

UNIVERSITY OF SWAZILAND
FACULTY OF SOCIAL SCIENCE
DEPARTMENT OF LAW

SUPPLEMENTARY EXAMINATION PAPER, JULY, 2006

- TITLE OF PAPER** : **INTERNATIONAL AND REGIONAL ORGANISATIONS**
- COURSE CODE** : **L 503**
- TIME ALLOWED** : **THREE (3) HOURS**
- INSTRUCTIONS** :
- 1. ANSWER ANY FIVE (5) QUESTIONS. MARKS ALLOCATED TO A QUESTION INDICATE THE TIME TO BE SPENT ON THE ANSWER.**
 - 2. REFER THROUGHOUT TO LEGAL AUTHORITY TO SUBSTANTIATE YOUR STATEMENTS.**

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QUESTION 1

✓ Discuss *critically* the legal status of the United Nations (UN) as an international organisation. In your discussion also pay attention to the following:

- (i) the UN legal relationship with regional organisations;
- (ii) the role of the International Court of Justice in solving international disputes. [20]

QUESTION 2 (ANSWER EITHER A OR B)

- A**
- (i) *Comment critically* on the work of the World Trade Organisation (WTO) and the effects of trade liberalisation in Africa. (10)
 - (ii) *Explain* to a colleague the dispute resolution regime of the WTO and its strong and weak points. (10) [20]
- B**
- (i) *Discuss* the nature and purpose of the International Labour Organisation (ILO) and its tripartite system. (10)
 - (ii) Write a *legal opinion* on the jurisdiction of the Governing Body of the ILO to hear and resolve complaints regarding the non-observance of treaties. (10) [20]

QUESTION 3

A *Critically analyse and evaluate* the following statement:

“The Organisation of African Union (OAU) was an organisation that served the people of Africa; it recognised the sovereign equality and territorial integrity of all its members and promoted stability, peace and co-operation within the African region. However, it cannot be denied that during its time some of the worst forms of human rights atrocities and internal conflict took place - events that left the OAU virtually powerless and without any effective means to address and solve these problems.” (10)

B *Comment critically* on the nature and purpose of the new African Union (AU). In your comment pay particular attention to the statement that the AU is “structurally much stronger than its predecessor, the OAU.” (10) [20]

QUESTION 4

The AU committee on infrastructure and development appoints you to prepare a *legal opinion* on the structural differences between the AU system and the European Union (EU) system. In your opinion you must also indicate the possible advantages and disadvantages of following a system based on the EU system in Africa. [20]

QUESTION 5 (ANSWER EITHER A OR B)

- 8
- A** International organisations are legal persons whose activities are governed by law. In general terms the sources of their legal obligations establishing the parameters within which their activities may be lawfully carried out, may be divided into two broad categories: the “rules of the organisation” and “external law”.

In the light of the above statement, write an *essay* in which you examine the “rules of the organisation”. [20]

- B** Representation of members on an international organisation should be distinguished from membership of the organisation.

In the light of the above statement, write an *essay* in which you examine the legal requirements and consequences of representation. [20]

END OF PAPER