



FACULTY OF LAW AND ADMINISTRATION
UNIVERSITY OF GDAŃSK

SYLLABUS

POLISH AND INTERNATIONAL LEGAL STUDIES PROGRAMME

(FOR ERASMUS INCOMING STUDENTS)

2008/2009

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ABOUT THE FACULTY OF LAW AND ADMINISTRATION



In the face of the thousand years of history of Gdańsk it may seem odd, why the University and, within the confines of it, the Faculty of Law and Administration has been working only since 1970 in this resilient, Hanzeatic Baltic port city. Yet, in a nearby Königsberg, the University was established already in 1544 and in Vilnius in 1578. As the historians point out, the attempt to establish the University in Gdańsk during the reign of Sigmund III ended up with a failure because of the religious tension between the Catholic king and the majorly Protestant bourgeoisie inhabiting the city by the Motława River. Also, in the following centuries the turbulent history of the city situated in the "trouble area" of Europe wasn't conducive to such plans. First full-fledged higher school in Gdańsk was the Gdańsk University of Technology which was established in 1904 by the Prussian authorities. It was supposed to educate professional staff for shipbuilding industry. Quite obviously at this university, there was no place for legal studies. Similar situation was at the Economic Higher School and the Pedagogic Higher School which were established after the Second World War in the liberated city of Gdańsk. Finally, after the years of efforts and preparations, thanks to the merging of both schools, on March 20th 1970 the Council of Ministers by a resolution established the University of Gdańsk.

Also the Faculty of Law and Administration was established in the confines of the University. On May 1st, 1970 the Chancellor of the newly established University appointed professor Stanisław Matysik to the position of the Dean of the Faculty. The first, historical session of the Council of the Faculty took place on October 5th 1970. In the first year of its existence the Faculty educated only students of administration, starting from 1971 on - extramural law students and since 1972 it has also been educating intramural law students. The University developed quickly. In 1970 there were only 24 researchers; including 5 professors, 2 lecturers, 2 senior lecturers and total 9 doctors of law. In 1972 there were already 43 people employed, and the number increased to 82 in 1975. At the moment over 125 people are employed at the Faculty. In turn, the position of the Dean of the Faculty of Law and Administration was held by Professors:

- *Stanisław Matysik (1970 - 1974),*
- *Donald Steyer (1974 - 1978),*
- *Tomasz Langer (1978 - 1981),*
- *Andrzej Sylwestrzak (1981 - 1984),*
- *Jan Grajewski (1984 - 1990),*
- *Andrzej Pułło (1990 - 1996),*
- *Andrzej Szmyt (1996 - 2002),*
- *Michał Płachta (2002 - 2004),*
- *Jarosław Warylewski (2004 -)*

At the beginning, the Faculty was educating 104 students. However, already in the academic year 1974/75 there were 2399 students enrolled in both intramural and extramural studies. At the moment, over 6000 people study at the Faculty. At first the Faculty consisted of three institutes: Administration and Management, National Law and Maritime Law. At the moment there are 15 departments whose employees work on: the theory and philosophy of state and law, historical disciplines (Roman law, the history of state and law, the history of political and law doctrines), particular fields of law (administrative law, civil law, criminal law, commercial law, financial law, business law, constitutional law, maritime law, international law, European law, environmental law etc.). Within the confines of the Faculty there are also: the Institute of Human Rights and two laboratories: Criminology and Legal Informatics. Only after 11 years of existence, in 1981, the Faculty received the right to confer a postdoctoral degree in law (doctor habilitatus), which undoubtedly proves the stabilization of the scientific and scholarly position of the Faculty. Election of Professor Czesław Jackowiak - holding the Chair of Labor Law - to the position of the Rector of the University of Gdańsk in 1987 was an honour for the Faculty.



The employees of the Faculty took up many pioneer initiatives. For instance: Postgraduate Studies for Legal Advisors in the field of commercial companies under Professor K. Kruczalak's supervision was established in the academic year 1984/85. The Chair of Commercial and International Private Law was set up in 1993, as one of the first in democratic Poland. The Center of European Law was established in 1995. In the 1980s the Museum of Criminology has come into being thanks to the effort of the scientists from the Laboratory of Criminology of the Faculty. Many other initiatives have also been taken up. Cooperation with the Polish University in Vilnius started in 1993. It is also worth emphasizing that the Faculty took the initiative to confer a honorary doctorate by the University of Gdańsk (doctor honoris causa) upon F. Mitterrand, the former President of the Republic of France (professor M. Cieślak was the promotor). The University also awarded honorary doctorates to R. von Weizsäcker, the former president of Germany, and Lech Wałęsa, the President of Poland and the legendary leader of "Solidarność" (Solidarity). In 1986, the Faculty's employees have also took part in the initiative concerning the conferral of the doctorate honoris causa to Professor Władysław Wolter, one of the most respected researchers in the field of criminal law.

