

DOI: <https://dx.doi.org/10.18203/2320-1770.ijrcog20221961>

Review Article

European policies on same-sex relationships, adoption and assisted reproduction

Pedro Brandão^{1,2*}

¹Department of Reproductive Medicine, IVIRMA Lisboa, Lisbon, Portugal, ²Faculty of Medicine, University of Porto, Porto, Portugal

Received: 27 May 2022

Revised: 09 July 2022

Accepted: 11 July 2022

***Correspondence:**

Dr. Pedro Brandão,

E-mail: pedro.brandao@ivirma.com

Copyright: © the author(s), publisher and licensee Medip Academy. This is an open-access article distributed under the terms of the Creative Commons Attribution Non-Commercial License, which permits unrestricted non-commercial use, distribution, and reproduction in any medium, provided the original work is properly cited.

ABSTRACT

Same-sex civil union, marriage, adoption and access to assisted reproduction have progressively been more accepted worldwide. However, many differences exist in national legislation regarding the matter. This work is a review of current national policies of 31 European countries, including all the European Union, Iceland, Norway, Switzerland and the United Kingdom. At the moment, many European countries recognize same-sex civil unions, marriage and adoption, as well as the access of single women and lesbian couples to assisted reproduction, specially the northern and western countries. However, there is still an important number of countries where there is no official recognition of gay partnerships and adoption, and fertility treatments are exclusive to heterosexual couples. In addition, given the need to surrogacy, male couples have quite limited options concerning assisted reproduction in Europe. Europe is progressively allowing same-sex couples to legalize their relationship and to open adoption and assisted reproduction to everyone, regardless of gender, sexual orientation or marital status.

Keywords: Adoption, Europe, Homosexuality, Legislation, Marriage, Reproductive techniques

INTRODUCTION

For the last decades, gay civil unions and marriages have been progressively accepted in more countries worldwide, especially western countries. In addition, the possibility of raising a family, including children, is becoming a reality for more and more non-heteronormative families. As opposed to heterosexual couples, same-sex couples cannot procreate biologically by themselves, so they have to turn to adoption, arranged conception with other people or assisted reproduction treatments (ART).^{1,2}

Assisted reproductive technology poses many ethical issues, reason why national policies vary considerably worldwide.³ Not only the performance of *in vitro* procedures, but also the cryopreservation of gametes and embryos, the donation of gametes and embryos and the

access of non-heteronormative families to ART are conflicting matters.⁴

Neither the formalization of relationships, nor procreation or adoption are consensual between and within different countries, cultures, and societies. This is the main reason why countries take so long to adopt more liberal policies concerning the matter.⁵ In most countries, assisted reproduction was firstly legalized for heterosexual couples. Progressively, more and more countries have been offering ART to single women and same-sex couples.⁶

According to Rainbow Europe (the ILGA Europe's annual benchmarking tool), the leading European countries concerning LGBTQI+ (lesbian, gay, bisexual, transgender, queer, intersex) family policies and rights in 2021 were

Malta and Belgium, followed by Sweden, Portugal, Spain, Denmark, the United Kingdom and the Netherlands (Table 1).⁷

Table 1: Ranking of the included countries based on Rainbow Europe (ILGA Europe) score 2021 concerning family aspects (untied by global score).

Ranking (family)	Country	ILGA score 2021 (family)	ILGA score 2021 (global)
1	Malta	100	94
1	Belgium	100	74
2	Sweden	93	65
3	Portugal	90	68
3	Spain	90	65
3	Denmark	90	64
3	Uk	90	64
3	Netherlands	90	61
4	Luxembourg	83	72
4	Finland	83	65
4	Iceland	83	54
5	Norway	78	64
5	Austria	78	50
6	Ireland	76	53
7	France	57	57
7	Germany	57	52
8	Slovenia	43	42
9	Estonia	40	38
10	Switzerland	33	38
11	Greece	31	47
11	Cyprus	31	31
12	Croatia	28	46
12	Hungary	28	31
13	Italy	15	22
14	Czech republic	14	26
15	Bulgaria	13	20
15	Latvia	13	17
16	Slovakia	0	30
16	Lithuania	0	23
16	Poland	0	13
16	Romania	0	19

The objective of this work is to summarize, in a comprehensive language, current national policies between different European countries concerning homosexual relationships, adoption and access to ART, including artificial insemination (AI), *in vitro* procedures, donation of gametes and embryos and surrogacy.

