Appendix No. 4

SUMMARY OF ACADEMIC ACCOMPLISHMENTS

1. Name and surname: Marek Kulik

2. Diplomas and academic/artistic degrees held, specifying the year and place of obtainment and the title of the doctoral dissertation:
1994–1999 – Studies at the Maria Curie-Skłodowska University in Lublin, Faculty of Law and Administration, field of study: Law
1994–1999 – Master's degree examination at the Maria Curie-Skłodowska University in Lublin, Faculty of Law and Administration, field of study: Law, grade: very good
2004 – defence of a doctoral dissertation: "Criminal liability for the criminal offence and the petty offence of destruction of, damage to, or rendering unfit for use another person's property in Polish law". Supervisor: prof. dr hab. Marek Mozgawa, reviewers: prof. dr hab. Oktawia Górniok, dr hab. Ryszard A. Stefański

3. Information on employment in academic/artistic entities:
1 October 1999 – junior lecturer at the Unit (Department) of Comparative Criminal Law of the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin
1 February 2005 – adjunct professor at the Department of Comparative Criminal Law (Criminal Law and Criminology) of the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin

4. Specification of the achievement specified in Article 16.2 of the Act of 14 March 2003 on Academic Degrees, the Academic Title, and the Title in Arts (Dz. U. No. 65, item 595, as amended):

a) Author(s), title(s) of publication(s), year of publication, publisher:

Marek Kulik, Prescription of criminal liability and prescription of carrying out the penalty in Polish criminal law, Warsaw 2014, CH Beck, 757 pages.

b) Description of the academic/artistic purpose of the said work(s) and the results achieved, including a description of their potential use

The subject of the dissertation is the prescription of criminal liability and the prescription of carrying out the penalty. These issues are of theoretical and practical significance, but have not been extensively elaborated on in academic literature. A comprehensive monograph of the institution of prescription was produced in 1972 (K. Marszał). Recently, a monograph by K. Banasik, which was produced at the same time as this dissertation, was published. However, it is largely focused around foreign (Austrian, English) regulations. This monograph is an attempt at investigating all of the aspects of prescription in Polish law. Its purpose is to evaluate the legal nature and structure of prescription of criminal liability and prescription of carrying out the penalty, to carefully analyse the applicable Polish legal regulations (with reference to constitutional and international regulations), to settle the fundamental problems with respect to interpretation, and to formulate *de lege ferenda* conclusions in terms of the institution of prescription. Considering the similarities between the law of petty offences and the law of criminal fiscal offences on the one hand and the criminal law on the

other hand, as well as their related natures, separate conclusions were drawn with respect to prescription in these branches of law. Considering the need to specify the manner of practical functioning of the provisions regarding prescription, the dissertation contains a short analysis of the body of rulings of common courts in the area of prescription of criminal liability between 2006 and 2010. The dissertation is not a comparative one. However, in order to locate Polish legal regulations on prescription in a wider context, the regulations in terms of prescription in the selected European countries are discussed, as well.

The dissertation comprises an introduction, 13 chapters, and a conclusion. Chapter I is dedicated to the development of the institutions of prescription of criminal liability and the prescription of carrying out the penalty in the history of criminal law. Chapter II discusses the issues related to justifying the existence of the institution of prescription in criminal law. Chapter III contains an analysis of the legal nature of prescription. Considering the practical importance of the amendments to the regulations on prescription, in particular in terms of prescription of criminal liability, a separate Chapter IV is dedicated to the issue of normative changes. Chapter V is dedicated to the nature of the periods of prescription, their length, and the manner of calculating them. Chapter VI covers the issue of determining the beginning of the period of prescription. Chapter VII covers the issues of extending the prescription period (including interruptions and suspensions). A separate Chapter VIII is dedicated to the criminal offences the institution of prescription does not apply to. Considering the specificity of punitive measures, preventive measures, and measures used with respect to juveniles, these issues are separately discussed in Chapter IX. Chapter X is dedicated to the legal consequences of the lapse of the prescription period for criminal liability and the prescription period for carrying out the penalty in view of the substantive and procedural law. Prescription in the law of petty offences and the criminal fiscal law is the subject of Chapter XI. Chapter XII covers a short analysis of statistics in terms of the application of the provisions on prescription of criminal liability by courts adjudicating in the first instance in criminal cases between 2006 and 2010. Chapter XIII covers a presentation of criminal law regulations in terms of prescription in selected European countries.

The historical development of prescription in criminal law allows for the view that this institution, adopted from civil procedure, had for a very long time been of purely procedural nature and was justified as such. However, with time, in some legislations, including the Polish legislation, it started to develop a substantive nature. At the same time, a difference started to arise between the two forms of prescription. The prescription of criminal liability was transformed into an institution of substantive law, while the prescription of carrying out the penalty remained a procedural institution (a negative premise in enforcement proceedings), even though the purposes of both forms of prescription are defined in substantive law. This leads to the conclusion that there is no one

institution of prescription divided into two sub-institutions (prescription of criminal liability and prescription of carrying out the penalty) and the evaluation of its legal nature (whether substantive or procedural) is arguable. I consider the view (so far not represented in academic literature) that under Polish legal regulations there exist two related, but structurally separate institutions in the form of prescription of criminal liability and prescription of carrying out the penalty to be legitimate. Prescription of criminal liability is an institution of substantive law, while prescription of carrying out the penalty is an institution of procedural law. This conclusion is the point of departure for further analysis. Irrespective of the above, both types of prescription can be considered to be justified by issues following from substantive law, which, however, does not determine the evaluation of the legal nature of prescription. This is because legal nature is a function of the manner of regulating a given institution.

