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International Organizations and the Fight for Accountability

The Responsibility of International Organizations Toward Third Parties

White addresses fundamental issues such as the development of world and regional government, the rule of law, the decline of sovereign equality and the concepts of implied and inherent powers, and discusses the international institutional system.

Judicial Decisions on the Law of International Organizations

One of the far-reaching changes in the past century is the rapid growth of international organizations. International organizations are instruments for institutionalized co-operation among states; however, they also generate growing risks to other actors in the international system. The increased activity of international organizations may lead, naturally, to an infringement of the rights of others and the infliction of damage upon them. In such cases the question arises of which legal principles apply to the relations between the wrongdoer organization and the victims of its activity. This is the realm of responsibility of international organizations.

International Organizations

International Organizations (IOs) are a most striking phenomenon in contemporary international law. Many complex issues have arisen since the emergence of these

organizations due, in part, to their increasing prevalence, ever-changing nature, and nuanced diversity. This volume aims to explore new solutions to some of these issues and focuses specifically on problems derived from recent legal developments in IO praxis.

Complicity and the Law of International Organizations

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.

International Organizations

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.

International Organizations as Law-makers

This updated introductory textbook explores law, compliance and enforcement through chapter-length case studies of the world's most important international organizations.

Emergency Powers of International Organizations

International organizations have increasingly taken on state or quasi state-like functions in which they exercise control over individuals and societies, most pressingly in contexts of conflict and transition. Their engagement in peace operations has progressively widened, with mandates now regularly including the

protection of civilian populations and, in several new operations, containing peace enforcement responsibilities with active combat duties. This increases the risk that their conduct may infringe human rights and international humanitarian law. This book explores the ways in which the principles of accountability and reparation apply to international organizations. When considering whether international organizations are obliged to afford reparation and to whom it is owed, as well as what it entails, we are confronted with the challenge of understanding how the law of responsibility intersects with specialized regimes of human rights and international humanitarian law, particularly in its application to individuals. The justification for organizational immunities and other limits on international organizations' responsibilities were conceived to ensure their independence from state influences and their capacity to engage in often difficult circumstances. Many, if not all, of these rationales remain relevant today, yet disciplinary, oversight and judicial structures that exist in state administrations to promote accountability and forestall abuses have only partially been put into place for international organizations. At the same time, individuals affected by their conduct have had no, or only cursory recourse to domestic, regional and international courts and they have not been able to rely on their states of nationality to pursue claims on their behalf.

Jurisdictional Immunities of States and International Organizations

Global lawmaking by international organizations holds the potential for enormous influence over world trade and national economies. Representatives from states, industries, and professions produce laws for worldwide adoption in an effort to alter state lawmaking and commercial behaviors, whether of giant multi-national corporations or micro, small and medium-sized businesses. Who makes that law and who benefits affects all states and all market players. Global Lawmakers offers the first extensive empirical study of commercial lawmaking within the United Nations. It shows who makes law for the world, how they make it, and who comes out ahead. Using extensive and unique data, the book investigates three episodes of lawmaking between the late 1990s and 2012. Through its original socio-legal orientation, it reveals dynamics of competition, cooperation and competitive cooperation within and between international organizations, including the UN, World Bank, IMF and UNIDROIT, as these IOs craft international laws. Global Lawmakers proposes an original theory of international organizations that seek to construct transnational legal orders within social ecologies of lawmaking. The book concludes with an appraisal of creative global governance by the UN in international commerce over the past fifty years and examines prospective challenges for the twenty-first century.

Law and Practice of the United Nations

This new edition considers the legal concepts that have emerged from a wider political debate to govern vastly differing inter-governmental organisations ranging from the UN to the EU

An Introduction to International Organizations Law

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.

State Succession and Membership in International Organizations

"The description for this book, How to Do Things with International Law, will be forthcoming. "--

Principles of the Institutional Law of International Organizations

The politics of legitimacy is central to international relations. When states perceive an international organization as legitimate, they defer to it, associate themselves with it, and invoke its symbols. Examining the United Nations Security Council, Ian Hurd demonstrates how legitimacy is created, used, and contested in international relations. The Council's authority depends on its legitimacy, and therefore its legitimation and delegitimation are of the highest importance to states. Through an examination of the politics of the Security Council, including the Iraq invasion and the negotiating history of the United Nations Charter, Hurd shows that when states use the Council's legitimacy for their own purposes, they reaffirm its stature and find themselves contributing to its authority. Case studies of the Libyan sanctions, peacekeeping efforts, and the symbolic politics of the Council demonstrate how the legitimacy of the Council shapes world politics and how legitimated authority can be transferred from states to international organizations. With authority shared between states and other institutions, the interstate system is not a realm of anarchy. Sovereignty is distributed among institutions that have power because they are perceived as legitimate. This book's innovative approach to international organizations and international relations theory lends new insight

into interactions between sovereign states and the United Nations, and between legitimacy and the exercise of power in international relations.

