



Applying the Charter of Fundamental Rights of the European Union

Focus on the rights of Union citizens

SEMINAR FOR LEGAL PROFESSIONALS

Dublin, 13-14 March 2017

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Speakers

Sarah Fennell, Barrister, Bar of Ireland, Dublin

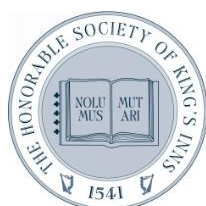
Ryan Fergus, Senior Lecturer in Law, Department of Law, Maynooth University, Dublin

Tobias Lock, Lecturer in Law, Co-director of the Europa Institute, University of Edinburgh

Sonia Morano-Foadi, Reader in Law at Oxford Brookes University and Research Associate at the International Migration Institute, Department of International Development, University of Oxford

Aidan O'Neill QC, Barrister, Matrix Chambers, London

Daniel Sarmiento Ramírez-Escudero, Counsel, Uría Méndez; Professor, University Complutense of Madrid



Key Topics

- The system of fundamental rights protection in Europe
- Relationship between the EU Charter and the ECHR
- Scope of application and interpretation of the EU Charter in national legal orders
- Right of access to documents of the EU
- Freedom of movement and residence

Language

English

Event number

417DT83

Organisers

ERA (Sanja Jovičić) in cooperation with The Honorable Society of King's Inns



This series of seminars is organised with the financial support of the Justice Programme 2014-2020 of the European Union.

Applying the Charter of Fundamental Rights of the European Union

Monday, 13 March 2017

8:30 Arrival and registration of participants

9:00 **Opening of the seminar**
Sanja Jovičić

I. THE SYSTEM OF FUNDAMENTAL RIGHTS PROTECTION IN EUROPE

9:15 **Protecting fundamental rights in Europe: an overview**

- General principles of EU law
- The EU Charter and its legal value
- Other regional and national legal protection instruments

Daniel Sarmiento Ramírez-Escudero

10:00 Discussion

10:15 **Relationship between the Charter of Fundamental Rights of the EU and the European Convention of Human Rights and Fundamental Freedoms: complementing or competing systems?**

- The roles of the ECtHR and CJEU
- Judicial remedies before the CJEU and the ECtHR
- Principle of equivalent protection
- EU Accession to the ECHR
- Enforcement of the judgments of the ECHR and CJEU

Tobias Lock

11:00 Discussion

11:15 Coffee Break

11:45 **Case study:**
The scope of application and interpretation of the EU Charter in national legal orders

- The scope of application and interpretation
- The limits of Article 53 of the Charter in the case law of the CJEU
- The issue of direct effect of the Charter provisions

Daniel Sarmiento Ramírez-Escudero

12:30 Discussion

12:45 Lunch

II. UNION CITIZENS' RIGHTS IN PRACTICE

14:00 **Freedom of movement and residence**

- Who can benefit from the freedom of movement and residence?
- Non-discrimination
- Possible restrictions
- Third countries' nationals legally resident and return of illegal immigrants
- The development of the CJEU case law

Sonia Morano-Foadi

15:00 Discussion

15:15 **Right of access to documents of the EU**

- Legal framework and the development of the CJEU case law
- Exceptions: the right to privacy and integrity, public interest and international relations

Aidan O'Neill

16:15 Discussion and exchange of national practices

16:30 Coffee break

Objective

The participants will obtain sound knowledge of the scope and interpretation of the Charter of Fundamental Rights of the European Union, as well as its relationship with other legal instruments protecting fundamental rights in Europe. A focus will be put on the application in practice of the provisions concerning Union citizens' rights.

Who should attend?

Legal practitioners from EU Member States working in particular in the field of civil and administrative law.

Please note that the number of places available is limited (40 places).

Registrations will be accepted on a first come, first served basis.

You will learn...

- How fundamental rights are protected in Europe
- The legal value of the EU Charter
- How to apply and interpret the EU Charter at domestic level
- How to exercise the right of access to EU documents
- What is freedom of movement and residence, who can benefit from it and possible restrictions
- Family life and the freedom of movement and residence with focus on LGBT rights
- How to litigate the right to family life before the European courts.

Your contact persons



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- 17:00 **Case study:**
Exercising the right of access to EU documents
Aidan O'Neill
- 17:45 Discussion
- 18:00 End of first seminar day
- 19:30 Dinner

Tuesday, 14 March 2017

II. UNION CITIZENS' RIGHTS IN PRACTICE (continued)

- 09:00 **Family life and the freedom of movement and residence: focus on LGBT rights**
- Who is a family member?
 - Entry and residence of spouses, registered and de facto partners
 - The status of non-EU family members
 - Family reunification and children of same-sex couples
 - Relevant CJEU and ECtHR case law
- Fergus Ryan*
- 10:00 Discussion
- 10:15 **Case study:**
Discrimination and freedom of movement and residence
Fergus Ryan
- 11:15 Coffee break
- 11:45 **Case study:**
How to litigate the right to family life before the European courts?
Sarah Fennell
- 12:45 Discussion and exchange of national practices
- 13:00 End of seminar

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

What participants said

"This event gives you new practical good information."

"I gathered information on the subject of conference and I met new people from different backgrounds with whom I can exchange information."

CPD

The Academy of European Law's conferences and seminars meet the standard requirements for Continuing Professional Development (CPD) recognition. Participation in this event corresponds to **10 CPD hours**.

Discover Dublin

Discover Dublin, built on centuries of history and surrounded by diverse culture and craft. Experience what inspired the minds of Dublin's poets, immerse yourself in the city's rich and varied history, or simply take a stroll and soak up the atmosphere. Explore some of the main attractions and landmarks and visit the Guinness storehouse, Kilmainham jail, O'Connell street, the Aviva stadium and Temple Bar to name but a few.



Save the date

EU Disability Law and the UNCRPD
Trier, 27-28 March 2017

Annual Conference on European Data Protection Law 2017
Brussels, 6-7 April 2017

Recent Case Law of the ECtHR in Asylum Matters
Strasbourg, 11-12 May 2017

E-Learning

In addition to a wide range of seminars and workshops, the European Law Academy also offers a wide range of e-learning courses and e-presentations on the most varied legal areas:
www.era-comm.eu/elearning

Registration

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Dublin, 13-14 March 2017 / Event number: 417DT83



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Postcode/City Country

- Participation certificate: Please provide me with a participation certificate.**
 Evening programme: I will attend the dinner on 13 March 2017 (at no extra charge).

Registration fee

€ 240 (no discounts apply)

Method of payment

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E-mail: info@era.int

Online registration:
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