

The summary of the doctoral thesis:

„Social rights of the child in the Polish legal system”

This doctoral dissertation is concerned with children's social rights, in English language publications referred also as children's social and economic rights or children's socio-economic rights. Despite academic interest in both social rights and children's rights, a matter of children's social rights in Polish legal literature remains comparatively neglected area. The aim of the study is to show the child as the subject of social rights and to discuss issues regarding the guarantees of selected social rights of the children related to their harmonious development, functioning in the Polish legal system.

Social rights are these rights, recognized under international and domestic law, that protect human dignity, freedom and well-being, furthermore, allow comprehensive physical and spiritual development of the human person. The fundamental social rights include the right to health protection, the right to education, the right to work and fair conditions of the employment, the right to social security and social assistance, the right to decent living conditions and the right to participation in cultural life. Poland has obligations to respect, protect and fulfill these rights as they have been set down in a variety of legal documents, which are a part of Polish legal system. In this dissertation has been made an attempt to prove that the Polish legal system defines and protects social rights of the child, but considering the dynamics of changes ongoing in society and the economy, the current regulations require revision and consideration of the introduction of new provisions to ensure fuller realization of social rights of the child.

The thesis is composed of an introduction, four chapters divided into detailed subsections, a conclusion and a bibliography. Chapter one of this paper explores the place of social rights in the catalogue of human rights, reviews legal subjectivity of the child and presents social rights which are the most important for development of the child. It refers also to the interdependence between social rights and social policy, as well as presents the institutions established to protect the rights of the child and analyses the sources of law containing the regulations of social rights of the child in Poland. Chapters two, three and four explore selected social rights of the child: the right to health protection, the right to decent living conditions and the right to education. Referring to the particular rights, these chapters explain the key concepts, reveal the European

Union's actions in the fields of discoursed issues and analyse how the rights to health protection, decent living conditions and education are regulated by the Polish law. In the indicated chapters are also presented the proposals for solutions, whose implementation would be worthwhile to consider. The conclusion of the dissertation contains the final findings regarding the current provisions and suggestions for changes in the regulations referring to analysed social rights of the child.

The thesis examines the legal acts containing the regulations of social rights and refers to the selected decisions of the domestic and international courts and tribunals in cases associated with the guarantees of the examined rights. The study is also based on the representative literature and furthermore, relates to the statistical data and reports, in order to obtain reliable information about the efficiency of the legal guarantees of analysed social rights.

This dissertation brings together issues that previously have not been considered together, including the specification of children's social rights, the illustration of the unique position of the child in society and the emphasision of the interdependence between social policy and social rights. This doctoral thesis thus makes a contribution to the existing science of law, in the area of social rights and children's rights, as well as legal theories and political theories, from a new point of view. The issues presented in this paper are not exhaustive in the matter of social rights of the child, since the range of concerns related to them is too extensive, however, they indicate the direction of further possible research.