

## Postings in social media – think before you act!

Only one's own thoughts are unrestrictedly free. Everyone knows, however, that even freedom of expression protected by fundamental rights has its limits.

Nevertheless, in the social media all limits of decency often fall in the assessment of third parties who have different opinions, origins, sexual orientation, political views or are simply fans of another football club.

It is obvious that this can lead not only to interpersonal conflicts, but also to considerable legal consequences, and will be presented below in a brief overview of the most important areas.

Let's assume, for example, that someone is enticed into a discriminatory posting on Facebook or shares contents of problematic origin.

- If his employer finds out about it, he should not be surprised if his employer uses the posting as an opportunity to pronounce the dismissal. The poster would have to bring an action against this dismissal; the court would then have to decide whether continued employment is reasonable.
- In addition to the loss of a job, the poster may also face criminal consequences. Thus, for example, the offence of slander, insult, credit damage or incitement can be fulfilled, as can the offence of continued harassment by means of telecommunications or a computer system.
- In parallel, the Media Act and the General Civil Code offer the person to whom the discriminatory, insulting or otherwise problematic posting refers additional grounds for asserting claims for damages (e.g. for loss of earnings) or compensation for the offence suffered as well as claims for injunctive relief or revocation. These proceedings are often associated with high costs, which must also be replaced by the poster in the event of loss.

In addition to the basic approach that one should behave towards others only in the way one wishes for oneself, one should be guided in dealing with social media by the principle – "Think first, then act". Even statements made without thought or out of a beer mood can lead to serious and lasting legal problems, which can have an impact on all areas of life.