



Course Syllabus

Course Code MLAW-537DE	Course Title Fundamental Rights in Media and in the Internet	ECTS Credits 10
Prerequisites None	Department Law	Semester Fall/Spring
Type of Course Elective	Field Human Rights and Social Justice	Language of Instruction English
Level of Course 2 nd Cycle	Lecturer(s) Dr Konstantinos Stratilatis	Year of Study 2 nd
Mode of Delivery Distance Learning	Work Placement N/A	Co-requisites None

Course Objectives:

The purpose of the course is the deepening of the students' knowledge of the fundamental rights which are connected with Media and with the Internet. The point of departure will be the protection of freedom of speech and of the right to information under Article 10 ECHR. Then, we shall examine issues such as freedom of the press and the specific regulatory status of radio and television, the principle of pluralism, the various aspects of journalistic freedom and its limits, the protection of reputation and the respect for private life, the protection of personal data under the new Regulation (EU) 2016/679 and under Directive 2002/58/EU, as well as issues relevant with fundamental rights which arise in the context of combating electronic crime.

Learning Outcomes:

After the completion of the course students are expected to:

- Know in depth the field of protection and the limits of the fundamental rights which are connected with the fields of Media and of the Internet, with reference to the jurisprudence of the European Court of Human Rights on the interpretation and application of Articles 10 and 8 of the ECHR.
- Know the fundamental principles for the regulation of Media and of the Internet under EU

Law and national constitutional or legislative provisions.

- Be able to expand upon crucial issues such as the protection of reputation and of private life as against the Media, the protection of personal data, the protection of secrecy of communications etc.

Course Contents:

1. Mass Media, Internet, Information Society – General Introduction: The basic issues and the role of law.
2. Freedom of expression and right to information, fundamental principles and elements from the jurisprudence of the European Court of Human Rights.
3. The specific regulatory status of radio and television Media in contrast with the status of printed press, the “radio-television” jurisprudence of the ECtHR – The principle of pluralism and its dimensions, with reference to the EU Charter of Fundamental Rights.
4. The regulation of the Internet and its problems – The notion of “new Media” and the jurisprudence of the ECtHR on issues of freedom of expression and regulation of the Internet – The principle of neutrality – The regulatory objects under EU Law.
5. Journalistic freedom: aspects, limits, standards, protection – The protection of journalistic freedom and of the right of journalists not to disclose their sources under Article 10 of the ECHR – Objectivity, pluralism and comprehensiveness in the transmission of public information programmes – The right of reply under Article 28 of Directive 2010/13/EU – Specific issues (distinction between facts and comments, the importance of rectification etc.) – Issues relevant with journalistic freedom in the field of Internet.
6. The protection of private life and of reputation under Article 8 ECHR and the jurisprudential standards of the ECtHR – Specific issues (the role of the coordinator of an information programme, the role of consent as regards limitation upon respect for private life, the role of the right of reply etc.)
7. The protection of personal data by EU Law – Historical approach (the first attempt of the Council of Europe, the Directives 95/46/EC and 2002/58/EC, the ‘failed’ Directive 2006/24/EC on data retention and the Digital Rights Ireland etc. judgment of the CJEU) Personal data protection under EU Law – Basic concepts and definitions of the Regulation (EU) 2016/679 – The scope of the Regulation.
8. Analysis of the principles and rules of Regulation (EU) 2016/679 – The rights of the data subject – National supervisory bodies.

9. The jurisprudence of the CJEU on issues relevant with protection of personal data.
10. The Directive 2002/58/EK for the protection of personal data in electronic communications.
11. Electronic crime: features, subcategories – The Budapest Convention and the Directive 2013/40/EU – The protection of minors in the Internet – The problem of applicable law and theories for the location of electronic crime – International cooperation for combating electronic crime.
12. The secrecy of electronic communications and the problem of anonymity – The liability of intermediary service providers under the relevant provisions of Directive 2000/31/EC.

Learning Activities and Teaching Methods:

Lectures, Personal guidance, Case-study analysis, Video-streamed courses, Forum, Final exam

Assessment Methods:

Interim individual studies, Formative assessment activities, Final exam

Textbooks – Bibliography:

Title	Author(s)	Publisher	Year	ISBN
<i>European Convention Of Human Rights– Interpretation (art. 8 and 10) [in Greek]</i>	S. Aktypis – P. Vogiatzia et al	Nomiki Vivliothiki	2013	
<i>European Internet Law: Legal Aspects of the Internet in Europe [in Greek]</i>	Ph. Jougleux	Sakkoulas	2016	
<i>Human Rights in the Media</i>	M. Farrell et al. (eds.)	Routledge	2020	
<i>Information Law, 2nd ed. [in Greek]</i>	I. Ιγγλεζάκης	Sakkoulas	2013	
<i>Facebook, blogs and Rights [in Greek]</i>	L. Mitrou et al.	Sakkoulas	2013	

<i>Law and Communication in Blogs and in the New Media [in Greek]</i>	E. Deligianni	Nomiki Vivliothiki	2012	
<i>Freedom of Expression of the Journalists and the Sketch Artists – Protection and Limitations of the Right in Greek and EU Law [in Greek]</i>	Marangopoulou Foundation for the Protection of Rights	Sakkoulas	2016	
<i>Media Law [in Greek]</i>	I. Karakostas	Nomiki Vivliothiki	2012	
<i>Assurance of Pluralism and Concentration Control in the Media [in Greek]</i>	A. Tsevas (ed.)	Nomiki Vivliothiki	2007	
<i>Harris, O'Boyle, and Warbrick Law of the European Convention on Human Rights, 3rd ed.</i>	D. Harris / M. O'Boyle	Oxford University Press	2014	
<i>Jacobs, White & Ovey: The European Convention On Human Rights, 6th ed.</i>	B. Rainey / E. Wicks / C. Ovey	Oxford University Press	2014	
<i>Freedom of Speech, 2nd ed.</i>	E. Barendt	Oxford University Press	2007	
<i>Media Law: Text, Cases and Materials</i>	E. Barendt et al.	Pearson	2014	
<i>McNae's Essential Law for Journalists, 23rd ed</i>	M. Hanna / M. Dodd	Oxford University Press	2016	
<i>Information Technology Law: The Law and Society, 3rd ed.</i>	A. Murray	Oxford University Press	2016	
<i>Internet Law: Cases and Problems, 6th ed.</i>	J. Grimmelmann	Semaphore Press	2016	
<i>The Foundations of EU</i>	O. Lynskey	Oxford University	2015	

<i>Data Protection Law</i>		Press		
<i>European Data Protection Law: General Data Protection Regulation 2016</i>	A. Linder (ed.)	European Union/Createspace Independent Publishing Platform	2016	
<i>EU General Data Protection Regulation (GDPR) - An Implementation and Compliance Guide</i>	IT Governance Privacy Team	IT Governance Publishing	2016	
<i>The Emergence of Personal Data Protection as a Fundamental Right of the EU</i>	G. G. Fuster	Springer	2014	
<i>The Emergence of EU Criminal Law: Cyber Crime and the Regulation of the Information Society</i>	S. Summers et al.	Hart Publishing	2014	