

Dr Dagmara Kuźniar

Department of International Law and European Law

Faculty of Law and Administration of the University of Rzeszów

Summary of professional accomplishments

1. Full name: Dagmara Kuźniar

2. Possessed diplomas and academic degrees:

2006 - Doctor of Law degree awarded by the resolution of the Board of the Faculty of Law and Administration of the Maria Curie - Skłodowska University in Lublin of 17 May 2006.

Doctoral dissertation entitled: „Odpowiedzialność międzynarodowoprawna jednostki w świetle Statutu Międzynarodowego Trybunału Karnego” [“International Legal Responsibility of an Individual in the Light of the Statute of the International Criminal Court”].

Supervisor in the doctoral procedure: Dr. Elżbieta Dynia, Habilitated Doctor.

Reviewers in the doctoral procedure: Dr. Maria Kenig-Witkowska, Habilitated Doctor and Dr. Anna Przyborowska-Klimczak, Habilitated Doctor.

1996 - Master of Law, diploma obtained at the Faculty of Law and Administration of the Maria Curie -Skłodowska University Branch in Rzeszów on 20 May 1996.

3. Information on previous employment in research units.

1. Oct. 2006 - present - Assistant Professor at the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów

1. Oct. 1999 - 30. Sept. 2006 - Assistant at the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów

1. Jan. 1999 - 30 Sept 1999 - Assistant at the Department of Constitutional Law at the Faculty of Law and Administration of the University of Rzeszów

4. Indication of the scientific achievement resulting from Art. 16 section 2 of the Act of 14 March 2003 on Academic Degrees and Academic Titles and Degrees and Title in Arts (Journal of Laws of 2018, item 1789 as amended):

Dagmara Kuźniar, *Ochrona środowiska przestrzeni kosmicznej i ciał niebieskich. Studium prawnomiędzynarodowe [Environmental Protection of Outer Space and Celestial Bodies. International Law Study]*, publ. by the University of Rzeszów, Rzeszów 2019, pp. 288, ISBN 978-83-7996-657-8.

Publishing reviewer of the monograph: Dr Katarzyna Myszone-Kostrzewa, Prof. of the University of Warsaw, Habilitated Doctor.

4.1 The scientific objectives of the presented monograph

Outer space fascinates creators of technical thought and scientists from various fields. It attracts dreamers and visionaries. Thanks to them, what once was only in the sphere of certain plans, today is becoming a reality in which man reaches ever further for what is inscrutable. The development of cosmonautics has opened up new opportunities for countries and these opportunities, in the face of growing fatal impacts of production on the biosphere and depletion of natural resources of Earth, can be a real source of energy and material. For years, we have been thinking about creating a living condition for man on the Moon. Mars, other planets and the material circulating around them are ever fascinating. The expansion into space inspires scientific plans. In addition to the concept of the settlement of the planets of our Solar System, there are also ideas for the construction of small settlements or even large cities moving in space. Passionates develop their imagination, sceptics say that these are only unsupported futurological visions.

Nevertheless, countries are competing in a cosmic race. In 1969, Neil Alden Armstrong set his first steps on the Moon, awakening the dreams of space conquest. At the beginning of 2019, for the first time in the history of mankind, the Chinese Change'4 probe landed on the invisible side of the Moon to conduct radio astronomical observations and investigate the structure and composition of the mineral surface. Scientists prove that the environment of space and celestial bodies abounds in natural resources, the acquisition of which would ensure life on Earth and the stable development of humanity. On the Moon is Helium-3 – a helium isotope, which is a source of safe energy, without radioactive waste.

Other resources of the Moon include water, or e.g.: calcium, silicon, aluminium, iron, titanium. Rare metals and water are also found on Mars and on asteroids circulating near Earth. Researchers are working on the process of changing the conditions prevailing on celestial bodies in order to bring them closer to those prevailing on Earth (the so-called terraforming). The idea is to create the possibility of establishing space colonies in the future. For years, there has been a discussion on acquiring solar energy from power plants located in space and raw materials, and without space technologies, it is difficult to imagine contemporary life on Earth. The ability to penetrate space allowed for the introduction of technological facilities for human life. Space is also an arena of demonstrating the military strength of countries fighting for the world domination. These facts translate into the still growing activity of countries in space and the growing interest in its exploration and exploitation.

The development of space exploitation, new directions and projects of countries' actions force us to reflect on the protection of the area, which is associated with many scientific hopes and far-reaching plans. The title of the book represents a legal assumption that is becoming the subject of an increasingly broad scientific discussion. It should be accompanied by actions aimed at adopting the necessary legal and international solutions. The activity of subjects of international law is not so effective to say that it keeps pace with the problems of using space. The system of space - countries - man has no harmony and balance. The exploitation of space is evidence of a system that is replicated by countries, in which the protection of the areas in use only comes into being when the problem exceeds the interests of one or several countries. So, what is more important? Political and economic interests of countries or care for the future and its capital?

Providing the public with living conditions in relation to the level of civilization and technical development is one of the basic goals of every modern state. It translates into the obligation to protect the environment, which often takes on a global framework in the international dimension. Within this framework, there is also an issue of environmental protection of space and celestial bodies, taken with the awareness of the difficulties that in general are encountered in the practice of expanding the area protected by law of general scope. The topic gains on relevance in relation to the rather expansive actions of countries in space and the still inadequate regulations of international law in this matter. This is the main reason for choosing the subject of the study. The second one is a non-treaty practice, which deserves to be traced as it is intensifying.

