Annex no. 3

Białystok, November 10th, 2016

Summary of professional accomplishments

1. Name and surname: Joanna Agnieszka Radwanowicz-Wanczewska

2. Acquired diplomas, academic degrees.

Master's Degree in Legal Science (with reward) I received at the Faculty of Law at Warsaw University Branch in Białystok in 1995. Master thesis titled: *New Institutions of Civil Law: Factoring and Forfaiting* was written by me under the supervision of Prof. Krzysztof Pietrzykowski, PhD hab. When I was still a student I received two rewards from the Dean of the Faculty of Law (for the results gained in studies in the academic years 1992/1993 and 1993/1994), I also became the prize winner of the community competition: Primus Inter Pares - rewarding outstanding students in science and in social activities, obtaining in 1993 brown badge and in 1995 golden badge.

The PhD degree of legal science in law I received on June 13th, 2003 through the decision of the Council of Faculty of Law at University of Białystok on the basis of doctoral thesis titled: *Direct Coercion in The System of Administrative Execution.* The Promoter of the registration and conferment procedure for a doctoral degree was Prof. Eugeniusz Smoktunowicz, PhD hab. and the reviewer examiners were Prof. Eugeniusz Ochendowski, PhD hab. and Prof. Jan Szreniawski, PhD hab.

3. Information on the so far employment in scientific units.

During my University studies I took up work at the Białystok University of Technology where I was employed from April 10th, 1995 to October 31st, 2001 at the post of a reporter, performing the work of a journalist as the editor journalist of news and various subjects at AKADERA Białystok University of Technology Radio Station (I continued the cooperation until 2003 on the basis of civil contracts).

After graduation from the University, in the academic year 1995/1996 I started the cooperation with the Faculty of Law at Warsaw University Branch in Białystok conducting didactic classes. On October 1st, 1996 I was employed at that Faculty by nomination at the post of assistant lecturer in the Unit of Administrative Law and Public Administration. I held that post until January 31st, 2004. On February 1st, 2004 I was nominated for the post of an assistant professor at the Administrative Procedure Unit at the Faculty of Law at University of Białystok and I hold that post until present day. Since the academic year 1998/1999 I am the supervisor of The Administrative Law Section at Student Legal Advisory - Unit of the Faculty of Law at University of Białystok. The above mentioned University is my primary place of work as described in the legal provisions on higher education.

Additionally, from October 1st, 2003 to September 30th, 2006 I was employed at the post of an assistant professor at the Department of Administrative Law at the Faculty of Law in the Higher School of Finance and Law in Warsaw named after Ryszard Łazarski. Since 1999 I have been cooperating with Higher School of Public Administration in Ostrołęka. On September 1st, 2007 I was employed there at the post of an assistant professor at the Department of Administration. Since December 1st, 2013 I am a member of Senate at that Higher School being the representative of academic teachers, and since April 10, 2015 I act as Dean's plenipotentiary for cooperation with foreign countries. I am also the director of postgraduate studies *Tax Law and Tax Administration* at Higher School of Public Administration in Ostrołęka.

4. Scientific achievement pursuant to article 16 subparagraph 2 of the Act dated March 14th, 2003 on university degrees and university title and on degrees and title in arts (unified text Journal of Law of 2014 sec. 1852 with later amendments).

According to the article 16 subparagraph 2 of the Act dated March 14th, 2003 on university degrees and university title and on degrees and title in arts (unified text Journal of Law of 2014 sec. 1852 with later amendments) as scientific achievement being the basis for making request for granting me the degree of PhD hab. I point out three series of thematically related publications.

I. Series *The Issues of Administrative Coercion with Particular Attention Paid to Administrative Execution* including the following publications:

1. J. Radwanowicz, *The Essence and Meaning of the Term Administrative Coercion*, in: J. Zimmermann eds., *The Concept of the System of Administrative Law. Congress of Departments of Administrative Law and Administrative Procedure, Zakopane 24-27 September 2006*, Wolters Kluwer, Warsaw 2007, pp. 131-141;

2. J. Radwanowicz-Wanczewska, *Freedom and Administrative Coercion*, in: A. Nowakowski ed., *Studies and Sketches of Public Law. Book in Memory of Professor Eugene Smoktunowicz,* Rzeszów 2008, pp. 46-53;

3. J. Radwanowicz-Wanczewska, *Administrative Coercion as a Consequence of Failure to Perform a Legal Obligation*, "Administration. Theory-Practice-Teaching" 2008, nr 4 (13), pp. 105-118;

4. J. Radwanowicz-Wanczewska, *Administrative Coercion and Administrative Sanction*, in: M. Popławski, D. Šramkova eds., *Legal Sanctions: Theoretical and Practical Aspect in Poland and the Czech Republic*, Masarykova Univerzita, Brno-Białystok 2008, pp. 46-51;

5. J. Radwanowicz-Wanczewska, *The Meaning of the Norms of the Constitution in the Context of Universal Regulations of the Executive Administrative Proceeding in Poland*, in: J. Matwiejuk, K. Prokop eds., *Evolution of Constitutionalism in the Selected States of Central and Eastern Europe*, Temida 2, Białystok 2010, pp. 192-203;

6. J. Radwanowicz-Wanczewska, *Police Coercion in Germany on the Example of the Free State Land of Bavaria*, in: E. Ura, S. Pieprzny ed., *Uniform Services and Formations in the System of Internal Security in the Republic of Poland*, Rzeszów 2010, pp. 481-491;

7. J. Radwanowicz-Wanczewska, *Remarks on Administrative Coercion in Poland*, in: A. Pandiloska Jurak, U. Pinterič eds., *Contemporary World Between Freedom and Security*, Ljubljana 2010, pp. 305-320;

8. J. Radwanowicz-Wanczewska, *The Execution of Non-monetary Duties: [Art. 116-153a]*, in: D.R. Kijowski ed., *The Law on Enforcement Proceedings in Administration. Commentary*, Wolters Kluwer 2010, pp. 1042-1098; second, supplemented, revised and corrected edition: J. Radwanowicz-Wanczewska, *The Execution of Non-monetary Duties: [Art. 116-153a]*, in: D.R. Kijowski ed., *The Law on Enforcement Proceedings in Administration. Commentary*, Wolters Kluwer 2015, pp. 1177-1230;

9. J. Radwanowicz-Wanczewska, *The Origins of Administrative Coercion in Roman Law and Practice of the Roman Administration,* "Administration. Theory-Practice-Teaching" 2015, No. 4 (41), pp. 80-121.

II. The series *Migration and Integration of Foreigners and the Security of the State* includes the following studies:

1. J. Radwanowicz-Wanczewska, T. Leszczyński, *State Security and National Security,* in : T. Jemioło, K. Rajchel ed., *National Security and Crisis Management In Poland In The Twenty-First Century - Challenges And Dilemmas*, School of Computer Science, Management and Administration, Warsaw 2008, pp. 108-114;

2. J. Radwanowicz-Wanczewska, *Rapid Border Intervention Teams*, in: E. Ura, K. Rajchel, M. Pomykała, S. Pieprzny ed., *The Internal Security in the Modern State*, Rzeszów University of Technology, University of Rzeszow, Rzeszów 2008, pp. 259-264;

3. J. Radwanowicz-Wanczewska, K. Prokop, *Organization of the Crisis Management System in Poland*, in: J. Parchomiuk, B. Ulijasz, E. Kruk ed., *Ten Years of Political Reform of Public Administration in Poland,* Wolters Kluwer, Warsaw 2009, pp. 780-792;

4. J. Radwanowicz-Wanczewska, *Councils of Foreigners in the Federal Republic of Germany*, "Local Government" 2010, nr 1/2, pp.138-145;

5. J. Radwanowicz-Wanczewska, Ł. Radwanowicz, *Notes on the Poles' Attitude to National and Ethnic Minorities and Combating Hate Crimes*, in: S. Hypś, K. Kołek ed., *The Role of Public Security Organs in The Fight Against Crime - Selected Issues*, Publisher of the Archdiocese of Lublin "Gaudium", Lublin 2014, pp. 171-192.

III. The series *New Trends and Developments in Administrative Law* includes the following publications:

1. J. Radwanowicz, *Mediation and the Quality of Public Administration,* J. Lukasiewicz, ed., *The Quality of Public Administration. International Scientific Conference, Cedzyna k. Kielce, 24-26 September 2004*, TNOiK, Rzeszów 2004, pp. 353-358;

2. J. Radwanowicz-Wanczewska, *Social Council for Alternative Methods of Conflict and Disputes Resolution at the Ministry of Justice*, in: J. Olszewski ed., *Arbitration and mediation. Practical Aspects of the Use of Legal Provisions. Materials of the Scientific Conference. Iwonicz-Zdrój 18-20 October 2007*, TNOiK, Rzeszów 2007, pp. 252-260;

3. Joanna Radwanowicz-Wanczewska, *Administrative Policy and Globalization*, J. Łukasiewicz ed., *Administrative Policy. IV International Scientific Conference, Stryków, 7-9 September 2008*, TNOiK, Rzeszów 2008, pp. 573-580;

4. J. Radwanowicz-Wanczewska, *Cooperation between Public Administration and Non-Governmental Organizations and Anti-Corruption*, in: M. Stec, K. Bandarzewski ed., *The Anti-Corruption Legal Provisions in Public Administration*, Wolters Kluwer, Warsaw 2009, pp. 258-275;

5. J. Radwanowicz-Wanczewska, *Contracts in Administrative Enforcement*, in: J. Boć, L. Dziewięcka - Bokun ed., *Contracts in Administration*, Cologne Limited, Wroclaw 2008, pp. 497-502;

6. J. Radwanowicz-Wanczewska, M.J. Skrodzka, *Clinical Teaching of Law and Modern Administration*, in: W. Mikułowski, A. Jezierska ed., *Public Administration and the Challenges of the Economic Crisis and its Social Consequences*, The National School of Public Administration, Warsaw 2014, pp. 467-478.[1]

5. Description of the scientific aim of the above mentioned works and the acquired results along with the description of their potential usage.

My interests and my research experience influenced the choice of the subject of scientific achievement acquired after the reception of the PhD degree - being the basis for request of granting me the PhD hab degree. The result of previous work are formed over the years scientific publications appearing in Poland and abroad, some of which were published in English. To the creation of those works - in which I gave an analysis of the solutions specific to German law or Roman law - significantly contributed my conduction of scientific research in Italy at Università del Salento and Università degli Studi di Bari "Aldo Moro", and preliminary survey of the library holdings (among others: in Biblioteca Centrale di Giurisprudenza - Taranto w Dipartimento Jonico in "Sistemi giuridici ed economici del Mediterraneo: societa', ambiente, culture" Università degli Studi di Bari) and reaching for

[1] That work was published earlier in the journal of the University Legal Clinic Foundation with remark that it would appear in another publication (connected with remark the International Science Conference "*Public Administration and the Challenges of the Economic Crisis and its Social Consequences*"), see: J. Radwanowicz-Wanczewska, M.J. Skrodzka, *Clinical Legal Education and Modern Administration*, "Klinika" 2011, nr 10 (14), pp. 15-18.

publications originating among others from the collection of German Staatsbibliothek zu Berlin. Preparation of some works required however the use apart from publications in Polish, the titles from foreign literature: Italian, German, English, American and French. The results of the researches conducted by me, according to the analyzed issues, were presented in the form of reports at all - Poland and international scientific conferences taking place in Poland and abroad, disseminated within the framework of lectures at foreign universities mainly in Italy at Università degli Studi di Bari and in France at Université Paris 1 Panthéon-Sorbonne, and also provided during meetings and discussions with representatives of the academic circles during my stays at universities in Slovenia, Portugal, Germany and also in already mentioned Italy and France.

I. The first from the above mentioned series of thematically related publications includes the issue of administrative coercion with particular attention paid to administrative execution. For several years I have been devoting much attention to the administrative coercion in its various aspects, which was noted by the representatives of the doctrine of administrative law (for example E. Kruk shows that directly in his publications; see E. Kruk, *Administraive Coercion*, „Administration. Theory, Didactics and Practice" 2009, no. 2 (15), p. 115; the same, *Administrative Sanction*, Lublin 2013, p. 43.

The discussed series of publications as an assumption was to serve as grounds for the development of views on administrative coercion. I discussed there the issue of functionality of further use of the concept of administrative coercion in relation to the cases of replacing it by other concepts. My intention was also to show the origins of administrative coercion in Roman law and practice of the Roman administration because earlier when analyzing for the need of one of my publications the meaning of the word *administrare* and other Latin terms, I paid attention to the important link of the verb *imperare* with the sphere of military power, which prompted me to widen the field of research on related issues. I assumed that the views presented recently by scholars of Roman history and Roman law may justify different from those previously presented (and closely linked with the position of Th. Mommsena) understanding of the term *empire* which as I assumed presents in a new light the institution of administrative coercion as well.

