

HUMAN  
RIGHTS



## ACCESS TO JUSTICE FOR PERSONS WITH DISABILITIES Civil and Labour Context

SEMINAR FOR MEMBERS OF THE  
JUDICIARY

Trier, 7-9 November 2018

**UP  
GRADE**  
YOUR LEGAL  
EXPERTISE

**Human  
Rights Law**



### Speakers

**Catherine Casserley**, Barrister, Cloisters Chambers, London

**Constantin Cojocariu**, International Human Rights Lawyer,  
London

**Ioanna Dervisopoulos**, Judge, Darmstadt Administrative Court,  
Former Legal Secretary at the Court of Justice of the European  
Union

**Philip Rostant**, Employment Judge, Sheffield

Expert of the Office of the United Nations High Commissioner for  
Human Rights, Geneva (*to be confirmed*)

### Key topics

- Article 13 UNCRPD
- The right to equal recognition before the law
- Supported decision-making
- Disability definition
- Reasonable accommodation
- Burden of proof in disability proceedings
- Right to privacy

### Language

English, German  
(simultaneous interpretation)

### Event number

418DV85

### Organiser

ERA (Sanja Jovičić) with the support of  
the EFC Disability Thematic Network  
and the European Disability Forum  
(EDF), on behalf of the European  
Commission (contracting authority).



Funded by the European Union's REC Programme (2014-2020)

# Access to Justice for Persons with Disabilities – Civil and Labour Context

## Wednesday, 7 November 2018

13:00 Arrival and registration of participants

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

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### I. ACCESS TO JUSTICE FOR PERSONS WITH DISABILITIES UNDER INTERNATIONAL LAW

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14:00 **A specific right to “Access Justice” in the UNCRPD**

- Key principles and concepts
- Definition of disability and reasonable accommodation

14:45 Discussion

15:00 **The right to access to justice of persons with disabilities in EU law**

15:45 Discussion

16:00 Coffee Break

16:30 **Case study:**  
**Providing procedural accommodations to persons with disabilities**

17:30 Discussion

18:00 End of first seminar day

19:30 Dinner

## Thursday, 8 November 2018

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### II. LEGAL CAPACITY

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09:00 **The right to equal recognition before the law**

- Article 12 of the UNCRPD
- Relevant UNCRPD and ECtHR case law  
*Constantin Cojocariu*

09:45 Discussion

10:00 **Case study:**  
**Supported decision-making**  
*Constantin Cojocariu*

10:45 Discussion

11:00 Coffee break

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### III. ACCESSING JUSTICE FOR PERSONS WITH DISABILITIES IN EMPLOYMENT AND OTHER CIVIL MATTERS

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11:30 **Definition of disability in EU law**  
*Ioanna Dervisopoulos*

12:15 Discussion

12:30 Lunch

13:30 **Case study:**  
**Using the preliminary reference proceedings in EU law to address discrimination against disability in the context of employment**  
*Ioanna Dervisopoulos*

## 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...

- the legal requirements connected to access to justice and legal capacity under the UNCRPD
- how to distinguish between different sources of law and deploy both the UNCRPD and the available EU disability law;
- how to guarantee effective exercise of the rights of persons with disabilities, in particular with regard to legal capacity and access to justice;
- to identify issues related to employment of persons with disabilities and safeguard their rights at national level;
- how to transform the ‘case studies’ in actual practice.

## Your contact persons



Sanja Jovičić  
Course Director  
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Barbara Hense  
Assistant  
E-Mail: [bhense@era.int](mailto:bhense@era.int)

- 14:30 Discussion and exchange of national practices
- 15:00 **Reasonable accommodation**  
*Philip Rostant*
- 15:45 Discussion
- 16:00 Coffee break
- 16:30 **The burden of proof in disability proceedings**  
*Philip Rostant*
- 17:15 Discussion
- 17:30 End of second seminar day.
- 19:00 Wine tasting and dinner

## Friday, 9 November 2018

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### IV. ACCESSING JUSTICE FOR PERSONS WITH DISABILITIES IN EMPLOYMENT AND OTHER CIVIL MATTERS (continued)

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- 09:30 **Data protection in employment and beyond for persons with disabilities**  
*Catherine Casserley*
- 10:15 Discussion
- 10:30 Coffee break
- 11:00 **Case study: Bullying and harassment of persons with disabilities in the workplace**  
*Catherine Casserley*
- 12:30 Discussion and exchange of national practices
- 13:00 Light lunch and end of seminar

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For programme updates: [www.era.int](http://www.era.int)  
Programme may be subject to amendment.

Please note that while simultaneous interpretation will be offered during this event, not all the speakers' papers are available in all conference languages.



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.htm](http://ec.europa.eu/justice/grants1/programmes-2014-2020/rec/index_en.htm)

## What participants said 2017

"Very professional, good experts, excellent conference"

"A lot of very useful information, experiences from other countries"

## 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: [era@finkelgruens-taxi.de](mailto:era@finkelgruens-taxi.de).

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