



# LAW 890

## Law of International Organisations

S1 External 2019

*Macquarie Law School*

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#### **Disclaimer**

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## General Information

Unit convenor and teaching staff

Convenor

Abdullah-Al Arif

[abdullah-al.arif@mq.edu.au](mailto: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.

Mondays, 12pm (By appointment only)

Credit points

4

Prerequisites

Admission to MIntLawGovPP or MIntEnvLaw or MIntTrdeComLaw or MIntRelMIntTrdeComLaw or LLM or 42cp in LAW or LAWS units at 400 or 500 level or (admission to JD and 24cp in LAW or LAWS units at 800 level including LAWS601)

Corequisites

LAW891

Co-badged status

Unit description

This unit examines global, regional and issue-specific inter-governmental 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, it analyses their operation in specific areas, such as peace and security, the environment and the law of the sea. Students are exposed to the specific rules regulating the conduct of international organisations. They will examine how these rules have operated in a variety of case studies. A key theme is the tension between the independent existence of the organisation and the powers of the member states.

## 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 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="#">Attendance and Participation</a>	10%	No	On Campus Session
<a href="#">Online quiz</a>	20%	No	10pm, Monday 3 June 2019
<a href="#">Reflective Analysis</a>	30%	No	5pm, Friday 7 June 2019

Name	Weighting	Hurdle	Due
<u>Research Paper</u>	40%	No	5pm, Friday 3 May 2019

## Attendance and Participation

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.

Extended 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](https://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.

## Online quiz

Due: **10pm, Monday 3 June 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 **5pm and 10pm on Monday 3 June 2019**.

**Note: the deadline for completion is 10pm on Monday 3 June 2019. Therefore, you should allow sufficient time to complete the quiz prior to the deadline.**

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.
- 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 7 June 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:

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- 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.

## Research Paper

Due: **5pm, Friday 3 May 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.
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- 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.
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## 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

Students are required to attend a two day on campus session.

The location and time of classes available for the on campus session is 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)

## 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](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](http://ask.mq.edu.au) or if you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto: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](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)

If you are a Global MBA student contact [globalmba.support@mq.edu.au](mailto: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/](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

### PG - Discipline Knowledge and Skills

Our postgraduates will be able to demonstrate a significantly enhanced depth and breadth of knowledge, scholarly understanding, and specific subject content knowledge in their chosen fields.

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**

- Attendance and Participation
- Online quiz
- Reflective Analysis
- Research Paper

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

Our postgraduates will be capable of utilising and reflecting on prior knowledge and experience, of applying higher level critical thinking skills, and of integrating and synthesising learning and knowledge from a range of sources and environments. A characteristic of this form of thinking is the generation of new, professionally oriented knowledge through personal or group-based critique of practice and theory.

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**

- Attendance and Participation
- Online quiz
- Reflective Analysis
- Research Paper

## **PG - Research and Problem Solving Capability**

Our postgraduates will be capable of systematic enquiry; able to use research skills to create new knowledge that can be applied to real world issues, or contribute to a field of study or practice to enhance society. They will be capable of creative questioning, problem finding and problem solving.

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.

## **Assessment tasks**

- Attendance and Participation
- Online quiz
- Reflective Analysis
- Research Paper

## PG - Effective Communication

Our postgraduates will be able to communicate effectively and convey their views to different social, cultural, and professional audiences. They will be able to use a variety of technologically supported media to communicate with empathy using a range of written, spoken or visual formats.

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

- Reflective Analysis
- Research Paper

## PG - Engaged and Responsible, Active and Ethical Citizens

Our postgraduates will be ethically aware and capable of confident transformative action in relation to their professional responsibilities and the wider community. They will have a sense of connectedness with others and country and have a sense of mutual obligation. They will be able to appreciate the impact of their professional roles for social justice and inclusion related to national and global issues

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

- Attendance and Participation
- Online quiz
- Reflective Analysis

- Research Paper

## **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.