriage. In light of this, it is still unsure whether the Russian Constitutional Court will decide to implement the decision and create opportunities for same-sex couples to have their relationships legally recognized.



24 *The Fundamental Law*. (2018, June 27).

25 Szeibert-Erdős, O. (2008, June 9).

26 *Oliari and others v. Italy* (2015).

## Implications on the broader picture for same-sex relationship recognition in the Council of Europe

The Grand Chamber decision in the case of *Fedotova and Others v. the Russian Federation*, as a landmark decision of the ECtHR, needs to be evaluated in the context of the Council of Europe as a supra-national framework. Indeed, the impact of case-law development such as this one is much broader than the national framework in which the violation was found. In this sub-part the evolution of the case-law of the ECtHR relating to the legal recognition of same-sex relationships will be examined, then the shortcomings of the Fedotova judgment will be exposed.

### A positive obligation to organise legal recognition of same-sex relationships

The Court's first decision on the existence of a positive obligation to recognize same-sex relationships was delivered in 2010 in the case of *Schalk and Kopf v. Austria*.<sup>27</sup> In this decision, the Court avoided the questions on the recognition of same-sex relationships being a positive obligation for states under Article 8 of the Convention, and focused on the absence of a clear consensus among states as a way of justifying the large margin of appreciation<sup>28</sup> left to states regarding the "timing of the introduction of legal changes".<sup>29</sup> In this case, the Court also stated that no right to same-sex marriage could be derived from Article 8 in conjunction with Article 14 of the ECHR. However, it is fundamental to highlight that in the case of *Fedotova and others*, the applicants were not intending to derive such a right from the provisions but rather to see their relationship recognized in any forms, marriage happened to be the only legal way of doing so in the Russian Federation.

The Court then came back to the question in 2013 in the case of *Vallianatos and others v. Greece* in which the Court found a violation of Article 8 in conjunction with Article 14.<sup>30</sup> Greece had introduced a system of legal partnership outside of marriage but restrained its access to heterosexual couples. However, the Court was very careful to limit the extent of its decision and stated clearly that the violation was not linked to the breach of a positive obligation to open legal recognition processes to same-sex couples, but rather lied in the discriminatory distinction introduced by the exclusion of same-sex couples from the legal partnership system.<sup>31</sup>

In 2015, the Court found a similar violation in the case of *Oliari and others v. Italy*.<sup>32</sup> This judgment eventually led to legislative changes in Italy to open legal partnership recognition to same-sex couples.<sup>33</sup> However, the Court redacted the judgment in a way that limits its scope to the specific situation of Italy. It relied on the legal climate relating to the topic in Italy, particularly referencing various recommendations of the Italian Constitutional Court in favour of creating legal recognition for same-sex couples.

27 *Schalk and Kopf v. Austria* (2010).

28 The margin of appreciation principles refers to the space states are given to fulfil their obligations under the Convention. This margin diminishes when the Court deems that the right in question is absolute (i.e. the right to life), or when most states have agreed (consensus) on a certain level of protection. The larger the margin of appreciation is, the more the state is left free to decide independently of the European Court of Human Rights on this matter. (for more detail see [https://www.coe.int/t/dghl/cooperation/lisbonnetwork/themis/echr/paper2\\_en.asp](https://www.coe.int/t/dghl/cooperation/lisbonnetwork/themis/echr/paper2_en.asp))

29 *Ibid.* para 105.

30 *Vallianatos and others v. Greece* (2013).

31 *Ibid.* para 75.

32 *Oliari and others v. Italy* (2015).

33 Italian Law No. 76/2016.



positive public opinion on same-sex relationships. It still leaves unclear the implications for other states and the general scope of the Convention. The Court was asked to clarify this a year later in the case of *Taddeucci and McCall v. Italy* but yet again left the question unanswered.<sup>34</sup>