How to Do Things with International Law

Law and Practice of the United Nations: Documents and Commentary combines primary materials with expert commentary demonstrating the interaction between law and practice in the UN organization, as well as the possibilities and limitations of multilateral institutions in general. Each chapter begins with a short introductory essay describing how the documents that ensue illustrate a set of legal, institutional, and political issues relevant to the practice of diplomacy and the development of public international law through the United Nations. Each chapter also includes questions to guide discussion of the primary materials, and a brief bibliography to facilitate further research on the subject. This second edition addresses the most challenging issues confronting the United Nations and the global community today, from terrorism to climate change, from poverty to nuclear proliferation. New features include hypothetical fact scenarios to test the understanding of concepts in each chapter. This edition contains expanded author commentary, while maintaining the focus on primary materials. Such materials enable a realistic presentation of the work of international diplomacy: the negotiation, interpretation and application of such texts are an important part of what actually takes place at the United Nations and other international organizations. This work is ideal for courses on the United Nations or International Organizations, taught in both law and international relations programs.

Evolutions in the Law of International Organizations

Featuring a diverse and impressive array of authors, this volume is the most comprehensive textbook available for all interested in international organization and global governance. Organized around a concern with how the world is and could be governed, the book offers: in-depth and accessible coverage of the history and theories of international organization and global governance; discussions of the full range of state, intergovernmental, and nonstate actors; and examinations of key issues in all aspects of contemporary global governance. The book's 50 chapters are arranged into 7 parts and woven together by a comprehensive introduction to the field, separate section introductions designed to guide students and faculty, and helpful pointers to further reading. International Organization and Global Governance is a self-contained resource enabling readers to better comprehend the role of myriad actors in the governance of global life as well as to assemble the many pieces of the contemporary global governance puzzle.

Responsibility of International Organizations

Extensively updated, this third edition textbook clearly conveys the set-up of international organisations and the logic behind international institutional law.

Immunity of International Organizations

"The Law and Practice of the United Nations" examines the law of the United Nations through an analysis of the Organization's practice from its inception until the present, in particular to the transformations the UN has undergone since the end of the Cold War. Special consideration is given to Chapter VII of the UN Charter and its interpretation, the United Nations membership and organs competences, along with the peaceful settlement of disputes, and coercive action for the maintenance of international peace and security. In addition, this important new edition explores such areas as general and smart sanctions, peacekeeping, authorizations of the Security Council, territorial administrations, self-determination, human rights, financing of the Organization, acts adoptable by the UN organs, and a review of their legality. Offering a fully revised and updated analysis of the main legal issues surrounding the United Nations practice, The Law and Practice of the United Nations will be of interest to all those involved with legal issues surrounding the United Nations, the analysis of said issues, and their impacts on international practice"

International Organization in Time

International organisations (IOs) often receive a bad press, seen as intrusive, domineering and unresponsive to the needs of the people and countries they are meant to serve. The best way to understand the operation of these international organisations is to bring together those who represent their countries at IOs and those who have been working at IOs at various capacities and then to listen to their experiences. This book develops an alternative approach to the analysis of IOs that takes account of all those involved, whether state representatives, IO leaders and members of the secretariat. Experts with long experience in the WTO, the World Bank, the IMF, WIPO, the FAO and the WHO at senior level consider the workings of the IOs, and a conclusion that explicitly draws out the comparative lessons and contrasts the insights of practitioners from those of external observers. This book takes an alternative approach to the analysis of IOs that takes account of all those involved, whether state representatives, IO leaders and members of the secretariat. Providing a well-informed, innovative and consistently structured analysis of IOs this work will be of interest to students and scholars of international relations, international organizations and global governance.

The Politics of International Organizations

This book is an introduction to the study of international organizations in the field of International Relations directed toward students in the discipline. It looks at the different ways in which IOs are studied and then applies these different modes of study to a variety of specific case studies.

The Oxford Handbook of International Organizations

Also available as an e-book The book argues that the decision-making processes within international organizations and other global governance bodies ought to be subjected to procedural and substantive legal constraints that are associated domestically with the requirements of the rule of law. The book explains why law — international, regional, domestic, formal or soft — should restrain global actors in

the same way that judicial oversight is applied to domestic administrative agencies. It outlines the emerging web of global norms designed to protect the rights and interests of all affected individuals, to enable public deliberation, and to promote the legitimacy of the global bodies. These norms are being shaped by a growing convergence of expectations of global institutions to ensure public participation and representation, impartiality and independence of decision-makers, and accountability of decisions. The book explores these mechanisms as well as the political and social forces that are shaping their development by analysing the emerging judicial practice concerning a variety of institutions, ranging from the UN Security Council and other formal organizations to informal and private standard-setting bodies.

