



**University of Delhi**

**LL.B. IV TERM**  
**Paper LB-4032 – International Institutions**

**Compilation of Reading Materials**

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*(For private use only in the course of instruction)*

# Law of International Organisations (Institutional Law)

## LL.B. IV<sup>th</sup> 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* (3<sup>rd</sup> 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* (6<sup>th</sup> 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* (3<sup>rd</sup> 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* (2<sup>nd</sup> edn, CUP 2009).
- Phillippe Sands QC and Pierre Klein, *Bowett: Law of International Institutions* (6<sup>th</sup> 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* (2<sup>nd</sup> edn, CUP 2009).
- Jan Klabbers, *An Introduction to International Organizations Law* (3<sup>rd</sup> 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* (2<sup>nd</sup> edn, CUP 2009).
- Jan Klabbers, *An Introduction to International Organizations Law* (3<sup>rd</sup> 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](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* (6<sup>th</sup> 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* (6<sup>th</sup> 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 Aerial 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* (6<sup>th</sup> edn, Sweet & Maxwell 2015).
2. C.F. Amerasinghe, *Principles of the Institutional Law of International Organizations* (2<sup>nd</sup> edn, CUP 2009).
3. Jan Klabbers, *An Introduction to International Organizations Law* (3<sup>rd</sup> 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).