

Friday, 8 November 2019

## GENDER IN LAW AND COURTS: UNEASY ENCOUNTERS?

Sala del Consiglio, Villa Salviati, European University Institute

### Programme

8.30 – 09.00 CONFERENCE REGISTRATION

09.00 – 09.10 WELCOME ADDRESS

**Prof Deirdre Curtin**, Head of Law Department, EUI.

09.10 – 10.00 KEYNOTE SPEECH: *Gender, Feminism and Men*

**Prof Mathias Möschel**, Professor of comparative constitutional law, human rights law and non-discrimination law, Central European University.

10.00 – 11.20 PLENARY SESSION

#### Panel 1: The Bonds of Gendered Law

**Chair:** Prof Martin Scheinin (Law Department, EUI)

- **Prof Véronique Boillet** (University of Lausanne): *Access to political rights in Switzerland: Criticism of the naturalisation procedure as a source of exclusion.*
- **Prof Marie Mercat-Bruns** (CNAM and Sciences Po) and **Sophia Ayada** (EUI): *Gender stereotypes and systemic discrimination: The two sides of the same coin?*
- **Sylvie Armstrong** (EUI): *Love is love: Abandoning sexual requirements in the law of marriage.*
- **Prof Susanna Mancini** (University of Bologna): *Neo-patriarchal fantasies: The construction of 'gender theory' as a threat to national identity.*

11.20 – 11.35 TEA & COFFEE

11.35 – 11.40 **Publishing in the *European Journal of Legal Studies*:** Anna Krisztián, Editor-in-Chief

11.40 – 13.00 PLENARY SESSION

#### Panel 2: Sex Characteristics and Gender Identities Beyond Binaries

**Chair:** Prof Siri Gloppen (PluriCourts and University of Bergen)

- **Dr Nausica Palazzo** (Bocconi University): *The impact of post-structuralism on grounds of gender and sex: ECtHR, anything to declare?*
- **Prof Matteo Winkler** (HEC Paris): *Women 'but maybe not 100%': Gender diversity and sport arbitration after Semenya v IAAF.*
- **Matteo Bassetti** (University of Essex): *A critical analysis of transgender jurisprudence: From the right to private life to cruel and inhuman or degrading treatment.*
- **Prof Russell K. Robinson** (UC Berkeley School of Law): *Legal recognition of non-binary identities.*

13.00– 14.15 LUNCH BREAK

Lunch at *Villa Salviati, Grotte* for conference speakers.

## PARALLEL SESSIONS: PANELS 3 and 4

### 14.15 – 15.15 Panel 3: International Judicial Responses to Gender-Based Violence

**Chair:** Prof Neha Jain (Law Department, EUI)

- **Dr Ciara O’Connell** (University of Dublin): *The European Committee for the Prevention of Torture and the gendered experience of imprisonment.*
- **Prof Ciarán Burke** and **Alexandra Molitorisová** (Friedrich Schiller University Jena): *Does the Istanbul Convention understand female-on-male violence in intimate relationships as self-defence.*
- **Angela Hefti** (University of Lucerne and Robina Fellow at ECtHR): *No more impunity: Femicide and state responsibility under international law.*

### 14.15 – 15.15 Panel 4: Rethinking Gendered Categorisations

**Chair:** Prof Vanessa Grotti (Robert Schuman Centre for Advanced Studies, EUI)

- **Maria Y Lee** (University of Vienna): *Sex-segregated services and the recognition of sex/gender.*
- **Lena Holzer** (Graduate Institute of International and Development Studies): *The relevance of legally registered gender categories for equality politics with insights from race studies.*
- **Dr Charlotte Helen Skeet** (University of Sussex): *The uneasy encounter between Muslim women and the ECtHR: Orientalism as a gendered epistemic limit in European Court of Human Rights judgments.*

## PARALLEL SESSIONS: PANELS 5 and 6

### 15.20 – 16.30 Panel 5: The ‘Justice’ of Gendered Jurisprudence

**Chair:** Prof Johanna Niemi (University of Turku)

- **Masuma Shahid** (Erasmus University Rotterdam): *How do European courts approach the sensitive topic of same-sex marriage? A comparative analysis of the case law of the ECtHR and the CJEU in the field of equal marriage rights.*
- **Beril Önder** (University of Strasbourg and Ghent University): *ECtHR and sex discrimination complaints raised by male applicants under Article 14: The need for a balanced approach between positive discrimination and gender stereotyping.*
- **Prof Eugenia Caracciolo di Torella** (University of Leicester Law School) and **Dr Alice Margaria** (Max Planck Institute for Social Anthropology): *Fathers as gendered subjects before European supra-national courts.*
- **Prof Shazia Choudhry** (Queen Mary University of London Law School): *The ways that domestic abusers use paternal visitation rights law to persecute former partners and their children.*

### 15.20– 16.30 Panel 6: Contingent Identities? International Perspectives on Legal Gender Recognition

**Chair:** Prof Andreas Føllesdal (PluriCourts and University of Oslo)

- **Pieter Cannoot** (Ghent University): *Pathologising conditions for legal gender recognition at the international stage: Who are we really treating?*
- **Dr Marjolein van den Brink** (Utrecht Law School): *"Breaking up is hard to do": Adding another layer of misery in already hard times - The (un)acceptability of divorce as a condition for change of gender in international human rights law.*
- **Dr Peter Dunne** (University of Bristol Law School): *Age limitations for legal gender recognition: A human rights analysis.*
- **Jens T. Theilen** (Helmut-Schmidt University): *Non-binary gender in international law and courts: A haunting non-presence.*

16.30 – 16.45      **TEA & COFFEE**

16.45 – 18.15      **PLENARY SESSION**

**Panel 7: Gender between Courts and Politics**

**Chair:** Prof Lucia Re (University of Florence)

- **Prof Christine Goodman** (Pepperdine University School of Law): *Clearing the bench: Using mandatory retirement to promote gender parity in the judiciary.*
- **Prof Maria Caterina La Barbera** (Nebrija University): *The concept of ‘gender discrimination’ in the jurisprudence of the IACtHR: Towards transformative legal categories and measures.*
- **Dr Elena Brodeală** (Yale Law School’s Robina Fellow, ECtHR): *Gender discrimination in the post-Communist space and the European Court of Human Rights: A case study on Romania.*
- **Prof Siri Gloppen** (PluriCourts and University of Bergen): *International Sexual and Reproductive Rights Lawfare.*
- **Prof Susan Millns** (Canterbury Christ Church University): *The hidden (a)gender of Brexit: Losing the protection of European supranational gender justice.*

18.15 – 18.20      **FINAL REMARKS**

19.00                **BUS TO CONFERENCE SPEAKERS DINNER**

19.30                **CONFERENCE SPEAKERS DINNER**  
*Pensione Bencistà (Via Benedetto da Maiano 4, 50014, Fiesole)*

\*\*\* Interested participants are kindly requested to register on the [EUI Events Page](#) \*\*\*