



**NATIONAL LAW UNIVERSITY AND JUDICIAL ACADEMY, ASSAM**

**PROGRAMME: B.A.LL.B.(HONS.)**

**DETAILS OF COURSE OFFERED**

**EVEN SEMESTER – ACADEMIC YEAR 2022-23**

SL. No	COURSE CODE	COURSE TITLE	L	T/P	CR	CH
1.	8.4/.5 IL.2	LAW OF INTERNATIONAL ORGANIZATIONS	4	1	5	5

**A. CODE AND TITLE OF THE COURSE: 8.4/.5 IL.2 LAW OF  
INTERNATIONAL ORGANIZATIONS**

**B. COURSE CREDIT: 5 (TOTAL MARKS 100)**

**C. MEDIUM OF INSTRUCTION: ENGLISH**

**D. COURSE COMPILED BY: DR. GITANJALI GHOSH**

**E. COURSE INSTRUCTOR: DR. GITANJALI GHOSH**

## **1. COURSE OBJECTIVES**

Traditionally, international law was the law that governed the conduct of States in their relations with each other. Gradually, international law has also come to govern individuals, international organizations and even corporations. International organizations are playing a pivotal role in world politics and have developed to respond to the growing necessities of the international community and to govern the interrelationship between states. It is widely believed that international organizations are contributing to the maintenance of international peace and security and working towards bringing rule of law and democratic governance in international legal system.

In the light of the growing importance of international organizations in international law, it is not only desirable but also imperative for students to have a thorough knowledge of the subject. Hence, the primary objective of this course is to generate and sustain an interest to study this constituent of international law in the minds of the students.

As the students are already familiar with the basics of international law, this course will take their study one notch higher.

The objectives of the course, in particular, are as follows:

- Provide students with an understanding of the law of international organizations
- Introduce students to the theoretical bases of international organizations
- Discuss all facets of international and regional organizations with students
- Elucidate on the Bretton Woods institutions
- Detailed understanding of the GATT and WTO regime
- Introduce students to the powers and functions of international organizations including treaty making
- Elucidate the privileges and immunities of international organizations
- Map the future of international organizations

## **2. TEACHING METHODOLOGY**

The teaching methodology shall aim at the generation of critical thinking among the students. The topic for a particular class shall be informed to the students beforehand and readings shall be assigned to them for the said topic. They are expected to have a basic idea about the topic prior to the class. Subsequent to a brief lecture on the topic, there shall be class discussion on the same as well as on the readings assigned. Pursuant to the class discussion, the teacher shall substantiate the issues raised and answer any questions posed or left unanswered. Debates shall also be organized at regular intervals.

## **3. EXPECTED OUTCOMES OF THE COURSE**

At the completion of the course, it is expected that the students shall:

- Comprehend the subject matter of the course
- Be able to analyze contemporary international organization related problems in the light of the concepts learnt

- Be able to articulate their ideas on the subject matter of the course
- Produce at least one research paper of publishable quality
- Desire to take up international law for further studies

#### **4. COURSE EVALUATION METHOD**

The course shall be assessed for 100 marks. There shall be mid-semester examination for 30 marks and an end-semester examination for 70 marks. The examinations shall be closed book.

#### **5. DETAILED STRUCTURE OF THE COURSE (SPECIFYING COURSE MODULES AND SUB-MODULES)**

### **Module 1**

#### **1.1 Introduction to International Organizations**

- Definition, Characteristics and Classification
- Historical Legacies and Influences of International Organizations
- Legal Personality of International Organizations
- Legitimacy of International Organizations
- Their place in Contemporary World

#### **1.2 Theories of International Organizations**

- Liberal Theory
- Realist Theory
- Neoliberalism and Neorealism Theory
- Marxist Theory
- Feminist Theory
- Social Constructivism Theory
- Critical Theory

### **Module 2**

#### **2.1 The League of Nations**

- History
- Membership
- Organs
- Powers and Functions
- Causes for failure

#### **2.2 The UN System**

- History
- Similarities and Dissimilarities with the League of Nations
- Membership
- Organs
- Powers and Functions

- Need for reform

### **2.3 Regional Organizations – History, Constituent Instruments, Membership, Organs, Powers and Functions, Achievements and Challenges, Contemporary Issues**

- European Union (EU)
- Council of Europe (CoE)
- Organization of American States (OAS)
- Association of Southeast Asian Nations (ASEAN)
- South Asian Association for Regional Cooperation (SAARC)
- African Union (AU)
- Organization of Islamic Cooperation (OIC)

## **Module 3**

### **3.1 International Financial and Trade Institutions**

- **Bretton Woods Institutions- World Bank, International Monetary Fund (IMF)**
  - History
  - Organizational structure
  - Functions
  - IMF Conditionality
  - IMF Quotas
  - Special Drawing Rights
  - Structural Adjustment Programmes (SAPs)
  - Heavily Indebted Poor Countries (HIPC) Initiative
  - Poverty Reduction Strategy Paper (PRSP)
  - Status, Privileges, and Immunities
  - Criticism
- **General Agreement on Tariffs and Trade (GATT)**
  - History
  - Principles
  - Rounds
  - Dispute Settlement Mechanism
- **World Trade Organization (WTO)**
  - History
  - Structure
  - Agreements
  - Dispute Settlement Body

