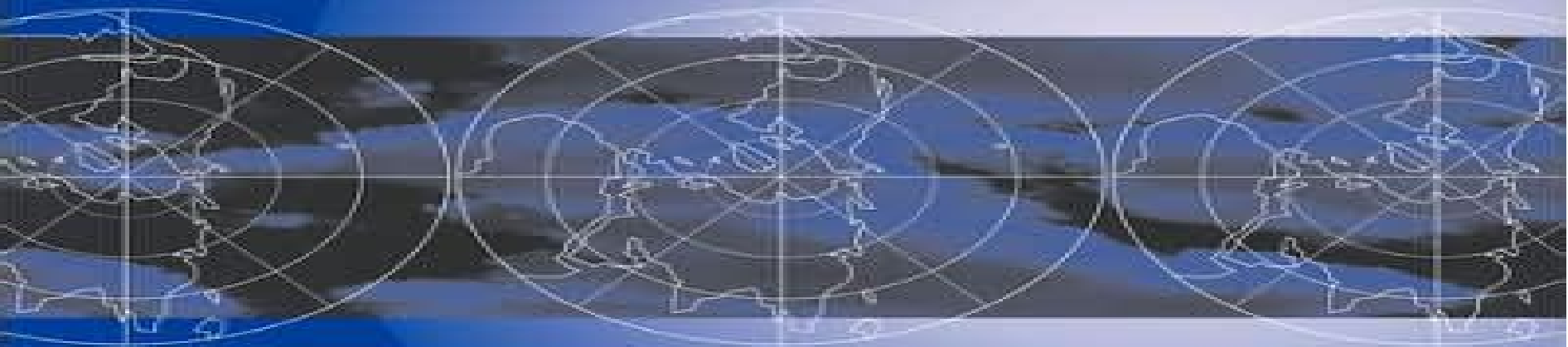


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CAMBRIDGE STUDIES IN INTERNATIONAL AND COMPARATIVE LAW

Remedies against International Organisations



KAREL WELLENS

Remedies Against International Organisations

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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

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

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

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 eg 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

Cologne Commentary on Space Law Stephan Hobe,Bernhard Schmidt-Tedd,Kai-Uwe Schrogl,2017-03-28 The Cologne Commentary on Space Law is a three volume annotation on the written norms of space law as enunciated through the Treaties of the United Nations and its General Assembly Resolutions Volume I focuses on the 1967 Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space including the Moon and Other Celestial Bodies popularly known as the Outer Space Treaty A broad international authorship of twenty experts addresses the historical overview and provides a provision by provision interpretation of the

Outer Space Treaty This Volume also includes insights into the subsequent State practice present day applicability and future perspectives of the Treaty The other four UN Treaties the 1968 Rescue Agreement the 1972 Liability Convention the 1975 Registration Convention and the 1979 Moon Agreement are addressed in Volume II which was published in 2013 Volume III published in 2015 delves into the eight most relevant United Nations General Assembly Resolutions Principles on space activities On the occasion of the 50th anniversary of the Outer Space Treaty Volume I of the Cologne Commentary on Space Law has been translated into Russian 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 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 The Oxford Handbook of International Organizations Jacob Katz Cogan, Ian Hurd, Ian Johnstone, 2016-11-24 Virtually every important question of public policy today involves an international organization From trade to intellectual property to health policy and beyond governments interact with international organizations in almost everything they do Increasingly individual citizens

are directly affected by the work of international organizations Aimed at academics students practitioners and lawyers this book gives a comprehensive overview of the world of international organizations today It emphasizes both the practical aspects of their organization and operation and the conceptual issues that arise at the junctures between nation states and international authority and between law and politics While the focus is on inter governmental organizations the book also encompasses non governmental organizations and public policy networks With essays by the leading scholars and practitioners the book first considers the main international organizations and the kinds of problems they address This includes chapters on the organizations that relate to trade humanitarian aid peace operations and more as well as chapters on the history of international organizations The book then looks at the constituent parts and internal functioning of international organizations This addresses the internal management of the organization and includes chapters on the distribution of decision making power within the organizations the structure of their assemblies the role of Secretaries General and other heads budgets and finance and other elements of complex bureaucracies at the international level This book is essential reading for scholars practitioners and students alike