A review of current European national policies regarding homosexual relationships, adoption and access to ART was performed. Given that people can use medically assisted procreation as a single and then proceed to the co-adoption by their partner, data regarding single women

was also included. Single men and male couples face the same panorama, so the former was not featured.

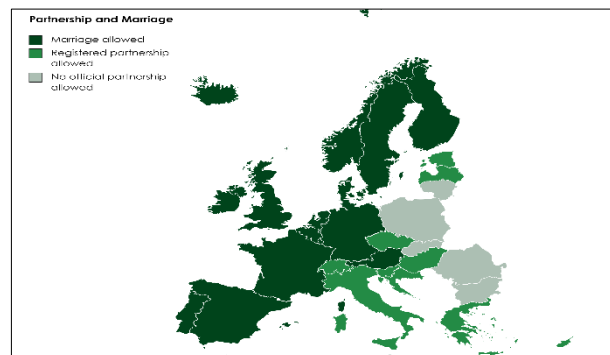


Figure 1: Map with the countries included, regarding national policies on the official recognition of same-sex partnership and marriage and/or single female rights.

All European Union (EU) countries were included, as well as Iceland, Norway, Switzerland and the United Kingdom, counting 31 nations: Austria (AU), Belgium (BE), Bulgaria (BG), Croatia (HR), Cyprus (CY), Czech Republic (CZ), Denmark (DK), Estonia (EE), Finland (FI), France (FR), Germany (DE), Greece (GR); Hungary (HU), Iceland (IS), Ireland (IE), Italy (IT), Latvia (LV), Lithuania (LT), Luxembourg (LX), Malta (MT), Netherlands (NL), Norway (NO), Poland (PL), Portugal (PT), Romania (RO), Slovakia (SK), Slovenia (SL), Spain (ES), Sweden (SE), Switzerland (CH) and the United Kingdom (UK).

The first step was an online search for national legislation. In case the authors could not understand the national language and an English version was not available, they asked help from native or proficient speakers.

In cases where it was not possible to obtain the official legislation, ILGA Europe and ESHRE’s websites were consulted.^{7,8} The retrieved information was posteriorly confirmed by direct contact with official entities - an official national LGBT association for relationships, marriage and adoption; and a representative of the national society of reproductive medicine for assisted reproduction issues.

Ultimately, in cases where full information was not achieved by the previous steps, at least 2 national experts on the matter were consulted and data was considered if there was a consensus. All the process of data retrieval was developed during 2021. Table 2 summarizes national policies of the different countries concerning the main topics of this review.

Homosexual activity

All the 31 countries included recognize homosexual activity. The first countries to officially recognize

homosexual activity were France, Belgium and the Luxembourg during the 18th century, followed by Italy and the Netherlands during the 19th century. All the remaining countries legalized homosexual activity during the 20th century.⁹ The last country to officially allow homosexual activity was Romania in 1996.¹⁰

Partnership and marriage

The definition of civil union or recognized partnership varies widely. In addition, the rights of a gay registered partnership varies between countries.¹¹ As a general rule, in countries where partnership is allowed, the rights are the same or similar to heterosexual couples.¹²

From the 31 countries included, 10 allow recognize civil unions / registered partnerships and 16 allow same-sex marriage. Only 5 countries do not officially recognize any kind of gay partnerships – Bulgaria, Lithuania, Poland, Romania and Slovakia (Figure 1).^{13,14}

Some nations objectively rejected gay marriage after referendums or parliament decisions, such as Hungary in 2012, Croatia in 2013 and Slovakia in 2014, while others, such as the Czech Republic and Switzerland have a new law allowing gay marriage pending to come into effect.¹⁵⁻¹⁷

Adoption

The legal process of becoming a non-biological parent is possible in all European countries.¹⁸ Nevertheless, some countries only authorize the adoption of a child by married couples (only heterosexual or also gay couples, depending on the country), while others also accept adoption by single people.