In the discussed series of publications I also analyzed the issue of the scope of use of administrative coercion, examining it primarily from the perspective of protection of freedoms and rights of the individual. I expanded the deliberations relating to that issue focusing on the study of the relations between the non-performance of a legal obligation and the use of administrative coercion. I also discussed the issue of the dependence between that

coercion and administrative sanction. On the other hand, referring to the forms of broadly defined administrative coercion I analyzed the Police coercion examining at that point the appropriate regulations of Bavarian law. I took up and analyzed the problems related to the execution of the duties of non-pecuniary nature, connected with the legal regulations functioning in Polish legal order. When creating the discussed series of publications I also conducted researches concerning the issue of limitation of freedom in order to increase the safety and its relation with the use of administrative coercion. I also referred to the issue of the importance of norms of the Constitution in the context of general principles of administrative enforcement proceedings.

The discussion of the scientific aim of separate works constituting the specified series of publications and the acquired results I would start from presenting the consequence of earlier research of the study: *Nature and Meaning of the Concept of Administrative Coercion.* I point them in order to be assessed in the extent relevant to the view presented by me, included in the conviction of the rightness of further use of the term of administrative coercion which is supported by the fact that it belongs to the group of essential terms of administrative law science. Referring in this publication to the noticeable practice of use in the doctrine instead of the concept of administrative coercion more general terms such as: coercion, legal coercion, state coercion I considered it inappropriate because it results in reducing the degree of precision of expression. Taking a stand on this issue, my view is against the abandonment of the use of the term administrative coercion which is justified among others by its connection with the occurrence of the administrative coercion method. Currently, it seems that this concept has become popular and is used more often what can prove among others that the representatives of the doctrine see the need to use it and the need to analyze administrative coercion as multi-faced concept and separate aspect in the theory of administrative law.

The indicated above study has been and still is analyzed by numerous authors which is supported by the following examples of its use. The views presented by me were cited twice by E. Kruk in his above mentioned publications. The concept and the kinds of administrative coercion were the subject of a valuable analysis made by A. Skoczylas in the *System of Administrative Law* who indicated among others the above mentioned publication written by me (see. A. Skoczylas, *Enforcement Proceedings in Administration*, in R. Hauser, Z. Niewiadomski, A. Wróbel ed., *The System of Administrative Law.* Volume 9. *Administrative Procedural Law*, edition 2, Warsaw 2014, p. 328, 329). The article *The Essence and Meaning of the Term Administrative Coercion* is referred to in the works of M. Szalewska (M.

Szalewska, *Consequences of the Failure to Fulfill the Obligation of Substitute Plantings*, „Overview of the Environmental Law" 2015, nr 3, p. 48), A. Doliwa (A. Doliwa, *The meaning and Importance of equity in private law*, "Bialystok Legal Studies" 2014, book 17, p. 81), A. Paduch, see. A. Paduch, *Optional Remittance of Costs of Enforcement in Administrative Enforcement Proceedings*, "Administration. Theory-Practice-Teaching" 2012, nr 2 (27), p. 130, E. Streit-Browarna (E. Streit-Browarna, *Concurrence of Administrative Enforcement,* "Student Scientific Notebooks UMTS" 2010, book. 20, p. 66), W. Federczyk (W. Federczyk, *Imperious Nature of Public Administration as an Obstacle to Mediation with its participation*, w: M. Tabernacka red., *Mediation over divisions*, Wrocław 2013, p. 52), P. Wszołek (P. Wszołek, *The Compensatory Administrative Law Liability. Part Four: Other Distinguishing Features of Administrative a Legal Liability from the Compensatory Liability in Civil Law*, „Casus" 2010, nr 55, p. 32). To my publications on administrative coercion, including the above-mentioned article, refer in their works the following authors: S. Pieprzny (S. Pieprzny, *Protection of Public Safety And Order in Administrative Law*, Rzeszów 2007, p. 268), L. Klat-Wertelecka (L. Klat-Wertelecka, *Inadmissibility of Administrative Enforcement*, Wrocław 2009, pp. 21, 46-47; ibidem, *Administrative Law Enforcement Duties Performed in Selected European Countries*", Wrocław-Lviv Legal Papers" 2010, No. 1, p. 307) and M. Krawczyk (M. Krawczyk, *Fundamentals of Administrative Governance,* Warsaw 2016, pp. 96, 279).

The most essential of my publications indicated under this cycle is the study titled: *The Origins of Administrative Coercion in Roman Law and Practice of Roman Administration.* In this over forty pages long work I refer to the Roman law and practice of the Roman administration assuming that the knowledge of the reality of the ancient times promotes a better understanding of today's law including Administrative law and also related to it issues concerning administrative coercion. The accompanying me believe of the need for research and openness to experience of Roman administrative practice results primarily from the analysis of achievements of the doctrine of administrative law. In the discussed study I noticed that the authors dealing with contemporary issues concerning administrative coercion in Poland do not rather tend to study its origins dating back to ancient times. They refer solely to earlier studies without making a verification of the views expressed on this subject in the past based on the latest global research results in this field.

Therefore, I considered as appropriate to analyze and present the specific problems connected with the issues of administrative coercion from the interdisciplinary perspective

and draw attention to the current views of researchers, regarding, inter alia, the powers afforded to the Roman rulers and officials. I was accompanied by the aim to show the discussed issues in the possibly interesting, understandable and accessible way but also quite detailed, so that the study would be interesting and useful not only to the students but also the PhD students who in the course of their education were not familiar with the issues that refer to the Roman public law and who due to various reasons feel the need to deepen the knowledge of it. The promotion of the contents presented in such way may result in starting the discussion on them which would contribute to development of views on administrative coercion.

In the introductory part of the mentioned study I refer to the discussed in literature problem of the reception of Roman law - indicating that Poland like the north German areas: Hungary, Czech and Scotland was among the countries on which the Roman law has had an impact, although, it was limited due to the fact that they had developed indigenous systems of customary law that was able to oppose the Roman influence. In connection with the above in such case Roman law influenced first of all municipal rights. Another issue which I raised in the study while analyzing the views of representatives of the doctrine is the importance of Roman law and the Roman concept of administration. In addition to indicating, among others, expressed in the literature on the belief that the origins of administrative law can be seen in ancient times. Apart from indicating, among others, the expressed in literature belief that the origins of administrative law can be already seen in ancient times, I will also recall considering it fully justified, as expressed by J.S. Langrod view that the Roman Empire created a complete concept of administration, from which grew the embryos of modern state administration. The author also responded to the problem of inconsistencies in terminology related to specific concepts. He also pointed out both the misunderstandings associated with the concept of administration and with other concepts, assuming that they also refer to the concept of "power" (used commonly in three meanings: the sphere of action, scope of competence, "force"– *potestas*; symbol of authority, sovereignty, State power – *imperium*; particular office – in the sense of positive quantitatively limited and organizationally unified gathering, or a team of people and equipment to meet specialized purpose - *officium* etc.). J.S. Langrod advocated the consistent use: in the first meaning the term competence, in the second - the power, and the third - the office, or institution. This stand point was important for my deliberations. From among the above-mentioned concepts, later in the study, I analyzed the terms *imperium* and *potestas.*

I noticed that while the representatives of the doctrine of administrative law quite often used the first of these concepts and still continue to use it, they rather not evoke the second one.

In turn, repeated the doctrine of using Latin words distinction between empire and dominion is not the most appropriate and as is rightly pointed out by F. Longchamps de Bérier, "it is better when one takes the relationship between overlapping each other *imperium – gestio*". In my study I proved that the representatives of the Polish doctrine of administrative law in their works refer to the two above-mentioned concepts, however, they do it, not analyzing the original meaning of both words. The above mentioned concepts of dominium and gestio are also sometimes connected because some authors point out the existence of the sphere of so called administrative competence (in other words the sphere of dominium, ownership), covering the actions of public administration undertaken in other than imperious legal forms describing the imperial actions (connected with the possibility of usage of administrative coercion) as an empire. Due to the different ways of understanding and application of the indicated in the discussed part of the study concepts I decided that the view of J.S. Langrod on the existence of mixture of terms is still a relevant-today view which has its implications on understanding of the concept of *empire.* I also pointed out that in order to better understand the aforementioned concept one shall refer to its origins dating back to ancient times and note that the Romans themselves in the classical period believed that the empire was an attribute of kings exiled at the end of the sixth century, and later marked by this concept mainly the power of magistrate. It is also important that from the point of view of etymology it is indicated that the origin of that word derives from the Latin verb *imperare*, referring to the military sphere and emphasizing the military authority, closed up in giving orders.

In the discussed study I refer to the monumental work titled: *Römisches Staatsrecht*, wherein Th. Mommsen speaks about entitled to senior officials in the Roman period of the republic supreme power - *the empire*, including, according to him both unlimited military authority, and subject to certain limitations legal jurisdiction. The author singled out two areas of application of the empire, making a distinction between *imperium domi* and *militiae*

According to Th. Mommsen first one included civil rights enjoyed by officials only in Rome, while the empire *militiae* could only be used outside the city. The geographical separation of the two spheres was the sacred boundary of the city (pomerium).

The views of Th. Mommsen on the empire have been accepted by most scholars investigating this issue. They were also reflected in the publications of Polish authors on the Roman public law. In the discussed paper, I note that to the views of Th. Mommsen also referred J. Jendrośka pointing to the origins of administrative coercion in Roman law and its relationship with the empire as a source of power. I also point out that there are however works the authors of which verify some of the claims made by Th. Mommsen in the indicated range, and the lack of source definition of the term empire makes it difficult to analyze this issue and contributes to a situation in which it is still the subject of discussion undertaken by the Romanists and historians of antiquity.

In the further part of that study the problem of *empire* was presented by me widely mainly in relation to the power of the consul and other Roman officials of the period of the republic. I paid attention to the views on the nature of the empire, which differ to some extent from the position taken by Th. Mommsen. I focused my attention on the views on the nature of the empire which differs to some extent from the position taken by Th. Mommsen. The views that were presented for example by A. Heuss, W. Kunkel and J. Bleicken, indicating that in the oldest sense the *empire* was the highest military power. These authors, however, accepted the view that *imperium domi* as weaker or limited form of empire was the supreme civil power in Rome. On the other hand, D. Daube noted that *imperare* meant only military power. RE. Mitchell took the view, according to which to the officials who had *empire* belonged the military command and their power was limited to the areas outside the city boundaries. In my opinion special attention should be paid to the point of view presented by F.K. Drogul. He responded to the views concerning the issues of authority exercised by senior officials of the Roman republic period presented, among others, by Th. Mommsen and the above-mentioned authors.

He accepted that Th. Mommsen has rightly made a distinction between the authorities enjoyed by magistrates inside and outside of Rome but he was not wrong in saying that in both areas there was the power of the empire. In my opinion F.K. Drogula convincingly argues that the distinction between *imperium domi* and *militiae* should not be used, and that it never existed as such because the empire under normal circumstances was only a military power exercised outside Rome. You can also agree with the statement that there is a clear division between the military and civilian authorities, it is supported by the notion that they originated rather from a variety of sources - from potestas (civilian authority officials) and Empire (military power), rather than from one military source (empire). Therefore, in this

study I pointed out the different nature of the power of military commanders (empire) from the one that had civil officials (potestas), I pointed to the existence of a clear distinction between the military command and civilian rule in the early republic and I discussed enjoyed by the officials powers called *potestas* and the empire in comparison to the system changes in ancient Rome. From the point of view of etymology in the literature it is pointed to the origin of the word *potestas* from the Latin verb *possum* which meant "can", "be able to". Potestas in general sense meant the right (power) of one person over another person or property. In the sphere of public law analyzed term mean power of all the officials. *Potestas* concerned all the rights associated with a particular office. In the literature, it is assumed that the officials in terms of *potestas* had the right to issue edicts determining which rules the official will need to apply in the course of his activity (*ius edicendi*) and to impose sanctions in order to force obedience.

Colleagues in office were entitled to equal power (*par potestas*), and in relation to *potestas* officials of various levels in the official hierarchy were distinguished *maior* i *minor potestas* (which was equal to the larger and smaller power). Officials obtained *potestas* through election by *comitia centuriata or comitia tributa* for a particular office which defined their *potestas*. Its nature was uneven and depended on the nature of the office exercised. Senior officials who additionally got rights from *lex curiata de imperio* were also entitled to the power of the *imperium*. The official, who took office and received *lex curiata* could get the *imperium* whenever he wanted through the required ceremonies, crossing the pomerium and leave the city, and then dressing up in the military clothes. Only then he was considered to be equipped with the *imperium* and has a full military power. A senior officer did not have to take these ceremonies every time he left the city but if he would not do that, it was assumed that he does not have the *imperium*.

