

HUMAN  
RIGHTS



# Applying the Charter of Fundamental Rights of the European Union

Focus on the rights of Union citizens  
SEMINAR FOR MEMBERS OF THE JUDICIARY  
Bucharest, 15-16 May 2017

**UP  
GRADE**  
YOUR LEGAL  
EXPERTISE  
**Human  
Rights Law**



## Speakers

**Raluca Dimitriu**, Professor, University of Economic Studies, Bucharest

**Jule Mulder**, Lecturer in Law, University of Bristol Law School

**Oreste Pollicino**, Professor, Bocconi University, Milan

**Takis Tridimas**, Professor, Chair of European Law, King's College London



## Key Topics

- The system of fundamental rights protection in Europe
- Relationship between the EU Charter and the ECHR
- Scope of application and interpretation of the EU Charter in national legal orders
- Right to good administration
- Freedom of movement and residence

## Language

English

## Organisers

ERA (Sanja Jovičić) in cooperation with the Romanian National Institute for Magistracy

## Event number

417DT84



# Applying the Charter of Fundamental Rights of the European Union

**Monday, 15 May 2017**

8:30 Arrival and registration of participants

9:00 **Opening of the seminar**  
*Sanja Jovičić*

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## I. THE SYSTEM OF FUNDAMENTAL RIGHTS PROTECTION IN EUROPE

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9:15 **Protecting fundamental rights in Europe: an overview**

- General principles of EU law
- The EU Charter and its legal value
- Other regional and national legal protection instruments

*Takis Tridimas*

10:00 Discussion

10:15 **Relationship between the Charter of Fundamental Rights of the EU and the European Convention of Human Rights and Fundamental Freedoms: complementing or competing systems?**

- The roles of the ECtHR and the CJEU
- Judicial remedies before the CJEU and the ECtHR
- Principle of equivalent protection
- EU Accession to the ECHR
- Enforcement of the judgments of the ECHR and CJEU

*Oreste Pollicino*

11:00 Discussion

11:15 Coffee Break

11:45 **Case study:**  
**The scope of application and interpretation of the EU Charter in national legal orders**

- The scope of application and interpretation
- The limits of Article 53 of the Charter in the case law of the CJEU
- The issue of direct effect of the Charter provisions

*Takis Tridimas*

12:30 Discussion

12:45 Lunch

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## II. UNION CITIZENS' RIGHTS IN PRACTICE

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14:00 **Right of good administration**

- Principles, scope and content of the right to good administration
- Substantive and procedural aspects
- Relevant CJEU and ECtHR case law

14:45 Discussion

15:00 **Freedom of movement and residence**

- Who can benefit from the freedom of movement and residence?
- Non-discrimination
- Possible restrictions
- Third countries' nationals legally resident and return of illegal immigrants
- The development of the CJEU case law

*Raluca Dimitriu*

15:45 Discussion and exchange of national practices

16:00 Coffee break

## Objective

The participants will obtain sound knowledge of the scope and interpretation of the Charter of Fundamental Rights of the European Union, as well as its relationship with other legal instruments protecting fundamental rights in Europe. A focus will be put on the application in practice of the provisions concerning Union citizens' rights.

## Who should attend?

Judges and court staff who are involved in the application of the EU Charter's provisions governing Union citizens' rights (especially in the field of civil and administrative law).

Please note that the seminar is intended for judges from EU Member States. The number of places available is limited (35 places).

## You will learn ...

- How fundamental rights are protected in Europe
- The legal value of the EU Charter
- How to apply and interpret the EU Charter at domestic level
- How to safeguard the right to good administration in court proceedings
- What is freedom of movement and residence, who can benefit from it and possible restrictions
- How to deal with cases involving family life and the freedom of movement and residence with a focus on LGBT rights
- How to tackle discrimination in the freedom of movement and residence

## What participants said 2015

"Comprehensive in-depth discussion of the judicial practice"

"Completely satisfied with the programme"

## Your contact persons



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16:30 **Parallel workshops:**

**The right to good administration in immigration proceedings**

**Free movement of labour**

*Raluca Dimitriu*

17:30 Discussion of workshop results and exchange of national practices

18:00 End of first seminar day

19:30 Dinner

## Tuesday, 16 May 2017

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### III. UNION CITIZENS' RIGHTS IN PRACTICE (continued)

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09:30 **Family life and the freedom of movement and residence: focus on LGBT rights**

- Who is a family member?
- Entry and residence of spouses, registered and de facto partners
- The status of non-EU family members
- Family reunification and children of same-sex couples
- Relevant CJEU and ECtHR case law

*Jule Mulder*

10:30 Discussion

10:45 Coffee break

11:15 **Case study:  
Discrimination and freedom of movement and residence**

*Jule Mulder*

12:15 Discussion of workshop results and exchange of national practices

13:00 End of seminar

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For programme updates: [www.era.int](http://www.era.int)

Programme may be subject to amendment.

# Application

## Applying the Charter of Fundamental Rights of the European Union: Focus on the Rights of Union Citizens



Europäische Rechtsakademie  
Academy of European Law  
Académie de Droit Européen  
Accademia di Diritto Europeo

### PLEASE USE BLOCK CAPITALS

Please update my address (see below)  My address (above) is correct  Please delete my address

I would like to register for the ERA event "Applying the Charter of Fundamental Rights of the European Union":

Title  Ms  Mr  Other

First Name

Surname

Organisation

Department  Tel.

E-Mail

Street

Postcode/City  Country

- Participation certificate:** Please provide me with a participation certificate.  
 **Evening programme:** I shall attend the dinner on 15 May 2017 (at no extra charge).

### Registration

Participation is only open to members of the judiciary from EU Member States.

### Questionnaire

1. What is your current profession?
2. What is your experience with fundamental rights, administrative and/or labour law?
3. Why is this training of relevance for you?
4. Which possibilities do you have to disseminate information received during this seminar to other members of your profession?

I confirm my registration and accept the general terms and conditions: [www.era.int/legalnotice](http://www.era.int/legalnotice)

Place, Date

Signature

### Registration

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English

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