

Summary

The main aim of PhD dissertation entitled "Effectiveness of international law in the legal order of the Polish People's Republic" was to examine the impact of international law on the internal legal order of the Polish People's Republic (PRL) and assess previous solutions from the perspective of the current constitution. The side objectives were to show the influence doctrine of international law in the People's Republic of Poland period on the formation of contemporary constitutional norms, as well as the demonstration how political actions influenced the effectiveness of international law in the internal law of the PRL. Contemporary view that international agreements in the PRL were applicable *ex proprio vigore* in internal law, required a deeper analysis in doctrinal and interdisciplinary terms, hence the author decided to take up this subject.

As part of the dissertation, author decided to choose the following research methods: dogmatic, legal-comparative, in historical and geographical perspective, analysis of judicial decisions and statistical method. The analysis of judicial decisions complemented each of these methods perfectly, as well as broadened the theoretical issues analysed earlier.

In the first part of the dissertation, the author decided to apply dogmatic method to be able to compile the analysed issues enable in further parts of it in order to draw conclusions and answer research questions by appropriate application of the historical-legal, analytical and quantitative method. In the final part, a comparative method was used to confirm previously drawn conclusions based on the indicated methods. In the dissertation, results of the research conducted so far were summarized the, and the issues raised by the doctrine and the practice of justice were compared.

The research structure is subordinated to the structure of the dissertation. It consists of an introduction, four chapters and conclusion. In the first chapter, based on a thorough literature review, a chosen conceptual apparatus was introduced regarding the issue of the relation of international law to internal law in relation to the topic of the dissertation. It discusses the basic theories describing relations between two legal systems: internal and international. Methods of including an international standard into the national order were discussed as well. In the second chapter, an outline of

international position of the Polish People's Republic after the Second World War as well as the historical background of the most important events of this period were presented. In the following parts of the chapter the discussion referred to constitutional principles and constitutions applicable after 1944, which was a necessary procedure to draw conclusions based upon historical events. In the third chapter, the author focused on the separation of the theoretical layer based on the constitutional provisions' analysis, as well as practical one through the examination of case law. The chapter begins with discussion on the issue of the effectiveness of international law and the treaty legacy of the Second Republic of Poland in the context of the succession of international obligations. The chapter ends with an analysis of the period of law transformation. In the last fourth chapter, the author combined proposals for views of the doctrine of the communist period with the currently valid mechanisms of international law in the Republic adopted in 1997, thus showing the evolution that has taken place in this matter and the low effectiveness of the mechanism *ex proprio vigore*. In the conclusion part of the dissertation, the final analysis of the subject was made in the context of the research theses taken together with the formulation *de lege lata* and *ex ante* solutions. An unpublished resolution of the State Council and the Council of Ministers of 28 December 1968 regarding the conclusion and termination of international agreements is attached as annex to this dissertation. The text of resolution has been shared with the author in the Legal and Treaty Department of the Ministry of Foreign Affairs.