

Protection of Personal Rights in Cyberspace

Abstract

I chose the doctor thesis topic, Personality protection in cyberspace, for several reasons. First of all this topic is close to me as I am interested in protection of personality for couple of years (I have dealt with personality protection in scientific articles, my diploma thesis and protection of personality is also the subject of my dissertation thesis at this university). Secondly, this theme is a very actual issue and there is still space to come with new approach and move the legal science forward. The aim of the thesis is therefore to bring new ideas and approaches on this issue.

The thesis introduction deals with important milestones of personal protection. Among them is the Law Code of Hammurabi, the Constitution of the Athenians, the Law of Twelve Plagues, the Edict of Milan, the Magna Carta Libertatum, the Declaration of Independence, the Declaration of the Rights of Man and of the Citizen, the League of Nations, and in Bohemia ABGB or the Press Act.

The following parts further define terms as follows: human personality, the protection of personality and the cyber space. This part of the thesis describes, in theory, respective parts of a human person's personality that may be affected by a cybernetic attack. This part is followed by a chapter dealing with concrete cyberspace attacks. This doctoral thesis is based on concrete examples and describes types of “*attacks*” that can be done against the human personality through cyberspace. However, there are attacks done by the individual or small group of perpetrators against an individual or a small group of people. These attacks are not strategically organized (in way of coordination). Finally, at the end of this doctoral thesis part follows the section dealing with possible protection against violation of personal rights in cyberspace. The crucial topic of this part is protection of the personality within the private law.

Description of the civil law human personality protection options are complemented by a description of the possible violation of the human personality within the limits of criminal law. There a few bodies of the crimes with their characteristics attributes are described. Finally, this doctoral thesis returns the reader back to the civil law issues, however, in this case in a procedural law point of view. This part includes also description of the recognition and importance of electronic evidence in the civil procedure.

In conclusion, the present doctoral thesis describes again the impacts of the prospective attack on the human personality. However, in this case the attack is viewed as attack on a set of

human personalities. This thesis describes the possible terrorist behaviour committed by the terrorist organizations in cyberspace and its negative consequences for the human society. The respective doctoral thesis is also enriched for the *de lege ferenda* considerations, which are like cherries on the cake (Czech expression for the best part). These considerations are attached at the end of the respective doctoral thesis.