



Recent ECtHR Case Law in Family Matters

Strasbourg, 13-14 February 2020

**UP
GRADE**
YOUR LEGAL
EXPERTISE

**Family
Law**



Speakers

Olga Dmytrenko, Lawyer, Registry of the European Court of Human Rights, Strasbourg

Samuel Fulli-Lemaire, Professor, University of Strasbourg

Michael Hellner, Professor, Stockholm University

Maria-Andriani Kostopoulou, Council of Europe Consultant in Family Law, Strasbourg

Gabriela Lünsmann, Attorney-at-Law, Kanzlei Menschen und Rechte; Member of the Executive Board of the Lesbian and Gay Federation in Germany, Hamburg

Nadia Rusinova, Attorney-at-Law, Lecturer, The Hague University

Ksenija Turković, Judge at the European Court of Human Rights, Strasbourg

Key topics

- Children in European migration law
- Parental rights, pre-adoption foster care and adoption
- Parental child abduction
- Reproductive rights and surrogacy
- LGBTQI rights and gender identity

Language
English

Event number
120D85

Organiser
Dr Angelika Fuchs (ERA)



With the support of the Erasmus+
programme of the European Union

Recent ECtHR case law in family matters

Thursday, 13 February 2020

Visit to the European Court of Human Rights (optional)

- 10:30 Arrival at the main entrance of the Human Rights building (security formalities)
- 10:45 General presentation about the role and the work of the Court
- 12:00 End of the Court visit

Seminar

- 13:30 Arrival and registration of participants
- 14:00 **Welcome and introduction**
Angelika Fuchs

I. FAMILY LAW AND MIGRATION

Moderator: *Nadia Rusinova*

- 14:05 **Children on the move**
- Best interest of the child in European Migration Law
 - Unaccompanied minors (*Khan v France*) and refugee children
 - Unaccompanied children in detention (*HA v Greece; ShD v Greece*)
Ksenija Turković
- 14:40 Discussion
- 15:00 **Family unification and free movement of personal status**
- Family unity under EU and ECHR law (*K.A. v Belgium; Ejimson v Germany*)
 - Recognition of same-sex marriage and free movement (*Coman*)
 - Consequences of "Kafala"
Michael Hellner
- 15:30 Discussion
- 15:45 Coffee break

II. PARENTAL RIGHTS AND RESPONSIBILITIES

Moderator: *Gabriela Lünsmann*

- 16:15 **Parental rights, pre-adoption foster care and adoption**
- Best interest and representation of the child
 - Rights of the biological parents and grandparents (*Strand Lobben v Norway; Bogonosovy v Russia; Haddad v Spain*)
 - Rights of the foster family (*V.D. v Russia*)
Maria-Andriani Kostopoulou
- 16:45 Discussion

Objective

This seminar will present major judgments related to family matters issued by the European Court of Human Rights (ECtHR) in 2019, mainly on

- Children in European migration law
- Parental rights, pre-adoption foster care and adoption
- Parental child abduction
- Reproductive rights and surrogacy
- LGBTQI rights and gender identity

It will provide participants with a detailed understanding of this recent jurisprudence. The spotlight is centred on Article 8 (respect for private and family life). The analysis of the case law of the ECtHR concentrates not only on the legal implications but also on social, emotional and biological factors.

Who should attend?

Lawyers and judges specialised in family law, ministry officials, representatives of NGO's and children's rights organisations.

Venue

ERAGE
4 rue Brûlée
F-67085 Strasbourg

Your contact persons



Dr Angelika Fuchs
Head of Section
European Private Law
afuchs@era.int



Barbara Hense
Assistant
bhense@era.int

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **6.5 CPD hours**.

III. SUBMITTING A CASE TO THE STRASBOURG COURT

- 17:10 **Misconceptions and best practice**
Olga Dmytrenko
- 17:40 Discussion
- 18:00 End of first seminar day
- 19:30 Dinner

Friday, 14 February 2020

IV. PARENTAL RIGHTS AND RESPONSIBILITIES (CONT'D)

Moderator: *Michael Hellner*

- 09:15 **Back on the agenda: International child abduction**
- Wrongful retention (*Adžić v Croatia*)
 - Child abduction in breach of judgments (*Simoes Balbino v Portugal; Andersena v Latvia; Vladimir Ushakov v Russia; Lacombe v France*)
 - Domestic violence and return of children (*OCI v Romania*)
- Nadia Rusinova*
- 09:45 Discussion
- 10:15 **Reproductive rights and surrogacy**
- Ties between the “mother of intent” and the children (*Menesson* and beyond)
 - Recognition of filiation of surrogacy children born abroad
- Samuel Fulli-Lemaire*
- 10:45 Discussion
- 11:15 Coffee break

