

Streszczenie pracy doktorskiej /język angielski/

„ EUROPEAN STANDARD OF EQUALITY AND POLISH LAW”

The purpose of this thesis is an analytical attempt that aims to identify the standard of legal protection against discrimination which is common for whole Europe. This standard was identified as a European standard of equality and its roots were sought in correlation of different factors – national and European norms, constitutional traditions of European states, legal cultures of European societies as well as judicial, legislative, doctrinal and interpretive activities and omissions. The goal of the thesis was to demonstrate that the European standard of equality is a complex issue. On the one hand it might be stated that it is universal and guarantees permanence of the protection against discrimination. On the other hand one may say that the standard is relative, because it is shaped dynamically under the influence of social and cultural changes, which constitute the context in which it operates.

For the purpose of this thesis it was assumed that in order to reconstruct the European standard of equality the necessary instruments will be the following: legislative achievements, the practice of usage of the law and interpretation (mainly judicial) of national and European legal regulations. The standard that was sought in the thesis is the one with maximal dimension which guarantees effective protection against unequal treatment on the ground of sex, age, disability, sexual orientation, gender identity, religion, race or ethnic origin. In the thesis the European standard of equality was analyzed in the light of substantive aspect at both EU and Council of Europe level. The author of the thesis made an attempt to identify the presence of the European standard of equality in the Polish legal system and its reconstruction process was based on the normative and judicial deficits. The thesis is aimed also to determine the institutional dimension of the European standard of equality and its reconstruction was based on the legal comparison of legal solutions of selected EU member states against European and international requirements in this field.