

HUMAN  
RIGHTS



ONLINE SEMINAR  
**Recent ECtHR Case Law on  
Labour Law matters**  
15-16 October 2020

**UP  
GRADE**  
YOUR LEGAL  
EXPERTISE

**Human  
Rights Law**



### Speakers

**Kristīne Dupate**, Member of the European Committee of Social Rights (ECSR) of the Council of Europe; Associate Professor, University of Latvia

**Prof Frank Hendrickx**, Professor of labour law, University of Leuven

**Katerina Lazana**, Lawyer, European Court of Human Rights, Strasbourg

**Prof Ana Maria Guerra Martins**, Judge, European Court of Human Rights, Strasbourg

**Prof Tonia Novitz**, Professor of Labour Law, University of Bristol

**Prof Martin Reufels**, Partner, Heuking Kühn Lüer Wojtek, Cologne

**Grégory Thuan dit Dieudonné**, Lawyer; President of the Human Rights Commission of the European Lawyers' Union (UAE); former Senior Lawyer at the Registry of the European Court of Human Rights, Strasbourg

### Key topics

- Employee surveillance and monitoring
- Respect for private life and free speech in the employment context
- Prohibition of discrimination
- Right to strike
- Practical tips on how to submit a case to the Strasbourg Court
- Recent decision of the European Committee of Social Rights (ECSR)

Language  
English

Event number  
120SD124

Organiser  
Leyre Maiso (ERA)



With the support of the Erasmus+  
programme of the European Union

## Thursday, 15 October 2020

- 13:30 Connecting to the platform
- 13:45 Welcome and introduction  
*Leyre Maiso*
- 14:00 **European Union and the Council of Europe: A comparison of ECtHR and CJEU case-law on social rights, the example of non-discrimination**  
*Ana Maria Guerra Martins*
- 14:30 Discussion
- 14:45 **Recent ECtHR case law on employee surveillance and monitoring (Article 8 ECHR)**
- *Antović and Mirković v. Montenegro (2017)*
  - *Barbulescu v. Romania (2017)*
  - *Libert v. France (2018)*
  - *Garamukanwa v. the United Kingdom (2019)*
  - *Yilmaz v. Turkey (2019)*
  - *Ribalda v. Spain (2019)*
- Frank Hendrickx*
- 15:30 Discussion
- 15:45 Break
- 16:00 **Recent ECtHR case law on freedom of expression in the workplace (Article 10 ECHR)**
- *Herbai v. Hungary (2019); Marunic v. Croatia (2017)*
  - *Guja v. Republic of Moldova (no. 2) (2018)*
- Martin Reufels*
- 16:30 Discussion
- 16:45 **Recent ECtHR case law on the right to strike (Article 11 ECHR) and the significance of ILO standards**
- *Association of Academics v Iceland (2018)*
  - *Ognevenko v. Russia (2018)*
- Tonia Novitz*
- 17:15 Discussion
- 17:30 End of first online seminar day



Times indicated are CEST  
(Central European Summer Time)

## Objective

This online seminar will provide participants with a detailed insight into the recent case law of the European Court of Human Rights (ECtHR) with relevance for labour law, with a focus on the most important judgments since 2018. The training will provide the participants with the necessary tools to identify and address human rights violations and apply that provision in domestic proceedings.

## Who should participate in the online seminar?

Lawyers in private practice, in trade unions and employers' organisations, judges, European and national civil servants and other legal practitioners dealing with labour law.

## You will learn...

- how human rights impact the development and implementation of domestic labour law
- how the ECtHR has interpreted the Convention in specific cases
- how to apply validly to the ECtHR with due regard to the admissibility requirements provided for in the Convention
- about current decision of the European Committee of Social Rights

## CPD

ERA's programmes meet the standard requirements for recognition as Continuing Professional Development (CPD). This online seminar corresponds to **6 CPD hours**.

## Interactive online seminar

The seminar will be hosted on ERA's own online training platform. You will be able to interact immediately and directly with our top-quality speakers and other participants. We will make the most of the technical tools available to deliver an intensive, interactive training experience. As the platform is hosted on our own server, the highest security settings will be applied to ensure that you can participate safely in a high-quality online training environment.

## Friday, 16 October 2020

09:00 Connecting to the platform

### 09:15 Recent ECtHR case law on other work-related rights

- **Prohibition of forced labour (Article 4 ECHR)**
  - *J. and Others v. Austria (2017)*
  - *Adigüzel v. Turkey (2018)*
  - *S.M. v. Croatia (2018)*
- **Prohibition of discrimination (Article 14 ECHR)**
  - *Grimmark v. Sweden and Steen v. Sweden (2020)*
  - *Hülya Ebru Demirel v. Turkey (2018)*
- **Protection of property (Article 1 ECHR)**
  - *Fábián v. Hungary (2017) (pensions)*
  - *Cakarevic v. Croatia (2018) (unemployment benefits)*

*Katerina Lazana*

10:00 Discussion

### 10:15 Submitting a case to the ECtHR: misconceptions and best practice

- How does the Court work?
- Admissibility criteria
- Interim measures
- Practical case study

*Grégory Thuan dit Dieudonné*

11:00 Discussion

11:15 Break

### 11:30 Recent decision of the European Committee of Social Rights (ECSR)

- Interrelationship of the European Social Charter with the EU Charter of Fundamental Rights and the European Convention on Human Rights
- Collective complaints system
- Recent decisions: UWEx15 decision on Equal Pay, etc.

*Kristine Dupate*

12:15 Discussion

12:45 End of online seminar

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For programme updates: [www.era.int](http://www.era.int)  
Programme may be subject to amendment.

## Your contact persons



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## Save the date

### Applying EU Anti-Discrimination Law

Webinar, 16-17 November 2020  
Languages: English and German

### EU Gender Equality Law

Webinar, 14-15 December 2020  
Languages: English and Romanian

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- free access to the full catalogue of over 400 ERA e-presentations until the end of 2021