

SUMMARY

of professional and scientific accomplishments in the field of legal science, law discipline

[Translation from Polish]

1. **Name and surname: JACEK JANUSZ MROZEK**

2. **The diplomas and academic degrees (with the title, place and year of obtaining and the title of the doctoral dissertation):**
 - Academic degrees:
 - 1) **In legal science in the field of law**
 - awarded by virtue of Resolution of the Council of the Faculty of Law and Administration, University of Warmia and Mazury in Olsztyn from June 15, 2012. The title of the dissertation: *Wolność słowa a prawna ochrona przekonań religijnych. Studium prawno-administracyjne oraz z zakresu ochrony praw człowieka [Freedom of speech and legal protection of religious beliefs. The study in the field of law, administration and human rights protection]*
 - 2) **In theological science in the field of moral theology**
 - awarded by virtue of Resolution of the Council of the Faculty of Theology, Cardinal Stefan Wyszyński University in Warsaw from May 23, 2005. The title of the dissertation: *Apostolstwo świeckich w listach pasterskich Biskupów Łomżyńskich po Soborze Watykańskim II [Lay apostolate in pastoral letters of Bishops of Łomża after the Second Vatican Council]*

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3) In humanities in the field of philosophy

– awarded by virtue of Resolution of the Council of the Faculty of Christian Philosophy, Cardinal Stefan Wyszyński University in Warsaw from June 30, 2004. The title of the dissertation: *Afirmacja życia człowieka w katolickiej etyce społecznej w Polsce okresu międzywojennego* [Affirmation of human being in Catholic social ethics in Poland of the inter-war period]

- Canonical degree:

- 1) Licentiate of Theology – Faculty of Theology, Cardinal Stefan Wyszyński University in Warsaw (2003)

- Professional titles:

- 1) Master of Laws – Faculty of Law, University of Białystok (2005)

- 2) Master of Theology – Faculty of Theology, University of Warmia and Mazury in Olsztyn (2001)

- 3) Licentiate of Theology – Diocesan Theological College in Ełk (1998)

- Postgraduate studies:

- 1) Master of Business Administration (MBA) – Institute of Management, University of Finance and Management in Warsaw (2012)

- 2) International relations and diplomacy – Academy of Foreign Service & Diplomacy, Collegium Civitas in Warsaw and Polish Academy of Sciences (2012)

- 3) Control, supervision and auditing in public administration – Faculty of Law and Administration, University of Warmia and Mazury in Olsztyn (2011)

- 4) Management in light of the experience of the European Union and the United States of America – Collegium of Socio-Economics, SGH Warsaw School of Economics (2000)

- 5) Finance and accounting – Faculty of Economics, University of Białystok (2000)

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3. Employment in scientific and research institutions:

From October 1, 2005 – present

University of Warmia and Mazury in Olsztyn

October 01, 2005 – September 30, 2017

Faculty of Humanities

Institute of Journalism and Social Communication

Assistant Professor

October 1, 2017 – present

Branch Office in Ełk

Department of Administration and Internal Security

Head of the Department

Assistant Professor

From October 1, 2013 – present

Gdańsk School of Higher Education

Branch Office in Olsztyn

Department of Social and Administrative Sciences

Head of the Department

Associate Professor

October 1, 2006 – September 30, 2012

The University of Finance and Management in Białystok,

Branch Office in Ełk;

University of Computer Sciences

and Economics in Olsztyn;

University of Economy in Bydgoszcz,

Branch Office in Ełk

– Lecturer employed on contract of mandate

4. Scientific achievement pursuant to the provisions of Article 16 section 2 of the Act from 14 March 2003 on scientific degrees and titles and degrees and titles in the area of arts (Journal of Laws, 2017, item 1789):

Gwarancje wolności słowa w systemie prawnym Federacji Rosyjskiej [Guarantees of freedom of expression in the legal system of the Russian Federation], Olsztyn 2018, pp. 378, Wydawnictwo Centrum Badań Europy Wschodniej Uniwersytetu Warmińsko-Mazurskiego w Olsztynie, ISBN 978-83-61605-27-0, publishing reviewer rev. prof. dr hab. Wojciech Guzewicz.

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The publication presents basic scope of my research concerning the protection of freedom of expression and functioning of the press law. It introduces a freedom of speech in the legal system of the Russian Federation. The work highlights the results of research in this field carried out by various methods, mainly by the analysis of documents and specialised literature. This analysis was accompanied by a diagnostic survey conducted among residents of the Kaliningrad District of the Russian Federation.

Media in the modern world have enabled communication between individuals and social groups to be hard to imagine a few decades ago. Information and communication technology has become one of the main tools for the development of modern societies based on the exchange of information. Apart from this, open access to information, in particular the freedom of publishing in the world's media, is related to the various threats, as well as possibility of violating the interests of some groups and institutions. In this context, the issue of freedom of expression arises regarding its legal guarantees and constraints, as well as the manner of defining this right and the ability to use it.

