

## **Conflict of right to information and privacy - Abstract**

The presented rigorous thesis concerns with the potential conflict and mutual interaction of both mentioned basic human rights based on the application of The Freedom of Information Act. The Author gained experience in this branch thanks to his work as a lawyer in the department of legislation and internal affairs of South Bohemian Regional Authority. The argumentation in this thesis combines both the point of view of the public servant of a public authority as well as the appeal authority.

There is no doubt that the right to information is a necessity for any modern society or rather modern state. Right to information provides any person, not only the citizens, a great instrument to gain a general information of a wide scale hold by the public sector. This instrument is currently very efficient and ensures among other instruments a greater transparency of the public sector. The dark side of this right is the negative influence for the affected persons, those may be restricted in their rights, especially the right to privacy. This affection is especially significant in the issue of the public means recipients.

The presented thesis is divided into three parts. The theoretical treatise, which is performed in the first part, could be summarized in the sense that not a single piece of human rights may be a priori absolutely limited, the limitation cannot be generalized. The particular situation is always to be reflected and therefore contradictory rights ought to be always well balanced. The second part deals with the role of courts, unification of judicature as well as with the decisive judicature in the issue of public means recipients. The final part is based on the critics and polemics of the contemporary judicature of the highest administrative court. Law comparison and prediction of this matter is as well contained in the last part of this rigorous thesis. The crucial idea of the presented thesis is that not a single piece of human rights may be a priori absolutely limited, and every single life situation ought to be reflected with respect to the concrete circumstances.

### **Keywords**

Conflict of rights, right to information, right to privacy.