



# LAWS562

## Law of International Organisations

S1 Day 2017

*Dept of Law*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Convenor, lecturer, tutor

Joanna Mitchell

[joanna.mitchell@mq.edu.au](mailto:joanna.mitchell@mq.edu.au)

Contact via Email is the best method to contact me. If the matter cannot be resolved over email, arrangements can be made to discuss the matter in person.

Wednesdays, 2pm, W3A-339

Credit points

3

Prerequisites

39cp at 100 level or above

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.

## General Assessment Information

### Submission of assessments

All written assessments in the unit are to be submitted electronically (via turnitin). Plagiarism detection software is used in this unit. Students need access to a secure and reliable server for access to iLearn and submission of assessment tasks.

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 written work should be referenced in accordance with the Australian Guide to Legal Citation (AGLC3) available [here](#).

### Moderation

Detailed marking rubrics are available on iLearn. Failed papers will be double marked.

## Assessment Tasks

Name	Weighting	Hurdle	Due
<a href="#">Research Paper</a>	50%	No	5pm, Friday 5 May 2017
<a href="#">Online quiz</a>	20%	No	10pm, Monday 5 June 2017
<a href="#">Reflective Analysis</a>	30%	No	5pm, Friday 9 June 2017

### Research Paper

Due: **5pm, Friday 5 May 2017**

Weighting: **50%**

You are required to submit a written research paper 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 1 from which you are to select **one topic** for the research 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.

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.

## Online quiz

Due: **10pm, Monday 5 June 2017**

Weighting: **20%**

The online quiz comprises **40 multiple choice questions**. Each question is worth 0.5 marks. The questions may cover all course material.

You have **one hour** to complete the quiz. The quiz is timed and cannot be paused.

The quiz will be available for students to complete any time between **5pm and 10pm on Monday 5 June 2017**.

**Note: the deadline for completion is 10pm on Monday 5 June 2017. Therefore, you should allow sufficient time to complete the quiz prior to the deadline.**

A practice quiz will be available earlier in the semester so you can familiarise with navigation and operations of the quiz.

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.

## Reflective Analysis

Due: **5pm, Friday 9 June 2017**

Weighting: **30%**

You will be asked in tutorial groups in week 1 to create a hypothetical international organisation in response to a current global issue. Tutorial groups will discuss throughout the session the development of the hypothetical international organisation with reference to topics 1-12.

You will be required to prepare a reflective analysis of the tutorial discussion with reference to the law of international organisations. The reflective analysis is your response to the tutorial discussion within the context of the course materials and contemporary issues arising in the law of international organisations. You will need to actively participate in tutorials throughout the semester to maximise your ability to complete this assessment task.

A guide to reflective writing is available on learn and submissions will be assessed against the rubric on iLearn.

The reflective analysis is to be no more than **1,500 words (excluding footnotes)**. Substantive commentary is not to be included in footnotes. A bibliography is not required.

The reflective analysis is to be submitted via Turnitin.

**Note: you are encouraged to work on this assessment task throughout the semester. It should be largely complete by the conclusion of tutorials in week 12.**

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.

## **Delivery and Resources**

### **Technology Used**

Lectures are available on Echo via iLearn. Students are not required to attend a lecture in person.

An iLearn page will be available for this unit.

### **Delivery**

Internal students are expected to attend 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: tutorials commence in week 1, session 1, 2017.

### **Required Textbook**

- Jan Klabbers, *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 international legal structures
2. Personality and Powers
3. International organisations and the law of treaties
4. Institutional structures of international organisations
5. Membership and financing
6. Law on privileges and Immunities
7. Internal legal functioning of an international organisation
8. Law making and treaty making functions of international organisations
9. Decision-Making and Judicial Review
10. Dispute Settlement functions of international organisations
11. Responsibility of international organisations
12. Liabilities and duties of members

## 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\\_2016.html](http://mq.edu.au/policy/docs/assessment/policy_2016.html)

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

Complaint Management Procedure for Students and Members of the Public [http://www.mq.edu.au/policy/docs/complaint\\_management/procedure.html](http://www.mq.edu.au/policy/docs/complaint_management/procedure.html)

Disruption to Studies Policy (in effect until Dec 4th, 2017): [http://www.mq.edu.au/policy/docs/disruption\\_studies/policy.html](http://www.mq.edu.au/policy/docs/disruption_studies/policy.html)

Special Consideration Policy (in effect from Dec 4th, 2017): <https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policies/special-consideration>

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](#).

### **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](#) 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](#)) 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](#)

## **IT Help**

For help with University computer systems and technology, visit [http://www.mq.edu.au/about\\_us/offices\\_and\\_units/information\\_technology/help/](http://www.mq.edu.au/about_us/offices_and_units/information_technology/help/).

When using the University's IT, you must adhere to the [Acceptable Use of IT Resources 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 task

- 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

- Research Paper
- Online quiz
- Reflective Analysis

### 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
- Reflective Analysis

## 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

- Research Paper
- Online quiz
- Reflective Analysis

## 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).
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- 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**

- Research Paper
- Reflective Analysis

## **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**

- Research Paper
- Online quiz
- Reflective Analysis

## **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**

- Research Paper
- Reflective Analysis

## **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.

## **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**

- Reflective Analysis

## **Changes from Previous Offering**

Changes to assessment:

- In class quizzes throughout the session replaced by one online quiz at the end of the session
- No assessment of tutorial participation in current offering.
- Reflective analysis assessment task introduced.