

Online Workshop: “European Courts and Digital Media”

AGENDA **Thursday, 19 November 2020**
9.30-12.30 (CET)

9.30 – 9.35 **Welcome and introduction**

Evangelia Psychogiopoulou, Senior Research Fellow,
Hellenic Foundation for European and Foreign Policy

Susana de la Sierra, Associate Professor, University of Castilla La Mancha

9.35 – 10.20 **Panel I: Rights and freedoms in the digital environment**

Chair:

Evangelia Psychogiopoulou, Senior Research Fellow,
Hellenic Foundation for European and Foreign Policy

Freedom of expression in the digital environment:

How the ECtHR has contributed to the protection and limitation of the right to freedom of expression and information on the Internet and online media

Dirk Voorhoof, Professor Emeritus, Human Rights Centre,
Ghent University and Legal Human Academy

Fake news and judicial control in Europe

Joan Barata, Intermediary Liability Fellow, Stanford Law School

Perspectives on online gender-based violence: Which role for privacy?

Gloria González Fuster, Research Professor, Vrije Universiteit Brussel (VUB)

10.20 – 10.35 **Break**

10.35 – 11.20

Panel II: Rights and freedoms in the digital environment

Chair:

Susana de la Sierra, Associate Professor, University of Castilla La Mancha

The contribution of the CJEU to fair taxation of the digital media

Begoña Pérez Bernabeu, Associate Professor, University of Alicante

In tech we trust? Fixing the CJEU's evolutionary interpretation of the prohibition of general monitoring obligation under the e-Commerce Directive in the era of automated content moderation

Valentina Golunova, PhD researcher, Maastricht University

Hungarian and Serbian digital media cases in front of European supranational courts

Kristina Cendic, Expert Associate, University of Zenica and **Gergely Gosztonyi**, Associate Professor, Eötvös Loránd University

11.20 – 11.35

Break

11.35 – 12.20

Panel III: Courts in the digital era

Chair:

Anna Kandyla, Research Fellow, Hellenic Foundation for European and Foreign Policy

Between freedom of expression and data protection: How judicial dialogue steers the application of the right to be forgotten on digital media

Federica Casarosa, Part-time Professor, Centre for Judicial Cooperation, European University Institute

Copyright and freedom of expression in digital media cases before the ECtHR and the CJEU

Evangelia Psychogiopoulou, Senior Research Fellow, Hellenic Foundation for European and Foreign Policy

European courts as digital media regulators

Susana de la Sierra, Associate Professor, University of Castilla La Mancha

12.20 – 12.30

Final remarks

Evangelia Psychogiopoulou, Senior Research Fellow, Hellenic Foundation for European and Foreign Policy

Susana de la Sierra, Associate Professor, University of Castilla La Mancha

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List of biographical notes

Joan Barata is Intermediary Liability Fellow at the Cyber Policy Center of Stanford University. He works on freedom of expression, media regulation and intermediary liability issues. He teaches at various universities in different parts of the world and has published a large number of articles and books, both in the academic and the popular press. He is regularly involved in projects with international organizations such as UNESCO, the Council of Europe, the Organization of American States and the Organization for Security and Cooperation in Europe, where he was the principal advisor to the Representative on Media Freedom. He also held the position of Secretary General of the Audiovisual Council of Catalonia in Spain and was member of the Permanent Secretariat of the Mediterranean Network of Regulatory Authorities.

Federica Casarosa is part-time professor at the Centre for Judicial Cooperation (CJC), European University Institute. She has gained extensive experience in training legal professionals through her role as scientific coordinator of several CJC training projects (ACTIONES, e-NACT, JUDCOOP). She holds a bachelor’s degree in Private Law (University of Pisa, 2001) and a PhD in Law (European University Institute, 2008). She has worked as a consultant for FAO and as a Jean Monnet Fellow at the Robert Schuman Centre for Advanced Studies. Her work has been published in several Italian and international journals, such as the European Review of Private Law, the Journal of Internet Law and *Diritto dell’Informazione e dell’Informatica*.

Kristina Cendic holds a PhD in Communications from the Facultat de Comunicacio Ramon Llull University, Barcelona. She works as an Expert Associate for the Law Faculty, University of Zenica, Bosnia and Herzegovina and as a Senior Researcher for the SHARE Foundation in Serbia. After obtaining her MA in Democracy and Human Rights, she worked for USAID’s Strengthening Independent Media Project in Bosnia and Herzegovina, coordinating the component on media law and policy led by Annenberg School for Communication, University of Philadelphia. She specializes in freedom of expression online, and her lectures and publications focus on online defamation, freedom of expression and digital rights in the Western Balkans, linguistic rights in minority media and public service broadcasting in divided societies.

