

Abstract

Limits of freedom of expression in the light of case-law of the European Court of Human Rights

This diploma thesis deals with the freedom of expression and its permissible limits as those declared in Article 10 of the European Convention on Human Rights (hereinafter referred as „Convention“). Freedom of expression is guaranteed to everyone. However freedom of expression is not absolute, restrictions on freedom of expression by the intervention of the national authorities to individual freedoms is permissible in case of existence any justifiable targets pursuant to paragraph 2 of Article 10. We named this procedure by test legality, legitimacy and proportionality. So, in other words, the measures used against a person must be established legal standards, must pursue achieving a legitimate aim and be necessary in a democratic society. European Court of Human Rights (hereinafter "the Court") applies this test whenever it finds existing interference with freedom of expression. It focuses on case law precedents, set by the European Court's of Human Rights (hereinafter referred as „Court“), in cases of complaints for violation of the freedom of expression concerning the admissibility of the use of legitimate aim clauses by national authorities applying law.

The structure of the contents of this thesis gives substantive equivalent to the composition of Article 10, paragraph 2 of the Convention, in terms of ensuring the legitimate aims achieved by limiting circuits justifiable reasons interference with the freedom of expression. These legitimate aims include the interests of national security, territorial integrity or public safety, prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation and rights of others and for preventing the disclosure information received in confidence, and for maintaining the authority and impartiality of the judiciary.

Focused on studying case-law in specific cases are analyzed decisions of the Court. It highlighted persuasive arguments and interpretation of the Court, to which is connect structural analysis consideration of methods of Court. In assessing the

evaluation of other things is contrary given to justification disagreement with the court's conclusion.

Newer Court's decisions are contrasted today's perspective on the matter under consideration. Newer judgments are set in the context of local, cultural and social conditions, concerning considerations to ideas *pro futuro* or *de lege ferenda*.