

## **Abstract**

The topic of the master thesis *Protection of Personality Rights in Relation to Media* is the conflict between two constitutional rights – protection of personality and freedom of speech. Both of these rights are stated in the Constitutional Act No. 2/1993 thus they have an equal level of legal protection. However, conflicts can arise between the two. The thesis evaluates and analyses these two crucial rights and their conflicts.

This thesis is divided into four main chapters, which are the following: Protection of personality, Freedom of speech as a main principle of media law, Protection of personality versus freedom of speech in the practice of the Constitutional Court, and Media development and its influence on the protection of personality.

The first and the second part of the thesis analyse protection of personality and freedom of speech. The aim of the first two chapters is to present the sources of these rights, to define basic concepts, meanings and limits of these rights and to describe their possible restrictions. The third part of the thesis discusses general principles according to which possible conflict between the two rights should be solved. It also examines selected Czech court cases. Finally, the fourth chapter outlines media development since the 1970s with special emphasis on the influence that media has on protection of personality rights.

The key objective of the thesis is to answer the following question: Is the Czech legal regulation regarding possible conflicts between protection of personality and freedom of speech sufficient? Based on the detailed analysis, the thesis concludes that it is insufficient. The main reason of this conclusion is the fact that the legal regulation is strikingly brief. Because of that significant responsibility for the decisions is moved to individual courts and judges. Another consequence is a possibility different interpretation of the rights and thus also a different judicial decision. Therefore, the legal regulation does not fulfil the key requirement of legal security. Another shortcoming of the legal regulation in this matter is almost no response to technical advancement and to related media development. Freedom of speech as expressed in current media often interferes with protection of personality rights. So-called new media, for instance, allows practically everyone who has an Internet connection to share and publish their personal opinion almost immediately.