

ABSTRAKT

The aim of this dissertation is to describe and analyse individual stages of a civil process for the protection of personal integrity. The civil process is a unique stream, within which there is a protection of personal rights offered to individuals. Immaterial damage caused by unauthorized interference in such important personal right such as rights of personal integrity without doubt are, is often correctly replaced only by the judicial decision. For this reason, it requires knowledge of both the substantive civil law, which underlines the protection of the rights of personal integrity, as well as civil procedure law, in which the substantive law is being implemented. The content of this dissertation is the analysis of the various parts of the judicial process from filing an action for protection of personal integrity to the court's decision, enforcement and execution in matters of protection of personal integrity. The dissertation illustrates the complex picture into the issues of civil proceedings in the matters of protection of personal integrity and quotes directly from court decisions in each of the stages of the proceedings. Given the general arrangements for the protection of personal integrity the report of judgment and decisions is one of the main sources of knowledge during the civil proceedings instituted for the protection of the general personal integrity right of an individual.

The dissertation consists of an introduction, five chapters, conclusion, bibliography and annexes.

In the introduction the author gives a brief explanation of the institute for protection of personal integrity and the meaning of decision - making activities of the courts in this area. She lists the reasons for the choice of the subject for the dissertation and outlines outcomes that she would like to achieve by completing it.

First chapter is dedicated to shed some light on a history of the changes to the law regarding protection of personal integrity. It covers separate important sections of the development in the Czech Republic through the years starting with the Establishment of the First Czech Republic until the Velvet Revolution in 1989.

Second chapter covers the possibilities in using the European court of human rights for the protection of personal integrity. There is a brief description and conditions under which it is possible to present ones demands to this court.

In the third chapter the author describes the substantive law adaptations of the protection of personal integrity. It deals with the basic protection of the individual elements of

the Institute for the protection of personal integrity including a description of claims arising from infringement of personal rights

Fourth chapter is devoted to individual phases of the judicial proceedings in matters of protection of personal integrity. Individual stages are briefly described in general terms based on rules of adversary proceedings and are further given in specific features for proceedings in protection of personal integrity.

In the fifth chapter the author deals with the so-called lustration controversy. Here she describes the civil action for the protection of personal integrity brought against unauthorized interference caused by the post communism called “personal data protection” laws.

In her conclusion the author summarizes the topic and briefly assesses the contribution of this dissertation.

Klíčová slova/ Keywords

Ochrana osobnosti/ Protection of personal integrity (protection of personal rights)

Civilní proces/ Civil process

Přiměřené zadostiučinění/ Appropriate compensation