

Yaroslav Mudryi National Law University

Department of International Law

S Y L L A B U S

of the academic discipline

«Law of international organizations /

Право міжнародних організацій»

The level of higher education – second (master's) level

The degree of higher education – a master's degree

Field of knowledge – 08 "Law"

Specialty – 081 "Law"

The status of the academic discipline – Elective

Recruitment year – 2021

Kharkiv 20 21

Syllabus of the academic discipline «Law of international organizations / Право міжнародних організацій» for students of higher education of the second (master's) level of higher education in the field of knowledge 08 "Law" specialty 081 "Law". Kharkiv: Yaroslav Mudryi National Law University, 2021. 13 p.

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Data about the teacher

The name of the academic discipline	Law of international organizations / Law of international organizations
Status of the academic discipline	Elective
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Consultations	in accordance with the developed schedule of individual consultations

Abstract of the academic discipline

The essence of the law of international organizations, understanding of its basic categories is revealed. The concept, types and legal nature of international organizations are analyzed. The organizational structure of international organizations, in particular the UN, the Council of Europe, the EU, the OSCE, NATO, is outlined, and their rights and responsibilities are established. The procedure for the adoption of acts by international organizations is considered, as well as the peculiarities of the responsibility of international organizations are analyzed.

The purpose and tasks of the academic discipline

The purpose of the academic discipline is to form a system of scientific knowledge about the legal regulation of the order of formation and activities of international organizations, study of domestic and foreign approaches to understanding the content of the law of international organizations, development of basic abilities and skills in the application of acts of international organizations, activation of analytical activities of students, conducting research work, as well as practical skills of a lawyer.

Tasks:

– formation of a system of theoretical knowledge about the law of international organizations, its content;

- mastering the basic categories of law of international organizations;
- determination of current problems of the law of international organizations and directions of modern scientific research in this field of international law;
- analysis and research of applied problems of the procedure for adoption of acts by bodies of international organizations;
- specification of the types of international organizations, analysis of their structure, determination of the legal nature of acts of international intergovernmental organizations, outline of the powers of their bodies;
- development of skills and abilities to apply acts of international organizations in practical activities.

Academic discipline in the structure of the educational and professional program. Interdisciplinary connections

Prerequisites: "International law", "Law of the European Union".

Corequisites: «International law of treaties / Право міжнародних договорів», «Universal and regional systems of human rights protection / Універсальні та регіональні системи захисту прав людини», «International criminal law / Міжнародне кримінальне право», «Diplomatic and consular law / Дипломатичне і консульське право».

Expected learning outcomes of a student of higher education

As a result of mastering the academic discipline, the student of higher education must demonstrate the following learning outcomes:

LO AD1. Analyze the nature and content of legal personality of international organizations.

LO AD2. Discuss the complex legal problems of applying the acts of international organizations in the national legal system.

LO AD3. Reasonably formulate your legal position regarding the compliance of states with the criteria for membership in international organizations.

LO AD4. Carry out a comparative legal analysis of the powers of various international organizations.

LO AD5. Integrate knowledge about the essence of *Ultra acts Vires* , their purpose in the law of international organizations.

LO AD6. Demonstrate an understanding of the content of precedent practice of the UN International Court of Justice and other international judicial bodies, the peculiarities of their influence on the development of the law of international organizations.

LO AD7. Analyze the activities and powers of international organizations of a universal and regional nature.

LO AD8. Demonstrate skills in preparing draft acts of international organizations, cite their rationale, specify the methods and procedure for their adoption.

LO AD9. Characterize the organizational structure of the UN, including its specialized institutions.

LO AD10. Demonstrate knowledge and understanding of the problem of reforming the UN.

LO AD11. Analyze the activities of international organizations in the field of peace and security support: OSCE, NATO.

LO AD12. Describe the activities of international organizations of an economic nature: World Bank, IMF, WTO.

