Objective

The legal status of lesbian, gay, bisexual and transgender (LGBT) people has undergone significant changes in several countries, but remains highly complex and difficult for those affected. Having the right to marry or enter into a registered partnership in one Member State collides with the rights of LGBT people when they exercise their right to freedom of movement. The same is true for certain parent-child relationships.

The conference will explore the challenges and controversies concerning the recognition of LGBT relationships throughout the EU through the lens of EU legislation, the case law of the CJEU and ECtHR and recent national developments. Following the Irish referendum and the recent ECtHR judgment in *Oliari v Italy* more changes are expected in the near future.

Key topics

- Status of same-sex marriage vs registered partnership vs no registration
- Parents' and children's rights
- Law and practice of inter-country adoption
- Cross-border surrogacy
- LGBT people as refugees and immigration rights
- Discrimination on the grounds of sexual orientation
- (Ir)relevance of the sex as a legal category

Who should attend?

Lawyers in private practice and notaries involved in family issues, interest group representatives, ministry officials and academics.

Speakers

Avv Professor Maria Elisa D'Amico, Studio Legale, University of Milan

Tim Amos QC, Barrister, Chambers of Lewis Marks QC, Temple, London

Professor Katharina Boele-Woelki, Dean, Bucerius Law School, Hamburg

Samuel Fulli-Lemaire, Senior Research Fellow, Max Planck Institute for Comparative and International Private Law, Hamburg

Professor Cristina González Beilfuss, Head of External and Institutional Relations of the Spanish Judicial School; University of Barcelona

Dr Neža Kogovšek Šalamon, Director, Peace Institute, Ljubljana

Professor Suzana Kraljić, Faculty of Law, University of Maribor

Professor Ingrid Lund-Andersen, Centre for Studies in Legal Culture, University of Copenhagen

Isabelle Rein-Lescastereyres, Partner, BWG Associés, Paris

Dr Geoffrey Shannon, Solicitor, Special Rapporteur for the Irish Parliament, Dublin

Professor Karsten Thorn, Bucerius Law School, Hamburg

Dr Marjolein van den Brink, Assistant Professor, University of Utrecht

Professor Kees Waaldijk, University of Leiden

Professor Robert Wintemute, King's College London

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SAME-SEX RELATIONSHIPS AND BEYOND: GENDER MATTERS IN THE EU

- PARTNERSHIP, MARRIAGE & PARENTHOOD
- FREE MOVEMENT
- GENDER IDENTITY

Hamburg, 18-19 April 2016
Bucerius Law School
Moot Court
Jungiusstr. 6, 20355 Hamburg

Conference organisers:
Dr Angelika Fuchs (ERA)
in cooperation with
Professor Katharina Boele-Woelki
and Professor Karsten Thorn
(Bucerius Law School)

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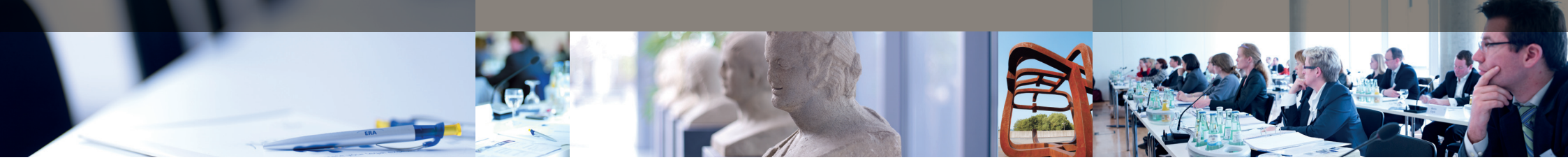

Monday, 18 April 2016

08:30 Arrival and registration of participants

09:00 Welcome
Angelika Fuchs
Katharina Boele-Woelki
Karsten Thorn

Chair: *Karsten Thorn*

I. HOMOSEXUALITY AND HUMAN RIGHTS

09:15 **News from Strasbourg: *Oliari v Italy* and beyond**
Maria Elisa D'Amico

10:00 Discussion

II. MARRIAGE, PARTNERSHIP OR NO REGISTRATION: STATE OF PLAY

10:15 **Northern Europe**
Ingrid Lund-Andersen

10:30 **Central Europe**
Samuel Fulli-Lemaire

10:45 Coffee break

11:15 **Southern Europe**
Cristina González Beilfuss

11:30 **Eastern Europe**
Suzana Kraljić

11:45 **Comparative summary**
Kees Waaldijk

12:15 Discussion

12:45 Lunch

Chair: *Cristina González Beilfuss*

III. PARENTS' AND CHILDREN'S RIGHTS

14:00 **Parenthood for same-sex couples in the EU: key challenges**
Tim Amos QC

14:30 Discussion

14:45 **Recent case law on cross-border surrogacy**
Isabelle Rein-Lescastereyres

15:15 Discussion

15:30 Coffee break

16:00 **Law and practice of intercountry adoption**
Geoffrey Shannon

16:30 Discussion

16:45 **Round table: Parental rights of same-sex couples in the EU**
Moderator: *Karsten Thorn*

- *Cristina González Beilfuss*
- *Suzana Kraljić*
- *Isabelle Rein-Lescastereyres*
- *Geoffrey Shannon*

17:45 End of the first conference day

19:30 Evening programme

Programme may be subject to amendment.
For programme updates: **www.era.int**

Tuesday, 19 April 2016

Chair: *Katharina Boele-Woelki*

IV. EUROPEAN LAW ASPECTS

09:00 **LGBT people as refugees and immigration rights**
Neža Kogovšek Šalamon

09:30 Discussion

09:45 **Discrimination on grounds of sexual orientation**
Robert Wintemute

10:30 Discussion

10:45 Coffee break

V. SEX AS LEGAL CATEGORY?

11:15 **(Prohibition to) change of gender, sterilisation, and divorce requirements: transgenders and human rights**
Marjolein van den Brink

11:45 Discussion

12:00 **Round table: (ir)relevance of the sex as a legal category**
Moderator: *Katharina Boele-Woelki*

- *Tim Amos QC*
- *Neža Kogovšek Šalamon*
- *Marjolein van den Brink*
- *Robert Wintemute*

13:00 **Closing speech**
Katharina Boele-Woelki

13:15 End of the conference