



## **THE CHARTER OF FUNDAMENTAL RIGHTS OF THE EUROPEAN UNION IN PRACTICE**

TRAINING SEMINAR FOR JUDGES

In cooperation with the Romanian National Institute of Magistracy (NiM)

FOCUS ON CIVIL AND ADMINISTRATIVE RIGHTS

Bucharest, 22-23 April 2013

Bd. Regina Elisabeta, nr. 53, sector 5  
the Council room, 1st floor  
Bucharest, Romania

Languages: English and Romanian (with simultaneous interpretation)

Event number: 413DT60

### **Monday, 22 April 2013**

#### Morning session

09.00 – Opening of the seminar

09.15 – The role of the Charter within the EU legal framework and its relevance for the national legal order

- The Charter's legal nature and the legal value attributed to it (Art. 6(2) TEU)
- The role fulfilled by the Charter within the human rights protection regime of the EU
- The system of judicial remedies within the EU for violations of fundamental rights
- The relevance of the Charter for a judge within the Member States

10.15 – Discussion

10.30 – Coffee break



11.00 – Introductory overview of key underlying principles of the Charter: personal dignity, fundamental freedoms and equality (Titles I, II and III)

11.45 – Applying the Charter in national proceedings: its application, scope and interpretation

- The requirement on national authorities to have due regard for the Charter
- Asserting Charter rights by a national court
- The potential for (vertical and/or horizontal) direct effect of Charter rights
- The limits and extent of the scope of the rights guaranteed (Title VII)
- Status of explanatory remarks referred to in the Charter

12.30 – Discussion

12.45 – Lunch

#### Afternoon session

14.00 – Case studies (interactive exercise) on the **scope** and the **applicability** of the Charter (presenting short cases and carrying out group analysis)

15.30 – Coffee break

16.00 – Further substantive rights guaranteed by the Charter: special focus on rights with particular relevance for civil and administrative judges

- Access to justice (Title VI)
- Social and employment rights (Title IV)
- Right to good administration (Article 41)
- Access to documents (Article 42)

16.45 – Discussion

17.00 – Preparations for a workshop: presenting the case and analysing the case dossier

17.30 – End of the first seminar day

19.00 – Seminar dinner

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## Tuesday, 23 April 2013

### Morning session

09.30 – Workshop on **substantive application** of selected Charter provisions: practical case study in groups (analysing and discussing the case in working groups, presentation of the results and common discussion on the results) (*parallel language groups*)

11.30 – Coffee break

12.00 – Relationship of the Charter to the European Convention of Human Rights and national human rights provisions

- Challenge of 'competing' legal orders ostensibly aiming at ensuring the protection of fundamental rights
- Role of the accession of the EU to the ECHR – its impact on the application of the Charter
- Judicial remedies in fundamental rights cases post EU accession to the ECHR

13.00 – Discussion

13.15 – Light lunch and end of the seminar