

Guidelines on the Proposal of the Personal Study Plan

One of the documents to be submitted along with the application for the admission in the RiDoc is a Proposal of the Personal Study Plan. These guidelines are intended to help applicants in writing their Proposal. Below listed are the essential elements (bold) of the Proposal alongside explanations and examples (in brackets). Applicants are advised to follow these guidelines by including in their proposal all the listed elements, although there might a case in which departing from the structure suggested herein is necessary. The examples, however, are only illustrative and need not be closely followed. For any further clarification, applicant should contact his or her potential mentor or the RiDoc Director.

- G 1** **The proposed title of the doctoral dissertation** which need not be as precise and detailed as in the later stage when the doctoral dissertation topic is applied for approval (*for instance, Liability for Personality Rights Violation on the Internet*).
- G 2** **Explanation of the theoretical problem of the dissertation**, i.e. unsatisfactory level of knowledge on a particular issue because, for instance, a particular issue is not analysed or the existing analysis is wrong or incomplete (*for instance, in a doctoral dissertation on violation of personality rights on the internet, the theoretical problem would be an unsatisfactory level of knowledge on personality rights violation on the internet, because various aspects of personality rights violation online, such as legal remedies available against liable person or the secondary liability of the information society services provider, have not been thoroughly analysed*).
- G 3** **Explanation of the theoretical importance of the theoretical problem**, i.e. issues which occur in a particular legal area or legal branch and which are a consequence of the theoretical problem (*for instance, there is no mention in the literature of certain legal remedies or there is a lack of understanding in the literature of the secondary liability of information society service providers for violation of personality rights on the internet*).
- G 4** **Explanation of the practical importance of the theoretical problem**, i.e. indication of shortcomings in a legal order which are a consequence of the theoretical problem (*for instance, the legal uncertainty which discourages the party injured by personality right violation online from seeking judicial protection or the lack of efficient legal remedies to stop and discourage such violations*).
- G 5** **Scientific literature and its short analysis and review** which prove that there is an unsatisfactory level of knowledge on a particular issue (*for instance, if the*

current scholarship on violation of personality rights on the internet does not examine or does not examine sufficiently or offers only partial or inadequate conclusions on the issue of legal remedies available against liable person or the basis of the liability of information society service provider).

- G 6 The purpose and the aim of the research**, i.e. indication of the issue which will be resolved by the doctoral dissertation (*for instance, defining new or redefining existing legal remedies available against liable persons liable for the online violations of personality rights or determining the basis of liability of information society services providers for the online violation of personality rights*).
- G 7 Hypotheses of the research**, i.e. the first hypothesis or the first set of hypotheses which indicate the practical problem (*for instance, legal uncertainty which is the result of the unsatisfactory regulation of the violation of personality rights on the internet*); the second hypothesis or the second set of hypotheses which indicate the cause of the practical problem determined in the first hypothesis or the first set of hypotheses (*for instance, the rapid technological advancement which challenges the legal rules which were designed for torts occurring in the offline environment*); the third hypothesis or the third set of hypotheses which explain how the practical problem determined in the first hypothesis or the first set of hypotheses will be solved (*for instance, proposing the de lege ferenda rule which amends the existing or creates new legal remedies against persons liable for the online violations of personality rights or which defines the basis of liability of information society service providers for the online violations of personality rights*).
- G 8 Scientific methods** which will be used in the doctoral dissertation for analysing the relevant legal sources. The RiDoc students are advised to base their research on the policy oriented jurisprudence by Lasswell and McDougal as adjusted by Padjen, for the purposes of legal research. The focus of this method is identifying the positive and extrapositive legal values which are used for assessing the existing regulation and finding the most appropriate *de lege ferenda* rule (*for instance, such positive and extrapositive legal values are legal certainty and protection of personality rights*). Students may, of course, decide to base their research on some other method which they find more appropriate;
- G 9 The proposed content of the doctoral dissertation** should name the main chapters which might be divided into smaller chapters in a later phase of the research (*for instance, 1. Introduction; 2. Main Features of Personality Rights; 3. Remedies Available against Personality Rights Violators or 3. Legal Bases of Liability of Information Society Service Providers; 4. Assessment of the Functioning of Existing Legal Remedies in the Internet Environment or 4. Assessment of the Functioning of the Existing Rules on Liability in the Internet Environment; 5.*

Proposals for the Amendment/New Legal Remedy or 5. Proposal on the Amended/New Rule on the Secondary Liability; 6. Conclusion).

- G 10** **The expected scientific contribution of the doctoral dissertation**, i.e. indication of the parts of the dissertation which are expected to be original scientific contribution, and which will be of lesser originality providing a overview of the issues (*for instance, the section of the proposed dissertation which will provide for and justify the de lege ferenda solutions will be original scientific contribution, while the part of the dissertation on the main features of the personality rights and legal remedies against persons liable for the online violations of personality rights or basis of liability of information society service providers for the online violations of personality rights will be mostly an overview of the issues, although in certain parts it will amount to original contribution given the discussion with criticism and several new arguments*).
- G 11** **The application of the research results in solving the practical problem of the dissertation** (*for instance, a de lege ferenda rule on the amended/new legal remedy will encourage victims to more often seek protection of their rights or a de lege ferenda rule on the basis of the liability of information society services providers will improve legal certainty in cases of personality rights violations online*).
- G 12** **A list of literature** on which the preliminary research was based and some seminal publications which will be used in the doctoral dissertation.