



APPLYING EU ANTI-DISCRIMINATION LAW

SEMINAR FOR MEMBERS OF THE JUDICIARY

Budapest, 4-5 September 2018

**UP
GRADE**
YOUR LEGAL
EXPERTISE

**Equality
Law**



Speakers

Lilla Farkas, Lawyer, Budapest; PhD candidate, European University Institute, Florence

Gábor Kártyás, Assistant Professor, Department of Labour Law, Faculty of Law and Political Sciences, Pázmány Péter Catholic University, Budapest

Oliver Lewis, Professor of Law and Social Justice, School of Law, University of Leeds

Marie Mercat-Bruns, Affiliated Professor, Sciences Po Law School/CNAM (Lise, CNRS), Paris

Mathias Möschel, Associate Professor, Central European University, Budapest

Peter Reading, Legal Counsel, Equal Opportunities Commission, Hong Kong

HHJ Mary Stacey, Circuit Judge, Birmingham Crown Court & BCJC, Birmingham

Key topics

- Overview of the EU legislation on equal treatment and its relationship with the EU Charter, the European Convention and United Nations Human Rights treaties
- Definition of key concepts (direct discrimination, indirect discrimination, harassment)
- Burden of proof and access to evidence
- Remedies and sanctions
- Different protected grounds, with special attention to the case law of the Court of Justice of the European Union

Languages

English and Hungarian (simultaneous interpretation)

Event number

118DV21

Organiser

ERA (Daniel Gärtner) on behalf of the European Commission (contracting authority) and with the support of the Hungarian National Office for the Judiciary



Funded under the 'Rights, Equality and Citizenship Programme 2014-2020' of the European Commission



Applying EU Anti-Discrimination Law

Seminar for members of the judiciary

Tuesday, 4 September 2018

- 08:45 Arrival and registration of participants
- 09:00 **Welcome and introduction**
National Office for the Judiciary / ERA
- 09:15 **The EU legal framework on equality**
- **The EU Charter and the EU Treaties**
 - **EU directives on equal treatment** – overview and scope
 - **International instruments** (Council of Europe, United Nations, International Labour Organisation)
- Peter Reading*
- 10:00 Discussion
- 10:15 **Definition of key concepts**
- **Direct discrimination**
 - **Indirect discrimination**
 - **Positive discrimination**
- Gábor Kártyás*
- 11:00 Discussion
- 11:15 Coffee break
- 11:45 **Proving discrimination: the shift of the burden of proof and access to evidence**
Mary Stacey
- 12:30 Discussion
- 12:45 Lunch
- 14:00 **Seeking effectiveness: remedies and sanctions in discrimination cases**
Lilla Farkas
- 14:30 Discussion
- 14:45 **Workshop: Applying EU anti-discrimination law in a domestic case**
Discussion of a case study in working groups
Mary Stacey
- 16:00 Coffee break
- 16:30 **Results of the workshop and feedback**
- 17:15 End of the first seminar day
- 19:30 Seminar dinner

Objective

The seminar will provide participants with an overview of the two European directives prohibiting discrimination on the grounds of race or ethnic origin in a number of areas, as well as on disability, age, sexual orientation or religion/belief in employment and occupation.

Who should attend?

Judges, prosecutors and other members of the judiciary from the EU, Iceland or Liechtenstein.

You will learn...

- what is the EU legal framework on equality
- how the key concepts of direct/indirect discrimination and harassment are defined
- under which circumstances the burden of proof shifts
- what is the role of remedies and sanctions for the effective application of equality law
- how to apply EU anti-discrimination law to practical cases
- how the different protected grounds are to be interpreted in light of the case law of the CJEU
- what is the role of the national judge and how the preliminary ruling procedure works

Your contact persons



Daniel Gärtner
Course Director
E-Mail: dgaertner@era.int



Christiane Schmitz
Assistant
E-Mail: cschmitz@era.int

Wednesday, 5 September 2018

- 09:15 **Religious discrimination in the workplace**
Marie Mercat-Bruns
- 10:00 Discussion
- 10:15 **Discrimination on grounds of age: CJEU case law**
- 11:00 Discussion
- 11:15 Coffee break
- 11:45 **Discrimination on grounds of race and sexual orientation: main features and CJEU case law**
Mathias Möschel
- 12:30 Discussion
- 12:45 Lunch
- 13:45 **The concepts of disability and reasonable accommodation in EU law and the UNCRPD**
Oliver Lewis
- 14:30 Discussion
- 14:45 **The role of the national judge in applying the EU anti-discrimination directives: relationship with national legal orders and the preliminary ruling procedure**
- 15:30 Discussion
- 15:45 End of the seminar

What participants said in 2017

"Very good organisation"

"Very practical seminar"

"Great program with very current topics and excellent speakers"

"Good opportunity to exchange views with colleagues from the EU"

"I was pleasantly surprised by the very good program and the great organization"

e-Learning

Test your knowledge, brush up on the basics and get a first taste of the course with our preparatory e-learning course:

www.era-comm.eu/anti-discri/e_learning

Application procedure

APPLYING EU ANTI-DISCRIMINATION LAW

Budapest, 4-5 September 2018 / Event Number: 118DV21



Applications for

APPLYING EU ANTI-DISCRIMINATION LAW on 4-5 September 2018

can be made online until 27 June 2018 at the following website:



www.era.int/?127522&en



ERA's equality law seminars are organised on behalf of the European Commission in the framework of the European Union's 'Rights, Equality and Citizenship Programme 2014-2020'

EU Anti-Discrimination Law

Since 2003 ERA has been organising a series of seminars devoted to the two EU Anti-Discrimination Directives 2000/43 and 2000/78. For more information visit: www.era.int/anti-discrimination

EU Gender Equality Law

Since 2009 ERA has been organising a series of seminars devoted to EU law on equal treatment between women and men. For more information visit: www.era.int/gender

Location

Hungarian Academy of Justice
Budapest, 1122 (XII. District)
Tóth Lőrinc u. 6.

Languages

English / Hungarian
(simultaneous interpretation)

Contact Person

Christiane Schmitz
Assistant
cschmitz@era.int
+49 (0) 651 93737-122

Participation

Participation will be subject to a selection procedure since the number of places is limited. A response will be given to every applicant shortly after the deadline. We strongly advise you not to make any travel or hotel arrangements before receiving our confirmation.

Registration fee

There is no registration fee.

Travel expenses

Travel costs will be reimbursed to a maximum of €450 upon receipt of all necessary documents.

Accommodation

Two nights' accommodation will be covered directly by ERA.

Upcoming events for judges

EU Gender Equality Law

Paris, 29-30 October 2018
Languages: English, French

EU Disability Law and the UNCRPD

Trier, 7-8 November 2018
Languages: English, German

Applying EU Anti-Discrimination Law

Thessaloniki, 8-9 November 2018
Languages: English, Greek