

## The recognition and protection of families based on same-sex couples

23 June, Fortuna Hall, Intercontinental Hotel, Bucharest

### *Invitation*

Friedrich-Ebert-Stiftung in Romania and the Anti-discrimination Coalition have the pleasure of inviting you to the debate on the *Recognition and protection of families based on same-sex couples*. The event is organized in the framework of Bucharest Pride 2016 and aims to bring to the attention of legal practitioners and specialists several problematic legislative gaps regarding the recognition and protection of same-sex couples and families. The event will also constitute the launch of the Expert Report conducted by PD Dr. Friederike Wapler for Friedrich-Ebert-Stiftung, concerning **Constitutionality issues of opening the marriage to same-sex couples**. At the same time, we will be joined in the panel by Judge Cristian Danileț, member of the National Council of Magistrates.

The vast majority of European Union countries recognize either marriage or civil partnership, as a form of protecting same-sex families. Families based on same-sex couples are recognized either through marriage or civil partnership in 21 EU Member States: Sweden, Finland, Portugal, Spain, UK, Ireland, Italy, Netherlands, Denmark, France, Luxembourg, Belgium, Slovenia, Austria Germany, Croatia, Malta, Hungary, Estonia, Czech Republic and Greece, plus Iceland and Norway. We should also remember the important moment in the summer of 2015, when the Constitutional Court of the US ruled that all American citizens regardless of sexual orientation, can get married. In contrast, only seven EU countries prohibit same-sex marriage in their Constitution. Bulgaria, Hungary, Latvia, Lithuania, Poland, Croatia and Slovakia. It should be noted that while prohibiting marriage, Croatia and Hungary ensured that couples of the same sex have the legal possibility to be recognized as a family through partnership, that produces economic and civil rights similar to those deriving from marriage.

Homophobia and discriminatory social attitudes lead to the lack of adequate protection for same sex families. Lawmakers are placed in a difficult position at the intersection of human rights and voter perceptions. Both politicians and legal experts must ask themselves whether legal norms should follow or form public perception of LGBT rights. Even if the question is a legitimate one, one must not forget that the life and well-being of hundreds of thousands of Romanians is at stake.

The event takes place on Thursday, June 23, at 09:30 in Bucharest, at the Intercontinental Hotel, 4 Nicolae Balcescu Boulevard, Fortuna Hall, 21<sup>st</sup> floor. Please confirm your participation by Wednesday, 22 June 2016 to [teodora@acceptromania.ro](mailto:teodora@acceptromania.ro) or 0723503162.

Sincerely,

Cosmin Bebu-Vîjjanu,  
President,  
ACCEPT Association

Stephan Meuser,  
Friedrich-Ebert-Stiftung Representative in Romania and  
Moldova

## The recognition and protection of same sex relationship – a constitutional right?

23 June 2016, Fortuna Hall, Hotel Intercontinental

### Agenda

---

<b>09:30 – 10:00</b>	<b>Welcome coffee</b>
----------------------	-----------------------

---

<b>10:00 – 10:10</b>	Introduction and welcoming speeches by: Stephan Meuser, <i>Representative in Romania and the Republic of Moldova, Friedrich-Ebert-Stiftung</i> Matthias Mau, <i>Head of the Legal and Consulate Department, German Embassy Bucharest</i> Cosmin Bebu-Vijianu, <i>President - ACCEPT Association</i>
----------------------	--

---

<b>10:10 – 10:15</b>	Protecting same sex families – the Romanian context and existing issues <i>Panel introduction</i> Iustina Ionescu, <i>ACCEPT Association</i>
----------------------	--

---

<b>10:15 – 12:30</b>	<b>Panel Discussion – Existing legal norms and constitutional debates: how do we protect same sex families?</b>  Should same sex couples forming already established families find recognition and constitutional provisions or secondary legislation? A vast majority of European Union member states grant a certain legal status to same sex relationships, either through civil law regulation – the registered partnership or civil union, either constitutionally, through equal marriage. However, societal attitudes on the topic weigh heavily on the minds of Eastern European lawmakers and legal experts. Homophobic sentiments still dominate the public perception of LGB individuals, and, as such, a tortuous debate ensues – should legal norms follow or shape public perception? While the question itself is legitimate, we should not forget that at stake is the life, wellbeing and happiness of a few hundred thousand Romanian citizens. Panelists: 1. PD Dr. Friederike Wapler, Frankfurt am Main University <i>Constitutional issues in protecting same sex families – the German case study</i> 2. Cristi Danileț, Member of the National Council for Magistrates <i>Ethical concerns regarding the ongoing citizen initiative to restrict the definition of family in the Romanian Constitution</i> 3. Raluca Gheorghiu, Attorney, Law Offices of Ionescu and Sava <i>Protecting LGBTI rights as human rights and the legal consequences of same sex marriage</i>  Moderated by Iustina Ionescu, lawyer, <i>ACCEPT Association</i>
----------------------	--

---

<b>12:30 – 13:00</b>	Lunch buffet
----------------------	--------------

---