

## **UNITED NATIONS INSTITUTIONS**

### **Overall Findings/General Trends:**

- I have looked at the Constitutions/Statutes of six organisations within the UN Family. Analysing the preambles of these documents which incorporate their objectives allowed me to pin down the major linkages they had with primary institutions. However, the rest and the main part of the documents focused on the internal structures and the operational procedures of the institutions themselves. Therefore, most of the references I have found are related to this aspect. The recurrent themes are:
  - *Democracy (as majority rule)*: All the constitutions made numerous references to the principle of majority rule as part of their voting procedures.
  - *Diplomacy/Multilateralism*: All these organisations underlined the importance of cooperating with UN and with other relevant intergovernmental, non-governmental organisations as well as with national governments. Since these international organisations bring many states together, their relations with other organisations are considered to be multilateral in nature.
  - *International Law*: Most of these documents made references to the role of international law and particularly the International Court of Justice as a way for overcoming disputes.
  - *Equality of People*: The documents underlined the need to pay due regard to the importance of recruiting staff on a wide and equitable geographical basis.
  - *Sovereignty*: The constitutions emphasised the sovereign equality and/or sovereignty of the organisations' members.
- I have listed the significant linkages at the beginning of each institution but leaving aside the ones that are related to organisational aspects. As mentioned above, they are applicable to almost all of the organisations.
- (Possible) Additional Primary Institutions:
  - *Development*: Most of these organisations aim to trigger development and make references to this concept in their constitutions. We can consider 'development' as a recognised pattern of shared practices in the contemporary world. It can be considered as an institution which embodies a set of shared values and which assigns roles, i.e. creating 'underdevelopment' and 'developing countries' or the 'Third World'. In a sense, it can also be taken as the continuation of the primary institution of 'Colonialism' used by some scholars or as a derivative institution of 'Equality of People'.
  - *Subsidiarity*: With regard to the internal structures of the organisations, the constitutions made references to this principle, i.e. establishment of committees and sub-committees. This could be considered as a derivative institution of 'Sovereignty'. Apart from this organisational aspect, we could expect to find other references to it, for instance with regards to the application of particular projects funded by international organisations at the local level. (I only thought of this right in the end of my research, but if you find this concept useful I could go back to the first five institutions and find the relevant references).

## **International Atomic Energy Agency (IAEA)**

### **Statute of IAEA**

Website: [http://www.iaea.org/About/statute\\_text.html](http://www.iaea.org/About/statute_text.html) (accessed last on 4.11.2007)

Main linkages found: Great Power Management (War, Balance of Power), Development

#### *Sovereignty*

- Article III.D. [T]he activities of the Agency shall be carried out with due observance of the sovereign rights of States. (Sovereignty)
- Article IV.C. The Agency is based on the sovereign equality of all its members... (Sovereignty)

#### *International Law*

- Article XVII.A. Any question or dispute concerning the interpretation or application of this Statute which is not settled by negotiation shall be referred to the International Court of Justice in conformity with the Statute of the Court, unless the parties concerned agree on another mode of settlement. (International Law)

#### *Multilateralism*

- Article XV.C. The legal capacity, privileges, and immunities referred to in this article shall be defined in a separate agreement or agreements between the Agency, represented for this purpose by the Director General acting under instructions of the Board of Governors. and the members. (Multilateralism)
- Article XVI.A. The Board of Governors, with the approval of the General Conference, is authorized to enter into an agreement or agreements establishing an appropriate relationship between the Agency and the United Nations and any other organizations the work of which is related to that of the Agency. (Multilateralism)

#### *Great Power Management*

- Article XXI.E. This Statute, apart from the Annex, shall come into force when eighteen States have deposited instruments of ratification in accordance with paragraph B of this article, provided that such eighteen States shall include at least three of the following States: Canada, France, the Union of Soviet Socialist Republics, the United Kingdom of Great Britain and Northern Ireland, and the United States of America. Instruments of ratification and instruments of acceptance deposited thereafter shall take effect on the date of their receipt. (Great Power Management)

