

HUMAN
RIGHTS



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

SEMINAR FOR MEMBERS OF THE JUDICIARY

Prague, 9-10 October 2017

**UP
GRADE**
YOUR LEGAL
EXPERTISE

**Human
Rights Law**



Speakers

Delia Ferri, Lecturer in Law, Maynooth University Department of Law

Jenny Goldschmidt, Emeritus Professor in Human Rights Law, Utrecht University School of Law

Aart Hendriks, Professor of Health Law at the University of Leiden, Substitute Judge at the District Court of Rotterdam

Aleksandra Ivankovic, Project Manager, Victim Support Europe, Brussels

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

Milan Šveřepa, Executive Director, Inclusion Europe, Brussels

Damjan Tatić, CRPD Committee, Geneva

Key topics

- The UN Convention on the Rights of Persons with Disabilities (UNCRPD)
- Concept of disability under the UNCRPD and EU law
- Reasonable accommodation
- Access to justice
- Supported decision making
- Vulnerable groups
- Detention of persons with disabilities
- Disability in employment

Language
English and Czech
(simultaneous interpretation)

Event number
417DV81

Organiser

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



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

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

Monday, 9 October 2017

8:30 Arrival and registration of participants

9:00 **Welcome and introduction**

Judicial Academy and ERA (a representative of the Czech Judicial Academy and Sanja Jovičić)

I. THE INTERNATIONAL AND EUROPEAN FRAMEWORK OF DISABILITY LAW

9:10 **The UN Convention on the Rights of Persons with Disabilities (UNCRPD): key features**

- Purpose, key principles and rights of the UNCRPD
 - The concept of disability and disability discrimination under the UNCRPD
- Damjan Tatić*

10:00 Discussion

10:15 **Disability in EU law**

- The concept of disability under EU law
- Issues of primacy, direct and indirect effect of international agreements concluded by the EU

Delia Ferri

11:15 Discussion

11:30 Coffee break

12:00 **Case study:**

The legal status of the UNCRPD and its role as interpretative tool

Delia Ferri

13:00 Discussion

13:15 Lunch

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

14:30 **Access to justice for persons with disabilities**

- Legal capacity under Art. 12 of the UNCRPD
- EU legal acts on victims' and procedural rights
- Relevant international case law

Milan Šveřepa

15:30 Discussion

15:45 Coffee break

16:15 **Case study: Supported decision making**

Milan Šveřepa

17:15 Discussion

17:30 End of first seminar day

19:30 Dinner

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 role of the national judge in the protection of vulnerable groups
- tackle discrimination on grounds of disability in the field of employment
- understand the requirements for the detention of persons with disabilities

What participants said YEAR

"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"

Location

Czech Judicial Academy
Hybernská 18
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Your contact persons



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Tuesday, 10 October 2017

- 9:00 **Special protection of vulnerable groups: focus on women and children with disabilities**
- Identifying needs and problems
 - The role of the national judge
- Jenny Goldschmidt*
- 10:00 Discussion
- 10:15 Coffee break
- 10:45 **Case study: How to safeguard the rights of persons with disabilities in court proceedings**
- Aleksandra Ivankovic*
- 11:45 Discussion
- 12:00 Lunch
- 13:30 **Detention of persons with disabilities**
- Police arrest and procedural safeguards
 - Detention in penal establishments
 - Administrative detention
 - Involuntary placement in psychiatric hospitals and social care institutions
- Aart Hendriks*
- 14:15 Discussion
- 14:30 **Disability in employment and beyond**
- Council Directive 2000/78/EC of 27 November 2000
 - A claim of disability discrimination
 - Burden of proof
 - Reasonable accommodation
- Philip Rostant*
- 15:15 Discussion
- 15:30 Coffee break
- 16:00 **Parallel workshops:**
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| <p>Detention of persons with disabilities</p> <p><i>Aart Hendriks</i></p> | <p>Disability in employment and beyond</p> <p><i>Philip Rostant</i></p> |
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- 17:00 Discussion and exchange of experiences
- 17:30 End of seminar



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

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