

BOSTON UNIVERSITY GENEVA PROGRAM

Spring 2009 • Course IR 444 E

The Activities of International Organizations

Dr Djacoba L. Tehindrazanarivelo, Adjunct Professor
Boston University Geneva Program
30, rue des Vollandes – 1207 Geneva, Switzerland
E-mail: djacoba@bu.edu

1. Course Overview

International organizations are products of the evolution of international society. Their emergence is a response to the growing complexity of the modern international society, which necessitates cooperation between States to solve common and interdependent problems. According to a 2001 record (www.uia.org/statistics/organizations/11.1.1a.pdf), there are in the world 232 intergovernmental organizations, 1627 other international bodies, and 5221 intergovernmental bodies of special types. Each of these organizations has its own structure and objectives. Beyond the diversity of international organizations, however, there are common principles that govern their activities.

The International Organizations course analyzes these basic principles and looks at the daily workings of international bodies active in five main areas - the maintenance of international peace and security, the protection of human rights, the protection of refugees and internally displaced persons, the fight against impunity, and the regulation of international economic relations. While examining the functions of the relevant intergovernmental bodies in these activities, the growing role of non-governmental organizations (NGOs) and other non-State actors will also be analyzed.

Knowledge of basic principles of public international law is required for this course, since it expands upon many topics considered in the *Introduction to Public International Law* course.

2. Methodology

Teaching is through a combination of lectures, talks by specialists drawn from the various international institutions located in Geneva and visits to those institutions. Classes are scheduled on Thursdays, with three hours of lecture and in-class discussions in the morning, and study visits to international organizations in the afternoon where students will have the opportunity to speak with people directly involved in the works of these organizations.

3. Assignments and grading criteria

- **A research paper** of 6 pages on the activities of one or two international organizations, chosen from a list of topics established by the professor (one topic per student). The paper is due on Wednesday at 2pm before its discussion in class: **40%** of grade. This is a two-stage paper, requiring students to make corrections after the class discussion and a briefing with the professor. The first version is not graded but its quality will be taken into account in the final grade.
- A 30mn **class discussion of the paper**, during which its author has to answer questions asked by participants, after a 5mn oral introduction of the topic: **20%**
- A one hour **test** in which six short questions are to be answered, scheduled in week 7: **30%**
- **Attendance and participation: 10%**. The attendance criterion includes continuing presence and arrivals on time, both for the morning lecture and the afternoon field visit; with a **one point penalty per late arrival**. As for the participation, it requires students to actively participate in discussions, including asking questions to classmates presenting their research paper.

The final grade, from A to F, is the total percentage of the assignments, with the following equivalence:

A : 93-100 %	B : 81-84	C- : 65-68
A- : 89-92	B- : 77-80	D : 60-64
B+ : 85-88	C+ : 73-76	F : below 60

4. Course schedule

Week 1: Thursday March 12, 2009

THE BASIC PRINCIPLES GOVERNING THE ACTIVITIES OF INTERNATIONAL ORGANIZATIONS

Morning Session: Lecture (9am-Midday)

- The origins of international organizations and their necessity in international society
- Legal definition and international personality of international organizations (a reminder)
- Legal consequences of the international personality: functional protection, treaty-making power, privileges and immunities, duty to respect international law and international responsibility, obligation of host States (CH & US)
- Competencies: the principle of speciality and the doctrine of implied powers
- Decision-making

- The United Nations “System” and its Complexification: specialized agencies, subsidiary organs, treaty bodies, programmes and other institutional arrangements (discussion of Paul Szasz’s article)

Afternoon Session: Visit to the UN Office in Geneva Le Palais des Nations (2pm–4pm), www.unog.ch

- Arrival at the UN “Pregny Gate” at 13.45pm (bring passport, or entrance pass for those doing internship in a UN system body)

Required Reading:

- The Charter of the United Nations
- ICJ, *Reparation for Injuries Suffered in the Service of the United Nations* (Advisory Opinion), 1949 [See PIL reading brick]
- ICJ, *Legality of the Use by a State of Nuclear Weapons in Armed Conflict*, Advisory Opinion of 9 July 1996 [Extract]
- Convention on the Privileges and Immunities of the United Nations, 13 Feb. 1946
- P. Szasz, “The Complexification of the United Nations System”, 3 *Max Planck UN Yearbook* (1999), 4-59.
- D. Akande, “International Organizations”, in M. Evans (ed.), *International Law*, Oxford: Oxford University Press, 2003 (hereafter EVANS), 269-297.