As noted by F.K. Drogul, classified as civil officials *cum imperio*, consuls and pretorians within the *pomerium* did not have the *imperium* because *potestas* that belonged to their office and to all the officials of Rome was sufficient for the exercise of civil functions, so that the *imperium* remained outside the city with all the other military matters, whereas within the city limits of Rome officials performed their duties with the help of potestas they were entilted to. In addition, during the early republic period military power (*imperium*) was not subject to division into different levels or degrees. Using it in Rome was allowed only in exceptional circumstances: scoring the triumph, the appointment of a dictator, or taking the so-called "final resolution of the Senate" (*Senatus Consultum Ultimum*). In the later part of the

paper I discuss the period of the principate, whose essence was the elevation of ruler over other citizens and granting him the powers that previously different officials had had. There was then a major change because Augustus was able to obtain the consent of the Senate for the permanent possession of the *imperium* which in turn meant that he had full military power, he did not lose it in Rome and did not have to get it back when leaving the city. August received from the Senate *imperium maius* which essentially came down to ensuring to the orders of the Emperor priority over the orders of another commander in each province always whenever he needed it. In the next political system included in the discussed study - dominat, the emperor acted as an absolute ruler (dominus) of all the inhabitants of the state. Dominat which broke up completely with the appearances of the republic, introduced the system of monarchy, giving full power to the emperor who reigned with a reformed centralized bureaucratic and hierarchically subordinate administrative apparatus. Military administration was separated from civil one, except that the latter was organized in imitation of the military. The emperor held the post of contemporary commander in chief of the armed forces. He held a legislative power, supreme judicial and administrative power. In the period of dominate around the governing authorities both primal, central and territorial offices were created employing masses of officials. Detailed presentation of all the offices functioning in the Roman Empire during the period of principate and dominate went beyond the framework of this study. However, I mention some of them due to their significant association with issues related to administrative coercion.

In the later part of the paper I discussed in detail the issue of the origins of administrative coercion. I proved that from the royal power originated *coërcitio* and *iudicatio*. The right to use it belonged initially to the king and in later times to the highest Republican officials. The aim of *Coërcitio* was to force obedience for the orders of magistrate, and *iudicatio* was performed in the prosecution of crimes. In the literature it is assumed that the name *coërcitio* was the equivalent of today's name for administrative coercion unlike *iudicatio* understood as judicial coercion. In my opinion there are compelling arguments for the opinion that *coërcitio* came from the civilian authority of the officials - *potestas* which included space for administrative action falling outside the sphere of influence of military power (*imperium*). Moreover,in the study I indicate that the distinction between *coërcitio* as the power of a police and administrative nature from penalties resulting from the criminal convictions was at first quite difficult, because *coërcitio* often served the same authorities which exercised judicial functions (*iudicatio*). In addition, some measures applied under

coërcitio were originally very strict and besides fine (*multa*) and the seizure of things (*pignoris capio*) included also the detention, imprisonment (*ductio in vincula publica*) and even killing, preceded by flogging. In order to make reference to the issue of the use of coercive measures in practice, in this paper I described the seizure of things - *pignoris capio* (further illustrated by reference to the use of a fine - *multa*) along with the examples of use. In consequence of the above in the study I presented in a systematized way the results of the doctrine research on the origins of administrative coercion. My deliberations may also result in the change of the established in science views regarding the analyzed by me terms and institutions. In reference to the work titled: *Nature and Meaning of the Concept of Administrative Coercion* another element of the discussed series of publications was created - the article *Freedom and Administrative Coercion.* In most modern states protection of freedom is one of the fundamental tasks of law. In this article I analyze the phenomenon of limiting state authority over the man and the problem of expansion of individual rights and the creation of international mechanisms for their protection. I point out to the importance of the principle of individual freedom being reflected in virtually all constitutions of democratic states. In this paper, I refer also to the views of E. Smoktunowicz who draws attention, inter alia, to the fact that the administrative law in the part in which it limits the rights and freedoms of citizens is the unique law in the sense that marks the limits of those rights and freedoms for the sake of the common goodness. I was point out that for the individual renunciation of freedom even partial is at least perceived ailment. For this reason state coercion including administrative coercion, often used when legal obligations are not voluntarily fulfilled it should only be used in such cases and only to the extent that it is actually necessary. Its use should always be accompanied by attention to the protection of the rights and freedoms of the individual.

In the article *Compulsion Administration Viewed as a Consequence of Failure to Perform Legal Obligation* I analyzed the relationship between the non-performance of a legal obligation and its consequence in the form of the use of administrative coercion. I pointed to the importance of voluntary exercise of legal obligations by citizens (and others) which is a manifestation of respect for the law. I noticed that the state is able to create such conditions that significantly reduce the possibility of violation of law, and at the same time encourage its observance. Therefore, the citizen may lean toward the satisfactory performance of legal obligations for fear of legal sanction, or rumored desire to obtain it provided material benefits associated with the voluntary implementation of these obligations. There are, however, rare

situations in which the legal obligations are not voluntarily performed. In cases where this happens only because of the negligence of a citizen may be enough just reminding him of his duties. However, if the cause is ill-will, the consequence of failure to perform a legal obligation becomes coercion. It leads to the enforcement of the obligation. In this article, I pointed to the relationship of the concept and essence of the legal obligation to the category of the legal situation defined by the applicable legal standards. I refered to the issue of administrative governance. I also referred to the issue of the use of the standard variety of administrative law and specific sanctions, emphasizing on the occasion of the fact that the first legal sanctions were perceived primarily in administrative coercion. I paid special attention to the obligations of public law entities, indicating the praxeological premises for their efficient performance and emphasizing the benefits of voluntary performance of subject matter obligations. The discussed study was cited by E. Kruk (see. E. Kruk, *Administrative sanction*, Lublin 2013, p. 43), P. Szreniawski also refered to it twice (P. Szreniawski, *Obligation in administrative law*, Lublin 2014, p. 32 -33, 181). In the above mentioned study *Nature and Meaning of the Concept of Administrative* Coercion, referring to the views of the doctrine of Polish Administrative Law, I enumerated as one of the forms of widely understood administrative coercion - the police coercion, understood as direct coercion, without a writ of execution, the use of which applies to cases of urgency regardless of public safety. Recognizing the need to deepen knowledge on this subject which constitutes one of the elements of that series of publications - the study *Police Coercion in Federal Republic of Germany* on the example of the union Land of the Free State of Bavaria, I presented the effects of the research studies conducted by me on the issues of regulation of coercion in the Bavarian law. I pointed to the fact that in German literature there is the concept of "police coercion" and the regulations concerning the coercive form are the basis for regulations issued by Police directed to the obliged person urging him to a particular act or omission, if necessary by force, and therefore against his will. In the context of compulsory conduct made by the police in the aforementioned literature, the concept of police coercion is applied, not the concept of administrative coercion, but the latter term also occurs in the Bavarian legislation. In this study I refer to the issue of the functions of police coercion claiming that it always has a preventive function, never repressive. In addition, due to the fact that the police coercion is related to the effort to restore the lawful state in German literature its coercive and implementing functions. In this article I discussed the issues concerning the legal basis and conditions for the use of police coercion and I also introduced coercive measures in the form of a fine in order to compel, substitute execution and replacement of direct coercion,

indicating the criteria for distinguishing between the last two of the above. In terms of the use of coercive measures, I emphasized the need to respect the rules that protect the unit regarding the proper use of these funds by the entities authorized to do so.

My research interests are related to the administrative coercion, including administrative enforcement as one of its forms, resulted in the participation in a collective work, the commentary to the Act of June 17th, 1966 on administrative enforcement proceedings (Journal of Law of 2016 item 599 with later amendments), hereinafter referred to as: u.p.e.a., and prepared by me Chapter III *Execution of non-cash duties* which was associated with the preparation of the notes to the provisions of articles 116-153a.

The commentary text is based on the available literature and judicial decisions that have been analyzed in detail and used to prepare the publication not only interesting, useful, rich in content, taking into account not only the current status but also expanded on historical background concerning the provisions in question, but the publication facilitating the acquisition of comprehensive knowledge in the field of administrative execution for those interested in this issue. Commentary was published in 2010 and its second, supplemented, revised and corrected edition comes from 2015. Modifications contents discussed part of the publication introduced the next release, resulted, among others, the need to take account of legal regulation contained in the Act of 24 May 2013 by means of force and firearms (Journal of Law sec. 628 with later amendments).

As part of the text in the prepared by me chapter of the commentary were passages that relate clearly to the results of previous research studies on the direct coercion and execution in simplified procedure, supplemented by the new findings being the result of subsequent scientific investigations related to these issues and other elements of content, giving me for the first time the subject of in-depth analysis and on other objects listed in u.p.e.a. executive measures of the duties of a non-cash nature, i.e. a fine in order to compel, substitute performance, take movable property, take real estate, empty premises and other facilities.

The effects of my work were noticed by representatives of the doctrine and penetrated into the judicial practice of the Supreme Administrative Court and district administrative courts. For example, the content of the comment explanations to art. 117 u.p.e.a., and in particular on verbal commands issued directly refer to his book by M. Szewczyk, E. Szewczyk (M. Szewczyk, E. Szewczyk, *General Administrative Act*, Wolters Kluwer 2014, p.

186).

And to the commentary to art. 118 u.p.e.a. refers in his article E. Dubois; see. E. Dubois, *Marshal of voivodship - enforcement and tax organ*, "*Scientific Papers of Higher School of Computer Science, Management and Administration*" 2012, book 3 (20), p. 69. A. Augustynowicz, I. Wrześniewska-Wal, indicating in their study on administrative coercion of vaccination consider the issues concerning the application of fines in order to force, referring at the same time to prepared by me part of the commentary on enforcement measure in the form of fine in order to force (A. Augustynowicz, I. Wrześniewska-Wal, *Legal aspects of obligatory immunization of children*, "Pediatrics Poland," 2013, p. volume 88, No. 1, p. 125).

A. Kawecka, responding to a question about the cancellation of a fine in order to compel indicates a fragment commentary relating to art. 125 u.p.e.a. (A. Kawecka, *Performing demolition does not result in cancellation of a fine from the office*, www.samorzad.lex.pl). In his publication on the *Execution of the duties of non-pecuniary fine in order to compel* is also involved J. Olszanowski, which in relation to the specified enforcement measure refers to the historical outline of the art. 119 u.p.e.a. contained in the developed part of my comment (J. Olszanowski, *Administrative execution responsibilities of non-cash duties* Wroclaw 2014, p. 133). He also refers to the text prepared by me when writing about taking over a movable property (p. 182, 187, 190 of the above mentioned book), discussing taking over a property, emptying premises and other facilities (p. 203, 205), as well as describing the institution of the so-called. immediate coercion (p. 99). And to the part of the commentary on Article. 127 u.p.e.a. J. Boć in the *System of administrative law*; J. Boć, *Consensual activities (bilateral and multilateral)*, in: R. Hauser, Z. Niewiadomski, A. Wróbel ed., *The system of administrative law.* Volume 5. *Legal forms of administration*, Warsaw 2013, p. 276. The prepared by me part of comment was also used in the academic textbook (see. W. Chróścielewski, J.P. Tarno, *Administrative proceedings and proceedings before administrative courts*, Warsaw 2016). J.P. Tarno, making the characteristics of executive measures of non pecuniary obligations, referred to the commentary when discussing the fine in order to compel (p. 348 of the above mentioned book), the substitute execution (p. 350), taking over movable property, taking over of real estate, emptying premises and other facilities (p. 351) and direct coercion (p. 352).

The part of the commentary prepared by me was also reflected in the jurisprudence of the Supreme Administrative Court (see. eg. The Supreme Administrative Court judgment of

10 April 2015. II OSK 2185/13, judgment of the Supreme Administrative Court of 5 December 2013. II OSK 1635/12 and judgment of the Supreme administrative court of 13 October 2011. II OSK 1441/10) and the Regional Administrative Courts (see. eg. judgment of the administrative court in Wrocław of 10 May 2016. II SA / Wr 153/16, judgment WSA in Wrocław of 10 December 2015. II SA / Wr 730/15 and judgment of the Administrative Court in Warsaw on 13 November 2015., VI SA / Wa 1801/15 and judgment of the Administrative Court in Lodz on 17 September 2014. II SA / Łd 508/14 and judgment of the Administrative Court in Warsaw of 3 February 2015., VII SA / Wa 1942/14 and judgment of the Administrative Court in Warsaw of 10 March 2015., VII SA / Wa 2700/14 and judgment of the Administrative Court in Warsaw of 23 April 2014. I SA / Wa 2488/13 and judgment of the Administrative Court in Warsaw of 27 February 2014., VII SA / Wa 2448/13 and judgment of the Administrative Court of Gliwice of 7 December 2012. IV SA / Gl 144/12 and judgment of the Administrative Court in Lublin of 13 November 2012. II SA / Lu 727/12; the judgment of the Administrative Court in Poznań dated 15 September 2011. IV SA / Po 54/11.

For several years I have been involved in projects related to international cooperation of academic communities, lecturing to students from abroad, organizing partnership between the University of Bialystok and foreign universities, participating in international conferences and colloquiums taking place in Poland and abroad, presenting over there papers and taking part in discussions.

At the same time of great importance is my membership in the editorial magazine *Lex localis – Journal of Local Self-Government* and the fact that I belong to one of the most active bilateral legal associations in Europe which is the *Deutsch-Polnische Juristen-Vereinigung e.V.* Taking all the above into consideration as well as traineeships at universities in Slovenia (University of Maribor), Portugal (The Polytechnic Institute of Cávado and Ave) and in Italy (Università del Salento, Università degli Studi di Bari) I got the chance of further scientific development and ability to establish contacts allowing for the sharing of experiences in the field of teaching. As a result, I also had the chance to fully realize the importance of activities for the exchange of information on scientific research and its results which encouraged me to prepare the works in foreign language more frequently, as well as to publish abroad.