Further, it was necessary to evaluate the issue of existence or non-existence of the right of prescription, which, in turn, is of fundamental importance in determining how to evaluate the normative changes to the provisions on prescription. Unlike most of the academics and contrary to the body of rulings, I am of the opinion that the right of prescription does exist, following from the principle of the citizens' trust for the state, the principle of *nulla poena sine lege* (which follows from the principle of *nullum crimen sine lege*), and, together with these principles, indirectly, from the principle of a democratic state of law. The fact that the Constitution of the Republic of Poland specifies exceptions from this right in Articles 43 and 44 which limit or exclude prescription of criminal liability with respect to certain categories of criminal offences specified in these Articles is of importance, as well. However, I am against binding the right of prescription with the principle of protection of acquired rights, since this principle is irrelevant for prescription if the prescription period has not lapsed yet. At the same time, I am of the opinion that the right of prescription is not an absolute right, but is subject to limitations like every other right specified in the Constitution. The manner of limiting the right of prescription is specified in Article 31.3 of the Constitution of the Republic of Poland. As an exception, it is possible to extend the prescription period, or even to exclude prescription of criminal liability with respect to criminal offences committed prior to the legal act that introduces such an amendment coming into force. This is possible in the cases that, in principle, are specified in Articles 43 and 44 of the Constitution of the Republic of Poland, as these are exceptional cases and – as I attempted to demonstrate above – justified in a democratic state of law, hence not violating the standards of such a state. With respect to non-prescription of crimes against humanity and war crimes, the Constitution of the Republic of Poland does not create a new standard, but only confirms the pre-existing legal status. Still, it must recognise that this is a fundamental principle of criminal law that has always existed and that was confirmed and not introduced by the relevant norms of international law. The prescription of criminal liability for

crimes against peace is an additional issue. It seems that the regulations on non-prescription of crimes against peace cover only the acts committed after the given regulations have come into force, excluding prescription with respect to them. The issue of normative changes in terms of prescription of carrying out the penalty is less problematic. Since it has been adopted that the regulations of Polish criminal law in this respect are of procedural nature, the issue of normative changes gives no rise to the complications existing in prescription of criminal liability. I adopt that extension of prescription periods is always possible, provided that prescription has not occurred yet. The adoption of the assumption that prescription of criminal liability is of substantive nature, and prescription of carrying out the penalty is of procedural nature, results in that I am of the opinion that prescription periods for criminal liability are substantive, while prescription periods for carrying out the penalty are procedural and firm. With respect to calculating prescription periods for criminal liability, I adopt the *computatio naturalis* method as the correct one, and with respect to prescription periods for carrying out the penalty – the *computatio civilis* method, although it must be noted that the application of either of the methods will produce similar practical outcomes.

I share the universally accepted view on the legitimacy of making the length of the prescription periods conditional on the gravity of the statutory penalty. *De lege ferenda* doubts are raised by the existence of shortened prescription periods for private-prosecuted criminal offences. I support the liquidation of the one-year time limit for the aggrieved party and the liquidation of the existing difference in terms of the length of prescription periods for public-prosecuted and private-prosecuted criminal offences. As a compromise, I propose the possibility of replacing the one-year prescription period for criminal liability with a procedural time limit after the lapse of which the aggrieved party cannot file a private complaint. Such a time limit would be final. Its lapse would result in impossibility of filing a complaint, but would not result in prescription of criminal liability, which would mean that the indictment could be filed by the prosecutor.

With respect to prescription of carrying out the penalty, most doubts concern the manner of specifying the prescription period for an aggregate penalty. The interpretation of the regulations leads to a conclusion that prescription applies not to the aggregate penalty, but the particular penalties on the basis of which the aggregate penalty was imposed, with all consequences following from this fact. I am also of the opinion that subsequent modifications of the adjudicated penalty do not affect the length of the prescription period for carrying out that penalty.

In principle, the prescription period starts to run at the moment of the commission of the criminal offence, and in the event of criminal offences consisting in the occurrence of a consequence – at the moment this consequence occurs. This rule produces a number of doubts as to the details. Chapter VI covers those doubts. I adopt that in the event of a prescription period running from the moment of commission of a criminal offence, the period starts not at the moment of

commission, but at the moment of completion of a given act, which is especially important for criminal offences the commission of which is spread over a period of time. Additional doubts arise with respect to criminal offences perpetrated at various stages of offence and accessory liability. Prescription of criminal liability for private-prosecuted criminal offences has two periods; their beginnings are defined independently and they run independently, as well. While the three-year period raises the same doubts as the other criminal offences, the one-year period runs from the moment the aggrieved party learned of the person of the perpetrator. This causes additional problems, e.g. whether a prosecutor acting following the procedure specified in Article 60 § 1 of the Code of Criminal Procedure is bound by the one-year period. Even though it would probably be beneficial, from the point of view of the political aspects of criminal law, to assume that the prosecutor is not bound by this period, the wording of the regulation leaves no doubt as to the prosecutor being bound by this period. This gives rise to a number of practical problems. Chapter VI offers an attempt to solve these problems.

The beginning of the prescription period for the criminal offences specified in Article 9 § 1 of the Act – Provisions Introducing the Criminal Code and Article 4.1a of the Act of 18 December 1998 on the Institute of National Remembrance – Commission for the Prosecution of Crimes Against the Polish Nation is a separate issue. Article 9 § 1 of the Act of 20 March 1997 – Provisions Introducing the Criminal Code specifies the beginning of the prescription period for intentional criminal offences against life, health, freedom, and the justice system subject to a penalty of imprisonment of more than 3 years that were committed by public officials between 1 January 1944 and 31 December 1989, in the course of or in connection with performing their functions, to be 1 January 1990. I consider this regulation to be justified and the specification of the beginning of the prescription period to be clear. However, the specification of the exact criminal offences covered required a deeper analysis.

The only difficult issue related to the beginning of the prescription period for carrying out the penalty was the case of a an aggregate judgment. I adopted that the moment of the aggregate judgment becoming final and binding is irrelevant. The provision requires that the prescription period runs from a judgment of conviction becoming final and binding, and the aggregate judgment is not such a judgment. Therefore, the prescription period runs from the moment of the judgments regarding the constituent penalties becoming final and binding.

The issues related to the extension of the prescription periods, as analysed in Chapter VII, are highly complex. An extension of a prescription period is a result of an interruption to its running, its suspension, or an extension with respect to certain criminal offences against sexual freedom and decency committed aggrieving a minor. Prescription periods for criminal liability are extended by means of instigating preparatory proceedings against a person, provided that this

person is the actual perpetrator, and only with respect to the person against which proceedings has been instigated. Therefore, an issue that required a detailed analysis was the determination of the moment of instigating proceedings against a person, which is a controversial issue among the academics. Instigation of proceedings against a person takes place at the moment of issuing a decision on presenting charges on the basis of Article 313 § 1 of the Code of Criminal Procedure; in the case of examining a suspect – if the examination is started with informing the suspect of the contents of the charge entered in the minutes of the examination (Article 325g §§ 1 and 2 of the Code of Criminal Procedure in conjunction with Article 71 § 1 of the Code of Criminal Procedure); and in the case of accelerated proceedings with a suspect examination by a prosecutor under Article 517b § 5 of the Code of Criminal Procedure – prior to directing the case to a court. The principal form of instigating proceedings against a person is the issuing of a decision on presenting charges, by which I understand producing the decision, publishing it, examining the suspect instructing him or her that he or she has the right to be orally presented with the bases of the charges, and producing, at the request of the suspect, a written justification of the decision and delivering it to the suspect. However, this general principle needs to be supplemented with the complications following from the cases of extending the scope of indictment, a Polish authority taking over the prosecution, and the specific rule related to instigating proceedings against a person in cases for private-prosecuted criminal offences, both in the typical manner and resulting from an intervention of a prosecutor.

