

Isabelle Rorive

Full professor (Prof. Dr.)

Isabelle.Rorive@ulb.be

[Centre Perelman](#) – Law Faculty - Université Libre de Bruxelles (ULB)

50 av. F.D. Roosevelt (C.P. 132) - 1050 Brussels

Academic qualifications

<i>PhD in Law (Université Libre de Bruxelles, ULB)</i>	1995-2000
Grade: highest honors and jury's congratulations Charles Du Vivier Prize (Royal Academies for Sciences and the Arts of Belgium) Alice Seghers Prize (ULB) Thesis title: When Supreme Courts Change the Law. Justifying Judicial Overruling in the UK and in Belgium	
<i>Master of Studies in Legal Research (University of Oxford)</i>	1997-1998
Wiener-Anspach Grant	
<i>Master degree in law (ULB)</i>	1991-1994
Grade: highest honors/Valedictorian/René Marcq Prize	
<i>Bachelor degree in law (ULB)</i>	1989-1991
Grade: highest honors	

Main professional activities

<i>Full professor in law (ULB)</i>	since 2005
<i>Associate professor in law (ULB)</i>	2002-2005
<i>Postdoctoral Researcher in Law, PCMLP, University of Oxford (Wiener-Anspach Grant)</i>	2001-2002
<i>Researcher in Law, ULB</i>	1999-2001
<i>Doctoral Researcher in Law, ULB (National Fund for Scientific Research -FNRS- Grant)</i>	1995-1999
<i>Scientific sabbatical (FNRS)</i>	2022-2023
<i>Visiting professor, Law Faculty, Doshisha University (Kyoto)</i>	April 2023
<i>President of the Centre Perelman for Legal Philosophy (ULB)</i>	2018-2022
<i>Director of the Centre Perelman for Legal Philosophy (ULB)</i>	2012-2018
<i>Advisor of the Vice-Chancellor and the President of the ULB on diversity policy (ULB)</i>	since 2017
<i>Director and co-founder (with E. Bribosia) of the <u>Equality Law Clinic</u> (ULB)</i>	since 2014
<i>Member of the Scientific Committee of the <u>Wiener-Anspach-Foundation</u> (ULB and Oxbridge)</i>	2011-2022
<i>Member of the Advisory Board of the Berkeley Centre on Comparative Equality and Anti-Discrimination Law</i>	since 2011
<i>Member of the Executive Committee of senior experts of the <u>European Equality Law Network</u></i>	since 2004

Selected recent publications

- « A la recherche des critères de régularisation de séjour fondée sur l'article 9*bis* de la loi du 15 décembre 1980. Une évaluation de la pratique de l'Office des étrangers à l'aune des principes généraux du droit administratif » (avec C. Leclerc et V. van der Plancke), *Administration publique (trimestriel)*, 2024, n°1 (45 p., accepté pour publication).
- « Les contrôles d'identité au faciès : prouver la discrimination en justice » (avec Robin Médard-Inghilterra), *Revue trimestrielle des droits de l'homme*, 2024, n° 137, p. 33-70.
- « Interdiction de la discrimination fondée sur la situation socio-économique en droit européen : rendre visibles les personnes socio-économiquement défavorisées » (with E. Bribosia & S. Ganty), *Cahiers de droit européen*, 2022, pp. 145-195.

