

5.00 credits

30.0 h

Q2

Teacher(s)	Francq Stéphanie ;
Language :	French
Place of the course	Louvain-la-Neuve
Main themes	The course focuses on the influence of fundamental rights on private international law in Europe. It analyses the impact of the European Convention on Human Rights and of the EC Treaty on private international law
Learning outcomes	
Evaluation methods	The examination will be written in the form of an essay, asking students to answer a general question that allows them to cover different aspects of the subject and express a personal opinion. An assessment grid is available on the Moodle website. The examination is open book but without internet access.
Teaching methods	The interactive classes are based on the analysis and discussion of various documents (mainly case-law) posted on the Moodle website. Participants will be asked to prepare before the classes and to engage in the discussion, as well as to present some aspects of the materials. The presence and active participation in class is requested.
Content	The class explores the interactions between private international law and fundamental rights. An important part of the course is devoted to the following question: can private international law support and enhance the protection of fundamental rights? In this context, the analysis of various practical situations, in particular strategic litigations, enables us to reflect on the role of private international law in the contemporary world. The class covers (actual or potential) infringements of fundamental rights committed by States (or agents of the State) in private situations, as well as infringements committed by other private parties, in particular transnational companies. The course may, for example, cover the international implementation of corporate duty of care, the compensation for damage suffered by individuals or the environment as a result of the activities of transnational companies, the possibilities for protecting privacy or the right to information in an international environment, the protection of vulnerable persons in an international context, the recognition of marriages of minors celebrated abroad, the displacement of homoparental families, or of families having had recourse to surrogate motherhood. All these situations are analyzed in the light of current rules of private international law and their interaction with the rules of protection of fundamental rights. The course deals with practical situations and litigations, that are questioned in the light of critical approaches of law (CLS, feminist or post-colonial approaches ...).
Inline resources	The readings (case law and legal scholarship) are posted on the Moodle website.
Other infos	The general course of private international law is a prerequisite. A passive command of English is necessary for readings and attending some sessions.
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		