The issues of environmental protection of space and celestial bodies have not been monographed in the Polish scientific literature, and the number of scientific articles is modest. The subject area is the subject of a broader interest among foreign representatives of the public international law science, whose achievements are full of thematic publications, articles and studies. However, they treat the issues of the environmental protection of space and celestial bodies fragmentarily, focusing on some partial issues that have been collected in this book and have contributed to the reflection on the protection of the space environment. More attention should be paid to the work of L. Viikari, entitled *The Environmental Element in Space Law. Assessing the Present and Charting the Future* (Leiden-Boston 2008), which analyses the provisions of international space law and international practice in the search for elements relating to environmental issues. The scope of the research has been focused on the convergent matter, albeit more broadly outlined in the presented habilitation monograph. L. Viikari does not reflect on the very idea of protecting the environment of space and celestial bodies and does not seek an axiological reason for it in international public law. In addition, the book was published in 2008, so the scope of the research material does not include later adopted documents, discussed in this dissertation. One should also recall books by G. T. Hackett - *Space Debris and the Corpus Juris Spatialis* (Gif-sur-Yvette 1994) and P. Stubb - *State Accountability for Space Debris. A Legal Study of Responsibility for Polluting the Space Environment and Liability for Damage Caused by Space Debris* (Leiden-Boston 2018). The studies, however, concern only space debris. Their convention is also completely different.

The conviction of the urgent need to regulate the environmental protection of space and celestial bodies in international space law had a big impact on the author's assumption set out by the title of the work. The book tries to look at space and the celestial bodies as a part of the environment whose protection is extremely important from the point of view of the vital interests of countries, and ultimately of the human beings. Pollution of the space environment may directly threaten people and may affect the future of life on Earth. This is related to the need to secure the interest of future generations in access and the possibility of using extra-terrestrial resources. It should also be remembered that the extra-terrestrial environment is a part of nature, which in the event of human interference should be subject to protection mechanisms similar to those on Earth, to preserve the natural balance of this area. Such a position also shaped the research area and the direction of the analysis included in the monograph which focused on the legitimacy of the environmental

protection of space, the possibility of constructing a legal framework for this protection based on the acquis of international space law and international environmental law and the broadly understood international practice outside treaty regulations. The subject of the analysis outlined like that became the starting point for the implementation of several research tasks. The basic question was whether public international law has adequate and sufficient regulations on the grounds of which the environment of space and the celestial bodies could be protected against the harmful activities of countries. In this regard, some efforts were made to indicate how much the current provisions of international space law can be useful in solving the problems associated with the pollution of space and how deep must be their reform; what role can be played by the non-treaty practice of countries in this subject and how it is possible to apply basic principles of international environmental law to protect space and celestial bodies.

4.2. Research methods and research subject

The considerations carried out in the work required the use of several research methods, appropriate due to the specificity of the source material and the analysed topic and particular issues. The formal and dogmatic method was the leading method. Using it, the analysis and interpretation of existing regulations of public international law, including international space law and international environmental law, were made. Thanks to its application, it was possible to make a detailed analysis of the countries' treaty practice, to assess the usefulness of the non-treaty practice and to construct some conclusions, both *de lege lata* and *de lege ferenda*, in the studied area. The work also uses a method of comparative law. It proved to be helpful in the search for adequate legal solutions to protect the environment of space and celestial bodies in the area of international environmental law regulations and in justifying conceptual and axiological analogies. Its application helped not only to outline the desired direction of normative activities of countries, but also to embed justified conceptual and axiological analogies in the assumptions of sociology. In addition, the historical and legal method was used to refer to the regulations for various non-binding reasons, and valuable from the point of view of the subject and the specifics of the subject under study.

The source material was based predominantly on international agreements, resolutions of international organizations and documents of the so-called "soft" international law. In some cases, references to international case law and the regulations of national law, including those in the project phase, were made. As much as possible, the

doctrine in the area under investigation was referred to. The analysis of the research topic was reflected in the written material, by both Polish and foreign representatives of the doctrine of international public law. Also, encyclopaedic and scientific publications in the field of astronomy and astronautics and materials recalling statistical data were used to show the scale of some problem issues.

4.3. The structure of the dissertation

The considerations in the monograph are presented in four chapters. In the first one, as an introduction, the subject of terminology was addressed. International law does not use the term “the environment of space and celestial bodies”. The question arises, then, what it is. The problem of the definition of space and celestial bodies was considered the right starting point for the considerations in the chapter. A separate place was devoted to the delimitation of outer space - an issue that countries should agree on by defining the area. Further considerations focused on the concept of the environment, its elements and outer space as an environment that should be protected. By comparing the assumptions underlying the protection of the terrestrial environment, an attempt was made to demonstrate the legitimacy of the protection of space and celestial bodies. Apart from purely theoretical considerations, constructed on the basis of views of the doctrine and practice of countries, some information was provided on the current issues of the environment of space and celestial bodies, their scale and related threats.

The second chapter analyses the so-called space treaties that make up the *corpus iuris spatialis* of international space law and agreements limiting the military activities of countries that have references to the space environment, or the provisions of which could be associated with environmental issues. The aim of the analysis included in this chapter was to look for regulations that could be applied to the protection of the environment of space and celestial bodies. Tracing the content of the provisions of individual treaties was intended to indicate the desired directions of changes in international space law, considering the current issues related to the activities of countries in space, which result in its pollution.

In the third chapter, the attention was paid to international non-treaty practice related to the environmental protection of space and celestial bodies to analyse its direction, practical dimension and approach to the problem of environmental protection of space. Three issues arise here: space-based debris generated in space, planetary protection, the preservation of the space environment for future generations.

The fourth chapter is the search for axiological foundations justifying the protection of the environment of space and celestial bodies. To this end, an attempt was made to transpose the rules of international environmental law into the studied area. Some of them were analysed, following the fundamental importance for environmental protection. The considerations focus on the basic assumptions of particular principles and the presentation of points of contact with the environment of the cosmos and its protection. Some attempts were also made to indicate legal obligations stemming from the principles of international environmental law and their possible implementation with reference to the environment of space and celestial bodies.