The decision in *Fedotova and Others v. Russia* and its subsequent validation by the Grand Chamber in *Fedotova and others v. the Russian Federation*, is where the Court finally answered this question. In paragraph 50 of the Chamber judgment, the Court stated that Russia “failed to comply with the positive obligation to ensure respect for the applicants’ private and family life, in particular through the provision of a legal framework allowing them to have their relationship recognized and protected in domestic law”.<sup>35</sup> It was then confirmed as a general positive obligation under Article 8 of the ECHR, in paragraph 178 of the Grand Chamber judgment. This is the first time the Court has clearly stated the existence of such an obligation. It is to be noted that this is a true turn in the Court’s approach to the matter. Indeed, the situation at hand was quite opposite to the case of *Oliari and others* in which Italy was found in violation given the inconsistency with public opinion and its Constitutional Court’s position. The Russian government relied on this and built its case on statistics showing that public acceptance of same-sex relationship was low. According to them, in 2015, 20 percent of the Russian population found that “homosexuals are dangerous people who should be isolated from society” and 80 percent opposed same-sex marriage.<sup>36</sup> The Court acknowledge these numbers and the importance of considering “popular sentiment” in its assessment when it came to “social morals”.<sup>37</sup> However, the Court found that denying the right to legal recognition of their relationship to same-sex couples would be contrary to the “underlying values of the Convention” as it would make the enjoyment of a convention right by a minority “conditional on its being accepted by the majority”.<sup>38</sup> It went on in deciding that regardless of the contextual differences, the findings of the *Oliari and others* case applied to the Russian case. In this sense, it found that negative public opinion of same-sex relationships could not be considered a countervailing interest to the protection of same-sex couples’ rights under the Convention.<sup>39</sup> The Court used this opportunity to remind states that, as it stated in previous case-law, same-sex couples are “just as capable as different-sex couples of entering into committed relationships. They are in a relevantly similar situation to a different-sex couple as regards their need for formal acknowledgment and protection of their relationship”.<sup>40</sup> Similarly, while it acknowledged the existence of states’ margin of appreciation when implementing positive obligations, it established that this margin was narrow when the case concerned a “particularly important facet of an individual’s existence or identity”,<sup>41</sup> therefore coming back on the previous decisions concerning the margin of appreciation.

Altogether, in confirming this decision, the Grand Chamber has established a universal right to recognition and protection for same-sex couples in the Council of Europe framework. This obligation is independent of public opinion and cannot be avoided by depending on a large margin of appreciation.

34 *Taddeucci and McCall v. Italy* (2016).

35 *Fedotova and others v Russia* (2021) para 50.

36 *Ibid.* para 35.

37 *Ibid.* para 52

38 *Ibid.*

39 Khosla, M. (2022, March 10).

40 *Fedotova and others v. Russia* (2021) para 48 [citing *Schalk and Kopf v. Austria*, para 99; *Vallianatos and Others v. Greece* para 78 and 81.; and *Oliari and Others*, cited above, para. 165 and 192].

41 *Ibid.* para 47 [citing *X and Y v. the Netherlands*, 26 March 1985, §§ 24 and 27, Series A no. 91; *Christine Goodwin*, cited above, § 90; see also *Pretty v. the United Kingdom*, no. 2346/02, § 71, ECHR 2002-III].

In this sense, it shall apply to all High Contracting Parties to the European Convention on Human Rights as the most recent jurisprudence on same-sex relationship recognition. All states that have not yet created a system of legal recognition open to same-sex couples will be expected to change their legislation, or could see a violation issued against them if a similar complaint was brought to the Court.

However, it is necessary to note that this judgment does not give a final and complete answer either. In this sense, it is necessary to point out the shortcomings and lacks of the decision to understand its full meaning for the recognition of same-sex relationships in the Council of Europe framework. \

### More left to be clarified in further case-law

While it is clear that *Fedotova and others* is a landmark decision in the position of the ECtHR on same-sex partnership recognition, it is necessary to point out that it is in no way perfect, or, to some extent, complete. The limits of this decision can be separated into three points: (1) the lack of attention given to the anti-discrimination principles, (2) the maintaining of the consensus approach to minority right questions and, (3) the absence of mention of the right to marry as integral part of the case.

First, it is then interesting to ask whether it was necessary to put aside the consideration of the applicant's claim under Article 14 of the ECHR and the principle of non-discrimination on the basis of sexual orientation. In the present case, the Court decided that since it had already found a violation under Article 8 and the applicants were given due cause, it was not necessary to pursue the examination of the case under Article 14.<sup>42</sup> While it is not an obligation for the Court to assess discrimination in cases where it is not the core of the case,<sup>43</sup> it is hard to ignore the dire situation of LGBTQ+ rights in the Russian Federation. In this sense, in agreement with judges Pavly and Motoc in their (partly) dissenting opinions, it is complicated to see how the applicant's sexual orientation was not the centre of the Russian Federation's refusal to grant their relationship legal recognition.<sup>44</sup> This is even enhanced by the fact that the judgment in itself seems to implicitly apply the principles of Article 14 in referring to the concept of equality of the level of protection required for heterosexual and homosexual couples.<sup>45</sup> The Court similarly relies on its past case-law on discrimination under Article 14. The absence of a decision under Article 14 is limitative in the Court's approach to the protection of same-sex couples.

This brings us to the second limit of the decision: the use of the consensus logic. Because the Court framed the case under Article 8 of the Convention, it had to look into justifying the existence of a positive obligation for states to recognise same-sex relationships. In this sense, Article 8, leaving a large margin of appreciation to the state historically relied on the idea of European consensus, meaning overwhelming agreement between High Contracting Parties on a matter in order to translate it into an obligation. In other words, it allows for the rights or interests of the minority to be over-ruled by the majority as long as it is consistently agreed upon by the large majority of states. As mentioned before,

42 *Fedotova and others v the Russian Federation* (2023) para 227-230.

