UCL Université catholique de Louvain

LDROP2093

2015-2016

Leading cases of the European Court of Human Rights

5.0 credits	30.0 h	2q

Teacher(s) :	Callewaert Johan ;
Language :	Anglais
Place of the course	Louvain-la-Neuve
Main themes :	By way of introduction, the course will first deal with the basic principles governing the procedure before the Court and the latter's competence (distinction between admissibility and merits, admissibility requirements, scope of the case, etc.). This will be followed by an in-depth analysis of the leading cases relating to each of the substantial rights laid down in the Convention (including the right to life, the prohibition of torture, the right to freedom and security, to a fair trial, to respect for private and family life, the freedom of expression and association, the prohibition of discrimination and the protection of property). Finally, the most relevant case-law on the award of just satisfaction and the execution of the Court's judgments as well as on the relationship between the Convention and EU law will be addressed.
Aims :	The European Court of Human Rights is tasked with authoritatively interpreting the European Convention on Human Rights which contains the only pan-European, binding and justiciable catalogue of fundamental rights available to date. Nearly all European States, including Belgium, have incorporated the Convention into their domestic legal system, often conferring on it precedence over ordinary law. The course aims at making the students familiar with the most important principles and trends emerging from the Court's case-law, so as to enable them to usefully rely on the Convention in the expanding number of fields where it applies. In addition, the course will provide students with an opportunity to familiarize themselves with the use of legal English, which plays an ever increasing role in the international sphere. For this purpose, the emphasis will be placed on reading, understanding and discussing the main Court's judgments, a collection of which will be made available as course material. Finally, it should be mentioned that the content of the course will be determined so as to be complementary to the other two courses making up the human rights option (DROP2091 and DROP2092). *The contribution of this Teaching Unit to the development and command of the skills and learning outcomes of the programme(s) can be accessed at the end of this sheet, in the section entitled "Programmes/courses offering this Teaching Unit".*
Evaluation methods :	The exam at the end of the course will be in written form, covering both theoretical and practical questions which students are allowed to answer with the help of their casebook, using either the Court's or their own words. Questions will be in English and should preferably be answered in English, it being understood that purely linguistic mistakes will be disregarded. However, upon request students can also be allowed to answer the questions in French.
Teaching methods :	The emphasis will be laid on reading, understanding and discussing the Court's judgments, a collection of which will be made available as course material. Through a number of questions from the lecturer on the substance and meaning of the judgments examined in class, students will be encouraged to engage in an inter-active dialogue with the lecturer. However, this form of active participation will not be mandatory and students will therefore not be penalized for refraining from engaging in it.
Other infos :	Since this course is not a language but a law course, students will not be penalized for linguistic mistakes they might make either in class or at the exam. Medium-level English should therefore be sufficient to follow the course successfully. Further information on this course can be found on the iCampus-page dedicated to it.
Faculty or entity in charge:	BUDR

Programmes / formations proposant cette unité d'enseignement (UE)

Intitulé du programme	Sigle	Credits	Prerequis	Acquis d'apprentissage
Advanced Master in International Law	DRIN2MC	5	-	
Master [120] in Law	DROI2M	5	-	
Master [120] in Law (shift schedule)	DRHD2M	5	-	
Advanced Master in European Law	DREU2MC	5	-	
Master [120] in European Studies	EURO2M	5	-	