

**List¹ of commonly accepted unions recognized
for the purpose of survivor’s benefits under the UNJSPF Regulations²
(As at 26 June 2014)**

(A) Countries which have legalized same-sex marriage

State	Type of Union	Decision/Requirements
Argentina	Marriage	-Marriage certificate issued by Argentina OR Certificate of marriage performed in a foreign country and recognized by Argentina
Belgium	Marriage	-Marriage certificate issued by Belgium OR Certificate of marriage performed in a foreign country and recognized by Belgium
Canada	Marriage	-Marriage certificate issued by Canada OR Certificate of marriage performed in a foreign country and recognized by Canada
Denmark	Marriage	-Marriage certificate issued by Denmark OR Certificate of marriage performed in a foreign country and recognized by Denmark
France	Marriage	-Marriage certificate issued by France OR Certificate of marriage performed in a foreign country and recognized by France
Iceland	Marriage	-Marriage certificate issued by Iceland OR Certificate of marriage performed in a foreign country and recognized by Iceland
Mexico	Marriage	-Marriage certificate issued by one of the states of Mexico which recognize same-sex marriage (i.e. Mexico City and Quintana Roo)

¹ This list is not exhaustive. It includes only those individual cases, which the Fund has reviewed as of to date. The Fund makes every effort to keep the list updated.

² In all cases, **the union should also have been recognized by the employing organization and reported accordingly to the Fund in accordance with Administrative Rule B.3.** The only exception is made in cases that are referred to in paragraph 9 of the Guidelines, where the employing organization has denied the recognition on the basis of its HR policy and the staff member, exceptionally, makes the direct request to the Fund. In all cases, the participant shall provide the Fund with a copy of his/her partner’s passport or other official ID that bears the owner’s photograph and original signature.

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Netherlands	Marriage	-Marriage certificate or certificate of registration of marriage issued by the Netherlands OR Certificate of marriage performed in a foreign country and recognized by the Netherlands
New Zealand	Marriage	-Marriage certificate issued by New Zealand OR Certificate of marriage performed in a foreign country and recognized by New Zealand
Norway	Marriage	-Marriage certificate issued by Norway OR Certificate of marriage performed in a foreign country and recognized by Norway
Portugal	Marriage	-Marriage certificate or certificate of registration of marriage issued by Portugal OR Certificate of marriage performed in a foreign country and recognized by Portugal
Scotland	Marriage	-Marriage certificate issued by Scotland OR Certificate of marriage performed in a foreign country and recognized by Scotland
South Africa	Marriage	-Marriage certificate OR certificate of registration of marriage issued by South Africa or a foreign country
Spain	Marriage	-Marriage certificate issued by Spain OR Certificate of marriage performed in a foreign country and recognized by Spain
Sweden	Marriage	-Marriage certificate issued by Sweden OR Certificate of marriage performed in a foreign country and recognized by Sweden
United Kingdom (England & Wales)	Marriage	-Marriage certificate issued by the United Kingdom OR Certificate of marriage performed in a foreign country and recognized by the United Kingdom
United States	Marriage	-Marriage certificate issued by one of the US states which recognize same-sex marriage (i.e. California, Connecticut, Delaware, District of Columbia, Hawaii, Illinois, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Hampshire, New Jersey, New Mexico, New York, Oregon, Pennsylvania, Rhode Island, Vermont, Washington)
Uruguay	Marriage	-Marriage certificate issued by Uruguay OR Certificate of marriage performed in a foreign country and recognized by Uruguay

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(B) Non-traditional unions/partnerships (only those unions/partnerships establishing a legal relationship of mutual dependence under the national law and therefore having similar legal effects as a marriage are recognized for purposes of survivors’ benefits under UNJSPF Regulations)

