

## **The evolution of the right to self-defense. International law study.**

### *Summary*

The dissertation presents the evolution of the right to self-defense in the context of changes taking place in the international arena. The normative framework of the rights have been formed under the influence of state-centered vision of international relations and the clearly perceived nature of threats. Premises inscribed in the text of Article 51 of the Charter of the United Nations, that define the scope and indicate circumstances under which the action of self-defense is acceptable, were constructed in such a way as to ensure the opportunity for the Member States to respond adequately to the threats coming from other countries. Over the years, however, it turned out that in addition to the classic international conflicts, a threat to the security of states is also constituted by e.i. terrorism, possession of weapons of mass destruction by unpredictable authorities, or unresolved conflicts and regional disputes. Against this background, there are opinions that the standard form of the right to self-defense, approved under different conditions, is currently insufficient.

The main thesis of the dissertation is that the normative framework of the right to self-defense function well and do not require a deeper revision. To affirm the main thesis it has been demonstrated that the international community has currently no interest in omitting the elements defining the scope and terms of acceptable defensive operations. An appropriate degree of flexibility in the framework of the right to self-defense allows them to be used not only in those cases where, as originally planned, interstate violence is the main factor for destabilization of the international order.

For the analyze of the title issue, the whole discussion was divided into five chapters. The first chapter characterises the position of armed forces in the period preceding the creation of the United Nations. The second chapter is related to the importance of the right to self-defense as an exception to the prohibition on the use of force. The third chapter discusses the issues of the subjectivity of an armed attack. The fourth chapter focuses on the constraints related to the conduct of activities in self-defense. The fifth and the last chapter describes the construction of collective self-defense.