



Boston University Global Programs
Study Abroad | Geneva

CAS IR 444E / CAS PO 242E **The activities of International Organizations**

Instructor Name: Pavle Kilibarda
Course Dates: 8 weeks in Fall / Spring
Office Location: Geneva
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BU Hub Units:

- Social Inquiry I
- Ethical Reasoning

Course Description

International organizations (IOs) are a product of the evolution of international society and international law: today, their role in both law and international relations is crucial. The proliferation of international organizations in the post-World War II community has fundamentally transformed global governance and particularly begun to challenge positivist notions of the importance and preeminent position of States.

The purpose of this course is to examine and problematize the way in which international organizations, governmental and non-governmental alike but the United Nations in particular, have shaped international relations and international law. The work of all international organizations is based on certain principles, wherefore the first part of the course will focus on the general aspects of IOs in law, specifically their personality, powers, and responsibility for violations of international law. As our focus will be on the international organizations centered in Geneva, we will then progress to the international human rights law (IHRL) framework and examine the work of relevant Charter- and treaty-based mechanisms, focusing on the UN Human Rights Council and the Human Rights Committee. We will pay special attention to the impact of IO work on positivist conceptions of international law and situations of conflict and divergence between IOs and States.

Learning Outcomes

The aim is to provide students coming from a non-legal background with advanced knowledge of the work of international organizations, their importance for international law, as well as basic notions of human rights law necessary to understand the functioning of the Geneva human rights mechanisms. We will delve into topics that are relevant both for IOs in general as well as the particularities of the Geneva framework. The course incorporates the Hub Units 'Social Inquiry I' and 'Ethical Reasoning'. By the end of the course:

- 1) Students will identify and apply major concepts used in international relations and international law to explain the functioning and activities of international organizations and the purpose they serve in an interconnected world, as required by the 'Social Inquiry I' Hub Unit.
- 2) Students will be able to identify, grapple with, and make a judgment about the ethical and legal questions at stake in relation to several major human rights issues, including the debates on human rights and counterterrorism and the extraterritorial application of human rights, and engage in a civil discussion about it with those who hold views different from their own, in pursuit of the 'Ethical Reasoning' Hub Unit.
- 3) Students will demonstrate the skills and vocabulary needed to reflect on the moral and legal responsibilities that face States and international organizations as they grapple with various issues in a global and interconnected world, especially from a human rights perspective. This

will be examined in a context of our individual and collective responsibility to provide future generations of humankind with a more equitable and just world, with higher living standards and equal access to fundamental rights and freedoms for all. This corresponds to the requirements of the 'Ethical Reasoning' Hub Unit.

- 4) Students will understand the framework governing IOs and their interaction with States and have a clear overview of the international architecture.
- 5) Students will be able to apply relevant legal principles to controversies arising in the work of IOs and understand the political and legal issues at stake.
- 6) Students will understand the status, role and functioning of the United Nations and other key organizations, particularly in the field of human rights.

Instructional Format, Course Pedagogy, and Approach to Learning

The course is primarily taught through interactive lectures following a semi-flipped-classroom model (students are required to carefully read primary course materials, particularly select treaties and case-law, prior to each class). All required readings will be provided on the course's Blackboard page. Each class description will include a number of guiding questions for students to reflect upon while doing their readings. In addition to the lectures, the course includes visits to the Human Rights Committee and Human Rights Council (if visits are impossible because of pandemic measures, we will either follow the sessions online or watch recordings together) as well as have discussions with practitioners from civil society and diplomatic representations. A final revision session will take place before the exam and cover materials relevant to the whole course. Students will also be required to produce a presentation and a paper on a given topic covered by the course.

Books and Other Course Materials

Students will be provided a list of required and further readings for each class (the required readings will also be uploaded to Blackboard). You may also rely on handbooks and manuals beyond the syllabus, particularly if they tackle IOs from an international law perspective. A thought-provoking work is José E Alvarez, *The Impact of International Organizations on International Law* (Brill / Nijhoff 2017) which problematizes IOs and legal positivism. A good general reference on IOs is also Jan Klabbers and Åsa Wallendahl (eds), *Research Handbook on the Law of International Organizations* (Edward Elgar Publishing 2011) which provides a detailed overview of many aspects of IOs in international law, as well as Maurizio Ragazzi (ed), *Responsibility of International Organizations: Essays in Memory of Sir Ian Brownlie* (Brill / Nijhoff 2013) for a focus on IOs' responsibility under international law. In addition, general public international law textbooks provide good summaries of the legal status of IOs, see in particular: Andrew Clapham, *Brierly's Law of Nations* (OUP 2012) (mainly for the UN); James Crawford, *Brownlie's Principles of Public International Law* (OUP 2020) and, in French, Emmanuel Decaux and Olivier de Frouville, *Droit international public* (Dalloz 2018). Key focus must be placed on IOs' 'constitutional documents', namely the treaties that establish them and detail their mandate and powers (such as the UN Charter). It will be very important to carefully study these treaties where indicated.

