

## **Abstract**

This diploma thesis deals with the compensation of victims in the peace operations of international organizations. The issue of compensation to victims in the context of peace operations of international organizations is very complex, because it is closely connected with many other issues, such as the subjectivity of international organizations, their responsibility or immunity, and it is also closely related to international humanitarian law. It is also a very actual issue, as peace operations are a phenomenon occurring quite often and it can be assumed that they will still be needed in view of the various conflicts that are taking place today. In this thesis I deal with the subjectivity of international organizations and their responsibility. The main part consists of chapters dedicated to assessing third-party claims in peace operations and the characteristics of the individual's process options of the victims. The aim of this thesis is primarily to analyze the compensation of victims in peacekeeping operations from a theoretical and practical point of view and to point out some specific problems related to the subject, as well as to conclude whether the current regulation allows victims to exercise their rights adequately.

In the first chapter I deal with the subjectivity of international organizations. It is generally accepted that international organizations have international legal personality. Their subjectivity is closely linked to their responsibility. Although the issue of the responsibility of states and international organizations has been discussed for some time in international law, it is still in the process of being reformed. In peace operations the units are composed of personnel which is usually provided by either one of the Member States or another international organization. It is therefore necessary to define the relationship between this sending State and international organizations. It is also important to specify the mutual relations between the international organization and the host state, which means the state where the peace operation is taking place. Among the issues which are dealt with by the parties are, among other things, the determination of responsibility in the peace operation and the issue of dealing with third-party claims. I deal with the legislation on the liability of international organizations in the second chapter.

In the third, fourth and fifth chapters, I deal specifically with the assessment of third-party claims and their application in practice, I also examine how an individual can proceed in such cases. The thesis also reflects relevant case law on the issue. The greatest attention is paid to UN peacekeeping operations. The Status of Forces Agreements are the important source in this area. These agreements concluded between the international organization and host state regulates a lot of issues. Except these agreements there are a number of other documents that deal with the issue of third-party claims and between which development is evident. In UN peace operations third-party claims should be judged by special committees composed of representatives of the international organization and the host state. In practice, this is not often the procedure, and only the UN decides on claims. The problem will arise in particular when international organization reject this claim, because in these situations the claimant does not have an adequate opportunity to oppose such a decision. If he tries to bring a case to a national court, these courts have always decided that is not competent to resolve the dispute because of the immunity of an international organization. Demanding compensation from an individual's perspective is then very difficult and with a very vague result. A typical case is a case cholera in Haiti, where UN peace operation MINUSTAH takes place.

In the conclusion of the thesis, in view of the above, it is stated that the current possibilities for victims of claims arising from the peace operations of international organizations are insufficient and should be changed.