



EU GENDER EQUALITY LAW

SEMINAR FOR MEMBERS OF THE JUDICIARY

Bucharest, 21-22 March 2022

**UP
GRADE**
YOUR LEGAL
EXPERTISE

Gender Equality
Law

Speakers

Carmela Apostol, Lawyer and Administrator, Secretariat of the Istanbul Convention Monitoring Mechanism, Violence against Women Division, Council of Europe, Strasbourg

Dragos Calin, Judge, Court of Appeal, Bucharest

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

Petra Foubert, Professor of Law and Dean of the Law Faculty, Hasselt University

Kristina Koldinská, Professor, Charles University, Prague

Fabian Lütz, PhD researcher, University of Lausanne

Amelia Onisor, Judge, Court of Appeal, Bucharest; Full-time Trainer in EU Law, Romanian National Institute of Magistracy, Bucharest

Octavia Spineanu-Matei, Judge, Court of Justice of the European Union, Luxembourg

Marcin Wujczyk, Attorney at law, Wardyński & Partners, Kraków; Assistant Professor, Jagiellonian University, Kraków

Key topics

- EU legal framework
- Definition of key concepts: direct/indirect discrimination, harassment and sexual harassment
- Burden of proof
- Equal pay
- Remedies and sanctions
- Work-life balance
- Violence against women
- AI and gender equality
- Preliminary ruling procedure

Languages

English and Romanian
(simultaneous interpretation)

Event number

122DV69f

Organiser

ERA on behalf of the European Commission (Contracting Authority) and with the support of Romanian National Institute of Magistracy



EU Gender Equality Law

Seminar for members of the judiciary

Monday, 21 March 2022

08:45 Arrival and registration of participants

09:10 **Welcome and introduction**
Cristina Rotaru and Nadia Taran (NIM)

Chair: *Petra Foubert*

09:20 **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
Octavia Spineanu-Matei

10:00 Discussion

10:15 **Definition of key concepts**

- Direct discrimination
- Indirect discrimination
- Harassment
- Sexual harassment

Kristina Koldinská

11:00 Discussion

11:15 Coffee break

Chair: *Octavia Spineanu-Matei*

11:45 **Proving discrimination**

- The shift of the burden of proof
- How to establish a presumption of discrimination: examples and CJEU case law
- Access to evidence and CJEU case law on disclosure of information

Marcin Wujczyk

12:30 Discussion

12:45 Lunch

Chair: *Marcin Wujczyk*

13:45 **Equal pay for work of equal value**

- Directive 2006/54/EC and CJEU case law
- Pay transparency measures

Petra Foubert

14:30 Discussion

14:45 **Workshop: case study on sex discrimination**
Petra Foubert

16:00 Coffee break

16:30 **Results of the workshop and discussion**

17:15 End of the first seminar day

19:00 Seminar dinner

Objective

The seminar will provide participants with an overview of EU gender equality legislation as interpreted by the Court of Justice of the European Union in its large case law on this topic. Interaction among participants will be encouraged through periods of discussion and working groups requiring their active participation.

Who should attend?

Judges, prosecutors and other members of the judiciary from an EU Member State, Iceland or Liechtenstein.

You will learn how to

- distinguish between different sources of law and apply them in relevant situations
- differentiate between the essential concepts of direct and indirect discrimination
- ensure that the burden of proof is correctly applied in court proceedings involving discrimination claims
- tackle pregnancy and pay discrimination on grounds of sex
- impose effective, proportionate and dissuasive sanctions in cases of sex discrimination
- make use of the Istanbul Convention to tackle violence against women
- detect and address discrimination in the context of artificial intelligence
- how to submit a preliminary question to the CJEU

Venue

National Institute of Magistracy
Bulevardul Regina Elisabeta 53
Bucharest 050014, Romania

e-Learning

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

www.era.int/gender-e-learning

Tuesday, 22 March 2022

Chair: *Raluca Dimitriu*

09:15 **The role of the national judge in applying EU equality law:**

- Applying EU law in domestic proceedings
- Practical tips for submitting a preliminary ruling procedure

Amelia Onisor

10:00 Discussion

10:15 **Seeking effectiveness: remedies and sanctions in sex discrimination cases**

Dragos Calin

10:45 Discussion

11:00 Coffee break

Chair: *Dragos Calin*

11:30 **Artificial intelligence and gender equality**

- Gender biases in recruitment and selection processes
- How to detect and address discrimination in the context of AI?

Fabian Lütz

12:00 Discussion

12:15 Lunch

Chair: *Amelia Onisor*

13:15 **Work-life balance**

- What changes with the transposition of Directive 2019/1158?
- Impact of the COVID-19 crisis

Raluca Dimitriu

14:00 Discussion

14:15 **Gender-based violence**

- The Istanbul Convention
- Relevant ECtHR case law

Carmela Apostol

15:00 Discussion

15:15 Closing remarks

15:30 End of the seminar

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

Resources

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

www.era.int/gender

Your contact persons



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 on EU Equality Law

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Application procedure

EU Gender Equality Law

Bucharest, 21-22 March 2022 / Event Number: 122DV69f



Applications for

EU Gender Equality Law on 21-22 March 2022

can be made online until 21 January 2022 at:



www.era.int/?131181&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 seminars devoted to the 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

National Institute of Magistracy
Bulevardul Regina Elisabeta 53
Bucharest 050014, Romania

Languages

English, Romanian
(simultaneous interpretation)

Contact Person

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Participation

Participation is only open to judges, prosecutors and other members of the judiciary from the EU, Iceland or Liechtenstein. Participation will be subject to a selection procedure since the number of places is limited. 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.