Valentina Golunova is a PhD candidate at the Department of International and European Law of Maastricht University. Her current research interests lie at the intersection of fundamental rights and digital innovations. In the course of her PhD project, she examines the dynamics of the EU intermediary liability framework and its impact on freedom of expression and information online.

Gloria González Fuster is a Research Professor at the Vrije Universiteit Brussel (VUB)’s Faculty of Law and Criminology, where she teaches ‘Privacy and Data Protection Law’. She is also co-director of the Law, Science, Technology and Society (LSTS) Research Group and a member of the Brussels Privacy Hub (BPH). She investigates legal issues related to privacy, personal data protection and security. She also teaches ‘Data Policies in the European Union’ at the Master of Laws in International and European Law of VUB’s Institute for European Studies (IES).

Gergely Gosztanyi is a lawyer and media researcher. A graduate of the Faculty of Law, Eötvös Loránd University (ELTE), Budapest, he also teaches at ELTE. He holds a PhD in Media Law. His research interests focus on censorship, alternative media and the liability of intermediaries. Between 2000-2004 he was the office coordinator of the Hungarian Federation of Free Radios and between 2004-2006 the managing director of Civil Radio FM98, a community radio in Budapest. For the period 2010-2017 he was the Head of the Rector's Cabinet of Eötvös Loránd University. He is a member of the European Communication Research and Education Association and since 2015 the coach of the Hungarian team for the yearly Monroe E. Price Media Law Moot Court Competition.

Anna Kandyla is a researcher at the Hellenic Foundation for European and Foreign Policy (ELIAMEP) in Athens. She holds a BA in Communication and Mass Media from the National and Kapodistrian University of Athens, an MA in Political Behaviour from the University of Essex and a PhD in Political and Social Sciences from the European University Institute. Her research interests focus on political participation, democratic innovations and EU governance. She is also interested in media policy and the media’s role in public opinion and democracy.

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List of biographical notes

Begoña Pérez Bernabeu is associate professor at the University of Alicante. Her main lines of research are state aid, international and European taxation (with special reference to digital taxes) and the effects of Bilateral Investment Treaties (BITs) on taxation. Recently, she has been awarded an R+D+i Research Project on ‘Data Science and Machine Learning in the field of taxation’ by the Spanish Ministry of Science and Technology.

Evangelia Psychogiopoulou is a lawyer and senior research fellow at the Hellenic Foundation for European and Foreign Policy (ELIAMEP). Her main areas of research are fundamental rights, the regulation of culture, media law and policy, and EU law and governance. She has taught at the Hellenic Open University, Maastricht University and Salzburg University. She is also a legal counsel for the Hellenic Ministry of Culture and Sports. She has coordinated research for the EU institutions and she has participated in several collaborative research projects funded by the EU. She is a graduate of the National and Kapodistrian University of Athens, and she holds a DEA in EU Law from Paris I University and a Doctorate in Law (PhD) from the European University Institute. She has written widely on her fields of specialization.

Susana de la Sierra, LL.M. (Bayreuth), Ph.D. (EUI) is associate professor of Administrative Law at the University of Castilla-La Mancha (Toledo, Spain). Her main fields of specialization are administrative justice, theory and methods of comparative law, law and culture as well as media law. She is now conducting research on changes in the judiciary and on the impact of digitalization in various areas. In June 2020, she was appointed by the Spanish Government as a member of the Group of Experts to draft a Charter of Digital Rights. Between 2012 and 2014 she acted as the Director of the Spanish Institute for Film and Audiovisual Arts (Ministry of Culture), whereas between 2016 and 2019 she served as scientific advisor to the Spanish Supreme Court.

Dirk Voorhoof is co-founder and member of the European Centre for Press and Media Freedom (ECPMF) and of Legal Human Academy. He lectured European Media Law at Ghent University, Copenhagen University and Luxembourg University and he reports on developments regarding freedom of expression, media and journalism in Europe. He is a member of the Human Rights Centre at Ghent University and of the Global FOE&I@Columbia experts network. He is the co-author of the free online e-book *Freedom of Expression, the Media and Journalists: Case-law of the European Court of Human Rights* (updated ed. 2020). More info on www.legalhumanacademy.org.