



University of Delhi

LL.B. IV TERM

Paper – International Institutions

Compilation of Reading Materials

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LB 4032: Law of International Organizations

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Law of International Organisations (Institutional Law)

LL.B. IVth Term

Topic 1

- A. Rise of International Organizations
- B. Definition of International Organizations
- C. Classifications
- D. India and International Organizations

Suggested Readings:

- Jan Klabbers, *An Introduction to International Organizations Law* (3rd edn, CUP 2015).
- B S Chimni, 'International Organizations, 1945–Present' in Jacob Katz Cogan, Ian Hurd and Ian Johnstone (eds), *The Oxford Handbook of International Organizations* (OUP 2017).
- R P Anand, 'The Formation of International Organizations and India: A Historical Study' (2010) 23 *Leiden Journal of International Law* 5.
- Vienna Convention on the Law of Treaties between States and International Organizations or between International Organizations 1986 (adopted 21 March 1986) UN Doc A/CONF.129/15, Article 2(1)(i).
- ILC, 'Draft articles on the law of treaties between States and international organizations or between international organizations, with commentaries 1982' in *Yearbook of the International Law Commission*, vol II, part two (1982), Article 2(1)(i).

Further Readings:

- B S Chimni, 'International Institutions Today: An Imperial Global State in the Making' 15 *European Journal of International Law* 1(2004).
- Phillippe Sands QC and Pierre Klein, *Bowett: Law of International Institutions* (6th edn, Sweet & Maxwell 2015).
- Kenneth W Abbott and Duncan Snidal, 'Why States Act through Formal International Organizations' 42 *Journal of Conflict Resolution* 3 (1998).
- ILC, 'Articles on the Responsibility of International Organizations, with commentaries' in *Yearbook of the International Law Commission*, vol. II, part two (2011), Article 2(1)(a).

Topic 2

- A. Legal Personality
- B. Constituent Instrument
- C. Powers and Implied Powers
- D. Creation of Customary International Law

Suggested Readings:

- Jan Klabbers, *An Introduction to International Organizations Law* (3rd edn, CUP 2015).

- *Reparation for Injuries Suffered in the Service of the United Nations*, (Advisory Opinion) [1949] ICJ Rep174.
- *Certain Expenses of the United Nations (Article 17, paragraph 2, of the Charter)* (Advisory Opinion) [1962] ICJ Rep 151.
- Kristina Daugirdas, *International Organizations and the Creation of Customary International Law*, European Journal of International Law(2019).

Further Readings:

- C.F.Amerasinghe, *Principles of the Institutional Law of International Organizations* (2nd edn, CUP 2009).
- Phillippe Sands QC and Pierre Klein, *Bowett: Law of International Institutions* (6th edn, Sweet & Maxwell 2015).
- Manuel Rama-Montaldo, 'International Legal Personality and Implied Powers of International Organizations' (1970) 44 British Yearbook of International Law 111.
- José E. Alvarez, *International Organizations as Law-makers* (OUP2006)
- The European Convention: The Secretariat – Working Group III on 'Legal Personality' (Brussels, 13 June 2002) SN2775/02.

Topic 3

A. Responsibility of International Organizations

Suggested Readings:

- C.F.Amerasinghe, *Principles of the Institutional Law of International Organizations* (2nd edn, CUP 2009).
- Jan Klabbers, *An Introduction to International Organizations Law* (3rd edn, CUP 2015).

Further Readings:

- ILC, 'Articles on the Responsibility of International Organizations, with commentaries' in *Yearbook of the International Law Commission*, vol. II, part two (2011).
- *Al-Jedda v United Kingdom*, European Court of Human Rights, No. 27021 (7 July 2011).

Topic 4

A. Privileges and Immunities

Suggested Readings:

- C.F.Amerasinghe, *Principles of the Institutional Law of International Organizations* (2nd edn, CUP 2009).
- Jan Klabbers, *An Introduction to International Organizations Law* (3rd edn, CUP 2015).
- *Applicability of Article VI, Section 22, of the Convention on the Privileges and Immunities of the United Nations* (Advisory Opinion) [1989] ICJ Rep177.
- *Difference relating to Immunity from legal Process of a Special Rapporteur of the Commission on Human Rights* (Advisory Opinion) [1999] ICJ Rep62.

Further Readings:

- Institute of International Law, 'Judicial Control of Security Council Decisions (UNO) by Rapporteur Rüdiger Wolfrum' Tallinn Session, volume 76(2015)
- *Jam et al v Intl Finance Corporation* (US Supreme Court, 27 February 2019).

Topic 5

Structures, Powers and Functions of

- A. United Nations
- B. European Union

Suggested Readings:

- Charter of the United Nations.
- Treaty of European Union: Available at: https://europa.eu/european-union/sites/europa.eu/files/docs/body/treaty_on_european_union_en.pdf
- Phillippe Sands QC and Pierre Klein, *Bowett: Law of International Institutions* (6th edn, Sweet & Maxwell 2015).
- Ian Hurd, *International Organizations: Politics, Law, Practice* (Cambridge University Press, 2011).

Further Reading:

- Bruno Simma *et al* (eds), *The Charter of United Nations: A Commentary* (Oxford University Press, 2012).
- Thomas G Weiss & Rorden Wilkinson (eds), *International Organization and Global Governance* (Routledge, 2014).

Topic 6

International Legal Institutions

- A. International Court of Justice
- B. International Criminal Court

Suggested Readings:

- The Statue of International Court of Justice
- The Rome Statue of International Criminal Law
- Ian Hurd, *International Organizations: Politics, Law, Practice* (Cambridge University Press, 2011).
- Phillippe Sands QC and Pierre Klein, *Bowett: Law of International Institutions* (6th edn, Sweet & Maxwell 2015).

Further Readings:

- Andrew Novak, *The International Criminal Court: An Introduction* (Springer, 2015).
- Andreas Zimmermann, Karin Oellers *et. al.* (eds), *The Statue of International Court of Justice: A Commentary* (Oxford, 2012).
- Case Concerning Questions of Interpretation and Application of Montreal Convention arising out of the Ariel Incident at Lockerbie (ICJ Report 1992).
- Legal Consequences for States of the Continued Presence of South Africa in Namibia (South West Africa) notwithstanding SC Resolution 276, (ICJ Report 1971).

Suggested Books for the Course

1. Phillipe Sands QC and Pierre Klein, *Bowett: Law of International Institutions* (6th edn, Sweet & Maxwell 2015).
2. C.F. Amerasinghe, *Principles of the Institutional Law of International Organizations* (2nd edn, CUP 2009).
3. Jan Klabbers, *An Introduction to International Organizations Law* (3rd edn, CUP 2015).
4. José E. Alvarez, *International Organizations as Law-makers* (OUP 2006).
5. Ian Hurd, *International Organizations: Politics, Law, Practice* (Cambridge University Press, 2011).