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Palabra clave "adopción"

14 Resultado(s) encontrado(s)

Fecha de creación : 19-04-2024

[The rights of LGBTI people in the European Union](#)

Tipo de publicación Briefing

Fecha 11-05-2021

Autor DE GROOT DAVID ARMAND JACQUES GERA

Ámbito político Asuntos de género, igualdad y diversidad

Palabra clave adopción | análisis económico | ASUNTOS SOCIALES | construcción europea | DERECHO | Derecho penal | derechos humanos | derechos y libertades | discriminación basada en la orientación sexual | ECONOMÍA | estadística de la UE | estrategia de la UE | familia | identidad de género | igualdad de trato | matrimonio | procreación artificial | UNIÓN EUROPEA | violencia sexual

Resumen The prohibition of discrimination and the protection of human rights are important elements of the EU legal order. Nevertheless, discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) people persists throughout the EU and takes various forms, including verbal abuse and physical violence. Sexual orientation is now recognised in EU law as grounds of discrimination. However, the scope of the provisions dealing with this issue is limited and does not cover social protection, health care, education or access to goods and services, leaving LGBTI people particularly vulnerable in these areas. Moreover, EU competence does not extend to recognition of marital or family status. In this area, national regulations vary, with some Member States offering same-sex couples the right to marry, others allowing alternative forms of registration, and yet others not providing any legal status for same-sex couples. Same-sex couples may or may not have the right to adopt children and to access assisted reproduction. These divergent legal statuses have implications, for instance, for partners from two Member States with different standards who want to formalise/legalise their relationship, or for same-sex couples and their families wishing to move to another Member State. Combating discrimination has become part of EU internal and external policies, and is the subject of numerous resolutions of the European Parliament. However, action in this area remains problematic when it touches on issues pertaining to areas traditionally reserved to Member States, such as marital status and family law. This is a further updated version of a briefing originally drafted by Piotr Bakowski. The previous edition, from November 2020, was by Rosamund Shreeves.

Briefing [EN](#)

Multimedia [The road to LGBTI equality](#)

[The rights of LGBTI people in the European Union](#)

Tipo de publicación Briefing

Fecha 16-05-2019

Autor SHREEVES Rosamund

Ámbito político Asuntos de género, igualdad y diversidad | Espacio de libertad, seguridad y justicia

Palabra clave adopción | ASUNTOS SOCIALES | ayuda de la UE | construcción europea | Convención Europea de Derechos Humanos | DERECHO | derechos humanos | derechos y libertades | discriminación basada en la orientación sexual | ECONOMÍA | Estado miembro UE | familia | GEOGRAFÍA | geografía económica | identidad de género | libertad sexual | matrimonio | política económica | política internacional | programa de la UE | RELACIONES INTERNACIONALES | situación familiar | UNIÓN EUROPEA

Resumen The prohibition of discrimination, and the protection of human rights are important elements of the EU legal order. Nevertheless, discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons persists throughout the EU, taking various forms including verbal abuse and physical violence. Sexual orientation is now recognised in EU law as grounds of discrimination. However, the scope of the provisions dealing with this issue is limited and does not cover social protection, healthcare, education and access to goods and services, leaving LGBTI people particularly vulnerable in these areas. Moreover, EU competence does not extend to recognition of marital or family status. In this area, national regulations vary, with some Member States offering same-sex couples the right to marry, others allowing alternative forms of registration, and yet others not providing any legal status for same-sex couples. Same-sex couples may or may not have the right to adopt children and to access assisted reproduction. These divergent legal statuses have implications, for instance, for partners from two Member States with different standards who want to formalise/legalise their relationship, or for same-sex couples and their families wishing to move to another Member State. Combating discrimination has become part of EU internal and external policies, and the subject of numerous resolutions of the European Parliament. However, action in this area remains problematic when it touches on issues pertaining to areas traditionally reserved to Member States, such as marital status and family law. This is a further updated version of a Briefing originally drafted by Piotr Bakowski. The previous edition was published in June 2018.

