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**Summary of the doctoral dissertation entitled: “Rights of Persons Deprived of Liberty in the Light of International Human Rights Law and the Jurisprudence of International Courts”**

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The primary objective of this dissertation is to present the issue of the protection of the rights of persons deprived of liberty in the light of international human rights law and the jurisprudence of international courts. The analysis covers legal regulations concerning the rights of persons deprived of liberty. The dissertation takes into account both norms of hard law (conventions, covenants, and treaties) as well as instruments of soft law, which co-shape the international system of protection of individual rights in conditions of deprivation of liberty. In addition to presenting the normative foundations of protection, the study also includes an analysis of the functioning of international mechanisms designed to enforce these rights in practice. An integral part of the dissertation is also an examination of the case law of international courts, which play a key role in interpreting standards of protection of persons deprived of liberty. In addition, issues concerning the situation of persons deprived of liberty during armed conflicts are considered in relation to standards derived from international humanitarian law. In this way, the dissertation constitutes an attempt at a comprehensive presentation of the issue of human rights protection in the context of detention, both in peacetime and in conditions of armed conflict.

The choice of the topic was motivated by the lack of a comprehensive study addressing the protection of the rights of persons deprived of liberty within international human rights law. Existing literature focuses primarily on the protection of these rights within the framework of the Council of Europe human rights system.

The main research thesis assumes that both in the regulations of individual international human rights protection systems and in the jurisprudence of international courts, the special role of rights guaranteed to persons deprived of liberty is emphasized, which directs the development of international legal standards towards comprehensive protection of this group of individuals.

Five specific theses were formulated in support of the main thesis, corresponding to the individual chapters of the dissertation. First, the United Nations has played a fundamental role in shaping universal standards of human rights protection, creating a basic global catalogue of human rights. At the same time, the effectiveness of this system remains limited due to its political nature, as it is largely based on intergovernmental dialogue and reporting mechanisms whose effectiveness depends on the willingness of states to cooperate. Regarding regional systems, the most developed is the Council of Europe system, while the American and African systems are less developed, and in Asia and the Middle East human rights protection initiatives remain fragmented.

Second, universal and regional regulations of international human rights law create a complementary system for the protection of persons deprived of liberty, consisting of legally binding norms and soft law standards. It should be noted that conventions concerning the prohibition of torture and non-binding penitentiary standards are of particular importance in defining standards of treatment of persons deprived of liberty.

Third, persons deprived of liberty are entitled to the following rights: the right to life, the prohibition of torture and inhuman or degrading treatment or punishment, the right to humane treatment during imprisonment, the right to communication with the outside world, the right to religious practice, the right to marry, and the right to participate in elections, as well as procedural guarantees arising from the right to lawful deprivation of liberty and the right to a fair trial. International human rights conventions formulate these rights in rather general terms; therefore, soft law norms play an important role in their clarification.

Fourth, mechanisms for the protection of the rights of persons deprived of liberty include both judicial procedures, such as the possibility of submitting individual complaints to international bodies and courts, as well as non-judicial mechanisms involving monitoring of detention conditions, reporting, and issuing recommendations by specialized international bodies. In practice, the most effective protection is provided within the Council of Europe human rights system, where, alongside the possibility of submitting individual applications to the European Court of Human Rights, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment also operates, conducting visits to places of detention.

Fifth, the jurisprudence of international courts, in particular the European Court of Human Rights, plays a key role in the development of the rights of persons deprived of liberty and in establishing standards for their practical protection. The analysis of international case law allows for the identification of recurring violations of individual rights, clarification of the scope of state obligations, and the development of interpretative guidelines for law and penitentiary practice.

The adopted research theses require answers to a number of research questions, the most important of which are: How did the universal system of human rights protection and regional human rights protection systems develop? Which regulations within universal and regional human rights systems relate to the protection of persons deprived of liberty? What substantive and procedural rights are granted to persons deprived of liberty under international human rights standards? What are the mechanisms for protecting the rights of persons deprived of liberty in the universal and regional systems, how do they function, and what is their effectiveness? To what extent does the jurisprudence of international courts influence the shaping of standards for the protection of persons deprived of liberty?

The achievement of the assumed objectives of the dissertation determined its structure. The dissertation consists of an introduction, five chapters: Chapter I “Human rights – origin

and evolution”, Chapter II “Regulations of universal and regional international human rights law concerning persons deprived of liberty”, Chapter III “Rights of persons deprived of liberty”, Chapter IV “Mechanisms for the protection of the rights of persons deprived of liberty”, Chapter V “Selected case law of international courts in cases concerning persons deprived of liberty and its impact on law and penitentiary practice”, and a conclusion.

The study employs legal-dogmatic, historical-legal, and comparative methods. Within the legal dogmatic method, sources of international law, case law of international courts, as well as decisions and recommendations of other international bodies concerning standards of protection of persons deprived of liberty were analysed. The historical-legal method was used to examine the origins and evolution of regulations concerning the protection of persons deprived of liberty, while the comparative method enabled the comparison of solutions within universal and regional human rights protection systems. This analysis made it possible to clearly define the essence and scope of the rights of persons deprived of liberty, as well as the role of applicable regulations in their practical implementation. Furthermore, the discussion was supplemented with examples from state practice and doctrinal views.

The analysis of the issues discussed was conducted on the basis of both Polish and English-language academic literature, which enabled a comprehensive and multifaceted approach to the subject matter. The views of legal scholars allowed for a reliable assessment of existing legal solutions, while source materials enabled an evaluation of their practical application. The presentation of international standards for the protection of the rights of persons deprived of liberty, based on an analysis of international human rights law norms and the case law of international courts, made it possible to achieve the aim of the dissertation and verify the main thesis and five specific theses. Observations, remarks, and conclusions arising from the analysis are presented both at the end of individual chapters and in the final part of the dissertation.