

VIII. Resumé

The subject of my thesis is ,The Acts of the International Public Law as a Source of the EU Law and Their Implementation in the domestic law of the Member States .‘ The purpose of this paper is to describe how the acts of international public law nature interact with with the european legal order, especially with the Community law. The European Court of Justice has articulated in his decisions that the Community legal order represents an autonomous legal system independent of the international law. Despite of this fact, the European Communities and also the European Union enter into the international relations. The EU is not an isolated entity which does not communicate with the outside world. Therefore, the system of the international public law necessarily influences the european legal order in the ambit of its external relations.

My work consists of 3 main chapters, in which I attempt to analyze 3 different categories of the international public law acts, i.e. the system of international treaties, the decisions of the international organizations and the UN law, where I focus on the resolutions of the Security Council in the area of fighting the international terrorism. Initially, in the second chapter, I endeavor to briefly define, on which legal ground the European Communities and the EU enter into the international negotiations and how is the legal relationship between the international public law and the system of the european law viewed by the European Court of Justice.

Third chapter deals with the system of international agreements. In the individual subchapters I study the international treaties concluded only by the EC, mixed agreements, international agreements concluded only by the member states, agreements concluded by the EU and some other instruments of international public law nature. Within each type of the international agreement I investigate especially their legal nature, effects on the european legal order and I try to define which place in the hierarchy of the sources of the european law they occupy. In the last subchapter of this part I outline the possibility of the judicial review of such agreements by the European Court of Justice.

Next chapter is addressed to the decisions of international organizations. An attempt is being made to illustrate how the ,classical legal situation‘ between the decisions of the international organizations and the domestic legal orders of the member states is influenced by the existence of the Community law and its vast external competences in some areas.

Fifth chapter deals with the recent issue of the legal interaction of the UN law and the european legal order. The main objective of this section is to analyze the legal reasoning of the Court of First Instance in the matters of implementing resolutions of the Security

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Council of the UN in the area of the anti-terrorist measures. Besides, some critical commentaries of these decisions are supplemented. Lastly, the divergent opinions of the General Advocate and the European Court of Justice in the same matters are introduced. The conclusion is drawn in the VI. Chapter where I highlight the main characteristics of the examined internatioanl law acts and provide my opinion on the position of Security Council resolutions in the european legal order.