

UNIVERSITY OF ESWATINI

FACULTY OF SOCIAL SCIENCES

DEPARTMENT OF LAW

FINAL EXAMINATION PAPER, JANUARY/FEBRUARY 2019 (SUPPLEMENTARY)

TITLE OF PAPER :LAW OF INTERNATIONAL AND REGIONAL ORGANISATIONS

COURSE CODE :L503

TIME ALLOWED :THREE (3) HOURS

INSTRUCTIONS :ANSWER ANY FOUR QUESTIONS

ALL QUESTIONS CARRY EQUAL MARKS

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

Question one

Recommendations, guidelines and standards are rules that are made at international level without the intention that they be binding on states. There have increasingly been, however, circumstances under which these have attained hard law status.

Discuss fully.

(25 Marks)

Question two

There are several theories that explain the existence of international organisations. Discuss any three (3) theories, comparing one to the other

(25 Marks)

Question three

The world is characterised by what is called the 'spaghetti bowl' of regional organisations. There is hope in some quarters that the Tripartite Free Trade Area (TFTA) will not only ameliorate the spaghetti bowl effect, but it will also form a significant step towards the African Economic Community.

Critically discuss.

(25 Marks)

Question four

The *Reparations for Injuries* case, as well as the *Certain Expenses* case have increased the powers of international organisations beyond those enumerated in their constitutive instruments.

Discuss fully.

(25 Marks)

Question five

(a) Critically evaluate the issues surrounding the SADC Tribunal.

(12 Marks)

(b) While some argue that international organisations have greatly improved treaty making there are some scholars who dismiss this view as untrue. Discuss the factors that this dissenters view to point to the fact that IOs have in fact not improved treaty making.

(13 Marks)