## 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 *Luísa Lourenço* 
  - I. THE INTERNATIONAL AND EUROPEAN FRAMEWORK OF DISABILITY LAW Chair: Luísa 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 compleximents
  - 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