As might be expected, the 5 countries where no gay partnerships are recognized, the co-adoption by gay couples is not allowed as well (BG, LT, PL, RO, SK). Additionally, 5 other countries do not allow adoption by gay couples (CY, CZ, GR, HU, IT). The remaining countries where gay partnerships but not marriages are recognized, gay couples are allowed to adopt a partner's child (second child adoption), but not the joint adoption (joint adoption regarded as the adoption of a child *de novo* - a child who has never had any legal paternal connection to neither of the members of the couple) (HR, EE, LV, SK, CH).¹⁹

Interestingly, all and only the 16 countries where gay marriage is recognized also allow the joint adoption of a child by gay couples (AT, BE, DK, FI, FR, DE, IS, IE, LX, MT, NL, NO, PT, ES, SE, UK) (Figure 2).²⁰ Some of these countries recognized gay marriage and adoption at the same time, since national laws of child adoption refer to “married couples”, implicitly giving the same rights of adoption to same-sex couples.

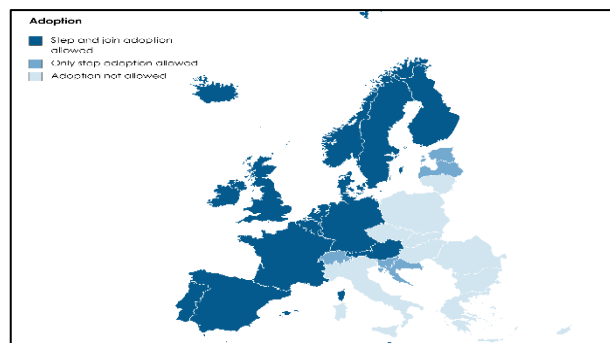


Figure 2: Map with the countries included, regarding national policies on child adoption by same-sex couples (second child adoption: adoption of partner's child; joint adoption: simultaneous adoption of an unrelated child).

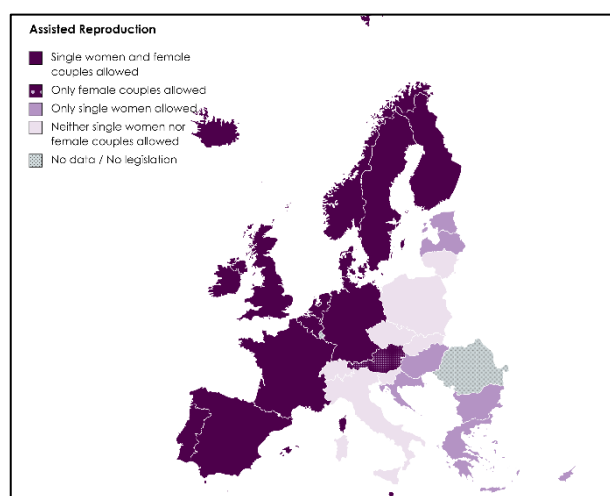


Figure 3: Map with the countries included, regarding national policies on the access of female couples and/or single women to assisted reproduction.

Access to Medically Assisted Reproduction

Artificial insemination and in vitro fertilization

When it comes to the access of single women and same-sex female couples to assisted reproduction, the same rules apply to AI and *in vitro* fertilization (IVF).²¹

Romania does not have specific legislation for assisted reproduction. As we were not able to get information concerning ART in Luxembourg, only the remaining 29 countries were included regarding this matter.⁶

Seven countries offer ART only to heterosexual couples (CZ, IT, LT, PL, SK, SL, CH). Other 7 countries also allow single women to resort to ART, but not female couples, so lesbian women cannot legally or biologically share motherhood (BG, HR, CY, EE, GR, HU, LV).²²

Table 2: National policies of the different countries.