4.4. Conclusions of the conducted research and analyses

The research and analysis carried out in the dissertation allowed for the construction of several conclusions that should shape the perspective of the countries' actions to protect the environment of space and celestial bodies. Their context is also wider, because it is closely related to the activity of countries in space, which is not necessarily consistent with the assumptions adopted in international space law, shaping the status of space and celestial bodies. Therefore, the problem of environmental protection of space and celestial bodies generates the need for the international community to develop an appropriate attitude at the interface between law and practice.

It should be noted that in the era of contemporary global, worldwide threats to the biosphere, space is increasingly perceived by the world of science as a source of alternative possibilities for the survival of the human species. While many scientific theories are in the research phase, the unquestionable fact is the role that space technologies play in life on Earth and that the possibility of acquiring resources is becoming increasingly real. These are the strongest general arguments that are most appealing to the imagination, for the targeting of the activities by countries to the protection of space and celestial bodies.

Space as an element of nature deserves legal protection tailored to the specific features of its environment and threats. It should be remembered that space does not have the ability to purify itself. Therefore, it cannot be expected that the regeneration process will start, which will at least partially remove the effects of pollution. The activities of countries in space forces us to focus on the problem of space debris, which due to its neglect has grown to a global level. Planetary protection is extremely important for the reliability of scientific research. The subject of protection should be not only the outer space, but also celestial bodies, while being guided in this regard by the foresight to the

ever-evolving technical thought, the growing needs of Earth and effects of human activity in space that are not fully known. The human hegemonic approach to nature, together with the persistent tendency to increase the scope of their impact, requires simultaneous taking of initiatives that would eliminate the negative effects of expansive activities. Space can become a source of alternative possibilities for countries that seem to forget the slogan of the Stockholm Conference of 1972 - "Only One Earth". In this respect, access to space resources may also be an important aspect of protection. Earth resources are currently difficult to be corrected *in plus*. Space resources can stabilize life on Earth in the future. Therefore, the issue of environmental protection of space and celestial bodies should be looked at as in the case of environmental protection of Earth, and therefore in terms of purely natural conditions, taking into account the diversity of the space environment, and dictated by the needs of specific protective measures, and in terms of economic conditions, which have a real economic dimension. This aspect has not remained without any influence on the activity of countries.

In the space policy, a pro-environmental tendency has been appearing for several years, reflected in the adopted technical solutions and promoting the concept of long-term sustainability of activities in space. Life on Earth is technologically connected with space, in many respects starting from forecasting, monitoring or improvement, to creating its standard and security understood in a multidimensional way. Space has become a kind of "hinterland" for the existence of humanity, the loss of which would regress the human civilization for several decades. It also guarantees the further development of life on Earth. In both cases, the point of reference should be the interest of present and future generations.

The growing problem of space pollution is a stimulating factor for countries to act at the level of *soft law* standards. We are now witnessing the development of a new plane of coexistence and cooperation of countries, which may become a contribution to the adoption of legally binding norms in the future. The United Nations plays a leading role in this process. Although *soft law* documents are largely technical recommendations, standardizing space activities at the level of programme and subsequent stages of preparing space missions, but their aim is to reduce the level of undesirable phenomenon, which is the pollution of the space environment by space debris. They can therefore be assigned a preventive character. The Guidelines for the Long-Term Sustainability of Outer Space Activities have a programme character. They promote activities limiting the problem of space debris, proclaim the concept of long-term sustainability of space activities, clearly

linking it with the protection of the space environment. They are also a manifestation of a crystallizing new perception of the pollution problem in the space environment, by moving away from the extremely anthropocentric ethics.

At the core of contemporary international environmental law there are treaties of universal and regional scope that are supported by a whole range of international organizations' documents, formulating *de lege ferenda* conclusions and affecting the conclusion of subsequent international agreements. In the case of issues related to threats to the outer space and celestial bodies, we observe the reverse practice. *Soft law* acts have become, in a sense, an alternative to the lack of will on the part of countries to capture undesirable phenomena into a formal and legal framework. The foremost is the competitive space policy of states, resulting from the combination of economic and political interests. It seems, however, that the aggressive view itself gives way to a pro-environmental view, which is clearly evidenced by the non-treaty practice of international organizations. It is true that it is not ecologically expressive, because the main driving force is the balance of losses and benefits in a purely economic dimension. Nevertheless, it proves not only noticing and realizing the scale of the problem. It is also an important step in the long-term and difficult process of creating a pro-environmental view, in which the elements of nature that require protection are outer space and celestial bodies.

Standards adopted outside the UN system create a kind of a system of vessels connected with universal models, which should be assessed positively in terms of consistency of assumptions and adopted solutions. For their effectiveness, full implementation by countries is necessary. Only in this way is it possible to reduce the disproportion between what is scientifically obvious and what countries propose in terms of protection. However, it is not possible to eliminate them if appropriate legal tools to protect the environment of space are not introduced. The current regulations of international space law are not suitable for use in environmental matters. They can be related to the problem only partially, using a broadening interpretation of treaty regulations, which still does not allow to construct sufficient grounds for solving practical problems existing and appearing along with the development of countries' activities in space. It would be desirable to adopt an international agreement that would regulate the activities of countries in space and on celestial bodies in a manner adequate to their current practice and which would comprehensively lay down the foundations and principles of responsibility for the pollution of the outer space. The creation of a uniform, structured body of legal provisions is the most effective legal form to ensure the implementation of

environmental protection obligations. The ideal condition in the legal space is the existence of a normative reference to the facts. The adoption of treaty solutions aimed at preventing the pollution of space and protecting its environment would prove the “maturity” of countries and a rational approach to the exploration and use of the outer space.

