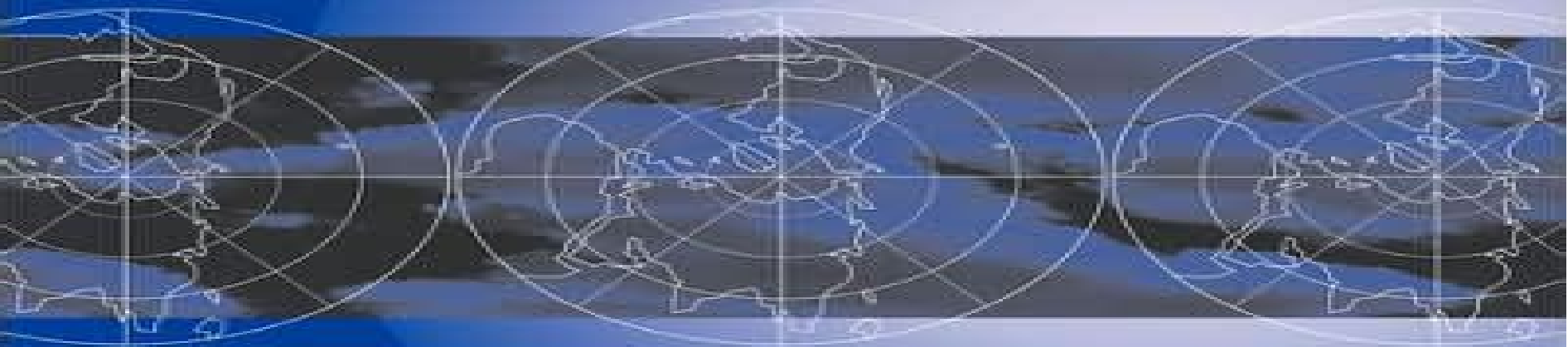


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CAMBRIDGE STUDIES IN INTERNATIONAL AND COMPARATIVE LAW

Remedies against International Organisations



KAREL WELLENS

Remedies Against International Organisations

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Remedies Against International Organisations Karel C. Wellens, 2007 **Remedies against International Organisations** Karel Wellens, 2002-03-07 International organizations have become major players on the international scene whose acts and activities affect individuals companies and states Damage to interests or violation of rights sometimes occur such as during peacekeeping operations for example Karel Wellens considers what remedies are available to potential claimants such as private contractors staff members or indeed anyone suffering damage as a result of their actions Can they turn to an Ombudsman or national courts or do they have to rely on support by their own state Are the remedies provided by international organizations adequate Wellens conclusions include suggestions for alternative remedial options in the future

Remedies Against International Organisations Karel Wellens, 2002-03-07 A consideration of the legal remedies available to victims of actions by international organizations *Challenging Acts of International Organizations Before National Courts* August Reinisch, 2010-09-09 An increasing number of challenges against the activities and decisions of international organisations are brought before national courts This book offers an overview of how different courts have dealt with these cases and an analysis of the legal framework which applies to them identifying common ground across jurisdictions *The Law of Collaborative Defence Procurement in the European Union* Baudouin Heuninckx, 2017 The book examines and makes proposals for improving the law and management of collaborative defence procurement programmes and provides practical examples to enhance efficiency of cooperation between states Covering a broad scope of legal issues it contains invaluable information for practitioners policy makers and academics aiming to analyse or improve these projects

The Third-Party Liability of International Organisations Thomas S.M. Henquet, 2023-07-10 In the broader context of the accountability of international organisations this book focuses on the obligation of the United Nations like many other organisations to make provisions for appropriate modes of settlement of disputes of a private law character to which it is a party The book advocates a systematic approach in conformity with the rule of law in discharging that obligation That is needed to increase the legitimacy of international organisations while bolstering their jurisdictional immunity The work also develops the basic features of a comprehensive dispute settlement mechanism complemented by a new United Nations convention *International Organizations and the Idea of Autonomy* Richard Collins, Nigel D. White, 2011-04-20 This volume explores the idea of intergovernmental organizations as autonomous international actors Including contributions from leading scholars in the fields of international law politics and governance it addresses themes of institutional autonomy in international law and governance from a range of theoretical and subject specific contexts The collection looks internally at aspects of the institutional law of international organizations and the workings of specific regimes and institutions as well as externally at the proliferation of autonomous organizations in the international legal order as a whole *Access to Justice and International Organizations* Pierre Schmitt, 2017-08-25 Recent examples such as the cholera outbreak in Haiti