The first of the three publications in English language falling under the discussed series titled *Administrative Coercion and Administrative Sanction* is the chapter of the document *Legal Sanctions: Theoretical and Practical Aspect in Poland and the Czech*

Republic - being the result of cooperation between the Faculties of Law of the University of Bialystok and Masarykova univerzita in the creation of which over sixty authors took part - specialists in particular areas of law from Poland and the Czech Republic. Individual chapters of the book were designed to create the foundation for further, more detailed research on the discussed issues. Participation in this publication gave me the opportunity for debate on the issue of transnational range the issue of relation between administrative coercion and administrative sanction. As a starting point for further analysis I decided to explain how in the doctrine are understood the terms administrative coercion and administrative sanction and other terms connected with them. In this study I pointed out significant association between the category of coercion and the notion of sanction. I emphasized the fact that the concepts of *legal sanction and state coercion* are different terms, emphasizing at the same time presented in the doctrine view that coercion determines the reality of sanction. With regard to administrative acts I indicate that the equipment in the sanction determines their effectiveness. In turn, the public authorities should have adequate resources for the implementation of their activities so that they can administer. This study have indicated that the first legal sanctions were perceived primarily in administrative coercion, manifesting itself in the administrative enforcement and administrative penalty. Then the concept of sanctions has been expanded and included a number of various - different from sanctions in other disciplines - instruments applicable to an entity that behaves in a manner that violates the law. I noticed that in the literature it is indicated that the presence within the administrative law of two basic sanctions - penalty sanction and execution sanction. In addition, I cited the examples of other sanctions, apart from those mentioned above which are also used by administrative law. I also pointed to the rightness of the presented in the literature view that the issue of sanctions in administrative law is not properly organized and at the same it lacks the rigor to impose these sanctions into legislation and the rules of operating these sanctions.

The next of the indicated publications on administrative coercion, titled *Remarks on Administrative Coercion in Poland* was published in print in Slovenia in the publication containing full texts of speeches which appeared during the international scientific conference - 2nd Slovenian Social Sciences Conference "*Contemporary world between security and freedom*," organized by the School of Advanced Social Studies in Nova Gorica from September 30 - October 2, 2010. in Piran. Presentation of the paper and its publication in the book accompanying the conference gave me the opportunity to present and start the discussion on an international agenda including scientists from Slovenia, Slovakia, Germany, Poland, Czech Republic, the Republic of Macedonia, the United Arab Emirates, the results of

research studies concerning among others getting constantly greater importance issue of limiting the freedom in order to increase security and its relationship with the concept of the use of administrative coercion.

In my study I noticed that coercion being a permanent element of human history currently appears in a different light. The subject of the conference *Contemporary World Between Security And Freedom* made me pay attention to the very way of understanding security which in the traditional sense is being considered in the context of the risks and is associated with the use of force and coercion. I have also shown that over the years the view on the nature and the types of force and coercion has changed and at the same time the ways of understanding security also change.

Security is usually understood as a lack of threats but it can also be connected with a sense of security achieved as a result of the actions protecting against risks. The need for security is widespread and it characterizes not only individuals but also large social groups. In this study I shared the view according to which certain security is the nature of the social process caused by the creative activity of people gathered in institutions, and is variable in time, i.e. it decreases or increases, and sometimes even disappears. I also stressed the fact that absolute security does not exist and cannot be because it always refers to a particular entity at a particular time.

In the later part of the study I emphasized the inseparable connection between freedom and coercion which is its limitation. Presenting administrative coercion as a form of state coercion I have indicated that it is used primarily in the form of administrative execution. The essence of this execution is the use of coercive measures that as a rule are used by the administration in order to ensure the performance of public duties. Presenting the catalog of measures I specified in detail the deliberation on direct coercion at the same time underlining the fact that in case of its use the state interference in the sphere of human rights and freedoms is particularly severe, and the manner of its use is not without significance for human life and health. In the mentioned paper I indicated that the institution of direct coercion was regulated primarily by Articles. 148-153a u.p.e.a., and these provisions together with other regulations especially on the general principles of administrative enforcement are to enable not only its effective use but also to guarantee the protection of fundamental rights and freedoms of entities against which/whom direct coercion is used. Direct coercion is used agains the obliged person and other persons in order to remove their resistance against the performance

of the obligation in situations where an action, omission or behavior of these parties is an obstacle that makes it difficult or prevents the performance of an obligation.

In the discussed work I referred to the changes in the sphere of the field of performing police functions, noting that performance of the functions traditionally attributed to only the state police became the subject of the changing balance between the elements of the public (police) and non-public (private company to protect people and property) social control. Implementation of the tasks that relate to internal and external state security often requires the use of state coercion. It is quite difficult, however, currently to single out public tasks, since there is no clear criteria to make a distinction between what is public and what is private. Manifestations of privatization are visible even in the administration of order. An example of this is even entrusting by the military the protection of real estate to private security agency the employees of which as I emphasis received in this respect far-reaching powers, though essentially they are limited in terms of territory to protected areas. Furthermore, with regard to the place and role of the state and the situations in which there is public administration, I pointed to visible, real impact of various entities including businesses, international organizations on the processes of governance, resulting in the weakening of state power and the bureaucratic apparatus understood as the ability to authoritative control of social processes through the use of traditional methods. I paid attention to the fact that the ability of law enforcement is one of the fundamental characteristics of a strong state which is essential for the smooth functioning of Poland as a democratic state of law. The state can use coercion in a limited way, reaching for it only if it is not able to induce the performance of legal obligation in any other way. Public administration can not completely abandon in its activity the use of administrative coercion. On the other hand, the existence of more and less severe in given situation forms of coercion makes it possible to use it with applying among others the principle of proportionality, providing adequacy of purpose and means used to achieve it.

The third study in English-language contained within the framework of the discussed series of publications titled *The Meaning of the Norms of the Constitution in the Context of Universal Regulations of the Executive Administrative Proceeding in Poland* was placed in the book, for which inspiration was a conference devoted to the issues of evolution of constitutionalism in the Visegrad Group countries and in other countries of Central and Eastern Europe organized by the Faculty of Law, at the University of Bialystok which was held from 11-12 May 2010 in Bialystok. Participation in that academic initiative, aimed at the integration and exchange of views with representatives of Polish scientific community with

scientists from such foreign institutions as Masaryk University (Czech Republic), Trnava University (Slovakia), Yanka Kupala State University of Grodno (Belarus), Corvinus University of Budapest and the University of Pécs (Hungary), created for me the opportunity to present the results of studies on the issue of importance of norms of the Constitution in the context of general principles of administrative enforcement proceedings in Poland.

In this study at the beginning of the presentation of general principles of administrative enforcement proceedings I referred to the construction of the rule of law. I pointed out that in literature the general principles are understood as directives or descriptively. In the first aspect understood as norms of a given legal system (being the norms of superior value), and the descriptive understanding serves the indication of expected role of social norms or legal institution. In the doctrine, however, those approaches are not distinguished clearly and thus are used in parallel. This study draws attention to the fact that the general principles of the whole Polish legal system stem from the Constitution, and its adoption was important for many areas of administrative law. Constitution seen as a system of objectives, legal basis or rules created for the general good is very important for the functioning of all bodies of public authorities, including the administrative bodies.

The rules of the system of law applicable in administrative enforcement proceedings are e.g. The democratic rule of law, rule of law, the principle of equality. In this study apart from those mentioned above, I also analyzed some other groups of rules. The first of these are the principles taken from general administrative proceedings. Their use in administrative enforcement proceedings is justified by the fact that both of these proceedings, as complementary to each other, should be based on the same assumptions. General Rules of Administrative Procedure are applied within the administrative enforcement proceeding "appropriately", i.e. taking into account its nature. Auxiliary use of the Code of Administrative Procedure justified by even the fact that there is no need to adjust again in relation to those institutions which at the time of enactment of the u.p.e.a. already had their place in the code. Beyond the above presented two groups of the general principles, in this work I introduced general rules of enforcement proceedings regulated in u.p.e.a., highlighting the very important role that they perform for the protection of individual rights. Their violation usually creates a basis to file a legal remedy, it can also lead to the discontinuance of the proceedings.

In the literature there is no uniformity of views not only in relation to the same names of the rules, but to determination of the set of rules of administrative enforcement proceedings, which is associated with the fact that the legislator did not specify the number of these rules and did not establish their names. In this paper I presented the principle of purpose, principle of the obligation to conduct the execution, the principle of applying only the enforcement measures provided for by law, the principle of measures leading directly to the performance of the obligation, the principle of applying the gentlest enforcement measures, the principle of necessity, the principle of threat, the principle of respect for minimum subsistence, principle of conducting executions in the manner least burdensome to the principal, the principle of economical conduction of execution and the principle of the independence of use of enforcement measures from repressive measures.

In examining the views of doctrine, formulated in terms of the importance of norms of the Constitution in the context of the general principles of administrative enforcement proceeding, I found that the problem did not so far get thorough analysis. In this study I emphasized the crucial importance of the general principles of the legal system applicable in all the proceedings both judicial and administrative, and thus in administrative enforcement proceedings. In my dissertation I paid more attention to the rules of direct nature, expressed literally in the text of the Constitution. However, I noted that beyond the direct norms, the important role is also played by the detailed rules of constitutional value, developed in the jurisprudence of the Constitutional Court, Supreme Court and Supreme Administrative Court. From the democratic rule of law, those courts have derived a set of indirect norms. Many of norms contained in the Basic Act are important in relation to the issues of interpretation of regulation of enforcement proceedings.

In this study I also pointed, recognizing its legitimacy to the presented in literature view that characterized by a wide range of impact norms (such as the norm of the Art. 30 of the Constitution introducing the principle of protection of inherent dignity of the human being) should be used directly in enforcement proceedings and provide an independent basis for assessment of conduct of that proceedings, its initiation, selection of an enforcement measure, and how to conduct enforcement actions. The argument supporting that view is not only a hierarchical arrangement of this norm but also the values expressed in that norm. In addition, I emphasized that the protection conferred by the rule of law is in the case of enforcement of vital importance, since setting the way and the limits of coercion, they allow

the enforcement authority to use it only to the extent and in such situations where it is really necessary. And they are a barrier that protects the debtor against the abuse of that coercion.

II. The second of the above-mentioned cycles of publication covers all related issues concerning migration and integration of foreigners analyzed in the context of national security. More and more often Poland is for foreigners the country of permanent residence temporary but also illegal. The conviction of the importance of the problems related to migration of population inclined me to study various relevant to the administrative law aspects of the problem and led to making inventive findings in this field. The inflow into the European Union of illegal immigrants, constituting one of the groups of migrants is an important issue, constantly gaining in importance. Particularly vital in this context has analyzed by me issue of effective border management, supporting the fight against illegal immigration and the prevention of threats to internal security, public policy and international relations.

Currently the image of migration is clearly changed and the distinction between foreigners who seek protection and those who migrate in order to improve their living conditions blurs. It is also important that along with the refugees into Europe can penetrate the terrorists. European Union countries are struggling with the wave of immigrants that has caused the sharpest migration crisis since the Second World War. Increasing the security of the external borders of the EU is one of the factors aimed at overcoming this crisis. Poland plays an important role in protecting the borders. This is related to state security, including the organization of crisis management system in our country. This management is seen as an activity of public administration which is part of state security.

Very crucial is also examined by me issue regarding the Poles' attitude towards foreigners and their safety in our country. Polish society is currently characterized by the relatively low participation of representatives of national minorities, ethnic, linguistic and religious, however, according to research statistics the Poles' attitude towards the representatives of other nations is deteriorating. The appearance of a disturbing phenomenon which is the growing number of hate crimes with more and more apparent reluctance of Poles to other nations results in the need to take actions to raise awareness of violence against persons of non-Polish ethnic or national background. The issue of integration of foreigners becomes increasingly important. Carried out by me in this field research on the situation in the Federal Republic of Germany prove that this process positively contributes to the political participation of citizens at the commune level.

In this series of publications can be found created in co-authorship study titled *State Security and National Security* dedicated to showing the similarities and differences between state security and national security. The analysis included in particular the content of the Polish Constitution of 2 April 1997 and the National Security Strategy of the Republic of Poland of 2007. The findings suggest that although the terms state and nation mean something different, in Poland, however, national security and state security are usually considered equivalent. Being a traditional point of reference for studies on the safety of the national state loses its importance to the international community and security within the international system. The conducted analysis leads to the conclusion that the actions of government and public administration should be aimed at preparing, maintaining and improving the system of state security which allows to respond to internal emergencies, and only partial participation in responding internationally, including regional and global. While respecting principles of national security, national ties (ethnic and cultural-civilizational) should be used in the actions aimed at the goodness of the motherland.