A suspension of the prescription period means that in spite of the occurrence of the circumstances starting the running of the period, it does not run due to circumstances justifying its suspension. The suspension of the prescription period should in each individual case be calculated in a procedural manner, in accordance with the *computatio civilis* method, from a day to a day (*dies a quo*), even if suspension covers a prescription period for criminal liability. The normative bases for suspension are Articles 44 of the Constitution of the Republic of Poland and Article 104 § 1 of the Criminal Code. In specifying certain categories of criminal offences subject to prescription, Article 44 of the Constitution does not contain a division into prescription of criminal liability and prescription of carrying out the penalty. The understanding of 'criminal offences not prosecuted for political reasons', as used in this provision, is unclear. Also Article 104 of the Criminal Code covers both prescription of criminal liability and prescription of carrying out the penalty, which is confirmed by using the term 'prescription' with no further specification. Pursuant to this provision, the suspension of the running of the prescription period may be caused by circumstances the occurrence of which is specified in statutory provisions as preventing instigation or continuation of criminal proceedings. This means that the impediments are of legal and not factual nature. By legal impediments I understand not only those that result in a necessity of discontinuing criminal

proceedings, but also those that are a basis for suspending it. This does not mean that suspending criminal proceedings is a basis for suspending the running of the prescription period for criminal liability. This only means that some impediments in carrying out proceedings may be a basis for its suspension, at the same time resulting in a suspension of the running of the prescription period for criminal liability. The suspension of the prescription period for criminal liability is caused by the reason specified in Article 17 § 1.8 of the Code of Criminal Procedure (the perpetrator not being subject to the jurisdiction of Polish criminal courts). The effect of the reason specified in Article 17 § 1.10 of the Code of Criminal Procedure (other circumstances excluding prosecution) on the prescription period cannot be clearly determined since the nature of this reason is imprecise. In the case of a private-prosecuted criminal offence, the lack of a complaint from an entitled accuser does not result in a suspension of the prescription period for criminal liability. In the event of lack of complaint from the entitled public prosecutor, the prescription period for criminal liability is not suspended in the period between the closing of the investigation or probe and the filing of the indictment to a court. Even if the indictment is returned to the accuser under Article 337 of the Code of Criminal Procedure to be supplemented, the prescription period for criminal liability keeps running. The situation is similar in the event of the case being returned to the prosecutor in order to supplement material deficiencies in preparatory proceedings (Article 345 § 1 of the Code of Criminal Procedure) and in the event of the case being returned in order for such deficiencies to be supplemented when they are discovered only in the course of a court trial (Article 397 § 1 of the Code of Criminal Procedure). The lack of a request for prosecution does not result in a suspension of the running of the prescription period for criminal liability. However, the lack of permission for prosecution does result in a suspension of running of the prescription period. This issue is related to the question of formal immunities. The suspension of the running of the prescription period for criminal liability may be related exclusively to the existence of a formal immunity that is at the same time impermanent. If the perpetrator commits the act when already protected by immunity, the running of the prescription period is suspended from the moment of committing the criminal offence, and if the perpetrator was covered with this protection later, then from the date of being covered with the protection. The running of the prescription period is suspended until the end of protection under immunity. A separate basis for suspension of the running of the prescription period is specified in the Act of 22 April 1964 on Suspending the Running of the Prescription Period with Respect to the Perpetrators of the Most Serious Nazi Crimes Committed During World War II. Pursuant to Article 1 of this Act, the prescription period (Articles 86 and 87 of the Criminal Code) does not run with respect to the perpetrators of the crime specified in Article 1.1 of the Decree of 31 August 1944 on the Penalties for Fascist and Nazi Criminals Guilty of Murders and Abuse of Civilians and War Prisoners and for the Traitors of the Polish Nation if criminal proceedings were

not instigated or carried out as a result of the perpetrator's identity not being disclosed or the perpetrator not being apprehended, or as a result of the perpetrator staying abroad not being handed over. The running of the prescription period for carrying out the penalty is suspended if the convict evades the carrying out of the penalty, and the prescription period does not run while the penalty is being carried out.

Article 101 § 4 of the Criminal Code provides for a special basis for extending the prescription period. Under this Article, the prescription period for criminal liability for the criminal offences specified in Article 199 §§ 2 and 3, Article 200, Article 202 §§ 2 and 4, and Article 204 § 3 of the Criminal Code, as well as the criminal offences specified in Article 197, Article 201, Article 202 § 3, Article 203, and Article 204 § 4 of the Criminal Code, when the aggrieved party is a minor, cannot end before 5 years from the moment of the minor reaching the age of 18. I see the reasons for which this provision was introduced as correct, yet I consider it to be imperfectly worded and requiring major changes, the key idea of which would be to replace the institution provided for in that provision with the classic suspension of running of the prescription period. This means a necessity of making minor adaptive changes to other provisions, as well.

Apart from this change, it is necessary to make several other modifications with respect to the other bases for extending the running of the prescription period. I am of the opinion that shortened prescription periods for private-prosecuted criminal offences should be abolished, which would facilitate the interpretation of the provisions on interruption of running of this period. Article 104 § 1 of the Criminal Code is right in pointing not to the lack of a private accuser, but to the lack of a complaint from the entitled accuser – this would result in that after the 7-day period for re-filing the indictment returned in order for formal deficiencies to be supplemented, the court would still be obligated to discontinue the proceedings in view of the lack of a complaint from the entitled accuser, but the suspension of the prescription period would not begin. It is worth supplementing the bases for suspension of the prescription period specified in Article 104 § 1 of the Criminal Code with the cases where the perpetrator evades the justice system, the accused abuses the right of defence, and other participants of the proceedings take illegal actions with consent from or at the request of the accused, if the sole purpose is to stall the proceedings. It should also be determined whether an interruption of running of the prescription period, which today takes place at the moment of instigating proceedings against a person, should not take place on the day of instigating proceedings in a case. It is possible to supplement Article 102 of the Criminal Code with a regulation on the basis of which this provision would apply to accessories in crime even if proceedings against them is instigated after the end of the prescription period for criminal liability. However, a similar effect would be produced by a regulation providing that interruption of running of the prescription period takes place on the day of instigating proceedings in a case, which is worth

considering, as well. Further, it is necessary to introduce suspension of running of the prescription period for criminal liability in court proceedings after a judgment is passed by the court of the first instance – until the judgment becomes final and binding. The formulation of so many *de lege ferenda* conclusions is a result of prescription in criminal law evolving for years, with new practical problems arising, while the institution itself has never been an object of a detailed critical analysis.