Briefing [EN](#)

Private international law in a context of increasing international mobility: challenges and potential

Tipo de publicación Estudio

Fecha 12-06-2017

Autor externo Sabine Corneloup (coordinator), Professor at the University Paris II Panthéon-Assas, France, member of TEE
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Costanza Honorati, Professor at the University of Milano-Bicocca, member of TEE
Fabienne Jault-Seseke (coordinator), Professor at the University of Versailles Saint-Quentin, France, member of TEE, member of GEDIP
Thalia Kruger, Professor at the University of Antwerp, Belgium, member of TEE
Caroline Rupp, Junior Professor at the Julius-Maximilians-University Würzburg, Germany, member of TEE
Hans van Loon, Former Secretary General of the Hague Conference on Private International Law, member of GEDIP
Jinske Verhellen (coordinator), Professor at the Ghent University, Belgium, member of TEE

Ámbito político Adopción de legislación por el PE y el Consejo | Derecho de la UE: sistema jurídico y actos legislativos | Derechos humanos | Espacio de libertad, seguridad y justicia | Evaluación de la legislación y las políticas en la práctica

Palabra clave adopción | ASUNTOS SOCIALES | convención ONU | cooperación transfronteriza | demografía y población | DERECHO | Derecho civil | Derecho civil | Derecho de extranjería | Derecho internacional | Derecho matrimonial | Estado miembro UE | extranjero | familia | GEOGRAFÍA | geografía económica | integración de los migrantes | movimientos migratorios | política de cooperación | política internacional | política migratoria | refugiado | RELACIONES INTERNACIONALES | residencia | seguridad internacional

Resumen This study, commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the JURI Committee, will be presented during a Workshop dedicated to potential and challenges of private international law in the current migratory context. While Private International Law governs private relations between persons coming from or living in different States, migration law regulates the flow of people between States. The demarcation between these two areas of law seems clear, but in practice it is not. Rights related to migration are often linked to private relations (marriage, parentage) or personal status (age). The EU should have a coherent approach in these areas, both internally and in relations with third States. Authorities active in the different areas must coordinate their work.

Estudio [EN](#)

The rights of LGBTI people in the European Union

Tipo de publicación Briefing

Fecha 12-05-2017

Autor SHREEVES Rosamund

Ámbito político Asuntos de género, igualdad y diversidad | Espacio de libertad, seguridad y justicia

Palabra clave adopción | ASUNTOS SOCIALES | construcción europea | DERECHO | derecho de adopción | derecho de asilo | Derecho de la Unión Europea | Derecho internacional | Derecho matrimonial | derechos y libertades | directiva (UE) | discriminación basada en la orientación sexual | espacio de libertad, seguridad y justicia | familia | financiación de la UE | finanzas de la Unión Europea | libre circulación de personas | programa de la UE | situación familiar | unión civil | UNIÓN EUROPEA

Resumen The prohibition of discrimination and the protection of human rights are important elements of the EU legal order. Nevertheless, discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons persists throughout the EU, taking various forms including verbal abuse and physical violence. Sexual orientation is now recognised in EU law as a ground of discrimination. However, the scope of these provisions is limited and does not cover social protection, healthcare, education and access to goods and services, leaving LGBTI people particularly vulnerable in these areas. Moreover, EU competence does not extend to recognition of marital or family status. In this area, national regulations vary, with some Member States offering same-sex couples the right to marry, others allowing alternative forms of registration, and yet others not providing any legal status for same-sex couples. Same-sex couples may or may not have the right to adopt children and to access assisted reproduction. These divergent legal statuses have implications, for instance, for partners from two Member States with different standards who want to formalise/legalise their relationship or for same-sex couples and their families wishing to move to another Member State. Combating discrimination has become part of EU internal and external policies and the subject of numerous resolutions of the European Parliament. However, action in this area remains problematic when it touches on issues pertaining to areas traditionally reserved to Member States, such as marital status and family law. This is a further updated version of a briefing originally drafted by Piotr Bakowski. The previous edition was published in May 2016, PE 582.031.

