



FAMILY LAW AND HUMAN RIGHTS

Children's rights in times of change

- Protecting children after migration
- Surrogacy and new technologies
- News on recognition of parenthood



Online, 7-8 February 2023

7 February 2023, 9:00-14:00 (CET)

8 February 2023, 9:00-13:15 (CET)

EXCELLENCE IN
EUROPEAN LAW¹

Speakers

Martina Erb-Klünemann, Family Court Judge, Network Judge EJM and International Hague Network of Judges, Hamm

Cristina González Beilfuss, Professor, University of Barcelona

Ivana Jelić, Judge at the European Court of Human Rights, Strasbourg

Alice Margaria, Senior Research Fellow, Department of Law & Anthropology, Max Planck Institute for Social Anthropology, Halle

Boriana Musseva, Attorney-at-Law, Musseva & Ivanov; Associate Professor at Sofia University

Máire Ní Shúilleabháin, Barrister, Associate Professor, Sutherland School of Law, University College Dublin

Velina Todorova, Associate Professor at the University of Plovdiv; Member of the UN Committee on the Rights of the Child, Geneva

Dmytro Tretyakov, Lawyer, Registry of the European Court of Human Rights, Strasbourg

Alina Tryfonidou, Professor at Neapolis University Pafos

Ksenija Turković, Professor at the University of Zagreb; Former Vice-President of the European Court of Human Rights

Maria Vilar Badia, Legal and Policy Officer, Civil Justice, DG Justice and Consumers, European Commission, Brussels

Verena Wodniansky-Wildenfled, Lecturer at the University of Vienna

Olha Zozulia, Head of Division on International Legal Assistance in Civil Matters, Ministry of Justice of the Ukraine, Kyiv

Key topics

- The new Commission proposal on cross-border recognition of parenthood, including a European Certificate on Parenthood
- The war, migration and family law
- Surrogacy and medically assisted procreation
- Recent ECtHR case law on family matters

Language
English

Event number
123D101

Organiser
Dr Angelika Fuchs

Family law and human rights – Children’s rights in times of change

Tuesday, 7 February 2023

08:45 Connecting to the videoconference platform

09:00 **Welcome and introduction**

Angelika Fuchs

I. MIGRATION AND FAMILY LAW

Moderator: *Máire Ní Shúilleabháin*

09:05 **Migrant minors in the ECtHR case law**

- The Court’s concept of vulnerability
- Best interest of the child in European migration law
- Migrant minors in detention

Ksenija Turković

09:35 Discussion

10:00 **Protection of children from Ukraine in the EU**

Martina Erb-Klünemann and Olha Zozulia

10:25 Discussion

10:45 Break

II. PARENTAL RIGHTS AND RESPONSIBILITIES

Moderator: *Martina Erb-Klünemann*

11:00 **Parental rights, adoption and alternative care**

- Best interest and representation of the child
- Rights of the biological parents and grandparents
- Rights of the foster family

Velina Todorova

11:25 Discussion

11:45 **International child abduction**

- Best interest of the child in recent case law
- The grave risk exception

Máire Ní Shúilleabháin

12:10 Discussion

12:30 Break

III. SUBMITTING A CASE TO THE STRASBOURG COURT

Moderator: *Angelika Fuchs*

13:15 **Misconceptions and best practice**

Dmytro Tretyakov

13:45 Discussion

14:00 End of the first seminar day

Objective

This online seminar will present and discuss the new Commission proposal on parenthood of 7 December 2022, current legal issues on migrant minors as well as recent judgments related to parental rights and family matters issued by the European Court of Human Rights (ECtHR).

Key topics include:

- Commission Proposal for a Regulation on jurisdiction, applicable law, recognition of decisions and acceptance of authentic instruments in matters of parenthood and on the creation of a European Certificate of Parenthood of 7 December 2022
- War in Ukraine, migration and family law
- Family life after medically assisted procreation including surrogacy
- Parental rights and alternative care
- International child abduction

Who should attend?

Family lawyers, lawyers in private practice and notaries involved in family litigation, judges, ministry officials, representatives of NGOs and children’s rights organisations, academics.

What participants liked last year

“Outstanding interactive webinar”

“High quality of the speakers”

“Top level of speakers”

“Excellent experience on all counts”

Interactive online seminar

The seminar will be hosted on the Zoom videoconferencing platform. The highest security settings will be applied. You will be able to interact immediately and directly with our top-level speakers and other participants. We will make the most of the technical tools available to deliver an intensive, interactive experience.

Wednesday, 8 February 2023

08:50 Connecting to the videoconference platform

IV. PARENTHOOD AFTER MEDICALLY ASSISTED PROCREATION

Moderator: *Verena Wodniansky-Wildenfeld*

- 09:00 **Legal parenthood for children born through surrogacy?**
Recent ECtHR case law
Ivana Jelić
- 09:30 Discussion
- 09:50 **Family life before and after medically assisted procreation**
- Access to medically assisted procreation
 - Contact rights
- Alice Margaria*
- 10:15 Discussion
- 10:30 Break

V. RECOGNITION OF PARENTHOOD

Moderator: *Cristina González Beilfuss*

- 10:45 **Recognition of co-motherhood in the EU – recent reforms and case law in the Member States**
Verena Wodniansky-Wildenfeld
- 11:15 Discussion
- 11:30 **The new Commission proposal on parenthood**
Maria Vilar Badia (recorded presentation)
- 12:10 Short break
- 12:15 **Panel discussion: A European Certificate of Parenthood – How far will it reach?**
Verena Wodniansky-Wildenfeld
Alina Tryfonidou
Boriana Musseva
- 13:15 End of the online seminar

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



**Times indicated are CET
(Central European Time)**

Your contact persons



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More information:

www.era.int/?131791&en

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Save the date

Summer Course on European Family Law

Online, 19-23 June 2023
123B03

Annual Conference on European Family Law

Trier & Online, 21-22 September 2023
123R15

Registration

Family law and human rights – Children's rights in times of change

Online, 7-8 February 2023 / Event number: 123D101



Registration

Online registration:
www.era.int/?131791&en



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- 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

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