

Summary of doctoral dissertation

Money laundering in Polish criminal law in the light of international and comparative law

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In my doctoral dissertation an attempt has been made to make multifaceted analysis of criminal law introduced on money laundering prevention and fighting it. The inspiration was to conduct a thorough analysis on anti-money laundering regulations in the Polish law.

The successful implementation of this task is not possible only basing on the Polish ground. The concepts of criminal behavior to prevent money laundering in Poland and to fight it are based on solutions contained in instruments of international law. Therefore, the analysis could not be limited only to the Polish law. Such an analysis shall begin with an international comparison and be carried out with comparative perspective. All the more, money laundering phenomenon has long ago become a global problem.

It is therefore necessary to review the instruments of international law. The above considerations do not compose of a review of international law, because these international instruments are based on solutions contained in the U.S. law. This is why it became necessary to review the U.S. law related to the prevention of money laundering and fighting it. Furthermore, they also had an influence on the content and scope of solutions contained in instruments of international law.

In doctoral dissertation research hypothesis was imposed. According to the hypothesis, criminal law standards introduced on the prevention of money laundering in Poland and fighting it were established based upon implementation and ratification of instruments of international law. These solutions were modeled on those contained in the U.S. laws.

In order to verify the proposed hypothesis it was necessary – in the right sequence – to analyze solutions contained under the following three legal regimes: the U.S., international and Polish. Special attention should be given to instruments of the U.S. laws which sporadically have been the subject of Polish publications. Most frequently, the publications were published several years ago. In dissertation, normative materials from the U.S.,

international and polish law have been analysed. Furthermore, these materials also show the evolution of laws on the prevention of money laundering and different comparisons.

The doctoral dissertation was divided into three parts. The first part shows selected laws on money laundering prevention and fighting it, which were introduced for the first time in the U.S., international and Polish laws. Further, the chapter presents a brief description of these laws. The second part of the dissertation covers fundamental issues, namely the analyses of the U.S. legal regime. In the second part the study also assesses influence that United States of America and its laws have had on the other countries and international organizations and domestic legal regimes. The third part of dissertation includes analyses of Polish criminal laws concerning prevention of money laundering in Poland. An attempt has been made to present selected and current information, which characterize the phenomenon of money laundering in Poland. In addition, the third part assesses compatibility of Polish laws with international laws. In the last part characteristics of special instruments to fight money laundering are also included such as money laundering sting operations and controlled delivery.

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