Country	Homosexual activity	Official partners hips	Marriage	Adoption		Ai		IVF/ICSI		Ro	Surrogacy		Sperm donation			Oocyte donation			Embryo donation			
				Second parent adoption	Joint adoption	Singl e woman	Lesbi an coupl e	Singl e woman	Lesbi an coupl e	Lesbi an coupl e	Single woma n	Lesbia n couple	Man	Singl e woma n	Lesbi an coupl e	Man	Singl e woma n	Lesbi an coupl e	Man	Singl e woma n	Lesbi an coupl e	Man
Austria	Yes	Yes	Yes	Yes	Yes	No	Yes	No	Yes	Yes	No	No	No	No	Yes	No	No	Yes	No	No	No	No
Belgium	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Altruistic	Altruistic	Altruistic	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Bulgaria	Yes	No	No	No	No	Yes	No	Yes	No	No	No	No	No	Yes	No	No	Yes	No	No	No	No	No
Croatia	Yes	Yes	No	Yes	No	Yes	No	Yes	No	No	No	No	No	Yes	No	No	Yes	No	No	Yes	No	No
Cyprus	Yes	Yes	No	No	No	Yes	No	Yes	No	No	A	No	No	Yes	No	No	Yes	No	No	Yes	No	No
Czech republic	Yes	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
Denmark	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	B	No	No	No	Yes	Yes	No	Yes	Yes	No	No	No	No
Estonia	Yes	Yes	No	Yes	No	Yes	No	Yes	No	No	No	No	No	Yes	No	No	Yes	No	No	Yes	No	No
Finland	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
France	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
Germany	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	No	Yes	Yes	No	No	No	No	No	No	No
Greece	Yes	Yes	No	No	No	Yes	No	Yes	No	No	Altruistic	Altruistic	No	Yes	No	No	Yes	No	No	Yes	No	No
Hungary	Yes	Yes	No	No	No	Yes	No	Yes	No	No	No	No	No	Yes	No	No	Yes	No	No	Yes	No	No
Iceland	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	No	Yes	Yes	No	No	No	No
Ireland	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	A	A	A	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
Italy	Yes	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
Latvia	Yes	Yes	No	Yes	No	Yes	No	Yes	No	No	No	No	No	Yes	No	No	Yes	No	No	Yes	No	No
Lithuania	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
Luxembourg	Yes	Yes	Yes	Yes	Yes	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C
Malta	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Netherlands	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Altruistic	Altruistic	Altruistic	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Norway	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	No	Yes	Yes	No	No	No	No
Poland	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No

Continued.

Country	Homosexual activity	Official partnerships	Marriage	Adoption		AI		IVF/ICSI		Ropa	Surrogacy		Sperm donation			Oocyte donation			Embryo donation			
				Second parent adoption	Joint adoption	Single woman	Lesbian couple	Single woman	Lesbian couple	Lesbian couple	Single woman	Lesbian couple	Man	Single woman	Lesbian couple	Man	Single woman	Lesbian couple	Man	Single woman	Lesbian couple	Man
Portugal	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Altruistic	Altruistic	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
Romania	Yes	No	No	No	No	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
Slovakia	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
Slovenia	Yes	Yes	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
Spain	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
Sweden	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	No	Yes	Yes	No	Yes	Yes	No
Switzerland	Yes	Yes	No	Yes	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No	No
UK	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Altruistic	Altruistic	Altruistic	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes

AI – Artificial Insemination; ICSI – Intracytoplasmic Sperm Injection; IVF - in vitro fertilization; ROPA: Reception of oocytes from partner/lesbian shared IVF.

A – no legislation

B – only if medically justified

C – no data retrieve.

The remaining 15 countries allow both single women and lesbian couples to undergo fertility treatments (AU, BE, DK, FI, FR, DE, IS, IE, MT, NL, NO, PT, ES, SE, UK).²³ Interestingly, Austria only allows couples to undergo ART, including lesbian couples, but single women cannot do these treatments (Figure 3).²⁴ France was the last country to approve ART to single women and lesbian couples in June 2021.²⁵

Third party reproduction

Gametes donation

All countries where ART is offered to single women also allow these women to turn to donated sperm. Likewise, the 15 countries that offer ART to female couples, also allow them to use donated sperm.²⁶

The same rules apply for oocyte donation, except in Germany where this kind of treatment is universally not allowed (Figures 5 and 6).²¹

Embryo donation

Embryo donation is somewhat more complex than gametes' donation. This may be mainly attributed to the ethical issues related to the existence of an embryo and the fact that an embryo donation implies that the genetic background will be entirely unrelated to the patient or couple, similar to a double gamete donation.²⁷

Additionally to the 7 countries where only heterosexual couples are allowed fertility treatments, lesbian and single women may also not use donated embryos in 6 more of the included countries (AU, BG, DK, DE, IS, NO) (Figures 4 and 5).²⁸