- « Article 20 – Egalite en droit » and « Article 21 – Non-discrimination » (with E. Bribosia & J. Hislaire), in F. Picod, C. Rizcallah & S. Van Drooghenbroeck (éd.), *Charte des droits fondamentaux de l'Union européenne. Commentaire article par article*, Bruxelles, De Boeck, 2022, 3^{ème} éd., p. 589-617 et p. 619-654.
- « Le droit à la santé sans discrimination des résidents des maisons de repos laissé pour compte » (with C. Derave), in F. Tulkens, S. Parsa (éd.), *Etat de droit, état d'exception et libertés publiques*, Anthémis, 2022, p. 205-253.
- « Digital Profiling: Challenges for Equal Opportunities in Online Targeted Employment Advertising » (with A.M. Corrêa Harcus), *European Journal of Human Rights*, 2022, p. 221-241.
- « Discrimination intersectionnelle : mode d'emploi » (with E. Bribosia & R. Medard Inghilterra), *Revue trimestrielle des droits de l'homme*, 2021, p. 241-274.
- « Femmes voilées au travail face aux errements du droit de la non-discrimination » (with E. Bribosia & R. Medard Inghilterra), *Journal des tribunaux du travail*, 2021, no. 1393, pp. 145-153.
- « Le nerf de la guerre : les subventions et les marchés publics pour renforcer l'effectivité du droit de la non-discrimination en Belgique » (with E. Bribosia & L. Fromont), *Administration publique (trimestriel)*, 2021, p. 394-416.
- « Anti-discrimination law and private law from a transnational perspective », in K. Nakata, M. Wakabayashi, Y. Shiomi, & H. Matsuoka (Eds.) (Eds.), *Modernisation of European Private Law and Developments in Japanese Private Law*, Japan: Nihon-Hyoronsha, 2020.
- « #MeToo in Belgium: Confronting the Failure of Criminal Law: How social media propelled a historic movement and the law responded » (with E. Bribosia & C. Leroy), in A. M. Noel & D. B. Oppenheimer (eds.), *The Global #MeToo Movement*, Full Court Press, 2020, pp. 131-137.
- « Religious Conscientious Objection: A Troubled Path » (with A.M. Corrêa Harcus), in S. Mancini (ed.), *Handbook on Constitutions and Religions*, Edward Elgar Publishers, 2020, p. 370-382.
- « Convention sur l'élimination des discriminations à l'égard des femmes et Pactes onusiens : quel potentiel pour les droits des femmes ? » (with E. Bribosia), in D. Bernard & C. Harmel (eds.), *Code commenté – Droits des femmes*, Bruxelles, Larcier, 2020, p. 23-34.
- « Droit de l'égalité et de la non-discrimination – Chronique » (with Bribosia, E.), *Journal européen des droits de l'homme – European Journal for Human Rights*, no. 2, 2019 (p. 120-140), 2018 (p. 126-145), 2017 (p. 191-213), 2016 (p. 254-268), 2015 (p. 223-243), 2014 (p. 205-237), 2013 (p. 125-157).
- *Human Rights Tectonics. Global Dynamics of Integration and Fragmentation* (with Bribosia, E. (eds)), Intersentia, Cambridge/Antwerp/Chicago, 2018 (331 p.).
- *Governing Diversity. Migrant integration and Multiculturalism in North America and in Europe* (with Bribosia, E., Rea, A., & Sredanovic, D. (eds)), PUB, Brussels, 2018 (261 p.).
- « L'arrêt Coman : quand la Cour de justice contribue à la reconnaissance du mariage homosexuel » (with Bribosia, E.), *Journal de droit européen*, 2018 n° 9, p. 344-347.
- « Lutter contre les discriminations », in C. Briceux et B. Frydman (eds), *Les défis du droit global*, Bruxelles, Bruylant, coll. Penser le droit, 2018, p. 41-61.
- « Human Rights Integration in Action: Making Equality Law Work for Trans People in Belgium » (with Bribosia, E.), in Brems, E. and Ouald-Chaïb, S., (eds), *Fragmentation and Integration in Human Rights Law: Users' Perspectives*, Edward Elgar Publishers, 2018, p. 111-138.
- « The Enforcement and Effectiveness of Anti-Discrimination Law in Belgium » (with Bribosia, E.), in M. Mercat-Bruns and D. Oppenheimer (eds), *The Enforcement and Effectiveness of Anti-Discrimination Law*, Springer publishing, 2018, p. 43-62.
- « Seeking to Square the Circle: A Sustainable Conscientious Objection in Reproductive Healthcare » (with Bribosia, E.), in Mancini, S. and Rosenfeld, M. (eds), *Conscience Wars*, Cambridge University Press, 2018, pp. 392-413.
- « Une nouvelle loi pour les personnes transgenres en Belgique » (with Bribosia, E. & Gallus, N.), *Journal des tribunaux*, 2018, n° 6724, p. 261-266.
- « Objection Ladies! Taking IPPF-EN v. Italy One Step Further » (with Bribosia, E. & Isailovic, I.), in E. Brems (ed.), *Rewriting Integrated Human Rights*, Edward Elgar Publishers, 2017, p. 261-288.
- « Affaires Achbita et Bougnaoui: entre neutralité et préjugés (C.J.U.E., Gde Ch., arrêts Achbita et Bougnaoui 14 mars 2017) » (with Bribosia, E.), *Revue trimestrielle des droits de l'homme*, 2017, p. 1015-1035.
- *Droit de la Non-discrimination. Avancées et enjeux* (with Bribosia, E. & Van Drooghenbroeck, S. (eds)), Bruylant, Bruxelles, 2016 (251 p.).