demonstrate that individual victims of human rights violations by international organizations are frequently left in the cold. Following an examination of the human rights obligations of international organizations, this book scrutinizes their dispute settlement mechanisms as well as the conflict between their immunities and the right of access to justice before national jurisdictions. It concludes with normative proposals addressed both to international organizations and to national judges confronted with such cases.

Immunity of International Organizations, 2015-08-31 Immunity rules are part and parcel of the law of international organizations. It has long been accepted that international organizations and their staff need to enjoy immunity from the jurisdiction of national courts. However, it is the application of these rules in practice that increasingly causes controversy. Claims against international organizations are brought before national courts by those who allegedly suffer from their activities. These can be both natural and legal persons such as companies. National courts, in particular lower courts, have often been less willing to recognize the immunity of the organization concerned than the organization's founding fathers. Likewise, public opinion and legal writings frequently criticize international organizations for invoking their immunity and for the lack of adequate means of redress for claimants. It is against this background that an international conference was organized at Leiden University in June 2013. A number of highly qualified academics and practitioners gave presentations and prepared written contributions that are collected in this book. This book is published to celebrate the 10th anniversary of the *International Organizations Law Review* in which these contributions have also been published. Vol 10 issue 2 2014

Access to Justice and International Organisations Rishi Gulati, 2022-03-17 We live in a denial of justice age when it comes to the individual pursuit of justice against international organisations (IOs). Victims of institutional conduct are generally not provided reasonable means of dispute settlement at the international level. They also have been unable to seek justice at the national level due to IO immunities which aim to secure institutional independence. Access to justice and IO independence are equally important values and realising them both has so far proven elusive. Private international law techniques can help allocate regulatory authority between the national and institutional orders in a nuanced manner by maintaining IO independence without sacrificing access to justice. As private international law rules can be adjusted nationally without the need for international action, the solution proposed can be readily implemented, thereby resolving a conundrum that public international law has not been able to address for decades.

The Rule of Law at the National and International Levels Machiko Kanetake, André Nollkaemper, 2016-04-21 This book aims to enhance understanding of the interactions between the international and national rule of law. It demonstrates that the international rule of law is not merely about ensuring national compliance with international law. International law and institutions, e.g. international human rights treaty monitoring bodies and human rights courts, respond to national contestations and show deference to the national rule of law. While this might come at the expense of the certainty of international law, it suggests that the international rule of law can allow for flexibility, national diversity and pluralism. The essays in this volume are set against the

background of increasing conflict between international and national legal norms Moreover the book shows that international law and institutions do not always command blind national obedience to international law but incorporate a process of adjustment and deference to national law and policies that are protected by the rule of law at the national level

