



<b>Title</b>	<b>Fundamental rights before courts</b>
<b>Lecturers:</b>  <b>Contact email address:</b>	<b>Bernadette Somody,</b> <b>Emese Pásztor,</b> <b>Péter Stánicz</b> Department of Constitutional Law <a href="mailto:somodyb@ajk.elte.hu">somodyb@ajk.elte.hu</a>
<b>Brief description</b>	<p>Students will deal with current fundamental rights problems: new fundamental rights dilemmas and new aspects of classical fundamental rights issues. Students will analyze the problems through courts' case law and then, based on this analysis, have structured discussions on them. The students will acquire knowledge of courts and other institutions of fundamental rights protection, and strategic litigation.</p> <p>Upon completion of the course, students</p> <ul style="list-style-type: none"><li>• will be familiar with current and emerging fundamental rights dilemmas and the related European case law;</li><li>• will have a deeper knowledge of the institutions and procedures for the protection of fundamental rights, in particular, constitutional courts and the ECHR;</li><li>• become more proficient in the analysis of case law sources;</li><li>• become more proficient in analyzing fundamental rights problems that they are unfamiliar with, constructing a fundamental rights argument and discussing their position with others.</li></ul>
<b>Schedule</b>	<p>Following introductory lessons on constitutional court procedures and the Strasbourg mechanism for the protection of fundamental rights, we discuss the following topics:</p> <ul style="list-style-type: none"><li>• Compulsory vaccination during a pandemic</li><li>• Prohibition of assembly in emergency situations</li><li>• Disinformation and the freedom of speech in emergency situations</li></ul>

	<ul style="list-style-type: none"> <li>• Children’s right to self-determination vs. parents’ right to upbringing</li> <li>• The constitutional concept of family and marriage</li> <li>• The rights of persons with disabilities: best interest and substituted decision-making</li> <li>• Independent living of persons with disabilities</li> <li>• End-of-life decisions: refusal of treatment, assisted suicide and euthanasia</li> <li>• Politicians and the freedom of speech in the social media</li> </ul>
<b>Materials/Recommended readings</b>	Selected decisions of the ECHR and constitutional courts (in English)
<b>Assessment/Exam</b>	<ul style="list-style-type: none"> <li>• Class attendance (a maximum of three absences are permitted)</li> <li>• Independent prep-work and active in-class participation (incl. short presentations based on commitments made at the beginning of the term)</li> <li>• Short essay on a related topic chosen by the student</li> </ul>