V. LGBTIQI RIGHTS AND GENDER IDENTITY

- 11:45 **LGBTIQI rights as human rights**
- Registration of LGBT associations (*Alekseyev v Russia; Zhdanov v Russia*)
 - Transsexuals' gender identity (*X v North Macedonia*)
 - National transgender laws in transition
- Gabriela Lünsmann*
- 12:15 Discussion
- 12:50 End of seminar

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

Visit to the European Court of Human Rights (tbc)

Participants will have the opportunity to visit the European Court of Human Rights. The visit will include the screening of a documentary followed by a presentation on the ECtHR's role and work. The visit will take place on Thursday morning. The number of places is limited. Those interested in attending this optional programme are required to inform ERA upon registration. We will meet at the main entrance of the Human Rights Building at 10:30 am. Please foresee enough time before the Court visit for the **security check** at the entrance and bring a **form of ID**. No luggage can be brought into the Court's building.



Evening programme

After an intensive day of training on Thursday you are invited to a joint networking dinner at no extra cost.



Save the date

Annual Conference on European Succession Law
Trier, 14-15 May 2020
Event no.: 120R11

Summer Course on European Family Law
Trier, 22-26 June 2020
Event no.: 120B03

Annual Conference on European Family Law
Trier, 24-25 September 2020
Event no.: 120R15

Registration

Recent ECtHR Case Law in Family Matters

Strasbourg, 13-14 February 2020 / Event Number: 120D85



Registration

Fax: +49 (0) 651 93737-773
E-mail: info@era.int

Online registration:
www.era.int/?129373&en

Postal address:
ERA
Postfach 1640
D-54206 Trier

Location

ERAGE
Ecole régionale des avocats Grand-Est
4 rue Brûlée
F-67085 Strasbourg

Language

English

Contact Person

Barbara Hense
Assistant
bhense@era.int
+49 651 93737120

Accommodation



Hotel Régent Contades
8 Avenue de la Liberté
+33 3 88 150505
www.regent-contades.com
155€ incl. breakfast
Ref: ERA2020



Hotel Gutenberg
31 Rue des Serruriers
+33 3 88 32 17 15
www.hotel-gutenberg.com
12 Febr 159€/13 Febr 110€
incl. breakfast
Ref: ERAGE TREVES

Contact the hotel directly to make your reservation (see para. 16 www.era.int/legalnotice).

Please indicate the event you will attend.



www.era.int/?129373&en

I would like to register for the ERA event mentioned above.

Please update my address (see below). My address (above) is correct Please delete my address

PLEASE USE BLOCK CAPITALS:

Title Ms Mr Other

First Name

Surname

Organisation

Position Tel.

Department

E-Mail

Street

Postcode/City Country

Evening programme: I shall attend the function on 13.2.2020 (at no extra charge).

Registration fee

Fee	Standard	EU & ERA patrons*	Young lawyers & other groups**	Discount Voucher Code (see details below)
Registration by 13/12/2019	€ 440.00 <input type="checkbox"/>	€ 264.00 <input type="checkbox"/>	€ 330.00 <input type="checkbox"/>	€ 330.00 <input type="checkbox"/>
Registration by 13/01/2020	€ 495.00 <input type="checkbox"/>	€ 297.00 <input type="checkbox"/>	€ 371.25 <input type="checkbox"/>	€ 371.25 <input type="checkbox"/>
Registration after 13/01/2020	€ 550.00 <input type="checkbox"/>	€ 330.00 <input type="checkbox"/>	€ 412.50 <input type="checkbox"/>	€ 412.50 <input type="checkbox"/>

* EU and ERA Patrons

- Staff of European Union institutions and agencies;
- Staff of ERA's patrons: all EU Member States (Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom), the German states, Scotland and the City of Trier
- Fellows of the European Law Institute

** Young lawyers & other groups

- For young lawyers up to 30 years of age (important: the participant must provide a copy or details of his or her passport or identity card on registration);
- Full-time staff of universities or comparable academic institutions;
- Staff of charitable organisations or comparable institutions
- Registration of three or more employees from the same organisation

Method of payment

- Credit card For registration with credit card payment please go to our website www.era.int/?129373&en
- Cheque Cheque number
- Bank transfer

I will transfer the registration fee to ERA's account at Deutsche Bundesbank Saarbrücken:
IBAN: DE145900 00 00 00 58501900 – BIC: MARKDEF1590

Important! Please state your name and the event number on the bank transfer.

I confirm my registration and accept the general terms and conditions: www.era.int/legalnotice

Place, Date

Signature