The criminal offences not subject to prescription are discussed in detail. In Polish criminal law, these are defined in Article 43 of the Constitution of the Republic of Poland, in Article 105 §§ 1 and 2 of the Criminal Code, and Articles 4.1 and 4.1a of the Act of 18 December 1998 on the Institute of National Remembrance – Commission for the Prosecution of Crimes Against the Polish Nation. The principle of no prescription with respect to crimes against humanity was introduced to criminal law by the Convention on the non-applicability of statutory limitations to war crimes and crimes against humanity of 26 November 1968. The analysis of the definition of a crime against humanity is based on the norms of international law, in particular the Statute of the International Criminal Court. At the same time, it has been adopted that crimes against humanity include genocide, which means that Article 43 of the Constitution of the Republic of Poland (which provides that crimes against humanity and war crimes are not subject to prescription, but does not mention genocide) applies directly to genocide, as well. In terms of crimes against peace, the evaluation of Article 105 § 1 of the Criminal Code that concerns crimes against peace, crimes against humanity, and war crimes is a difficult issue. It seems that the norms of international law that apply to Poland have a clear intention of excluding prescription with respect to all crimes against humanity. However, for the avoidance of doubt, I consider it justified to cover crimes against humanity in general with the principle of exclusion of prescription *de lege ferenda*. Pursuant to Article 105 § 2 of the Criminal Code, prescription does not apply to the following criminal offences: murder, serious bodily harm, severe impairment to health or deprivation of freedom connected with particular suffering, as committed by a public official in connection with the functions he or she fulfils. I consider this regulation to be acceptable in view of the provisions of the Constitution, in spite of the lack of a clear constitutional norm that permits such a regulation. I am of the opinion that the inclusion in this regulation of the criminal offence specified in Article 247 of the Criminal Code, i.e. a public official abusing a person legally deprived of his or her freedom, is justified *de lege ferenda*. The principle of non-prescription of certain criminal offences is also contained in Articles 4.1 and 4.1a of the Act of 18 December 1998 on the Institute of National Remembrance – Commission for the Prosecution of Crimes Against the Polish Nation, in the wording of these Articles introduced in the amendments to this Act of 13 May 1999. Pursuant to these provisions, the crimes referred to in Article 1.1.a of this Act, which constitute crimes against peace, crimes against humanity, or war crimes under international law, are not subject to

prescription. In turn, Article 1.1.a covers Nazi crimes, communist crimes, and other criminal offences constituting crimes against peace, crimes against humanity, or war crimes, as committed with respect to persons of Polish nationality and Polish citizens of other nationalities in the period between 1 September 1939 and 31 July 1990.

Chapter IX is dedicated to the specificity of execution of punitive measures, preventive measures, and measures used with respect to juveniles. In terms of punitive measures, the provision of Article 103 § 2 of the Criminal Code applies, stating that Article 103 § 1.2 of the Criminal Code applies to the punitive measures specified in Articles 39.1–39.4 and Articles 39.6–39.7 of the Criminal Code, which means that execution of punitive measures is subject to prescription after ten years of the judgment becoming final and binding, except for the obligation to redress damage, where the prescription period is 15 years. I also believe that the legislator's intervention is necessary with respect to Article 103 § 2 of the Criminal Code in terms of other issues, as well. This concerns a regulation related to the punitive measures that are not carried out while the convict serves a penalty of imprisonment. I am of the opinion that while the period for which a punitive measure was adjudicated does not run (since the convict is serving the penalty), the prescription period for carrying out that measure is suspended. However, such an interpretation does not follow directly from the wording of the provision. It could be useful to reformulate it so that this issue does not raise doubts.

The prescription of execution of preventive measures is not regulated in the Code, and the possibility of prescription of their execution is contentious issue among the academics. I believe that carrying out adjudicated preventive measures is subject to prescription. As for prescription periods, I am of the opinion that, by analogy, prescription periods used for punitive measures should be used. Adjudicating on preventive measures in the event of prohibited acts committed while *non compos mentis* is possible at any time. The situation is identical in the case of the acts whose social harmfulness is negligible, however, only with respect to the preventive measure of forfeiture. In the event of adjudicating preventive measures for acts that do not constitute criminal offences, doing so after the end of the prescription period for criminal liability is unacceptable, except for forfeiture. With respect to measures intended for juveniles, I am of the opinion that in the event of combating manifestations of moral corruption that do not constitute punishable acts, there are no reasons to analyse the issue of prescription, both in the aspect of prescription of criminal liability and prescription of carrying out the penalty. The situation is similar in the case of manifestations of moral corruption that do constitute prohibited acts and are a basis for adjudicating a forming measure. As for adjudicating in cases for prohibited acts that may be a basis for adjudicating a reform measure, I believe that using, by analogy, the provisions on prescription of criminal liability is correct. I also think that the provisions on prescription of carrying out the penalty do not apply to

carrying out adjudicated forming measures.

Chapter X is dedicated to the legal effects of prescription. The fundamental effect of the lapse of the prescription period for criminal liability is the cessation of criminal liability, which means that a given act, remaining a criminal offence, and still formally being a criminal act, ceases to be a punishable act. The lapse of a time limit in criminal law does not exclude civil claims related to a criminal offence, provided that the prescription period specified in civil law has not lapsed yet. A criminal offence that is no longer punishable due to prescription may not be a basis for special recidivism, but may be a basis for criminological recidivism. The lapse of the prescription period for criminal liability does not cause general recidivism, either. With respect to procedural matters, the lapse of the prescription period for criminal liability is a negative procedural premise, as specified in Article 17 § 1.6 of the Code of Criminal Procedure. Proceedings is not instigated, and if already instigated – it is discontinued, irrespective of its stage. However, in the event of determining, at the stage of passing a judgment, that the prescription period for criminal liability has lapsed and the fact that the perpetrator did not commit the act he is charged with or that the act has not been committed at all, I am of the opinion that the perpetrator should be acquitted. The situation will be similar at every earlier stage of the proceedings if the prescription period for criminal liability has lapsed, but it will be possible to determine that the accused is innocent by means of free evidence, i.e. without further evidence procedures. In such case it is necessary to issue an acquittal or discontinue proceedings under Article 17 § 1.1 of the Code of Criminal Procedure. If the accused considers himself to be innocent, the prescription period for criminal liability has lapsed, and the determination of the issue of his innocence would require further evidence procedures, the proceedings should be discontinued due to the lapse of the prescription period. Conviction in spite of the lapse of the prescription period for criminal liability is an absolute reason for appeal, as specified in Article 439 § 5.9 of the Code of Criminal Procedure. In turn, the lapse of the prescription period for carrying out the penalty results in impossibility of execution proceedings. The lapse of the prescription period for carrying out the penalty also results in the start of running of the time period necessary for expungement, as specified in Article 107 of the Criminal Code. In terms of jurisdictional proceedings, there is the negative procedural premise of authority of *res iudicata* (Article 17 § 1.7 of the Code of Criminal Procedure), and in terms of execution proceedings, prescription of carrying out the penalty constitutes an independent procedural impediment, as specified in Article 15 § 1 of the Criminal Executive Code, resulting in the necessity of issuing a decision on discontinuing execution proceedings in full. Carrying out the penalty in spite of the lapse of the prescription period is a basis for demanding compensation for unjust conviction.