Briefing [EN](#)

[Maternity, paternity and parental leave in the EU](#)

Tipo de publicación Briefing

Fecha 06-03-2017

Autor PRPIC Martina

Ámbito político Asuntos de género, igualdad y diversidad | Empleo | Política social

Palabra clave adopción | ASUNTOS SOCIALES | baja por maternidad | demografía | demografía y población | DERECHO | derechos y libertades | familia | fecundidad | guarda de niños | igualdad de género | igualdad de trato | licencia parental para los hombres | licencia por guarda legal | natalidad | plan de pensiones | prestación por maternidad | protección social | vida social

Resumen The EU has been working on reforming family leave policies in Member States since the 1980s. Its efforts resulted in two currently valid directives: the 1992 Maternity Leave Directive and the 2010 Parental Leave Directive. Even though EU Member States' transposition of the current directives has been mostly satisfactory technically, in 2015 the Commission announced a package on work-life balance which would replace the current legislation. The rationale for the new package is increasing female labour participation, bringing gender balance to care activities now predominantly performed by women, and improving negative demographic trends. The current legislative framework has been evaluated as inadequate to deal with these challenges. While the content of the Commission proposal is not yet fully known, an analysis of the current situation may shed light on the direction of change, as well as the obstacles that the new proposal may face. Even though Member States have transposed the current directives, they have also been given much freedom in deciding on elements which may be crucial in achieving the aims of the new Commission proposal. Why Member States decided to implement certain elements over others depends on their cultural, social and economic situations, which, according to experts, play a significant role in deciding policies of that type and may also influence the new proposal.

[Briefing](#) [EN](#)

[Cross-border aspects of adoptions](#)

Tipo de publicación De un vistazo

Fecha 26-01-2017

Autor SHREEVES Rosamund

Ámbito político Asuntos de género, igualdad y diversidad | Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Espacio de libertad, seguridad y justicia

Palabra clave adopción | ASUNTOS SOCIALES | cooperación transfronteriza | DERECHO | derecho de adopción | derechos del niño | derechos y libertades | familia | iniciativa legislativa | libertad de circulación | política de cooperación | RELACIONES INTERNACIONALES | trabajos parlamentarios | VIDA POLÍTICA

Resumen At present, there is no guarantee that domestic adoptions carried out in one EU Member State will be recognised automatically in another. The resulting hurdles facing families who move to another EU country after adopting a child can interfere with their freedom of movement, harm children's rights, and impose significant costs. The European Parliament has identified scope for EU legal action in this area and further cooperation on several other cross-border aspects of adoption. A legislative own-initiative report is due to be debated in plenary in February.

[De un vistazo](#) [EN](#)

[Cross-border Placement of Children in the European Union](#)

Tipo de publicación Estudio

Fecha 25-05-2016

Ámbito político Adopción de legislación por el PE y el Consejo | Derecho de la UE: sistema jurídico y actos legislativos | Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Peticiones al Parlamento Europeo

Palabra clave adopción | ASUNTOS SOCIALES | competencia jurisdiccional | cooperación judicial | DERECHO | derecho de adopción | derecho de custodia | Derecho de la UE | Derecho de la Unión Europea | Derecho privado | Derecho público | derechos del niño | derechos y libertades | Estado miembro UE | familia | fuentes y ramas del Derecho | GEOGRAFÍA | geografía económica | jurisprudencia (UE) | organización de la justicia | política de cooperación | protección de la infancia | RELACIONES INTERNACIONALES | responsabilidad de los padres | UNIÓN EUROPEA | vida social

Resumen This study, commissioned by the Policy Department for Citizens' Rights and Constitutional Affairs at the request of the JURI Committee, explores the range and nature of problems linked to the cross-border placement of children and to the application of article 56 of the Brussels IIa Regulation. Based on an analysis of the practice in 12 Member States and European case law, it identifies a number of shortcomings in the current legislative framework. Looking ahead to the recast of Brussels IIa, the study sets out recommendations to remedy some of the weaknesses, such as clarifying the respective tasks of the Member States involved in cross-border placement cases and facilitating the recognition and enforcement of cross-border placement orders.