Over the first three decades of its existence, the Faculty did not have its own building. The breakthrough came with the decision of the Ministry of Education in 1995. Thanks to the efforts of the Faculty, mainly of the Deans: Professor A. Pułło and Professor A. Szymt, the idea materialized quickly. As soon as in 1996 the cornerstone of the challenging (22 thousand square meters) investment was built into. In 2000 the first lectures in auditoria took place. The historical ceremonies of the inauguration of the

academic year 2001/02 with the participation of the local and national authorities took place already in the completed edifice. At the moment, the Faculty has got a hall for 400 people, three auditoria - A, B, C, which can seat respectively 300, 200 and 150 people.



Moreover, there are 37 lecture halls, two court rooms which are equipped similarly to real court rooms and computer science laboratory. The hall and the auditoria are equipped with digital and over-head projectors, computers, access to the Internet, video cassette recorders, DVD players, screens. The building also houses: a specialized Faculty's legal library and reading room, a bar, a restaurant, a bookshop, a copying service and a kiosk. In addition, the Faculty has got its own lodgings. There are 12 guest rooms: 8 spacious double rooms (including one room for handicapped people) and 4 double two-room apartments.

ABOUT THE POLISH AND INTERNATIONAL LEGAL STUDIES PROGRAMME (PILSP)

*Polish and International Legal Studies Programme is a new initiative of the Faculty of Law and Administration of the University of Gdańsk in the area of international cooperation and students' exchanges. The first edition of this **one-year diploma programme** will take place in the academic year 2008/2009 and is addressed to incoming English-speaking Erasmus and other international students who would like to pursue one-*



semester or one-year studies at the Faculty of Law and Administration in Gdańsk but do not speak Polish and are unable to participate in regular classes and seminars held in this language. PILSP will also be open to regular Polish-speaking students of the Faculty who would like to pursue part of their studies in English. Creating a mixed Polish-international group of students should also give the international students a possibility to become better acquainted with Polish culture and language. The PILSP will be open for a group of ca. 30 students.

The PILSP is a comprehensive programme offering the participating students basic information about the Polish legal system in a nutshell, as well as training in the most interesting and contemporary issues of European and international law. All subjects' syllabi are based on extensive individual research and expertise of our academic teachers and researchers – both distinguished and very experienced Professors, as well as adjunct and assistant lecturers. One of the aims of the Programme is also to give the students, most of them non-native speakers of English, an opportunity to gain fluency in legal English in the crucial areas of law.

The PILSP is designed to consist of total 12 courses divided into two semesters. Each semester includes 6 courses counting for 5 ECTS points each, therefore the Programme is completely divisible and enables students to stay for one or two semesters, giving an opportunity to score 30 ECTS points per semester. First semester starts in the mid-October and is closed by an exam session in mid-January. The second semester usually opens at the beginning of March and ends with an exam session in the last weeks of May. Each semester lasts effectively 3 months and is shorter than a standard Polish academic year which starts on October 1st and ends in the mid-June. There are usually three breaks: for Christmas and New Year, a one to two weeks inter-semester break in February and a short, one-week Easter (spring) break. Each course covers 20 academic hours of lectures and classes which gives a total of 120 h per semester or 240 h in the whole one-year programme. All students who successfully complete the PILSP and receive 60 ECTS points are awarded (apart of the Transcript of Records) the official Certificate of Graduation from the Polish and International Legal Studies Programme.

Students are also encouraged to enroll to additional language courses offered by the University, as well as to take part in variety of other extracurricular activities. The Tri-City area (meaning the merged cities of Gdańsk, Sopot and Gdynia) is a very popular tourist destination and the greatest academic center in the northern Poland with several universities and other institutions of higher education. Therefore, this dynamic and young community has always a lot to offer to students as far as sports, cultural life and entertainment is concerned.

LIST OF COURSES

Code	Title of the course	Teachers	ECTS	semester
PILS P01	Environmental Law	Prof. dr hab. J. Ciechanowicz-McLean	5	1st (winter)
PILS P02	Computer Law	Dr W. Wiewiórowski	5	1st
PILS P03	Commercial Law	Dr A. Wowerka Dr M. Glicz	5	1st
PILS P04	Tax Law	Dr E. Juchnevič	5	1st
PILS P05	European Court of Justice	Dr Magdalena Konopacka Mgr Monika Adamczak- Retecka	5	1st
PILS P06	Introduction to Jurisprudence and Polish Law	Dr K. Zeidler	5	1st
PILS P07	Polish and Comparative Constitutional Law	Dr P. Uziębło Dr M. Wiszowaty Mgr Anna Rytel-Warzocha Mgr Sławomir Polański	5	2nd (spring)
PILS P08	General Course on Human Rights	Prof. dr hab. J. Zajadło Mgr P. Zajadło Mgr T. Widłak	5	2nd
PILS P09	Public International Law	Dr D. Pyć Dr M. Barczewski	5	2nd
PILS P10	Banking Law	Dr A. Jurkowska-Zeidler	5	2nd
PILS P11	European Labour Law	prof. UG Dr hab. J. Stelina, Mgr Maciej Łaga	5	2nd
PILS P12	Polish and International Criminal Law and Procedure	Dr K. Woźniewski Mgr P. Petasz	5	2nd
total			60	

