

UNITED NATIONS LAW AND PRACTICE

Jan-Apr 2013

Simon Chesterman
National University of Singapore
chesterman@nus.edu.sg

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 on www.SimonChesterman.com under "books". Introduction and chapter 1 available on the same Web site under "courses".

Schedule

Unless otherwise indicated, classes are 12noon-3pm on Thursdays

Class 1 (Jan 17) – Introduction & Chapter 1: The UN Charter

Class 2 (Jan 24) – Chapter 2: Hard Cases

Class 3 (Jan 31) – Chapter 3: Legal Status

Class 4 (Feb 7) – Chapter 4: The Secretary-General and the Secretariat

Class 5 (Feb 14) – Chapters 5 & 6: Membership & Financing

Class 6 (Feb 21) – Chapter 7: Conflict Prevention

-- Recess Week

Class 7 (Mar 7) – Chapters 8 & 9: Peace Operations & Peacebuilding

Class 8 (Mar 14) – Chapter 10: Sanctions

-- No class on March 21

Class 9 (Mar 28) – Chapter 13: Human Rights

Class 10 (Monday Apr 1, 6:30pm-9:30pm) – Chapter 15: Immunity and Responsibility

Class 11 (Apr 11) – Chapter 16: Accountability in Practice

Class 12 (Apr 18 - n.b. optional teaching week 13) – Chapter 17: Reform

Assessment

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