

SUMMARY

The purpose of the doctoral thesis is to perform legal analysis of INTERPOL's competence in countering international terrorism in due consideration of the fulfilment of contemporary legal standards. The research objective is formulated in the following main hypothesis: *International cooperation within INTERPOL, especially with regard to countering international terrorism, is based on an effective system of international norms that complies with legal standards.* The research process was structured on the basis of the respective theses that delineated and systematised the course of the research. During the research and analysis, the following research methods were used: the legal-dogmatic method, the historical method, the historical-legal method, the theoretical-legal method, the desk research method and the analytical method.

This doctoral thesis consists of four chapters including their summaries. Given the purpose of the research, the first chapter defines the problem of terrorism and international terrorism. This chapter also provides the description of most important terrorism types along with an explanation of motivations behind each type. Some peculiarities of various types of terrorism that are of great importance for the international police cooperation as well as the corresponding distinction between terrorism and terror in terms of motivation are also discussed in this introductory chapter. This part of the doctoral thesis also provides an outline of the history of international police cooperation along with the objectives of joint activities performed in this field over the years and illustrates the relations between international terrorism and transnational organised crime. The chapter concludes with a brief description of potential profits achieved through the international cooperation, especially in the field of policing.

The second chapter of the thesis concentrates on the legal aspects regarding the establishment and functioning of INTERPOL as an international organisation. It describes the origins of the Organisation and presents INTERPOL's organs together with their powers. The analyses included in this part of the thesis focus i.a. on the INTERPOL's Statute and the international legal capacity of the Organisation. The second chapter also deals with the perception of INTERPOL by other subjects of international law. The analysis of particular features distinguishing INTERPOL from other international organisations has made it possible to extensively address the question of whether the Organisation has the status of an international intergovernmental organisation or rather of a non-governmental organisation. This chapter also

presents a thesis on the qualification of INTERPOL as a so-called transgovernmental organisation and discusses the general nature of INTERPOL's activities and competence.

The third chapter explains the INTERPOL's specific instruments in due consideration of its counter-terrorism mission. This part of the thesis also focuses on the mechanisms concerning the negatively perceived role of INTERPOL in the context of the abuse of Red Notices System as one of the most important legal instruments of the Organisation, not only in terms of countering international terrorism. Possible remedies concerning this matter are also outlined in this chapter. The third chapter of the thesis includes furthermore a thorough analysis of the political nature of cases referred to INTERPOL for international cooperation as an issue that precludes the Organisation from taking action. To this end, the implications of Article 3 of the INTERPOL's Constitution are explained along with their historical background. The problem of political nature is juxtaposed with such issues of international law as the national liberation movements and the right of asylum. This chapter also includes a modification proposal of the approach to this issue through a normative adjustment within the INTERPOL's legal regime. The final section of this chapter presents the real-world relevance of instruments used by INTERPOL.

The fourth chapter discusses the nature of actions taken by INTERPOL staff with regard to the requests for cooperation submitted by the Member States. It also provides the analysis of features that may serve as a description of the rules established by INTERPOL. INTERPOL's activities are presented here from the perspective of the international administrative law. The analysis focuses on the INTERPOL's rules on personal data protection and the right of appeal against the decisions regarding the publication of INTERPOL notices. Further analysis is dedicated to the competence of the Commission for the Control of INTERPOL's Files together with the status of the Commission members who are responsible for the review of applications for revision regarding INTERPOL's decisions on entering data into the Organisation's databases. The next part of this chapter addresses the issue of INTERPOL's internal and external accountability structure.