


4.00 credits

30.0 h

Q2


This learning unit is not open to incoming exchange students!

Teacher(s)	Beernaert Marie-Aude ;Krenc Frédéric ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Main themes	The human rights dealt with are: the right to liberty and security of the person; the right to access to a court for some categories of disputes; the right to a fair trial and to judgement entered within a reasonable time limit; the presumption of innocence; the principle of non-retroactivity of criminal laws; the right of efficient petition for any violation of a fundamental right granted or, in some cases, a double degree of jurisdiction (1st Instance + Appeal). The importance of these guarantees, from a statistical point of view (especially disputes taken to the inspection bodies of the European Convention of Human Rights) largely accounts for the fact that they form the subject of a separate course.
Learning outcomes	At the end of this learning unit, the student is able to : By the end of the course, the students should be capable of reading, understanding and analyzing the decisions of the European Court of Human Rights related to the right to a fair trial and to situate them, from a critical perspective, in the wider context of the Court's case law.
Evaluation methods	Assessment is based on an oral examination which covers the subject material discussed during the course and which is held before both lecturers. The questions aim to measure the students' level of knowledge and their capacity to read, understand and explain the decisions handed down by the European Court of Human Rights. Throughout the examination, the student may have printed copies of the Court's decisions (without annotations) referred to during the course (on the other hand, they may not have their class notes).
Teaching methods	Teaching takes place in the form of lectures. In light of the course's highly specific nature as well as its essentially jurisprudential dimension, the analysis of the Court's decisions constitute a technique favoured by the lecturers. The learning process promotes an interactive approach.
Content	The course proposes a detailed analysis of article 6 of the European Convention of Human Rights as well as of the related case law, which gives the article its substance. It has two main components. (I) After having determined the methods of interpreting article 6 of the European Convention of Human Rights, the course first goes about circumscribing article 6's field of application and examining the "cross-disciplinary" guarantees applicable to any lawsuit (civil, criminal, administrative, constitutional, disciplinary, etc.): taught by the first co-lecturer. (II) The course then proceeds with a thorough analysis of the procedural guarantees more specifically applicable to criminal trials: taught by the second co-lecturer.
Bibliography	Marie-Aude Beernaert et Frédéric Krenc, Le droit à un procès équitable dans la jurisprudence de la Cour européenne des droits de l'homme, 2e éd., Limal, Anthemis, 2023.
Faculty or entity in charge	DRTB

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Master [120] in Law	DROI2M	5		
Advanced Master in Human Rights (shift schedule)	DRHB2MC	4		