

Summary of the doctoral dissertation by Michał Janusz Więckiewicz
entitled: “The right to peaceful assembly in Poland and other European countries.
A Comparative Legal Study”

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The doctoral dissertation examines the right to assembly in Poland and selected European countries, focusing on the impact of the case law of the European Court of Human Rights on national regulations. The role of assemblies as a form of expressing collective views in a democratic state governed by the rule of law is crucial, and their organisation requires a chairperson responsible for the course of the event. Public authorities may dissolve an assembly if it poses a threat to the life or health of participants.

The introduction presents the research objective, which is to identify universal normative standards concerning the right to assembly in Poland and Europe. It also defines specific objectives and research problems, such as the analysis of international and national regulations and their impact on the practical exercise of the right to assembly.

The first chapter is devoted to the analysis of regulations concerning freedom of assembly at the international level, including the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the European Convention on Human Rights. It includes a discussion of the conditions that may justify limiting the right to assembly.

The second chapter provides a detailed analysis of national regulations concerning assemblies, discusses the legal context, and examines practical aspects of their organisation and course. It emphasizes the decision-making autonomy of participants and the obligations of state authorities in ensuring protection.

The third chapter analyses regulations concerning assemblies in European Union member states, taking into account differences and similarities in approaches to the right to assembly. It also examines the influence of European Union standards on national legislation.

The fourth chapter presents regulations concerning assemblies in selected European countries that are not members of the European Union. It focuses on differences in approaches to the right to assembly in the context of public safety.

The fifth chapter examines the issue of securing assemblies by law enforcement authorities, including the police, and provides an analysis of the challenges related to ensuring the safety of participants and bystanders, as well as regulations on the use of force.

The sixth chapter discusses situations in which freedom of assembly may conflict with other rights and freedoms of individuals. This analysis highlights the need for equal treatment of different social groups and their rights.

In the seventh chapter, the author reflects on the future of the right to assembly in the context of a changing socio-political environment and the role of technology. Potential directions for reforms in the regulation of assemblies are also examined.

The dissertation employs a dogmatic-legal and comparative legal methodology, which made it possible to identify differences and similarities in regulations concerning assemblies in Poland and other European countries. The research shows that freedom of assembly is a key element of democracy, and its protection requires a balance with public safety.