[Estudio](#) [EN](#)

[The rights of LGBTI people in the European Union](#)

Tipo de publicación Briefing

Fecha 17-05-2016

Autor BAKOWSKI Piotr | LILIENKAMP Marc | SHREEVES Rosamund

Ámbito político Asuntos de género, igualdad y diversidad | Espacio de libertad, seguridad y justicia

Palabra clave adopción | ASUNTOS SOCIALES | construcción europea | DERECHO | derecho de adopción | derecho de asilo | Derecho de la Unión Europea | Derecho internacional | Derecho matrimonial | derechos y libertades | directiva (UE) | discriminación basada en la orientación sexual | espacio de libertad, seguridad y justicia | Estado miembro UE | familia | financiación de la UE | finanzas de la Unión Europea | GEOGRAFÍA | geografía económica | libre circulación de personas | programa de la UE | situación familiar | unión civil | UNIÓN EUROPEA

Resumen The prohibition of discrimination and the protection of human rights are important elements of the EU legal order. Nevertheless, discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons persists throughout the EU, taking various forms including verbal abuse and physical violence. Sexual orientation is now recognised in EU law as a ground of discrimination. However, the scope of these provisions is limited and does not cover social protection, healthcare, education and access to goods and services, leaving LGBTI people particularly vulnerable in these areas. Moreover, EU competence does not extend to recognition of marital or family status. In this area, national regulations vary, with some Member States offering same-sex couples the right to marry, others allowing alternative forms of registration, and yet others not providing any legal status for same-sex couples. Same-sex couples may or may not have the right to adopt children and to access assisted reproduction. These divergent legal statuses have implications, for instance, for partners from two Member States with different standards who want to formalise/legalise their relationship or for same-sex couples and their families wishing to move to another Member State. Combating discrimination has become part of EU internal and external policies and the subject of numerous resolutions of the European Parliament. However, action in this area remains problematic when it touches on issues pertaining to areas traditionally reserved to Member States, such as marital status and family law. This is an updated version of a briefing published in May 2015.

Briefing [EN](#)

[Adoption without Consent - Update 2016](#)

Tipo de publicación Estudio

Fecha 12-05-2016

Autor externo Claire FENTON-GLYNN (University of Cambridge, the UK)

Ámbito político Derecho de la UE: sistema jurídico y actos legislativos | Espacio de libertad, seguridad y justicia | Peticiones al Parlamento Europeo

Palabra clave adopción | ASUNTOS SOCIALES | competencia jurisdiccional | construcción europea | cooperación judicial civil en la Unión Europea | DERECHO | Derecho comparado | Estado miembro UE | Europa | familia | fuentes y ramas del Derecho | GEOGRAFÍA | geografía económica | Inglaterra | justicia | organización de la justicia | Parlamento | patria potestad | País de Gales | petición | procedimiento judicial | protección de la infancia | protección social | regiones de los Estados miembros de la UE | responsabilidad de los padres | servicio social | tutela | UNIÓN EUROPEA | VIDA POLÍTICA | vida social

Resumen This study – commissioned by the European Parliament's Policy Department for Citizens' Rights and Constitutional Affairs at the request of the Committee on Petitions – examines the law and practice in England in relation to adoption without parental consent, in comparison to other jurisdictions within the European Union, including on the basis of petitions submitted to the European Parliament on the matter. It further details the procedures followed by the English courts in relation to child protection proceedings involving a child who has a connection to another EU Member State, and gives recommendations for cooperation between States in future proceedings. The study concludes that while other EU Member States have mechanisms for permitting adoption without parental consent in specific circumstances, few appear to exercise this power to the extent to which the English authorities do. Still, the lack of comparative statistical data on when this is used, how frequently, and by whom, precludes clear-cut conclusions, calling for more data and research to be carried out.

