

The version you're consulting is not final. This course description may change. The final version will be published on 1st June.


4.00 credits

30.0 h

Q2

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| Teacher(s) | Hachez Isabelle ; |
| Language : | French |
| Place of the course | Bruxelles Saint-Louis |
| Learning outcomes | <p>At the end of this learning unit, the student is able to :</p> <p>This course forms the third and final part of a constitutional law course that begins in the first year (constitutional law I) of the bachelor and continues through the second year (constitutional law II and this course). Ideally, by the end of Constitutional Law III, students should be able to:</p> <ol style="list-style-type: none"> understand and assimilate the meaning(s) of the taught elementary legal concepts, such as, among others: fundamental rights (or public freedoms or human rights), generations of rights, positive obligations; negative obligations; primacy; direct effect; standstill principle; consistent interpretation; preventive system; repressive system; restrictions; derogations; disqualifications for abuse of right; general observations of UN committees; be rigorous and precise in explaining these concepts; understand the links between these fundamental concepts; apply these legal concepts in a concrete case understand and assimilate certain rules of Belgian positive law (in particular, rules that concern the oversight mechanisms as well as responsible bodies in matters of fundamental rights and determine their powers; rules determining the regime of limitations to fundamental rights; rules specifying the applicability and the scope of certain fundamental rights, etc.); master the use of the written legal material, which includes the texts of positive law commented on during the course; read and understand a portfolio of decisions handed down by the main oversight bodies in matters of fundamental rights, and be able to develop a legal reasoning based on the teaching(s) of principles that emerge(s) from them. ; provide a critical analysis of the legal systems studied; analyse the daily press news in the light of the concepts and rules studied. |
| Evaluation methods | <p>Oral examination. It lasts approximately 15 minutes per student and students will have an equal amount of time to prepare the two questions they will have chosen at random.</p> <p>All that was said during the taught classes is part of the examination, although nothing more than what was said in them.</p> <p>During the examination, students can bring the normative texts covered during the course and the portfolio of appendices, both of which may have annotations added by the students within the strict guidelines specified in the first pages of the syllabus.</p> |
| Teaching methods | <ul style="list-style-type: none"> - Ex cathedra course. The course will be based on the professional experience of the lecturer (at the bar, then at the Constitutional Court). Mainly theoretical, the lessons will also include the resolution of practical cases. - Teaching materials available: a syllabus (entitled "Droit constitutionnel III. Les libertés publiques") and a portfolio of appendices to be completed with class notes. The syllabus is more detailed on certain points than the lectures, and it includes bibliographical information, or invitations to the students "to go further into the topics". The student must also have a compilation of texts containing all the normative texts covered during the course. Reference handbooks are recommended. - The lecturer is available to answer any questions. |
| Content | <p>The course plan is, in summary:</p> <p>Title I: General Theory</p> <p>Chapter I: The concept of public freedom and its historical context</p> <p>Chapter II: The sources of public freedoms</p> <p>Chapter III: The beneficiaries and persons or entities liable of public freedoms of public freedoms</p> <p>Chapter IV: The regime of public freedoms and the determination of their limits</p> <p>Chapter V: the enforcement of rights and freedoms (in the domestic legal order)</p> <p>Title II: Analysis of specific public freedoms</p> <p>Chapter I: The principle of equality and non-discrimination</p> <p>Chapter II: Freedom of expression</p> |

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| Bibliography | Pas de bibliographie recommandée. |
| Other infos | Nature of the Course: Lectures. This course is intended for students of the second year of the Bachelor's programme (evening classes) in law. |
| Faculty or entity in charge | DRTB |

| Programmes containing this learning unit (UE) | | | | |
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| Program title | Acronym | Credits | Prerequisite | Learning outcomes |
| Bachelor in Law (shift schedule) | DRDB1BA | 4 | |  |