



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	The evaluation of the first part of the course is based on an oral examination held during the examination period and conducted by Frédéric Krenc. The questions are designed to assess the students' level of knowledge and to test their ability to read, understand, and explain judgments of the European Court of Human Rights. Throughout the examination, students are allowed to consult the judgments (unaltered and unannotated) that were discussed during the course; however, they may not use their lecture notes. The second part of the course is subject to continuous assessment, based half on the written assignments submitted before each in-person session, and half on the written tests conducted at the end of those sessions. The evaluation criteria are as follows: – Understanding of the material (ability to identify and apply relevant concepts and sources appropriately; rigour and accuracy); – Critical analysis (ability to contribute to the discussion and broaden the issues at stake; relevance and depth of the reasoning); – Formal aspects (spelling, syntax, punctuation, precision of vocabulary, etc.). The final grade corresponds to the average of the marks obtained in the oral examination (50%) and the continuous assessment (50%). In the second exam session (August), both parts of the course are assessed through an oral examination covering all the material studied during the course, conducted jointly by the two teachers. The grades obtained for continuous assessment and the oral exam during the first session are not carried over to the second session: the student is fully reassessed on the entire course material
Teaching methods	The first part of the course is taught by Frédéric Krenc in the form of a lecture, which includes an interactive component designed to encourage student participation. The second part of the course, taught by Marie-Aude Beernaert, is structured according to the “flipped classroom” model. The principle is that students familiarize themselves with the subject matter through personal preparation (readings and research), accompanied by a written assignment to be submitted prior to the in-person class. The in-person sessions are then devoted to answering students' questions, exploring certain aspects of the material in greater depth, illustrating them with examples, completing exercises, and engaging in classroom debates. Each session concludes with a written test covering the material that students prepared in advance and worked on collaboratively during the class.
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		