SYLLABI FOR THE COURSES OF THE PILSP

PILSP01 ENVIRONMENTAL LAW

<p>Biographic entry about the teacher:</p>	<p>Prof. zw. dr hab. Janina Ciechanowicz-McLean has two law degrees from the University of Toruń where she graduated as a Master of Law in 1975, and a Doctor of Law in 1980 and received her postdoctoral degree (<i>doctor habilitatus</i>) at the University of Gdańsk in 1990. She was nominated Professor of Law by presidential decree in 2004.</p> <p>She is widely respected throughout Poland as an authority in International Public Law, Public Economic Law and Environmental Protection Law at the University of Gdańsk. For many years, she has held the Chair of Public Economic Law and Environmental Protection at that University.</p> <p>She is the author of numerous books, publications and documents on these subjects, she had been invited to many international events where she delivered lectures and papers over a great many years. Her latest book is titled "Environmental Protection and Economic Activity." Professor Janina Ciechanowicz-McLean is a member of the International Law Association and several other Environmental Associations.</p> <p>Among many awards, she was awarded the President of Poland's Gold Cross for Community Services, the Minister of Education's Medal and the Teachers' Association of Poland's Gold Badge - their highest honour for services to education.</p> <p>Recently, she has been elected a Senator of the University of Gdańsk where she has been an academic teacher for the past 33 years. Professor Janina Ciechanowicz-McLean was invited to address members of the Polish Senate on important environmental issues together with several Local Bodies and other organizations in the northern regions of Poland.</p>
<p>Short description of the course:</p>	<p>Environmental Law is shaped by the results of research in many different fields. Legal regulation and legal activities are supported and legitimated by International Law, European Law and Domestic Law.</p> <p>The key questions around which lectures revolve are:</p> <ul style="list-style-type: none"> ▪ The role of law in ecological education, ▪ The sources of International Environmental Law, international institutions and civil society, ▪ Sectoral and trans-sectoral regulation, ▪ The Helsinki Conventions on the Protection of the Marine Environment of the Baltic Sea Area 1974 and 1992, ▪ Environment and trade, ▪ The harmonisation of the Polish Environmental Protection Law with the law of the European Communities, ▪ The Development of Waste Management Law in Poland, ▪ Protection of biodiversity and national parks in Poland and other countries.
<p>Course format:</p>	<p>Lectures, cases and training sessions. Video and CD presentations.</p>
<p>Evaluation:</p>	<p>An essay of ca 5000 words counting for 100 % of the total final mark</p>

Obligatory study material:	PILSP textbook, cases and articles made available by the lecturer.
Recommended course literature (available at the library):	<ul style="list-style-type: none"> ▪ K. Bosselmann, D. Grinlinton (eds.), "Environmental Law for a Sustainable Society", Auckland 2002. ▪ T. Hayward, "Constitutional Environmental Rights", Oxford 2005 ▪ "Environment and Trade. A Handbook. Second edition", UNEP, Canada 2003, ▪ F. Lowenfeld, "International Economic Law", second edition, Oxford 2008, Part V: The Environment and International Economic Law. ▪ V. Frank, "The European Community and Marine Environmental Protection in the International law of the Sea. Implementing Global Obligations at the Regional Level", Leiden 2007

PILSP02 COMPUTER LAW

Short biographic entry about the teacher:	Dr Wojciech R. Wiewiórowski , is the Head of the Laboratory of Legal Informatics at the University of Gdańsk and the Head of the Informatisation Department of the Ministry of Interior and Administration of the Republic of Poland, mediator in the Arbitration Court for Internet Domains at the Polish Chamber of Information Technology and Telecommunication, Secretary of the Governmental Committee for Informatisation and Communication Technologies, member of the Polish Association of European Law. Main fields of scientific researches: Internet law, legal informatics, e-government, electronic signatures and Semantic Web technologies for law.
Short description of the course:	The course contains the basic introduction to civil, penal and administrative aspects of Internet communication. Students are researching mostly the problem of legal aspects of cross-boundary electronic services as well as national legislations of their own countries which implement or incorporate European and international law.
Course format:	Lecture, followed by conversation and individual work by students.
Evaluation:	An essay based on the lectures – mainly focused on national aspects of electronic communication in the students' country of origin counting for the 100% of the final mark.
Obligatory study material:	Legal acts and material provided by the tutor.
Recommended course literature (available at the library):	<ul style="list-style-type: none"> ▪ Materials provided on the webpage of the Faculty. ▪ D. Bainbridge „Introduction to Computer Law”, V Ed., Longman 2004, available in the library of the Laboratory of Legal Informatics

