

International Organizations

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POLITICS, LAW, PRACTICE

Third Edition

Ian Hurd



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Contents

Preface	<i>page</i> vii
Acknowledgments	x
1 Introduction to International Organizations	1
2 Theory, Methods, and International Organizations	17
3 The United Nations I: Law and Administration	42
Appendix 3: Charter of the United Nations (excerpts)	72
4 The United Nations II: International Peace and Security	80
Appendix 4.A: UN Security Council Resolution 1973 on Libya (2011)	105
Appendix 4.B: UN Security Council Resolution 872 on Rwanda (1993)	106
5 The World Trade Organization	109
Appendix 5: Key GATT Clauses	135
6 The International Monetary Fund and the World Bank	138
Appendix 6.A: IMF Loan to Argentina (excerpt)	163
Appendix 6.B: World Bank Project Loan to Argentina: Urban Flood Prevention and Drainage APL 2, P093491	165
7 The International Labor Organization	168
Appendix 7.A: Constitution of the International Labor Organization (excerpts)	187
Appendix 7.B: ILO Convention 105, Abolition of Forced Labor, 1957 (excerpts)	189
8 The International Court of Justice	192
Appendix 8.A: Statute of the International Court of Justice (1949)	218
Appendix 8.B: ICJ Decision, press release (excerpts)	223

9	The International Criminal Court	226
	Appendix 9: Rome Statute of the International Criminal Court (1998)	248
10	The European Union and Regional Organizations	255
11	Conclusion	285
	Index	293



Preface

This book examines each of the main global international organizations. It looks at the legal rules that constitute the United Nations, the World Trade Organization and other institutions and then considers how these rules are used in practice to shape international politics. It is unique among textbooks on international organizations with its emphasis on the interaction between international politics and international law.

The book begins from the twin assumptions that international politics cannot be understood without thinking about international organizations, and that international organizations cannot be understood without thinking about their legal and their political features. From this starting point we get a clearer view into these organizations as power players in world politics and also how governments and others try to use them to advance their own interests. It also gives a window into deeper questions in international relations about the dynamics among power, interests, institutions, and actors.

Thinking about international organizations requires paying attention to power, law, politics, and more all at once. It needs practical as well as theoretical thinking. The chapters in this book look at the world of global governance with an eye on these big issues.

To see the big picture we must first see the details. And so each chapter tells stories from the daily life of the institution. For instance, we see how the government of Burma has manipulated the International Labor Organization around the problem of forced labor in that country. We also see how Japanese whale hunting got it in trouble with the International Court of Justice and how it tried to escape that trouble by claims its whaling is really about 'scientific research.' These and other stories provide the raw materials that we can use to construct our understanding of international organizations and from there to understand the bigger questions about international relations.

This third edition of the book brings it up to date with the rapidly changing world of international politics and law.

- The dramatic developments of Brexit are covered in Chapter 10 on the EU.
- A new case study in Chapter 3 looks at how the United Nations accidentally sparked a cholera epidemic in Haiti in 2010, and how its legal immunities make it impossible for the victims to get compensation from the organization.
- The ongoing Syrian war involves international organizations on both the security and the humanitarian fronts, and it is discussed at length in a new case in Chapter 4.
- The debt crisis has reshaped the landscape for international financial institutions in recent years and Chapter 6 includes a new section that details the Argentine default and restructuring. This helps understand the politics of financial flows as well as the role of international institutions in shaping the movement of money.
- The International Court of Justice was asked to rule on whether Japan was illegally hunting whales in the Southern Ocean. Chapter 8 includes a new case study of the dispute that ensued, pitting Australia and NGOs against Japan and its whaling industry.
- Chapter 1 directly challenges the common assumption that international organizations are naturally good and progressive. I call this the ‘enchanted’ attitude toward global governance and argue that it is important that we can get beyond it.

All of today’s global issues are linked to the international organizations in this book. From human rights to financial flows to overfishing, a broad range of government decisions are influenced by the rules, decisions, and powers of international organizations: a government that wishes to subsidize a steel factory must consider how this fits with the rules of the World Trade Organization; Iceland’s decision to allow whale hunting is causing problems in its application to join the European Union; the International Court of Justice has some say over the legal implications of Israel’s wall inside the Palestinian territories; the International Criminal Court may have jurisdiction over US soldiers in Afghanistan.


The goal of the book is to understand the power and limits of these and other international organizations. Some institutions make major contributions, as when the International Criminal Court convicted Thomas Lubanga in 2012 for using children as soldiers in the Democratic Republic of Congo. Some are paralyzed by internal disagreement, as when the UN Security Council failed to either endorse or condemn the US invasion of Iraq in 2003. Some, such as the

International Labor Organization, survive by making relatively few demands on their member states.

Both the failures and the successes of international organizations stem from the rules and competencies set out in their legal charters, and from the interaction between these rules and the wider world of states and other kinds of actors. It is as important to understand why these organizations sometimes fail to take collective action as it is to understand when they act. For instance, the international response to the Libyan uprising in 2011 was very different than to the Syrian uprising a year later, and the reason for this has much to do with the internal rules of the UN Security Council: the permanent members of the Council were much more divided over what to do about Syria than they were about Libya. The Syrian civil war continues, while the Libyan civil war was ended by UN and NATO intervention and the conflict reopened soon after in new ways.

Despite the changes, the main goal and overall structure of the book remains the same: to understand the international organizations that operate in the most important areas of international policy-making, including trade, finance, courts, and international peace and security. Throughout, it strives for a realistic view of these organizations, one that neither overstates nor understates their power and influence.

To that end, each chapter first presents the legal foundation of the organization and then explores how it operates. The controversies that surround the organizations come out of the interaction between their legal powers and the political context in which they find themselves, the push and pull of motivated actors seeking to use the organization in the pursuit of some goals. What comes out of this interaction may be judged to be good or bad, or somewhere in between, but it is clear that one cannot make sense of contemporary global politics without understanding the network of inter-state institutions.



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