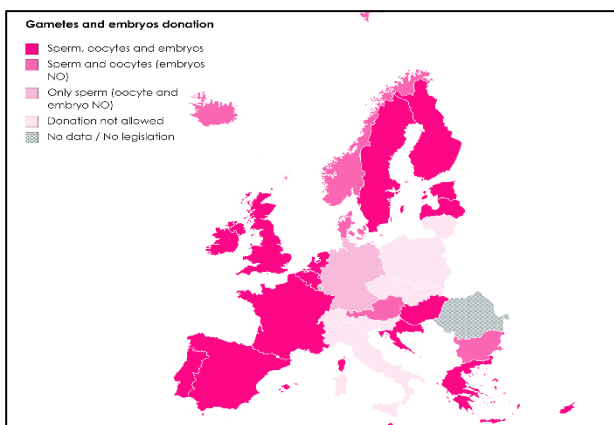


Figure 4: Map with the countries included, regarding national policies on gametes and embryos donations to female couples or single women.

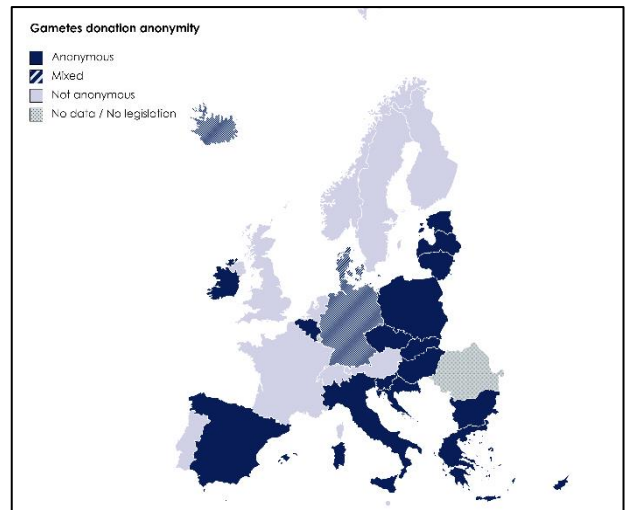


Figure 5: Map with the countries included, regarding national policies on the anonymity of gametes donation.

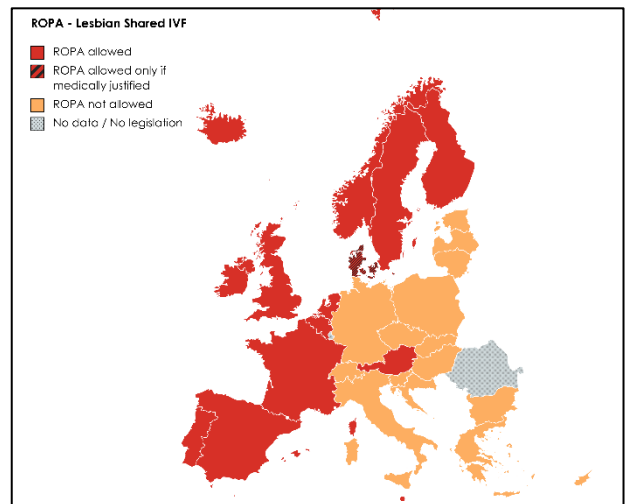


Figure 6: Map with the countries included, regarding national policies on Lesbian Shared IVF/ROPA (Reception of Oocytes from Partner).

ROPA - lesbian shared IVF

During the last decade, lesbian shared IVF, also known as ROPA (from Spanish: *Recepcion de Ovocitos de Pareja* – reception of oocytes from partner) has been performed. This method allows both women of a same-sex couple to share biological motherhood.²⁹ One of them provides the oocytes (donor or genetic mother) and the other receives the resulting embryo (recipient or gestational mother).³⁰⁻³²

Some define this method as a donation of oocytes (thus the name ROPA), others regard this technique as an embryo donation and others consider that it is not a donation at all, since it is within a couple, just as for conventional IVF for a heterosexual couple, in which the man provides the semen to his wife.³³ These different points of view have important implications since it may or may not be feasible

in countries with different policies regarding the various types of donations.³⁴ In general, countries do not have specific legislation about the matter.

