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"Responsibility of International Organizations and the Responsibility of States for Violation of International Law with Particular Emphasis on the Work of the International Law Commission. Attribution of Responsibility in the UN Peace Operations"

Summary

The dissertation deals with the attribution of the responsibility to the states and to the international organizations (IOs), in particular the United Nations (UN), during peace operations.

The idea of an IO standing between the State and its responsibility is a relatively new concept in international law. This intermediary role is related to the recent increase in both the number and qualitative scope of IOs' functions. When they were created in the nineteenth century, their tasks were mainly administrative and not political. This changed with the creation of the League of Nations and subsequently, the UN. With the expansion of their competences, including more comprehensive political and military tasks, the Juvenal's question *quis custodiet ipsos custodes* is no longer satire but a reality.

The importance of the issue in question is evidenced by the number of institutions discussing it, including *inter alia* the members of the Institute of International Law, the International Law Association, the American Society of International Law, the Committee for Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe, and the International Law Commission (ILC). Due to its importance and the comprehensive nature of the ILC's achievements in this matter, a special attention has been given to its work in the dissertation. The work of the ILC has resulted in adoption of the Articles on the Responsibility of States for Wrongful Acts (ARSIWA) and the Draft Articles on the Responsibility of International Organizations (DARIO). Although the title of the latter refers solely to the responsibility of IOs, it also includes the issue of the responsibility of states in relation to their activities within an IO.

Firstly, this dissertation rejects, while combining the subject of peace operations and the work of the ILC with both - ARIO and DARIO, the thesis on the progressive character of the latter in the area of peace operations.

Secondly, it elaborates the commentary of the ILC relating to the peace operations, and methodologically divides DARIO into three groups of articles: those articles which will strongly relate to peace operations; those articles whose probability of application is high; and those articles unlikely to be applied.

Thirdly, the dissertation stands against the opinion of the jurisprudential doctrine that the legal proposals adopted by the ILC do not contribute to the protection of the rights of individuals in the context of the potential violations towards them during the peace operations. The author not only disagrees with this view, but also proves that DARIO constitutes an important step towards improving this protection.

Finally, the dissertation aims to fill the gap in the literature, and while justifying the *raison d'être* of DARIO, comprehensively compares their structure with the structure of ARIO.

The subject matter is not only extremely legally important and interesting, but also current: the topic of the responsibility of international organizations will be deliberated by the UN General Assembly in 2020.

Responsibility is strongly connected with the notion of credibility. Those will be among the key elements determining the success of the UN in the area of peace operations for the decades to come.