

- międzynarodowych na rozwój demokracji i ochronę praw człowieka, red. J. Jaskiernia, t. I, Warszawa 2013
3. Standard użycia praw człowieka, S. Kaźmierczyk, (w:) Wpływ standardów międzynarodowych na rozwój demokracji i ochronę praw człowieka, red. J. Jaskiernia, t. I, Warszawa 2013
 4. Godność ludzka jako podstawowe prawo każdego człowieka. Standardy regionalne a uniwersalne, J. Skowron, (w:) Wpływ standardów międzynarodowych na rozwój demokracji i ochronę praw człowieka, red. J. Jaskiernia, t. I, Warszawa 2013
 5. Zobowiązania pozytywne państwa w sferze praw człowieka pierwszej generacji na tle Europejskiej Konwencji Praw Człowieka, J. Czepek, Olsztyn 2014
 6. Prawa społeczne w orzecznictwie Europejskiego Trybunału Praw Człowieka, K. Łasak, Warszawa 2013
 7. International Human Rights, R.K.M. Smith, Oxford University Press 2012
 8. Civil Liberties and Human Rights, R. Stone, Oxford University Press 2014
 9. International Human Rights Law. Cases, Materials, Commentary, O. De Schutter, Cambridge 2014
 10. Druk sejmowy nr 2678, Sejm Rzeczypospolitej Polskiej, VII kadencja

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THE JUDICIARY OF CANADA

The judicial system in Canada is defined in the Constitutional Act of 1867 (Act of the British North America in 1867). It consists of the Supreme Court of Canada, the Tax Court of Canada, the federal courts, the courts of the provinces and territories, military courts.

Supreme Court of Canada (The Supreme Court of Canada) is the highest authority in the judicial system of the state. Its content consists of nine judges (among them three judges are appointed by the French-speaking province of Quebec).

The Supreme Court of Canada has the right to consider appeals against decisions of appellate courts of lower instance; provide advice on constitutional issues raised by the federal government; resolve disputes concerning important national issues which can be heard only by the highest judicial body; proclaim the law or any part of it invalid; require all other courts in the country to follow a particular line of a decision by the interaction with those things.

The Tax Court of Canada is the highest judicial body that considers appeals of individuals and companies on issues related to income taxes, taxes on goods and services, and the payment of unemployment benefits. It also provides information for Canadian customs and public meetings on the interpretation of laws within the jurisdiction of the court.

Federal courts are formed by the Federal Court and the Federal Court of Appeal. The Federal Court is a Canadian national court of law, which considers and decides legal disputes arising in Canada, including legal action against the Canadian government and civil cases on matters falling under federal law (disputes in immigration, intellectual property, maritime law, against the executive power and so on.).

The Federal Court of Appeal examines a wide range of issues affecting various aspects of life of the Canadian population. The court often takes decisions on issues such as the payment of social benefits through the federal government, the level of taxation of individuals and companies, the employment relationship between the federal government and its officials, and others. Federal Court of Appeal takes into consideration the claims of other countries and plays an important role in matters of interpretation and implementation of Canada's international obligations.

The courts of the provinces and territories are formed by appeals courts, high courts and lower courts that exist in every Canadian province and territory. Provincial Courts of Appeal (Appellate Courts) dealing with the determination of appeals and usually do not conduct litigation and did not hear witnesses. Provincial high courts are called Superior Courts and they consider the most serious crimes (murder, grievous bodily harm, theft of while breaking into the house, rape, etc.) as well as they examine the request for divorce and civil disputes. Lower courts of provinces (Inferior or Lower Courts) consider criminal offenses and matters which affect the rights of young people or cases related to family law.

Military justice are carried by military courts (Tribunals or Military courts) and the Military Court of Appeal (Martial Appeallate Court of Canada). The structure of military courts (tribunals) are: Military court of general jurisdiction (General Court Martial); Disciplinary Military Court (Disciplinary Court Martial); Permanent Military Court (Standing Court Martial); a special military court of general jurisdiction (Special General Court Martial).

Decisions of military courts may be appealed to the Military Court of Appeal. It exists outside the armed forces and is composed of civilian judges who are members of the Federal Court, the Federal Court of Appeal or provincial high courts.

Within the military justice it is carried out such cases as the crimes committed by military persons (or civilians if they are complicit in crimes committed by military persons); the crimes committed on the territory of military units; abuse of military service and others.

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