Estudio [EN](#)

[Adoption: Cross-Border Legal Issues and Gaps in the European Union](#)

Tipo de publicación Briefing

Fecha 15-12-2015

Autor CHATEAU Céline

Ámbito político Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Derechos humanos | Espacio de libertad, seguridad y justicia | Evaluación de la legislación y las políticas en la práctica | Gobernanza global | Peticiones al Parlamento Europeo | Valor añadido europeo

Palabra clave adopción | ASUNTOS SOCIALES | competencia jurisdiccional | convención internacional | DERECHO | Derecho civil | derecho de adopción | Derecho internacional | Derecho internacional privado | Derecho internacional-Derecho interno | Derecho musulmán | familia | fuentes y ramas del Derecho | herencia | organización de la justicia | patria potestad | política internacional | protección de la infancia | RELACIONES INTERNACIONALES | responsabilidad de los padres | situación familiar | vida social

Resumen This note summarises issues relating to the current legal framework for cross-border adoption matters – legal gaps and consequent obstacles to free movement of citizens – and avenues for solutions. It is drawn on the background briefings prepared by independent experts and presented at the JURI-PETI workshop on 'Adoption: Cross-border legal issues' held at the European Parliament (EP) on 1 December 2015. The workshop had two main objectives: on the one hand, to respond to a number of petitions submitted to the EP on issues relating to adoptions without parental consent involving non-national children and, on the other hand, to provide some background reflections for the legislative own-initiative opinion which the Legal Affairs Committee is preparing.

Briefing [EN](#)

Adoption: Cross-Border Legal Issues

Tipo de publicación Estudio

Fecha 25-11-2015

Autor externo Mathew THORPE, Paweł JAROS, Gian Paolo ROMANO, Laura MARTÍNEZ-MORA, Ruth CABEZA and Nadjma YASSARI

Ámbito político Derecho de la UE: sistema jurídico y actos legislativos | Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Derechos humanos | Espacio de libertad, seguridad y justicia | Peticiones al Parlamento Europeo

Palabra clave adopción | Asia-Oceanía | ASUNTOS SOCIALES | competencia jurisdiccional | DERECHO | Derecho internacional | Derecho internacional privado | Derecho internacional-Derecho interno | Derecho musulmán | Estado miembro UE | familia | fuentes y ramas del Derecho | GEOGRAFÍA | geografía económica | geografía política | Iraq | Irán | Magreb | organización de la justicia | patria potestad | protección de la infancia | responsabilidad de los padres | situación familiar | vida social | África

Resumen This collection of briefings was prepared in view of a joint JURI-PETI Workshop organised by the Policy Department on 1 December 2015, to address legal issues related to cross-border adoptions in the EU. Presented in a first session dedicated to "Citizens' concerns and petitions on adoption cross-border legal issues in the EU", the two first papers deal with "Child protection: tensions created by the diversity of the domestic laws of EU Member States" and "The view of Ombudsmen for Children from the perspective of the Polish, European and international law". The four other briefings provided background reflections to the second session, focussed on legal issues around "Cross-border recognition of adoptions". They first approached issues of recognition in a general way ("Conflicts and Coordination of Family statuses: Towards their recognition within the EU?"), turned to the "Recognition of intercountry adoptions - practical operation of the 1993 Hague Convention", further looked into limitations of the current EU legal framework and their consequences on free movement of citizens ("Cross-border recognition of domestic adoptions - obstacles to free movement") and finally examined issues around the recognition in the EU of adoptions made under non-EU legal systems ("Recognising child protection measures in the Middle Eastern legal systems as equivalents to adoption - a fresh look on Magrhebian kafala, Iranian sarparasti and Iraqi damm").

