

Farewell symposium and reception Rikki Holtmaat

‘From formal equality to transformative equality: the road to “other law” according to Holtmaat?’



13 September 2016, 13:00-18:00 hours

**Leiden University, Academy Building,
Rechtenkamer/Room of the Law Faculty
(Rapenburg 73, Leiden)**

Formal equality has long been at the heart of EU and international non-discrimination law. In addition, over the years substantive equality has become a legal norm, inter alia by means of the development of the concepts of indirect discrimination and of reasonable accommodation. Going beyond these concepts, Rikki Holtmaat has written extensively about the necessity to develop what she terms ‘other law’ because of the systemic and structural nature of discrimination. Formal and substantive equality are in her view not enough to combat discrimination of e.g. women and disabled persons.

In the past decade, a new concept of equality has been added to the more traditional approaches: transformative equality. According to commentators, this model is more apt to combat the structural causes of discrimination. Is this new approach the same as Holtmaat’s ‘other law’? And what is the legal basis and the practical value of transformative equality, in particular as compared to substantive equality? Are there any justiciable legal norms that substantiate the concept of transformative equality? In particular, might the CEDAW and CRPD Conventions be exemplary in that regard?

We invite you to join us for inspiring reflections and discussions on these issues in a seminar held on the occasion of Rikki Holtmaat’s retirement from her position as Professor of International Non-Discrimination Law at Leiden University.

Preliminary programme

- 13:00 Welcome
- 13:15 Part I: Transformative equality and ‘other law’: theoretical and conceptual questions
Speakers: Rikki Holtmaat (Leiden University) and Dolores Morondo Taramundi (University of Deusto)
Commentator: Alexandra Timmer (Utrecht University)
- 14:45 Break
- 15:15 Part II: Transformative equality and its potential for positive law: CEDAW and the CRPD.
Speakers: Eva Brems (Ghent University) and Jenny Goldschmidt (Utrecht University)
Commentator: Marjolein van den Brink (Utrecht University)
- 16:45 Concluding remarks
- 17:00 Farewell reception