International conferences

Academic papers delivered in various universities, including:

- In Europe (CoE): Sciences-Po (Paris), ENS (Paris), Ecole Nationale Supérieure des Mines (Paris), Université Paris X-Nanterre, Université de Lille 2, Université de Nice Sophia Antipolis, Université Paris Diderot, Université Lyon 3, University of Oxford (UK), University College London (UK), Trinity College Dublin (Ireland), University of Umeo (Sweden), University of Stockholm (Sweden), European University Institute (Firenze, Italy), Max-Planck-Institut für Gesellschaftsforschung and Institut für Informations, Telekommunikations und Medienrecht (Muenster University, Germany), Central European University (Budapest), University of Malta (La Valette), International Institute for Sociology of Law (Onati, Spain), the Bilgi University (Istanbul).
- In America: University of California (Berkeley), Cardozo Law School (New-York), Université du Québec (Montreal), McGill University (Montreal), Universidad Pontificia Bolivariana (Medellin), Universidad Externado de Colombia (Bogota), Fundação Getúlio Vargas Rio de Janeiro Law School (Rio de Janeiro).
- In Asia: Institute of Law of the Chinese Academy of Social Sciences (Beijing), Jiao Tong University (Shanghai), University of Doshisha (Kyoto), French Institute for Japan (Tokyo), University of Todai (Tokyo), University of Waseda (Tokyo).

Promoter of academic research projects

- EQqualis, Jean Monnet Centre of Excellence, *(In)Equality in the EU* (Institute for European Studies, ULB, 2022-2025).
- *Étude de faisabilité des mesures correctrices pour les congés de maternité dans le cadre de la carrière académique et scientifique des femmes dans les facultés de STEM* (Alter égales, Cellule Égalité des chances de la Fédération Wallonie-Bruxelles), 2023.
- *Untangling the multiple categorizations of migrants. Intersectional Frameworks and Practices* (Action de Recherche Concertée, Trans-disciplinary research Centre MAM -Migration, Asylum and Multiculturalism, ULB, 2019-2023, with the appointment of research staff).
- e-NACT (e-learning National Active Charter Training), « *Social Rights in the Labour Field* (DG Justice, 2017-2018, with the appointment of research staff).
- *The Global Challenge of Human Rights Integration: Towards a User's Perspective* (HRI – Human Rights Integration, Pôle d'Attraction Interuniversitaire, BELSPO, 2012-2017, with the appointment of research staff).
- *Under the Sign of Merit and Cultural Conformity. New Integration Policies for Migrants in Europe* (Action de Recherche Concertée, Trans-disciplinary research Centre MAM - Migration, Asylum and Multiculturalism, ULB, 2012-2017, with the appointment of research staff).
- MEDIADDEM – *European research project on media policy-making processes in EU member States and candidate countries* (7th Framework-Programme of the European Commission, 2010-2013).
- *Outsiders in Europe: The Foreigner and the 'Other' in the Process of Changing Rules and Identities* (Action de Recherche Concertée, Trans-disciplinary research Centre MAM -Migration, Asylum and Multiculturalism, ULB, 2006-2011, with the appointment of research staff).
- JURISTRAS – *Strasbourg's Court and Human Rights in France: An Overview on Litigation, Implementation and Domestic reform* (6th Framework-Programme of the European Commission, 2006-2011, with the appointment of research staff).

