



LAWS562

Law of International Organisations

S2 Block 2019

Macquarie Law School

Contents

<u>General Information</u>	2
<u>Learning Outcomes</u>	2
<u>General Assessment Information</u>	3
<u>Assessment Tasks</u>	3
<u>Delivery and Resources</u>	7
<u>Unit Schedule</u>	7
<u>Policies and Procedures</u>	8
<u>Graduate Capabilities</u>	9

Disclaimer

Macquarie University has taken all reasonable measures to ensure the information in this publication is accurate and up-to-date. However, the information may change or become out-dated as a result of change in University policies, procedures or rules. The University reserves the right to make changes to any information in this publication without notice. Users of this publication are advised to check the website version of this publication [or the relevant faculty or department] before acting on any information in this publication.

General Information

Unit convenor and teaching staff

Convenor and Tutor

Abdullah-Al Arif

abdullah-al.arif@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.

Room 331, 6 First Walk (Macquarie Law School)

Wednesdays, 12pm - 1pm (By appointment only)

Credit points

3

Prerequisites

39cp at 100 level or above including LAWS259 or LAW409 or LAW459 or LAW509

Corequisites

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.

Unless a Special Consideration request has been submitted and approved, (a) a penalty for lateness will apply – two (2) marks out of 100 will be deducted per day for assignments submitted after the due date – and (b) no assignment will be accepted more than seven (7) days (incl. weekends) after the original submission deadline. No late submissions will be accepted for timed assessments – e.g. quizzes, online tests.

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 current version of the Australian Guide to Legal Citation (AGLC).

Moderation

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

Assessment Tasks

Name	Weighting	Hurdle	Due
Participation and Engagement	10%	No	On Campus Session
Online quiz	20%	No	10 pm, Friday, 15 November 2019
Reflective Analysis	30%	No	11:59 pm, Friday, 8 November 2019
Research Paper	40%	No	11:59 pm, Tuesday, 1 October 2019

Participation and Engagement

Due: **On Campus Session**

Weighting: **10%**

You are required to attend and participate in the On Campus Session discussions, debates, reflective exercises and any other activities. Assessment of student participation will be undertaken during the On Campus Session 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.

Absences from the On Campus Session must meet the criteria for Special Consideration. Applications for Special Consideration are made online at ask.mq.edu.au and must be accompanied by the appropriate documentation.

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.
- 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.

Online quiz

Due: **10 pm, Friday, 15 November 2019**

Weighting: **20%**

The online quiz comprises **40 multiple choice questions**. Each question is worth **0.5** marks.

Questions may cover all the 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 **5 pm and 10 pm on Friday, 15 November 2019**.

Please note that the deadline for completion is **10 pm on Friday, 15 November 2019**.

Therefore, you should allow sufficient time to complete the quiz prior to the deadline. **Please also note that this is a timed assessment and no late submissions will be accepted.**

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).

Reflective Analysis

Due: **11:59 pm, Friday, 8 November 2019**

Weighting: **30%**

You will be asked in the On Campus Session to create a hypothetical international organisation in response to a current global issue. The group will discuss throughout the On Campus 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 discussion in the On Campus Session within the context of the course materials and contemporary issues arising in the law of international organisations. You will need to actively participate in the On Campus Session and in online discussions 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 **2,000 words (excluding footnotes and references)**. 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 in groups online. It should be largely complete by the conclusion of lectures 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.

Research Paper

Due: **11:59 pm, Tuesday, 1 October 2019**

Weighting: **40%**

You are required to submit a written research paper of no more than **2500 words (excluding footnotes and references)**. Please cite all sources according to the Australian Guide to Legal Citation (AGLC) citation style. Substantive commentary is not to be included in footnotes. A bibliography is 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.

- 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 Echo360 via iLearn. Students are not required to attend lectures in person.

An iLearn space will be available for this unit.

Delivery

Students are required to attend a two day On Campus Session.

The location and time of classes available for the On Campus Session are provided in the University's [Timetable](#).

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)

All required and recommended readings will be placed on Leganto and any links to additional sources will be posted on iLearn.

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. Future developments and concluding remarks

Policies and Procedures

Macquarie University policies and procedures are accessible from [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central). Students should be aware of the following policies in particular with regard to Learning and Teaching:

- [Academic Appeals Policy](#)
- [Academic Integrity Policy](#)
- [Academic Progression Policy](#)
- [Assessment Policy](#)
- [Fitness to Practice Procedure](#)
- [Grade Appeal Policy](#)
- [Complaint Management Procedure for Students and Members of the Public](#)
- [Special Consideration Policy](#) (**Note:** *The Special Consideration Policy is effective from 4 December 2017 and replaces the Disruption to Studies Policy.*)

Undergraduate students seeking more policy resources can visit the [Student Policy Gateway \(https://students.mq.edu.au/support/study/student-policy-gateway\)](https://students.mq.edu.au/support/study/student-policy-gateway). It is your one-stop-shop for the key policies you need to know about throughout your undergraduate student journey.

If you would like to see all the policies relevant to Learning and Teaching visit [Policy Central \(https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/policy-central\)](https://staff.mq.edu.au/work/strategy-planning-and-governance/university-policies-and-procedures/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/study/getting-started/student-conduct>

Results

Results published on platform other than [eStudent](#), (eg. iLearn, Coursera etc.) 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 or if you are a Global MBA student contact globalmba.support@mq.edu.au

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

If you are a Global MBA student contact globalmba.support@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/.

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

- 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

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

Assessment tasks

- Participation and Engagement
- 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 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 tasks

- Participation and Engagement
- 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.
- 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

- Participation and Engagement
- Online quiz

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

- Online quiz
- Reflective Analysis
- Research Paper

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

Assessment tasks

- Reflective Analysis
- Research Paper

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

Assessment tasks

- Participation and Engagement

- Reflective Analysis
- Research Paper

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

- 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.

Assessment task

- Reflective Analysis

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

- 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

- Participation and Engagement

- Reflective Analysis