**Types of educational activities and Individual work
for students of full-time higher education**

No	Lecture classes (contact)		Individual work (in hours)
	Topics of lectures	Topics of practical classes	
1	The history of international organizations	The history of international organizations	8
2	Concepts and types of international organizations	Concepts and types of international organizations	8

3	Legal nature of international intergovernmental organizations	Legal nature of international intergovernmental organizations	8
4	Internal organizational structure of international organizations. Acts of international organizations.	Internal organizational structure of international organizations. Acts of international organizations.	8
5	Responsibility of international organizations.	Responsibility of international organizations.	8
6	Diplomatic law of international organizations	Diplomatic law of international organizations	8
7	International intergovernmental organizations of a universal and regional nature. United Nations (UN).	International intergovernmental organizations of a universal and regional nature. United Nations (UN).	8
8	Specialized agencies of the UN.	Specialized agencies of the UN.	8
9	International intergovernmental organizations of an economic nature	International intergovernmental organizations of an economic nature	8
10	International intergovernmental organizations in the field of peace and security support.	International intergovernmental organizations in the field of peace and security support.	8

**Types of educational activities and individual work
for students of higher education in the distant form of education**

No	Topics lectures	Topics practical classes	Individual work (in hours)
1	The history of international organizations	The history of international organizations	110
2	Legal nature of international intergovernmental organizations	Legal nature of international intergovernmental organizations	
3	International intergovernmental organizations of a universal and regional nature. United Nations (UN).	-	

Individual work of students

Individual work of students is carried out in the following forms:

- preparation of an individual final written work;
- development of new scientific and educational literature, acts of international organizations;
- work on cases related to the activities of international organizations;
- performance of practical tasks, self-testing;
- preparing a presentation or writing an essay;
- preparation of reports abstracts for scientific and practical conferences;
- participation in competitions of student scientific works;
- preparation for practical classes, colloquiums and testing.

Tasks and methodical recommendations for Individual work are given in Methodical materials for the academic discipline «Law of international organizations / Право міжнародних організацій» for students of the second (master's) level of higher education in the field of knowledge 08 "Law" specialty 081 "Law.

Educational, methodical and information support academic discipline

Normative and legal acts

1. Статут Організації Об'єднаних Націй від 26.06.1945 р. URL: https://zakon.rada.gov.ua/laws/show/995_010#Text
2. Північноатлантичний договір від 04.04.1949 р. URL: https://zakon.rada.gov.ua/laws/show/950_008#Text
3. Статут Ради Європи від 05.05.1949 р. URL: https://zakon.rada.gov.ua/laws/show/994_001#Text
4. Заключний акт Наради з безпеки та співробітництва в Європі від 01.08.1975 р. URL: https://zakon.rada.gov.ua/laws/show/994_055#Text

5. Віденська конвенція про право міжнародних договорів між державами і міжнародними організаціями або між міжнародними організаціями від 21.03.1986 р. URL: https://zakon.rada.gov.ua/laws/show/995_a04#Text

6. Віденська конвенція про представництво держав у їх відносинах з міжнародними організаціями універсального характеру від 14.03.1975 р. URL: https://zakon.rada.gov.ua/laws/show/995_254#top

7. Конвенція про привілеї та імунітети Об'єднаних Націй від 13.02.1946 р. URL: https://zakon.rada.gov.ua/laws/show/995_150#Text

8. Статті про відповідальність міжнародних організацій 2011 р. URL: https://www.un.org/en/ga/sixth/69/int_organizations.shtml

9. Відшкодування збитків на службі ООН: Консультативний висновок Міжнародного Суду ООН від 11.03.1949 р. URL: <https://www.icj-cij.org/files/case-related/4/004-19490411-ADV-01-00-EN.pdf>

Basic literature

1. Аббакумова Д. В. Комітет Міністрів Ради Європи: міжнародно-правова природа та повноваження: монографія. Харків: Право, 2016. 256 с.

2. Кулеба Д. І. Участь України в міжнародних організаціях. Правова теорія і практика. Київ: Проміні, 2007. 304 с.