Ensuring the safety of people living at the territory of a given state is one of its most important tasks. Article 5 of the 1997 Constitution: the most important tasks of the Polish state include ensuring the safety of the citizens of the Republic of Poland. It has to do with state security, including the organization of crisis management system in our country. For this reason, another work belonging to the discussed cycle of publication is an article that I co-authored titled *Organization of the Crisis Management System in Poland*. The aim of the first part of mentioned above study was to clarify the concept of crisis management specifying, among others, the fact that it is derived from the English term *crisis management* (meaning management in the phase of the birth, development and passing the critical stage of the crisis and to return to a normal situation) and has been taken directly from the economic sciences. Stressing the ambiguity of the term crisis, accepting the view that in the most general sense, it means a turning point (breakthrough), the decisive moment, a qualitative change in the system or in the system, which is the body, institution, organization (society), and the occurrence of the crisis associated with the absence of normal, or what is considered ordinary and generally accepted.

Moreover, the subject matter paper analyzes and presents the relationship between the laws governing the issue of states of emergency and the law on crisis management, noting the fact that the division on the matter right issues and crisis management issues state of emergency is not complete. It also explains the role of the most important rules defining the system of crisis management, which is the principle of one-man management, noting the fact

that the law on crisis management has been developed in a manner similar to that adopted laws on extraordinary measures. Due to the fact that the law provides for the four-level system of crisis management: municipal, district, provincial and central, the paper presents the organization of crisis management at the central level and field. In summary it was noted that the possibility of a crisis leads to its acceptance, and common sense and sense of duty require to prepare for a situation it occurs. The key role in this regard is played by proper organization and functioning of the crisis management system. The fact that it belongs in Poland to many entities leads, in turn, to the conclusion that proper coordination of cooperation, coherence and complementarity of actions is very important.

As part of the analyzed national security system it is possible to single out internal security system of the state in which we can distinguish three subsystems: public safety, universal safety and safety of political system.

The area of public safety includes the activities related to the protection of the state border. Poland is responsible for the management of one of the longest and the most vulnerable sections of the land border of the European Union. Therefore, in the article *Teams of Rapid Border Intervention*, which constitutes another element of discussed series of publications, I pointed to the existence and analyzed the specific interdependence between the effective management of the external borders of the European Union and the fight against illegal immigration and human trafficking, as well as the prevention of threats to internal security, public order, public health and international relations of the Member States.

This paper is the full version of my presentation that took place during the conference *Internal Security in the Modern State* organized by the Department of Public Law at the University of Rzeszow and the Department of Law and Administration, University of Rzeszow (Rzeszow - Łańcut 4-6 May 2008.). Even then I drew the attention of representatives of the scientific community and practitioners at important, in terms of legal and factual sense that the issues related to the fact that the border control is not present only in the interest of the Member State on which external borders it is carried out, but it is important for all Member States, which have abolished internal border controls. Moreover, I pointed out that problems relating to the coordination of activities in the field of security are one of the most important challenges facing the European Union.

Currently, the issues related to security and border management has become a key issue in the debate in Europe which is justified especially in the context of information which shows that for example in 2015 occurred about 1.5 million illegal crossings of borders of the EU. In this study I emphasized the necessity of close cooperation between national authorities

responsible for public order within the European Union, as well as the need to achieve the same high level of protection of external borders that can be obtained through the unification of standards and procedures for the control of subject matter borders.

I also discussed the tasks and functioning of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (in original: *The European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union - Frontex*), a specialized body with the seat in Warsaw, having legal personality, a separate budget independent in technical terms, executing control tasks and police tasks and entitled to appoint rapid intervention teams at the border (Eng. *Rapid Border Intervention Teams - Rabit*).

In the discussed work, I noticed that the idea of creating the Union troops guarding its external borders was established a long time ago waking, however, some controversy. Appointment of the rapid intervention teams on the border where the aim is to provide for a certain period of enhanced technical and operational assistance to a requesting Member State being situated under sudden and extraordinary pressure arising from the mass influx of illegal immigrants is a step towards its implementation. Setting up teams relates in particular to cases of mass influx of third country nationals trying to enter illegally into the territory of a Member State at certain sections of the external borders. The teams consist of specially trained experts from other Member States who are supposed to provide temporary support to officers of the border police of the State requesting assistance. In this paper I presented issues including procedures concerning the procedure of the transfer of teams to participate in the operation of support the obligations and powers of team members (including the ability to use their official weapon, ammunition and equipment), as well as the taken responsibility.

The issues discussed in the indicated paper connected with security and border management are very important and are still the subject of my research interests. For the first time the teams for rapid border intervention were used in 2010. On the Greek-Turkish land border along the Evros river and over there was sent the team which consisted of 175 officers from 25 Member State, including Poland too. The effectiveness of the actions taken by them is proved by the fact that a few months of operation of the teams resulted in lower by tens of percent influx of illegal immigrants into the European Union. In addition, the effect of the changes will be, among others, the creation of the European Border Guard and Coast. The European Agency for the Border Guard and Coast is the new name for the European Agency

for the Management of Operational Cooperation at the External Borders of the Member States of the European Union.

In another indicated within the discussed series of publications study I focus on the functioning in the Federal Republic of Germany the authority which is the Council of Foreigners (*Ausländerbeirat*). What is important - the year 2015 brought to the Federal Republic of Germany the highest level of immigration in its post-war history. The Federal Statistical Office (Destatis) in Wiesbaden reported that there came a record number of 2,137 million immigrants. The migration surplus amounted to 1,139 million people. Besides immigrant workers from the European Union (among which there were 148 thousand Poles) Germany admitted 1.1 million immigrants from outside the EU mainly from the Middle East and Africa. Federal Republic of Germany is currently the country of immigration which needs foreigners, mainly highly skilled. The state expects them to be ready to integrate and adopts a set of specific legal solutions, an example of which is the new regulation concerning the integration of foreigners.

The above mentioned legal solutions are the subject of my research interests. The preparation of the study done by me: *Councils of Foreigners in the Federal Republic of Germany* require an analysis of the already existing legal norms, giving foreigners the possibility of real political integration, not only social. In the article I indicated that the idea of the creation of councils of foreigners was founded in 1964. However, this concept has not come out with the initiative of Germany but with the recommendations of the European Conference of Communities devoted to the appointment of commune representation for immigrants. While in other European Union Member States one person was appointed to act as a proxy for foreigners, in the Federal Republic of Germany collective bodies in the form of councils of foreigners were created (existing in various forms) the members of which were also foreigners themselves.

In recent decades in Germany a huge increase in participation of citizens in political life in the communities is visible, manifesting itself in the form of commune councils. Increasing the role of citizens in political decision-making is aimed at obtaining a higher degree of social acceptance for decisions. The signs of such activity are the councils of foreigners. The purpose of this publication is to present these bodies from a historical perspective with an indication of their current legal position, the manner of selecting, composition and competence. The study gave examples of the functioning of the councils of foreigners in selected union regions of the Federal Republic of Germany, noting at the same time that the fact that the shared feature for the councils of foreigners working at the

commune level is that they provide foreigners with the opportunity to participate in cases relevant to them (e.g. concerning equal rights with Germans in social issues or the improvement of the situation of foreigners in the field of education and vocational training).

The main task of the analyzed authorities is advising the municipal decision-makers in all matters relating to foreigners. In this article I stressed the fact that the councils of foreigners are not always perceived unambiguously. Sometimes they are judged critically, primarily due to the perceived lack of voter turnout and alleged deficits of democracy. By analyzing the legal position of the councils of foreigners in the Federal Republic of Germany I paid attention to the fact that it is different in separate lands mainly because councils operate mainly at the communal level and the development of the communal law is the responsibility of the federated states (Lands). The federal legislator has no possibility to harmonize regulations on councils of foreigners because it lacks legislative competence in this area. At the federal level there is the Federal Council for Immigration and Integration representing the interests of all foreigners living in Germany.

In this article I noticed that the formation of councils of foreigners, despite the presence in the process of some imperfections, can be assessed as positive action. In the case of "interested" foreigners council creates sometimes the only opportunity to inform about their problems and needs the communal decision-makers, in particular when migrants recently reside in Germany, have difficulty with understanding the language, with contacts with the social environment and with fixing their matters in offices. Council of foreigners can function for them as the institution of first contact, enabling citizens who are foreigners to talk about their issues in their native language and get help from the already integrated countrymen. This makes it possible to disburden offices, which is an added plus for councils of foreigners.

In the discussed work I support the position that council of foreigners positively contributes to the political participation of citizens of the EU countries at the communal level. Thanks to the council the foreigners have the opportunity for doing that kind of "double" take care of your interests and get for them stronger representation through the election of members of the communal council on the one hand and on the other - the members of council of foreigners. In most cases the council of foreigners has only an advisory role to the communal council but it is very important because experience shows that some communal councilors are sometimes very reserved in matters concerning foreigners.

Analyzing indicated in the study examples, I noticed that foreigners who are citizens of EU countries may even have a greater ability to influence the affairs of the community than the residents of the community who are Germans. On the other hand, with regard to

foreigners who are not citizens of EU countries the activity of the councils of foreigners I am skeptical because they have no right to vote at the communal level, while the purely advisory function of the council creates no possibility to exert real influence on the policy of the community.

Referring to the criticism signaled earlier councils accept that the total exclusion of foreigners from political participation at the community level would be far from the reality of everyday life. Due to the different legal situation of people living in Germany, it would be wrong also to guarantee the possibility of political participation only to EU citizens. From the point of view of striving to achieve real political integration, not only social formation of councils of foreigners is essential for social harmony in communities. Because the council of foreigners by performing its tasks, contributes to greater participation in the political life of foreigners living in a given community, especially if they are aware of the function of that body.

The results of my research on the functioning of the councils of foreigners in Germany have been recognized by A.K. Modrzejewskiego and reflected in his deliberations on the political participation of foreigners in the Federal Republic of Germany. The author quotated several times the discussed here article using in particular the part concerning the tasks of the councils of foreigners and their location in the structure of commune and criticism of councils of foreigners (see. A.K. Modrzejewski, *Political Participation of Foreigners as an instrument of integration in the Republic of Poland, the Federal Republic of Germany and the United Kingdom*, Temida 2, Bialystok 2012, p. 83, 84, 86, 87).

Integration as a way of coping with the consequences of mass migration is a political and research challenge. Migration is a phenomenon that affects not only the person moving but also the host societies which operate under the various legal systems. In this context very significant is the fact that in connection with the influx into Europe of immigrants from the Middle East and Africa, via the Internet went through a wave of resentment in response to which the European Commission and professionals from the IT industry (Facebook, Twitter, You Tube and Microsoft) presented on May 31, 2016 the Code of conduct for illegal incitement to hatred on the Internet.

In previous studies of specific topics, within the sphere of my interests, I concentrated especially on the issues existing in Poland risks of unequal treatment, discrimination, open distaste, as well as offenses that may concern certain people because of their racial and ethnic origin or nationality. In this series of publications was therefore found in created as co-author titled *Notes on Poles' Attitude towards National and Ethnic Minorities and Combating Hate*

Crimes, chapter of monograph: *The Role of Public Security Organs in the Fight against Crime - Selected Issues*. It presents the national structure in Poland noting the fact that Polish society is characterized by the current relatively low participation of representatives of national, ethnic, linguistic and religious minorities. We have yet to deal with their uneven and considerable dispersion.

In the discussed paper the issues concerning the Poles' attitude towards national and ethnic minorities was analyzed. According to research conducted by the Public Opinion Research Centre it appears that this ratio has markedly deteriorated with regard to almost all the nations included in it. The aim of the article was also to draw attention to issues related to preventing crimes committed on racist and xenophobic ground. The legal regulation binding in that matter was also analyzed. Reference was also made, among others, to the activities of the Council of Ministers, the Attorney General, the Ombudsman and the Government Plenipotentiary for Equal Treatment.

As is clear from the content on the paper, the situation of living in Europe representatives of several hundreds of ethnic groups and nations is regulated more and more often at the international level, and prior regulations governing human rights in general have been replaced by more detailed documents covering not only the political rights but also social, economic or cultural . They are accepted like that within the organization of a global nature (United Nations) and regional (in Europe especially in the framework of the Council of Europe and the OSCE - Organization for Security and Cooperation in Europe).

Very important for the protection of particular minorities are also bilateral agreements. At the level of domestic law in Poland the significant meaning has the Law on National and Ethnic Minorities and Regional Language (i.e., Journal of Law of 2015. sec. 573 as amended.) which is closely related to art. 35 of the Constitution, from which it appears that the Republic of Poland shall ensure Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions and their own culture, and also guarantees them the right to create their own educational institutions, institutions designed protection of religious identity and to participate in the resolution of matters connected with their cultural identity. The discrimination based on race, ethnic origin or nationality is prohibited, too. On the other hand art. 32 of the Constitution provides that all persons are equal before the law and are entitled to equal treatment by public authorities.

The subject matter chapter highlights the importance of the Ombudsman who is obliged in our country to carry out the tasks of an independent body for equal treatment. In the period covered by the analysis for the needs of the study out of the initiative of the

Ombudsman was carried out research on the situation of national minorities in Poland and foreigners residing at the territory of the Republic of Poland. Moreover, in general speeches in the media at numerous conferences and meetings the Ombudsman focused on creating a positive social climate around national and ethnic minorities and their right to maintain their own culture, traditions and native language. In response to the received information indicating a violation of rights and freedoms in most cases the Ombudsman undertook the matter on his own initiative and directed to request the authority, organization or institution that committed the infringement. While monitoring conducted preparatory and court proceedings he also gathered information allowing him to formulate and present specific evaluations on issues related to the prevention of violence motivated by race, ethnicity and nationality.