State	Type of Union	Decision/Requirements
Argentina	Unión de hecho (civil union) (opposite- & same- sex unions)	-Argentinian court document confirming that the couple has been in a unión de hecho for at least five years
Australia	De facto union (opposite- & same- sex unions)	-Affidavit or statutory declaration prepared in accordance with the laws of Australia, or other proof that the de facto relationship would meet the definition and criteria under the Australian Social Security Act
Austria	Civil partnership (same-sex unions)	-Certificate of civil partnership or registration of partnership issued by Austria OR Certificate of registration of foreign partnership in Austria
Belgium	Cohabitation (opposite- & same- sex unions)	-Not recognized
Brazil	União estável (stable union) (opposite- & same- sex unions)	-Judicial decision issued by a Brazilian court OR declaration before a Brazilian notary in support of the claim that the participant has maintained a união estável recognized under the laws of Brazil for the purpose of eligibility for benefits
	Concubinage (cohabitation) (opposite- & same- sex unions)	Not recognized
Canada	Common law marriage (opposite- & same- sex unions)	-Affidavit or statutory declaration notarized either by a Canadian notary or by a notary in the participant’s current place of residence in support of the request to recognize that the participant has maintained a common law marriage recognized under the laws of Canada for the purpose of eligibility for benefits
Colombia	Union marital de hecho (stable union) (opposite- & same- sex unions)	-Declaration before a Colombian notary or a judge or a notary at the participant’s current place of residence in support of the request to recognize that the participant has maintained a civil partnership recognized under the laws of Colombia for the purpose of eligibility for benefits

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Croatia	Izvanbračne zajednice (cohabitation) (opposite-sex unions)	Not recognized
Denmark	Civil partnership (opposite- & same- sex unions)	-Certificate of civil partnership or registration of partnership issued by Denmark
Ecuador	Union de hecho (civil partnership) (opposite- & same- sex unions)	-Declaration before an Ecuadorian notary or a notary at the participant's current place of residence in support of the request to recognize that the participant has maintained a civil partnership recognized under the laws of Ecuador for the purpose of eligibility for benefits
Finland	Rekisteröity parisuhde (registered partnership) (same-sex unions)	-Certificate of registration of partnership issued by Finland
	Avoliitto (cohabitation) (opposite- & same- sex unions)	Not recognized
France	Pacte Civil de Solidarité (PACS) (opposite- & same- sex unions)	Not recognized; please refer to Special Note below regarding the transitional period (status prior 1 April 2014)
Germany	Eingetragene Lebenspartnerschaft (civil partnership) (same-sex unions)	-Certificate of civil partnership or registration of civil partnership issued by Germany OR Certificate of registration of foreign partnership in Germany
Ireland	Civil partnership (same-sex unions)	-Certificate of civil partnership issued by Ireland
	Cohabitation	Not recognized
Israel	Yeduim Ba' zibur (common law partnership) (opposite- & same- sex unions)	-Cohabitation agreement confirmed by the Israeli Court (the agreement has to be subject to the laws of Israel, and cannot deprive a party to the agreement from his/her rights under the law)
Malta	Civil Union (opposite- & same-sex unions)	-Certified copy of an entry of civil partnership issued by Malta OR Certificate of registration of foreign partnership in Malta

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Mexico	Civil partnership (opposite- & same- sex unions)	-Certificate of ratification and registration of civil partnership agreement in Mexico
Netherlands	Geregistreerd partnerschap (civil partnership) (opposite- & same- sex unions)	-Certificate of partnership or registration of partnership issued by the Netherlands
	Samenlevingscontract (cohabitation) (opposite- & same- sex unions)	Not recognized
New Zealand	Civil partnership (opposite- & same- sex unions)	-Certificate of partnership or registration of partnership issued by New Zealand
	De facto union (opposite- & same- sex unions)	-Affidavit or statutory declaration prepared in accordance with the laws of New Zealand, or other proof that the couple has been in a de facto relationship for more than three years and demonstrates a certain degree of companionship (for example living together on a permanent basis, sharing a household and important financial and social commitments)
Norway	Civil partnership (opposite- & same- sex unions)	-Certificate of civil partnership issued by Norway
Scotland	Civil partnership (same-sex unions)	-Certified copy of an entry of civil partnership issued by Scotland
Slovenia	Registered same-sex civil partnership	-Certificate of registration of same-sex civil partnership issued by Slovenia
	Cohabitation (opposite-sex unions)	-Certificate of joint household record issued by the Administrative Unit, Slovenia (potrdilo iz gospodinjske) AND -Declaration notarized either by a Slovenian notary or by a notary in the participant's current place of residence according to which the participant has maintained a cohabitation recognized under the laws of Slovenia for the purpose of eligibility for benefits
Spain	Pareja de hecho (civil partnership) under the laws of the Asturias region	Not recognized

