

RESUMÉ

THE UNITED NATIONS CONCEPTION OF PEACE AND SECURITY MAINTENANCE

The thesis is dealing with the development of peace and security policy of the United Nations throughout its historic steps until nowadays. There are many reasons for my research such as my interest in international public law, in the development of the concept of peace and security and the evolution of the United Nations. I tried to provide an answer to the question concerning whether the United Nations still plays a key role in preserving the peace and security.

The thesis is composed of five chapters. Chapter One is introductory and deals with basic terminology of the concepts and with the description of methods used by the United Nations in the maintenance of international peace and security.

Chapter Two concentrates on the history of the United Nations. The chapter consists of five parts. Part One focuses on international cooperation and the reasons behind the creation of an international organization for maintenance of peace and security. The first attempt in that direction was the establishment of the League of Nations. However, in practice it turned out not to be very successful. The Second World War was the context in which the idea of creating a new international organization that could preserve peace at an international level was first launched. That international power would be conferred upon the United Nations. The establishment of the United Nations is captured in Part Two of the Chapter. The other parts reflect the work of the main organs of the United Nations and the peacekeeping operations carried throughout the history of the United Nations until now. Part Three describes the conflict between two of the greatest powers of the world during the Cold war which threatened to paralyze and mostly succeeded the entire activity of the United Nations. Part Four pertains to the post Cold War period, when once with the defeat of the Soviet Union, the world became one international stage for the United Nations to act as a player in the maintenance of international peace and security. Last Part focuses on the new problems of the 21st century among which the terrorism issue plays a central part.

Chapter Three concentrates on the powers of the main organs of the United Nations – General Assembly and Security Council. This Chapter is subdivided into four parts. Part One illustrates the separation of powers among the organs of the United Nations. Part Two and Three look separately at the position of the General Assembly of the United Nations and of the Security Council. Part Four brings a comparative study of the powers and the relations between them. An important historic step in the evolution of separation of powers is the resolution 'Uniting for Peace' (resolution 377(V), 1955), which gives General Assembly authority to take action if Security Council fails to act in specific cases (the issue of the sharing of the responsibility for peace and security).

Chapter Four concentrates on a general principle of international law – the prohibition of use of force. The general provision for the prohibition of use of force is to be found in Article 2 (4) of the UN Charter. There are some exceptions to this article of the UN Charter. These exceptions, gathered in part Two, pertain to the right of self-defense and collective self-defense under Article 51 of the Charter and also to the obligation of collective security under the decision of the Security Council.

Chapter Five deals with the collective security of the United Nations. It illustrates meaning of the collective security and its historical development. The most important part analyses the legal provision of the collective security (Chapter VI, VII and VIII of the UN Charter).

The conclusions are dealing with the aim of the thesis. United Nations is 63 years old (24.9.1945). During its life the United Nations searched for ways in which to fulfill its obligation resulting from the UN Charter. I believe that the United Nations did the best taking into the consideration its political features. Criticism relates to the process of disassociation from the organization. The problem is that during its life almost nothing has changed and the United Nations, although being a centralized system, no longer represents the interests of all Member States. The United Nations is a large organization and any change takes more time to happen and that is why I do not expect major overturns to appear in order to provide solutions for all the criticisms. However, I think that it is still the main actor to provide answers to the problems concerning the preservation of peace and security, especially in the new millennium that has, from the beginning, been confronted

with new forms of security problems such as terrorism or mass destruction weapons.