The study presents the activities of the Council of Ministers and the Government Plenipotentiary for Equal Treatment, which is the competent authority in matters of prevention of violations of the principle of equal treatment and dealing with the pursuit of government policy in this area, in particular the prevention of discrimination based on sex, race, ethnic origin, nationality, religion or belief, political views, age, disability, sexual orientation, marital and family status. It was also indicated that the Council of Ministers adopted the National Program of Action for Equal Treatment for the years 2013-2016 which is the basis for the implementation tasks of the state in terms of equal treatment and non-discrimination. With this document, drawn up by the Government Plenipotentiary for Equal Treatment, resulting objectives and priorities to promote equal treatment, in particular as regards prevention of violations of the principle of equal treatment, awareness raising and cooperation with the social partners, non-governmental organizations and other entities, equal treatment.

In this article it was pointed out that in Poland each minister in the area specified in the *Act on Branches of Government Administration* (Journal of Laws of 2016. sec. 543 as amended.) is responsible for the policy of equal treatment and non-discrimination within his competence. The National Action Plan for Equal Treatment refers, among others, to the problem of committed in Poland crimes on ethnic, national and racial background. The study highlights the fact that although according to official statistics the number of such crimes in Poland is low, however, for those with non-Polish ethnic or national origin it is not possible to precisely determine the scale of the phenomenon of violence (due to lack of data or incomplete statistics of the relevant minority groups). Some of these actions may not be reported to law enforcement authorities or due to other reasons is not recorded in the statistics. Therefore, very important become actions taken with the aim to raise awareness of violence

against persons of non-Polish ethnic or national origin, including the monitoring of hate crimes committed due to the national and ethnic origin and the analysis of information obtained for the purpose of drawing up the characteristics of the phenomenon.

Another goal adopted in the National Action Plan for Equal Treatment is to raise the level of legal protection for groups exposed to discrimination. For its execution it is important to analyze the law, including criminal law in the light of appropriate organizational changes or legislative developments and possible changes in criminal law. This action is implemented by the Ministry of Justice in cooperation with the Government Plenipotentiary for Equal Treatment and non-governmental organizations. This study also identified the importance of developing integration and cooperation between the departments in the fight against hate crimes (as they are commonly referred to the crimes based on racism and xenophobia).

In literature crimes based on hate (*Eng. Hate crimes*) are described on the basis of the working definition proposed by the Office for Democratic Institutions and Human Rights (*Office for Democratic Institutions and Human Rights - ODIHR*) as "the crimes in which" the goal of the "perpetrator (subject of executive action, i.e. a person or other object being the subject of the impact of the perpetrator), was chosen because of actual or alleged relationship, affiliation or support group defined on the basis of specific common characteristics of its members, such as the actual or alleged race, national or ethnic origin, language, skin color, sex, age, mental or physical disability, sexual orientation or other similar distinguishing features. " To this category of crimes do not belong actions involving e.g. incitement to hatred on grounds of race, nationality, ethnic origin, Holocaust denial or glorification of crimes committed by totalitarian regimes, due to lack in this case of the element of common crimes that constitute its foundation. They are classified separately, e.g. as so called hate speech *(Eng. hate speech*).

The study shows in the discussion of the most common crimes committed on the basis of racism and xenophobia that in Poland the majority of court and preparatory proceedings concerning offenses against racial hatred are conducted in connection with beating up, assault and battery usually combined with a verbal abuse of people of different origins or exposing fascist symbols connected with the destruction of property. Conviction is usually passed on the basis of art. 119 of Polish Criminal Code. In addition, the provision of Art. 256 of Polish Criminal Code penalized the incitement to hatred based on national, ethnic, racial, religious differences or due to the lack of religious beliefs. Art. 256 § 1 and 2 of Polish Criminal Code can also be taken in concurrence with other legal provisions sanctioning acts against public

order, such as art. 257 of Polish Criminal Code which protects human rights and freedoms, his honor and bodily inviolability.

From the dissertation included in this study it appears that increasing multi-ethnicity and human tendency to judge others in a stereotypical way put out to the ruling persons and to Polish society specific challenges. The definite and effective reaction of law enforcement or judicial authorities against hate crimes is their duty.

However, the solution to the problem of prevention of the disturbing phenomenon which is the growing number of hate crimes with the visible deterioration of Poles' attitude towards other nations (reflected in the statistics) is beyond their competence and requires the involvement of many entities. The article noted that helpful in the prevention of this crimes can be both the raise of the level of knowledge about violence against persons of non-Polish ethnic or national origin, as well as strengthening the legal protection of groups exposed to discrimination. Polish government policy to promote equal treatment and non-discrimination is of great importance to the protection of persons likely to become victims of hate crimes and also because of the care about the positive image of society and the state.

The above mentioned research results and conclusions were discussed during the National Scientific Conference *The Role of Public Security Organs in the Fight Against Organized Crime* organized by the Faculty of Law, Canon Law and Administration of the Catholic University of Lublin, the Department of Criminal Law Catholic University of Lublin, the Department of Military Police in Lublin in cooperation with the Foundation for the Development of Catholic University of Lublin held in Lublin on 12 December 2013 in relation to the lecture given by me on this issue. In a review published after the conference of the collective work *Role of Public Security Organs in the Fight Against Crime - Selected Issues* within the framework of which appeared the discussed work, S. Pieprzny drew attention to the cognitive character of the included, among others, in this article considerations based on a thorough analysis of the normative acts and literature, to the correctness in terms of drawn conclusions and stressed the correctness of this study on formal and editorial plane.

III. The purpose of the last three cycles of the above-mentioned publications all related by the theme was to show new tendencies and phenomenon in administrative law. In the publication I draw the attention to globalization being the phenomenon resulting in profound changes taking place in the international system, in its structure and functions. I point out that globalization is related to the administrative policy. In my deliberations I concentrate on the

activities of the administration which due to the impact of globalization found itself in completely changed situation. It is expected to present its rapid response and is constantly exposed to comparison, it shall also seek acceptance and as a result of complicated international circumstances it has lost former range of real governance.

The aim of the mentioned series of publications was also to present the role of non-imperious forms of administrative action. In analyzing this issue I pointed to the importance of consensual forms. The subject of my research due to it were the contracts in the administrative execution. Moreover, I pointed to the growing importance of non-imperious forms involving the use of consultation, negotiation, mediation, expertise as well as the computerization of the process of administration and a large share of various types of informal activities. I devoted much attention to mediation which due to its inherent flexibility creates a chance for success in difficult situations, solves burning conflicts and through the above influences the improvement of effectiveness of action, and hence - the quality of public administration.

I also analyzed the issues regarding the legal status and functioning of the Social Council for Alternative Methods of Conflict Resolution and Disputes at the Ministry of Justice. In the scope of operation of this independent body composed of practitioners and representatives of science was the promotion of alternative ways of dispute resolution (including mediation serving direct communication between the parties), and the creation of institutional conditions for their development.

Within the series of publications the underlined aspect was the importance of the ability to use alternative dispute resolution which can be acquired by the educated within the clinics of law students including also those of them who see their professional future employment in public administration. An important role is also played by the full implementation of the curriculum of clinical education that serves education in the best way both in terms of legal science and science ethics, morality and responsibility. It can in fact promote the training of future public administration staff that is more resistant to the threats posed by corruption analyzed in this series of publications in the framework of the study devoted to cooperation between public administration and non-governmental organizations in terms of anti-corruption.

The objective of the included in the discussed cycle of publications article *Administrative Policy and Globalization* was to show the relationship between the administrative policy and the phenomenon of globalization. In this study I drew attention to the fact that the link between policy and administration is noticeable since the administrative

policy in a certain sense assesses how administrative law affects the implementation of the state policy and if the policy of state is the basis for the interpretation of legal norms. In the case of administrative policy understood in broaden sense scholars point to the policy towards administration and the policy of the administration.

In the first case the point is the policy shaping public administration (its structure, foundations and the main directions of operation). The second aspect of the administrative policy is the policy of the administration seen as the policy of performing by the administration in different fields legally defined public tasks, working out the objectives, priorities, designing ways and means of action and the anticipation of the effects. Its basis are always legal norms, to a lesser or greater extent projecting to the administration in specific areas. Therefore, in the legislation it is common to use the term policy along with the field to which it refers (e.g. economic policy, educational policy, health policy). The aims and objectives of administrative policy in a specific section of the administration are penetrated mainly in the form of laws.

Globalization can be understood as a set of relationships between orders: economic, legal, technical, moral, scientific and artistic with the aim to strive to unify the basis of socio-economic life, as well as political one. In this work I focused on the impact of globalization on selected fields of administrative policy. I also stressed that in the sphere of public administration shows the relationship between globalization and liberalization, privatization and deregulation explaining at the same time what is their impact on the administration. In addition, within the framework of globalization integration trends are accompanied by contrary tendencies coming down to fragmentation of international reality.

In the article I pointed to a gradual erosion of state sovereignty visible especially in terms of economic policy which is one of the most important consequences of globalization processes. The states loose at least in part the actual control of their potential and over the course of social processes on their territory. True, they still have it from the formal and legal point of view, however, they lose the ability to exercise effective supervision. Limitations on other entities (e.g. International organizations, transnational corporations) are also subject to the freedom and autonomy of states (external and internal) in the sense of defining their interests and implementation of appropriate policy.

The process of erosion of sovereignty is not, however, absolute. The moves of the authorities of nation states are noticeable, rather than a loss. There is also a reallocation of powers of national governments, partly to supranational bodies and local self-governments.

Summing up the contained in this study deliberations I emphasized that the process of globalization is changing the functioning and content of state policy. Globalization leads to increasing demands on the state and makes it recognize and solve problems not only at the national, regional, but also global scale. The national state found itself under the new conditions of cultural civilization, influencing its politics.

Transformation of institutional policy must be made by the country itself. Specific importance has also the concept of cosmopolitan democracy based on supplementing the democratic institutions of the nation state through complementary supranational institutions located on the regional or global level. Significant are also the voices of those who call for the situation in which active participation of Poland in cosmopolitan democracy be accompanied by taking into consideration widely understood national interest.

Administration acts in reality subject to continuous transformations, so in the discussed series of publications I focused attention on the changing political, economic and social conditions of the functioning of administration involving the changes visible in terms of its objectives and tasks and areas of activity. Due to the complex international relations, associated even with the growing power of international businesses, the administration lost its former range of real power. The issue of administrative governance is very broad and rich in content, therefore, includes a series of publications and does not include its entirety but is limited to certain issues relating to the subject of administrative governance remaining in contact with the area of activity of public administration perceived as an activity of a non-imperious nature.

The aim of the article *Contracts in Administrative Execution* was to show visible in administrative enforcement proceedings relationship between the right of public administration to take official actions including the use of administrative coercion and the use of its non-imperious forms without the element of coercion. For the purposes of that study I analyzed the agreements classified as forms of administration activity associated with the administrative execution and concerning its further stages. I also emphasized the importance of public contracts, which affect the scope of the execution, and more specifically ratified international agreements to which Poland is a party. I also showed situations in which the agreement between the creditor and the obliged person results in suspension of previously initiated execution. I also noticed that the overlapping of imperial and non imperial actions is particularly clear at the stage of applying the executive measure.

Non-imperious forms are closely connected with the center of the measure of administrative execution of the obligations of non-monetary nature that is the substitutive

performance. In the case of that measure the selection of executor by the enforcement authority results in establishing the relation under civil law between the enforcement authority and the executor. This is done usually by entering into a civil contract, the subject of which is the order of substitute performance of a duty subject to administrative enforcement. In connection with this use this work includes analyzed by me: contract of mandate (Art.734 - 751 of the Civil Code), contract to perform a specific task or work (Art. 627 - 646 of the Civil Code) and contract for construction work (Art. 647 - 658 of the Civil Code).

With regard to the execution of financial obligations in the article I focused attention on the measure which is the execution against movables. Also in this case the use of nono imperious actions is visible. Execution against movables involves the seizure of movable and its sale. Every moveable good must be described in the record and its estimated value should also be marked. In certain cases in order to estimate the value of the moveable good the expert opinion of a fiscal expert is needed. In practice the summoning of such expert is connected with the conclusion of a contract to perform a specific task, between the enforcement authority as the ordering body and the fiscal expert as a contractor.

In this article I also analyzed the problem of carting (receipt) of seized movable goods and the concluded in connection with it agreements. In the case of a contract concluded with the carrier who is a professional we are dealing with the contract of carriage (Art. 774 of the Civil Code). If on the other hand the contract is concluded with an entity that is not engaged in the carriage professionally then such an agreement has the characteristics of contract to perform a specific task or work. If apart from carrying other services are also possible, it is probable to conclude a mixed agreement which may contain elements of the contract to perform a specific task or work and contract on services similar to order. Conclusion of such agreements is possible due to the contained in Art. 750 of the Civil Code norm of general nature. According to it, to the contracts to provide services which are not regulated by other provisions, the provisions concerning the order are applied accordingly. Concluded in connection with making carting of moveable goods agreement of mixed nature can also be characterized by predominance of elements of the contract of storage occurring next to the elements of the contract to perform a specific task or work or the contract of carriage.