According to national legislations and experts' reports, lesbian shared IVF (ROPA) maybe performed with no restrictions in 13 of the 15 countries that offer ART to lesbian couples (AU, BE, FI, FR, IS, IE, MT, NL, NO, PT, ES, SE, UK). The 2 remaining countries are limited by the restriction to oocyte and/or embryo donations (DK, DE). Nevertheless, in Denmark it is possible to perform a ROPA if there is a medical reason justifying this treatment (Figure 6).

Surrogacy

Surrogacy is one of the most challenging treatments, both ethically and biologically.³⁵ A large part of the countries worldwide does not have a specific legislation regarding surrogacy. Some countries allow surrogacy only if medically justified. Additionally, there are countries where commercial surrogacy is available (this means the surrogate mother will be paid for carrying pregnancy), while other countries only allow altruistic surrogacy, or in more extreme cases, surrogacy between family members.³⁶

Among the countries included, 5 allow single women and lesbian couples to resort to surrogacy (BE, GR, NL, PT, UK).^{6,37,38} Additionally, both Cyprus and Romania do not have specific legislation regarding the matter, so one could assume that it is not forbidden. The former, however, only admits single women for ART. Portugal has recently approved surrogacy in 2021 (Figure 7).³⁹ In all the countries analyzed, surrogacy is altruistic, meaning the surrogate mother cannot be compensated.

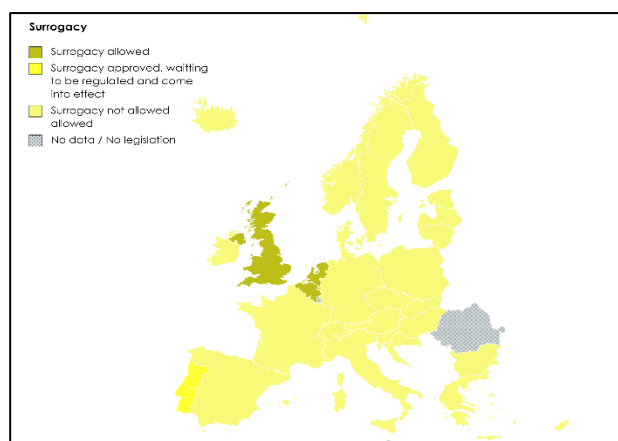


Figure 7: Map with the countries included, regarding national policies on surrogacy.

Male couples

Male couples always need surrogacy to become biological parents. Thus, many of the countries target their legislation to “man and woman” or “two women”, excluding male

couples. Three of the European countries that offer surrogacy, explicitly open ART to anyone regardless of gender or sexual orientation (BE, NL, UK).^{6,40} Portugal limits ART to heterosexual couples, single women and female couples and Greece to heterosexual couples only.⁶ Conversely, Malta allows any person to resort to ART, but surrogacy is not allowed in the country, which in the end impairs male couples to undergo any ART.⁶

It is important to notice that despite there are 3 countries where gay couples could eventually opt for a surrogacy (BE, NL, UK), the lack of surrogate mothers due to the altruistic nature of the process makes it very difficult to occur, reason why most of the gay couples do it in other countries, most commonly Mexico, Colombia or the USA.⁴⁰

CONCLUSION

The current trend in Europe is to progressively allow same-sex couples to legalize their relationship and to open adoption and assisted reproduction to anyone, regardless of gender, sexual orientation, or marital status. Currently, a big part of the European countries allows same-sex marriages and only a small minority does not officially recognize same-sex partnerships. In 2021, many European countries allow single women and lesbian couples to undergo assisted reproduction, specially the northern and western countries, with the same rights of heterosexual couples. Most of the remaining countries offer these treatments only to single women. There is, though, an important number of countries where fertility treatments are only possible in heterosexual couples. Concerning male same-sex couples, given the implicitly necessity of surrogacy, most of the countries do not offer this possibility, which brings an important gender inequality.

