



# LAW 562

## Law of International Organisations

S2 Day 2015

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff
Lecturer
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Contact via By email
TBA
TBA
Credit points
3
Prerequisites
39cp or (6cp in LAW or LAWS units at 300 level)
Corequisites
LAWS259 or LAW409 or LAW459 or LAW509
Co-badged status
Unit description
This unit examines global, regional and issue specific intergovernmental organisations and their impact on a range of international issues. It considers issues common to all these organisations, such as their rights, responsibilities, membership and financing, as well as analysing their operation in specific areas, such as peace and security, the environment and law of the sea.

## Important Academic Dates

Information about important academic dates including deadlines for withdrawing from units are available at <https://www.mq.edu.au/study/calendar-of-dates>

## Learning Outcomes

On successful completion of this unit, you will be able to:

Demonstrate an understanding of the creation and function of international organisations, including their powers, duties and operation - within the broader international law framework - and the resulting strengths and weaknesses of these organisations.

Interpret, apply and evaluate laws relating to different international organisations in relation to their core functions (such as decision-making, law-making and dispute

settlement).

Reflect on past and present international developments related to international organisations, and be able to analyse and interpret such developments taking into account legal and political factors.

Critically analyse the legal responsibilities of international organisations and the forms of redress that may be available against these organisations and their member states.

Engage constructively with current institutional problems addressed by international organisations to determine likely and preferable outcomes.

## Assessment Tasks

Name	Weighting	Due
<u>Class Participation</u>	10%	Weekly
<u>In Class Quiz</u>	10%	21 Aug, 11 Sept, 16 Oct, 6 Nov
<u>Research Paper</u>	40%	29 September 2015
<u>Final Assessment</u>	40%	16 November 2015

### Class Participation

Due: **Weekly**

Weighting: **10%**

You are expected to attend and actively engage in tutorials. The weekly tutorial schedule and issues for discussion at each tutorial will be posted on iLearn.

You are required to participate in the tutorial discussions, debates, reflective exercises and any other activities. Tutors will engage in ongoing assessment of student participation using the following criteria:

- 1. Preparation and understanding of material:** the student has listened to the lecture, read the required reading and has attempted to link the materials to the lectures, to other course materials and to their life experience.
- 2. Ability to think critically about the material:** the student is able to think critically about the materials from different angles and is able to question the materials.
- 3. Clear expression of ideas:** the student is able to clearly express their ideas about the materials.
- 4. Engaging with other students:** the student engages with others in the class taking an active role in activities assigned by the tutor. The student responds to others in the class by listening to them, providing constructive feedback and asking questions.
- 5. Demonstration of skills:** The student is able to demonstrate communication skills including

listening, advocacy, argument and negotiation skills.

Extended absences from tutorials must meet the criteria for Disruption to Studies and be approved by the Unit Convenor. Applications for Disruption to Studies are made online at [ask.mq.edu.au](https://ask.mq.edu.au)

On successful completion you will be able to:

- Demonstrate an understanding of the creation and function of international organisations, including their powers, duties and operation - within the broader international law framework - and the resulting strengths and weaknesses of these organisations.
- Interpret, apply and evaluate laws relating to different international organisations in relation to their core functions (such as decision-making, law-making and dispute settlement).
- Reflect on past and present international developments related to international organisations, and be able to analyse and interpret such developments taking into account legal and political factors.
- Critically analyse the legal responsibilities of international organisations and the forms of redress that may be available against these organisations and their member states.
- Engage constructively with current institutional problems addressed by international organisations to determine likely and preferable outcomes.

## In Class Quiz

Due: **21 Aug, 11 Sept, 16 Oct, 6 Nov**

Weighting: **10%**

There will be an In Class Quiz held during tutorials in the following weeks:

- Week 4 (21 August 2015)
- Week 7 (11 September 2015)
- Week 10 (16 October 2015)
- Week 13 (6 November 2015)

The In Class Quiz will be **five multiple choice questions** based on material covered in the course up to the date of the Quiz.

Answers to the In Class Quiz will be discussed during the tutorial once the quiz is completed.

Results will be posted on iLearn within one week of the In Class Quiz.

On successful completion you will be able to:

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organisations, including their powers, duties and operation - within the broader international law framework - and the resulting strengths and weaknesses of these organisations.

- Interpret, apply and evaluate laws relating to different international organisations in relation to their core functions (such as decision-making, law-making and dispute settlement).
- Critically analyse the legal responsibilities of international organisations and the forms of redress that may be available against these organisations and their member states.

