

Abstract

The aim of this thesis was to analyze the role of the European Union in maintaining international peace and security. The 1990s proved to be a decade of uncertainty and ambiguity in which both the UN, NATO, the WEU and the EU struggled to re-define themselves in relation to the radically altered security environment of the post-Cold War era. After the collapse of bipolar world, there are favorable conditions for more effective work of the United Nations Security Council as well as for greater role of international organizations to share responsibility for maintaining international peace and security.

The lack of military instruments to support the policy aims of the Union contributed to pressure for the development of an EU defence dimension. The experience with crisis in Kosovo has led to significant developments since the late 1990s. The EU has acquired unprecedented military capability, a security strategy to inform its use and since 2003 it has engaged in several deployments of forces under the European Security and Defence Policy. Nowadays, the Lisbon treaty seems to be another milestone in the process of framing the EU as a military actor.

The thesis is composed of four chapters, each of them dealing with different aspects of issue relating to international peace and security.

Chapter one is theoretical and has four parts. It defines basic terminology used in law of international security (part one), deals with the general setting of UN collective security (part two), security role of regional agreements and agencies under Chapter VIII of the UN Charter (part three) and finally focuses on legal use of armed force in international relations

(part four). This chapter provides theoretical background for the analysis of EU's character as a security actor.

Chapter two is concerned with both political and legal aspects of evolution of the EU as a security actor. This chapter consists of nine parts which deal with: security dimension of European integration after the World War II (part one), founding of the Common Foreign and Security Policy of the European Union (part two), defence and security implications of the Common Foreign and Security Policy (part three), genesis of the European Defence and Security Policy (part four) and its military (part five) and civilian aspects (part six). Further I investigate the changes in European Defence and Security Policy in the Nice treaty (part seven) and beyond (part eight) and in the last part international legal aspects of the Lisbon treaty.

Chapter three is a crucial chapter of the thesis. By submitting several case studies it helps to formulate conclusion concerning the role of the European Union in maintaining international peace and security. This chapter is subdivided into seven parts and analyzes the EU military operations. In part one I survey the legal framework of launching a mission at the EU level, in part two the strategic setting of EU mission, part three deals with characteristics of EU missions and their basic division, part four concerns with the application of EU military instruments for the purpose of maintaining international peace and security, the next two parts are devoted to cooperation between EU and other international organizations, the UN in part five and NATO in part six, respectively. Final part mentions ongoing EU military operations in Eastern Africa.

Chapter four explores and tries to legally categorize the EU as an international organization. This chapter has six parts, which analyze the legal personality of the EU (part one), EU development in the area of international security at the

beginning of the 21st century (part two), EU approach to question of use force in international relations (part three), possible scenarios for EU mission involvement in the foreseeable future (part four), next part inquires whether the EU can be regional arrangement under Chapter VII of the UN Charter and the last one considers the EU as a sui generis international security organization.

The analysis of chosen topic verifies the hypothesis that the EU as an international organization cannot be today characterized neither as an regional agency under Chapter VIII of the UN Charter nor as an collective self-defence organization but rather as a sui generis organization willing to share in the responsibility for global security and in building a better world in accordance with the UN Charter. Thus, the newly acquired military capabilities should not lead primarily to militarization of the organization but to complement the set of instruments to support peace and security in the world.