Prescription in criminal fiscal law is regulated separately with respect to criminal fiscal

offences (Article 44) and petty fiscal offences (Article 51), with both these Articles regulating (in separate sections) prescription of criminal liability and prescription of carrying out the penalty. The legal effects of both offences are identical, like in general criminal law; the structure of both institutions is identical, as well. However, time periods and the manner of calculating them are different.

The regulations of the petty offences law in terms of prescription are similar to those in criminal law, except that the prescription period for criminal liability is always calculated from the moment of committing a petty offence and never from the moment of occurrence of an effect. Furthermore, the petty offences law has the institution of time limit restoration, which is absent in criminal law. The specificity of regulations in terms of petty offences is in fact related only to prescription of criminal liability.

The analysis of court practice between 2006 and 2010 is, perforce, only of auxiliary nature and serves the purpose of depicting the tendencies in the body of rulings in terms of prescription periods of criminal liability. A growing number of proceedings discontinued on that basis is noticeable. This probably stems from the fact that in the recent years, prescription periods lapsed for criminal offences committed when crime in Poland was on a dynamic rise. A substantial and still growing number of discontinuations due to the lapse of the prescription period for criminal liability has never been a result of short prescription periods, but of inadequate efficiency in carrying out criminal proceedings.

The final chapter, Chapter XIII, is dedicated to the regulations on prescription in selected European countries. The procedural model is popular. However, in some countries, the regulation that may be viewed as procedural from the lexical point of view is considered substantive by the academics and treated as such in the body of rulings.

It is worth noting that regulations according to which the prescription period for criminal liability (or prosecution) does not run if the perpetrator evades liability and the prescription period for carrying out the penalty does not run if the perpetrator evades the carrying out of the penalty are quite popular. Another popular regulation provides that the running of the prescription period for carrying out the penalty is interrupted every time the relevant authority takes action intended to carry out the penalty. A shortening of the prescription period for criminal liability for private-prosecuted criminal offences is rare. With respect to certain criminal offences, especially sexual offences committed to the detriment of a minor, some criminal law systems use not a reservation that the prescription period cannot lapse within a specific period from the minor coming of age, but the institution of suspension of running of the prescription period until the aggrieved minor comes of age or reaches an age enabling him or her to take action with respect to his or her detriment. In some criminal law systems, statutory provisions directly regulate the issue of prescription of

carrying out a preventive measure, which is disputable in Poland. The solution consisting in that committing a new criminal offence interrupts the running of the prescription period for criminal liability for a previously committed criminal offence is relatively popular. At least some of the foreign solutions presented are worth considering as possible for introduction to Polish criminal law.

5. Discussion of other academic, research, and artistic achievements

a) Authorship or co-authorship of academic publications in journals included in the Journal Citation Reports (JCR) database:

Considering the specificity of my field of study – Polish criminal law – I have no publications in such journals. The above database contains English-language journals. Those of them that cover jurisprudence are related to the common law system. This system, as well as the methodology used by academics dealing with common law, are completely inapplicable to my field of study. In turn, the ERIS list contains no journals in terms of jurisprudence.

b) Evaluation criteria for academic and research achievements covering:

1) Authorship or co-authorship of monographs, academic publications in international or domestic journals for a given field of study, other than those included in the databases or the list referred to in § 3 of the Regulation. 2) Authorship or co-authorship of collective works, catalogues of collections, documentations of research works, expert opinions, works, and artistic works relevant for the given field of study.

Achievements specified in both items are presented together since the form of publication of research results falls into both these categories, and some of the analysed issues could be classified as belonging to both these categories, as well. First of all, I would like to mention the 'The criminal offence and the petty offence of causing damage to thing' monograph, published in Lublin in 2005 (329 pages). It is a shortened version of my doctoral dissertation. Its purpose was to analyse the structure of the type of criminal offence of causing damage to things in Polish criminal law. The work opens with an introduction covering a short presentation of the historical background and a comparative outline. Chapter I contains an analysis of the statutory features of the fundamental type of the prohibited act consisting in destroying, damaging, or rendering unfit for use another person's thing. Chapter II covers an analysis of the modified types (privileged and qualified) of causing damage to things. The chapter contains a discussion of the particular features of the prohibited act.

It was necessary to carry out a detailed analysis of the object of protection, drawing on the works produced in the field of the property branch of civil law, and of the features of the act, the mutual relation of which is not obvious in view of the prohibited act discussed. Chapter III covers an analysis of the penalties and punitive measures adjudicated for the prohibited act in question and a short presentation of practice in this respect between 2000 and 2002. Chapter IV contains an analysis of the statutory features of the petty offence of causing damage to a thing. Chapter V contains an analysis of concurrence of criminal provisions and concurrence of criminal offences, which are particularly problematic in the case of the prohibited act discussed. It is necessary to consider not only the features of acts prohibited under the criminal code, but also under a number of additional legal acts. This chapter expands the scope of the work beyond criminal offences against property, including e.g. criminal offences against public safety, the environment, cultural goods, documents, economic criminal offences, criminal offences against animals, petty offences against nature, the environment, petty offences related to forests, fields, gardens, hunting etc. Chapter VI is a look on the criminal offence of destroying or damaging a thing in view of some of the legal excuses.

