

UNIVERSITY OF SWAZILAND

DEPARTMENT OF LAW

FINAL EXAMINATION PAPER, 2013 (SUPPLEMENTARY)

TITLE OF PAPER : INTERNATIONAL AND REGIONAL ORGANISATIONS

COURSE CODE : L503

TIME ALLOWED : THREE (3) HOURS

INSTRUCTIONS : ANSWER FOUR (4) QUESTIONS

ALL QUESTIONS CARRY EQUAL MARKS

**THIS PAPER IS NOT TO BE OPENED UNTIL PERMISSION HAS BEEN GRANTED BY THE
INVIGILATOR.**

QUESTION ONE

Critically analyse the centrality of the International Law Commission (ILC) in the international law making process.

(25 marks)

QUESTION TWO

The functionalists assume that states are dominant actors in international relations. These theorists believe that international organisations are simply agencies called into being by states, sustained by states, and actually and potentially directed by states on the supposition that the IO's existence and operation are useful to themselves. It also assumes that states within IOs are 'equal'.

Discuss fully.

(25 marks)

QUESTION THREE

- (a) Discuss the distinction between internal and external rule making by IOs. (10 marks)
- (b) In your opinion, have IOs improved treaty making? (15 marks)

QUESTION FOUR

The EAC is the only regional organization that comes close to the level of integration that has been achieved by the EU, which is considered by many as the standard setter in regional integration.

Critically discuss.

(25 marks)

QUESTION FIVE

(a) Discuss whether reference should be made to the *travaux preparatoires* in interpreting IO charter provisions.

(10 marks)

(b) Analyse the impact of the rulings and opinions of international dispute settlers on domestic law.

(15 marks)