Assignments and Grading

The assignments are composed of written works, presentations and active attendance, as follows:

- 1) Research paper (30%): a research paper 1.500 to 2.500 words, excluding the bibliography, will be required of each course participant. A list of indicative topics will be provided on Blackboard, but students can also suggest and discuss other topics with the lecturer. Students will be required to find an angle to address the topic and frame their arguments towards a working hypothesis. Students are required to apply the general legal and political principles governing the work of IOs to a specific topic or challenge. If you need help, please consult the lecturer, but doing so in a timely manner is your responsibility. For the grading criteria, please

consult the grading criteria sheet available on Blackboard. In the research paper, students are to explain the issue, critically engage with it, take a position and provide adequate references. This assignment is crucial for learning outcomes 1 and 2.

- 2) Presentation of preliminary research results (20%): during classes related to the topics of their research papers, students will be required to present (during 5-10 minutes) their initial research, their hypothesis, the arguments and counter-arguments they may use; this will be followed by a short discussion in-group discussion where others can give suggestions and raise relevant points. It is the responsibility of the presenters to prepare and animate the class discussion. This assignment is particularly linked to learning outcome 3. For the grading criteria, please consult the grading criteria sheet available on Blackboard.
- 3) Final exam (40%): a 24-hour final written take-home exam will conclude the course. Students will be provided with several essay questions, of which they will choose two to answer. Further details on the exam will be provided during the course by the lecturer.
- 4) Active participation in class (10%): students are required to actively participate in the class, in particular during discussion of research papers, during the site visits (where appropriate). The active participation in class grade covers your overall contribution to the class, including by being on time to the site visits.

Punctual attendance at all sessions is required. Assignments for the course, and the objectives of each of them, will be explained in greater detail on the first day of class. The deadlines for the submission of each assignment will be provided by the lecturer at the start of the course. Written assignments are submitted by e-mail in Word or PDF format to pkilibar@bu.edu. Any delay in the submission of assignments will entail a reduction of points awarded for that assignment and may lead to failure in the course as a whole.

Class and University Policies

In-person attendance is not merely a pedagogical requirement of the present course, but is a condition for the authorization of residence permits to foreign students under Swiss legislation. Attendance is therefore compulsory for all sessions and absences will only be allowed on medical grounds. For absences on religious grounds, please refer to the BU [Policy on Religious Observance](#). Any absence from class must be duly notified to both the lecturer and the BU Geneva Direction. Unexcused absences will entail a deduction of points awarded to the student and may have severe implications for their success in the course and further participation in the study abroad program.

Students are expected to always conform to the highest standards of academic honesty. No cheating or plagiarism of any kind will be tolerated. Please refer to the [BU Academic Conduct Code](#) for more information.

A consultation may be set up with the lecturer to address any problems in mastering the curriculum or any issue related to the course in general. Please send me an e-mail at pkilibar@bu.edu.

Outline of Class Meetings

1. **International Organizations and International Law**
 - What is an international organization? Is there a definition of IOs that would adequately cover entities as diverse as the United Nations, the European Union, NATO or Amnesty International?
2. **The Legal Personality of International Organizations**
 - What is a person of international law? Are IOs persons / subjects of international law? Why is it relevant to settle whether an IOs is a legal person?

3. The Powers, Privileges and Immunities of International Organizations

- How do we determine the powers of an IO? If we juxtapose the rights and powers of States to those of IOs, what are the main differences? What is the meaning of the ‘principle of specialty’ that governs the work of IOs?

4. Human Rights Committee Session

We will watch a session of the Human Rights Committee in person or online depending on the circumstances.

5. International Legal Responsibility of International Organizations

- Can IOs incur responsibility for violations for international law? If so, is the regime identical to that on State responsibility, or it is any different?

6. Human Rights Council Session

We will watch a session of the Human Rights Council in person or online depending on the circumstances.

7. The United Nations

- What historical circumstances led to the establishment of the United Nations? What are its purposes and what sets it apart from other IOs such as the European Union? What are the principal organs of the UN and their different mandates and powers?

8. International Organizations and Human Rights

- What are human rights? Are they a philosophical or legal concept? How did human rights law develop? Can you think of a few historic examples? At the domestic level?

9. The Work of Human Rights Treaty Bodies

- What is a ‘treaty body’? Can you name a few? Why are some treaty bodies considered judicial and others merely quasi-judicial? What is the difference between these bodies?

10. The Human Rights Council

- What is the Human Rights Council? Is it a principal organ of the United Nations? Why is it called a ‘Charter-based’ body? What is the difference between the HRC and its predecessor, the Commission on Human Rights?

11. National Representation to the UN in Geneva

We will have a practitioner as a guest for this session.

12. International Non-Governmental Organizations: The Work of Geneva Call

We will have a practitioner as a guest for this session.

13. Revision Session

We will practice with a few essay questions and deal with any outstanding issues before the exam.