Everyone has the right to freedom of expression, including the freedom of views, as well as the freedom to receive and provide the information and ideas without interference of public authorities and regardless national borders. The exercise of these freedoms, imposing duties and responsibilities on citizens, is accompanied by certain formalities, conditions, restrictions or penalties prescribed by law. In a democratic society, they serve to achieve a certain goals: protection of national security, territorial integrity or public safety, prevention of disorder or crime, protection of health and morals, protection of the reputation or rights of others, preventing the disclosure of information received in confidence or maintaining the authority and impartiality of the judiciary.

In 2012 it was published the work of my authorship entitled "Wolność słowa i wolność przekonań religijnych w prawie międzynarodowym i ustawodawstwie wybranych państw" [Freedom of expression and freedom of religious beliefs in international law and the legislation of selected countries]. The publication included two scopes in the context of the discussed topic: 1. freedom of expression and religious beliefs in the United Nations, Council of Europe, European Union and the Conference on Security and Cooperation in Europe; 2. freedom of expression and freedom of religious beliefs in the United States of America, Federal Republic of Germany and France. On the ground of statement regarding difference in interpretation of the freedom of expression

and religious beliefs, as well as their widely acceptance and guarantee, I put focus on two issues. First of all, whether these freedoms could be fully guarantee. Secondly, how to combine other human rights in the legal system with freedom of expression and the freedom of religious convictions. Among other conclusions in the work it was revealed that international law acquis in this field have to be respectable. At the same time, the next conclusion drew attention to the fact that it was not possible to resolve a lot of fundamental axiological and legal controversies related to guaranteeing the freedom of expression, as the implementation of state duties in this area turns differently. Moreover, it concerned three countries for which no one questions the foundations of the legal system and political and legal practice, as well as no one questions that these countries are among the top democracies in the modern world.

The dissertation, "Gwarancje wolności słowa w systemie prawnym Federacji Rosyjskiej" [Guarantees of freedom of expression in the legal system of the Russian Federation], can be considered as a continuation of the work presented above. In the case of modern Russia, we meet with opinions and assessments that question a fully democratic character of this country.

These issues are raised by politicians from the leading countries of Western civilization and by global media, as well as many critical assessments are formulated by international human rights organizations.

The aim of this work is to identify and define the features of regulations regarding the citizens' right to freedom of speech and media freedom (mass media) in the Russian Federation by discussing the following issues:

- features related to exercising the right to freedom of expression in the system of international law (foundations, criteria and limits);
- place and role of freedom of expression in the system of constitutional rights and personal freedoms;
- statutory restrictions on the exercising freedom of expression;
- opinions and proposals of citizens regarding preservation of legal guarantees of freedom of expression by state bodies.

Therefore, the work presents the results of research related to social relations in the context of exercising the right to freedom of expression by citizens of the Russian Federation. The background to the considerations are norms of the Constitution of the Russian Federation, federal laws aimed at guaranteeing citizens the right to freedom of

expression, as well as international experience related to the protection of this right. The work has analytical, synthetic and methodological character. There were used the following methods: analysis and criticism of the literature (sources of law as well as printed and electronic publications), examination of documents (documentoscopy), statistical method (statistical data analysis) and the method of a diagnostic survey using a questionnaire, which was completed by residents of the Kaliningrad District of the Russian Federation.

In terms of the structure, the work consists of an introduction, five chapters, summaries and conclusions, and a list of used literature, tables, graphs, figures and annexes.

The first chapter deals with the issues related to the legal regulation of freedom of expression in the Russian Federation. The guarantees of freedom of expression in the Russian Federation are based on nine basic international and inter-state legal acts in the field of human rights and freedoms:

1. The UN General Assembly Resolution on Freedom of Information (1946);
2. The Universal Declaration of Human Rights (1948);
3. The International Covenant on Civil and Political Rights (1966);
4. The Optional Protocol to the International Covenant on Civil and Political Rights (1966);
5. The Convention on the International Right of Correction (1952);
6. The Convention for the Protection of Human Rights and Fundamental Freedoms (1953);
7. The European Declaration on the Freedom of Expression and Information (1982);
8. The European Convention on Transfrontier Television (1989);
9. The Commonwealth of Independent States Convention on Human Rights and Fundamental Freedoms (1995).

On the basis of the above-mentioned (and other) international legal acts, there have been adopted basic documents regulating human rights and freedoms in the Russian Federation. The most important among them are:

1. The Declaration of Human and Civil Rights in Russia (1991);
2. The Constitution of the Russian Federation (1993);
3. The Law of the Russian Federation on Mass Media, No. 2124-1 (1991);

4. The Law on the Languages of the Peoples of the Russian Federation, No. 1807-1 (1991);
5. The Law of the Russian Federation on State Secrets, No. 5485-I (1993);
6. The Federal Law of the Russian Federation about obligatory copy of documents, No. 77-FZ (1994);
7. The Federal Law on the Procedure for Covering the Activities of Governmental Bodies in State Mass Media, No. 7-FZ (1995);
8. The Federal Law of the Russian Federation on Communications, No. 126-FZ (2003);
9. The Federal Law of the Russian Federation on Trade Secrets, No. 98-FZ (2004);
10. The Federal Law of the Russian Federation about Archiving in the Russian Federation, No. 125-FZ (2004);
11. The Federal Law of the Russian Federation on Advertising, No. 38-FZ (2006);
12. The Federal Law of the Russian Federation on Information, Informational Technologies and the Protection of Information, No. 149-FZ (2006);
13. The Federal Law of the Russian Federation on Personal Data, No. 152-FZ (2006);
14. Federal Law of the Russian Federation on Amendments to Article 148 of the Criminal Code of the Russian Federation and Separate Legislative Acts of the Russian Federation against Offending Religious Feelings of Citizens, No. 136-FZ (2013);
15. Decree of the President of the Russian Federation on Measures to Protect the Freedom of Mass Media in the Russian Federation, No. 2093 (1993).

