

3.00 credits

12.0 h

Q1 and Q2



This learning unit is not open to incoming exchange students!

Teacher(s)	Moërynck Pierre ;Sambon Jacques ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Learning outcomes	At the end of this learning unit, the student is able to : Environmental protection concerns not only the material obligations regarding the preservation of natural environments and the fight against harmful effects but also the procedural rights and the means of sanctioning infringements and of restoration of the latter's consequences. The objective is to understand the multiple facets of environmental disputes and the legal means to pursue and repress infringements and to seek restoration of the consequences of such infringements.
Evaluation methods	Written examination. The evaluation aims to assess both the student's mastery of the subject matter and their ability to apply it to a particular factual context. The resolution of case studies or a commentary on case law may be included
Teaching methods	The course is delivered in person. It is taught in the form of a lecture, involving active student participation (analysis of case law and case studies).
Content	The course unit includes two learning units. Litigation (Sambon Jacques) This course addresses the third procedural right in environmental matters: access to justice. The issue of access to justice is explored in environmental litigation with regard to the various relevant courts (Court of Justice of the European Union, Constitutional Court, Civil Courts and Tribunals, and the Council of State). Particular attention is given to the conditions of admissibility of legal actions (specifically concerning standing to sue). This overview of the courts is then compared to the requirements of international and EU law (Aarhus Convention, Directives 2010/75/EU and 2011/92/EU). Special attention is also given to developments in domestic law (injunctive relief, collective interest actions, and the evolution of judicial case law). Criminal Law: The course begins by tackling general questions (directive 2008/99/EC), distribution of competences, proof, causes of irresponsibility, links with injunctions). Afterwards, it focuses on the means of sanctioning infringements and of restoration of the latter's consequences with regard not only to urban and regional planning but also to environmental legislation.
Inline resources	Moodle
Bibliography	Les références sont communiquées aux étudiants lors de l'enseignement.
Other infos	Supports: • Compilation of applicable normative texts • Detailed course outline • References to relevant case law • Syllabus
Faculty or entity in charge	DRTB

Programmes containing this learning unit (UE)				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Advanced Master in Environmental Law and Public Real Estate Law (shift schedule)	DPIB2MC	3		