

Libellé du cours : Transformation of law in the context of digitalization

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Langue d'enseignement : Anglais

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☒ 1^{RE} année

Type d'enseignement : Cours d'ouverture – 12 heures

Description des modalités d'évaluation : Examen terminal (Paper – A rendre pour le vendredi 27 mars 2026)

Description :

This twelve-hour lecture aims to analyze the issues linked to digital transformations affecting the legal and jurisdictional system or activities.

New technologies and law are interrelated in many ways, affecting a wide range of areas: justice, democracy, fundamental rights, etc.

The topics are listed below:

Lesson 1 & 2 : New and emerging technologies and fundamental rights: the evolution of privacy and data protection in the digital age

Lesson 3: Legal issues of artificial intelligence (IA) : principles and legal framework

Lesson 4: Legal issues of artificial intelligence (IA) : risks and fundamental rights

Lesson 5 & 6 : Government use of surveillance: history, security laws, data mining, facial recognition, drones

Lesson 7: Parliamentary use of new technologies: "e-Parliament", communication, social media, vote, petition

Lesson 8: Freedom of expression in the digital age: fake news, deep fake, social media moderation

Bibliographie indicative :

Lesson 1 & 2

- D. Flaherty, On the Utility of Constitutional Rights to Privacy and Data Protection, *Case Western Reserve Law Review*, 1991, Vol. 41, No. 3, p. 831-855.
- J. Whitman, The Two Western Cultures of Privacy: Dignity Versus Liberty, *The Yale Law Journal*, 2004, p. 1151-1221.
- J. Kokott and C. Sobotta, The distinction between privacy and data protection in the jurisprudence of the CJEU and the ECtHR, *International Data Privacy Law*, 2013, Vol. 3, No. 4, p. 222-228.

Lesson 3 & 4

- G. De Minico, Towards an “Algorithm constitutional by design”, *BioLaw Journal*, 2021, <https://teseo.unitn.it/biolaw/article/view/1609>
- P. Nemitz, Constitutional democracy and technology in the age of artificial intelligence, *Philosophical Transactions*, 2019
- A. Dyevre, Text-mining for Lawyers, *ELR*, 2021
- Conseil de l'Europe, A legal framework for AI systems, 2021, <https://edoc.coe.int/fr/intelligence-artificielle/9648-a-legal-framework-for-ai-systems.html>

Lesson 5 & 6

- O. Aïm, Chapitre 8 : la naissance de la nouvelle surveillance, in *Les théories de la surveillance*, 2020, <https://www.cairn.info/les-theories-de-la-surveillance-9782200623494-page-161.htm>
- V. Srivastava and I. Daair, Being Watched: How surveillance amplifies racist policing and threatens the right to protest - Don't Call Me Resilient, 2021, <https://theconversation.com/being-watched-how-surveillance-amplifies-racist-policing-and-threatens-the-right-to-protest-dont-call-me-resilient-ep-10-transcript-167523>
- Y. Nabat et E. Verdon, Proposition de loi sur la reconnaissance faciale : un pas de plus vers la surveillance généralisée ?, *The Conversation*, 2023, <https://theconversation.com/proposition-de-loi-sur-la-reconnaissance-faciale-un-pas-de-plus-vers-la-surveillance-generalisee-207677>

Lesson 7

- D. Koryzis, A. Dalas, D. Spiliotopoulos & F. Fitsilis. ParlTech : Transformation Framework for the Digital Parliament, *Big Data Cogn. Comput*, 2021, <https://www.mdpi.com/2504-2289/5/1/15>
- L. Cruz Castro & L. San Menéndez; Shaping the impact : the Institution Context of Parliamentary Technology Assessment, *Consejo Superior de Investigaciones Científicas*, 2003,

https://digital.csic.es/bitstream/10261/1572/1/parliamentary_technology_assessment.pdf

Lesson 8

- R. Griffin, Social Media and Content Moderation in time of Covid-19, Chair Digital, governance and sovereignty, 2020, <https://www.sciencespo.fr/public/chaire-numerique/en/2020/07/09/social-media-and-content-moderation-in-times-of-covid-19/>
 - G. Holubowicz, Les deepfakes, une arme d'illusion massive ?, La revue des médias, 2020, <https://larevuedesmedias.ina.fr/les-deepfakes-sont-ils-une-arme-dillusion-massive>
- W. Benedek and M. Kettemann, Freedom of expression and the internet, Council of Europe Publishing, 2013, <https://rm.coe.int/prems-167417-gbr-1201-freedom-of-expression-on-internet-web-16x24/1680984eae>