Week 2: Thursday March 19, 2009

INTERNATIONAL PROTECTION OF REFUGEES AND INTERNALLY DISPLACED PERSONS

Morning Session: Visit to the Office of the UN High Commissioner for Refugees (UNHCR) (10am-11.30am), www.unhcr.org

Afternoon Session: Lecture (1pm-4pm)

- Voluntary and forced migration of people: an overview
- Situation of refugees and internally displaced persons (IDPs) in the world
- Definition and basic rights of the refugees
- The problem of internally displaced persons and international protection of their human rights

Required Reading:

- Geneva Convention relating to the Status of Refugees, 28 July 1951
- The UN Guiding Principles on Internal Displacement, 1998

Presentation No. 1: Contemporary Conflicts and Challenge to the Definition of Refugees

Presentation No. 2: The Issue of Iraqi Refugees: the American Practice

Presentation No. 3: Dealing with Refugees and IDPs in Chad borders

Presentation No. 4: Fight against Illegal Immigration and Protection of *Boat People’s* Rights and Dignity

Week 3: Thursday March 26, 2009

THE PROTECTION OF HUMAN RIGHTS AND EXISTING INSTITUTIONAL MECHANISMS

Morning Session: DVD projection and discussions (9am-Midday)

- Projection of OHCHR’s DVD: ‘The Treaty Bodies: Bringing Human Rights Home’, 2006 (Extract)
- Discussions on the DVD: categories of human rights, the core international human rights instruments, the UN human rights monitoring bodies (Charter bodies and Treaty bodies)
- Introduction to regional human rights mechanisms

Presentation No. 5: The Works of the Human Rights Council

Presentation No. 6: Monitoring Human Rights in Europe: the European Court of Human Rights

Presentation No. 7: Monitoring Human Rights in America: the Inter-American Court of Human Rights

Presentation No. 8: The US Participation to Core Human Rights Treaties

Required Reading:

- The Charter of the United Nations: Articles 1 and 55
- The International Bill of Human Rights (UDHR 1948, ICESCR 1966, and ICCPR 1966)
- “In larger freedom: towards development, security and human rights for all”, Report of the UN Secretary-General, Explanatory Note on Human Rights Council, A/59/2005/Add.1, 23 May 2005
- GA Resolution 60/251, 15 March 2006, establishing the Human Rights Council

Further Reading:

- J. Steiner, “International Protection of Human Rights”, in M. EVANS, 753-782
- A. Clapham, *Human Rights: A Very Short Introduction*, Oxford University Press, 2007.

Afternoon session: Visit to the UN Office of the High Commissioner for Human Rights (between 2pm to 5pm, to be fixed later) www.ohchr.org

Week 4: Thursday April 2, 2009

THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY AND THE UN

Morning session: Lecture (9am-Midday)

- The UN Peace Strategy and Competent Organs
- Overview of the UN Collective Security Mechanism, incl. cooperation with regional organizations
- The adaptation of the UN to new threats to peace and security
- Peacekeeping and Peace-building: Lessons Learned
- The Fight Against Terrorism: Achievements and Legal Limits

Presentation No. 9: The UN and NATO Actions in Afghanistan

Presentation No. 10: The UN and the Non-Proliferation of Nuclear Weapons: Iran and North Korea compared

Presentation No. 11: The UN Actions against Terrorism: Legal and Institutional Framework

Presentation No. 12: The UN and IMO Actions against piracy off the Coast of Somalia and in Asia

Required reading:

- Uniting for Peace Resolution: A/RES/377 (V) of 3 November 1950 + Extract of ICJ *Wall Advisory Opinion*
- ICJ, *Certain Expenses of the United Nations (Article 17, paragraph 2, of the Charter)*, Advisory Opinion, 1962 [Extract]
- “A More Secure World: Our Shared Responsibility”, Report of the UN High Level Panel on Threats, Challenge and Change, UN doc. A/59/565, synopsis (pp. 8-16, 25, 53, 64) & summary of recommendations (pp. 78-92) [[online doc.](#)]
- S/RES/1730 (2006), 19 Dec. 2006, on ‘De-listing procedure’ in targeted sanctions
- SC Resolutions 1267 (1999), 1373 (2001) and 1540 (2004) on international terrorism and non-proliferation of WMD

Further reading:

- Report of the Panel on UN Peace operations (Brahimi Report), A/55/305 – S/2000/809, 21 August 2000 [Extracts]
- Report of the Policy Working Group on the United Nations and Terrorism: A/57/273 – S/2002/875, 6 August 2002
- UN World Summit 2005 Declaration, adopted by the Heads of State and Government at the 60th anniversary of the United Nations, New York, GA Res. 60/1, 16 September 2005

Afternoon session: Visit to the Organization of French-Speaking Countries (2pm – 4pm), Avenue Blanc 46, 1202 Geneva, www.francophonie.org

Week 5: Thursday April 9, 2009

CIVIL SOCIETY AND INTERNATIONAL INSTITUTIONS

Morning Session: lecture (9am-Midday)

- The Concept of Civil Society
- The Scope of the Participation of Civil Society in International Institutions: Access to Information and Public Participation
- Access to International Courts and Tribunals
- The ILO Tripartite Structure and Civil Society Participation

Presentation No. 13: The Participation of Civil Society to the UN System: Conditions and Rights

Presentation No. 14: The Tripartite System in the International Labour Organization

Presentation No. 15: Ensuring the Neutrality and Impartiality of NGOs in the Battlefield

Presentation No. 16: The Role of NGOs in the International Monitoring of Human Rights

Required Reading:

