

# Equinet Legal Training Agenda

18-19 March 2013

<b>VENUE</b>	<p>Bundesministerium für Familie, Senioren, Frauen und Jugend Glinkastrasse 24 10117 Berlin, Germany</p>
<b>TARGET AUDIENCE</b>	<p>Participation in this Equinet training is solely reserved to staff members of national equality bodies directly handling cases of alleged discrimination. The training is aimed at staff members of both 'tribunal-type' and 'non-tribunal-type' (promotional) equality bodies.</p>
<b>OBJECTIVES</b>	<p>The general objective of this training is to enhance participants' capacity in dealing with cases and to further develop their expertise in interpreting and effectively/efficiently using anti-discrimination legislation.</p> <p>The training will in particular offer opportunities to learn about and discuss with peers issues relating to:</p> <ul style="list-style-type: none"><li>• <b>The shift of the burden of proof and types of evidence in discrimination cases</b></li><li>• <b>Situation testing and its use</b></li><li>• <b>Practicalities of involvement in a case before the European courts</b></li><li>• <b>Disability discrimination</b></li></ul>
<b>METHODOLOGY</b>	<p>The training will feature presentations by eminent speakers specialised in the interpretation and application of the European equality legislation. It will also provide an opportunity for peer learning, for practical information exchange with peers from other equality bodies and for discussing, comparing and contrasting respective practices.</p> <p>The presentations will be divided into a number of sessions, thereby addressing different issues, including both procedural aspects and material aspects of equality legislation.</p> <p>The training is designed to create opportunities for participants to share their experiences and expertise. Participants will share and discuss their ideas on concrete cases and issues in three interactive workshop sessions and will be asked to contribute their experiences at the plenary sessions.</p>

# DAY 1 – Monday, 18 March 2013

<b>08.30 – 09.00</b>	<b>Registration and Welcome</b>	
	<b>Opening Address</b>	
<b>09.00 – 09.30</b>	<i>Christine Lüders</i> – Director of the Federal Anti-Discrimination Agency <i>Jozef de Witte</i> – Center for Equal Opportunity and Opposition to Racism (Belgium) and Chair of the Equinet Executive Board	
<b>09.30 – 10.45</b>	<b>SESSION 1 – EVIDENCE IN DISCRIMINATION CASES</b>	
	Chair: <i>Tena Šimonović Einwalter</i> , Office of the Ombudsman, Croatia	
<b>09.30 – 10.00</b>	<b>Evidence in discrimination cases and the place of situation testing</b>	<i>Uyen Do</i> – Migration Policy Group
<b>10.00 – 10.30</b>	<b>Practical experiences with situation testing</b>	<i>Alexander Klose</i> – Büro für Recht und Wissenschaft, Berlin
<i>Questions &amp; Answers – Discussion (15 minutes)</i>		
<i>Coffee break (15 minutes)</i>		
<b>11.00 – 12.00</b>	<b>SESSION 2 (WORKSHOP)</b>	
	<b>CASE STUDY ON SHIFTING THE BURDEN OF PROOF</b>	
	Workshop discussions on different types of evidence	
<b>12.00 – 13.00</b>	<b>SESSION 3 – SHIFTING THE BURDEN OF PROOF</b>	
	Chair: <i>Tena Šimonović Einwalter</i> , Office of the Ombudsman, Croatia	
<b>12.00 – 12.15</b>	<b>Practical experiences of judging evidence and shifting the burden of proof</b>	<i>Barbara Bos</i> – Netherlands Institute for Human Rights
<b>12.15 – 12.30</b>	<b>Reporting back from case studies</b>	<i>Moderators of case study groups</i>
<i>Questions &amp; Answers – Discussion (30 minutes)</i>		
<i>Lunch (1 hour)</i>		
<b>14.00 – 15.40</b>	<b>SESSION 4 – BRINGING A CASE BEFORE THE EUROPEAN COURTS</b>	
	Chair: <i>Csaba Ferenc Asztalos</i> , National Council for Combating Discrimination, Romania	
<b>14.00 – 14.45</b>	<b>Referring discrimination cases to the CJEU – implications of the Belov case</b>	<i>Thomas Henze</i> – Division EA5 Representation of the Federal Republic of Germany before the European Courts German Federal Ministry of Economics and Technology
<i>Questions &amp; Answers – Discussion (15 minutes)</i>		

15.00 – 15.25	<b>Practical aspects of involvement in a case before the European Court of Human Rights</b>	<i>Clare Collier</i> – Equality and Human Rights Commission, UK
<i>Questions &amp; Answers – Discussion (15 minutes)</i>		
<i>Coffee break (20 minutes)</i>		
<b>SESSION 5 (WORKSHOP)</b>		
<b>BRINGING A CASE BEFORE THE EUROPEAN COURTS</b>		
16.00 – 17.15	<ul style="list-style-type: none"> <li>• <i>How to concretely formulate a reference to the CJEU – “directly” as a quasi-judicial body or “indirectly” as a promotion-type body through a national court</i></li> <li>• <i>Ways of engaging in cases brought to the ECtHR</i></li> <li>• <i>Strategic litigation at national and European level</i></li> </ul>	
18.30	<b>DEPARTURE FOR DINNER AND SOCIAL EVENT</b>	
<b>DAY 2 – Tuesday, 19 March 2013</b>		
09.00 – 10.30	<b>SESSION 6 – DISCRIMINATION ON THE GROUND OF DISABILITY</b> Chair: Evelyn Collins, Equality Commission for Northern Ireland	
09.00 – 09.30	<b>Discrimination on the ground of disability</b>	<i>Dr. Andreas Inghammar</i> – Lund University
<i>Questions &amp; Answers – Discussion (15 minutes)</i>		
09.45 – 10.15	<b>Chronic disease: Ground of discrimination? Findings of a study on disability commissioned by the FADA</b>	<i>Tarek Naguib</i> – Centre for Social Law, Zurich University of Applied Sciences
<i>Questions &amp; Answers – Discussion (15 minutes)</i>		
<i>Coffee break (20 minutes)</i>		
<b>SESSION 7 (WORKSHOP)</b>		
<b>DISCRIMINATION ON THE GROUND OF DISABILITY</b> <i>Workshop discussions relating to the ground of disability</i>		
12.00 – 12.15	<b>Reporting back from SESSION 7</b>	<i>Moderators of case study groups</i>
<b>Concluding remarks and closing</b>		
12.15 – 12.30	<i>Christine Lüders</i> – Director of the Federal Anti-Discrimination Agency <i>Anne Gaspard</i> – Executive Director of Equinet	
<i>Farewell lunch (1 hour)</i>		