



Master of Laws (LL.M) in
Human Rights Programme

**HKU
LAW**

CCPL
CENTRE FOR COMPARATIVE
AND PUBLIC LAW
AT THE FACULTY OF LAW, THE UNIVERSITY OF HONG KONG



EQUALITY RIGHTS
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LGB Human Rights in Europe, Taiwan, and Hong Kong: Developments Since 2020

Date: 6 November 2023 (Monday)

Time: 5:15pm - 6:30pm

Venue: Academic Conference Room, 11/F, Cheng Yu Tung Tower, HKU

Since the 1981 judgment of the European Court of Human Rights in *Dudgeon v. United Kingdom*, the Court has developed a body of case law requiring equal treatment of lesbian, gay and bisexual (LGB) individuals and same-sex couples in the criminal law, in access to employment, education, housing and services, and in family law. 20 of 46 Council of Europe member states (43%) now provide equal access to marriage to same-sex couples, 65% (30 of 46 member states) now offer same-sex couples “a legal framework” for their relationships. This trend reached Taiwan in 2019 and same-sex couples began to marry for the first time in Asia.

What legal reforms are required to achieve equality for LGB individuals and same-sex couples in Hong Kong? Which could be granted by the Hong Kong legislature, and which are more likely to be granted by the Hong Kong courts, in light of *Q.T.* (same-sex partner immigration), *Leung Chun Kwong* (limited recognition of New Zealand marriage), *Ng Hon Lam Edgar* (limited recognition of UK marriage), and *Sham Tsz Kit* (no right to marry but the Hong Kong Government has a positive obligation “to establish an alternative framework for legal recognition of same-sex partnerships”)?

SPEAKER:

Professor Robert Wintemute teaches Human Rights Law and Anti-Discrimination Law at King’s College London, England. He studied Economics at the University of Alberta and Université Laval, and Common Law and Québec Civil Law at McGill University, before completing his doctorate on Sexual Orientation and Human Rights at the University of Oxford.

Professor Wintemute was the first openly gay lawyer at the Milbank law firm in New York, where he was introduced to pro bono strategic litigation in 1985. Since 2000, he has participated in LGB equality cases in the European Court of Human Rights (such as *X & Others v. Austria*, *Oliari & Others v. Italy*, *Taddeucci & McCall v. Italy*, *Fedotova & Others v. Russia*, *Macate v. Lithuania*), the Court of Justice of the European Union (*Coman & Hamilton v. Romania*), the Inter-American Court of Human Rights (*Atala v. Chile*), the Constitutional Court of Colombia, and the Supreme Courts of Argentina, Massachusetts (*Goodridge*), the United Kingdom (*Walker*), and the United States (*Lawrence & Garner v. Texas*). He has spoken about LGB human rights in many countries or regions, including Japan, South Korea, Mainland China, Taiwan, Hong Kong, the Philippines, Vietnam, Singapore, Indonesia, India, and Sri Lanka.



Robert WINTEMUTE

Professor of Human Rights Law
King's College London

CHAIR:

Kelley LOPER

Associate Professor and Director, LL.M in Human Rights Programme, Faculty of Law,
The University of Hong Kong



Prior registration is required for this in-person event: <https://bit.ly/3QukhB>
For inquiries, please contact Phoenix To at ccpl@hku.hk.