

HUMAN
RIGHTS



EU DISABILITY LAW AND THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

SEMINAR FOR MEMBERS OF THE JUDICIARY

Trier, 7-9 June 2017

**UP
GRADE**
YOUR LEGAL
EXPERTISE

**Human
Rights Law**



Speakers

Boglárka Benkó, Legal Officer, European Court of Human Rights, Council of Europe, Strasbourg

Cliona de Bhailis, Research Assistant, Centre for Disability Law and Policy, NUI Galway

Facundo Chavez Penillas, Human Rights and Disability Advisor to the UN OHCHR, Geneva

Anselm Eldergill, Judge, Court of Protection, London

Shivaun Quinlivan, O'Brien Fellow in Residence, Centre for Human Rights and Legal Pluralism, Law Faculty, NUI Galway

Philip Rostant, Judge, Employment Tribunals of England & Wales, London

Key Topics

- S The UN Convention on the Rights of Persons with Disabilities (UNCRPD)
- S Disability in EU law
- S Legal capacity under Art. 12 of the UNCRPD
- S Ensuring access to justice for persons with disabilities
- S Accessibility and reasonable accommodation
- S Detention of persons with disabilities
- S Disability in employment

Languages

English and French
(simultaneous interpretation)

Event number

417DV79



Funded by the REC Programme (2014-2020)
of the European Union.

Wednesday, 7 June 2017

13:00 Arrival and registration of participants

13:45 **Welcome and introduction**
Sanja Jovičić

I. THE INTERNATIONAL AND EUROPEAN FRAMEWORK OF DISABILITY LAW

14:00 **The UN Convention on the Rights of Persons with Disabilities (UNCRPD): key features**

- Key principles and rights of the UNCRPD Purpose

Facundo Chavez Penillas

14:45 Discussion

15:00 **Disability in EU law**

- EU disability legal framework
- Issues of primacy, direct and indirect effect of international agreements concluded by the EU

Shivaun Quinlivan

15:45 Discussion

16:00 Coffee break

16:30 **Case study: The legal status of the UNCRPD and its role as interpretative tool**

- CJEU and ECtHR interpretation of the UNCRPD

Shivaun Quinlivan

17:30 Discussion

18:00 End of first seminar day

19:00 Dinner

Thursday, 8 June 2017

II. THE UNCRPD IN PRACTICE: HOW TO SECURE THE RIGHTS OF PERSONS WITH DISABILITIES

09:00 **Legal capacity under Art. 12 of the UNCRPD**
Facundo Chavez Penillas

09:45 Discussion

10:00 **Case study: Guardianship v. supported decision-making**
Cliona de Bhailís

11:00 Discussion

Objective

The aim of this seminar is to provide participants with the necessary knowledge and legal tools to use the UN Convention on the Rights of Persons with Disabilities (UNCRPD) combined with relevant EU law in their daily practice.

Who should attend?

Judges, prosecutors and other judicial staff from an EU Member State, Iceland and Liechtenstein.

You will learn how to

- identify key areas where the application of the UNCRPD is called for
- distinguish between different sources of law and apply them in relevant situations
- ensure that the principles related to legal capacity and access to justice are correctly interpreted in court proceedings involving persons with disabilities
- understand the requirements connected to reasonable accommodation
- recognise the rights enshrined in legislation in the field of transport and ensure their correct safeguarding at national level
- tackle discrimination on grounds of disability in the field of employment
- understand the requirements for the detention of persons with disabilities

Organiser

ERA (Sanja Jovičić) with the support of the European Consortium of Foundations on Human Rights and Disability (EFC) and the European Disability Forum (EDF), on behalf of the European Commission (contracting authority)

Your contact persons



Sanja Jovičić
Project Lawyer
E-Mail sjovicic@era.int



Barbara Hense
Assistant
Tel. +49 651 93737-120
E-Mail bhense@era.int

- 11:15 Coffee break
- 11:45 **Access to a court for persons with disabilities**
- EU legal acts on victims' and procedural rights
 - Relevant international case law
- Boglárka Benkó*
- 12:30 Discussion
- 13:00 Lunch
- 14:30 **Case study:
Ensuring access to a court for persons with disabilities**
- Boglárka Benkó*
- 15:30 Discussion
- 15:45 Coffee break
- 16:30 **Accessibility and reasonable accommodation**
- Shivaun Quinlivan*
- 17:15 Discussion and exchange of experiences
- 17:30 End of second seminar day
- 18:30 Wine tour, wine-tasting and dinner