PILSP03
COMMERCIAL LAW

Biographic entry about the teachers:	<p>Dr Marcin Glicz, LL.M. holds law degrees from the University of Gdańsk (Master of Laws 2000, Doctor of Laws, 2007) and University of Cologne (LL.M. - Master of Laws – 2002). He is an adjunct lecturer at the Department of Law and teaches classes in commercial law, corporate and international private law. His research focuses on the legal regulation of the international commercial law, capital markets law, securities and commercial arbitration.</p> <p>Dr Arkadiusz Wowerka, LL.M. holds law degrees from the University of Gdańsk (Master of Laws, 2000, Doctor of Laws, 2007) and from University of Cologne (LL.M. – Master of Laws, 2002). He is an adjunct lecturer at the Department of Commercial and International Private Law and teaches courses in commercial law, European company law, law of the international contracts, law of the banking and financial transactions. He is the author of numerous national and international publications (in German). He is also a translator of the Court of Justice of the European Communities.</p>
Short description of the course:	<p>The course aims to explore the central institutions of the Polish commercial law and is divided into three separate parts. The first part includes the introduction to commercial law and covers the definition, and development of commercial law as well as its sources. This part discusses also characteristic terms of commercial law and related subjects, on which an understanding of the commercial law depends, those being: entrepreneur, business name, and principles of registration of entrepreneurs. The second part focuses on characteristic features of commercial contracts. The third part focuses on matters connected with company law and discusses forms of corporations and companies, their formation, internal organisation, and the legal aspects of their dissolution. This part deals also with the legal aspects of foreign entities doing business in Poland. The course is designed to resemble a fourth-year course taught at a Polish law school. Upon completion of this course the student should have an understanding of the legal terms and principles of the commercial law including rules governing commercial companies business obligations and relations between private entrepreneurs.</p>
Course format :	Lectures, cases and training sessions.
Evaluation:	Written exam counting for 100% of the total mark
Obligatory study material:	PILSP textbook, cases and articles made available by the lecturers
Recommended course literature (available at the library):	<ul style="list-style-type: none"> ▪ Brodecki, Z., “Polish business law”, Kluwer 2003. ▪ Lewandowski, R., “Polish commercial law. An introduction”, Warszawa 2007 ▪ Kierzkowska, D., “Business Law. The Polish Law Collection”, Warszawa 2007.

PILSP04
TAX LAW

Biographic entry about the teacher:	Dr Edvard Juchnevič holds law degrees from University of Gdańsk (Master of Laws 1998; Doctor of Laws 2003). He is an adjunct lecturer at the Department of Financial Law, Faculty of Law and Administration. His teaching and research include tax law, e-commerce taxation and securities regulations.
Short description of the course:	The module aims to explore basic principles of Tax Law and comprise: <ul style="list-style-type: none"> • Principles of taxation • Tax legislative process • Legal framework for taxation • Law of tax administration and procedure • Tax jurisdiction • Value-Added Tax • Excises • Tax on land and buildings • Taxation of wealth • Individual income tax • Taxation of income from business and investment • International aspects of income tax • Taxation of enterprises and their owners • E-commerce taxation • Tax planning in Poland
Course format:	Lectures (with powerpoint presentations), conversations, case study, quizzes
Evaluation:	Final test (70% of the total mark) and quiz (30%).
Obligatory study material:	PILSP textbook, cases and articles made available by the lecturer.
Recommended course literature (available at the library):	<ul style="list-style-type: none"> ▪ R. Rohatgi, "Basic International Taxation", Springer; 1 edition (December 21, 2001); ▪ Lymer, J. Hasseldine, "The International taxation system", Boston/Dordrecht/London 2002.

PILSP05
EUROPEAN COURT OF JUSTICE

Biographic entry about the teachers:	Dr Magdalena Konopacka, LL.M holds degrees from University of Gdańsk and Ghent (Master in Advanced Studies in European and Comparative Law, University of Ghent, 2004-2005); study visits and courses: EU law and English Law Cambridge Course, 2003; American Law Chicago Kent College of Law course, 2003; Hague Academy of International Law, Private International Law Session
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	<p>2004; University of Saragossa, visiting scholar, 2008; Academy of European Law, European University Institute, Florence 2008; Coordinator of the local EU and English Law Cambridge Diploma Course. She is an adjunct lecturer at the Department of European and Comparative Law at the Faculty of Law and Administration of the University of Gdańsk.</p> <p>Mgr Monika Adamczak-Retecka holds law degree from the University of Gdańsk (Master of Laws, 2002); assistant lecturer at the Department of European and Comparative Law, Faculty of Law and Administration; former local programme manager for the Course on the English law and the EU law – University of Cambridge; teaches classes in EU law; research focused on liability for infringement of EC law.</p>
<p>Short description of the course:</p>	<p>The course is divided into 5 topics, ranging from the general overview of the EU Courts' origin and composition, through its working methods and procedures, jurisdiction, the significance of judgments, the balance between judicial restraint and interventionism and, finally, an account of milestone judgments reflecting general principles of law and fundamental rights. The module will focus on:</p> <ol style="list-style-type: none"> a) Structure of ECJ, CFI b) Enforcement actions against Member States c) The action for annulment d) The preliminary rulings procedure e) European rights, national remedies f) General principles of law and fundamental rights in the Courts jurisprudence g) State Liability
<p>Course format:</p>	<p>Conversation and case studies</p>
<p>Evaluation:</p>	<p>Open book written exam counting for 100% of the total mark</p>
<p>Obligatory study material:</p>	<p>Cases and articles made available by the lecturers</p>
<p>Recommended course literature:</p>	<ul style="list-style-type: none"> ▪ Steiner J., Woods L., "Textbook on EC Law", 7th ed., Blackstone Press Ltd. ▪ Craig P., de Burca G., "EU Law. Text, cases and materials", Oxford University Press 2007. ▪ Arnall A., "The European Union and its Court of Justice", Oxford University Press

