International organizations are becoming increasingly powerful. Today, they affect the lives of individuals across the globe through their decisions and conduct. Consequently, international organizations are more capable of violating the human rights of individuals. But how can they be held to account for such violations?

This book studies the procedural mechanisms that may hold international organizations to account for their human rights violations. It establishes a general framework for identifying, analyzing, and assessing the accountability mechanisms of international organizations. This general framework is then applied to three distinct cases: the EU’s Common Security and Defence Policy missions, refugee camp administration by the UNHCR, and detention by the International Criminal Court.

The overall conclusion is that none of the existing accountability mechanisms across the three cases fulfill the normative requirements set out in the general framework. However, there are significant variations between cases, and between different types of accountability mechanisms.

Stian Øby Johansen is Associate Professor at the Centre for European Law at the University of Oslo. His scholarship has appeared in *European Papers, International and Comparative Law Quarterly, German Law Journal*, and *Oxford International Organizations*. He is Secretary of the Norwegian Branch of the International Law Association.
The Human Rights Accountability
Mechanisms of International
Organizations

STIAN ØBY JOHANSEN

University of Oslo
To my grandfather, Rolf Øby, peaceeper in the DANOR Battalion, UNEF II (1957–1958)
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SWITZERLAND

Abbreviations

ACHPR African Charter of Human and People's Rights
AFSJ Area of Freedom, Security and Justice (European Union)
AG Advocate General
AHRLR African Human Rights Law Reports
ASEAN Association of Southeast Asian Nations
ASP Assembly of States Parties to the Rome Statute
CAT Convention Against Torture
CCO Chief Custody Officer
CETS Council of Europe Treaty Series
CFR Charter of Fundamental Rights of the European Union
CFSP Common Foreign and Security Policy (European Union)
CJEU Court of Justice of the European Union
CoE Council of Europe
CRPD Convention on the Rights of Persons with Disabilities
CSDP Common Security and Defence Policy
CUP Cambridge University Press
DARIO Draft Articles on the Responsibility of International Organizations
DARS Draft Articles on the Responsibility of States for Internationally Wrongful Acts
ECHR European Convention for the Protection of Human Rights and Fundamental Freedoms
EComHR European Commission of Human Rights
ECtHR European Court of Human Rights
EEAS European External Action Service
EPSO European Personnel Selection Office
ESA European Space Agency
EU European Union
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<tr>
<td>HRRP</td>
<td>Human Rights Review Panel (EULEX Kosovo)</td>
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<td>IACtHR</td>
<td>Inter-American Court of Human Rights</td>
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<tr>
<td>ICC</td>
<td>International Criminal Court</td>
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<tr>
<td>ICCPR</td>
<td>International Covenant on Civil and Political Rights</td>
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<td>ICESCR</td>
<td>International Covenant on Economic, Social and Cultural Rights</td>
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<td>ICJ</td>
<td>International Court of Justice</td>
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<td>ICTR</td>
<td>International Criminal Tribunal for Rwanda</td>
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<td>ICTY</td>
<td>International Criminal Tribunal for the former Yugoslavia</td>
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<td>IGO</td>
<td>Inspector General’s Office (UNHCR)</td>
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<td>ILC</td>
<td>International Law Commission</td>
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<td>International Labour Organisation</td>
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<td>ILOAT</td>
<td>Administrative Tribunal of the International Labour Organisation</td>
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<td>IMF</td>
<td>International Monetary Fund</td>
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<td>IO</td>
<td>International Organization</td>
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<td>IOM</td>
<td>Independent Oversight Mechanism</td>
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<td>MoU</td>
<td>Memorandum of Understanding</td>
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<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<td>NGO</td>
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<td>OAS</td>
<td>Organization of American States</td>
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<td>OPCON</td>
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<td>PCIJ</td>
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<td>UNTS</td>
<td>United Nations Treaty Series</td>
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