

Thousands of marriages at embassies declared illegal

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THOUSANDS of foreign couples who married at their country's embassies in the Republic over the past three years are being told their marriages are invalid and illegal.

The problem has sparked a diplomatic row between the Government and several EU states, which have asked Spain – current holder of the EU presidency – to mediate on their behalf. The decision by the Government also affects the citizens of non-EU states, whose embassies conduct marriage ceremonies.

Last week the General Register Office wrote to all foreign embassies informing them that marriages performed by diplomatic missions were not recognised as marriages unless they conformed to Irish law. The note said marriages would not be legal unless they were performed by an authorised registrar and took place in a registered building which was open to the public.

The guidance issued to embassies follows passage of the 2004 Civil Registration Act, which updated existing laws on registering marriages. It entered into law on 5th November 2007, which means all marriages in embassies since then are invalid.

Several embassies complained yesterday that the communication last week was the first time they had been told performing marriage ceremonies was illegal. “Yes we do have a problem and we no longer take applications for weddings . . . the problem is no one warned us that it was illegal to marry people at the embassy,” said deputy head of the Lithuanian mission, Natalia Baceviciene.

The Lithuanian embassy has performed about 100 marriage ceremonies since 2007 and the Polish embassy has performed about 500. The Department of Foreign Affairs estimates up to 3,000 couples could be affected.

Diplomats fear that unless the Government changes its position, the couples' marriages – which have already been recognised in their home countries – will have to be deregistered. Under international rules, ceremonies deemed illegal in the country they are performed cannot be recognised in the home state, said one diplomat. The decision to rule existing marriages illegal is creating problems for many couples, who have been told by the General Registry Office they cannot register their children in the names of both married parents. Many have been advised to register children in the name of a single parent, which could lead to complex custody, taxation and inheritance issues.

One Polish couple who got married in their embassy in mid-2009 said they were now facing problems registering their son's birth. “Our son Kamil is two weeks old and we can only register his birth as single parents since the Irish Government does not recognize our marriage,” said Adam Goraj. A spokesman for the Department of Foreign Affairs said marriages performed by embassies were not recognised. “We are in contact with the embassy with a view to resolving this issue,” he added.