International Organizations

International Organizations as Law-makers addresses how international organizations with a global reach, such as the UN and the WTO, have changed the mechanisms and reasoning behind the making, implementation, and enforcement of international law. Alvarez argues that existing descriptions of international law and international organizations do not do justice to the complex changes resulting from the increased importance of these institutions after World War II, and especially from changes after the end of the Cold War. In particular, this book examines the impact of the institutions on international law through the day to day application and interpretation of institutional law, the making of multilateral treaties, and the decisions of a proliferating number of institutionalized dispute settlers. The introductory chapters synthesize and challenge the existing descriptions and theoretical frameworks for addressing international organizations. Part I re-examines the law resulting from the activity of political organs, such as the UN General Assembly and Security Council, technocratic entities within UN specialized agencies, and international financial institutions such as the IMF, and considers their impact on the once sacrosanct 'domestic jurisdiction' of states, as well as on traditional conceptions of the basic sources of international law. Part II assesses the impact of the move towards institutions on treaty-making. It addresses the interplay between negotiating venues and procedures and interstate cooperation and asks whether the involvement of international organizations has made modern treaties 'better'. Part III examines the proliferation of institutionalized dispute settlers, from the UN Secretary General to the WTO's dispute settlement body, and re-examines their role as both settlers of disputes and law-makers. The final chapter considers the promise and the perils of the turn to formal institutions for the making of the new kinds of 'soft' and 'hard' global law, including the potential for forms of hegemonic international law.

International Organizations

This book explores the relationship between the jurisdictional immunities of states and international organizations, in an attempt to bring clarity and predictability to the law of international immunities. Embracing a holistic approach, this book charts the history, purpose, scope, competing norms, and exceptions and waivers for the jurisdictional immunities related to states and then international organizations, respectively. Finally, it focuses on the relationship between the two areas analyzing in detail the differences and commonalities between the two. The author

aims to position the book to be of use both to scholars and practicing lawyers and legal advisers in government and international organizations, as well as to lawyers whose practice concerns issues and laws of privileges and immunities.

International Organizations

The book explores how international organizations (IOs) have expanded their powers over time without formally amending their founding treaties. IOs intervene in military, financial, economic, political, social, and cultural affairs, and increasingly take on roles not explicitly assigned to them by law. The proposed book will contend that this 'mission creep' has allowed IOs to intervene internationally, most often in the Global South, in a way that has allowed them to recast institutions within and interactions among states, societies, and peoples on a broadly Western, liberal model. Adopting a historical and interdisciplinary, socio-legal approach, it supports this claim through detailed investigations of historical episodes involving three very different organizations: the International Labour Organization in the interwar period; the United Nations in the two decades following the Second World War; and the World Bank from the 1950s through to the 1990s. The book draws on a wide range of original institutional and archival materials, bringing to light little-known aspects of each organization's activities, identifying continuities in the ideas and practices of international governance across the twentieth century, and speaking to a range of pressing theoretical questions in present-day international law and international relations --Front flap of the book.

After Anarchy

Taking a thematic and theoretical approach, this textbook examines international organisations (IOs) and their effectiveness in solving global issues. Through the lens of international relations theory, it focuses on eight key issue areas central to international relations: conflict; weapons; human rights; global health; financial governance; international trade; political and economic unions; development, and the environment. Capturing the best and most up-to-date scholarly research and empirical examples from around the world, the book enables students to develop the theoretical tools to evaluate IOs and answer the key question, 'are IOs a help or a hindrance?'. Text features include suggestions for further reading, questions, highlighted key terms and supplementary online resources, as well as text boxes providing demonstrations of how additional theories and concepts apply to specific IOs in the issue areas discussed. This textbook is an essential resource for undergraduate and graduate courses on global governance, international organisations, and international relations.

The Globalization of World Politics

International organizations are at the heart of many global issues today. This new textbook looks at the leading international organizations and explains how they both shape and are shaped by international politics. The book examines three themes: the legal obligations that give international organizations their powers; the mechanisms that elicit compliance by their member states; and the practices of

enforcement in the organization. Each chapter shows how international organizations work in practice and the interactions between them and their member states. This fresh text provides a comprehensive understanding of what international organizations do, how and why they do it, and the challenges they face.

