



APPLYING EU ANTI-DISCRIMINATION LAW



SEMINAR FOR LEGAL PRACTITIONERS

Bucharest, 17-18 October 2022

**UP
GRADE**
YOUR LEGAL
EXPERTISE

Anti-Discrimination
Law

Speakers

Uladzislau Belavusau, Senior Researcher, T.M.C. Asser Institute, The Hague

Raluca Dimitriu, Professor of Labour Law, Bucharest University of Economic Studies

Imane El Morabet, Legal Advisor, UNIA, Interfederal Centre for Equal Opportunities, Brussels

Janneke Gerards, Professor of Fundamental Rights Law, Utrecht University

Iustina Ionescu, Human Rights Lawyer, Bucharest

Romanița Iordache, Senior Expert, Romanian FRANET team of the Fundamental Rights Agency of the EU, Bucharest

Petr Polák, Senior Legal Adviser, Office of the Public Defender of Rights, Brno

Paola Regina, International Lawyer, Human rights Commission, Bar of Milan; Researcher, Polytechnic University of Milan

Key topics

- Key concepts: direct and indirect discrimination, harassment
- Burden of proof and access to evidence
- Enforcement issues
- Religious discrimination at the workplace
- Disability and reasonable accommodation
- LGBTIQ rights
- Hate speech

Languages
English and Romanian
(simultaneous interpretation)

Event number
122DV78

Organisers
ERA (Anastasia Patta) on behalf of the European Commission (contracting authority) and with the support of the National Association of Romanian Bars



Funded under the 'Rights, Equality and Citizenship Programme 2014-2020' of the European Commission

Applying EU Anti-Discrimination Law

Seminar for legal practitioners

Monday, 17 October 2022

- 08:45 Arrival and registration of participants
- 09:05 **Welcome and introduction**
Representative of the National Association of Romanian Bars
Anastasia Patta, ERA
- 09:15 **The EU legal framework on equality** – with special attention to the EU Charter of Fundamental Rights, its legal value and the issue of horizontal direct effect of Article 21 in the CJEU case law
Paola Regina
- 10:00 Discussion
- 10:15 **Key concepts of European equality law**
- Direct discrimination
 - Indirect discrimination
 - Harassment
- Raluca Dimitriu*
- 11:00 Discussion
- 11:15 Coffee break
- 11:45 **Equality, artificial intelligence, algorithms and automated decisions: how to detect and address discrimination in the context of AI?**
- Discrimination risks and main fields
 - Legal resources available
- Janneke Gerards*
- 12:30 Discussion
- 12:45 Lunch
- 13:45 **Religious discrimination at the workplace and the recent CJEU case law regarding:**
- Headscarves
 - Religious employers
- Imane El Morabet*
- 14:30 Discussion
- 14:45 **Workshop: Discussion of a case study in working groups**
Interactive exercise
Imane El Morabet
- 15:45 Coffee break
- 16:15 **Results of the workshop and feedback**
- 17:00 End of the first seminar day
- 19:00 Seminar dinner at the restaurant Hanu' lui Manuc,
Str. Franceză, nr. 62-64, Bucharest

Objective

The aim of this seminar is to enable participants to understand and correctly apply the EU anti-discrimination legislation in domestic disputes. The focus will be on certain aspects of practical importance for legal practitioners in the application of the two anti-discrimination Directives 2000/43 and 2000/78. Furthermore, topical and current issues in this field will be discussed. Interaction among participants will be encouraged through periods of discussion and working groups requiring their active participation.

Who should attend?

Lawyers and other legal practitioners (for example, from trade unions or employers' associations, NGOs, labour inspectorates, equality bodies, etc.) in the EU, Iceland or Liechtenstein.

You will learn...

- how to differentiate between the key concepts of direct/indirect discrimination and harassment
- under which circumstances the burden of proof shifts in discrimination claims
- about the legal value of the EU Charter and how to apply and interpret it at domestic level
- how the CJEU interpreted the anti-discrimination directives in its recent case law on religious symbols at work
- about the legal status of the UNCRPD and its role as interpretative tool
- about the legal aspects of LGBTIQ equality
- how the European Union deals with hate speech

Venue

Intercontinental Hotel
Bulevardul Nicolae Balcescu, 4,
Bucharest, Romania

CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This event corresponds to **10 CPD hours**. A certificate of participation for CPD purposes with indication of the number of training hours completed will be issued on request. CPD certificates must be requested at the latest 14 days after the event.

Tuesday, 18 October 2022

- 09:00 **Proving discrimination**
- The shift of the burden of proof
 - How to establish a presumption of discrimination, examples and CJEU case law
- Romanita Iordache*
- 09:45 Discussion
- 10:00 **Discrimination on the grounds of disability**
- The relationship between EU law and the UNCRPD
 - The concepts of disability and reasonable accommodation
- Petr Polák*
- 10:45 Discussion
- 11:00 Coffee break
- 11:30 **Tackling hate speech in EU law**
- Definition of hate speech
 - Discrimination framework and criminal law framework
 - Online hate speech
 - Freedom of expression v. hate speech
- Uladzislau Belavuasu*
- 12:15 Discussion
- 12:30 **LGBTIQ rights in the EU**
- Sexual orientation discrimination
 - Intersex and transgender rights
 - Same-sex unions
- Iustina Ionescu*
- 13:15 Discussion
- 13:30 End of the seminar and lunch

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

e-Learning

Test your knowledge, brush up on the basics and get a first taste of the course with our preparatory e-learning course:

www.era-comm.eu/anti-discri/e_learning

Resources

For multilingual resources on EU anti-discrimination law, including background documentation, speakers' slides on different topics, video recordings and an e-learning course, visit:

www.era.int/anti-discrimination

Your contact persons



Anastasia Patta
 Senior Lawyer
 E-Mail: apatta@era.int



Barbara Hense
 Assistant
 E-Mail: bhense@era.int



www.linkedin.com/groups/8126652

Registration

APPLYING EU ANTI-DISCRIMINATION LAW

Bucharest, 17-18 October 2022 / Event Number: 122DV78



Applications for

APPLYING EU ANTI-DISCRIMINATION LAW on 17-18 October 2022

can be made online until 5 September 2022 on the following website:



www.era.int/? 131543&en



ERA's equality law seminars are organised in the framework of the European Union's 'Rights, Equality and Citizenship Programme 2014-2020' on behalf of the European Commission

EU Anti-Discrimination Law

Since 2003 ERA has been organising a series of seminars devoted to the two EU Anti-Discrimination Directives 2000/43 and 2000/78. For more information visit: www.era.int/anti-discrimination.

EU Gender Equality Law

Since 2009 ERA has been organising a series of seminars devoted to EU law on equal treatment between women and men. For more information visit: www.era.int/gender

Location

Grand Hotel Bucharest
4 Nicolae Balcescu Blvd
010051 Bucharest 1, Romania

Languages

English, Romanian
(simultaneous interpretation)

Contact Person

Barbara Hense
Assistant
E-Mail: bhense@era.int

Participation

Participation is only open to legal practitioners (for example, from trade unions or employers' associations, NGOs, labour inspectorates, equality bodies, etc.) from the EU, Iceland or Liechtenstein

The number of places at the event is limited and participation is subject to a selection procedure.

A response will be given to every applicant shortly after the deadline. We strongly advise you not to make any travel or hotel arrangements before receiving our confirmation.

Registration fee

There is no registration fee.

Travel expenses

Travel costs will be reimbursed to a maximum of €450 upon receipt of all necessary documents.

Accommodation

Two nights' accommodation will be covered directly by ERA.