Funding: No funding sources

Conflict of interest: None declared

Ethical approval: Not required

REFERENCES

1. De Wert G, Dondorp W, Shenfield F, Barri P, Devroey P, Diedrich K, et al. ESHRE Task Force on Ethics and Law 23: Medically assisted reproduction in singles, lesbian and gay couples, and transsexual people. *Hum Reprod.* 2014;29:1859-65.
2. Golombok S. Parenting in new family forms. *Curr Opin Psychol.* 2017;15:76-80.
3. Flatscher-Thöni M, Voithofer C. Should Reproductive Medicine Be Harmonized within Europe? *Eur J Health Law.* 2015;22:61-74.
4. Asplund K. Use of in vitro fertilization-ethical issues. *Ups J Med Sci.* 2019;1-8.
5. Argüello TM. Decriminalizing LGBTQ+: Reproducing and resisting mental health inequities. *CNS Spectr.* 2020;25:667-86.
6. Calhaz-Jorge C, De Geyter CH, Kupka MS, Wyns C, Mocanu E, Motrenko T, et al. Survey on ART and

- IUI: legislation, regulation, funding and registries in European countries. *Hum Reprod open.* 2020;2020:1-15.
7. Rainbow Europe. Rainbow Europe Poland. Available at: <https://rainbow-europe.org/>. Accessed on 1 June 2021.
 8. European Society of Human Reproduction and Embryology. ART in Europe; 2018. Available at: <https://www.eshre.eu/Data-collection-and-research/Consortia/EIM/Legislation-for-ART-and-IUI-treatments>. Accessed on 1 June 2021.
 9. Tamagne F. History of homosexuality in Europe: inventory. *Rev Hist Mod Contemp.* 2006;53:7-31.
 10. Andreescu V. From legal tolerance to social acceptance: predictors of heterosexism in Romania. *Rev Română Sociol.* 2011;3(4):209-31.
 11. Binie J. Invisible Europeans: Sexual Citizenship in the New Europe. *Environ Plan A Econ Sp.* 1997;29:237-48.
 12. Civil unions and registered partnerships. europa.eu. Available at: https://europa.eu/youreurope/citizens/family/couple/registered-partners/index_en.htm. Accessed on 1 November 2021.
 13. Lipka M, Masci D. Where Europe stands on gay marriage and civil unions. *Pewresearch.* 2019. Available at: <https://www.pewresearch.org/fact-tank/2019/10/28/where-europe-stands-on-gay-marriage-and-civil-unions/>. Accessed on 1 November 2021.
 14. Schlagdenhauffen R. Same-sex marriage in Europe. *Digit. Encycl. Eur. Hist.* Available at: <https://ehne.fr/en/encyclopedia/themes/gender-and-europe/civil-law-a-tool-masculine-domination/same-sex-marriage-in-europe>. Accessed on 1 November 2021.
 15. Forest M. Europeanizing vs. Nationalizing the Issue of Same-Sex Marriage in Central Europe: A Comparative Analysis of Framing Processes in Croatia, Hungary, Slovakia, and Slovenia. In: *Global Perspectives on Same-Sex Marriage.* Cham: Springer International Publishing. 2018:127-48.
 16. Czech lawmakers give nod to same-sex marriage, final vote uncertain. *Reuters;* 2021. Available at: <https://www.reuters.com/world/europe/czech-lawmakers-give-nod-same-sex-marriage-final-vote-uncertain-2021-04-29/>. Accessed on 1 November 2021.
 17. Swiss voters approves same-sex marriage by two-thirds in referendum. Available at: <https://www.france24.com/en/europe/20210926-switzerland-goes-to-the-polls-in-same-sex-marriage-referendum>. Accessed on 24 February 2021.
 18. Adopting a child from another EU country. europa.eu. Available at: https://europa.eu/youreurope/citizens/family/children/adoption/index_en.htm. Accessed on 1 November 2021.
 19. Messina R, D'Amore S. Adoption by Lesbians and Gay Men in Europe: Challenges and Barriers on the Journey to Adoption. *Adopt Q.* 2018;21:59-81.
 20. Number of countries where same-sex couples can jointly adopt children as of 2020, by continent. *Statista;* 2021. Available at: <https://www.statista.com/statistics/1269946/countries-where-same-sex-couples-can-jointly-adopt-children/>. Accessed on 1 November 2021.
 21. Gliozheni O, Hambartsoumian E, Strohmer H, Kreuz-Kinderwunschzentrum OSPG, Petrovskaya E, Tishkevich O, et al. ART in Europe, 2017: results generated from European registries by ESHRE. *Hum Reprod Open;* 2021.
 22. More than half of European countries prohibit access to assisted reproduction for lesbians and almost a third do so for single women. *Civio.* 2021. Available at: <https://civio.es/medicamentalia/2021/11/02/ART-EU-access/>. Accessed on 1 December 2021.
 23. European Parliament. Coverage of artificial insemination and IVF for lesbian couples and single women under the EU Joint Sickness and Insurance Scheme; 2016. Available at: https://www.europarl.europa.eu/doceo/document/P-8-2016-005566_EN.html. Accessed on 1 November 2021.
 24. Griessler E, Hager M. Changing direction: the struggle of regulating assisted reproductive technology in Austria. *Reprod Biomed Soc Online.* 2016;3:68-76.
 25. French MPs legalise IVF for lesbians, single women Access to the comments. *Euronews;* 2021.
 26. Kalampalikis N, Doumergue M, Zadeh S. Sperm donor regulation and disclosure intentions: Results from a nationwide multi-centre study in France. *Reprod Biomed Soc Online.* 2018;5:38-45.
 27. Taebi M, Bahrami R, Bagheri-Lankarani N, Shahriari M. Ethical challenges of embryo donation in embryo donors and recipients. *Iran J Nurs Midwifery Res.* 2018;23:36.
 28. Report on the Regulation of Reproductive Cell Donation in the European Union. *Eur Communities;* 2006.
 29. Brandão P, Ceschin N, Gómez VH. The Pathway of Female Couples in a Fertility Clinic. *Rev Bras Ginecol e Obs/RBGO Gynecol Obstet;* 2022.
 30. Marina S, Marina D, Marina F, Fosas N, Galiana N, Jové I. Sharing motherhood: Biological lesbian co-mothers, a new IVF indication. *Hum Reprod.* 2010;25:938-41.
 31. Brandão P, Ceschin N, Cruz F, Sousa-Santos R, Reis-Soares S, Bellver J. Similar reproductive outcomes between lesbian shared IVF (ROPA) and IVF with autologous oocytes. *J Assist Reprod Genet;* 2022.
 32. Núñez A, Garcíá D, Giménez-Bonafé P, Vassena R, Rodríguez A. Reproductive Outcomes in Lesbian Couples Undergoing Reception of Oocytes from Partner Versus Autologous in Vitro Fertilization/Intracytoplasmic Sperm Injection. *LGBT Heal.* 2021;8:367-71.