The above-mentioned legal acts are accompanied by many other documents, decrees of the President, Prime Minister and ministers of government of the Russian Federation.

Russian legislation in the field of human rights and freedoms formally fully complies with the requirements of major international legal acts regarding human rights. Despite the existed norms in Russian legislation that guarantee citizens their rights and freedoms, including freedom of expression, in practice these norms aimed at protecting their rights are violated by both citizens and government bodies. Appropriate examples regarding this issue are highlighted in the analysis.

A handwritten signature in black ink, appearing to be 'A. M. Sely', is located in the bottom right corner of the page. The signature is written in a cursive style with a large initial 'A' and a small '7' above it.

The second chapter of the work concerns the results of the study related to the media functioning that has a great impact on awareness of citizens in Russia. The media mostly belong to the state, while the dominant point of view in the Russian television, radio and press is pro-government. Only a few TV channels and radio stations disseminate the position of the opposition. However, they are under the control of the authorities and do not have a large number of recipients.

An important place in the Russian space of social communication belongs to the Internet, which has until recently constituted a relatively free, easily accessible media to Russians. According to the research, in recent times Russians received most of the news and information through this global network. In 2018, there was a significant change in this area – the Internet has become a subject to government control. Since then, any criticism of the authorities on the Internet can be considered as a crime (also of a criminal nature) and be punished in accordance with Russian legislation. Particularly, two law acts, No. 347-FZ and No. 348-FZ, that were signed on October 2, 2018 and came into force on October 13, 2018, highlight these statements. The work also contains examples of administrative and criminal proceedings for publishing materials on the Internet.

Russian legislation is quite restrictive in relation to foreign agents. There has been created a list of media which obtained a status of foreign agents receiving foreign funding. All of them are continuously monitored by the Federal Service for Supervision of Communications, Information Technology and Mass Media (*Roskomnadzor*) and are under threat of closure or curtailment of activity. Such a policy of the Russian authorities prevents the spread of alternative information and thus restricts the freedom of expression.

The actions of public authorities regarding protection of freedom of expression in the Russian Federation were analysed in the third chapter of the work. The Russian authorities are divided into two groups: the first includes the President of the Russian Federation, the Federal Assembly and legislative bodies of subjects of the Russian Federation, the Government of the Russian Federation and executive bodies of subjects of the Russian Federation, local governments; the second one includes courts, prosecutors' offices, institutions of the Commissioner for Human Rights in the Russian Federation and its entities.

The role of the guarantor of the rights and freedoms of citizens of the Russian Federation, including freedom of expression, is fulfilled by the President. That is why, the major attention is devoted to the comprehensive analysis of actions of the President in the field of protection of human rights and freedoms. The President has unlimited rights in the field of legislative initiative, as well as can raise questions concerning the implementation of constitutional provisions regarding rights and freedoms, including freedom of expression.

Moreover, the third chapter includes an analysis of the Russian judicial system in the field of human rights and freedoms, in particular freedom of expression. It contains examples of judicial practice that let assume that Russia's judicial system at all levels deals with a large number of cases involving violations of freedom of speech. Russian citizens are often not satisfied with court decisions, that is why some of the most serious cases are going to the European Court of Human Rights. These statements allow questioning the effectiveness of Russian courts related to the protection of citizens' rights and freedoms, including the right to freedom of speech, as the court system sometimes takes directly the side of authorities and damaging citizens' interests.

Roskomnadzor is officially responsible for protecting the rights and freedoms of citizens of the Russian Federation and, above all, for protecting the freedom of expression. The analysis of the activities of this body, presented in the third chapter, allows for confirmation the opinion of many Russians that *Roskomnadzor* violates the freedom of expression and the freedom of media.

The third chapter also highlights the activities of the Ministry of Culture of the Russian Federation, an institution that shapes many issues regarding freedom of expression and creativity. Scandals from recent years, related to the restriction of creative freedom, including direct bans on the presentation of films and theatre performances, have made the Ministry of Culture extremely unpopular among Russians. It is considered by many as the "Ministry of Censorship", which limiting the freedom of expression, thought and creativity, prohibiting the activities and promotion of artists' works which tackling issues uncomfortable for officials.

