ldrop2093

2025

Leading cases of the European Court of Human Rights

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

5.00 credits	30.0 h	Q2

Language :	English
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.
Learning outcomes	
Evaluation methods	At the end of the course there will be a written exam whereby students are asked to apply the Court's case-law to a fictitious story based on the cases examined in class. They can do so with the help of their casebook, using either the Court's or their own words, it being understood that linguistic mistakes will be disregarded. Upon request students can be allowed to take the exam in French but a somewhat reduced level of marks will then be applied.
Teaching methods	In the class, the emphasis will be on reading, understanding and discussing the Court's judgments, a collection of which will be made available in a casebook. This will be done on the basis of explanations by the lecturer and of an interactive dialogue between the lecturer and the students. That dialogue will be initiated by a series of questions from the lecturer on the implications of the judgments under consideration, to which the students will be invited to answer using the Wooclap application, which allows all of them to express themselves. While active participation in this dialogue is not mandatory for students, it will have a positive impact on their marks at the exam.
Content	The course focusses on a selection of leading cases of the European Court of Human Rights covering the main rights laid down in the European Convention on Human Rights and its Protocols. Topics thereby addressed include, among others, the protection against ill-treatment, the protection of children and other vulnerable persons, the protection against arbitrary detention, the right to a fair trial (due process), the protection of private and family life, the protection against environmental pollution, the protection of personal data in the information society, the prohibition of discrimination, the protection of property, freedom of expression of citizens and of the press, protection against hate speech and, last but not least, the protection of democracy.
Inline resources	For each of the judgments discussed in class, students will find on Moodle a note setting out the successive steps of the legal reasoning by the Court, along with references to the relevant passages of the judgment concerned. These notes are designed to facilitate the reading and understanding of the judgments.
Other infos	Since this is not a language course 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 is therefore sufficient to follow the course successfully. Further information on this course can be found on the Moodle-page dedicated to it.
Faculty or entity in charge	BUDR

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Advanced Master in European Law	DREU2MC	5		🔍
Master [120] in Law	DROI2M	5		🔍
Advanced Master in International Law	DRIN2MC	5		🔍
Master [120] in Law (shift schedule)	DRHD2M	5		🔍
Master [120] in Law (shift schedule)	DRLN2M	5		🔍