

Brazilian Judicial Panel Paves Way for Gay Marriage

Brazil has taken a big step toward joining Argentina and Uruguay as the first Latin American countries to legalize **gay marriage**, even though the Brazilian Congress has dragged its feet on the issue.

A panel that oversees the Brazilian judicial system ruled on Tuesday that the country's notaries public cannot deny marriage licenses to people of the same sex who live together.

The National Council of Justice based its decision on a 2011 Supreme Court ruling that gays in stable relationships should have the same rights as heterosexual couples in terms of retirement benefits, inheritance and alimony.

While Brazil's judiciary has taken the lead on legalizing **same-sex marriage**, full recognition will depend on the approval of a gay marriage law by Congress, where a bill has faced opposition from conservative evangelical lawmakers.

Notaries public in 12 of Brazil's 26 states and its Federal District are already complying with the 2011 ruling officializing **gay marriages** but often require court orders beforehand, according to a recent survey by *O Globo* newspaper.

Prior to Tuesday's ruling, gay couples could be denied marriage certificates because notaries public were not legally bound to marry them, but now notaries can be taken to court for refusing to do so.

The ruling was proposed by the chief justice of Brazil's Supreme Court, Joaquim Barbosa, who also heads the judicial oversight panel. He said gay couples were a part of Brazil's social reality and should not be discriminated against.

“Our society is going through many changes and the National Council of Justice should not be indifferent to them,” he said on the council’s website.

According to the last census, there are 60,000 gay couples living together in Brazil.

When **gay marriage** legislation passed earlier this year in Uruguay, France and New Zealand takes effect, “same-sex couples will have the freedom to marry in 17 countries around the world,” said Freedom to Marry, a New York group working for same-sex marriage rights in the United States.

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