

REPORT FROM THE SCIENTIFIC CONFERENCE
“CONTEMPORARY CONCEPTIONS OF PROTECTION
OF FUNDAMENTAL FREEDOMS AND RIGHTS”

On June 6–7, 2013, Zieleniec, Poland was the site of a scientific conference dedicated to the theme of contemporary conceptions of protection of fundamental freedoms and rights. The conference, part of a cycle organized by the Faculty of Law, Administration and Economics at the University of Wrocław in conjunction with the Faculty of Law and Administration at the University of Opole, was a continuation of deliberations between representatives of four departments: Constitutional Law, Political and Legal Thought, Theory and Philosophy of Law, and International and European Law. The meeting was held at the initiative of professors Włodzimierz Gromski and Mariusz Jabłoński, and participants came from a wide range of Polish academic institutions.

The conference was addressed to representatives of the academic community involved in the issue of human rights, fundamental rights and protection of freedoms. The objective of the event was to initiate an interdisciplinary dialogue on contemporary conceptions of human rights protection systems and the transformations they are undergoing, as well as to seek solutions that can enhance their effectiveness. A guiding principle of the conference's organization was the sound assumption that the appropriate format and a collegial atmosphere would ensure a good forum for the exchange of views and discussion.

The conference was opened by Prof. Włodzimierz Gromski, Dean of the University of Wrocław Faculty of Law, Administration and Economics. During his speech, he emphasized the importance of seeking a multidimensional viewpoint on the problems currently faced by the legal sciences. Remarks were also delivered as part of the conference's opening panel by Prof. Mariusz Jabłoński from the Department of Constitutional Law, UWr.

The conference was organized into four themed sessions concerning theoretical aspects of protection of the freedoms and rights of the individual, the issue of international standards in protection of the freedoms and rights of the individual, issues concerning national and European Union citizenship in the context of effective protection of freedoms and fundamental rights, and finally, practical aspects of the aforementioned theoretical issues.

The first session, led by Prof. Andrzej Bator (Department of Theory and Philosophy of Law, UWr.), was dedicated to deliberations over theoretical aspects of human rights protection. First to speak was Dr Michał Paździora, who presented considerations on what constitutes a decent society in the context of a negative human rights policy. Dr Maciej Pichlak continued the discussion, focusing on the issue of human rights in collision with the dialectic of otherness in the law. Justyna Jezierska gave a presentation on ethnocentrism in the conflict between Richard Rorty and Clifford Geertz, and its significance for protection of individuals' rights. Next to speak was Jakub Łakomy, who, in presenting the

responsive conception of legal interpretation, attempted to find an answer to the question of whether it constituted an opportunity or a threat to protection of human rights. Łukasz Szymański gave his thoughts on the limits of the state's omnipotence, accompanied by the views of Johnn Finnis on natural law. Rafał Rybicki focused on discussing the role played and influence wielded by human rights in systems of peace. The session was closed by Adam Plichta, who discussed the conception of freedom and its protection in the thought of Mirosław Dzielski.

The second session was led by Prof. Marek Maciejewski from the Department of Legal and Political Thought at the University of Wrocław, with a focus on international standards of protection for the freedoms and rights of the individual. First to speak was Dr Joanna Ryszka, whose presentation focused on the right to strike and on a discussion of the interactions between universal and regional systems of legal protection that take place against the backdrop of that right. Paweł Fiktus then presented issues of significance associated with the ban on slavery in both international and domestic law. Anna Koropczuk posed important questions regarding the justification for the legal force of human rights in the jurisprudence of the European Court of Human Rights, in particular on whether it continues to be based on the concept of natural law, or if it is rather now grounded in the criterion of effectiveness. The next presentation, by Łukasz Stępkowski, also concerned the issue of effectiveness in the context of "European" fundamental rights. This was followed by Aleksandra Spychalska, who focused on the issue of preventing and combating the crime of genocide, at the same time tackling the collision of the normative oeuvre with practice. The session was rounded out with a presentation by Aleksandra Sulima on the guarantees and scope of protection of the rights of children in cross-border criminal proceedings within the European Union.

Professor Krzysztof Wójtowicz (Department of International and European Law, UWr.) led the third of the sessions, which addressed the issue of effectiveness of protections for rights and freedoms in the context of both domestic and European Union citizenship. The session began with a presentation by Dr hab. Robert Grzeszczak, in which EU citizenship was presented in the category of citizenship in the single market, in which the economic aspect plays the role of the connection necessary for applying EU law. Fryderyk Gawron made a presentation on the issue of institutionalizing citizenship and fundamental rights in the European Union. The presentation by Łukasz Duda touched upon the issue of protection of fundamental rights juxtaposed with the competition law regime, examining its influence on the scope of protection afforded the rights of individuals. Maja Zajac attempted to describe the relationship and mechanisms of cooperation between the Court of Justice of the European Union and the European Court of Human Rights in respect of the EU's accession to the European Convention on Human Rights. Hanna Banaś undertook the unusually difficult task of presenting the legal status of an embryo formed as the result of application of the *in vitro* method. Dr Justyna Bazylińska presented the rules for the functioning of an internet-based system for solving transborder consumer disputes, which is based on the application of alternative dispute resolution methods. The session was closed by Prof. Sabina Grabowska and Prof. Mariusz Jabłoński, who made a joint attempt to answer a question of uncommon significance: Is there a collision of duties resulting from domestic citizenship and citizenship in the European Union from the perspective of a citizen of the Republic of Poland?

The fourth and final conference session was led by Dr Hanna Duszka-Jakimko of the University of Opole. The subject addressed in this block concerned practical aspects of protection of fundamental rights and freedoms. Prof. Anna Młynarska-Sobaczewska presented the issue of the legal culture of grievance in Poland, analyzing available legal remedies as well as the perception of rights and freedoms in Polish legal culture. Dr Anna Frankiewicz gave a presentation in which she juxtaposed the three planes of ideas, the law and reality in reference to protection of cultural heritage in Poland, emphasizing the significance of protecting cultural heritage for protecting human rights and freedoms. The following paper was presented by Dr Jakub Kociubiński, who posited that the right of access to services provided in the general economic interest should be counted among the fundamental rights. Dr Agnieszka Malicka dedicated her presentation to an analysis of the conditions of a minor's participation in a medical experiment, focusing primarily on domestic regulations while also accounting for the impact of international regulations. Adam Kupczyk analyzed constitutional and statutory norms guaranteeing protection of the rights of the individual and respect for the rights of all national minorities in the context of Silesian nationality. The presentation of Dominik Góra was dedicated to transformations in the area of human rights as necessitated by technological progress, with particular emphasis on teleinformatics and nanotechnology. Kamila Majchrzak presented issues concerning the protection of private data in cloud computing, indicating the necessity of legislative changes to ensure comparable standards for the protection of data to those in traditional methods of processing. The last presentation, by Dr Monika Haczkowska, summarized the deliberations undertaken during the session and reviewed case studies on the influence of new technologies on human rights protection standards.

The participation of the academic community and an interdisciplinary approach to the issues under consideration ensured that the event was of a particularly high substantive standard. The conference concerning a broad range of issues in human rights protection was a great success, and the conclusions reached during it constitute an excellent starting point for further research work.

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