





5.00 credits

30.0 h

Q2

Teacher(s)	Marique Enguerrand ;Strowel Alain ;
Language :	French
Place of the course	Bruxelles Saint-Louis
Prerequisites	<i>The prerequisite(s) for this Teaching Unit (Unité d'enseignement – UE) for the programmes/courses that offer this Teaching Unit are specified at the end of this sheet.</i>
Learning outcomes	<p><b>At the end of this learning unit, the student is able to :</b></p> <ul style="list-style-type: none"> <li>• To know: <ul style="list-style-type: none"> <li>o the main sources and regulation of information and communication law</li> <li>o their implementation by case law</li> <li>o the balances between rights and freedoms, e.g. between privacy and freedom of expression</li> </ul> </li> <li>• To apply: <ul style="list-style-type: none"> <li>o identify constraints on communication</li> <li>o be able to identify and distinguish facts and circumstances that impact on the status of information</li> <li>o make judgements about what is authorised/prohibited in communication</li> <li>o be able to understand and summarise a case law decision</li> </ul> </li> <li>• To communicate clearly and to articulate a point of view: <ul style="list-style-type: none"> <li>o be able to present clearly the content of legal rights and obligations</li> <li>o be able to defend/criticise the applicable rules</li> </ul> </li> <li>• To dig some issues beyond the content shared during the classes: <ul style="list-style-type: none"> <li>o reflect with an open-mind on some issues beyond the course, for ex. on the relationship between law and ethics in the field of communication or on the difficult relationship between the press and the justice system</li> </ul> </li> </ul>
Evaluation methods	<p>Written examination combining knowledge questions, analysis questions (of decisions or legislation) and reflection questions. The written exam comprises two parts:</p> <ul style="list-style-type: none"> <li>- the first part involves short questions (T/F (Vrai/Faux) and MCQs (QCM)) and will be answered without the possibility to consult the reference book and the legislation and case law. This part aims to check the acquisition of knowledge;</li> <li>- the second part requires to think about some hypothetical cases and to best use the available documents (reference book, compilations of legislative text and case law). The understanding and application of legal concepts and rules, the ability to develop basic legal reasoning from applicable sources and the ability to judge on the facts what is lawful/unlawful in the case of communication will be assessed during this part of the written examination.</li> </ul>
Teaching methods	<p>Description of the lecture: The course is lectured.</p> <p>Description of the involving "AA" (device[s] put in place, performance[s] expected from the students...):</p> <p>Various involving learning activities are required from students before and during the course:</p> <ul style="list-style-type: none"> <li>- Thinking about hypothetical cases to understand and apply the obligations on communication</li> <li>- Reading case law in preparation for the course</li> <li>- Presenting the facts and legal points of a case during the classes</li> <li>- Assess properly what can be said, shown or written in the various media</li> </ul>
Content	<p>The course aims to present the legal framework applicable to information and to the various forms of communicating content, whether through written, audio-visual or electronic means (Internet).</p> <p>The course focuses on the regulation of the content of communications (the law applicable to the "pipes" for channeling content, e.g. telecom operators, or to some organisations, e.g. public broadcasters, remains outside the course).</p> <p>The first part includes a study and review of the limits to freedom of expression, the right to privacy, the right to one's image, the protection of personal data, the right to be forgotten and delisted, the right to reputation and honour.</p> <p>A second part examines the rights and duties of journalists, including the journalists' copyright, the right to the protection of journalistic sources, the right of reply and the journalists' liability.</p> <p>A final part reviews some specific rules applicable to various forms of communication, for ex. for written communication (legal deposit) and for communication via the Internet (liability for intermediaries/ISPs, hyperlinks, etc.).</p>

Bibliography	<p>- Jongen (F.), Strowel (A.), avec la collaboration de E. Cruysmans, Droit des médias et de la communication. Presse, audiovisuel et Internet. Droit européen et belge, Coll. Création Information Communication, Bruxelles, Larcier, 2017.</p> <p>Lectures supplémentaires :</p> <p>- Hoebeke (S.) et Mouffe (B.), Le droit de la presse : presse écrite, presse audiovisuelle, presse électronique, 3ème éd., Limal, Anthemis, 2012.</p> <p>- Lemmens (K.), La presse et la protection juridique de l'individu : attention aux chiens de garde ! , Bruxelles, Larcier, 2004.</p> <p>- Médias et droit, Anthemis, 2008 (contributions de A. Strowel et Fr. Tulkens, M. Isgour, K. Lemmens et S. van Drooghenbroeck).</p> <p>- Strowel (A.) et Tulkens (F.) (dir.), Prévention et réparation des préjudices causés par les médias, Bruxelles, Larcier, 1998.</p>
Faculty or entity in charge	ESPB

<b>Programmes containing this learning unit (UE)</b>				
Program title	Acronym	Credits	Prerequisite	Learning outcomes
Bachelor in Law	<a href="#">DROB1BA</a>	5		
Bachelor in Law French-Dutch (and French-Dutch-English)	<a href="#">DRNB1BA</a>	5		
Bachelor in Information and Communication	<a href="#">COMB1BA</a>	5	<a href="#">BESPO1176</a>	
Bachelor in Information and Communication (French- English)	<a href="#">COAB1BA</a>	5	<a href="#">BESPO1176</a>	
Bachelor in Droit - Rechten - Laws	<a href="#">DREB1BA</a>	5		