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**Abstract:**

The issue of international protection of personality rights has become important in the recent public debate taking place in Poland and other European countries. Because of failed attempts to introduce an appropriate conflicts rule to the EU Regulation on the law applicable to non-contractual obligations (Rome II), the Polish lawgiver has decided to establish Article 16 of Polish Private International Law Act of February 4, 2011, which specifies the law applicable to both the rights of personality (paragraph 1) and to the protection of such rights (paragraph 2). Additional conflicts rule in the paragraph 3 of the above-mentioned Article relates to the law applicable to the right of the reply, correction, and other similar means provided by the press laws.

The article is devoted to a detailed analysis of the regulation in the context of the comparative law (taking into account esp. the Italian, French, German, and Swiss private international law). The author argues that the distinction between the law applicable to personality rights as a kind of the “preliminary question” and the law applicable to the protection of the said rights has been unnecessary and it only makes the use of private international law rules more complicated. Moreover, the structure of Article 16 paragraph 16 of Polish PIL Act, granting the choice between the law of the State in which the threat or violation of personality rights takes place and the law of the State in which the effects of that event occurred, is silent on the cases where the victim did not express any such will as to the applicable law. The analysis is focused on the interpretation of the rules and their practical application. The author analyses also the prospects for the future amendment to the Rome II Regulation concerning the law applicable to the violations of privacy and rights of personality. He is of the opinion, that in spite of the initiative of the European Parliament of the year 2012, such an amendment seems to be rather uncertain because of the deep institutional crisis of the European Union.