Furthermore, the third chapter deals with the activities of law enforcement agencies (prosecutors, police, investigating authorities, security services, foreign intelligence services, etc.) related to the protection of citizens' rights and freedoms. The powers of these bodies not only allow them to effectively protect the rights and

freedoms of citizens in the context of terrorist and other threats, but also to abuse their position, sometimes unnecessarily restricting the freedom of expression (especially on the Internet). The forces and measures of the bodies of the Ministry of the Internal Affairs, the National Guard and the Federal Security Service of the Russian Federation are also used to protect public order during mass events (for example during meetings and demonstrations). However, if the expression of opinion and opposition slogans during such events is connected with legal consequences for the participants, then we cannot talk about the protection and guarantee of constitutional rights and freedoms (especially freedom of expression). The dissatisfaction of Russians regarding the situation of freedom of speech in the country influenced the assessment of Prime Minister Dmitry Medvedev and President Vladimir Putin, which extremely worsened in 2018.

The fourth chapter of the work presents the restrictions on the freedom of expression in the Russian Federation. The protection of the honour and dignity of citizens as well as the possible limitations of freedom of speech are subject to analysis. The basis for such restrictions is certain provisions of the Civil Code of the Russian Federation and a number of other legal acts. They indicate the inadmissibility of disseminating information that violates the company's reputation; that is false, inaccurate or distorted; that discredits a given economic entity or may cause a material damage. It is unacceptable to publicize inappropriate actions of the citizen that go beyond the personal sphere and affect the interests of all individuals or society as a whole, etc. Any national discrimination or the desire of one country to subjugate another is illegal and unacceptable.

This part of the work also refers to all possible reasons for restricting the rights and freedoms of citizens in the Russian Federation. They have a clearly defined legal basis that is still developing, improving and tightening, despite strong opposition from the West. This results, to a large extent, in restricting the freedom of expressing one's thoughts, freedom of assembly, meetings and demonstrations. This position is attributed by the authorities to the need to protect the sovereignty of the country, as well as to ensure the security of citizens in the face of threats from the West and certain organizations whose activity as a terrorist one is banned in the Russian Federation.

The last chapter is devoted to the attitude of inhabitants of the Kaliningrad District to the issue of freedom of expression in the Russian Federation and in the territory of

the District. The public opinion survey was based on 200 questionnaires that were distributed throughout the region. They contained 22 questions that allowed us to look at the problem from the Russians' perspective. Due to the fact that respondents represented different age groups, rural and urban areas, and different levels of education, the questionnaire may be considered representative and worth presenting in this work.

The main conclusions of the questionnaire analysis are as follows:

- the majority of inhabitants of the region believe that freedom of speech exists in Russia, but is limited (at the same time, the majority of respondents noted that freedom of speech should be guaranteed to every person);
- for the majority of respondents, freedom of expression involves the possibility of publicly expressing public opinion;
- the majority of respondents are free to express their opinions only among family and friends;
- the majority stated the need to take responsibility for the expressed opinion;
- the majority believe that the state limits freedom of speech in the media;
- respondents more highly assessed the freedom of expression on the Internet than in mass media, but a large part of them declare that it is limited even on the web;
- the Internet is the main source of information for the majority of the inhabitants of the Kaliningrad District;
- respondents often question an information received from various sources, while the Internet has the greatest trust among them;
- respondents also noticed that information from the Internet meets their highest expectations;
- the most interesting for respondents is information related to recent facts and events;
- the majority of respondents assessed the level of professionalism of modern media as sufficient;
- at the same time, the majority stated that media do not reflect the views of ordinary people sufficiently;
- the majority noted that there is a need for a more frequent presentation of the standard of living of the population in the mass media;

- according to the respondents, the main disadvantage of modern media is their dependence on power and large business;

- the main wish of the majority of respondents was to make the media independent of the authorities and business environments.

Thus, basing on analysis of the numerous issues related to the freedom of speech and thought in Russia, the following conclusions can be presented:

- freedom of speech in Russia exists, but is somewhat limited by the state;
- the legal basis for freedom of expression in Russia is the fundamental international documents devoted to this issue as well as the Constitution of the Russian Federation together with the relevant legislation based on the standards contained in international legislation;

- guaranteeing the rights and freedoms of citizens of the Russian Federation, including freedom of expression, is the responsibility of the President of the Russian Federation;

- the activities of many state authorities, including law enforcement agencies in the Russian Federation, aimed at protecting freedom of speech, in fact limit it.

Currently there are many problems in Russia related to insufficient regulation of the right to freedom of thought and speech and the lack of effective mechanisms for its implementation. This is accompanied by the need to define clear borders to the freedom of expression so as to avoid abuse. In the last twenty years, Russian society has repeatedly drawn attention to the problem of freedom of thought and speech. First of all, it is caused by the lack of a long-awaited reform of Russian statehood, which results in constant state control over all spheres of social life. Consequently, the former positions and ideas regarding the freedom of thought and speech have become outdated, while new political and legal standards have not yet been developed.

Many Russian scholars have paid a lot of attention to the study of the problem of freedom of expression. Among them such researchers as M.A. Mokoseieva, who analyzed the legal concept, content and principles of implementing a freedom of speech in Russia and other countries, W.N. Kudryavcev, who devoted his research to the problems of citizens' rights and freedoms, including freedom of speech, J.I. Ajkhenvald, L.D. Teplickov, A.B. Ektumajev, M.J. Muratov, W.L. Polakov, A.A. Shcherbovich, E.S. Palcevoj, N.A. Perovoj and others.