The effective environmental protection of space and celestial bodies requires an effective management system based on the legal protection of the outer space in the process of its exploration and use as well as rational resource management. It is necessary to integrate and coordinate the efforts of countries based on real cooperation. The starting point should be contained in the Agreement on the principles of activity of countries in the field of research and use of outer space, including the Moon and other celestial bodies dated 27 January 1967, referring to: the good and interest of all nations, creation of all humanity achievements, freedom of scientific research and usage, non-appropriation of the outer space, the idea of peaceful use in accordance with the provisions of international law, including the United Nations Charter, cumulating in the interest of maintaining international peace and security, and developing cooperation and understanding between countries. Such a broad context of the global space management system should be supported by national activities that, due to the scientific, technological and capital potential, can create a good ground and build effectively international cooperation.

The common interest of all humanity, which is clearly stressed in the 1967 Treaty, should be considered to be the proper basis of common aspirations of states. On the level of international environmental law, the interest of all mankind should be identified with the interest of present and future generations. Therefore, the concept of humankind should be understood broadly, and therefore not only in the sense of - the state, but also in the sense - a human being, as an addressee. Such a reference of the term is consistent with the assumptions of the concept of sustainable development, ultimately addressed not only to states, but also to the human individual. The practice of space activity by countries puts them in a somewhat privileged, centrist position. Nevertheless, man, apart from the organizational structure and as a collective entity, becomes a “recipient” of international regulations, where the problem is global and threatens the human species. Here the interest of humankind can be strengthened by the concept of the common concern of humanity, which should be associated with the principle of sustainable development. It is also essential for the adaptation of the principles of international environmental law to the new

area of protection. It is also confirmed in international, non-treaty practice. What is needed, however, is a constructive change of thinking, anchored in the set goals and assumptions of joint actions of countries in space.

What significantly affects taking of common pro-environmental legal actions by countries is associated with the nuisance and harmfulness of specific phenomena. Especially in the field of environmental protection, the activity of countries should counteract not only the existing threats, but also anticipate potential threats. Such goals should guide the actions taken by countries in the area of space and celestial bodies.

5. Discussion of other scientific and research achievements.

A detailed list of my publications is given in Annex 5 to the request for a habilitation procedure. This work includes co-editing of three monographs (including one with the status accepted for publication), authorship of 25 articles in journals and collective works, including 18 published after obtaining the doctoral degree (two with the status of accepted for publication), authorship of several reviews and post-conference reports.

My scientific and research achievements to date focus on 4 main thematic areas:

- international criminal law,
- international migration law,
- international aviation law,
- international space law.

My scientific and research work both before and after obtaining a doctoral degree focused mainly on issues related to international criminal law. In the doctoral dissertation entitled „Odpowiedzialność międzynarodowoprawna jednostki w świetle Statutu Międzynarodowego Trybunału Karnego” [“International Legal Responsibility of an Individual in the Light of the Statute of the International Criminal Court”], I undertook to analyse the provisions regulating the subjective and objective scope of the individual's responsibility and its implementation before the ICC. The functioning of the first permanent international criminal court was not only long awaited by the world of science, but it was also characterized by many innovative solutions, which led to many discussions in the doctrine on their practical dimension. It also contributed to the continuation of my scientific and research interests related to the functioning of the International Criminal Court and various international legal solutions with the purpose of enforcing the responsibility of the individual under international criminal law. This area of issues is covered by the following publications: *Międzynarodowy Trybunał Karny w systemie*

Narodów Zjednoczonych - rola Rady Bezpieczeństwa ONZ w postępowaniu przed MTK [*The International Criminal Court in the United Nations System - the Role of the UN Security Council in the Proceedings before the ICC*], [in:] A. Kozłowski and B. Mielnik (ed.), „Odpowiedzialność międzynarodowa jako element międzynarodowego porządku prawnego” [“International Accountability as Part of the International Legal Order”], publ. by the University of Wrocław, Wrocław 2009, pp. 401-422; *Ekstradycja a dostarczenie w prawie międzynarodowym* [*Extradition and Delivery in International Law*], „Zeszyty Naukowe Uniwersytetu Rzeszowskiego, Seria prawnicza, Prawo 9, Rzeszów 2010, issue 64, pp. 23-32; *Polityczny charakter przestępstwa jako negatywna przesłanka ekstradycji* [*The Political Nature of the Crime as a Negative Premise of Extradition*], „Zeszyty Naukowe Uniwersytetu Rzeszowskiego, Seria prawnicza - Prawo 10”, Rzeszów, issue 71, pp. 24-38; *Rola Unii Europejskiej w budowaniu i umacnianiu pozycji Międzynarodowego Trybunału Karnego* [*The Role of the European Union in Building and Strengthening the Position of the International Criminal Court*], [in:] L. Brodowski, D. Kuźniar-Kwiatek (ed.), „Unia Europejska a Prawo Międzynarodowe. Księga jubileuszowa dedykowana Prof. Elżbiecie Dyni” [“The European Union and International Law. The Jubilee Book Dedicated to Prof. Elżbieta Dynia”], Oficyna Wydawnicza „Zimowit”, Rzeszów 2015, pp. 193-203; *Międzynarodowy Trybunał Karny - przeszłość, teraźniejszość i przyszłość* [*International Criminal Court - Past, Present and Future*], [in] E. Leniart, R. Świrgoń-Skok, W. P. Wlazlak (ed.), „Sądownictwo w Europie w XIX i XX wieku” [“Jurisdiction in Europe in the Nineteenth and Twentieth Century”], publ. by the University of Rzeszów, Kraków 2016, pp. 189-208; *Ekstradycyjny charakter przestępstwa* [*Extradition Nature of the Crime*], [in:] „Zeszyty Naukowe Uniwersytetu Rzeszowskiego, Seria prawnicza, Prawo 21”, Rzeszów, journal 97, pp. 11-30. In publications devoted to the International Criminal Court, attempts were made to refer to the practical aspects of procedural solutions that, when confronted with practice and at the same time resistance of countries, highlighted the deficiencies of the regulations contained in the ICC Statute. The publications also focused on the controversial role of extra-judicial organs in proceedings before the International Criminal Court, the analysis of the first judgements of the Court and the activities of international organizations to strengthen its position and level a fairly large distance of countries towards the new institution. The conducted research led to the conclusion that the international criminal court, which, according to the assumptions of its creators, was supposed to be an effective instrument of international justice, has, in fact, considerable difficulties in terms of the competences entrusted to it. To a large extent,