PILSP06
INTRODUCTION TO JURISPRUDENCE AND POLISH LAW

Biographic entry about the teacher:	Dr Kamil Zeidler – is an adjunct lecturer at the Department of Theory and Philosophy of Law and State, Faculty of Law and Administration, University of Gdańsk; He lectures on: Introduction to jurisprudence; Logics for lawyers; Theory of law, Rhetoric for lawyers, Law of cultural heritage protection; Dr Kamil Zeidler is an author and co-author of many publications on legal theory, public international law, and cultural heritage protection law.
Short description of the course:	The course Introduction to Jurisprudence and Polish Law will cover main and introductory issues in law and Polish law: 1-2. Concepts of law (natural law, legal positivism, legal realism, and more) 2. Statutory law (civil law) common law (case law) and customary law 3. Legal systems in the world 4. Functions of law 5. Law-making activity 6-7. Validity of law 8-9. Interpretation of law 10. Application of law 11. Legal ethics and legal professions 12-13. State of law – Polish constitutional law 14. Polish administrative law 15-16. Polish criminal law and procedure 17. Polish civil law 18. Public international law 19. European Union law 20. Exam
Course format:	lectures and conversations
Evaluation:	written exam – test of choice (70%) essay (30%)
Obligatory study material:	<ul style="list-style-type: none"> ▪ The Constitution of the Republic of Poland of 2nd April 1997 ▪ R. Wacks, “Law: A Very Short Introduction”, Oxford University Press 2008
Recommended course literature:	<ul style="list-style-type: none"> ▪ J. Jabłońska-Bonca, „Wprowadzenie do prawa. Introduction to law”, Warszawa 2004 ▪ S. Frankowski (ed.), “Introduction to Polish Law”, Hague-Kraków 2005. ▪ H. Izdebski, “Introduction to Public Administration and Administrative Law”, Warszawa 2006

PILSP07
POLISH AND COMPARATIVE CONSTITUTIONAL LAW

Biographic entry about the teachers:	Dr Piotr Uziębło – an adjunct lecturer at the Faculty of Law and Administration (Department of Constitutional Law and Political Institutions), he received his law degrees from the University of Gdańsk (Master of Laws, 1998; Doctor of Laws, 2005). His research concentrates on electoral law, direct democracy institutions and constitutional systems of Latin American states. He is the author of
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	<p>three books, including <i>Legislative Initiative of Citizens in Poland in the Light of Other Countries' Solutions</i>, and many articles and chapters in books.</p> <p>Dr Marcin Michał Wiszowaty – an adjunct lecturer at the Department of Constitutional Law and Political Institutions at the Faculty of Law and Administration, University of Gdańsk. Author of the first, Polish monography concerning legal regulation of lobbying. Scientific interests: parliamentary law, lobbying, constitutional systems of foreign countries, monarchic form of government, history of Polish constitutional system 1917-1939.</p> <p>Mgr Anna Rytel-Warzocho – graduated in Law and English Philology both at the University of Gdańsk. Her final dissertations concerned the international treaties as the sources of law due to the Polish Constitution as well as teaching English for legal purposes. At the moment she works at the Department of Constitutional Law and Political Institutions at the University of Gdańsk, conducting research in the field of direct democracy institutions, citizenship, the problem of statelessness. She currently writes her PhD on referendum in Eastern and Central Europe.</p> <p>Mgr Sławomir Polański – holds Master of Law degree from the Faculty of Law and Administration of the University of Gdańsk, as well as Master in political science – from the Faculty of Social Sciences of the University of Gdańsk. Assistant lecturer at the University of Gdańsk since 2004. Selected publications concern the following subjects: System of fragmentary constitutional control in Poland, Reforms of judicial system in Poland. His research areas are: constitutional system of Poland, election law and modern election campaigns in Poland and western countries.</p>
Short description of the course:	<p>The course seeks to explain to students the main problems of the Polish constitutional law in the light of contemporary regulations in force around the world. While concentrating on the Polish constitutional law, lectures cast light on the comparative perspective. The fundamental idea is to show that it is impossible to treat any institution of constitutional law separately. All of them create one system of government. First of all, the course aims at answering the question of how constitutional rules could be understood. Another problem on which the classes will concentrate is the shape of human and civil rights regulation within the state, and especially intercourses between internal and international law will be taken into account. After that, the course turns focus to the rule of sovereignty of the people, especially to the relation of representative democracy versus direct democracy. The main part of the course responds to the question of the Polish system of the government in the context of separation of powers, presenting the constitutional position of legislative, executive and judicial powers and interactions between them.</p>
Course format:	Lectures, conversations, cases
Evaluation:	Written exam (test) counting for 50% of the total mark and an essay (5-6 pages) counting for 50% of the total final mark
Obligatory study material:	Legal acts, articles and books provided by the lecturers
Recommended course literature:	<ul style="list-style-type: none"> ▪ S. Sulowski (ed.) "The Political System of Poland", Warszawa 2007

