



Just4All

WP4. Training of legal practitioners

BRIDGING THE GAPS: Disability legislation, policies and best practices on access to Justice

19 January 2021

9:00 – 12:00 CEST

Where: Webinar (link)

Working language: Spanish

CONTEXT

Across Member States of the European Union, persons with disabilities are yet to be granted full access to justice. They experience high rates of direct, indirect and structural discrimination, as well as intersecting forms of discrimination both in legislation and in policies and practices.

The UN Convention on the Rights of Persons with Disabilities (UN CRPD), alongside the European Charter of Fundamental Rights and other policies of the European Commission on disability, such as the European Accessibility Act, make up the essential international and regional legal framework with respect to the rights of persons with disabilities. However, each Member State is to adopt national legislation and policies aimed to respect, protect and fulfil the rights of persons with disabilities.

OBJECTIVES AND TARGET

On the basis of the previous results of the project, this workshop is aimed at improving the knowledge and awareness of legal practitioners on the situation of disability considering the most relevant legislation, case



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law and policies related, as a condition to make them more competent in their role in the implementation of the European legislative framework regarding this field.

This workshop will bring together legal professionals, particularly notaries and lawyers, to compare theory and practice and detect which aspects may be improved in benefit of the people with disabilities and the coherence of the EU legal system.

STRUCTURE

The session will be divided in three blocks. In the first one, about “International and the European legal framework on disability”, participants will have the opportunity to reflect on the International and European rules and policies, particularly on the CRPD and the Charter of Fundamental Rights of the European Union as well as on the main European Commission Policies on disability, including the European Accessibility Act. Even when the gender and children rights approaches will be incorporated throughout the workshops, a specific intervention on the subject is foreseen.

The second part will be devoted to the Spanish law. Legal professionals will address the national legal framework, comparing theory and practice and reflecting on the better way to improve their practices in benefit of the persons with disabilities.

Third, some of the best practices developed by legal professionals will be shared, for finish with a presentation of the main conclusions of the workshops that will be compared with the results of the three other workshops to be organized with legal professionals of different European countries.

DRAFT PROGRAMME

09:00

Welcome and Introduction

09.15

- Rafael de Asís Roig, Full Professor of Philosophy of Law, UC3M
- Alberto Durán, Executive Vice President of Fundación ONCE
- Leandro Escudero Atienza, Manager - Professional & Consulting Services Spain

09.15

The international and European legal framework on disability

09.45

Moderator: Rafael de Asís Roig, Full Professor of Philosophy of Law, UC3M



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- International and European perspective: Phd. Miguel Ángel Cabra, Lawyer, Member of European Economic and Social Committee in representation of CEPES
- Gender and children perspective: Ana Peláez, CEDAW Committee

09:45 **The guarantee of access to justice for persons with disabilities in the**
10:45 **exercise of legal professions in Spain**

Moderator: M. Carmen Barranco Avilés (Lawyer. Associate Professor of Philosophy of Law, UC3M)

- Almudena Castro-Girona, Notary, Vicepresident of the UINL
- Albino Escribano, Lawyer, Dean of the Bar Association of Albacete
- Juan Manuel Fernández, Judge, Member of the General Council of the Judiciary and President of Foro Justicia y Discapacidad

10:45 **Coffee break**
11:00

11:00 **Best practices / case law**

11:45 Moderator: Patricia Cuenca Gómez (Lawyer. Professor of Philosophy of Law UC3M)

- Juan Martínez Moya, Judge and Member of the General Council of the Judiciary. Reglas de Brasilia como guía para mejorar el acceso a la justicia de las personas con discapacidad en España
- Federico Cabello de Alba, Notary. The Fundación AEQUITAS (Section Social and Economic Director)
- Rafael de Lorenzo, lawyer. La Sección de Discapacidad del Ilustre Colegio de Abogados de Madrid (President)

11:45 **Concluding Remarks**

12:00 Rafael de Asís Roig, UC3M



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Instituto de Derechos Humanos
Gregorio Peces-Barba



Just4All

The Just4all project aims to promote access to justice for persons with disabilities by raising awareness of the needs of persons with disabilities and develop training activities for legal practitioners. Just4All seeks to promote the effective implementation of the European Charter of Fundamental Rights, the UN Convention on the Rights of Persons with Disabilities and EU legislation on disability. The project is also looking at cross-cutting issues of gender and age and consider the variety of legal domains that the justice system entails.

Organisations: **Fundación Once** (coordinator, Spain), **Universidad Carlos III** (Spain), **EASPD** (EU), **EDF** (EU), **Thomson Reuters** (Spain).

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