their implementation is dependent on the goodwill of countries, whose attitude is often determined by political interests, and in practice allows to limit the enforcement of the cooperation with the Court, thus hampering its proceedings. The reflection on some of the provisions contained in the Statute of the International Criminal Court was accompanied by the conviction of the greater legitimacy and the need to act for its global ratification.

The considerations regarding extradition were carried out primarily on the material and legal level. To address this issue, I was partly encouraged by the discussion of the representatives of the public international law and constitutional law on the subject of new institutions introduced into international law, such as the delivery to the International Criminal Court and the European arrest warrant. It turned out that extradition is an institution that is subject to constant evolution, created by integration tendencies and the development of international law responding to the actual demand dictated by the practice of countries. The aforementioned publications were also aimed at assessing the effectiveness of the solutions applicable in the extradition procedure, the role of methods applied in extradition law for qualifying the offences giving grounds to delivery, and also justifying the need to relativize the principles on which the institution of extradition is based and to present the desired directions for its further development.

In the same research trend, there is one more publication, which is part of a collective work. It is the article entitled *Regulacje Rady Europy dotyczące zwalczania terroryzmu [Regulations of the Council of Europe on Combating Terrorism]*, [in:] H. Zięba-Załużka, T. Bąk (ed.), „Terroryzm a prawa człowieka” [“Terrorism and Human Rights”], Kraków–Rzeszów-Zamość 2012, pp. 87–104. I included in it an analysis of the achievements of the Council of Europe in this area, pointing to the model of combating and preventing terrorism adopted in the organization's regulations. I drew attention to the provisions creating obligations arising from the principle of *aut dedere aut judicare*, whose adoption in the context of combating terrorist acts of international character should be considered as particularly desirable. The aim of the reflections in the article was to emphasize the role of these solutions that enable the preventive action, prosecution and effective adjudication of perpetrators of terrorist acts.

Another research issue, the analysis of which resulted in scientific publications, is international migration law. Research in this area contributed to the publication of the following articles: *Ochrona uchodźców w świetle polityki azylowej Unii Europejskiej [Protection of Refugees in the Light of European Union Asylum Policy]*, [in:] S. Pelc

(ed.), „Prawa człowieka w kontekście sytuacji uchodźców w Europie” [“Human Rights in the Context of the Situation of Refugees in Europe”], Wyższa Szkoła Inżynieryjno–Ekonomiczna w Rzeszowie, Rzeszów 2014, pp. 58-74; and *Wspólny Europejski System Azylowy - założenia i perspektywy [Common European Asylum System - Assumptions and Perspectives]*, [in:] A. M. Kosińska (ed.), „W obliczu kryzysu. Przyszłość polityki azylowej i migracyjnej Unii Europejskiej” [“In the Face of Crisis. The Future of Asylum and Migration Policy of the European Union”], publ. by the Catholic University in Lublin (KUL), Lublin 2017, pp. 71-98. The research conducted in this area referred to the very widely discussed problem that the European Union had to face in its asylum policy and the refugee crisis. Tracking the solutions adopted under the Common European Asylum System made it possible to conclude on only a partial success of the EU institutions in the creation and implementation of the system itself and its reform. The amendments to the EU secondary law raised international protection standards in the organization itself and constituted an important change in the direction of the approximation of Member States' national asylum systems, as requested by the European Commission and the position of the EU Court of Justice in the subject of the granted protection. Another conclusion constructed on the basis of the analysis of the studied area was the statement that the development of clear and transparent criteria, primarily qualifying and procedural, guaranteeing applicants for international protection equal treatment in terms of their status determination and the applied procedural solutions failed in face of indolent transposition of the key regulations, while at the same time exposing the need for their further legal verification, rapid implementation and solidarity between countries.

The third area of my research interests is international aviation law. They resulted in the publication of the following articles: *Tranzyt lotniczy osoby ekstradowanej w świetle prawa międzynarodowego [Air Transit of an Extradited Person in the Light of International Law]*, [in:] E. Dynia, D. Kuźniar-Kwiatek (ed.), „Międzynarodowe prawo lotnicze, kosmiczne i technologie” [“International Aviation and Space Law, and Technologies”], publ. by the University of Rzeszów, Rzeszów 2016, pp. 78-89; *Opóźnienie lotu a prawo do odszkodowania na podstawie rozporządzenia (WE) nr 261/2004 Parlamentu Europejskiego i Rady z dnia 11 lutego 2004 r. ustanawiającego wspólne zasady odszkodowania i pomocy dla pasażerów w przypadku odmowy przyjęcia na pokład albo odwołania lub dużego opóźnienia lotów - przegląd wybranego orzecznictwa Trybunału Sprawiedliwości UE [Flight delay and the right to compensation under*

Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance for passengers in the event of denied boarding or cancellation or long delay of flights - overview of the flight case law of the EU Court of Justice], "Internetowy Kwartalnik Antymonopolowy i Regulacyjny" 2016, issue 2(5), publ. by Wydawnictwo Naukowe Wydziału Zarządzania Uniwersytetu Warszawskiego, pp. 127-134; *Wytyczne interpretacyjne Komisji Europejskiej dotyczące zdarzeń nadających prawa na podstawie rozporządzenia (WE) nr 261/2004 ustanawiającego wspólne zasady odszkodowania i pomocy dla pasażerów w przypadku odmowy przyjęcia na pokład albo odwołania lub dużego opóźnienia lotów [Interpretative guidelines of the European Commission on events giving rights under Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding or cancellation or long delay of flights]* "Internetowy Kwartalnik Antymonopolowy i Regulacyjny" 2016, issue 2(2), publ. by Wydawnictwo Naukowe Wydziału Zarządzania Uniwersytetu Warszawskiego, pp. 109-116. The research conducted in the indicated area was aimed at analysing: treaty legal grounds enabling the transit of an extradited person, the form of a transit request and the methods of its transfer, rules for granting consent for transit, in particular optional and obligatory reasons justifying refusal of transit, and at analysing the legal grounds of compensation for passengers on delayed flights as well as incidents and rights arising from them on the passenger's side in the event of denied boarding, cancellation of flight, delay or placement of a passenger in the higher or lower class.

In recent years, my research work has focused on the issue of international space law, resulting in several studies, which include: *Organizacja Narodów Zjednoczonych a ochrona środowiska przestrzeni kosmicznej i ciał niebieskich [The United Nations and the Environmental Protection of Space and Celestial Bodies]*, [in:] E. Cała-Wacinkiewicz, J. Menkes, J. Nowakowska-Małusecka, A. Przyborowska-Klimczak, W. Staszewski (ed.), „System Narodów Zjednoczonych z polskiej perspektywy” [“The United Nations System from the Polish Perspective”], Warszawa 2017, pp. 269-280; *Problem space debris - od soft law do norm prawnie wiążących ? [The Problem of Space Debris - from Soft Law to Legally Binding Standards?]*, [in:] B. Kuźniak, M. Ingelevič-Citak (ed.), „Ius cogens, soft law - dwa bieguny prawa międzynarodowego publicznego” [“Ius Cogens Soft Law. The Two Poles of Public International Law”], Kraków 2017, pp. 403-410; *Kilka uwag o militarzacji kosmosu w świetle regulacji międzynarodowego prawa kosmicznego [Some Comments on the Militarization of the Outer Space in the Light of the Regulations of*

International Space Law] - „Studia Prawnoustrojowe” 2017, issue 38, pp. 245-255; *Broń w kosmosie - problem wciąż nierozwiązany (kilka uwag na tle praktyki traktatowej państw [Weapons in Space - a Problem still Unresolved (a Few Comments against the Background of the Treaty Practice of Countries)]*, [in:] E. Dynia, A. Marcisz-Dynia (ed.), „Prawne i techniczne aspekty wykorzystania przestrzeni powietrznej i kosmicznej” [“Legal and Technological Aspects of the Use of Airspace and Outer Space”], Rzeszów 2018, pp. 161-171; *Organizacja Narodów Zjednoczonych wobec problemu militaryzacji kosmosu [The United Nations Organization on the Militarization of Space]* (status of accepted for publication); *Międzynarodowe standardy ograniczania śmieci kosmicznych - zarys problematyki [International Standards for Limiting Space Debris - an Outline of the Issues]* (status of accepted for publication). As part of these publications, two extremely important and current issues of international space law were raised. The first is the militarization of space, which is associated with the space arms race conducted by countries. As part of the diagnosed problem, which is the so-called active militarization of space, a postulate was proposed for countries to adopt a treaty prohibiting the placement and use of weapons of any kind in outer space and on celestial bodies. There were also voices in favour of regulating the ban on the use of weapons placed not only in space, but also on Earth, which could be directed from space to Earth, from Earth to space, or from Earth to Earth through space. The analysis of the provisions of the treaties, forming the canon of international space law, made it possible to conclude unambiguously that the principle of peaceful use of outer space should be honoured by countries in absolute terms, and its interpretation must take account of the other principles determining the status of outer space and celestial bodies with which it is inextricably linked, creating a coherent legal regime. This also led to another conclusion that the actions of countries testing anti-satellite weapons should be seen as incompatible with the provisions of international space law. The issue of the militarization of space is partly related to the second issue under international space law, which is the protection of the environment of space and celestial bodies. The aim of these studies, apart from popularising the issue in the Polish scientific literature (in the face of rather modest writing), was to signal the key problems related to the protection of the environment of space and to relate them in the outline to the treaty regulations. They also presented the solutions adopted in the so-called “soft” international law, trying to outline the predictable direction of further practice of countries and to draw attention to the significant role of non-treaty solutions for the construction of legal frameworks for the protection of the environment of space and celestial bodies in

international space law. Scientific achievements in this research area became an inspiration for in-depth studies and analyses, culminating in the previously presented habilitation monograph entitled *Ochrona środowiska przestrzeni kosmicznej i ciał niebieskich. Studium prawnomiędzynarodowe [Environmental Protection of Space and Celestial Bodies. International Law Study]*, publ. by the University of Rzeszów, Rzeszów 2019, pp. 278.

My scientific achievements also include co-editing of three monographs entitled: *Unia Europejska a Prawo Międzynarodowe. Księga jubileuszowa dedykowana Prof. Elżbiecie Dyni*” [*The European Union and International Law. The Jubilee Book Dedicated to Prof. Elżbieta Dynia*], Oficyna Wydawnicza „Zimowit”, Rzeszów 2015, pp. 419; *Międzynarodowe prawo lotnicze i kosmiczne oraz technologie [International Aviation and Space Law and Technologies]*, publ. by the University of Rzeszów, Rzeszów 2016., pp. 299; and *Prawo narodów do samostanowienia w teorii i praktyce międzynarodowej [The Right of Nations to Self-Determination in the International Theory and Practice]*, publ. by the University of Rzeszów, Rzeszów 2019, (status of accepted for publication). The articles of representatives of science and practice published within these monographs allowed for the presentation of the rich issues of public international law, entering the current topics related to the practice of countries.