In my academic work, apart from fragments of commentaries on the Criminal Code and the Petty Offences Code, I produced only one more publication with respect to the issues of causing damage to things, the 'Criminal law aspects of graffiti' article in 'Prokuratura i Prawo', 1999, Issue 2, pp. 71–95. The issue of causing damage to things was also discussed in the 'Aspects of concurrence of Article 35 of the Act on Animal Protection and the provisions establishing the criminal offence of causing damage to things' article written together with M. Mozgawa, 'Prokuratura i Prawo' 2011, Issue 6, pp. 5–23, in the context of the provisions of criminal law protection of animals. On the other hand, the issues related to criminal offences against property were taken up in some of my academic publications. I dedicated three consecutive (written together with M. Budyn-Kulik) commentaries – on the judgment of the Appellate Court in Lublin of 9 December 2002 (IIAKa 306/02), 'Wojskowy Przegląd Prawniczy' 2004, Issue 3, pp. 146 - 153, on the resolution of the Supreme Court of 21 March 2007 (I KZP 39/06), 'Przegląd Sądowy' 2009, Issue 5, pp. 124–137, and on the resolution of the Supreme Court of 30 June 2008 (I KZP 10/08), Lex/el. No. 93962 – to the issue of armed robbery. I covered the issues related to the implementation of court decisions in a commentary on the decision of the Supreme Court of 6 June 2006 (I KZP 15/06), 'Palestra' 2007, Issue 7, pp. 302 - 307. I took up the issue of handling stolen goods in the context of the Act on Intellectual Property in a commentary on the resolution of the Supreme Court of 30 June 2008 (I KZP 8/08), 'Ius Novum' 2009, Issue 1, pp. 148–158. Considering the fact that my works often take up the issues related to criminal offences against property, I was asked to cover the issues related to forest-related theft, blackmail, theft of a computer programme,

computer fraud, take-over of a mechanical vehicle in order to use it for a short time, and theft of call units in 'The criminal law system' (vol. IX, Warsaw 2011, pp. 287–341 and 363–396).

I have discussed the issues related to the general part of criminal law to some extent, as well. In particular, I covered the issue of excluding criminal liability due to the aggrieved party's consent. I dedicated the 'The right to privacy and criminal liability resulting from causing a minor body injury with the aggrieved party's consent' article ('Prokuratura i Prawo' 1999, Issue 10, pp. 69–81) to the issue of the aggrieved party's consent. The article also covers the issues related to criminal offences against life and health. I returned to the issue of the aggrieved party's consent in the 'The public order clause in the legal excuse of the aggrieved party's consent as an instrument of ensuring proportionality of its use' article, (in:) T. Dukiet-Nagórska (ed.), 'The principle of proportionality in criminal law', Warsaw 2010, pp. 215–233;

The 'Freedom of artistic activity as a circumstance excluding or limiting criminal liability' article (produced together with M. Budyn-Kulik), (in:) 'Criminal Law Aspects of Freedom', Kraków, pp. 233–248, covers the issues related to exclusion of criminal liability, as well.

I have discussed the issues related to continuity of a prohibited act, as well. These are covered in the 'Commentary on the resolution of the Supreme Court of 19 August 1999' (I KZP 24/99), 'Przegląd Sądowy' 2000, Issue 2, pp. 140–145, 'Commentary on the resolution of the Criminal Chamber of the Supreme Court of 29 October 2002' (I KZP 130/02), 'Wojskowy Przedgląd Prawniczy' 2003, Issue 3 pp. 141 - 145, and 'Commentary on the judgment of the Appellate Court in Katowice of 30 October 2008' (II Aka 266/08), Lex/el. No. 102901.

I have also extensively written on the issues of concurrence of criminal offences and aggregate penalty. These issues are covered in 'Commentary on the resolution of the Supreme Court of 21 November 2001 (I KZP 14/2001)', 'Prokuratura i Prawo' 2002, Issue 4, pp. 97–106, 'Commentary on the decision of the Supreme Court of 23 March 2011 (I KZP 29/10)', Lex/el. No. 137039, and 'Commentary on the decision of the Supreme Court of 30 September 2009' (I KZP 12/09), Lex/el. No. 105012.

Apart from sections in other works, I devoted the following works to the special issues related to atypical examples of unity and multitude of acts and legal evaluations: 'The so-called accompanying act in view of the rules of excluding unanimity of evaluations' ('Czasopismo Prawa Karnego i Nauk Penalnych' 2009, Issue 2, pp. 185–208), 'Commentary on the judgment of the Appellate Court in Lublin of 16 January 2000, II AKa 248/2000' ('Prokuratura i Prawo' 2001, Issue 10, pp. 108–117), and 'Commentary on the decision of the Supreme Court of 25 February 2002 (I KZP 1/2002)' ('Palestra' 2003, Issue 1–2, pp. 215–221), as well as 'Commentary on the decision of the Supreme Court of 12 December 2012 (V KK 82/12)' ('Orzecznictwo Sądów Polskich' 2013, Vol. 10, pp. 709–716 (other than that, the commentary regards the legal classification of an act

consisting in theft and handling stolen goods).

I dedicated the following works to the issues related to conditional parole: 'Legitimacy of the premises taken into account in making the decision on conditional release from serving the remainder of the penalty of imprisonment in court practice between 2002 and 2007', (in:) A. Michalska-Warias, I. Nowikowski, J. Piórkowska-Flieger (eds.), 'Theoretical and practical problems of contemporary criminal law. A book in honour of Professor T. Bojarski', Lublin 2011, pp. 955–981 (together with M. Budyn-Kulik; this work is at the same time an example of my research in case files).

The 'Commentary on the Supreme Court ruling of 6 October 2009, II KK 87/09, LEX/el. 121345' covers the issue of adjudicating penalties.

The following works cover the issues of normative changes already under way or at the stage of drafting: 'Amendments to the Criminal Code of 1997 so far' ('Prokuratura i Prawo' 2002, Issue 12, pp. 35 - 56), 'Amendments to the provisions on forfeiture of things and pecuniary benefits in the Criminal Code of 1997', (in:) T. Bojarski, K. Nazar, A. Nowosad, M. Szwarczyk (eds.), 'Changes to the Polish criminal law after the coming into force of the Criminal Code of 1997', Lublin 2005, pp. 81–92.