Estudio [EN](#)

Adoption without Consent

Tipo de publicación Estudio

Fecha 07-07-2015

Autor externo Claire FENTON-GLYNN (King's College London, the UK)

Ámbito político Derecho de la UE: sistema jurídico y actos legislativos | Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público | Espacio de libertad, seguridad y justicia | Peticiones al Parlamento Europeo

Palabra clave adopción | ASUNTOS SOCIALES | competencia jurisdiccional | DERECHO | Derecho comparado | Estado miembro UE | Europa | familia | fuentes y ramas del Derecho | GEOGRAFÍA | geografía económica | Inglaterra | justicia | organización de la justicia | Parlamento | patria potestad | País de Gales | petición | procedimiento judicial | protección de la infancia | protección social | regiones de los Estados miembros de la UE | responsabilidad de los padres | servicio social | tutela | VIDA POLÍTICA | vida social

Resumen At the request of the PETI Committee and on the basis of petitions submitted on the matter of adoption without parental consent in England and Wales, this study examines the law and practice in England and Wales, in comparison to other jurisdictions within the European Union. It further details the procedures followed by the English courts in relation to child protection proceedings involving a child who has a connection to another EU Member State, and gives recommendations for cooperation between States in future proceedings.

Estudio [EN](#), [FR](#)

The rights of LGBTI people in the European Union

Tipo de publicación Briefing

Fecha 19-05-2015

Autor BAKOWSKI Piotr | LILIENKAMP Marc | SHREEVES Rosamund

Ámbito político Asuntos de género, igualdad y diversidad | Derechos humanos | Espacio de libertad, seguridad y justicia

Palabra clave adopción | ASUNTOS SOCIALES | construcción europea | DERECHO | derecho de adopción | derecho de asilo | Derecho de la Unión Europea | Derecho internacional | Derecho matrimonial | derechos y libertades | directiva (UE) | discriminación basada en la orientación sexual | espacio de libertad, seguridad y justicia | familia | financiación de la UE | finanzas de la Unión Europea | libre circulación de personas | programa de la UE | situación familiar | unión civil | UNIÓN EUROPEA

Resumen The prohibition of discrimination and the protection of human rights are important elements of the EU legal order. Nevertheless, discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) persons persists throughout the EU, taking various forms including verbal abuse and physical violence. Sexual orientation is now recognised in EU law as a ground of discrimination. However, the scope of these provisions is limited and does not cover social protection, healthcare, education and access to goods and services, leaving LGBTI people particularly vulnerable in these areas. Moreover, EU competence does not extend to recognition of marital or family status. In this area, national regulations vary, with some Member States offering same-sex couples the right to marry, others allowing alternative forms of registration, and yet others not providing any legal status for same-sex couples. Same-sex couples may or may not have the right to adopt children and to access assisted reproduction. These divergent legal statuses have implications, for instance, for partners from two Member States with different standards who want to formalise/legalise their relationship or for same-sex couples and their families wishing to move to another Member State. Combating discrimination has become part of EU internal and external policies and the subject of numerous resolutions of the European Parliament. However, action in this area remains problematic when it touches on issues pertaining to areas traditionally reserved to Member States, such as marital status and family law. This is an updated version of a briefing published in November 2013.

Briefing [EN](#)

[Mutual recognition of same-sex marriage, of civil partnerships of same-sex and opposite sex couples: current situation in member states. need for eu action?](#)

Tipo de publicación Análisis en profundidad

Fecha 30-11-2010

Autor externo Charles Hyde QC, Queen Elizabeth Building Temple, London

Ámbito político Asuntos de género, igualdad y diversidad | Derecho internacional privado y cooperación judicial en materia civil | Derecho internacional público

Palabra clave adopción | ASUNTOS SOCIALES | Derecho matrimonial | divorcio | Europa | familia | GEOGRAFÍA | geografía económica | geografía política | matrimonio | obligación de alimentos | patria potestad | Reino Unido | responsabilidad de los padres | unión civil

Resumen This paper focuses upon the UK, common law perspective of mutual recognition of same-sex marriage, of civil partnerships of same-sex and opposite sex couples, covering matters relating to marriage/civil partnership, divorce/dissolution, ancillary relief/financial provision and issues relating to children.

Análisis en profundidad [EN](#)