5.1. Participation in scientific conferences

After obtaining the degree of Doctor of Law, I actively participated in several national and international scientific conferences, the detailed list of which can be found in Annex 5 to the request for a habilitation procedure. This includes *inter alia*:

1. National Scientific Conference on *Odpowiedzialność międzynarodowa jako element międzynarodowego porządku prawnego [International Accountability as Part of the International Legal Order]*, organized on 22-24 October 2008 in Wrocław by the Chair of International Law and European Law of the University of Wrocław (paper entitled *Międzynarodowy Trybunał Karny w systemie Narodów Zjednoczonych - rola Rady Bezpieczeństwa ONZ w postępowaniu przed MTK [The International Criminal Court in the United Nations System - the Role of the UN Security Council in the Proceedings before the ICC]*).
2. National Scientific Conference on “*Aktualne problemy prawa lotniczego [Current Issues of Aviation Law]*”, organized by the ELSA European Law Students’ Association, Rzeszów, the Department of International Law and European Law at the Faculty of

Law and Administration of the University of Rzeszów and the EuroAVIA European Association of Aerospace Students Rzeszów on 11-12 April 2013 in Rzeszów (participation in the discussion).

3. International Scientific Conference on *Prawa Człowieka w kontekście sytuacji uchodźców w Europie [Human Rights in the Context of the Situation of Refugees in Europe]*, organized by the Higher School of Engineering and Economics in Rzeszów and the NGO “Spectrum - Wychod” in Presov on 18 November 2013 in Rzeszów (paper entitled *Ochrona uchodźców w świetle polityki azylowej Unii Europejskiej [Protection of Refugees in the Light of the European Union Asylum Policy]*).
4. Second National Scientific Conference on *Air law and technology. Nowe wyzwania dla międzynarodowego i krajowego prawa lotniczego oraz technologii lotniczych [Air Law and Technology. New Challenges for International and National Aviation Law and Aviation Technologies]*, organized by the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów and the ELSA European Law Students’ Association Rzeszów on 3-4 April 2014 in Rzeszów (participation in the discussion).
5. Third National Scientific Conference on *Air law and technology. Prawo Lotnicze i Kosmiczne oraz Forum Technologii [Air Law and Technology. Aviation and Space Law and Technology Forum]*, organized by the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów and the ELSA European Law Students’ Association Rzeszów and the EuroAVIA European Association of Aerospace Students Rzeszów on 23-24 April 2015 in Rzeszów (paper on *Tranzyt lotniczy osoby ekstradowanej w świetle prawa międzynarodowego [Air Transit of an Extradited Person in the Light of International Law]*).
6. National Scientific Conference - Convention of the Chairs of Public International Law and European Law on “*Unia Europejska a Prawo Międzynarodowe [The European Union and International Law]*”, organized by the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów on 13-15 May 2015 in Baranów Sandomierski (paper on *Rola Unii Europejskiej w budowaniu i umacnianiu pozycji Międzynarodowego Trybunału Karnego [The Role of the European Union in Building and Strengthening the Position of the International Criminal Court]*).

7. National Scientific Conference on *Przyszłość polityki migracyjnej i azylowej Unii Europejskiej* [The Future of Immigration and Asylum Policy of the European Union], organized by the Faculty of Law of the John Paul II Catholic University of Lublin and the Centre for Research on European Law and Migration Policy, and the Institute for State and Law together with the MIGRA-TEAM research group on 11 March 2016 in Lublin (paper on *Wspólny Europejski System Azylowy - założenia i perspektywy* [Common European Asylum System - Assumptions and Perspectives]).
8. Fourth National Conference on *Prawo i technologie lotnicze oraz kosmiczne* [Aviation and Space Law and Technologies], organized by the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów and the ELSA European Law Students' Association Rzeszów and the EuroAVIA European Association of Aerospace Students Rzeszów on 21-22 April 2016 in Rzeszów (participation in the discussion).
9. National Scientific Conference - Convention of the Departments of Public International Law on *Ius Cogens - soft law. Dwa bieguny prawa międzynarodowego publicznego* [Ius Cogens Soft Law. The Two Poles of Public International Law], organized by the Department of Public International Law at the Faculty of Law and Administration of the Jagiellonian University on 19-20 May 2016 in Kraków (paper on *Problem space debris - od soft law do norm prawnie wiążących ?* [The Problem of Space Debris - from Soft Law to Legally Binding Standards?]).
10. National Scientific Conference on *System Narodów Zjednoczonych z Polskiej Perspektywy* [The United Nations System from the Polish Perspective], organized by the Association of International Law - Polish Group and the Faculty of Law and Administration of the Marie Curie-Skłodowska University in Lublin on 13-14 October 2016 in Warsaw (paper on *Organizacja Narodów Zjednoczonych a ochrona środowiska przestrzeni kosmicznej i ciał niebieskich* [The United Nations and the Environmental Protection of Space and Celestial Bodies]).
11. Fifth National Conference on *Prawo i technologie lotnicze oraz kosmiczne*, [Aviation and Space Law and Technologies], organized by the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów and the ELSA European Law Students' Association Rzeszów and the EuroAVIA European Association of Aerospace Students Rzeszów on 25-26 April 2017 in Rzeszów (paper on *Broń w kosmosie - problem wciąż nierozwiązany (kilka uwag na*

tle praktyki traktatowej państw [Weapons in Space - a Problem still Unresolved (a Few Comments against the Background of the Treaty Practice of Countries)].

