

The right to protection of personality vs. The right to information

Parties:

Plaintiff: Ivana Novakova (*pseudonym*)

Defendant: Ringier Axel Springer CZ, a. s.

Facts:

The defendant Ringier Axel Springer CZ, a. s. is an owner of famous Czech tabloid newspapers - called Blesk. The defendant published an article about a car accident of plaintiff's husband. Newspapers published within this news also the name and the picture of plaintiff, in spite of the fact that plaintiff was not participated in that car accident. That was qualified by the plaintiff as bullying from the media.

Ringier Axel Springer CZ, a. s. defend himself that also another newspapers published that case. Also mentioned that the plaintiff is vice-president of Czech television council and in the past, plaintiff tried to influence publication of some reportage about her. Ringier Axel Springer CZ, a. s. also defend that it is just the right to information to published information about this case.

Legal issues:

Legal issue is whether the protection of personality is enforceable even if this protection interferes with the right to information.

Procedural history:

In the first instance, the court analysed the articles and held that the right to protection of personality was breached by defendant. The court also ruled that Ringier Axel Springer CZ, a. s. cannot publish any article about plaintiff anymore. Then the case went to appeal. The appellant was Ringier Axel Springer CZ, a. s..

The Court of Appeals reverse the district court decision and it remanded the case back to the lower court. Court of Appeal ruled that Ringier Axel Springer CZ, a. s. applied the right to information. Also mentioned that decision of lower court to ban on publication of any facts about Ivana Novakova is against the charter of fundamental right and freedoms because that ruling was against the right to information.