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“Peace Agreements After 1945 from the International Law Perspective”

## SUMMARY

The subject of this thesis is the analysis of peace agreements concluded after 1945 as an institution of international law, including determination of the scope of the meaning of the notion of a peace agreement and showing the role of peace agreements in contemporary international law.

A peace agreement is a kind of international agreement aimed at crossing the parties from the state of war to the state of peace and establishing normal relations between the parties. The system of peace is a complex of legal regulations and institutions aimed at establishing and maintaining peace in an area. The thesis also discusses international law institutions other than a peace agreement but related, such as armistice and ceasefire. Peace agreements are unable to function in a vacuum, and the peace process is an extremely complex construction, which may culminate (if not always) with the conclusion of a peace agreement.

The work presents the issue of peace agreements in the context of selected issues of the law of treaties, which includes issues such as the form of peace agreements, a special mode of negotiating and concluding (including the participation of third parties), the entry into force of peace agreements and their possible expiration, as well as issues related to nullity of agreements (with particular emphasis on the issue of imposed treaties), possibility of parties to raise objections to peace agreements (or lack thereof) and interpretation of peace agreements.

The characteristic subject of the regulation of peace agreements usually includes provisions on military aspects, territorial and border provisions, provisions regarding the population, financial and economic provisions, including war reparations, provisions for the trial of war criminals, constitutional provisions, provisions for the implementation of the peace agreement and the creation of joint committees. The specific normative content of the peace agreement is - apart from its specific purpose - one of the characteristics of international agreements of this kind.

Author also discusses the subject matter of peace agreements. In addition to issues related to legal subjectivity and treaty capacity of entities that are parties to peace

agreements, thesis presents the issue of the participation of third parties - witnesses and guarantors of the agreement.

The work deals with resolving disputes arising from the interpretation and application of peace agreements. Considering the fact that parties to peace agreements are usually entities whose interests are clearly contradictory, the result of a dispute related to the concluded agreement, its interpretation and use is not unusual. The methods of resolving disputes on the basis of peace agreements include international arbitration, claim commissions and dispute resolution for the International Court of Justice. The dissertation presents the most interesting cases of real international disputes in the context of the interpretation and application of peace agreements, along with discussions on the decisions of international bodies, as well as issues related to the participation of the international community in the implementation processes of peace agreements. This participation can take various forms, depending on the intensity of the assumed activities. The review of the practice of the last few decades shows that a kind of externalization (the involvement of entities that are not parties to peace agreements in the process of their implementation) is a characteristic feature of peace agreements.

The subject of peace agreements is not only extremely interesting but also vivid. Every year in the world there are at least a dozen more serious and several dozen minor armed conflicts. In the case of a large number of them, peace talks are taking place parallel to the fights, which may result in the conclusion of a peace agreement. Peace agreements will be present in the international community for as long as wars last. This means that regardless of how international law would be shaped in the future, peace agreements will be one of its institutions.