PhD theses

Completed PhD theses as promotor or co-promotor:

- Promoter of Ana Maria Corrêa's thesis entitled *Discrimination in Online Platforms. A Comparative Law Approach to Design, Intermediation and Data Challenges*, successful viva in November 2021.
- Co-promotor (with C. Closon) of Sara Aguirre's thesis entitled *Discursive Practices Constructing Normative and Trans* Sex/Gender Categories. The effects of the legal certification of sex in Belgium and the definition of the (gendered) worker subject*, successful public viva in April 2019.
- Co-promotor (with E. Bribosia) of Joseph Damamme's thesis entitled *La conciliation entre les droits des personnes handicapées et les intérêts des entreprises*, successful public viva in February 2019.
- Co-promotor (with E. Bribosia) of Sarah Ganty's thesis entitled *Intégration, droit et obligations: Une étude des différents modèles d'intégration des migrants dans les politiques et droit européens*, successful public viva in February 2019.
- Co-promotor (with S. Van Drooghenbroeck) of Dorothea Staes's thesis entitled *The European Court of Human Rights and its procedures of reference to « external sources' and of » cross references*, successful public viva in June 2017.

- Co-promotor (with E. Bribosia) of Moritz Baumgärtel's thesis entitled *Foreigners in the Labyrinth of Human Rights: An Analysis from the User Perspective*, successful public viva in December 2016.
- Co-promotor (with E. Bribosia) of Gabrielle Caceres's thesis entitled *Quand la religion questionne la généralité de la norme. Quelle place pour l'accommodement raisonnable en Europe ? Étude de cas – Angleterre, France, Belgique*, successful public viva in January 2016.
- Promotor of Markus Falbusch's thesis, *European integration in the field of human rights protection - The interaction on the basis of different constitutional cultures*, successful public viva in December 2014.

Ongoing PhD theses as promotor or co-promotor:

- Promotor of Charly Derave's thesis entitled *La gestion de la crise sanitaire face à l'État de droit, à la démocratie et aux droits humains*, ongoing since October 2020.
- Co-promotor (with S. Van Drooghenbroeck) of Xavier Delgrange's thesis entitled *La religion saisie par le droit. Le droit saisi par la religion*, ongoing since October 2018.

In addition, member of the supervising committee of four completed PhD theses and of four ongoing PhD theses (two as president of the supervising committee); external member of the Jury of eleven PhD theses in Belgium, France and Columbia.

Main recent research reports

- *A comparative examination of the legality of restrictions on abortion in light of the right to gender equality* (Berkeley Center on Comparative Equality and Anti-Discrimination Law & Equality Law Clinic at the Université Libre de Bruxelles), 2022 ([en ligne](#)).
- *Étude de faisabilité juridique relative à la mise en place de mesures d'action positive dans le cadre du recrutement académique* (with M. Bakiasi, T. Berhaut-Streel, S. Habousha & V. van der Plancke), Equality Law Clinic, 2022 ([online](#)).
- *Belgium - Country report. Non-discrimination* (with E. Bribosia), Equality network of legal experts in gender equality and non-discrimination: one report per year (see the 2021 report [here](#)).
- *Rapport à l'attention de l'IEFH au sujet de l'arrêt no. 099-2019 de la Cour constitutionnelle du 19 juin 2019 annulant partiellement la loi du 25 juin 2017 réformant des régimes relatifs aux personnes transgenres, et de ses conséquences en droit belge à la lumière du droit comparé* (with E. Bribosia & H. Ounahoui), Equality Law Clinic, 2019 ([online](#)).
- *Guide pour l'inclusion des étudiants en situation de handicap dans l'enseignement supérieur* (with E. Bribosia), Equality Law Clinic, 2019 ([online](#)).

With the Equality Law Clinic, submission of five third party interventions (TPI) before the ECtHR, one TPI before the UN Committee on Economic, Social and Cultural Rights, and written observations before the Inter-American Court of Human Rights (all available [online](#)).

University courses

Holder of the following courses at the Law School of the ULB:

- Equality Law Clinic (MA2 course).
- Anti-discrimination Law (MA course)
- International and European protection of human rights (MA course)
- Introduction to Law (BA1 course)
- Comparative Law (BA3 course).

Visiting professor at the Law Faculty of the University of Doshisha (Kyoto):

- Current issues of comparative law. Strategic litigation and human rights in a globalized world.

Training in European Anti-Discrimination Law:

- Civil servants of the Legal Department of the French *Défenseur des droits* and previously of the Legal Department of the French High Authority for the Fight against Discrimination and for Equality – HALDE, Paris (since 2007)
- Judges, lawyers or academics, especially in programs organized by the Academy of European Law - ERA (since 2005).