International Organizations and Member State Responsibility

Responsibility of International Organizations: Essays in Memory of Sir Ian Brownlie is a unique collection of different and often differing perspectives from experts in the field, ranging from the bench to the International Law Commission, academia, and the world of in-house counsel. As a companion volume to the book of essays that the same editor prepared in 2005 in memory of Oscar Schachter, this volume is also a memorial to the late Sir Ian Brownlie shortly after the 80th anniversary of his birth.

International Organization and Global Governance

Drawing on mainstream and critical theoretical approaches, International Organizations offers a comprehensive examination of international organizations' political and structural role in world politics. This text details the types and activities of international organizations and provides students with the conceptual tools needed to evaluate their effectiveness. Surveying key issue areas from international and human security to trade and the environment, International Organizations looks at present and future possibilities for global governance from a broad range of perspectives. New to the Fifth Edition The nexus between international law and international organizations is explored to show how they complement and influence each other. Each issue chapter highlights the relevant treaties, norms, and customs, and interprets the impact of international law on the politics of the issue. Not only does this book cover international and human security concerns but it now looks at the growing danger posed by the proliferation of weapons of mass destruction, with special emphasis on the spread of nuclear weapon technology. A new in-depth case study on Iran explores Iran's quest for nuclear technology against the backdrop of its legal duties and obligations under Nuclear NonProliferation Treaty (NPT). The case also examines the role of the International Atomic Energy Agency (IAEA) in managing the use of nuclear technology and energy. An updated analysis of global climate change is provided to explain the political outcomes of the 2009 Copenhagen Conference. An exploration of international criminal law with special reference to the International Criminal Tribunal for the Former Yugoslavia (ICTY) and the International Criminal Court (ICC). Every chapter includes the most recent political events, scholarship, and data, especially as it relates to the impact of the global financial crisis on trade and development.

To Reform the World

Emergency Powers of International Organizations explores emergency politics of international organizations (IOs). It studies cases in which, based on justifications of exceptional necessity, IOs expand their authority, increase executive discretion,

and interfere with the rights of their rule-addressees. This "IO exceptionalism" is observable in crisis responses of a diverse set of institutions including the United Nations Security Council, the European Union, and the World Health Organization. Through six in-depth case studies, the book analyzes the institutional dynamics unfolding in the wake of the assumption of emergency powers by IOs. Sometimes, the exceptional competencies become normalized in the IOs' authority structures (the "ratchet effect"). In other cases, IO emergency powers provoke a backlash that eventually reverses or contains the expansions of authority (the "rollback effect"). To explain these variable outcomes, this book draws on sociological institutionalism to develop a proportionality theory of IO emergency powers. It contends that ratchets and rollbacks are a function of actors' ability to justify or contest emergency powers as (dis)proportionate. The claim that the distribution of rhetorical power is decisive for the institutional outcome is tested against alternative rational institutionalist explanations that focus on institutional design and the distribution of institutional power among states. The proportionality theory holds across the cases studied in this book and clearly outcompetes the alternative accounts. Against the background of the empirical analysis, the book moreover provides a critical normative reflection on the (anti) constitutional effects of IO exceptionalism and highlights a potential connection between authoritarian traits in global governance and the system's current legitimacy crisis.

International Organizations

This widely used textbook continues to provide students with an introduction to International Organisations, exploring their rise, their development in the 20th century and accounting for their significance in the modern international political and economic system. The third edition: has been fully revised and updated continues to offer a unique concise, yet comprehensive, approach, giving students an accessible and manageable introduction to this core part of International Relations offers authoritative guides to further reading.

The Law of Global Governance

Immunity for international organizations and their staff, while long considered necessary to their functioning, has fallen under scrutiny and criticism in practice. These contributions, originally prepared for a conference held at Leiden University in June 2013, are re-published here in celebration of the 10th anniversary of the International Organizations Law Review.

A Theory of International Organization

'International organization in time' investigates the effects of reform programs on international organizations (IOs). Drawing on insights from historical institutionalism and sociological organization theory, the book develops a theory of IO fragmentation to account for the centrifugal tendencies of the global polity. Focusing on the reform problems in the United Nations system in general and the World Health Organization in particular, the findings of 'International organization in time' not only advance scholarly understanding of institutional development beyond the state, but also raise important questions about the legitimacy of

international organizations.