On the contract of safe-keeping I focused my attention also in relation to the duties of the watchman described in detail in the Article 102 § 1 u.p.e.a. Other duties of the watchman result from the contract of safe-keeping (Art. 835 - 845 of the Civil Code) which apply accordingly. On the other hand, in the case of the execution against a real estate in order to estimate the value of the property enforcement authority appoints a property expert. This is

reflected in the possibility to conclude between those subjects the contract to perform a specific task or work.

Indicated in the paper examples of the use of different types of contracts in administrative enforcement proves that sometimes within the framework of those proceedings in order to use administrative coercive measure one should use the non-imperial actions. It is clearly visible is the use of the regulations on the contracts of civil law but to some extent in the above mentioned cases the chance to use administrative agreement can also be seen.

To the discussed article referred J. Boć, when writing about the consensual forms in the *System of Administrative Law*; see. J. Boć, *Consensual Activity* (bilateral and multilateral), in: R. Hauser, Z. Niewiadomski, A. Wróbel editor, *The System of Administrative Law*. Volume 5. *Legal Forms of Administration Activity*, Warsaw 2013, p. 276. In another volume of the *System of Administrative Law* to the above-mentioned publication of my authorship referred A. Skoczylas (A. Skoczylas, *Enforcement Proceedings in Administration*, in: R. Hauser, Z. Niewiadomski, A. Wróbel ed., the *System of Administrative Law*. Volume 9. *Administrative Procedural Law*, ed. 2, Warsaw 2014, p. 466).

The next study belonging to the discussed series of publications *Mediation and Quality of Public Administration* also refers to non-imperial actions of administration but refers to the tendency related to the dissemination of the idea of mediation. The purpose of this article was to show the importance of communication problems for the quality of administration activity, crucial in the world of competitive state apparatuses and indication of the need for administration employees to create communication strategies which are an important factor in the quality of administration, and above all to highlight the role of mediation, which in a significant way makes communication between the parties easier in the event of a dispute. In the discussed work I point to the fact that the quality of action is in close relation to its efficiency, and that among other things communication has significant impact on the effectiveness of public administration. Correct, matter of fact communication can improve the effectiveness of administrative actions. It is therefore justified to claim that quality of public administration depends on the quality of communication in that administration. This relationship is particularly apparent in cases related to the occurrence of the conflict, and thus - the occurrence of the dispute.

In the article pointed out that although the resolution of a dispute, seen as a process of mastering its imperious control backed by coercion currently finds its justification, the possibility of reaching for the coercion is not however always connected with the need to resort to such a solution. More and more clearly visible is however the becomes the

appropriateness of the use in certain situations of the ways of action that are not associated with applying coercion. This study have indicated that a high degree of complexity of social relations and justified by the need to protect the rights of individuals limitation of the range of use of coercion are the determinants in this context the impact on the shape of disputes by the state. I also pointed to occurring more and more often and exposed in the media examples of conflicts engaging the administrative bodies in the activities of a mediation.

Referring to cases of use by the administration of forms of mediation I pointed to the correctness based on the fact that we can in such situations observe some logically and consciously linked sequence of occurrence of specific legal forms (in these cases primarily socio-organizational actions) in solving by the administration set before it tasks what allows as it seems to talk about applying here a particular method - the method of administrative mediation. I also stressed that currently this method has found its use as an essential complement to the catalog of methods of administrative activity.

The subject matter study was noticed by J. Szreniawski who referred to it in the article *Selected Topics of Teaching of Administrative Law at Universities*, "*Administration. Theory-Practice-Teaching* "2005, No. 1, p. 96.

Belonging to the mentioned series of publications article *Social Council for Alternative Methods of Conflict Resolution and Disputes at the Ministry of Justice* also refers to the tendency related to the development of mediation. With the objective of better implementation of the tasks of promoting mediation the Ministry of Justice cooperates with other institutions and entities among which an important role is played by the *Social Council for Alternative Methods of Conflict Resolution and Disputes at the Ministry of Justice*

This body composed of practitioners and representatives of science evaluates all activities of the Ministry of Justice in the indicated range and it sets the directions for further actions. The purpose of this study was to familiarize with the legal status of the Council and to show how it works. In my paper I stressed that the already developed in the United States ways of alternative dispute resolution for some time have been gaining supporters in the European Union states which involves undoubtedly their advantages but also with a visible crisis of the effectiveness of the administration of justice. The use of alternative forms is by its nature turned to achieve consensus, and this objective shall be acquired through direct communication between the parties and the use of measures facilitating it, among others, mediation. ADR mechanisms are available and used in the majority of the European Union Member States. Measures to ensure their proper functioning are related to, among others, harmonization of legislation of Member States in the framework of issues and procedures.

For this reason, alternative ways of dispute resolution was also reflected in the Polish legal system. Poland, as a Member State of the European Union should promote mechanisms for ADR as a means of resolving conflicts and create institutional conditions for the development of ADR. These actions are within the scope of activities of the Social Council for Alternative Methods of Conflict Resolution and Disputes at the Ministry of Justice. In this article, I introduced the principles of organization and operation of the Council which allowed, on the other hand, to conduct further deliberations on its tasks. The tasks of the Council in the first term of office was among others the creation of a platform of communication between the mediators and the persons responsible for in compliance with the standards of the European Union development of ADR, drawing up the training standards and the standards of activity for mediator and of mediation conduct, preparing the code of ethics, as well as the promotion of ADR mechanisms as a means of resolving conflicts among members of the system of justice, law enforcement authorities and in the society, creating the institutional conditions for the development of mediation in Poland and promotion of the declaration of mediation.

While formulating the conclusions drawn from my findings, I noticed that the Council has already taken important actions related to the implementation of its tasks (as exemplified by the adoption by this body on 26 June 2006 standards of conduct for mediation and mediator), but it still has many more to do. In addition, I indicated that the adopted method of selection of the members of the Council and its social character enhance ensuring a high level of expertise of this body mainstreaming at the same time diverse views. From this point of view a good solution is also the guarantee for the members of the Council the possibility of cooperation with other persons from among the representatives of science or practice who do not compose that body as far as the implementation of its tasks is concerned.

In this study also pointed to the high expectations of the Social Council. for Alternative Methods of Conflict Resolution and Disputes at the Ministry of Justice caused by the benefits associated with the use of alternative dispute resolution. An opportunity to present the results of my work and submit them for discussion was the Scientific Conference *Arbitration and Mediation - Practical Aspects of the Application of Law* - organized by Rzeszów Branch of the Scientific Society for Organization and Management (Iwonicz-Zdrój 18-20 October 2007) during which he gave a lecture on the issues discussed in the article.

Public administration bodies as those involved in mediation use non imperious forms while taking real actions aimed at reaching an agreement reached by the parties with different at first interests. Employees of public administration who use the non imperious actions often

do not yet have sufficient qualifications in the field of non authoritative communication with the addressees of activities. The institutions of education and improvement of administration personnel should adapt programs and teaching methods to new challenges and needs of public administration. It was stressed in the next work included in the discussed cycle of publications in the co-authored article *Clinical Teaching of Law and Modern Administration*. The aim of the study was also to present a general idea of the clinical teaching of law in Poland and the modern forms and methods of teaching used in student legal clinics. Its aim was also to show the impact of such teaching on the development of skills gained while working in legal clinics by students that significantly affect their preparation for future work including work in the administration.

One of the skills discussed in the article is the use of ways of alternative dispute resolution. This implies the understanding of the role of mediator, knowledge of ethical principles and understanding the relationship existing between the parties of mediation. The study also included comments on the history of clinical legal education and experiences resulting from several years of practice connected with the activity of legal clinics, as well as expectations and plans for the future of this kind of teaching. This study draws attention to the fact that clinical teaching of law ensures a relatively rapid and in-depth mastering of legal skills by students. The learning is here based on the accelerated acquisition of knowledge based on personal experience gained in connection with the prepared case combined with constant contact with the supervising research worker whose task is to stimulate student in search of the most appropriate ways, but should not substitute him in taking proper decisions. As part of this training, after getting credits for the classes required by the curriculum, the students try the practical application of the gained knowledge by preparing specific cases and providing legal advice to people coming to the student clinic with their problems. They at the same time take the responsibility for the vital interests of a particular customer.

The study identifies a significant educational aspect connected with the fact that the student provides free legal aid to the poor, recognizing the specificities of the functioning of state institutions. Contact with the client often poor, sick, helpless, wronged and due to that sometimes non-objective in his assessments, allows the student to get to know himself, assess his abilities, skills, and even a degree of psychological resistance which is important when choosing the professional path. The article indicated that legal clinics provide different in terms of form classes as well as active teaching methods. Particular attention, also from the point of view of the usefulness in the work of an official shall be paid to numerous training

courses offered to students (e.g. psychological trainings or specialized trainings in areas such as mediation or conduct of negotiations).

Clinical teaching provides effective absorption by the students the ability of legal analysis legal and legal reasoning. In the conclusions contained in the summary of the study the fact that clinical programs fulfilling the objectives set before them, increase students' social sensitivity and prepare them to work with the client taking into account the principles of professional ethics. Clinical education is effective but expensive. In Polish conditions it covers only part of the students but these are the persons who have successfully passed the recruitment process, and the building their predispositions gives very good results. Within the law clinics are trained, among others, students who see their professional future with the employment in public administration and the skills acquired in the clinic turn out to be useful in their future work as officials, as well. This is vital because a good professional training of public administration staff is important for the proper functioning of modern administration which must cope with the challenges it faces.

The will of bringing effective help to the client inclines students to in-depth analysis of the law and to seek optimal solutions. It also happens that the student seeks contact with an official in order to learn the practice. Kindness shown to students, strengthened in these circumstances by the growing curiosity encourage students to get to know the highlights and shortcomings of clerical work. Although, initially the students thinking about their professional path see themselves for example in the roles of judge, lawyer or prosecutor, they later decide, among others, to work in offices. A lot of satisfaction is brought by supported by evidence awareness that former students of clinics are able to cope with often very difficult tasks related to their work performed in public administration. The summary of the work indicates that the legal clinics right after successful passing through the phase of organization function by focusing on effective education and upbringing of students. Very crucial due to that became the preparation and drawing up of full clinical curriculums that serve education in the best way both in terms of teaching law and teaching ethics, morality and responsibility, as well.

Raised in this paper issues are particularly close to me because of the fact that for more than seventeen years I have been supervisor of administrative law section of the *Student Legal Clinic - Laboratory of the Faculty of Law, University of Bialystok.* The experience gained through working with students who are under my educational supervision gave advice and drafted opinions in more than 790 cases of administrative law and administrative procedure, and the conviction of the importance of clinical teaching of law not only

contributed to the introduction of this issue in the discussed study but it also encouraged me to submit it for discussion at the *XVIII Conference of the Network of Institutes and Schools of Public Administration in Central and Eastern Europe (NISPAcee)* devoted to the problems of public administration in times of economic crisis, held in Warsaw on 13-14 May 2010 and combined with *XI Annual Conference of the Association of Public Administration Education* and the celebration of two decades the National School of Public Administration, during which I presented the paper showing the relationship between the clinical teaching of law and modern administration.

Preparation for work in administration guaranteeing a high level of education, as well as the ethical culture of its personnel is of vital importance in the context of counteracting the incidents of corruption. This series of publications included the study Cooperation between Public Administration and *Non-Governmental Organizations vs. Anti-Corruption,* constituting a chapter in the monograph the *Anti-Corruption Regulations in Public Administration.* Its purpose was on one hand to present issues concerning the notion and importance of non-governmental organizations and the rules and forms of their cooperation with public administration, in particular in the fight against corruption, and on the other - a reference to the issue of irregularities occurring in the activities of these organizations in relations with public administration, qualifying them into the category of corruption phenomenon and elimination.

Corruption is a pathological phenomenon of high hazard, resulting from human tendency to use his position in handling his own interests. It is a global phenomenon and a long-term one, and the consequences of corruption are problems of sociological, political and economic nature. In this chapter I underlined the fact that corruption in the administration associated with the intended by a public person avoidance or distortion of the use of existing norms in order to provide to other persons the benefits in exchange for providing the public person secret and illegal private gains. I pointed to the possibility of setting out two kinds of corruption. The first occurs when services or contracts are concluded 'in accordance with the law " and the official accepts illegal benefit for performing the action to which he is normally obliged by law, while the second concerns " illegal" the transactions and in this case the bribe is handed over for the services forbidden by law to provide. We can observe the total corruption or only minor manifestations of this phenomenon may appear.

In this publication, I note that the political changes that occurred in Poland in the 90's. contributed to the creation of new opportunities for cooperation between the public sector and non-governmental organizations in carrying out the tasks of public administration. NGOs

should support the administration. Keeping the cooperation between public administration bodies and non-governmental organizations, which is based on the complementarity of these entities is supposed to serve the effective exercise of public duties. Referring such a defined role of non-governmental organizations to corruption I have indicated that their activity in this field is not always free from characteristic for the mentioned phenomenon actions unethical, or unlawful. However, presenting the discussed issues in another perspective, I pointed to signs of high activity of these organizations related to the prevention of corruption.

