

Abstract

In the present doctoral (rigorosum) thesis, the author deals with the assessment of counter-terrorism measures adopted by the UN Security Council from the perspective human rights guarantees provided by European Union law. The aim of the analyzed measures is the freezing of financial and economical assets belonging to natural persons and corporate entities which are connected to the commission of terrorist acts or are suspected thereof. This type of measures represents one of the global instruments in the fight against international terrorism.

In order to place the issue in its broader context, the author first deals with the definition of terrorism. Afterwards he analyzes the position of the UN Security Council with accents on the binding nature of its resolutions under Chapter VII of the UN Charter and the possibility of (judicial) review of these legal instruments. The author then introduces the functioning of sanctions regimes adopted pursuant to UN Security Council resolutions 1267 (1999) and 1373 (2001) both in the relevant UN bodies and in the European Union as well, while special attention is paid to the legal basis of regulations introducing the sanctions system to the realm of EU law. Afterwards the method of human rights protection in EU law via the creative use of general principles as one of the sources of primary law is introduced. Both the General Court and the Court of Justice dealt with the assets freezing measures from the perspective of human rights. The author bases his assessment of these measures on the analyses of the relevant case-law of the European Union courts. It is clear from the case-law that in spite of some deviations from the usual way of assessment of human rights issues in the first rulings, the courts eventually confirmed the special position of European Union law *vis-à-vis* general international law and especially UN Security Council resolutions. By virtue of this approach, persons subjected to restrictive measures are granted human rights guarantees to the full extent set out by primary European Union law.