PILSP08
GENERAL COURSE ON HUMAN RIGHTS

<p>Biographic entry about the teachers:</p>	<p>Prof. zw. dr hab. Jerzy Zajadło – holds master, doctoral and postdoctoral (<i>doctor habilitatus</i>) law degrees from the University of Gdańsk. Nominated Professor of Law by presidential decree in 2005. At the Faculty of Law and Administration he holds the Chair of Theory and Philosophy of Law, as well as the Chair of Human Rights. His research includes among others: the issues of human rights, philosophy of law and humanitarian intervention. Professor Jerzy Zajadło is the author of over 12 monographs, co-author of over 40 other, as well as the author of numerous (over 100) articles and other publications. His latest and most notable books include: "What do lawyers need philosophy of law for?" (Wolters Kluwer Polska 2008), "Fascinating paths of the philosophy of law" (LexisNexis 2008), "Lexicon of the contemporary theory and philosophy of law" – ed. (C.H. Beck 2007), "Heritage of the past: Gustav Radbruch – a portrait of philosopher, lawyer, politician and scholar" (Arche 2007), "Dilemmas of humanitarian intervention: history – ethics – politics – law" (Arche 2005), "Studia Grotiana" (Arche 2005). Professor Zajadło has been giving several lectures on national and international conferences. He is a member of several scientific societies and editorial boards. As a practicing lawyer, Professor Jerzy Zajadło is a member of the Bar.</p> <p>Mgr Paulina Zajadło – holds Master degree from the University of Gdańsk (2006) and also graduated from the University of Salzburg (2005/2006). She is an assistant lecturer and a PhD candidate in the Department of Public International Law at the Faculty of Law and Administration of the University of Gdańsk. Her teaching includes classes in public international law and human rights. Her research concentrates on international criminal law.</p> <p>Mgr Tomasz Widlak – holds Master degree from the University of Gdańsk (2006) and a diploma of the International and European Legal Studies Programme of the University of Antwerp (2005/2006). He is an assistant lecturer and a PhD candidate in the Department of Theory and Philosophy of Law and State at the Faculty of Law and Administration of the University of Gdańsk. His teaching includes classes in theory of law, jurisprudence, logics for lawyers, human rights. His research concentrates on the issue of international society.</p>
<p>Short description of the course:</p>	<p>The course is a basic introduction to the general issues of human rights and human rights law. It aims to explore the elemental questions of the philosophy of human rights and different attitudes to human rights legal regulations. The opening lectures offer a survey of general problems connected with the human rights regime in international law. Some attention is also given to the historical background and evolution of human rights. The classes discuss the basic map of international human rights protection regimes and their institutional framework with the main focus on European and UN systems. Most important documents are discussed, with special attention paid to the Convention for the Protection of Human Rights and Fundamental Freedoms (the ECHR). Some problems and questions concerning specific issues of humanitarian intervention, humanitarian law, international criminal law and universal jurisdiction in the context of human rights are cursory looked at and brought up to</p>