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

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 *Fighting Corruption in Public Procurement* Sope Williams-Elegbe, 2012-11-06 Anti corruption measures have firmly taken centre stage in the development agenda of international organisations as well as in developed and developing countries One area in which corruption manifests itself is in public procurement and as a result States have adopted various measures to prevent and curb corruption in public procurement One such mechanism for dealing with procurement corruption is to debar or disqualify corrupt suppliers from bidding for or otherwise obtaining government contracts This book examines the issues and challenges raised by the debarment or disqualification of corrupt suppliers from public contracts Implementing a disqualification mechanism in public procurement raises serious practical and conceptual difficulties which are not always considered by legislative provisions on disqualification Some of the problems that may arise from the use of disqualifications include determining whether a conviction for corruption ought to be a pre requisite to disqualification bearing in mind that corruption thrives in secret resulting in a dearth of convictions Another issue is determining how to balance the tension between granting adequate procedural safeguards to a supplier in disqualification proceedings and not delaying the procurement process A further issue is determining the scope of the disqualification in the sense of determining whether it applies to firms natural persons subcontractors subsidiaries or other persons related to the corrupt firm and whether disqualification will lead to the termination of existing contracts The book compares and contrasts the legal practical and institutional approaches to the implementation of the disqualification mechanism in the European Union the United Kingdom the United States the Republic of South Africa and the World Bank **Autonomy in the Law** Mortimer Sellers, 2007-09-19 By juxtaposing European and American concepts of autonomy in the law as they are applied to families capital punishment and criminal trials authors reveal the common values that justify all legal systems This book sheds new light on the fundamental purpose of law by examining how European and American lawyers judges and citizens actually apply and should apply legal autonomy to litigation legislation and the law itself **International Legal Responsibility of International Organizations in the ILC Draft Articles and Beyond** Sarah Bayani, 2022 The phenomenon of proliferation of international organizations has urged focus on the responsibility of international organizations under international law as the effect of their activities is witnessed everywhere in our daily life The main purpose of the present book is to examine and review some specific aspects relevant to the question of international legal responsibility of international organizations mainly with a view to assessing the International Law Commission's work on the codification of the international legal rules applicable on international organizations in this area At the same time the intention is to address the major challenge to the codification of general rules for international organizations namely their wide varying nature and their differences from each other Furthermore the perspective has been enlarged by elaborating on the broader concept of accountability of international

organizations *Accountability of Peace Support Operations* M.C. Zwanenburg, 2005-05-01 Quis custodiet ipsos custodies In other words who guards the guardians At a time when the mandate of many peace support operations includes halting violations of international humanitarian law by third parties there is still a lack of clarity concerning accountability of peace support operations themselves This book addresses that accountability focusing on peace support operations under the command and control of the United Nations and the North Atlantic Treaty Organization It is concerned with the accountability of international organizations as well as troops contributing and member states but not of individuals Drawing on existing and emerging doctrines of international law including the law of state responsibility the law of responsibility of international organizations international institutional law and international humanitarian law and on the basis of state practice this book makes a strong plea for improving mechanisms to implement the accountability of peace support operations under international humanitarian law The Paul Reuter Prize 2006 was awarded to Marten Zwanenburg for this book

Reviewing **Remedies Against International Organisations**: Unlocking the Spellbinding Force of Linguistics

In a fast-paced world fueled by information and interconnectivity, the spellbinding force of linguistics has acquired newfound prominence. Its capacity to evoke emotions, stimulate contemplation, and stimulate metamorphosis is really astonishing. Within the pages of "**Remedies Against International Organisations**," an enthralling opus penned by a very acclaimed wordsmith, readers attempt an immersive expedition to unravel the intricate significance of language and its indelible imprint on our lives. Throughout this assessment, we shall delve to the book is central motifs, appraise its distinctive narrative style, and gauge its overarching influence on the minds of its readers.

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