## Research Paper

Due: **29 September 2015**

Weighting: **40%**

You will be required to submit a written research assignment of no more than **2,500 words (excluding footnotes)**. Substantive commentary is not to be included in footnotes. A bibliography is not required.

A list of topics will be posted on the course iLearn page during Week 2 from which you are to select **one topic** for your paper.

The Research Paper requires independent legal research, critical analytical ability, and coherent legal writing and presentation skill. Papers will be assessed against the rubric posted on iLearn page.

The Research Paper is to be submitted via Turnitin.

Any request for an extension will be considered in accordance with the requirements for 'Disruption to Studies' and must be submitted via [ask.mq.edu.au](https://ask.mq.edu.au)

On successful completion you will be able to:

- Demonstrate an understanding of the creation and function of international organisations, including their powers, duties and operation - within the broader international law framework - and the resulting strengths and weaknesses of these organisations.
- Interpret, apply and evaluate laws relating to different international organisations in relation to their core functions (such as decision-making, law-making and dispute settlement).
- Reflect on past and present international developments related to international organisations, and be able to analyse and interpret such developments taking into account legal and political factors.
- Engage constructively with current institutional problems addressed by international organisations to determine likely and preferable outcomes.

## Final Assessment

Due: **16 November 2015**

Weighting: **40%**

The Final Assessment will be made available and due during the formal University examination period. The Final Assessment will cover the entire unit, unless you are advised otherwise by written notice on iLearn.

The format of the Final Assessment will be a combination of essay and problem questions. The total word count for the entire examination will be no more than **2,500 words** (excluding footnotes). Substantive commentary is not to be included in footnotes.

The Final Assessment will be posted on iLearn at **9 am on Friday 13 November 2015** and must be submitted before **9 am on Monday 16 November 2015**.

Students will have three days to complete this task. This is not an indication of the length or complexity of the task. Students should be able to complete the task to a high standard in seven to eight hours. The extended time period allows students to plan the completion of this task around their other commitments. Any request for an extension will be considered in accordance with the requirements for 'Disruption to Studies' and must be submitted via [ask.mq.edu.au](mailto:ask.mq.edu.au)

The Final Assessment is to be submitted via Turnitin.

On successful completion you will be able to:

- Demonstrate an understanding of the creation and function of international organisations, including their powers, duties and operation - within the broader international law framework - and the resulting strengths and weaknesses of these organisations.
- Interpret, apply and evaluate laws relating to different international organisations in relation to their core functions (such as decision-making, law-making and dispute settlement).
- Critically analyse the legal responsibilities of international organisations and the forms of redress that may be available against these organisations and their member states.
- Engage constructively with current institutional problems addressed by international organisations to determine likely and preferable outcomes.

## Delivery and Resources

### Technology Used

iLecture recordings will be made; however, internal students are expected to attend lectures and tutorials.

An iLearn page will be available for this unit.

## **Delivery**

Internal students are expected to attend the following activities each week in weeks 1 to 13:

- the weekly two-hour lecture; and
- one one-hour tutorial each week.

The location and time of classes available for internal students are provided in the University's Timetable.

The topics to be discussed in each lecture and tutorial are outlined in the Unit Schedule (below).

*Note: Lectures and Tutorials commence in Week 1 (31 July 2015).*

## **Required Textbook**

- Jan Klabbbers, *An Introduction to International Organizations Law* (3rd ed., 2015)

## **Recommended Texts**

The following are useful texts that students are encouraged to consult during the course of the unit. Copies are on Reserve in the Library:

- P. Sands & P. Klein, *Bowett's International Law of International Institutions* (6th ed., 2009)
- C.F. Amerasinghe, *Principles of the International Law of International Organizations* (2nd ed., 2005)
- J. Alvarez, *International Organizations as Law-Makers* (2005)

# **Unit Schedule**

The following schedule is indicative only and may be subject to change:

1. Introduction and overview of international legal structures
2. What is an international organisation?
3. Personality and Powers
4. Institutional Structures
5. Membership and Financing
6. Decision-Making and Judicial Review
7. Privileges and Immunities
8. International organisations and the Law of Treaties
9. Law making by international organisations

10. Dispute Settlement
11. Responsibility of international organisations
12. The liability of member states
13. Contemporary and Future Issues / Review

## Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central](#). Students should be aware of the following policies in particular with regard to Learning and Teaching:

Academic Honesty Policy [http://mq.edu.au/policy/docs/academic\\_honesty/policy.html](http://mq.edu.au/policy/docs/academic_honesty/policy.html)

Assessment Policy <http://mq.edu.au/policy/docs/assessment/policy.html>

Grading Policy <http://mq.edu.au/policy/docs/grading/policy.html>

Grade Appeal Policy <http://mq.edu.au/policy/docs/gradeappeal/policy.html>

Grievance Management Policy [http://mq.edu.au/policy/docs/grievance\\_management/policy.html](http://mq.edu.au/policy/docs/grievance_management/policy.html)

Disruption to Studies Policy [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html) *The Disruption to Studies Policy is effective from March 3 2014 and replaces the Special Consideration Policy.*

In addition, a number of other policies can be found in the [Learning and Teaching Category](#) of Policy Central.