	the attention of students.
Course format:	Introductory lectures followed by classes and discussions of the studied material, case studies.
Evaluation:	An essay counting for 30% of the final mark and examination in the form of a written test of choice counting for 70% of the final mark.
Obligatory study material:	<ul style="list-style-type: none"> ▪ A. Clapham, "Human Rights. A Very Short Introduction", Oxford University Press 2007 and materials available on the website: http://hei.unige.ch/~clapham/vsi/index.html; PILSP textbook, lectures.
Recommended course literature (available at the library):	<ul style="list-style-type: none"> ▪ Philip Alston, "Non-state actors and human rights", Oxford 2005 ▪ Peter R. Baehr, "Human rights : universality in practice", London 1999 ▪ Alan E. Boyle and Michael R. Anderson, "Human rights approaches to environmental protection", Oxford 1996 ▪ Jürgen Bröhmer [et al.]; „Internationale Gemeinschaft und Menschenrechte : Festschrift für Georg Röss zum 70. Geburtstag am 21. Januar 2005", Koeln 2005 ▪ Ian Brownlie, "Basic Documents on Human Rights", Oxford 1981 ▪ Richard Falk, "Human rights horizons : the pursuit of justice in a globalizing world", London 2000 ▪ Cristina Klee, „Die progressive Verwicklung wirtschaftlicher, sozialer und kultureller Menschenrechte : eine Interpretation von Art. 2 Abs. 1 des Internationalen Pakts für wirtschaftliche, soziale und kulturelle Rechte", Stuttgart 2000 ▪ David Luban, "Legal ethics and human dignity", Cambridge 2007 ▪ Robert McCorquodale, "Human rights", Burlington 2003 ▪ Rein Müllerson, "Human rights diplomacy", London – New York 2002. ▪ Robert G. Patman, "Universal human rights?", New York 2000. ▪ Peter Van Ness (ed.), "Debating human rights : critical essays from the United States and Asia", New York 1999. ▪ Arthur Henry Robertson, "Human rights in the world : an introduction to the study of the international protection of human rights", New York 1992. ▪ Henry J. Steiner and Philip Alston, "International human rights in context of law, politics, morals: text and materials", New York 2000

PILSP09
PUBLIC INTERNATIONAL LAW

Biographic entry about the teachers:	<p>Dr Dorota Pyć – an adjunct lecturer at the Department of International Public Law, teaches classes in international public law and law of the sea.</p> <p>Dr Maciej Barczewski – an adjunct lecturer at the Department of International Public Law, teaches classes in international public law and intellectual property law.</p>
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Short description of the course:	The course is intended to introduce students to the fundamental concepts and problems of public international law. The course will cover the traditional major topics in this field such as the sources and subjects of international law, the jurisdiction of states, the use of force, law of the sea and the relationship between international law and the internal law of states. It will also address newer themes in international law such as international intellectual property law and law of the sea.
Course format:	Lecture, conversation, cases
Evaluation:	Oral exam (conversation) counting for 100% of the final mark.
Obligatory study material:	Texts of international agreements and cases made available by the lecturers
Recommended course literature:	<ul style="list-style-type: none"> ▪ Antonio Cassese, "International Law", Oxford University Press 2005

PILSP10
BANKING LAW

Biographic entry about the teacher:	Dr Anna Jurkowska-Zeidler holds Master and Doctoral law degrees from the University of Gdańsk, Faculty of Law and Administration. She is an adjunct lecturer at the Department of Financial Law and lectures on Financial Law. Her teaching and research interests include among others: the issues of Law of Single European Financial Market, Financial Law of the European Union, Monetary Regulations and the European System of Central Banks. Dr. Anna Jurkowska-Zeidler is the author of 2 monographs, coauthor of over 20 others, as well as author of over 30 articles and other publications. Examples of her recent financial services work include an assessment of banking guarantee schemes in EU Member States; analysis of the integration and globalization of financial markets for financial stability; an evaluation of the architecture of banking supervision. Her latest and most notable research include the issue of the Safety of Financial Market as well as financial crises on which she has authored numerous national and international publications. Her latest book titled "The Safety of the Financial Market in the European Union Law" has been published by Wolters Kluwer Polska in 2008.
Short description of the course:	<p>This course will introduce students to the European and International banking system and enable them to analyze the relevant legal issues.</p> <p>This course is designed to familiarize the student with the key principles relating to the modern law of banking.</p> <p>Four main areas will be covered: Core Principles of the Law of the Single European Financial Market, European Union regulation of financial services with emphasis on Polish regulation of banks, the Uniform Principles for the Establishment and Functioning of Credit Institutions and Banking Supervision. The structure of international and European banking, banking networks, representative offices, subsidiaries, foreign banks and credit union will be also examined. We will also discuss the economic function of banks and compare</p>

	<p>and contrast banks with other financial institutions.</p> <p>The class will put theoretical concepts into action through case studies. Students who wish to obtain a basic knowledge of banking law will benefit from this course. It is also recommended that those who wish to specialize in banking law take this course as a foundational course, prior to studying the more advanced banking courses.</p>
Course format:	Introductory lectures followed by classes, discussions, comparative studies and case studies.
Evaluation:	An essay (ca. 5000 words) counting for 30% of the final mark and written exam (in the form of test of choice) counting for 70% of the final mark.
Obligatory study material:	<ul style="list-style-type: none"> ▪ C. Kosikowski, "Financial Law of the European Union", Temida, 2, Białystok 2008 ▪ R. Kozierkiewicz, E. Puławska (transl.), "The Banking Act. The Foreign Exchange Act. The Act on Mortgage Bonds and Mortgage Banks: Bilingual Edition Polish-English", C.H. Beck, Warszawa 2005.
Recommended course literature (available at the library):	<ul style="list-style-type: none"> ▪ Gerster (ed.), "European Banking and Financial Services Law", The Hague, Kluwer Law International in association with EABP, 2004. ▪ J. A. Usher, "The Law of Monetary and Financial Services in the EC", Oxford University Press 2002. ▪ R. M. Lastra, "Legal Foundations of International Monetary Stability", Oxford University Press 2006 ▪ D. Masciandro (ed.), Handbook of Central Banking and Financial Authorities in Europe, Edward Elgar 2005.