The relevance of the discussed issue is concerned the fact that essence of civil rights and freedoms, as well as their social significance, has become to some extent a traditional subject of scholars' interest. Strengthening a specific constitutional law at the national and international level has proved to be insufficient for its effective implementation. Therefore, there is still a need to change public awareness regarding everyday activities of political elites.

It is worth noting that the Polish publishing market lacks legal studies regarding guarantees of freedom of expression in the Russian legal system. Representatives of the Polish legal doctrine are focused mainly on the research of the freedom of speech in other countries like Western Europe or the United States of America (USA). Meanwhile, the research on the socio-political changes in Russia, both in the legal and social spheres, may prove to be very useful in understanding the realities of the Russian Federation and shaping the best possible relations with that country.

5. An overview of other research and scientific achievement:

Other publications in the scope of the legal protection of freedom of expression:

Book publications:

- Jacek Janusz Mrozek, *Źródła prawa prasowego* [*Sources of the press law*], Prawnicze Wydawnictwo Naukowe SUPREMA LEX, Warszawa 2014, pp. 309.

The work presents a mainstream of my research interests. It contains various legal acts relating to the dissemination of information by the media and consists of 2 parts. The first part includes documents of the international law, while the second part contains 23 documents of our country, starting from the Constitution of the Republic of Poland, through the Polish Press Law Act, to the regulation of the National Broadcasting Council. The study is addressed primarily to the students of journalism or media studies, but it can also be used by lecturers, people working in the media, and those who are interested in the functioning of mass media in Poland.

- Jacek Janusz Mrozek, *Prawa i obowiązki dziennikarzy w wybranym orzecznictwie sądowym* [*Rights and obligations of journalists in selected court decisions*], Prawnicze Wydawnictwo Naukowe SUPREMA LEX, Warszawa 2014, pp. 167.

The publication introduces the result of research on the journalist status in Poland. Nobody needs to be convinced that in modern democratic countries media play a very important role, and it is not without reason that journalists are distinguished as representatives of the “fourth power”. Meanwhile, the profession of a journalist is not licensed (such as a teacher, doctor or pharmacist), as well as there are no specific qualification requirements for people undertaking this profession. Everybody who deals with editing, creating or preparing press materials for an editorial office becomes a journalist. Undoubtedly, this profession requires diligence, reliability and accuracy. Because of their shortcomings, some materials go to court. The journalist’s status in Polish reality to a significant extent is regulated by court judgments. The book in an orderly manner presents dozens of such judgments (as well as resolutions and provisions).

- Jacek Janusz Mrozek, *Polskie prawo prasowe okresu międzywojennego* [*Polish press law of the inter-war period*], Wydawnictwo CIVITAS ET LEX, Ełk 2017, pp. 246.

The publication contains 28 legal acts established between November 11, 1918 and September 1, 1939 – 2 Constitutions, 7 Acts, 16 Regulations and 3 Decrees. Half of them were established before 1930. Only three of them are related strictly to the press law, and there is no Act among them. In one from the pre-war encyclopaedias the slogan “Press law” was limited to laconic sentence. In those times, the idea of press law was associated primarily with the scope and nature of censorship. On the basis of contemporary knowledge and a scientific methodology in the field of press studies as well as history and legal theory, a comprehensive study on the subject of the inter-war press law in Poland could be made.

- Jacek Janusz Mrozek, *Prawo prasowe w Polskiej Rzeczypospolitej Ludowej* [*Press law in the Polish People's Republic*], Wydawnictwo CIVITAS ET LEX, Ełk 2018, pp. 314.

The publication, entitled *Prawo prasowe w Polskiej Rzeczypospolitej Ludowej* [*Press law in the Polish People's Republic*], contains a collection of 67 legal acts established between 1944 and 1990. Among them: 1 Constitution, 9 Acts, 19 Ordinances and 10 Decrees, 14 Resolutions, 13 Orders and 1 Instruction. The last legal act which comes from 1990 is the Act of April 11, 1990 on the repeal of the Act on the control of publications and performances, the abolition of the control bodies and the amendment of the Act (Press Law). This document is the last mark of PRL in the media. In this context, a paradox is based on the fact that in a free and democratic Poland the press law is based on the Act of 1984. The analysis of legal acts of the PRL, which even at least partially are related to the functioning of the press in the Polish People's Republic, allows for not only a better understanding of functioning of the totalitarian countries, but also for a better understanding of the universal meaning of the media. The presented collection of documents, which becomes a continuation of research on the press law of the Second Polish Republic, constitutes an incentive and the basis for further research.

Chapters in the collective monographs:

- Jacek Janusz Mrozek, *Prawo do informacji a prawo do prywatności osób publicznych* [*The right to information and the right to privacy of public figures*], [in:] *Media a polityka* [*Media and politics*], eds. A. M. Zarychta, Ł. Donaj, Wydawnictwo Wyższa Szkoła Stosunków Międzynarodowych w Łodzi, Łódź 2007, pp. 315-323.

