

Title of the diploma thesis: Compensation of victims of the most serious crimes

Abstract

This diploma thesis deals with the compensation of victims of the most serious crimes in international law. These crimes present a violation of *jus cogens* and their consequence is *erga omnes* obligation. At the same time, it is extremely difficult to compensate these crimes from the reason of mass or systematic character of their committing. The goal of the thesis is to analyse its research questions and to respond to them. These research questions are contractual and also customary regulation of content of the responsibility duty, with emphasis on the question of whether it is possible to deem the compensation of victims of the most serious crimes as part of the responsibility duty of relevant subjects, mainly states, and furthermore, the question of which resources can serve to effective compensation of victims of the most serious crimes. The thesis is divided into four chapters, the first chapter deals with historical genesis of the responsibility for the most serious crimes and clarifies fundamental terms, whereas following chapters correspond to research questions of the thesis. The second chapter of the thesis analyses contractual and customary regulation of content of the responsibility duty. This analysis has showed that all current mechanisms of compensation of victims tend to lead to the stabilisation of the institute of compensation of victims in international law. However, according to the author, the effectiveness of compensation of victims of the most serious crimes is a question which it is necessary to consider. The third chapter of the thesis deals with the question of whether it is possible nowadays to deem the compensation of victims of the most serious crimes as part of the responsibility duty of relevant subjects, in particular states. The author responds to this question positively, because it is crucial that the process of customary stabilisation of the institute of compensation of victims in international law is related mainly to victims of the most serious crimes. The fourth chapter of the thesis tries to find possible solutions to effective compensation of victims of the most serious crimes and to bring satisfiable response to the question of resources which can serve to effective compensation of victims of the most serious crimes. In this context, the author tends to foundation of a trust fund for the benefit of victims of the most serious crimes arising from UN initiative, therewith UN should set to its member states certain fee duty securing that such trust fund would dispose of needed amount of financial means.

Key words: Compensation of victims; The most serious crimes; International law