## Student Code of Conduct

Macquarie University students have a responsibility to be familiar with the Student Code of Conduct: [https://students.mq.edu.au/support/student\\_conduct/](https://students.mq.edu.au/support/student_conduct/)

## Results

Results shown in *iLearn*, or released directly by your Unit Convenor, are not confirmed as they are subject to final approval by the University. Once approved, final results will be sent to your student email address and will be made available in [eStudent](#). For more information visit [ask.mq.edu.au](http://ask.mq.edu.au).

### Macquarie Law School Assessment Policy

In the absence of a successful application for special consideration due to a disruption to studies, any assessment task submitted after its published deadline will not be graded and will receive a mark of zero. Applications for a Disruption to Studies are made electronically via [ask.mq.edu.au](http://ask.mq.edu.au) and should be accompanied by supporting documentation. Students should refer to the [Disruption to Studies policy](#) for complete details of the policy and a description of the supporting documentation required.

Word limits will be strictly applied and work above the word limit will not be marked.

All assessments in the unit are to be submitted electronically. Plagiarism detection software is used in this unit.



## Student Support

Macquarie University provides a range of support services for students. For details, visit <http://students.mq.edu.au/support/>

## Learning Skills

Learning Skills ([mq.edu.au/learningskills](http://mq.edu.au/learningskills)) provides academic writing resources and study strategies to improve your marks and take control of your study.

- [Workshops](#)
- [StudyWise](#)
- [Academic Integrity Module for Students](#)
- [Ask a Learning Adviser](#)

## Student Services and Support

Students with a disability are encouraged to contact the [Disability Service](#) who can provide appropriate help with any issues that arise during their studies.

## Student Enquiries

For all student enquiries, visit Student Connect at [ask.mq.edu.au](http://ask.mq.edu.au)

## IT Help

For help with University computer systems and technology, visit <http://informatics.mq.edu.au/help/>.

When using the University's IT, you must adhere to the [Acceptable Use Policy](#). The policy applies to all who connect to the MQ network including students.

## Graduate Capabilities

### Creative and Innovative

Our graduates will also be capable of creative thinking and of creating knowledge. They will be imaginative and open to experience and capable of innovation at work and in the community. We want them to be engaged in applying their critical, creative thinking.

This graduate capability is supported by:

### Learning outcome

- Critically analyse the legal responsibilities of international organisations and the forms of redress that may be available against these organisations and their member states.

### Assessment tasks

- Class Participation
- Research Paper

## Capable of Professional and Personal Judgement and Initiative

We want our graduates to have emotional intelligence and sound interpersonal skills and to demonstrate discernment and common sense in their professional and personal judgement. They will exercise initiative as needed. They will be capable of risk assessment, and be able to handle ambiguity and complexity, enabling them to be adaptable in diverse and changing environments.

This graduate capability is supported by:

### Learning outcome

- Interpret, apply and evaluate laws relating to different international organisations in relation to their core functions (such as decision-making, law-making and dispute settlement).

### Assessment tasks

- Class Participation
- In Class Quiz
- Research Paper

## Commitment to Continuous Learning

Our graduates will have enquiring minds and a literate curiosity which will lead them to pursue knowledge for its own sake. They will continue to pursue learning in their careers and as they participate in the world. They will be capable of reflecting on their experiences and relationships with others and the environment, learning from them, and growing - personally, professionally and socially.

This graduate capability is supported by:

### Learning outcome

- Engage constructively with current institutional problems addressed by international organisations to determine likely and preferable outcomes.

### Assessment tasks

- Research Paper
- Final Assessment

## Discipline Specific Knowledge and Skills

Our graduates will take with them the intellectual development, depth and breadth of knowledge, scholarly understanding, and specific subject content in their chosen fields to make them competent and confident in their subject or profession. They will be able to demonstrate, where relevant, professional technical competence and meet professional standards. They will be able to articulate the structure of knowledge of their discipline, be able to adapt discipline-specific

knowledge to novel situations, and be able to contribute from their discipline to inter-disciplinary solutions to problems.

