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THE LEGAL FRAMEWORK FOR THE (NON-) RECOGNITION OF FOREIGN SAME-SEX UNIONS IN BOSNIA AND HERZEGOVINA

Abstract: *Same-sex unions—whether marriage, registered partnership, or de facto cohabitation—are not legally regulated in Bosnia and Herzegovina. However, this does not necessarily preclude the recognition of foreign same-sex unions and their legal effects within the domestic legal order. Despite the absence of family law provisions explicitly governing this matter, constitutional arrangements—particularly the direct applicability and primacy of the European Convention on Human Rights as prescribed by the Constitution of Bosnia and Herzegovina, as well as the binding nature of the European Court of Human Rights’ decisions—together with private international law rules on the recognition of foreign judgments and public documents, open the possibility for recognizing same-sex unions concluded abroad. The authors will present domestic judicial practice and analyze the existing legal framework, including statutory and constitutional norms, with special emphasis on provisions concerning the recognition of foreign status-related decisions and public documents in Bosnia and Herzegovina.*

Keywords: *(non-)recognition, foreign same-sex unions, legal framework.*