

## **Abstract of a doctoral thesis entitled**

### **“The UN Committee on the Rights of the Child as a Body Appointed to Monitor Observance of Children’s Rights”**

The object of this thesis is the UN Committee on the Rights of the Child, as a body established to monitor the observance of children’s rights by State Parties to the United Nation's Convention on the Rights of the Child.

The principal objective was to present and analyse the activity of the Committee on the Rights of the Child and draw conclusions based on the documents for the years 2012-2016 subjected to analysis. Three major and eight detailed research problems have therefore been formulated.

The first research problem was to establish the theoretical and philosophical foundations of children’s rights. According to the corresponding research hypothesis, children’s rights are rooted in anthropological personalistic theory and philosophy of man. The second research problem included establishment whether children’s right are being duly monitored by the UN Committee on the Rights of the Child in the globalised world. Here, the corresponding research hypothesis assumes that they are, with the Committee not only monitoring children’s rights but also playing a role in their implementation. Finally, the third research problem was to determine how this implementation is ensured. In accordance with the corresponding research hypothesis, the above is possible on the basis of the Rules of procedure of the Committee, which set forth the Committee’s competences, among others, in the area of monitoring fulfilment of provisions of the Convention on the Rights of the Child and its Optional Protocols.

The thesis consists of an introduction, five chapters, conclusion and a list of literature and legal sources quoted. Chapter 1, entitled *Rights of the Child are Human Rights*, presents an analysis and critical assessment of literature where children’s situation is shown in the context of human rights, as well as an overview of the legal system with its significance and procedural guarantees. Additionally, the theoretical philosophical approach to the subject was discussed, taking due account of the child’s legal protection in time of peace and in extraordinary circumstances. In Chapter 2, *The Child in Literature and in a Globalised World*, research and policy towards children and childhood were presented based on literature on the subject, with emphasis on violations of children's rights in the world. Chapter 3, entitled *Formal and Material Significance of the Committee on the Rights of the Child* focuses on the notion of formal relevance, with clarification of principal categories pertaining to formal aspects of activities of the Committee on the Rights of the Child such as the objective, mission and organisational structure of the Committee. An attempt was made to sketch out the material

relevance of the Committee, including its significance, importance, related competences and task performance strategies, as well as to discuss the understanding of implementation of children's rights. In Chapter 4, *Subjects and Relevance of General Comments of the Committee on the Rights of the Child*, all the twenty-one General Comments of the Committee on the Rights of the Child were analysed and concluded, in terms of both their subject-matter and structure. The issues discussed shed light on the materiality, intellectual value and advisory activity of the Committee. Finally, in the last chapter, *Reports Regarding Implementation of the Convention on the Rights of the Child as Illustrated by the Example of the Republic of Poland*, reports of the Republic of Poland concerning the implementation of provisions of the Convention on the Rights of the Child were analysed and recapitulated in the context of final conclusions presented by the Committee on the Rights of the Child. Additionally, comments of the Ombudsman for Children were presented, concerning the situation of children's rights in Poland and the status of implementation of the Committee's recommendations for 2012-2016. The findings emphasise the specifics of enforcement of rights by children, resulting from the fact that a child is both a holder of general human rights and a user of standards contained in the Convention on the Rights of the Child. In the closing part of the thesis, crucial remarks and comments included in the dissertation were presented and *de lege ferenda* conclusions were drawn, indicating that the Committee on the Rights of the Child should create a space for dialogue and proper communication between all parties to the Convention on the Rights of the Child, as well as promote cooperation, integrate science and initiate interdisciplinary scientific research by analysing programmes and policies proposed by state governments and their impact on the development of children.