UNIVERSITÀ
DEGLI STUDI DI MILANO-BICOCCA

COURSE SYLLABUS

Right To The Internet and Human Rights On The Internet in The Algorithmic Era

2627-4-A5810285

Learning objectives

Upon successful completion of the course, students will have achieved the following learning outcomes:

1. Knowledge and understanding
   Students will acquire a thorough knowledge of the current national and European legal framework governing the protection of fundamental rights on the Internet, with particular emphasis on freedom of expression and its limitations. They will understand how these rights are protected within the European system of multilevel fundamental rights protection.

2. Applying knowledge and understanding
   Students will be able to apply the knowledge acquired to the analysis of practical legal issues concerning the protection of fundamental rights on the Internet. They will be able to identify the relevant legal sources, interpret their content, and assess possible legal solutions in relation to matters including, inter alia, online content moderation, fake news, hate speech, deepfakes, and the use of generative artificial intelligence.

3. Making judgements
   Students will be able to critically assess the legal challenges arising from the development of digital technologies and artificial intelligence, balancing the competing interests and fundamental rights involved. They will develop the ability to formulate independent judgments on legislative choices and judicial developments, taking into account their constitutional, European, and international dimensions.

4. Communication skills
   Students will be able to present the legal issues covered by the course in a clear and effective manner, using appropriate legal terminology. They will also be able to develop and defend legal arguments supported by relevant legislative provisions and case law.

5. Learning skills
   Students will be able to independently monitor and critically evaluate developments in the legal and judicial

framework governing the Internet and artificial intelligence, including from the perspective of future professional specialization.

Contents

The course examines the national and European legal framework governing the Internet, with particular reference to the protection of fundamental rights and, above all, freedom of expression.
The course is divided into three parts.
The first part provides a general introduction to the European system of multilevel protection of fundamental rights. This section lays the foundations for understanding the legal framework within which the protection of fundamental rights must now be interpreted in the legal systems of Member States of both the European Union and the European Convention on Human Rights.
The second part offers a comprehensive analysis of the protection of selected fundamental rights on the Internet, including, for example, the right to privacy, the right to be forgotten, and the possible recognition of a right of access to the Internet. Particular attention is devoted to freedom of expression and its limitations, highlighting how the digital environment is prompting a reconsideration of principles traditionally regarded as well established within constitutional law, such as the legal treatment of the deliberate dissemination of false information. The course also examines the different legislative techniques that may be employed to protect fundamental rights in the digital environment.
The third and final part analyses the recent European and Italian legal framework governing artificial intelligence, with particular emphasis on the protection of human dignity and copyright.

Detailed program

1. Multilevel Protection of Fundamental Rights

- The concept of multilevel protection of fundamental rights.
- The relationship between the national legal order and European Union law.
- The relationship between the national legal order and the European Convention on Human Rights.

2. Protection of Fundamental Rights on the Internet

- Legislative techniques for the protection of fundamental rights on the Internet: evolutionary interpretation and ad hoc legislation.
- The evolution of the European approach: from market regulation to the protection of fundamental rights.
- Regulation of online platforms: the Digital Services Act.
- Legal measures to combat online disinformation (fake news).
- Online hate speech.
- The evolution of the right to privacy in the digital environment.
- The right to be forgotten.
- The right to anonymity.
- The extension of the legal concept of the press to online news publications.
- Internet access: a fundamental right or a universal public service?
- The issue of data retention.

3. Regulation of Artificial Intelligence

- The general legal framework: Regulation (EU) 2024/1689 (AI Act) and Italian Law No. 132/2025 (Provisions

and Delegations to the Government on Artificial Intelligence).
- Artificial intelligence and defamation.
- Legal measures to combat deepfakes.
- Artificial intelligence and copyright protection.

Prerequisites

A basic knowledge of Italian constitutional law and European Union law is required.

Teaching methods

The course is offered during the second semester and consists of 21 two-hour lectures.
The first three lectures will be delivered in a traditional lecture format. The remaining sessions will combine lectures with interactive teaching activities, during which students will be encouraged to discuss and critically analyse the legal issues addressed in class.
All teaching activities will be conducted in Italian and in person.
Regular attendance is strongly recommended.

Assessment methods

Assessment consists of a written examination comprising open-ended questions covering the topics included in the syllabus.
The examination assesses students' knowledge and understanding of the legal concepts studied, including their practical application, as well as their ability to exercise independent judgment, present coherent legal arguments, and employ appropriate legal terminology.

Textbooks and Reading Materials

Compulsory readings will be assigned during the lectures.
Students who do not attend the course must request the required readings by emailing nicola.canzian@unimib.it.

Sustainable Development Goals

QUALITY EDUCATION