3. Abbakumova D. The role of the World Bank and the IMF in the international financial system and the human rights sphere. *Baltic Journal of Economic Studies*. 2019. Vol. 5. No. 4. P. 25–34. URL: <http://www.baltijapublishing.lv/index.php/issue/article/view/700/pdf>

4. Amerasinghe C.F. Principles of the Institutional Law of International Organizations. 2nd revised edition. Cambridge University Press, 2005.

5. Coicaud J-M., Heiskanen V. The legitimacy of international organizations. Tokyo, New York: United Nations University Press, 2001. 578 p.

6. Iriye A. Global community: the role of international organizations in the making of the contemporary world. University of California Press, 2002. 246 p.

7. Klabbers J. An Introduction to International Institutional Law. 2nd Edition. Cambridge University Press, 2009. 390 p.
8. Seyersted F. Common law of international organizations. Leiden, Boston: Martinus Nijhoff Publishers, 2008. 604 p.
9. Shaw M.N. International Law. Sixth edition. Cambridge University Press, New York, 2008. 1542 p.
10. Schermers H.G., Blokker N.M. International Institutional Law. Unity within Diversity. 5 th ed. Leiden, Boston: Martinus Nijhoff Publishers. 2011, 1273 p.
11. Stumer A. Liability of Member States for Acts of International Organizations: Reconsidering the Policy Objections. Harvard International Law Journal. Summer 2007. Vol. 48. No. 2. P. 553–580.
12. Wellens K. Remedies against International Organizations. Cambridge, 2002. 295 p.

Additional literature

1. Аббакумова Д. В. Особливості здійснення моніторингу головними органами Ради Європи. *Порівняльно-аналітичне право*. 2018. № 4. С. 78–95.
2. Аббакумова Д.В. Процедурні аспекти функціонування Комітету Міністрів Ради Європи. *Журнал східноєвропейського права*. 2018. № 57. С. 25–33.
3. Аббакумова Д.В. Членство в Раді Європи та захист прав людини. *Юридичний науковий електронний журнал*. 2020. № 3. С. 439–445.
4. Андрейченко С.С. Особливості кодифікаційного розвитку норм про міжнародно-правову відповідальність міжнародних організацій. *Право України*. 2017. № 7. С. 156–162.
5. Баймуратов М. А. Организация Объединённых Наций в условиях глобализации: вопросы модернизации и повышения эффективности деятельности: моногр. / М. А. Баймуратов, В. Б. Мелинишин, Ю. В. Волошин; под ред. М. А. Баймуратова. Москва: ТрансЛит, 2008. 272 с.

6. Білоцький С.Д. Миротворчі операції НАТО в Південно-Східній Європі: міжнародно-правовий аспект. Київ: Видавничий дім «Промені», 2010. 270 с.
7. Боцицький Ю.Л. Право міжнародних організацій і Україна: у схемах та таблицях: навч. посіб. / за заг. ред. Боцицького Ю.Л., Дей М.О. Київ: Ліра-К, 2015. 268 с.
8. Міжнародне право: навч. посіб. / за ред. М. В. Буроменського. Київ: Юрінком Інтер, 2005. С. 170–185.
9. Право международных организаций: учебник и практикум / под ред. Абашидзе А. Х. Москва: Издательство Юрайт, 2016. 515 с.
10. Савчук К.О. Особливості правового регулювання членства в Організації Північноатлантичного договору. *Часопис Київського університету права*. 2019. № 3. С. 258–265.
11. Тарасов О. В. Суб'єкт міжнародного права: проблеми сучасної теорії. Харків: Право, 2014. 512 с.
12. Флоренц Бенуа-Ромер, Гайнріх Клебес. Право Ради Європи. Прямуючи до загальноєвропейського простору / пер з англ. Київ: К.І.С., 2007. 232 с.
13. Шибаева Е.А. Право международных организаций: Вопросы теории. Москва: Международные отношения, 1986. 160 с.
14. Шибаева Е.А., Поточный М. Правовые вопросы структуры и деятельности международных организаций: учеб. пособие. 2-е изд. Москва: Изд-во МГУ, 1988. 192 с.
15. Яковенко Н.Л. Міжнародні організації у сфері безпеки. НАТО, ОБСЄ: навч. посіб. Київ. нац. ун-т ім. Т. Шевченка. Київ: ВПЦ «Київ. ун-т», 2020. 367 с.

