

Connaissance du droit

Florian Linditch

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5 édition





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Emmanuel Derieux

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le droit europ en des m dias trouve une part de sa justification et de son unit dans son objet ou son champ d application que sont les m dias et toutes les formes de communication publique. Au regard de l in vitable et sans doute souhaitable dimension transnationale ou transfronti re qui est aujourd hui celle des m dias un droit national appara t insuffisant inefficace et inadapt Dans les espaces europ ens de l Union europ enne et du Conseil de l Europe au moins cela conduit chercher laborer un droit commun europ en Sup rieur celui de chacun des tats un tel droit devrait permettre la libre circulation des m dias et de leurs contenus information d actualit connaissances et documentation en tous genres divertissement tout en assurant autant que possible mais cela n est pas toujours v rifi de mani re harmonis e le respect de droits apparemment oppos s ou concurrents et qui m ritent eux aussi une gale attention et protection Par droit europ en des m dias est consid r celui qui sous forme de dispositions textuelles et de d cisions rendues par les juridictions Cour europ enne des droits de l homme et Cour de justice mane des deux structures ou institutions que sont le Conseil de l Europe et l actuelle Union europ enne L harmonisation europ enne des droits des m dias nationaux doit ou devrait contribuer donner plus de force et de r alit au droit renforcer les libert s autant que la responsabilit Les unes ne vont pas sans l autre Avant tout il convenait de fournir ici de mani re in vitablement s lective la documentation textes et jurisprudence relative au droit europ en des m dias Dispers e elle tait jusquel difficilement accessible et exploitable Seules les sources brutes permettent d avoir une pleine connaissance et compr hension du droit en cause et de porter sur lui apr s analyse et r flexion ainsi rendues possibles une juste appr ciation

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