



## **Basics of International Disability Law**

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### **Course description**

The module covers the knowledge in the area of international disability law. Firstly, the interpretations and definitions on disability will be reviewed. The medical, social and human rights approaches on disability will be reviewed. The differences between the models will be analyzed. The organizational structure of the international disability law will be analyzed, as well (UN, Council of Europe, EU). The course will cover the knowledge on the tiers of international and European regulation on disability law. The course presents the review of the fundamental terms and institutions of international disability law. The protection of the rights of people with disabilities will be analyzed and the different legal protection models (e.g. UN CRPD, CoE ECHR and EU) will be compared. The module develops the ability of comparative analysis of different legal systems – in the light of the regulation on the rights of people with disabilities.

Student who passes the course is able to:

#### **KNOWLEDGE:**

- define terms from the scope of disability, disability law, international and European disability law, indicated where and in what context they are being used- K\_W\_01;
- indicate the law regulated relations between authorities and citizens (in the field of disability law) - K\_W\_04;
- student has an ordered and clarified knowledge of decisions making subjects, having regard to applying the law- K\_W\_09;
- indicate the laws and obligations of the administrative bodies and citizens- K\_W\_13;

#### **SKILLS:**

- to interpret and apply the international and European regulations on the rights of people with disabilities - K\_U\_02;

#### **ATTITUDES:**

- to work in a group taking different roles- K\_K\_05;
- to set the priorities necessary to carry out, appointed by himself or others, tasks- K\_K\_09.

### **Teaching method**

- lecture, optional with Powerpoint presentation
- case study, legal acts study
- legal and comparative analysis
- active learning methods (Learning-by-doing)
- group discussion



## Course outline

1. The evolvement of disability law. Disability Law and Disability Studies.
2. Approaches on disability: traditional, medical social and human rights approach,
3. Global regulations on disability: the first UN conventions
4. The UN Convention on the Rights of People with Disabilities (1): the approach of the convention. Genral and horizontal regulations
5. The UN Convention on the Rights of People with Disabilities (2): main rights of the people with disabilities and their interpretation (
6. The UN Convention on the Rights of People with Disabilities (3): legal protection of people with disabilities
7. The ECHR on disability (1): the interpretation of the disabilities
8. The ECHR on disability (2): disability and ban of discrimination (equal treatment)
9. The practice of the ECtHR
10. EU disability law (1): treaties
11. EU disability law (2): regulations, directives
12. EU disability law (3): the practice of the ECJ

## Reading

- Bantekes, I., Stein, M. A. & Anastasiou, D. (2018): *The UN Convention on the Rights of Persons with Disabilities. A Commentary*. Oxford: Oxford University Press
- Patricia Kennett & Noemi Lendvai-Banton (2017): *Handbook of European Social Policy*. Cheltenham (UK) & Northampton (MA, USA): Edward Elgar
- Hoffman, I & Könnczei, Gy. (2010): Legal Regulations Relating to the Passive and Active Legal Capacity of Persons with Intellectual Disabilities in the Light of the Convention on the Rights of Persons with Disabilities and the Impending Reform of the Hungarian Civil Code. *Loyola of Los Angeles International and Comparative Law Review*, Vol. 33. No. 1. pp. 143-173.

## Assessment

- frequency of attendance
- effort in class
- final paper