

Faculty of Law



DRHO3401 Rights preserving the Autonomy of the Person

[45h]

Teacher(s): Jean-Yves Carlier, Olivier De Schutter
Language: French
Level: Third cycle

Main themes

The autonomy of the person first presupposes that physical and moral integrity be preserved, that his/her private and family life, as well as the secrecy of his/her communications, be shielded from unjustified external interference, and that the individual's right to property be respected. It also presupposes freedom to manifest one's religion or belief, freedom of expression, freedom of association, as well as certain rights to political participation, through which the individual takes part as a citizen in the life of the community. Finally, personal autonomy may be effective only if the individual has the means to realise it through an education, the guarantee of an adequate standard of living or, more generally, the intervention of the authorities in order to protect the individual from the risks of existence. The need to protect the personal autonomy of the individual thus transcends the distinction between civil and political rights, on the one hand, and economic, social and cultural rights on the other hand. It envisages the individual seeking his/her fulfilment outside collective structures, as well as the citizen investing him- or herself in the life of the polity.

Content and teaching methods

CONTENT

This course teaches human rights which ensure the fulfilment of the individual by granting the individual the means for his/her self-determination (right to respect for private or family life, freedom of expression, right to liberty and security, freedom of movement...).

METHOD

The course is based on the examination of the case law of human rights courts and non-judicial bodies. It is recommended that the students read some of these judgments before the course begins.

Other credits in programs

DREU3DS/E Diplôme d'études spécialisées en droit international et européen
(Droit européen)
DREU3DS/I Diplôme d'études spécialisées en droit international et européen
(Droit international)