

# **Damages caused by media interference with the personality**

## **Abstract**

This rigorous thesis provides a detailed insight into the issue of interferences with personality rights by the media and the possible means of personality protection in this area, including a summary of the manner in which the form of satisfaction usually awarded to persons whose personality rights have been infringed is determined in the Czech Republic. Interferences with a person's personality rights by the media and other individuals are becoming increasingly topical in society. However, the legal regulation in this area remains fragmented, and a significant part of it, in particular regarding the assessment of individual claims and the redress of non-pecuniary damage in cases of interference with personality protection, is formed and continuously developed predominantly through case law, primarily that of the Supreme Court of the Czech Republic and the Constitutional Court of the Czech Republic, whose jurisprudence is analysed in greater detail in this rigorous thesis.

In terms of its content, this rigorous thesis is divided into five chapters. The first chapter defines personality rights, the right to protection of personality, and related concepts, and it also outlines the legal regulation of personality rights in the Czech Republic. The second chapter deals with the regulation of personality protection in the media, the role of the media in society, the characteristics of media law and its sources, and the specific means of personality protection within the media. In the third chapter, the author focuses on the (un)lawfulness of interferences with personality rights, with an emphasis on interferences by the media, the circumstances excluding unlawfulness, the individual claims and methods of their enforcement, including the issue of the statute of limitations for claims arising from interference with personality rights. The fourth chapter provides a detailed analysis of the concept of non-pecuniary damage, the individual means of redressing it, and a thorough analysis of the conclusions, criteria, and guidelines stemming from court decisions concerning media interferences with personality rights.

In view of the importance of the issue of awarding costs in personality protection disputes and its close link to the real ability of individuals to effectively exercise their rights to personality protection, the fifth chapter also addresses this matter. The conclusion of this rigorous thesis is dedicated to an evaluation of all relevant findings leading to the clarification of the objective of the thesis, as well as to the author's opinion on these aspects.