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**"DECENTRALISED AGENCIES IN THE EUROPEAN UNION'S AREA OF FREEDOM,
SECURITY AND JUSTICE"**

Abstract

The subject of the dissertation is a juristic and empirical analysis of decentralized agencies in the European Union's area of freedom, security and justice (AFSJ). The issue of decentralized agencies is one of the aspects of the institutional law of the European Union. Area of freedom, security and justice considered as one of the policies of the European Union is a part of substantive law.

The dissertation distinguishes a closed catalog of agencies. It includes eight entities:

1. CEPOL (European Police College),
2. EASO (European Asylum Support Office),
3. eu-LISA (European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice),
4. EMCDDA (European Monitoring Centre for Drugs and Drug Addiction)
5. Europol (European Police Office),
6. Eurojust (The European Union's Judicial Cooperation Unit),
7. FRA (Fundamental Rights Agency),
8. Frontex (European Agency for the Management of Operational Cooperation at the External Borders).

The choice of the dissertation's subject was not accidental and was motivated by four main reasons. Firstly, undertaken issue has not yet been covered by thorough legal analysis. Secondly, over the past several years it was a subject of dynamic development. Thirdly, the dissertation includes the analysis of the decentralized agencies, which currently attracts interest in scientific discourse. Fourthly, not without significance is also the current geopolitical situation. It includes the Arab Spring from the years 2010-2011 and the actions of Islamic State of Iraq and al-Sham. It all causes an increase in migration activity affecting the position and mandate of AFSJ decentralized agencies. The current stage requires a new, thorough legal analysis in which *de lege lata* and *de lege ferenda* proposals can be presented.

The structure of the dissertation arises from the subject and the intended purpose of the research. Apart from typical elements such as introduction, summary and suitable lists, it consists of five chapters. Each chapter has a coherent, three-tier structure and includes general observations, substantive paragraphs and synthetic concluding observations. The first chapter introduces the origins and evolution of the AFSJ as the EU policy with particular reference to the evolution of the approach to the European specialized agencies as executive bodies in the area of freedom, security and justice. The second chapter defines the AFSJ and determines its territorial and subjective scope. The third chapter covers the issues of the decentralized agencies as bodies forming part of the institutional structure of the European Union. The fourth and the fifth chapter deal with issues of the functioning of AFSJ decentralized agencies. The fourth chapter creates classification of decentralized agencies on the basis of the different scope *ratione materiae* of agencies. Finally it distinguishes agencies based on AFSJ policies and areas of cooperation. The intention is to demonstrate the correlation between the scope of the AFSJ and scope *ratione materiae* of the decentralized agencies. In the fifth chapter a legal analysis of selected key tasks of AFSJ decentralized agencies is conducted.

The basis of the research material constitutes binding and repealed laws that govern (governed) dissertation scope. In particular, it includes primary and secondary law of the European Union, international agreements and national law. It has been expanded on the analysis of numerous acts of soft law which, despite the lack of legally binding, influences the raised issues. In particular it includes: action programmes, white papers, legislative proposals, "a common approach", and the Commission's communications. The research is complemented by the jurisprudence of the Court of Justice of the European Union. Further, dissertation is based on Polish and English academic materials. The used literature can be divided into two basic groups: items relating to the AFSJ and the items for the decentralized agencies.

The aim of the dissertation is a juristic and empirical analysis of functioning of the decentralized agencies in the executive institutional structure of the EU's area of freedom, security and justice. The study answers the question whether under the AFSJ operates a separate category of decentralized agencies, and if yes, what position it occupies. To achieve the objective of the dissertation three methods have been used. The basic method is juristic and empirical method. Supplementary method applied is historical research method and comparative method.

The research allowed to formulate the following thesis: decentralized agencies are the main executive organs in the institutional structure of the area of freedom, security and justice.

In addition to the main thesis three complementary theses were distinguished. First, decentralized agencies accelerated the strengthening of the cooperation on the basis of the treaty and uniform legal regime of AFSJ resulted in the inclusion of all AFSJ relevant agencies into legal framework of decentralized agencies. Secondly, the use of legal formula of decentralized agencies is essential for the implementation and development of the AFSJ as a shared competence of the European Union. Thirdly, decentralized agencies constitute a separate category of bodies creating institutional structure of the European Union to which crucial tasks for the implementation of the AFSJ have been delegated.

The dissertation presents the legal status on 31 December 2015.