Friday, 9 June 2017

- 09:30 **Parallel sessions**
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| <p>Detention of persons with disabilities
<i>Anselm Eldergill</i></p> | <p>Disability in employment
<i>Philip Rostant</i></p> |
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- 10:30 Coffee break
- 11:00 **Parallel workshops**
- | | |
|--|--|
| <p>Detention of persons with disabilities
<i>Anselm Eldergill</i></p> | <p>Disability in employment
<i>Philip Rostant</i></p> |
|--|--|
- 12:00 Discussion and exchange of experiences
- 12:30 Light lunch and end of seminar

For programme updates: www.era.int
Programme may be subject to amendment.

What participants said in 2016

"I really like the possibility to exchange experiences with other participants"

"I appreciated the particularly clear way the speakers submitted their knowledge and their skills and the excellent way we all have been treated"

Discover Trier

Discover Trier, built on centuries of history and surrounded by diverse culture. Experience what inspired the Romans, immerse yourself in the city's rich and varied history, or simply take a stroll and soak up the atmosphere. Explore some of the main attractions and landmarks and



visit the Porta Nigra, the Cathedral of Saint Peter and Constantine Basilica to name but a few.

Travel

Shuttle services from the airports of Luxembourg (30 minutes) and Frankfurt Hahn (50 minutes) to the ERA Conference Centre can be booked at special rates at: E-Mail: era@finkelgruens-taxi.de



This seminar series has received financial support from the European Union's REC Programme (2014-2020). For further information please consult: http://ec.europa.eu/justice/grants1/programmes-2014-2020/rec/index_en

Application

EU DISABILITY LAW AND THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES

Trier, 7-9 June 2017 / Event number: 417DV79/bhe



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 apply for the ERA event:

"EU DISABILITY LAW AND THE UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES"

Title Ms Mr Other

First Name

Surname

Organisation

Department Tel.

E-Mail

Street

Postcode/City Country

Preferred seminar language: English French

- Evening programme:** I shall attend a dinner on 7 June 2017 (at no extra charge).
- Evening programme:** I shall attend the wine tour, wine tasting and dinner on 8 June 2017 (at no extra charge).

QUESTIONNAIRE

What is your current position and your experience with disability issues?

Why is this training of relevance for you?

Which possibilities do you have to disseminate information received during this seminar to other members of your profession?

If you are selected, would you need any reasonable accommodation due to a disability?

yes no

If yes, what kind?

Have you already attended an ERA UNCRPD seminar? yes no

I confirm my application and accept the general terms and conditions: www.era.int/?126706&en

Application

Fax: +49 (0)651 93737-773

E-mail: info@era.int

Postal address:
ERA
Postfach 1640
D-54206 Trier

Location

ERA Conference Centre
Metzer Allee 4
D-54295 Trier

Contact Person

Jaroslav Opravil
Tel.: +49 (0)651 937 37 841
Fax. : +49 (0)651 937 37 773
E-mail: jopravil@era.int

Selection

Participation is only open to members of the judiciary from EU Member States, Iceland and Liechtenstein, including judges, prosecutors and other judicial staff.

The number of places available is limited (35 places). Participation will be subject to a selection procedure.

Applications should be submitted before **19 April 2017**.

A response will be sent to every applicant shortly after this deadline. **We advise you not to book any travel or hotel before you receive our confirmation.**

Registration Fee

There is no registration fee.

Travel expenses

Travel expenses will be reimbursed to a maximum of 360 euros only for participants coming from abroad and subject to the submission of the originals of travel receipts (like flight ticket, boarding pass, train ticket, taxi bill, etc.). Participants are advised of the obligation to use the most cost-efficient mode of transport available.

Accommodation

Maximum 2 hotel nights will be covered directly by ERA, only for the hotel booked by ERA.

Place, Date

Signature