International Human Rights Law Olivier De Schutter, 2014-08-07 This fully updated edition offers coverage of new topics and a more student friendly design while retaining the original style and features *Globalization and International Organizations* Edward Kwakwa, 2017-05-15 The last few years have witnessed several significant developments in respect of international organizations most of which are best encapsulated in the word change In particular international organizations have moved from their traditional role of facilitator of the activities of their members to that of director of their own activities As a result there is increased scrutiny over issues relating to the governance control accountability and the privileges and immunities of international organizations These subjects are all the focus of this book Edward Kwakwa has collected together the best published work by leading authorities in the field on subjects of crucial importance and relevance to international organizations particularly in the context of today's ever increasing globalization This book is of interest to scholars and students of law as well as government and non government practitioners and international civil servants *International Organizations in General Universal International Organizations and Cooperation* Rudolf Bernhardt, 2014-05-12 Encyclopedia of Public International Law 5 International Organizations in General Universal International Organizations and Cooperation focuses on international governmental organizations and international cooperation of a universal nature The publication first elaborates on bank for international settlements Bretton Woods Conference 1944 Customs Cooperation Council Dumbarton Oaks Conference 1944 financial institutions and food and agriculture organization of the United Nations The text then examines industrial property and international protection Intergovernmental Committee for Migration international administrative unions and the International Air Transport Association Discussions focus on traffic conferences international protection of intellectual property historical evolution of legal rules special legal problem and evaluation The manuscript takes a look at the World Intellectual Property Organization World Health Organization World Food Council voting rules in international conferences and organizations and the Vienna Convention on the Representation of States in their Relations with International Organizations of a Universal Character Topics include methods of voting membership decision making foundation and legal basis functioning and financing The text is a valuable source of information for researchers interested in international governmental organizations and international cooperation *Public-Private Partnerships and Responsibility under International Law* Lisa Clarke, 2014-03-21 Partnerships between the public and private sectors are an increasingly accepted method to deal with pressing global issues such as those relating to health Partnerships comprised of states and international organizations public sector and companies non governmental organizations research institutes and philanthropic foundations private sector are forming to respond to pressing global health issues These partnerships are

managing activities that are normally regarded to be within the domain of states and international organizations such as providing access to preventative and treatment measures for certain diseases or improving health infrastructure within certain states to better manage the growing risk of disease. In the shadow of the success of these partnerships lies however the possibility of something going wrong and it is to this shadow that this book sheds light. This book explores the issue of responsibility under international law in the context of global health public private partnerships. The legal status of partnerships under international law is explored in order to determine whether or not partnerships have legal personality under international law resulting in them being subject to rules of responsibility under international law. The possibility of holding partnerships responsible in domestic legal systems and the immunity partnerships have from the jurisdiction of domestic courts in certain states is also considered. The obstacles to holding partnerships themselves responsible leads finally to an investigation into the possibility of holding states and or international organizations as partners and or hosts of partnerships responsible under international law in relation to the acts of partnerships. This book will be of interest to those researching and working in areas of global governance especially hybrid public private bodies the responsibility under international law of states and international organizations and also global health. It provides doctrinal clarification and practical guidance in a developing field of international law.

Rules for the World Michael Barnett, Martha

Finnemore, 2012-04-15 *Rules for the World* provides an innovative perspective on the behavior of international organizations and their effects on global politics. Arguing against the conventional wisdom that these bodies are little more than instruments of states, Michael Barnett and Martha Finnemore begin with the fundamental insight that international organizations are bureaucracies that have authority to make rules and so exercise power. At the same time, Barnett and Finnemore maintain such bureaucracies can become obsessed with their own rules, producing unresponsive, inefficient and self-defeating outcomes. Authority thus gives international organizations autonomy and allows them to evolve and expand in ways unintended by their creators. Barnett and Finnemore reinterpret three areas of activity that have prompted extensive policy debate: the use of expertise by the IMF to expand its intrusion into national economies; the redefinition of the category refugees and decision to repatriate by the United Nations High Commissioner for Refugees; and the UN Secretariat's failure to recommend an intervention during the first weeks of the Rwandan genocide. By providing theoretical foundations for treating these organizations as autonomous actors in their own right, *Rules for the World* contributes greatly to our understanding of global politics and global governance.

Sanctions Regimes of Multilateral Development Banks

Jelena Madir, 2020-11-30 *In Sanctions Regimes of Multilateral Development Banks* What Process is Due? Jelena Madir examines the type of due process rights that should characterise sanctions regimes of multilateral development banks (MDBs). By benchmarking against comparable regimes including the jurisprudence of the European Court of Human Rights and administrative tribunals of international organisations, the author analyses the extent to which MDBs' sanctions regimes