The following works are dedicated to criminal offences against the justice system: 'Does a groundless evasion of making a testimony constitute "concealment of truth" within the meaning of Article 233 § 1 of the Criminal Code?' Remarks with respect to the resolution of the seven judges of the Supreme Court of 22 January 2003 (I KZP 39/02)' ('Wojskowy Przegląd Prawniczy' 2003, Issue 2, pp. 43 - 56), 'Several remarks on liability for false testimony, in particular from an anonymous witness', (in:) I. Nowikowski (ed.), 'Problems of the criminal procedure. A book in memory of Professor Edward Skrętowicz', Lublin 2007, pp. 38–53, 'Opinion in discussion', (in:) M. Mozgawa, K. Dudka (eds.), 'The Criminal Code and the Code of Criminal Procedure after 10 years from coming into force. Evaluation and perspectives for changes', Warsaw 2009, pp. 275–283, 'Commentary on the decision of the Supreme Court of 23 September 2008, I KZP 18/08', LEX/el. No. 97461.

The 'Criminal liability of a public official, especially a notary' article, (in:) A. Oleszko (ed.), 'The criminal liability of a notary', Warsaw 2010, pp. 206–239, is a cross-sectional analysis of criminal liability of a perpetrator being a public official.

I analysed the issues related to sexual freedom and decency in 'Chapter XXV: Crimes against sexual freedom and decency', (in:) M. Królikowski, R. Zawłocki (eds.) 'The Criminal Code. The specific part. Commentary' (together with M. Budyn-Kulik, Warsaw 2013, pp. 597–719), 'Commentary on the decision of the Supreme Court of 1 September 2011 (V KK 43/11)', LEX/el. No. 149059, and 'Selected issues of criminalising sexual offences against minors', (in:) S. Pikulski,

M. Romańczuk-Grącka (eds.), 'Boundaries of criminalisation and penalisation', Olsztyn 2013, pp. 320–332 (together with M. Budyn-Kulik).

My research with respect to criminal law outside of the criminal code covers criminal offences against historical artefacts and against animals. I published two works on criminal offences against historical artefacts. These are the 'Commentary on the penal provisions of the Act of 23 July 2003 on the Protection of and Care for Historical Artefacts (Dz. U. No. 162, item 1568, as amended)', Lex/el. No. 8331 and 'Criminal liability for the criminal offence of destroying or damaging a historical artefact', (in:) T. Gardocki, J. Sobczak (eds.), 'Legal protection of historical artefacts', Warsaw 2010, pp. 125–145 (together with A. Szczekala). In terms of criminal offences against animals, apart from the above article produced together with M. Mozgawa, I also took part in case files research that resulted in the publication of 'Criminal law protection of animals: a dogmatic analysis and practice of prosecuting the criminal offences specified in Article 35 of the Act of 21 August 1997 on Animal Protection' (together with M. Mozgawa, M. Budyn-Kulik, and K. Dudka), 'Prawo w działaniu' 2011, Issue 9, pp. 41–100. Apart from the above, I also produced 'Commentary to the Act – Provisions Introducing the Code of Petty Offences', Lex/el. (2008), No. 90614 and dedicated one work the criminal offence specified in Article 586 of the Commercial Companies Code ('Commentary on the decision of the Supreme Court of 25 March 2010 (IV KK 315/09)', LEX/el. No. 141909).

I dedicated the following works to the rarely discussed (unlike in e.g. Germany) criminal law aspects of literary works: 'Faust and Margaret. An attempt at a criminal law analysis of some themes in J. W. Goethe's drama', (in:) L. Leszczyński, E. Skrętowicz, Z. Hołda (eds.): 'In the circle of theory and practice of criminal law. A book in memory of Professor Andrzej Wąsek', Lublin 2005, pp. 539–556 (together with M. Budyn-Kulik) and 'A defence of Margaret' ('Palestra' 2006, Issue 7–8, pp. 180–184).

I dedicated the following works to the issues of teaching criminal law, especially at the Institute of Criminal Law of the Maria Curie-Skłodowska University in Lublin: 'On Professor Andrzej Wąsek', (in:) L. Leszczyński, E. Skrętowicz, Z. Hołda (eds.): 'In the circle of theory and practice of criminal law. A book in memory of Professor Andrzej Wąsek', Lublin 2005, pp. 13–21; 'Professor Andrzej Wąsek' (together with P. Kozłowska-Kalisz), (in:) A. Przyborowska-Klimczak (ed.), 'Professors of the Faculty of Law and Administration of the Maria Curie-Skłodowska University 1949–2009. A jubilee book for the 60th anniversary of the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin', Lublin 2009, pp. 322 - 339. ; 'Aspects of criminal cooperation in the works produced by the Department of Comparative Criminal Law, in particular by Professor Andrzej Wąsek', (in:) T. Bojarski (ed.), 'Development of penal sciences in the sixty years of existence of the Faculty of Law and Administration of the Maria

Curie-Skłodowska University in Lublin', Lublin 2009, pp. 107 - 121 .

In the recent years, I have been taking up comparative research with respect to various institutions of criminal law. The works in this respect include: 'Pornographic' criminal offences in a comparative approach', (in:) M. Mozgawa (ed.), 'Pornography', Warsaw 2011, pp. 89–127; 'The criminal offence of rape in a comparative approach', (in:) M. Mozgawa (ed.) 'The criminal offence of rape', Warsaw 2012, pp. 73–115; 'Criminal offences against respect and bodily integrity in selected European countries', (in:) M. Mozgawa (ed.), 'Criminal offences against respect and bodily integrity in selected European countries', Warsaw 2013, pp. 65–94, 'Preventive measures in criminal laws of selected European countries', 'Prawo w działaniu' 2013, Issue 13, pp. 63–120.

In connection with preparing a monograph regarding prescription of criminal liability and prescription of carrying out the penalty, in the recent years I have also carried out research in terms various detailed aspects of this institution, as well as side issues. I covered these issues in the following works: 'The beginning of suspension of the prescription period for criminal liability in connection with the relative procedural immunity on the example of a judge's formal immunity' ('Wojskowy Przegląd Prawniczy' 2012, Issue 4, pp. 81 - 102); 'Extension of the prescription period for criminal liability for criminal offences against sexual freedom and decency perpetrated aggrieving minors – *de lege ferenda*' ('Zeszyty Naukowe Wyższej Szkoły Humanistyczno Ekonomicznej im. Jana Zamoyskiego z siedzibą w Zamościu' 2012, Vol. 6, pp. 127–135; the work also covers issues related to criminal offences against sexual freedom and decency); 'Prescription of criminal liability for private-prosecuted criminal offences' ('Prokuratura i Prawo' 2013, Issue 7–8, pp. 127–146); as well as 'Commentary on the decision of the Supreme Court of 27 January 2011 (I KZP 27/10)' (Lex/el. 2012, No. 141910) and 'Commentary on the judgment of the Supreme Court of 14 January 2010 (V KK 235/09)' (Lex/el. No. 141911).