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Sweden	Registrerat partnerskap (registered partnership) (same-sex unions)	-Certificate of civil partnership or registration of partnership issued by Sweden
	Sammanboende (cohabitation) (opposite- & same- sex unions)	Not recognized
Switzerland	Eingetragene partnerschaft (in German) & Partenariat enregistré (in French) (civil partnership under Swiss Federal law) (same-sex unions)	-Certificate of partnership issued under Swiss Federal law or registration of partnership under Swiss Federal law
	Partenariat cantonal de droit genevois (civil partnership under Cantonal law) (opposite- & same- sex unions)	Not recognized
United Kingdom (England & Wales)	Civil partnership (same-sex unions)	-Certified copy of an entry of civil partnership issued by the United Kingdom OR Certificate of partnership or registration of partnership issued by a foreign country & the partnership is listed in Schedule 20 of the United Kingdom Civil Partnership Act 2004
United States	Same-sex partnership	Affidavit signed by the participant in which he/she declares that he/she has maintained a same- sex partnership for the purpose of eligibility for benefits
	Domestic partnership under the laws of the District of Columbia or New York (opposite- & same- sex unions)	Not recognized

Pacte Civil de Solidarité (PACS), France, transitional period

1. In accordance with French legislation, particularly the decision of the Constitutional Court (*Conseil Constitutionnel*) No. 2011-155 of 29 July 2011, the Fund does not recognize PACS as a union/partnership establishing a legal relationship of mutual dependence under the national law and therefore having similar legal effects as a marriage.
2. However, given that there has not been clarity or legal certainty with regard to the interpretation of articles 34 and 35 of the UNJSPF Regulations in respect of PACS and that possible expectations may have been created for the UNJSPF participants and former participants who had contracted PACS, and whose unions had been reported to and they have been recognized by their employing organizations as “married” for employment benefit purposes, prior to the effective date of these Guidelines, i.e., 1 April 2014, the Fund has exceptionally agreed to the following transitional measures:
 - a) Those UNJSPF participants who have contracted PACS prior to 1 April 2014 will have a two-year period (until 31 March 2016 or prior to the staff member’s separation from service, whichever comes first) to regularize their status vis-à-vis benefits payable by the Fund and enter into a marriage or other union that is recognized by the Fund for the spousal benefit purposes under articles 34 and 35.
 - b) Such a (new) union should be reported to and recognized by the employing organization and reported to the Fund prior to 31 March 2016.
 - c) Partners of those retirees (former UNJSPF participants) (i) who had reported their PACS to their member organizations during the time of their active service and prior to their separation from service; (ii) whose PACS was registered prior to the separation date; and (iii) whose unions the employing organization had recognized and reported to the Fund, will also be eligible to receive spousal benefits. The partner will continue to be eligible to receive spousal benefits if the couple marries after the separation from service of the retiree.
 - d) Any other UNJSPF participant separating from service after 1 April 2014 would need to present a marriage certificate or other form of document attesting to a union that is recognized by the Fund as per the Guidelines above in order to be recognized by the Fund for the purposes of spousal benefits.
 - e) The above concerns French nationals or nationals of other countries who had entered French PACS, provided that the competent national authorities of the country of which the UNJSPF participant is a national had recognized the French PACS under its respective national law; the Fund should be provided with sufficient documentary evidence to that effect.

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f) With effect from 1 April 2014 all new UNJSPF participants (and after 1 April 2016 the currently existing participants who contracted PACS prior to 1 April 2014), are required to provide a marriage certificate or other form of document attesting to a union recognized by the Fund for the purpose of spousal benefits under articles 34 and 35.