

Seminar: Abortion and Disability – Human Rights Perspectives.

HRLC (Civil and Political Rights Unit), School of Law, and the Centre for Mental Health and Human Rights, University of Nottingham, Mental Diversity Law Network

Wednesday 6 December 2023, 14.00-16.00

The seminar will be held in hybrid form: in person in Room B55 Law and Social Sciences Building, University Park, Nottingham, and online via MS teams

Event Registration Link:

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Introduction

The United Nations Convention on the Rights of People with Disabilities was adopted in 2006. Its implementation by States parties is monitored by the UN Committee on the Rights of Persons with Disabilities (CRPD), a body of independent experts. The Committee has argued that the Convention has changed paradigms and models of disability. Any such changes necessarily impact on the rest of the international human rights system.

This Seminar seeks critically appraises those impacts. It also specifically examines (i) how disability human rights analysis is now being applied in the context of abortion and (ii) the challenges that represents to existing interpretations of other rights including the right to life, privacy, and non-discrimination.

Programme:

14.00-14.05: Introduction to the Seminar: Chair: Professor Dominic McGoldrick (University of Nottingham)

14.05: 14.35: Part I: Disability and Human Rights

14.05-14.20: Comment: 'The United Nations Convention on the Rights of People with Disabilities: Challenging the Human Rights System?' Professor Peter Bartlett (University of Nottingham)

14.20-14.30: Discussion

14.30-15.50: Part II: Abortion and Disability

14.30-14.50: Comment: 'Legality of disability selective abortion: discrimination and privacy laws under the ECHR', Kavana Ramaswamy (Cambridge University)

14.50-15.05: Discussion

15.05-15.25: Comment: 'Supporting access to abortion care for people with disabilities: case for reproductive agency', Dr Magda Furgalska (York University)

15.25-15.40: Discussion

Biographies.

Chair:

Dominic McGoldrick is Professor of International Human Rights Law and former Co-Director of the Human Rights Law Centre (HRLC), University of Nottingham. He is currently the Head of the HRLC's Civil and Political Rights Unit. He has published extensively on international human rights issues including on the right to life and on discrimination.

Speakers:

Peter Bartlett is Nottinghamshire Healthcare NHS Trust Professor of Mental Health Law. His main interests are in mental health and mental capacity law in England and internationally, and human rights and mental disability under the European Convention on Human Rights and the UN Convention on the Rights of Persons with Disabilities. Peter was specialist advisor to the House of Lords Post-Legislative Scrutiny Committee on the Mental Capacity Act (2013-14). He has served as an expert advisor to the Council of Europe in Bosnia, Georgia, Serbia, and Armenia. He was a board member for the Mental Disability Advocacy Center (MDAC), a Budapest-based international human rights NGO from 2006-2011, and served as chair from 2008-2011.

Kavana Ramaswamy is a PhD Candidate at the University of Cambridge, working on Models of Disability and Equality in Law, where she explores the impact of the use of social models of disability in law on justice for disabled people. In addition to Disability and Legal Theory, she is also interested in Human Rights and International Law. Prior to her doctoral research, she worked as an academic at OP Jindal Global University and Azim Premji University in India, focusing her research and teaching on Human Rights and International Law including disability, accessibility, constitutional rights, and education.

Magda Furgalska is a Lecturer in Law at the University of York. Her primary areas of research activity are socio-legal approaches to mental health law and medical law. She is particularly interested in interdisciplinary and empirical understandings of legal concepts relating to consent, advance decisions, abortion, reproductive agency and decision-making processes more broadly and, most importantly, how law works in everyday life. Before joining York, Magda was involved in abortion-related human rights research for work commissioned by the WHO and also conducted research in this area for UN Women.