33. Zeiler K, Malmquist A. Lesbian shared biological motherhood: the ethics of IVF with reception of oocytes from partner. *Med Health Care Philos.* 2014;17:347-55.
34. Brandão P, de Pinho A, Ceschin N, Sousa-Santos R, Reis-Soares S, Bellver J. ROPA - Lesbian shared in vitro fertilization - Ethical aspects. *Eur J Obstet Gynecol Reprod Biol.* 2022;272:230-3.
35. Beier K, Wöhlke S. An ethical comparison of living kidney donation and surrogacy: understanding the relational dimension. *Philos Ethics, Humanit Med.* 2019;14:13.
36. Casella C, Capasso E, Terracciano L, Delbon P, Fedeli P, Salzano FA, et al. Ethical and legal issues in gestational surrogacy. *Open Med.* 2018;13:119-21.
37. Leon G, Papetta A, Spiliopoulou C. Overview of the Greek legislation regarding assisted reproduction and comparison with the EU legal framework. *Reprod Biomed Online.* 2011;23:820-3.
38. Horsey K. Fraying at the edges: UK surrogacy law in 2015. *Med Law Rev.* 2016;24:608-21.
39. Parlamento aprova barrigas de aluguer. *J Notícias;* 2021.
40. Mackenzie SC, Wickins-Drazilova D, Wickins J. The ethics of fertility treatment for same-sex male couples: Considerations for a modern fertility clinic. *Eur J Obstet Gynecol Reprod Biol.* 2020;244:71-5.

Cite this article as: Brandão P. European policies on same-sex relationships, adoption and assisted reproduction. *Int J Reprod Contracept Obstet Gynecol* 2022;11:2306-14.