

Summary: Polish-Czech Border Crisis in Light of International law

Political relations between Poland and Czechoslovakia, and since 1993 the Czech Republic, have been and still are marked by territorial disputes. The tensions boiled right after both countries regained independence in 1918, over a disputed region of Cieszyn Silesia, culminating in the political and social spark around the Zaolzie region. Despite initial attempts to resolve the status of Cieszyn Silesia through the negotiations, the dispute turned into an armed confrontation in 1919. In 1920, in the face of the ongoing Soviet invasion on Poland, the settlement of the border question was left to the Allied Powers, which decided to divide the contested area. This solution did not calm the tensions in pre-war Polish-Czechoslovak relations. In 1938, Poland took advantage of the difficult situation of Czechoslovakia by issuing an ultimatum to annex the Zaolzie region. Warsaw's actions undermined the possibility of finding a common dialogue between governments in exile during World War II. The question of Zaolzie almost led to the Polish-Czechoslovak war after the end of this conflict, and it had an impact on the course of Operation *Danube* and the invasion of Czechoslovakia, and it was only the agreements concluded in the 1950s, as well as the collapse of the communism in 1989, that allowed for a kind of "reset" of mutual relations. It should be noted, however, that the territorial issue has not been completely resolved, because the Czech Republic is still expected to transfer of about 4.0 ha of territory to Poland as a result of the exchange made in the 50s of the twentieth century. At the same time, new challenges arise related to having a common border, such as the Turów mine and the issue cross-border damage with an environmental dimension.

Many historical works have been written on Polish-Czechoslovak political relations, which analysed the problem of the border dispute in the light of the history of international relations and diplomacy. However, there are no analyses strictly concerning legal issues. This is despite the fact that both countries have been part of the post-Versailles international order since 1918, based on the principle of *pacta sunt servanda*, prohibition of the use of force or the threat of its use, and were members of the League of Nations. This raises questions about how international law regulated, determined and resolve the border dispute between neighboring states. The answer to this question requires a reconstruction of the legal architecture binding the states both in the pre-war period (which is a research challenge due to the codification of the principles of the use of force and the law of treaties only after 1945) and after the end of World War II, taking into account the changes resulting from the adoption of the United Nations Charter. The dispute had many temporal and legal dimensions: the question of the final nature of the decision of the Council of Ambassadors of 1920, the question of the legality of the annexation of Zaolzie in 1938 (which was not the subject of analysis), the legal analysis of the crisis of 1945 (which almost led to war between Poland and Czechoslovakia), international legal issues concerning Polish's participation in Operation *Danube* of 1968 (in which the border question played a role), as well as the issue of the outstanding territorial exchange.

The project will include conducting a scientific query and research visit in Polish and Czech archives, as well as research visits to the General Sikorski Institute in London and the Palace of Justice in The Hague (the largest library of international law). The results of the project will be published in scientific journals of international recognition and disseminated at scientific conferences at the national and international level.