- The Charter of the United Nations: articles 55-60 (Chapter IX); articles 61-72 (Chapter X)
- ECOSOC Resolution 1996/31 on Consultative Relationship between the UN and NGOs
- WTO Guidelines for Arrangements on Relations with NGOs, 1996

Further Reading:

- The Charter of the United Nations: articles 55-60 (Chapter IX); articles 61-72 (Chapter X)
- Report of the Panel of Eminent Persons on United Nations–Civil Society Relations, A/58/817, 2004
- List of NGOs in consultative status with the ECOSOC as of Oct. 17, 2007, E/2007/INF/4

Afternoon Session: Visit to the International Labour Organization – ILO (2pm-4.30pm), www.ilo.org

Week 6: Thursday April 16, 2009

FIGHT AGAINST IMPUNITY AND INTERNATIONAL CRIMINAL COURTS AND TRIBUNALS

Morning Session: Lecture (9am-midday)

- History of the international involvement in the fight against impunity and collective reactions to atrocities
- The role and evolution of international criminal judicial bodies: from *ad hoc* tribunals to a permanent Court
- Other institutional mechanisms involved in the fight against impunity

- Presentation No. 17:** The first cases brought before the International Criminal Court: An Overview
Presentation No. 18: The Prosecution of High State Officials: Overview of Recent Practice
Presentation No. 19: Achieving Peace while Doing Justice: On Truth and Reconciliation Commissions and Criminal Tribunals
Presentation No. 20: Human Rights and Humanitarian Responsibility of Armed Non-State Actors

Required Reading:

- SC Resolutions establishing the ICTY and ICTR: S/RES/827 (1993) and 955 (1994); Rome Statute of the ICC
- ICTY, *Prosecutor v. Dusko Tadic a/k/a "Dule"*, (Decision on the Defence Motion for Interlocutory Appeal on Jurisdiction), Appeals Chamber, 2 October 1995 [extracts]
- SC Resolution on the referral to the ICC of the situation in Darfur: S/RES/1593 (2005), 31 March 2005
- ICJ, *Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro)*, Judgment of 26 February 2007 [extract on the responsibility for the genocide in Bosnia-Herzegovina]

Afternoon Session: Visit to Trial – Track Impunity Always, <http://www.trial-ch.org/en/home.html> (to be confirmed)

Week 7: Thursday April 23, 2009

**THE REGULATIONS OF INTERNATIONAL ECONOMIC RELATIONS
AND INTERNATIONAL ECONOMIC INSTITUTIONS**

Early Morning Session: Test (9am-10am) on the six topics examined so far (one question per topic)

Morning Session: Lecture (10.30am-12.30pm)

- The various forms of international economic relations
- Basic principles of international economic relations
- Overview of international economic institutions: Universal and Regional Economic Entities
 - Universal Organizations devoted primarily to economic matters (IMF, BIRD, CNUCED, WTO, etc.)
 - The various forms of regional economic unions or associations (EU, EFTA, NAFTA, MERCOSUR, Andean Pact, ASEAN, ECOWAS, COMESA, EAC, SADC, IGAD, etc.)

Presentation No. 21: The Codes of Conduct for Multinational Enterprises

Required Reading:

- Agreement Establishing the World Trade Organization (Marrakech April 1994)
- List of web site addresses of relevant international organizations, governments and academic institutions
- G. Loibl, "International Economic Law", in EVANS, 689-720.
- Web-page relating to UN activities on economic and social development: www.un.org/esa

Afternoon Session: Visit to WTO (3pm-5pm), www.wto.org

Week 8: Tuesday April 28, 2009

**THE PROTECTION OF VICTIMS OF ARMED CONFLICTS
AND THE INTERNATIONAL COMMITTEE OF RED CROSS (ICRC)**

Morning Session (9.30-12 am): Visit to the ICRC, www.icrc.org/eng (arrival at 9.15)

- Introduction and ICRC Film: Panorama (15 minutes)
- IHL and the ICRC Mandate, Lecture by an ICRC Legal Advisor (1 hour)
- The ICRC and its Activities in the Field, Lecture by an official from Field Operations Department (1 hour)

Afternoon Session (1.30 – 4.30pm): DVD Projection and presentations

- DVD Projection on one of the contemporary conflicts

Presentation No. 22: The UN Peacekeeping Force and Observance of International Humanitarian Law

Presentation No. 23: The Protection Mandate of the UN-AU Hybrid Force in Darfur

Presentation No. 24: The Reactions of International Organizations regarding the Humanitarian Situation in Palestine

Required Reading:

- UN Secretary-General Bulletin on the Observance by United Nations Forces of International Humanitarian Law, 1999
- Secretary-General's Bulletin on special measures for protection from sexual exploitation and sexual abuse (ST/SGB/2003/13)
- D. Schindler, "International Humanitarian Law: Its Remarkable Development and its Persistent Violation", 5:2 *Journal of the History of International Law* (2003), 165-187.
- C. Greenwood, "The Law of War (International Humanitarian Law)", in EVANS, 789-821.