

Objective

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

Key topics

- The UNCRPD: purpose, general principles (e.g.: non-discrimination, reasonable accommodation, accessibility) and rights, formal and substantial relationship with EU law
- Monitoring role of the UN Committee on Rights of Persons with Disabilities, complaints mechanism enshrined in the Optional Protocol
- Practical in-depth study of key disability rights in their international, European and national context: legal capacity, access to justice, reasonable accommodation
- Implementation of the UNCRPD in specific cases: Detention of persons with disabilities, Disability in Employment

Who should attend?

Judges, prosecutors and other members of the judiciary from an EU Member State, candidate countries and EEA/EFTA countries participating in the Rights, Equality and Citizenship programme.

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Speakers

Jean-Sébastien Blanc, Detention Monitoring Adviser, Association for the Prevention of Torture (APT), Geneva

Karine Caunes, Course Director, ERA, Trier

Facundo Chavez Penillas, Human rights and disability advisor to the UN OHCHR, Geneva

André Gubbels, Director-General, Directorate General for People with Disabilities, Belgian Federal Public Service for Social Security, Brussels

Inmaculada Placencia-Porrero, Senior Expert - Social affairs, DG Employment, Social Affairs and Inclusion, European Commission

Pekka Pohjankoski, Legal Secretary, Court of Justice of the European Union, Luxembourg*

* invited

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

SEMINAR FOR MEMBERS OF THE JUDICIARY

Trier, 24-26 October 2016

ERA Conference Centre
Metzer Allee 4, Trier, Germany

Organiser:

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

Languages:

English and French
(simultaneous interpretation)

Event number: 416DV83





Monday, 24 October 2016

- 13:00 Arrival and registration of participants
- 13:45 Welcome and introduction
- I. THE INTERNATIONAL AND EUROPEAN FRAMEWORK OF DISABILITY LAW**
- 14:00 **The UN Convention on Rights of Persons with Disabilities (UNCRPD): key features**
- Purpose, general principles and rights in the UNCRPD
Facundo Chavez Penillas
- 15:00 Discussion
- 15:15 **Disability in EU law**
- The concept of disability in the case-law of the CJEU
Pekka Pohjankoski
- 16:15 Discussion
- 16:30 Coffee break
- 17:00 **PARALLEL WORKSHOPS**
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| <p>A. The legal status of the UNCRPD and its role as interpretation tool
<i>Karine Caunes</i></p> | <p>B. The preliminary reference procedure before the CJEU as a tool for disability law judges
<i>Pekka Pohjankoski</i></p> |
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- 18:00 Results of Workshop
- 18:15 End of first day
- 19:30 Dinner

Tuesday, 25 October 2016

- II. THE UNCRPD IN PRACTICE: HOW TO SECURE THE RIGHTS OF PERSONS WITH DISABILITIES**
- 09:30 **Opening remarks**
Inmaculada Placencia Porrero
- 10:00 **(Dis)Able? Facundo Chavez Penillas**
- 1. Legal Capacity under Art. 12 UNCRPD**
- 11:00 Coffee break
- 2. Access to Justice under art. 13 UNCRPD**
- 12:30 Discussion and exchange of experiences
- 13:00 Lunch
- 14:30 **Reasonable Accommodation: what does it entail? André Gubbels**
- 15:15 Discussion
- 15:30 Coffee break
- 16:00 **CONSOLIDATING WORKSHOP: Guaranteeing the enjoyment of rights and freedoms by disabled people – the role of national judges**
- 17:00 Discussion and exchange of experiences
- 17:15 End of second day
- 19:30 Vineyard tour, wine tasting and dinner

Wednesday, 26 October 2016

- 09:30 **PARALLEL SESSIONS**
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| <p>A. Detention of persons with disabilities</p> <ul style="list-style-type: none"> • Illegal detention • Conditions for detention <p><i>Jean-Sébastien Blanc</i></p> | <p>B. Disability and Employment
<i>André Gubbels</i></p> |
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- 10:30 Coffee break
- 11:00 **PARALLEL WORKSHOPS**
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| <p>A. Mental health in detention
<i>Jean-Sébastien Blanc</i></p> | <p>B. Respecting Art. 27 UNCRPD
<i>André Gubbels</i></p> |
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- 12:00 Discussion and exchange of experiences
- 12:30 Light lunch and end of seminar

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