This graduate capability is supported by:

## **Learning outcomes**

- Demonstrate an understanding of the creation and function of international organisations, including their powers, duties and operation - within the broader international law framework - and the resulting strengths and weaknesses of these organisations.
- Interpret, apply and evaluate laws relating to different international organisations in relation to their core functions (such as decision-making, law-making and dispute settlement).
- Reflect on past and present international developments related to international organisations, and be able to analyse and interpret such developments taking into account legal and political factors.

## **Assessment tasks**

- Class Participation
- In Class Quiz
- Research Paper
- Final Assessment

## **Critical, Analytical and Integrative Thinking**

We want our graduates to be capable of reasoning, questioning and analysing, and to integrate and synthesise learning and knowledge from a range of sources and environments; to be able to critique constraints, assumptions and limitations; to be able to think independently and systemically in relation to scholarly activity, in the workplace, and in the world. We want them to have a level of scientific and information technology literacy.

This graduate capability is supported by:

## **Learning outcomes**

- Demonstrate an understanding of the creation and function of international organisations, including their powers, duties and operation - within the broader international law framework - and the resulting strengths and weaknesses of these organisations.
- Interpret, apply and evaluate laws relating to different international organisations in relation to their core functions (such as decision-making, law-making and dispute settlement).

- Reflect on past and present international developments related to international organisations, and be able to analyse and interpret such developments taking into account legal and political factors.
- Critically analyse the legal responsibilities of international organisations and the forms of redress that may be available against these organisations and their member states.
- Engage constructively with current institutional problems addressed by international organisations to determine likely and preferable outcomes.

## **Assessment tasks**

- Class Participation
- Research Paper
- Final Assessment

## **Problem Solving and Research Capability**

Our graduates should be capable of researching; of analysing, and interpreting and assessing data and information in various forms; of drawing connections across fields of knowledge; and they should be able to relate their knowledge to complex situations at work or in the world, in order to diagnose and solve problems. We want them to have the confidence to take the initiative in doing so, within an awareness of their own limitations.

This graduate capability is supported by:

## **Learning outcomes**

- Interpret, apply and evaluate laws relating to different international organisations in relation to their core functions (such as decision-making, law-making and dispute settlement).
- Reflect on past and present international developments related to international organisations, and be able to analyse and interpret such developments taking into account legal and political factors.
- Critically analyse the legal responsibilities of international organisations and the forms of redress that may be available against these organisations and their member states.
- Engage constructively with current institutional problems addressed by international organisations to determine likely and preferable outcomes.

## **Assessment tasks**

- Class Participation
- Research Paper
- Final Assessment

## Effective Communication

We want to develop in our students the ability to communicate and convey their views in forms effective with different audiences. We want our graduates to take with them the capability to read, listen, question, gather and evaluate information resources in a variety of formats, assess, write clearly, speak effectively, and to use visual communication and communication technologies as appropriate.

This graduate capability is supported by:

### Learning outcome

- Demonstrate an understanding of the creation and function of international organisations, including their powers, duties and operation - within the broader international law framework - and the resulting strengths and weaknesses of these organisations.

### Assessment tasks

- Class Participation
- Research Paper
- Final Assessment

## Engaged and Ethical Local and Global citizens

As local citizens our graduates will be aware of indigenous perspectives and of the nation's historical context. They will be engaged with the challenges of contemporary society and with knowledge and ideas. We want our graduates to have respect for diversity, to be open-minded, sensitive to others and inclusive, and to be open to other cultures and perspectives: they should have a level of cultural literacy. Our graduates should be aware of disadvantage and social justice, and be willing to participate to help create a wiser and better society.

This graduate capability is supported by:

### Learning outcomes

- Reflect on past and present international developments related to international organisations, and be able to analyse and interpret such developments taking into account legal and political factors.
- Critically analyse the legal responsibilities of international organisations and the forms of redress that may be available against these organisations and their member states.
- Engage constructively with current institutional problems addressed by international organisations to determine likely and preferable outcomes.

### Assessment task

- Class Participation

## Socially and Environmentally Active and Responsible

We want our graduates to be aware of and have respect for self and others; to be able to work with others as a leader and a team player; to have a sense of connectedness with others and country; and to have a sense of mutual obligation. Our graduates should be informed and active participants in moving society towards sustainability.

This graduate capability is supported by:

### Learning outcomes

- Reflect on past and present international developments related to international organisations, and be able to analyse and interpret such developments taking into account legal and political factors.
- Engage constructively with current institutional problems addressed by international organisations to determine likely and preferable outcomes.

### Assessment task

- Class Participation