PILSP11
EUROPEAN LABOUR LAW

Biographic entry about the teachers:	<p>Dr hab. Jakub Stelina, prof. UG holds law degrees from the University of Gdańsk. Doctor of laws in 1993 - "Trade unions' legal capacity to collective labour agreements". Postdoctoral degree (<i>doctor habilitatus</i>) in 2006 - "The legal character of the employment relationship of appointment". Professor of the University of Gdańsk since 2007. He holds a Chair of Labour Law. His research interests include: collective labour law and tripartite relationship. He also focuses on the civil servants' labour law.</p> <p>Mgr Maciej Łaga holds Master of Laws degree from the University of Gdańsk (2008), assistant lecturer at the Department of Labour Law. His scientific interests include collective labour law (especially European regulations), social security system.</p>
Short description of the course:	The course consists of two modules: lecture and conversation. Each module conducts students consequently through the basic issues of the European Labour Law. The aim of the course is to present and bring closer the EU's scope of interest in the wide sphere of

	<p>employment.</p> <p>The course includes 4 lectures which aim to present: definition, characteristic, scope, sources, functions and aims of the subject. Students will be introduced to legal issues of: the free movement of workers, the equality (especially including: men and women, full-time and part-time employees) and the UE's regulations on collective labour law (information and consultation procedures). The lecturer will complete European legal schemes with Polish examples of implementation.</p> <p>The second module of the course – the conversation aims to extend and enrich information presented during the lecture. Cases and jurisdiction of the European Court of Justice in Luxembourg will assist students to understand the mechanisms of the EU labour law institutions. The conversation part especially includes problems of implementation and application of European law.</p>
Course format:	Lecture (4 x 2-hour lectures) and conversation (6 x 2-hour conversation)
Evaluation:	written exam (3 questions, 3 points each; 5 points to pass).
Obligatory study material:	Lectures and conversation material made available by the lecturers
Recommended course literature:	-

PILSP12
POLISH AND INTERNATIONAL CRIMINAL LAW AND PROCEDURE

Biographic entry about the teachers:	<p>Dr Krzysztof Woźniewski holds law degrees from the University of Gdańsk (Master of Laws, 1990, Doctor of Laws, 1999). He is an adjunct lecturer at the Department of Criminal Procedure and Criminology. His research focuses on the law of evidence, legal actions. He is the author of handbook for criminal procedure for students of administration, as well as a few chapters (history of criminal process, law of evidences and legal actions) in Law on Criminal Proceedings, Beck 2007.</p> <p>Mgr Paweł Petasz (Master of Laws 2002, University of Gdańsk) is an assistant lecturer at the Department of Criminal Substantive and Executive Law and Legal Psychiatry, University of Gdańsk. He is the author of 12 academic articles in Polish criminal law. Mgr Paweł Petasz writes his PhD on the idea of penal law protection of religious freedom in Poland. He is interested in the history of criminal law, philosophical bases of criminal law, aim and functions of the penalty in criminal law.</p>
Short description of the course:	<p>1. The substantive module of the course will lead students into the Polish system of criminal substantive law:</p> <ul style="list-style-type: none"> • main principles of the Polish substantive criminal law • principles of penal liability

	<ul style="list-style-type: none"> • explanation of terms of the Polish penal law • forms of commission of an offence • exclusion of penal liability • types of penal measures • types of criminal penalties • death penalty • history of criminal law in Poland • aim and functions of criminal law • protection of basic legal goods in criminal law • types of crimes in the Polish Penal Code expunction of the sentence <p>2. The procedural module aims to explore central themes, i.e. a) an introduction to criminal procedure in Poland (principles, courts, police powers) b) detention and arrest, c) evidences, d) commencement of Proceedings, police investigation, preparing prosecutions, e) procedure before and at trial, f) sentencing, g) appeals from Court of First Instance, h) special proceedings, i) extraordinary appeals (cassation, Re-opening of proceedings), j) compensation for unjustifiable sentencing or detention k) procedure in criminal cases in international relations.</p>
Course format:	Lectures, cases and training sessions.
Evaluation:	Open book exam and an essay.
Obligatory study material:	<ol style="list-style-type: none"> 1. S. Frankowski, „<i>Introduction to Polish law</i>”, Wolters Kluwer Polska 2005 2. Act of 6 June 1997 The Penal Code
Recommended course literature (available at the library):	-

CONTACT INFORMATION

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