International Organization

Observes how the growth of the political authority of the Council challenges the basic idea that states have legal autonomy over their domestic affairs. The individual essays survey the implications that flow from these developments in the crucial policy areas of: terrorism; economic sanctions; the prosecution of war crimes; human rights; humanitarian intervention; and the use of force. In each of these areas, the evidence shows a complex and fluid relation between state sovereignty, the power of the United Nations, and the politics of international legitimation. Demonstrating how world politics has come to accommodate the contradictory institutions of international authority and international anarchy, this book makes an important contribution to how we understand and study international organizations and international law. Written by leading experts in the field, this volume will be of strong interest to students and scholars of international relations, international organizations, international law and global governance.

Remedies against International Organisations

Why do international organizations (IOs) look so different, yet so similar? The possibilities are diverse. Some international organizations have just a few member states, while others span the globe. Some are targeted at a specific problem, while others have policy portfolios as broad as national states. Some are run almost entirely by their member states, while others have independent courts, secretariats, and parliaments. Variation among international organizations appears as wide as that among states. This book explains the design and development of international organization in the postwar period. It theorizes that the basic set up of an IO responds to two forces: the functional impetus to tackle problems that spill beyond national borders and a desire for self-rule that can dampen cooperation where transnational community is thin. The book reveals both the causal power of functionalist pressures and the extent to which nationalism constrains the willingness of member states to engage in incomplete contracting. The implications of postfunctionalist theory for an IO's membership, policy portfolio, contractual specificity, and authoritative competences are tested using annual data for 76 IOs for 1950-2010. Transformations in Governance is a major academic book series from Oxford University Press. It is designed to accommodate the impressive growth of research in comparative politics, international relations, public policy, federalism, environmental and urban studies concerned with the dispersion of authority from central states up to supranational institutions, down to subnational governments, and side-ways to public-private networks. It brings together work that significantly advances our understanding of the organization, causes, and consequences of multilevel and complex governance. The series is selective, containing annually a small number of books of exceptionally high quality by leading and emerging scholars. The series targets mainly single-authored or co-authored work, but it is pluralistic in terms of disciplinary specialization, research design, method, and geographical scope. Case studies as well as comparative studies, historical as well as contemporary studies, and studies with a national, regional, or international focus are all central to its aims. Authors use qualitative, quantitative, formal modeling, or mixed methods. A trade

mark of the books is that they combine scholarly rigour with readable prose and an attractive production style. The series is edited by Liesbet Hooghe and Gary Marks of the University of North Carolina, Chapel Hill, and the VU Amsterdam, and Walter Mattli of the University of Oxford.

The Law and Practice of the United Nations

The second edition of C. F. Amerasinghe's successful book, which covers the institutional aspects of the law of international organizations, has been revised to include, among other things, a new chapter on judicial organs of international organizations, as well as a considerably developed chapter on dispute settlement. There is a rigorous analysis of all the material alongside a functional examination of the law. A brief history of international organizations is followed by chapters on, amongst others, interpretation, membership and representation, international and national personality, judicial organs, the doctrine of ultra vires, liability of members to third parties, employment relations, dissolution and succession, and amendment. Important principles are extracted and discussed, and the practice of different organizations examined.

The Law of International Organisations

This timely book examines the responsibility of international organizations for complicity in human rights and humanitarian law violations. It comprehensively addresses a lacuna in current scholarship through an analysis of the mandates and modus operandi of UN peace operations, offering workable normative solutions and striking a balance between the UN's duty not to contribute to international law violations and its need to discharge mandated tasks in a highly volatile environment.

International Organisations and Global Problems

Now in its fifth edition, this title has been fully revised and updated in the light of recent developments in world politics, with new chapters on the changing nature of war, human security, and international ethics.

Global Lawmakers

The UN Security Council and the Politics of International Authority

This volume contains a comprehensive survey of practice relating to cases of State succession and membership in international organizations between 1945 and 2000. The practice examined by the author includes most controversial and topical cases.

The Law of International Organisations

International organizations are at the heart of many global issues today. This new

textbook looks at the leading international organizations and explains how they both shape and are shaped by international politics. The book examines three themes: the legal obligations that give international organizations their powers; the mechanisms that elicit compliance by their member states; and the practices of enforcement in the organization. Each chapter shows how international organizations work in practice and the interactions between them and their member states. This fresh text provides a comprehensive understanding of what international organizations do, how and why they do it, and the challenges they face.

Rules for the World

International Organizations and Member State Responsibility: Critical Perspectives compiles novel approaches within academia and legal practice that reflect the evolution of the contemporary law of international (member state) responsibility. This Volume was previously published as International Organizations Law Review Vol. 12, issue 2 (2015).

International Organizations and the Fight for Accountability

The first casebook of its kind Judicial Decisions on the Law of International Organizations contains relevant excerpts of leading court opinions and decisions on the law of international organizations (international institutional law) and critical commentaries written by leading experts in the field.

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