Due to the fact that the distribution of public funds and other public goods is burdened with the risk of unethical actions or the corruption phenomenon, the areas existing in the relationship between public administration and non-governmental organizations are set - where the risk of pathological phenomenon is the greatest. It is about: using the organization for purposes of other institutions; entering into the systems of mutual interdependencies that force the organizations to modify their conduct; using them to gain individual benefits and waste of resources. With regard to the problem of corruption of non-governmental organizations I pointed to the issue of "eco-racketeering", concerning the getting by some environmental organizations 'grants' or ordinary bribes for withdrawing from the protests against certain investments.

Another issue raised by me is related to the functioning of the political relations or the political and environmental and the financing of "their", and so the organizations connected personally or being the background of a particular party or group. Such situations are often accompanied by the occurrence of a conflict of interest connected with combining participation in the grant-making bodies with membership or work in organizations receiving these grants. On the other hand, in cases related to the relation of cooperation between the institution and the budgetary organization established to support it or acting on the basis of its resources, concerns typically involve mixing together in an uncontrolled way funds from public institutions and non-governmental organizations. As a special form of corruption (in the sense of pillaging public resources for their own needs) is considered too high salaries of staff of non-governmental organizations. This involves the practice of using the organization as a place of temporary jobs for people associated with a particular political or environmental system. The same applies to the employment of employees of budgetary institutions in organizations that cooperate with the institutions that employ those persons and employment of people associated with the process of awarding grants for the implementation of these grants.

Moreover, in this chapter I pointed to certain actions of representatives of the police and judiciary which are associated with corruption, and I gave examples of corruption associated with the waste of public money. Referring to the fight against corruption I have indicated that it should rely not only on the criminal prosecution of the perpetrators of particular crimes of corruption but there is also a need to identify and eliminate the activities of public institutions abnormalities that create conditions in which corruption can thrive. In the case of grants from the budgets of local government units including NGOs, the conduct of public administration (communal) during the process of giving grants should have the features of objective action, subject to control. Many doubts are raised by the use of the procedures of conduct that organize the entire process from keeping the equal opportunities of access to information on how to apply for grants through the qualification of applications for settlement, evaluation and control of projects implemented (given grants). In this paper, I agree with the views according to which the procedure for granting subsidies should be transparent, and the committees assessing the offers should consist of representatives not only from local government, but those whom trust the NGOs.

In this chapter also highlights the growing importance of social control, assuming that the activity engaged citizens, civic groups, organizations like *watch dog* is an important element of anti-corruption at the local level NGOs appearing here in a different role, participate in the fight against corruption by: educating the society, including information about the risks which this pathology brings; monitoring the activities of state and local governments; exerting social pressure on politicians to observe the principles of transparency and accountability in public life; presenting legislative changes protecting from the phenomena of corruption. I notice that, thanks to the freedom of action (the possibility of taking action regardless of the priorities of government) NGOs can more effectively than governmental organizations fight against corruption. Such organization may indeed itself quickly and flexibly without the guidance of the government, set the priorities of actions and create anti-corruption projects.

Important role in building public awareness about the dangers connected with corruption in public life play media, also used in the activities of NGOs and their fight against corruption. In addition, in the conclusions of this study I have indicated that non-governmental organizations closely follow the activities of state and local authorities. Representatives of these organizations indicate a need to change the appellants greater transparency in public life, which are slower in less controlled by the local community and media self-government than at the central level. Having the knowledge and the appropriate

enable local communities to organize effective opposition to the abuse of power and even encouraging her to obey the law and norms of social coexistence. This study also pointed out that it is essential that the activities of non-governmental organizations to contribute to the fight against corruption, and their participation in the tasks of public administration was free from unlawful or unethical actions.

5. Description of other scientific and research achievements.

My research interests have long been focused around the theme of administrative enforcement with particular emphasis on issues of direct coercion. The specified area includes the works published after obtaining my degree of doctor of law related to the subject of my dissertation, and therefore on the enforcement measure which is the direct coercion.

The first of these publications is the article *Direct Coercion in Administrative Execution*, in: J. Niczyporuk, S. Fundowicz, J. Radwanowicz ed., *The System Of Administrative Enforcement*, C.H. Beck, Warsaw 2004, pp. 487-496. This work was noticed by representatives of the doctrine of administrative law. A. Skoczylas refers to it twice in the *System of Administrative Law* (see. A. Skoczylas, *Enforcement Proceedings in Administration*, in: R. Hauser, Z. Niewiadomski, A. Wróbel ed., the *System of Administrative Law*. Volume 9. *Administrative Procedural Law*, 2nd ed., Warsaw 2014, pp. 470, 471). To that work also refer for instance: P. Przybysz (P. Przybysz, *Enforcement Proceedings in Administration. Commentary,* ed. 7, Wolters Kluwer, Warsaw 2015, pp. 501-502), J.P. Tarno (W. Chróścielewski, JP Tarno, Administrative Proceedings and Proceedings before *Administrative Courts*, ed. 6, Warszawa 2016, p. 352), J. Olszanowski (J. Olszanowski, *Administrative Enforcement of Non-Cash Duties* Wrocław 2014, p. 214), J. Dobkowski (J. Dobkowski, The Position of *Legal and Political System of Inspections And Guards Units*, Warsaw-Kraków 2007, pp. 209-210), P. Ostojski (P. Ostojski, Use of Direct Coercion in The Administrative Enforcement of Non-Monetary Obligations in Poland and Germany, PiP 2013, No. 8, pp. 70, 71, 74, 75) and E. Kruk, see. E. Kruk, *Administrative Coercion*, "Administration. Theory-Practice-Teaching "2009, No. 2 (15), p. 115; idem, *Administrative Sanction*, Lublin 2013, p. 43.

My next publication on coercion (J. Radwanowicz, *Legal Nature of the Activities Associated with the Use of Direct Coercion in Administrative Enforcement*, in E. Ura ed., *Unit, State, Administration - New Dimension*: *International Scientific Conference*, Olszanica,

May 23-26 2004., Mitel, Rzeszów 2004, p. 405-412) has been recognized by M. Krawczyk (M. Krawczyk, *Fundamentals of Administrative Power*, Warsaw 2016, p. 96).

Another work included in this area of research is a former co-authored article in the English language on the role of force and its imits, see. E. Smoktunowicz, J. Radwanowicz, *Direct Coercion: The Roles And Limits*, in: J. Sługocki ed., *Public Administration and Administrative Law in The Face of the European Integration*, Publishing House of the University of Szczecin, Szczecin 2004, p. 128-136.

The last of the works included in the indicated area is the publication dedicated to the issue of the use of direct coercion by Police, see. J. Radwanowicz, *Europeanization of Polish Administrative Law in Terms of the Use of Direct Coercion by the Police* in Z. Janek, Z. Leoński, M. Szewczyk, M. Waligórski, K. Wojtczak ed., *The Europeanization Of Polish Administrative Law*, Kolonia Limited, Wrocław 2005 , pp. 555-561.

Another area of research involves the issues of the functioning of local government. The first included within the framework of articles refers to the activities of Polish local government and self-reliance of communes in supporting families and in particular legal problems relating to the payment of one-time financial assistance due to the birth of a child, see. J. Radwanowicz, *The Limits of Self-Reliance of Local Communities in Helping Families* in E. Ura ed., *The Limits of Self-Reliance of Local Communities*: International Scientific Conference, Baranów Sandomierski, 22-25 May 2005, RS Druk, Rzeszów 2005, pp. 270-275

The second study concerns the restrictions on the right to financial assistance in connection with the birth of the child in cases where it took place outside the borders of our country, see. J. Radwanowicz-Wanczewska, W. Artemiuk, *The Right to One-Time Grants from the Birth of A Child*, J. Radwanowicz-Wanczewska, P. Niczyporuk, K. Kuźmicz ed., *Unit and State over the Centuries*, Temida 2, Bialystok 2008 , pp. 208-214.

Next article, created in co-authorship was devoted to the Swiss Communities which are characterized by unparalleled in other countries the degree of independence. The functioning presented in this paper commune assemblies is an interesting manifestation of direct democracy, see. J. Radwanowicz-Wanczewska, K. Prokop, *Communal Assembly in Switzerland*, in: P. Chmielnicki, A. Dybała ed., *New Directions of Public Administration Activity in Poland and the European Union*, LexisNexis, Warsaw 2009, pp. 398-406.

Another article included in the indicated research area concerns *German Self-Government and the Uniformity of the Position of Mayor in the Individual Lands of Federal Republic of Germany*, see. J. Radwanowicz-Wanczewska, *Notes on the Position of Mayor in the Lands of the Federal Republic of Germany*, in: J. Sługocki ed., *Local Government in Poland and in Europe*: *Experiences and Dilemmas of Further Development*, Published by Kujawy and Pomorze Higher School, Bydgoszcz 2009, pp. 107-115.

My achievements also included created co-authored publications on artificial procreation. The subject of the first of these was the cloning, see. A. Breczko, J. Radwanowicz, *Issues of Cloning in Light of European Union Law Viewed as Theoretical Considerations on Biotechnology*, B.T. Bieńkowska, D. Szafrański ed., *The Europeanization of Polish Law - Some Aspects*, C.H. Beck, Warsaw 2007, pp. 1-17.

Accordingly, the second work was devoted to models of legal artificial procreation in Europe and in Polish law, see. A. Breczko, J. Radwanowicz-Wanczewska, *Legal Models of Artificial Procreation in Europe and in Polish Law*, in: B. Sitek, J. Szczerbowski, A.W. Bauknecht eds., *Comparative law in Eastern and Central Europe*, Cambridge Scholars Publishing, Newcastle upon Tyne 2013 pp. 364-382.

And as far as the other articles are concerned the next study of which I am a co-author, deals with the issues related to the obligation to undergo drug therapy, see. J. Radwanowicz, I. Jakoniuk, *Treatment of Persons Addicted to Alcohol - Legal Issues*, "Student Legal Clinic" 2005 book 5, pp. 87-96.

Alcoholism of a family member is often the cause of quarrels and other issues. Their solutions are described in other work, dedicated to family mediation - J. Radwanowicz-Wanczewska, A. Bieliński *Family Mediation - Selected Theoretical and Practical Aspects*, in: J. Olszewski ed., *Arbitration and Mediation: the Current Problems of the Theory and Practice of Functioning of Arbitration Courts and Mediation Centers*. III National Scientific Conference, Nałęczów Zdrój, 8-10 May 2009., TNOiK, Rzeszów 2009, pp. 319-326.

Mediation for resolving disputes was also subject of the article on the legitimacy and legality of the actions of the bureaucratic apparatus (see. Oliwniak S., J. Radwanowicz, *Legitimacy and Legality of the Actions of the Bureaucratic Apparatus. Intraductory Remarks*, in: J. Lukasiewicz ed., *Bureaucracy*. III International Scientific Conference, Krynica Zdrój, 2-4 June 2006, the RS Druk, Rzeszów 2006, pp. 469-478;

I also participated in the creation of the publication of an encyclopedic nature. In the book Hołyst B. ed., *Great Encyclopedia of Law*, ed. 2, *Law and Practice of Commerce*, Warsaw, 2005 (the first edition was published in 2000. Ed. E. Smoktunowicz) can be found

prepared by me terms: Central Examination Board, pp. 89-90; *infectious diseases in animals*, p. 94; *veterans and victims of repression*, p. 333; *quarantine of people*, p. 395; *Judicial and Economic Monitor*, p. 452, *turnover of products made of precious metals*, p. 518; *Jordan Gardens*, p. 562; *repressed persons*, pp. 591-592; *PESEL*, p. 617; *Polish Post*, pp. 631-632; *Polish Press Agency* (PAP), p. 658; *Polish Chamber of Foreign Trade*, p. 659; *Polish Association of Allotment*, pp. 662-663; *Employee allotment gardens*, p. 712; *radio and television programs*, p. 774; *Cabinet Council*, p. 842; *Council for the Protection of Struggle and Martyrdom*, pp. 845; *Regon*, p.855; *repatriation*, p. 866; *Universal Postal Union*, p. 1032.

On the other hand, in the book K. Miaskowska-Daszkiewicz, B. Szmulik ed., *Encyclopedia of Self- Government*, Wolters Kluwer, Warsaw 2010, there were two terms of my authorship: *the executive title in administrative enforcement* (pp. 826-828), *principles of conduct of administrative enforcement* (pp. 966-970).

In 2003 I was awarded the Rector of the University of Bialystok for scientific achievements and in 2005 I received a scientific award (individual first-degree) of Rector of the Higher School of Commerce and Law named after Ryszard Łazarski in Warsaw.

A detailed list of published scientific papers I included in Annex 4, wheres information about the scientific achievements, collaboration with institutions, organizations and associations and activities popularizing science in Annex 6.

Joanna Agnieszka Radwanowicz-Wanczewska