Internet resources

The UN website – <https://www.un.org>

Representation of the UN in Ukraine – <http://www.un.org.ua/ua/>

The website of the Council of Europe – <https://www.coe.int>

Office of the Council of Europe in Ukraine – <https://www.coe.int/uk/web/kyiv>

The OSCE website – <https://www.osce.org>

OSCE Special Monitoring Mission to Ukraine – <https://www.osce.org/uk/special-monitoring-mission-to-ukraine>

OSCE Project Coordinator in Ukraine – <https://www.osce.org/uk/project-coordinator-in-ukraine>

The NATO website – <https://www.nato.int>

NATO Representation in Ukraine –

<https://www.nato.int/cps/uk/natohq/172885.htm>

The EU website – <https://eeas.europa.eu>

Representation of the EU in Ukraine –

https://eeas.europa.eu/delegations/ukraine_uk

SEEMK

Standardized electronic educational and methodological complex of the Department of International Law. URL: http://library.nlu.edu.ua/index.php?option=com_k2&view=itemlist&task=category&id=217:kafedra-mizhnarodnoho-prava&Itemid=151

Requirements of the teacher

Those seeking higher education *must*: regularly attend lectures and practical classes; systematically and actively work on them; convincingly present arguments when solving tasks; qualitatively perform written tasks, control and individual work, etc. Practical classes missed for valid reasons can be made up after prior agreement with the teacher.

Applicants of higher education *are recommended* to: participate in scientific conferences, competitions of scientific works, the work of the scientific circle of the department, prepare theses of scientific reports, etc.

A mandatory requirement is that students of higher education comply with the

norms of the "Code of Academic Ethics of the Yaroslav Mudryi National Law University" (https://nlu.edu.ua/wp-content/uploads/2020/02/kodeks_academichnoyi_etyky.pdf).

During classroom classes, it is allowed to use gadgets only for educational purposes (for example, to view lecture presentations). It is allowed to use laptops and tablets for keeping lecture notes and tracking the necessary information.

Control measures

Evaluation of the results of mastering the academic discipline «Law of international organizations / Право міжнародних організацій» provides for current and final control and is carried out on the basis of a cumulative point-rating system.

Current knowledge control includes:

- quality control of the students' assimilation of the program material of the educational discipline in practical classes using the following tools: oral/written survey, express survey, solving practical tasks, participation in the development of a case, preparation of a presentation, essay, etc. The current control is aimed at checking the level of the student's preparation in studying the material. In the course of the practical session, the student can receive an assessment on a four-point scale (0, 3, 4, 5);

- quality control of the students' assimilation of the program material of the educational discipline, which is conducted at the end of the modules in the form of colloquiums.

The mandatory form of Individual work of students is the preparation of an individual final written work. The maximum number of points based on the results of the defense of an individual final written work is 20 points.

The form of *final control of the* knowledge of higher education students in an academic discipline is a differentiated assessment. The minimum number of points to receive a differentiated credit is 60.

Scale of final pedagogical control:

Rating according to the ECTS scale	Definition	Rating on a national scale for credit	Rating on a 100-point scale used at NYU
A	Excellent - Excellent execution, with only a small number of errors	counted	90 - 100
B	Very good - above average with a few errors		80-89
C	Good - generally correct work with a number of minor errors		75-79
D	Satisfactory - not bad, but with a significant number of shortcomings		70-74
E	Sufficient – performance meets minimum criteria		60-69
FX	Unsatisfactory - work needs to be done before rewriting	not counted	35-59
F	Unsatisfactory - serious further work is required, a mandatory repeat course		0 - 34