What is public activity? In the most laconic sense, it is an activity in which the public interest is involved. Interpretation of public activity in such a way allows for determining the public figures as a wide circle of people known for their activity at various levels of political, social, professional, sport and artistic functions. The right to protect private life, family life, honor and reputation and to decide about one's personal life is specified in the Article 47 of the Constitution of

the Republic of Poland. What is privacy? Is it possible to define it as a lack of public interest? How to determine the boundary between the public and private spheres in the life of a public figure? These issues and dilemmas of journalistic work are taken up in an article of the monograph from 2007.

- Jacek Janusz Mrozek, *Wolność komunikacji międzyludzkiej a zagrożenia w dobie globalizacji* [*Freedom of interpersonal communication and threats in the era of globalization*], [in:] *Globalizacja a wolność w XX i XXI wieku* [*Globalization and freedom in the 20th and 21st centuries*], ed. J.J. Mrozek, Wydawnictwo Polskiego Towarzystwa Wschodoznawców, Warszawa 2018, pp. 97 -111.

The monograph from 2018, under my editorship, presents an attempt to analyze and interpret various aspects of globalization in the context of freedom both in the sense of freedom of expression, but also as a right to possess and proclaim religious and political beliefs. The study, *Wolność komunikacji międzyludzkiej a zagrożenia w dobie globalizacji* [*Freedom of interpersonal communication and threats in the era of globalization*], consists of two parts. The first one contains a broad, multidimensional analysis and interpretation of the concept of communication (in relation to information, discourse and dialogue). The second part addressed the problem of threats in the era of globalization, which intensification is largely depends on the development of social communication; here the attention has been focused on the phenomenon of terrorism in the context of mass communication (including the Internet).

Scientific articles:

- Jacek Janusz Mrozek, *Obowiązek opublikowania sprostowania a wolność prasy* [*The obligation to publish a correction and freedom of the press*], „Studia Etckie” 2008 No. 10, pp. 255-273.

The article deals with issues related to the abuse of press freedom. Freedom of the press is the right of journalist to full freedom of expression within the limits set by law, so it ends where lawlessness begins. One of the restrictions on the freedom of the press is the protection of personal rights. According to the

opinion of experts, one of the most important goods protected by the press law is the human right to reliable and truthful information. A serious violation of this right is publication of untrue or inaccurate facts. This dangerous abuse must be accompanied by adequate legal measures, including, in particular, the right to rectification. The issue of rectification is one of the most vital problems in the field of press law, because it concerns both the editorial team and the whole society, and affects the system of their mutual relations. The right to rectification becomes an indispensable condition and an equivalent of press freedom, an indispensable counterweight to its strength. On the basis of numerous examples, the article presents many issues and problems related to the implementation of the right to rectification.

- Jacek Janusz Mrozek, *Prawo do kultywowania pamięci osoby zmarłej a działalność prasy* [*The right to cultivate the memory of the deceased and the activity of the press*], „Studia Łęckie” 2009 No. 11, pp. 165-178.

In line with the title, the article addresses the issue of cultivating the memory of the deceased, and particularly the protection of reputation and honor when the person becomes a subject to press criticism. The article ends with the conclusion: “In the light of the above considerations, representatives of mass media should reflect on the application of the sensible principle: *De mortuis aut bene aut nihil* – Of the dead, say nothing but good”. From today’s perspective, it does not seem easy or simple. Perhaps the most interesting and controversial matter is the case of rev. Jankowski. It began with the publication of a press article, in the next stages we were dealing with demonstrations, the overthrow of the monument, resolutions of the City Council, etc. The article from ten years ago allows for looking at this case (also not a few others) from the lawyer perspective.

- Jacek Janusz Mrozek, *Tajemnica zawodowa dziennikarza i jej ochrona w polskim systemie prawnym* [*Journalist professional secrecy and its protection in the Polish legal system*], „Studia Łęckie” 2009 No. 11, pp. 179-190.

According to the Polish law, we can observe a distinction between state, business and professional secrecy. The state secret is the highest level, including the information which disclosure could jeopardize defense, security or other significant public interests. In the case of journalistic secrecy, it covers business and professional secrecy. Business secrets are related to the employment relationship, while professional one is connected with the profession of a journalist. The institution of a journalistic secrecy has old roots. In Poland it goes back to the partition times, but its legal regulation took place only in the currently binding press law. The article highlights an in-depth analysis of the essence, understanding and application (ways of exercising) of the journalistic secrecy.

- Jacek Janusz Mrozek, *Prawne i etyczne ograniczenia wolności słowa [Legal and ethical restrictions on freedom of expression]*, „Studia Łódzkie” 2012 No. 14, pp. 361-372.

The article contains a detailed analysis of the circumstances and conditions limiting the freedom of expression. The key concept and institution associated with the legal restriction on freedom of expression is censorship. Its history goes back to antiquity. In Poland it was founded in the sixteenth century. Legal restrictions on the freedom of expression should meet three criteria: purposefulness, legality and necessity. The first one states that restrictions on the freedom of expression are justified only if they serve to ensure the protection of values set out in the law. The requirement of legality should be understood as the compliance of the restrictions with the law. On the other hand, the criterion of necessity assumes the existence of an important social need requiring the limitation of the expression.

