

LGBTQI+ Seminars

Organized by The LGBTQI+ Working Group of the **Berkeley Center on Comparative Equality & Anti-Discrimination Law**

May 8th, from 3:00 PM to 6:00 PM



Human Rights Center A. Papisca
University of Padova - Via Beato Pellegrino, 28

The Family Rights of LGB Persons under European law

Dr. Alina Tryfonidou (University of Cyprus)



This seminar will offer an in-depth analysis of the family rights of LGB persons under European law (i.e. EU law and the ECHR). We will begin by examining the issue of same-sex marriage, clarifying that neither EU law—due to its lack of competence in substantive family law—nor the ECHR—as interpreted by the ECtHR—requires Member States to permit same-sex marriage within their jurisdictions (Coman (2018); Schalk and Kopf (2010)). However, it will be highlighted that the ECHR imposes a positive obligation on signatory states to establish a legal framework that allows same-sex couples to formalise their relationships (Oliari and others v. Italy (2015); Fedotova v. Russia (2023)). Following this, the seminar will explore the complexities surrounding the cross-border recognition of same-sex relationships. The seminar will conclude by examining the solutions (currently and potentially) offered by European law for securing the cross-border recognition of the parenthood of the children of same-sex parents.

International Protection on grounds of Sexual Orientation and Gender Identity in the EU

Dr. Türkan Ertuna Lagrand (Utrecht University)



The European Union (EU) serves as a safe haven for individuals fleeing persecution or serious harm in their country of origin. The Common European Asylum System allows LGBTI individuals to escape homophobia and transphobia in their home countries and take refuge in the EU. The relevant EU legislation and the relevant case-law has been very instrumental in offering protection to these people. Yet, the refugee status determination for claims based on sexual orientation and gender identity (SOGI) across the EU is tainted by various issues, mainly centered around the credibility assessment. In this seminar, first a brief overview of the asylum process will be provided for, following which the focus will be put on the specific challenges faced by LGBTI individuals applying for international protection in the EU. The relevant case-law will be introduced and critically assessed regarding their shortcomings. At the end of the seminar, participants will have learnt about the asylum rules, how they are applied to claims based on SOGI by national authorities and how the Court of Justice of the EU has contributed to improving the situation.

Constitutional Courts and LGBTQI+ rights: the Italian case

Michele Di Bari (Università di Padova)



The Italian case-study provides a clear example of how a constitutional court can show significant deference to the legislative branch, particularly in matters concerning LGBTQI+ rights. This seminar will delve into Italian constitutional case law, focusing on decisions rendered between 2010 and 2024. The seminar will examine the evolution from judgment no. 138/2010 to judgment no. 66/2024, highlighting how a significant shift can be observed: Italian judges have now recognized civil unions as social formations deserving the same degree of protection as marital unions. Finally, the seminar will address the legislative restrictions on access to both adoption and medically assisted reproduction techniques for same-sex couples. It will emphasize how these limitations are not constitutionally mandated options, but rather fall within a (wide) margin of discretion that the legislator still exercises.

May 9th, from 9:30 AM to 12:30 PM

Law as an instrument of repression against LGBTQI+ people

Sergei Katsuba, PhD candidate (University College Dublin)



This seminar will explore the use of law as an instrument of political repression in Russia, focusing on how legal mechanisms have been strategically employed by the authoritarian regime to suppress and marginalize the LGBTQ community. Through an examination of the legal framework and its alignment with the principles of the rule of law, the seminar will highlight the erosion of legal safeguards that would typically prevent arbitrary state actions. A significant focus will be placed on the empirical analysis of hate crimes against LGBTQ individuals, revealing a troubling rise in violence that coincides with the enactment of the "gay propaganda law." The seminar will present data documenting hate crimes between 2010 and 2024, with the rate of such crimes tripling following the law's introduction.

AI and LGBTQI+ rights

Masuma Shahid, PhD candidate (Erasmus University Rotterdam)



Since its genesis, artificial intelligence (AI) is progressively being developed and applied to various aspects of daily life. In this seminar, we will discuss how AI affects the LGBTQ+ community and individuals specifically. Positive applications have helped the LGBTQ+ community to improve in areas such as health, safety, the promotion of non-discrimination and more. Examples are for instance machine learning models for suicide prevention and AI-powered social media facilitating the creation of digital (safe) spaces. This seminar also ventures into various forms of legislation adopted by the EU and the CoE to regulate AI and that pertain to the LGBTQ+ community and its rights. Finally, this seminar will also discuss the possibility of "queering AI", i.e. to apply queer theory and the technique of deconstruction in the developmental stages of AI to expose any underpinnings, assumptions and/or beliefs that underlie the interpretation of sexuality, sexual orientation and gender (identity) in AI programming and applications.

Event info

Here's what you need to know:



LOCATION: The seminars will be held at the **Human Rights Centre Library**, located in Via Beato Pellegrino, 28 - 35137 Padova.



LIMITED IN-PERSON SPOTS AVAILABLE: We're offering a chance to attend the seminars on campus, but **seats are limited**. Don't miss out on this opportunity to engage face-to-face with speakers and fellow attendees!



FIRST COME, FIRST SERVED: To keep things fair, we're allocating in-person spots on a first-come, first-served basis. So, if you're keen to join us on campus, be sure to **register at this link** [REGISTER NOW](#)



ZOOM OPTION FOR EVERYONE: Can't make it in person? No worries! Register at this link to join remotely via Zoom [REGISTER NOW](#)



For more details about the seminar series and the speakers, please refer to the flyer.



If you need help, please send an e-mail to: michele.dibari@unipd.it

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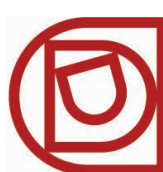
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