should be bound by the rules of law analogous to those of national judicial bodies and the level of due process and transparency that should be required from these ever evolving regimes that are generally immune from judicial review The book should be of use to scholars practicing lawyers and legal advisers in government and international organisations as well as to lawyers whose practice concerns global sanctions and MDBs privileges and immunities *The Legal Position of Intergovernmental Organizations* Peter H.F. Bekker, 2025-07-24 This book is the first treatise in English to present an overall functional necessity approach to the study of the legal position of intergovernmental organizations According to this approach an international organization is entitled to no more than what is necessary for the exercise of its functions in the fulfillment of its purposes The book embodies a three step analysis that links an organization's legal status personality capacity powers and immunities to the functions and purposes of the organization The book also reviews existing methods of counterbalancing organizational immunities and includes the International Tin Council litigation as a case study With a Foreword by Sir Robert Jennings It is a book which deserves a place in specialized international law collections and certainly on the shelves of anyone be they a government or private party who has any legal dealings with international organizations Maurice Mendelson Book Review XXIII 4 Law Books in Review 159 1996 **An Introduction to the Study of**

International Organization Pitman Benjamin Potter, 1922 **International Conflict and Security Law** Sergey Sayapin, Rustam Atadjanov, Umesh Kadam, Gerhard Kemp, Nicolás Zambrana-Tévar, Noëlle Quénivet, 2022-07-21 This unique two volume book covers virtually the whole spectrum of international conflict and security law It proceeds from values protected by international law Part I through substantive rules in which these values are embodied Part II to international and domestic institutions that enforce the law Part III It subsequently deals with current challenges in the application of rules of international conflict and security law Part IV and crimes as the most serious violations of those rules Part V Finally in the section on case studies Part VI lessons learnt from a number of conflict situations are discussed Written by an international team of experts representing all the major legal systems of the world the book is intended as a reference work for students and researchers domestic and international judges as well as for legal advisers to governments and international and non governmental organisations Sergey Sayapin is Associate Professor and Associate Dean at KIMEP University School of Law in Almaty Kazakhstan Rustam Atadjanov is Assistant Professor at KIMEP University School of Law in Almaty Kazakhstan Umesh Kadam is formerly Additional Professor at the National Law School of India University Bangalore India and Legal Adviser with the International Committee of the Red Cross Gerhard Kemp is Professor of Law at the University of Derby in the United Kingdom Nicol's Zambrana T var is Associate Professor at KIMEP University School of Law in Almaty Kazakhstan No lle Qu nivet is Professor in International Law at the University of the West of England Bristol Law School in the United Kingdom

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Table of Contents Remedies Against International Organisations

1. Understanding the eBook Remedies Against International Organisations
 - The Rise of Digital Reading Remedies Against International Organisations
 - Advantages of eBooks Over Traditional Books
2. Identifying Remedies Against International Organisations
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Remedies Against International Organisations
 - User-Friendly Interface
4. Exploring eBook Recommendations from Remedies Against International Organisations
 - Personalized Recommendations
 - Remedies Against International Organisations User Reviews and Ratings
 - Remedies Against International Organisations and Bestseller Lists
5. Accessing Remedies Against International Organisations Free and Paid eBooks
 - Remedies Against International Organisations Public Domain eBooks
 - Remedies Against International Organisations eBook Subscription Services
 - Remedies Against International Organisations Budget-Friendly Options
6. Navigating Remedies Against International Organisations eBook Formats

- ePub, PDF, MOBI, and More
- Remedies Against International Organisations Compatibility with Devices
- Remedies Against International Organisations Enhanced eBook Features
- 7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Remedies Against International Organisations
 - Highlighting and Note-Taking Remedies Against International Organisations
 - Interactive Elements Remedies Against International Organisations
- 8. Staying Engaged with Remedies Against International Organisations
 - Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Remedies Against International Organisations
- 9. Balancing eBooks and Physical Books Remedies Against International Organisations
 - Benefits of a Digital Library
 - Creating a Diverse Reading Collection Remedies Against International Organisations
- 10. Overcoming Reading Challenges
 - Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
- 11. Cultivating a Reading Routine Remedies Against International Organisations
 - Setting Reading Goals Remedies Against International Organisations
 - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Remedies Against International Organisations
 - Fact-Checking eBook Content of Remedies Against International Organisations
 - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
 - Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
- 14. Embracing eBook Trends
 - Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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