Censorship in Poland was abolished by the Act of April 11, 1990 on the repeal of the Act on the control of publications and performances, the abolition of the control bodies and the amendment of the Act (Press Law, Journal of Laws No. 29, item 173). The prohibition of censorship has been introduced by Article 54, section 2 of the Constitution of the Republic of Poland of April 2, 1997.

Currently, ethical considerations determine the restrictions on freedom of speech. Journalist associations have established their own deontological

regulations, a kind of ethics in the journalist profession. However, their violation has no legal sanctions.

- Jacek Janusz Mrozek, *Przestępstwo pomówienia (znieśławienia) w teorii prawa karnego materialnego* [An offense of libel (defamation) in the theory of substantive criminal law], „Studia Elckie” 2012 No. 14, pp. 525-539.

The article presents an attempt to analyze the offense of libel (defamation), referred to the Article 212 of the Criminal Code. At the beginning, it was discussed the object of protection against slander, which includes the reputation of a person, a group of persons, an institution, a legal person or an individual without legal personality. Informally, libel is understood as a synonym of false accusation, slander, that is, deliberate, unwarranted attribution to person a bad, socially condemned, compromised behavior that did not really take place. The article also contains an investigation of concepts related to this crime and reflections on its various circumstances, on the procedures of law enforcement and circumstances excluding the perpetrator's criminal liability.

- Jacek Janusz Mrozek, *Rozważania prawne wokół pojęcia „wolność słowa”* [Legal considerations of the concept of “freedom of speech”], „Media. Kultura. Komunikacja Społeczna” 2012 No. 8, pp. 157-163.

The subject of the article is the legal aspects related to the concept of “freedom of speech”. At the beginning, the very concept of “freedom of speech” was discussed and various aspects of this concept were analyzed. In the light of this, the subject of freedom of expression was undertaken, expressing the possibility of free search, receiving, expression and dissemination of ideas and information through gestures, as well as spoken, written, electronic media and works of art. In the next part of the article, the topic of press freedom was highlighted. It is defined as all possible means of communication created along with the development of technology. The freedom of press in this sense is connected with the right of citizen to reliable information, that is why, it should correspond to the standards of truthfulness, fairness, fairness, integrity and responsibility. The article enables

people interested in freedom of speech to become acquainted with terminology and various concepts regarding this notion.

- Jacek Janusz Mrozek, *Prawne źródła wolności słowa w Polsce [Legal sources of freedom of expression in Poland]*, „Studia Prawnoustrojowe” 2013 No. 22, pp. 281-287.

The article presents the next approach to the extensive and complicated matter of freedom of expression. The study is focused on the development of the concept of freedom of speech. The classic view for defense of this freedom can be found in the writings of J. Locke, A. de Tocqueville and J. S. Mill. After studying the views of thinkers, there were presented legal acts in force relating to the freedom of speech in the First and Second Polish Republic, the Polish People's Republic, and nowadays (the so-called Polish Third Republic). The article gives an insight into the philosophical foundations and legal tools for the protection of freedom of expression in Poland (and to some extent in the world) and helps to better understand the essence and importance of protecting freedom of speech.

- Jacek Janusz Mrozek, *Podstawowe zadania rzecznika prasowego jednostki administracji rządowej [The basic tasks of the spokesperson of the government administration unit]*, „Civitas et Lex” 2015 No. 1, pp. 31-39.

The article aims to introduce the basic tasks of spokesperson of the government administration units in the light of implementing and creating to a different degree the information policy of the Prime Minister, the Government, individual ministers and Voivodes. The article contains an analysis of legal and ethical norms defining the duties of the spokesperson, as well as the threats related to the performance of these duties. In the current conditions of the extending role of the media, rapid flow of information, development of political marketing and various treatments regarding the so-called image of people and institutions, the role of the spokesperson becomes more important and more complicated. Moreover, the study is focused on the spokespersons of the government of the Polish People's Republic and the Polish Third Republic (as well as the President of the Republic of Poland).

- Jacek Janusz Mrozek, Magdalena Golińska-Konecko, *Przestępstwo stalkingu wobec osób powszechnie znanych* [*The crime of stalking against well-known people*], „Media. Kultura. Komunikacja Społeczna” 2015 No. 2, pp. 73-83.

The article presents an attempt to analyze the crime of persistent harassment in criminal law, as well as to show its causes. The spread of this phenomenon is favored by dynamically developing social communication technologies, including the Internet and mobile phones. The authors introduce examples of harassment of well-known (media) people, including the “stalked” journalist for many years from Olsztyn, pointing out on the ineffectiveness of law enforcement and judicial authorities. Regardless of the reasons for such a state of affairs (e.g. imprecision of legal regulations, excessive number of cases, insufficient staffing of prosecutors and courts, as well as inconsistency of the opinion of court experts), stalking is becoming an increasingly serious social problem. Limiting the state only to penalizing this phenomenon seems to be a mistake. Effective counteraction this evil requires the cooperation of many specialists as well as interdisciplinary actions.

