

II. EFFECT OF FUNDAMENTAL RIGHTS: (2) HORIZONTAL

- Fundamental rights used (mostly by courts) to determine the entitlements and obligations of private parties against each other

Direct horizontal effect:

- Remedy (e.g. damages, injunction) directly descends from fundamental rights
- Private party directly bound by fundam. right

Indirect horizontal effect:

- Fund. right → interpretation of private law
- Private party not directly bound by fund. right

Online Horizontal Effect Fundamental Rights Law

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