Apart from the above works, I also took part in three large-scale undertakings. I am a co-author (together with M. Mozgawa, M. Budyn-Kulikowska, and P. Kozłowska-Kalisz) of a course book for the general part of criminal law: M. Mozgawa (ed.), 'Substantive criminal law. The general part', 1st edition: 2006, 3rd edition: Warsaw 2011, 506 pages, where I produced the historical part, the chapters on the sources of criminal law, immunities, the aspects of the prohibited act as to the deed, accessory liability in prohibited acts, and the special rules for imposing the penalty. I also took part in producing a commentary on the Criminal Code prepared by the same team of authors: M. Mozgawa (ed.), 'The Criminal Code. Practical commentary', 1st edition: Warsaw 2005, 5th edition: Warsaw 2013, 823 pages. In this work, I commented on Articles 12, 18–24, 26, 41, 41c–45, 60, 77–84a, 109–114a, 115 (§§ 4–8, 14, 23), 163–172, 181–188, 222–231a, 278–316, and on the provisions introducing the Criminal Code. In a commentary on the Code of Petty Offences prepared by the same team (M. Mozgawa (ed.), 'The Code of Petty Offences. Commentary', Warsaw 2007,

2nd edition: Warsaw 2009, 742 pages), I produced commentary on Articles 12–14, 16, 29–30, 39, 47 (§§ 1–4, 7–8), 65–66, 68–69, 119–131, 143–145, and 148–166.

I have also reviewed two publications by other authors: 'Review of the work edited by S. I. Nikulin: Commentariy k ugolovnomu kodyeksu RF s postatyeynymi materyalami y sudyebnoy praktikoy', Manager, Moscow 2000, 1182 pages, Państwo i Prawo 2001, Issue 8, pp. 68–70, and 'Review of a book by Oktawia Górniok: Criminal liability of managers', 'Proukratura i Prawo' 2005, Issue 7–, pp. 205–210, and eight other, minor publications. Detailed list is presented in Appendix No. 5

Since 2009, I have been an expert at the Centre for Studies and Legislation of the National Board of Legal Counsellors. At the request of the Centre, I have produced, independently or in cooperation with other experts, 13 opinions for drafts of Acts amending the provisions of the Criminal Code, the Code of Criminal Procedure, and the Criminal Executive Code. Seven of the opinions were produced together with P. Kozłowska-Kalisz and six opinions were produced independently.

3. Heading international or domestic research projects or participation in such projects: none.

4. International or domestic awards for academic or artistic activities:

2005 – Level II team award from the rector of the Maria Curie-Skłodowska University for academic achievements
2011 – Level III individual award from the rector of the Maria Curie-Skłodowska University for academic achievements
2013 – Bronze medal for long-term service

5. Papers delivered at domestic or international thematic conferences:

1. Freedom of artistic activity as a circumstance excluding or limiting criminal liability (together with M. Budyn-Kulik), the 'Criminal law aspects of freedom' conference, Arłamów, 16–18 May 2005 (an international conference);
2. Amendments to the provisions on forfeiture of things and pecuniary benefits in the Criminal Code of 1997, the 'Changes to the Polish criminal law after the coming into force of the Criminal Code of 1997' conference, Lublin, 20–21 September 2005;
3. Aspects of criminal cooperation in the works produced by the Department of Comparative Criminal Law, in particular by Professor Andrzej Wąsek, the 'Development of penal sciences in the sixty years of existence of the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin' conference, Lublin, 23–24 April 2009;
4. The public order clause in the legal excuse of the aggrieved party's consent as an

instrument of ensuring proportionality of its use, the 'The principle of proportionality in criminal law in view of establishing and applying laws' conference, Sosnowiec, 28 September 2009;

5. Criminal offences against property and economic criminal offences in Polish and Ukrainian criminal law, the 'Polish-Ukrainian cooperation in criminal cases' conference, Lublin, 7–9 October 2009 (an international conference);

6. Criminal liability for the criminal offence of destroying or damaging a historical artefact (together with A. Szczekala), the 'Legal protection of historical artefacts' conference, Warsaw, 18 February 2010;

7. The Basic Elements of Polish Criminal Law, the 'Comparison between the legal systems of Poland – the Netherlands' conference, Zupthen (the Netherlands), 14–15 June 2010;

8. 'Pornographic' criminal offences in a comparative approach, II Lublin Criminal Law Seminar 'Pornography', Lublin, 13 December 2010;

9. The criminal offence of rape in a comparative approach, III Lublin Criminal Law Seminar 'The criminal offence of rape', Lublin, 12 December 2011;

10. Criminal offences against respect and bodily integrity in selected European countries, IV Lublin Criminal Law Seminar 'Criminal offences against respect and bodily integrity', Lublin, 10 December 2012 (an international conference);

11. Accessory liability in Polish criminal law, the 'Current problems in crime theory and the criminal laws of Poland and the Ukraine' conference, Kazimierz n. Wisłą, 21 May 2013 (an international conference);

12. Selected issues of criminalising sexual offences against minors (together with M. Budyn-Kulik), the 'Boundaries of criminalisation and penalisation' conference, Olsztyn, 19–20 December 2013;

13. Pornography-related criminal offences in a comparative approach, V Lublin Criminal Law Seminar 'Prostitution', Lublin, 9 December 2013 (an international conference);

c) Evaluation criteria for achievements in teaching and popularizing learning and science, as well as the applicant's international cooperation in all fields of knowledge:

1) Participation in European programmes or other international or domestic programmes: None

2) Participation in international or domestic academic conferences or participation in organizational committees of such conferences (Appendix No. 8)

3) Heading projects carried out in cooperation with academics from other domestic and international institutions, and in the event of applied research, with entrepreneurs: None

4) Participation in editorial committees and academic boards of journals: None

5) Participation in international or domestic academic organisations or societies: None

6) Achievements in teaching and popularising learning and knowledge or art (Appendix No. 7)

7) Academic tutelage of students and physicians pursuing the position of a consultant (Appendix No. 7)

8) Placements in international or domestic academic or scientific centres

2001 – Placement at the Institute of Criminal Law of the Faculty of Law and Administration of the University of Silesia
2002 – Scholarship at the Max Planck Institute for Foreign and International Criminal Law in Freiburg im Breisgau (Germany)
2003 – Max Planck Institute scholarship
2009 – Max Planck Institute scholarship

9) Participation in expert and contest teams

An expert at the Centre for Studies and Legislation of the National Board of Legal Counsellors since 2009.

Lublin, 19 February 2014

Marek Kulik