

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.

Key topics

- The UNCRPD: purpose, general principles (e.g.: non-discrimination, reasonable accommodation, accessibility) and rights, formal and substantive relationship with EU law
- Monitoring role of the UN Committee on the 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, right to equality and non-discrimination, right to access to justice
- Implementation of the UNCRPD in specific cases: detention of persons with disabilities, disability in employment
- How to use the UNCRPD in European and national litigation

Who should attend?

Judges (especially employment and criminal), prosecutors and other members of the judiciary from EU Member States, candidate countries and EEA/EFTA countries participating in the Rights, Equality and Citizenship programme.

Confirmed speakers

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

Dr Marc Lehmann, Medical Director at Berlin Prison Hospital, Berlin

Denzil Lush, Senior Judge at the Court of Protection, London

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

Dr Stefan Tappeiner, Judge, Tribunale di Bolzano, Bolzano

Dr Damjan Tatic, CRPD Committee, Geneva

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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, 13-15 June 2016

ERA Conference Centre
Metzer Allee 4, Trier, Germany

Organisers:

ERA (Dr Luísa Lourenço) on behalf of
the European Commission (contracting
authority), with the support of the EFC
and EDF

Languages:

English and German
(simultaneous interpretation)





Monday, 13 June 2016

13:30 Arrival and registration of participants

13:45 Welcome and introduction
Lúisa Lourenço

I. THE INTERNATIONAL AND EUROPEAN FRAMEWORK OF DISABILITY LAW *Chair: Lúisa Lourenço*

14:00 **The UN Convention on the Rights of Persons with Disabilities (UNCRPD): key features**
Delia Ferri

- Purpose, general principles and rights in the UNCRPD
- The monitoring role of the UN Committee on the Rights of Persons with Disabilities: State reporting and Individual complaints procedure

14:45 Discussion

15:10 **Disability in EU law**

- The concept of disability in the case law of the CJEU
- Lack of direct effect of the UNCRPD

15:55 Discussion

16:15 Coffee break

16:45 **PARALLEL WORKSHOPS**

A. The legal status of the UNCRPD and its role as interpretation tool
Delia Ferri

B. The importance of the preliminary reference procedure for disability law judges

18:00 Results of Workshop and Discussion

18:30 End of first day

20:00 Dinner

Tuesday, 14 June 2016

II. THE UNCRPD IN PRACTICE: HOW TO SECURE THE RIGHTS OF DISABLED PEOPLE *Chair: Delia Ferri*

09:00 **Access to justice for persons with disabilities**
Stefan Tappeiner

09:45 Discussion

10:00 **WORKSHOP: Ensuring access to justice under Art.13 UNCRPD**
Stefan Tappeiner

11:15 Discussion

11:30 Coffee break

12:00 **Implementing Art. 9 UNCRPD: Eliminating barriers to accessibility in**

- Transportation
- ICT
- Facilities

Damjan Tatic

12:45 Discussion

13:00 Lunch

14:00 **PARALLEL SESSIONS**

- A. Detention of persons with disabilities**
Marc Lehmann
- B. Disability in employment**
Philip Rostant

15:15 Coffee break

15:45 **PARALLEL WORKSHOPS**

- A. Detention of Persons with Disabilities**
Marc Lehmann
- B. Disability in employment: Art.27 UNCRPD**
Philip Rostant

17:00 Discussion

17:30 End of second day

18:30 Vineyard Tour, Wine-Tasting and Dinner

Wednesday, 15 June 2016 *Chair: Damjan Tatic*

09:30 **(Dis)Able? Enjoying legal capacity under the UNCRPD**
Denzil Lush

10:15 Discussion

10:30 Coffee break

11:00 **WORKSHOP: The national judge as guarantor of Art. 12 UNCRPD**
Denzil Lush

12:20 Discussion

13:00 Light lunch and end of seminar