

UNITED NATIONS LAW AND PRACTICE

Aug-Nov 2011

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Aims & Objectives

By examining primary materials focused on the normative context within which the United Nations functions, students will develop an understanding of the interaction between law and practice. This is essential to a proper understanding of the UN Organization, but also to the possibilities and limitations of multilateral institutions more generally. The course is organized in four parts. Part I, "Relevance", raises some preliminary questions about the legitimacy and effectiveness of the United Nations, particularly in the area of peace and security. Part II, "Capacity", brings together materials on the nature and status of the United Nations. Part III, "Practice", examines how the United Nations has exercised its various powers. Part IV, "Accountability", concludes with materials on responsibility and accountability of the United Nations and its agents.

Prerequisites

A background in public international law is strongly recommended. This is a demanding course that requires extensive preparation before class. Above and beyond reading the assigned materials, this means spending time reflecting on their content and preparing responses to the various questions that have been provided. Note in particular the requirement that you read the Introduction and Chapter 1 of the materials before the first class.

Text & References

Simon Chesterman, Thomas M. Franck & David M. Malone, *Law and Practice of the United Nations* (Oxford: Oxford University Press, 2008). Details available [here](#). Introduction and chapter 1 available online [here](#).

Schedule

Unless otherwise indicated, classes are 9am-12noon on Mondays

Class 1 (Aug 15) – Introduction & Chapter 1: The UN Charter

Class 2 (Aug 22) – Chapter 2: Hard Cases

Class 3 (Sept 12) – Chapter 3: Legal Status

Class 4 (Sept 19) – Chapter 4: The Secretary-General and the Secretariat

Class 5 (Sept 26) – Chapters 5 & 6: Membership & Financing

Class 6 (Oct 3) – Chapter 7: Conflict Prevention

Class 7 (Oct 10) – Chapter 8: Peace Operations

Class 8 (Thur Oct 13, 6:30pm-9:30pm) – Chapter 10: Sanctions

Class 9 (Oct 17) – Chapter 13: Human Rights

Class 10 (Thur Oct 27, 6:30pm-9:30pm) – Chapter 15: Immunity and Responsibility

Class 11 (Oct 31) – Chapter 16: Accountability in Practice

Class 12 (Tue Nov 8, 9am-12noon) – Chapter 17: Reform

Assessment

Assessment will be on the basis of class participation and an open-book examination.