43 *Dudgeon v UK* (1981) para 67.

44 *Fedotova and others v the Russian Federation* (2023), partly dissenting opinion of judge Pavli joined by judge Motoc, para 4.

45 Fedele, G. (2021, July 19); *Fedotova and others v the Russian Federation* (2023) para 202, 208, 211 and 218.

and cultural mindsets are involved. In this sense, is it fair to deny rights to same-sex couples, and for that matter to the LGBTQIA+ community altogether, because not all European states have reached a consensus on their right to enjoy basic human rights.<sup>46</sup>

However, it is interesting to note that, although the Court still relied on the consensus argument in this case, it did lower its threshold from ‘European consensus’ to ‘clear ongoing trend’. This allows it to avoid the quantitative considerations in a case where still a large part of the state parties does not recognize same-sex partnerships. Nevertheless, if this change was useful in finding a violation and establishing the positive obligation, it creates a blur in the future of the consensus principle and its application to other cases. Maybe lowering the threshold for consensus is not the answer to protecting minority rights, but rather the Court should abandon this approach and follow the position of the Inter-American Court of Human Rights and other Supreme Courts such as the United States Supreme Court.<sup>47</sup> In doing so, it would allow for a more inclusive, queer approach, to the Convention in addressing minority rights through the principle of equality and anti-discrimination. In the present case, the same outcome could have been reached through Article 14 in defining that same-sex couples have the same rights and opportunities as opposite-sex couples and thus ought to be given the same protection and recognition.

Following this, it is necessary to question why the Court also avoided communicating this case under Article 12 of the Convention which guarantees the right to marry. It is unclear why this omission occurred. It is possible that the applicants did not include it in their complaint. However, the Court has the power to bring it up on its own if it deems it is appropriate, but did not do so. While there is no direct explanation of this in the decision or further documents of the Court, Johnson and Falcetta point out that this follows the line of past decisions in which the ECtHR has endorsed Article 12 as having a “heterosexual nature”.<sup>48</sup> In doing so, the Court has, regrettably, rendered the right to marry unavailable to same-sex couples altogether.



46 O’Hara, C. (2021, June 8).

47 *Obergefell v Hodges*, App. No. 14-556, (June 26, 2015).

48 Johnson, P., & Falcetta, S. (2018, March 8) in Fedele, G. (2021, July 19).



## Conclusion

The Grand Chamber decision in the *Fedotova and Others v the Russian Federation* case represents a leap forward in the approach of the ECtHR to the protection of same-sex couples. It is the first decision clearly stating the existence of a positive obligation of all state parties to the Convention to organise the legal recognition of same-sex relationships, would it be through opening marriage to all, or through any other form of recognition providing equal protection as the one provided for opposite-sex couples. Additionally, this decision denied the receivability of arguments linked to morals and traditions in justifying the limitation of protection of same-sex couples. However, from a technical standpoint, it is not a foolproof decision. Indeed, there are still fundamental limits to the approach chosen by the Court to reach those points. The Court has voluntarily excluded the examination of the case under Article 14, creating a situation where the consensus principle is still given significant weight in deciding on the existence of rights for sexual minorities. Moreover, the Court has avoided treating the case under Article 12, pushing aside the right to marry in a case concerning the refusal of the Russian Federation to let same-sex applicants marry.

Nevertheless, this decision could have practical impact on the situation of same-sex couples in the Council of Europe. First, there is hope that the Russian Federation will implement the judgment itself, even though it has left the Council of Europe effectively now. However, the most interesting part of this decision is that, in creating a positive obligation flowing from Article 8 of the Convention, it creates a precedent and direct application for all state parties. There are a number of pending cases in front of the ECtHR relating to the recognition of same-sex relationships, especially against Poland and Romania.<sup>49</sup> These cases will be the opportunity to see the direct impact of the *Fedotova and others* decision. If the Court is consistent in applying a positive obligation to recognizing same-sex relationships, it should find both states in violation of the Convention and order the creation of same-sex partnership. Such decisions can be the start of a positive change in the Council of Europe for same-sex couples and LGBTQ+<sup>50</sup> persons altogether.



49 See for instance the case of *S.K.K. and A.C.G. v. Romania* and further applications nos. 18822/18, 11454/17, 11560/19, 131/15, 45301/19, 58828/12, 78030/14, 23669/16 no. 5926/20.

50 The 'T' was purposefully left out of the usual acronym as this refers to rights linked to sexual orientation and not gender identity. It is inevitable that trans\* people would get affected by a law limiting the rights of sexual minorities, however such an exclusion is not the main purpose of the measure.

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