5.2. Foreign internships and scientific research

Scientific internship realized at The Staffordshire University, at the Faculty of Staffordshire Law School within the project „UR - nowoczesność i przyszłość regionu [Univeristy of Rzeszów - Modernity and the Future of the Region]” of the Human Capital Operational Programme, Priority VI: “Szkolnictwo wyższe i nauka [Higher Education and Science]”, held on 3-10 April 2011.

5.3. Reviewing publications in journals

I was an outside reviewer for:

"Internetowy Kwartalnik Antymonopolowy i Regulacyjny. Seria Regulacyjna" (article).

5.4. Participation in the scientific organisations:

I am a member of:

International Law Association - ILA Polish Group

Polish Association for European Studies

5.5. Teaching and popularising activity

Since 1 October 1999 until now, I have worked at the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów. Within the indicated time I taught classes and lectures for full-time and part-time students of law, administration and European studies at the Faculty of Law and Administration of the University of Rzeszów on the following subjects: public international law, the European Union law, the European human rights system, protection of human rights in the Council of Europe, protection of individual rights in the European Union, social rights and protection of human rights in the Council of Europe and the European Union, migration and legal status of refugees, citizenship of the European Union and national citizenship, international organizations, international judicature. I also conducted bachelor's and master's seminars in public international law for full-time and part-time students of law and administration.

I supervised 42 master and 27 bachelor theses and reviewed 56 theses at the Faculty of Law and Administration of the University of Rzeszów.

I am an auxiliary supervisor for the doctoral degree conferment procedure of Ms Katarzyna Lechowicz, LL.M. at the Faculty of Law and Administration of the Maria Curie Skłodowska University in Lublin.

Since 2011, I have participated in the work of the Organizing Committee of the Open Scientific Conferences on “ *Przeszczep szansą na drugie życie [Transplants - a Chance for a Second Life]*”, organized periodically within the “Rzeszów Festival of Transplantation”, by the University of Rzeszów, the Rzeszów University of Technology, the Clinical Regional Hospital No. 1 and the Clinical Regional Hospital No. 2 in Rzeszów and the “Medyk” Medical Centre in Rzeszów.

Since 2013, I have participated in the organizational work, I been a member of the Programme Board and the Jury of the Competition of Speeches during the annual (since 2017, having the International status) Conferences of Aviation and Space Law and Technology organized by the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów and the ELSA European Law Students’ Association Rzeszów and the EuroAVIA European Association of Aerospace Students, which took place in 2013, 2014, 2015, 2016, 2017, 2018. The aim of the Conferences is to present current scientific research and its results, and exchange of views in the field of aviation and space law, and technology, between lawyers, experts, practitioners and students.

In 2013-2018 I also participated in the organization of the following conferences, seminars and lectures:

- National Scientific Conference on *Wpływ prawa Unii Europejskiej na prawo krajowe [The Impact of the European Union Law on National Law]*, organized by the students of the Faculty of Law and Administration, acting at the Inspiration Generator Foundation, the Polish Lawyers Association - Regional Branch in Rzeszów and the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów on 21 February 2013 in Rzeszów,
- National Scientific Conference on “*Prawne narzędzia UE w służbie wsparcia aktywizacji młodych [Legal EU Tools in Supporting Youth Activation]*” organized by the Podkarpackie Centre for Legal Education and the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów on 20 February 2014 in Rzeszów,
- Open lecture by Prof. Rama Jakhu from the Institute and Centre for Air and Space Law McGill University in Montreal (Canada) on *The use and regulations in space* and Dr.

- Małgorzata Polkowska, a Polish representative in the Council of ICAO on *ICAO and space new challenges* in connection with the inauguration of a branch of a Polish Space Agency in Rzeszów, organized by the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów on 24 November 2015 in Rzeszów,
- National Scientific Conference on *Polska w strefie Schengen - doświadczenia i perspektywy [Poland in the Schengen Area - Experiences and Perspectives]* organized by the Podkarpackie Centre for Legal Education, Department of International Law and European Law and the Student Association of International and European Law at the Faculty of Law and Administration of the University of Rzeszów, on 19 March 2015 in Rzeszów,
 - National Scientific Conference - Convention of the Departments of Public International Law and European Law on *Unia Europejska a Prawo Międzynarodowe [The European Union and International Law]*, organized by the Department of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów on 13-15 May 2015 in Baranów Sandomierski,
 - National Scientific Conference on *Aktualne problemy polityki migracyjnej UE [Current Problems of the EU Migration Policy]* organized by the Department of International Law and European Law, Students Scientific Association of International Law and European Law at the Faculty of Law and Administration of the University of Rzeszów and Podkarpackie Centre for Legal Education on 10 March 2016 in Rzeszów,
 - National Scientific Conference on *Wpływ międzynarodowych instytucji konwencyjnych na przestrzeganie przez państwa praw człowieka [The Influence of International Conventional Institutions on the Observance of Human Rights by States]* organized by the Department of International Law and European Law, Chair of Legal Institutions and Human Rights at the Faculty of Law and Administration of the University of Rzeszów and Students Scientific Association of International Law and European Law and Students Scientific Association of Constitutional Law “Constitutio” in Rzeszów on 16 March 2017,
 - Scientific Seminar on *“System polityczno-prawny państw skandynawskich” [“The Political and Legal System of Scandinavian Countries”]* organized by the Department of International Law and European Law at the University of Rzeszów and Students Scientific Association of International Law and European Law of the University of Rzeszów on 16 May 2017 in Rzeszów,

- National Scientific Conference on “*Prawo narodów do samostanowienia w teorii i praktyce międzynarodowej*” [“*The Right of Nations to Self-Determination in the International Theory and Practice*”] organized by the Department of International Law and European Law in cooperation with the Students Scientific Association of International and European Law operating at the Faculty of Law and Administration of the University of Rzeszów on 22 March 2018 in Rzeszów.

Rzeszów, 9 April 2019

Dagmara Kuźniar