- Jacek Janusz Mrozek, *Wolność słowa w amerykańskim systemie prawnym* [*Freedom of expression in the American legal system*], „Przegląd Geopolityczny” 2015 tom 14, pp. 159-168.

The United States of America are regarded as a state of extraordinary, best-developed and protected freedom of expression and religious belief. That is why it is worth studying American legal solutions, but also everyday practice in this area. The article introduces an attempt to analyze both constitutional provisions and court decisions. Freedom of expression and religious beliefs in the United States is guaranteed by the first amendment to the United States Constitution. Meanwhile, the first amendment does not protect all types of statements. Outside of its scope are: incitement to crime, fighting words, defamation, obscene statements and child pornography. There is also a category of statements protected to a lesser extent, e.g. advertising. The strongest protection belongs to political statements and criticism of authorities and public officials.

- Jacek Janusz Mrozek, *Odpowiedzialność karna za przekroczenie granic wolności wypowiedzi* [*Criminal liability for going beyond the bounds of freedom of expression*], „Civitas et Lex” 2017 No. 1, pp. 7-20.

The article contains an analysis related to the problem of criminal liability for going beyond bounds of freedom of expression, such as criminal defamation (libel), insults and offenses of religious feelings. The analysis of particular crimes includes features indicating the type of prohibited act, the threat of punishment and the way of prosecution. Freedom of expression has been secured by the criminal provisions defining press crimes, which are carried out by press (radio, television, Internet, etc.) by publishing press material that violates its borders. Journalists play a special role in maintaining the appropriate standards. Their ethical duty is to seek and present the truth in a manner strictly related to the legal requirements providing legal liability for publishing false information. Journalists should act carefully (accurately, diligently, truly, deliberately, eagerly, and with attention to details) and honestly (fairly, reliably, compulsorily, specifically, with responsibility for the word), not to defame, insult or violate religious feelings of anybody. It is also worth emphasizing that the state provides citizens with a wide range of rights in the sphere of freedom of expression. Criminal law safeguards freedom of expression and religious freedom. However, neither the tolerance of the state is unlimited, nor do unlimited human and civil rights in the field of freedom of speech.

- Jacek Janusz Mrozek, *Prawno-administracyjne determinanty funkcjonowania radiofonii i telewizji w Polsce* [*Legal and administrative determinants of the functioning of radio and television in Poland*], „Civitas et Lex” 2018 No. 4, pp. 29-42.

The article aims to define legal and administrative conditions for radio and television broadcasting in Poland by public network. The analysis of the issue covered a wide range of issues: statutory tasks of public radio and television, the system of radio and television broadcasting, organization of radio and television companies, including their management and supervisory boards, advisory and consultative bodies (program councils). The article also closely presents issues related to the National Council of Radio and Television Broadcasting (appointment

and dismissal of members, principles of activity and law-making). The study includes dozens of regulations related to the functioning of the media market in Poland – on the date of article (2018).

Editorship of the collective monographs:

- Jacek Janusz Mrozek (ed.), *Aktualne problemy społeczne a prasa* [*Current social problems and the press*], Prawnicze Wydawnictwo Naukowe SUPREMA LEX, I edition, Warszawa 2014, pp. 146.

What issues are related to “current social problems” in the title of the monograph, what they can include? What moves a contemporary Polish society and divides it. These problems touch upon euthanasia, *in vitro* fertilization, homosexuality, marital infidelity, contraception, marijuana legalization and freemasonry. These controversial topics are reflected in press publications. According to the quite common opinions, the so-called mainstream press has a left-wing, progressive, modern, liberal attitude to the above disputed issues, and is involved to the one side of the dispute. Is this really the case? This was verified by research carried out by young journalists, studying this discipline at the University of Warmia and Mazury in Olsztyn. The results of this study are presented in the monograph.

- Jacek Janusz Mrozek (ed.), *Prawne i etyczne problemy zawodu dziennikarskiego* [*Legal and ethical problems of the journalistic profession*], Prawnicze Wydawnictwo Naukowe SUPREMA LEX, I edition, Warszawa 2014, pp. 134.

The collection contains articles of the students of journalism at the University of Warmia and Mazury in Olsztyn. The reader of the monograph has the opportunity to become acquainted to the effects of their University education in several dimensions: intellectual, workshop and ethical dimension. Students of journalism take on some problems related to their future profession. They address the question whether the journalist is a subject to market rules as a kind of participant in the “information trade”, what is the limits and independence of journalism, independence of press publishers, radio and television programs, how

to understand freedom of speech and whether it can be limited. Student articles touch upon such matters as legal foundations of journalistic photography, wartime photojournalism, investigative journalism, protection of personal rights in judicial disputes, rewarding of journalists. All the discussed areas contain specific threats which could be overcome by knowledge, skills and especially a properly shaped professional attitude. Additionally, I would like to admit, that working with such students, the authors of the articles included in the monograph, raises satisfaction and hope.

Joceh James Mvozek