

1) Freedom of Speech and Copyright

Material and case-law to study

Ashby Donald and others v. France (36769/08)

<http://ipkitten.blogspot.cz/2013/01/are-fashion-photographs-human-right.html>

<http://echrblog.blogspot.cz/2013/01/copyright-vs-freedom-of-expression.html>

Fredrik Neij (The Pirate Bay) v. Sweden (40397/12)

[http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-117513#{"itemid":\["001-117513"\]}](http://hudoc.echr.coe.int/sites/eng/pages/search.aspx?i=001-117513#{)

Questions

- 1) Why do you think the freedom of expression is important human right? What international treaties protect the freedom of expression/freedom of speech?
- 2) What kinds of freedom of expression do we recognize? Can the artistic work represent the freedom of expression?
- 3) According to case-law of the ECHR, who is the watchdog of the democratic society and why the freedom of political speech is so important?
- 4) What are the conditions on limitations of the freedom of expression in Europe and especially in your jurisdictions? Can copyright law represent the limitation of the freedom of expression?