### **3.2 Non- Governmental Organizations (NGO's)**

- Historical Perspective of NGOs
- Relationship between NGO's and IGO's
- Status of NGOs
- Influences of NGOs
- Limits of NGOs

## Module 4

### 4.1 International Organizations and the Law of Treaties

- Definitions
- Formation of Treaties
- Reservations to Treaties
- Invalidity of Treaties
- Suspension and Termination of Treaties

### 4.2 Privileges and Immunities

- Privileges and Immunities of the United Nations
- Privileges and Immunities of the Specialized Agencies
- Privileges and Immunities of Special Missions

### 4.3 Responsibility of International Organizations

- Scope and Nature of Responsibility of International Organizations
- Concept of Internationally Wrongful Act of International Organizations
- Attribution of Conduct to International Organizations
- Responsibility of International Organizations in connection with an Act of another State or International Organization
- Breach of International Obligation
- Consequences of Breach
- Circumstances Precluding Wrongfulness
- Reparations

## 6. PRESCRIBED READINGS

### BOOKS

- PHILIP SANDS AND PIERRE KLEIN, *BOWETT'S LAW OF INTERNATIONAL INSTITUTIONS* (6th ed. Sweet and Maxwell 2011).
- JAN KLABBERS, *AN INTRODUCTION TO INTERNATIONAL INSTITUTIONAL LAW* (2d ed. Cambridge University Press 2009).
- CLIVE ARCHER, *INTERNATIONAL ORGANIZATIONS* (3d ed. Routledge 2001).
- HENRY G. SCHERMERS & NIELS M. BLOKKER, *INTERNATIONAL INSTITUTIONAL LAW* (4th ed. Martinus Nijhoff Publishers 2003).
- OLIVER DADDOW, *INTERNATIONAL RELATIONS THEORY* (Sage Publications 2013).
- BENEDETTO CONFORTI, *THE LAW AND PRACTICE OF THE UNITED NATIONS* (3d ed. Martinus Nijhoff Publishers 2005).
- M.J. PETERSON, *THE UN GENERAL ASSEMBLY* (Routledge 2006).
- EDWARD C. LUCK, *UN SECURITY COUNCIL* (Routledge 2006).
- MARGARET P. KARNS & KAREN A. MINGST, *INTERNATIONAL ORGANIZATIONS* (Viva Books 2010).
- ANDREAS STAAB, *THE EUROPEAN UNION EXPLAINED* (Indiana University Press 2011).
- JOHN PINDER, *THE EUROPEAN UNION A VERY SHORT INTRODUCTION* (OUP 2001).
- DIEDRE L. BADEJO, *THE AFRICAN UNION* (Chelsea House Publishers 2008).
- CRIS E. TOFFOLO, *THE ARAB LEAGUE* (Chelsea House Publishers 2008).
- BARBARA LEE BLOOM, *THE ORGANIZATION OF AMERICAN STATES* (Chelsea House

Publishers 2008).

- AUTAR KRISHEN KAUL, GUIDE TO THE WTO AND GATT (3d ed. Satyam Law International 2012).
- RICHARD PEET, UNHOLY TRINITY THE IMF, WORLD BANK AND WTO (2d ed. Zed Books 2009).
- BERNARD HOEKMAN AND PETROS MAVROIDIS, THE WORLD TRADE ORGANIZATION (Routledge 2007).
- DOUGLAS A. IRWIN, PETROS C. MAVROIDIS, ALAN O. SYKES, THE GENESIS OF THE GATT (Cambridge University Press 2008).
- CHRISTOPHER L. GILBERT AND DAVID VINES, THE WORLD BANK (Cambridge University Press 2000).
- WILLEM MOLLE, GLOBAL ECONOMIC INSTITUTIONS (Routledge 2003).
- ANNA-KARIN LINDBLOM, NON-GOVERNMENTAL ORGANISATIONS IN INTERNATIONAL LAW (Cambridge University Press 2005).

### **INTERNATIONAL INSTRUMENTS**

- Covenant of the League of Nations
- Charter of the United Nations and the Statute of the International Court of Justice
- Treaty on European Union - Maastricht Treaty
- Treaty of Amsterdam
- Treaty of Nice
- Treaty of Lisbon
- Single European Act
- Merger Treaty - Brussels Treaty
- Treaties of Rome: EEC and EURATOM treaties
- Treaty establishing the European Coal and Steel Community
- Statute of the Council of Europe
- European Convention on Human Rights
- Charter of the Organization of American States
- American Convention on Human Rights
- Constitutive Act of the African Union
- African Charter on Human and Peoples Rights
- Charter of the Organization of African Unity
- Charter of the Organization of Islamic Cooperation
- Arab Charter on Human Rights
- Charter of Arab League
- Charter of the Association of SouthEast Asian Nations
- SAARC Charter
- Articles of Agreement of the International Monetary Fund
- Articles of Agreement of the International Bank For Reconstruction And Development
- Articles of Agreement of the International Development Association
- Articles of Agreement of the International Finance Corporation
- Convention establishing the Multilateral Investment Guarantee Agency
- The General Agreement on Tariffs and Trade
- Marrakesh Declaration of 15 April 1994

- Agreement Establishing The World Trade Organization
- Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations 1986
- Convention on the Privileges and Immunities of the United Nations 1946
- Convention on the Privileges and Immunities of the Specialized Agencies 1947
- Convention on Special Missions 1969
- ILC Draft Articles on the Responsibility of International Organizations 2011