#### *War*

- Article III.B.1. Conduct its activities in accordance with the purposes and principles of the United Nations to promote peace and international co-operation, and in conformity with policies of the United Nations furthering the establishment of safeguarded worldwide disarmament and in conformity with any international agreements entered into pursuant to such policies. (War)
- Article III.B.2. Establish control over the use of special fissionable materials received by the Agency, in order to ensure that these materials are used only for peaceful purposes. (War)
- Article III.B.4. ...as the organ bearing the main responsibility for the maintenance of international peace and security, ... (War)
- Article XI.F.4. Include undertakings by the member or group of members submitting the project: (a) that the assistance provided shall not be used in such a way as to further any military purpose... (War)
- Article XII.A.1. To examine the design of specialized equipment and facilities, including nuclear reactors, and to approve it only from the view-point of assuring that it will not further any military purpose... (War)
- Article XII.A.5. ...to require that special fissionable materials recovered or produced as a by-product be used for peaceful purposes under continuing Agency safeguards for research or in reactors... (War)
- Article XII.A.6. ...to determine whether there is compliance with the undertaking against use in furtherance of any military purpose referred to in sub-paragraph F-4 or article XI... (War)
- Article XII.B. ...whether the Agency is taking adequate measures to prevent the source and special fissionable materials in its custody or used or produced in its own operations from being used in furtherance of any military purpose... (War)

#### *Balance of Power*

- Article IX.H.4. ...In storing special fissionable materials in its possessions, the Agency shall ensure the geographical distribution of these materials in such a way as not to allow concentration of large amounts of such materials in any one country or region of the world. (Balance of power)

#### *Equality of People*

- Article VII.D. ...the importance of recruiting the staff on as wide a geographical basis as possible. (Equality of People)

#### *Democracy (Majority rule)*

- Article V.C. The General Conference shall elect a President and such other officers as may be required at the beginning of each session. They shall hold office for the duration of the session. The General Conference, subject to the provisions of this Statute, shall adopt its own rules of procedure. Each member shall have one vote. Decisions pursuant to paragraph H of article XIV, paragraph C of article XVIII and paragraph B of article XIX shall be made by a two-thirds majority of the members present and voting. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of the members present and voting. A majority of members shall constitute a quorum. (Democracy)
- Article VI.E. Each member of the Board of Governors shall have one vote. Decisions on the amount of the Agency's budget shall be made by a two-thirds majority of those present and voting, as provided in paragraph H of article XIV. Decisions on other questions, including the determination of additional questions or categories of questions to be decided by a two-thirds majority, shall be made by a majority of those present and voting. Two-thirds of all members of the Board shall constitute a quorum. (Democracy)
- Article XIV.H. Decisions of the General Conference on financial questions and of the Board of Governors on the amount of the Agency's budget shall require a two-thirds majority of those present and voting. (Democracy)
- Article XVIII.C. Amendments shall come into force for all members when:(i) Approved by the General Conference by a two-thirds majority of those present and voting after consideration of observations submitted by the Board of Governors on each proposed amendment, and (ii) Accepted by two-thirds of all the members in accordance with their respective constitutional processes. Acceptance by a member shall be effected by the deposit of an instrument of acceptance with the depositary Government referred to in paragraph C of article XXI. (Democracy)
- Article XIX.B. A member which has persistently violated the provisions of this Statute or of any agreement entered into by it pursuant to this Statute may be suspended from the exercise of the privileges and rights of membership by the General Conference acting by a two-thirds majority of the members present and voting upon recommendation by the Board of Governors. (Democracy)

#### *Development*

- Article III.A.2. ...with due consideration for the needs of the under-developed areas of the world. (Development)
- Article III.B.3. Allocate its resources in such a manner as to secure efficient utilization and the greatest possible general benefit in all areas of the world, bearing in mind the special needs of the under-developed areas of the world. (Development)
- Article XI. E. Before approving a project under this article, the Board of Governors shall give due consideration to: 6. the special needs of the under-developed areas of the world. (Development)

### **International Labour Organization (ILO)**

#### **The Constitution of ILO**

Source: [http://www.ilo.org/global/About\\_the\\_ILO/Origins\\_and\\_history/Constitution/lang-en/index.htm](http://www.ilo.org/global/About_the_ILO/Origins_and_history/Constitution/lang-en/index.htm) (accessed last on 11.11.2007)

Main linkages found: Equality of People (Human Rights), Development

#### *Sovereignty*

- Article 1.2. The Members of the International Labour Organization shall be the States which were Members of the Organization on 1 November 1945 and such other States as may become Members in pursuance of the provisions of paragraphs 3 and 4 of this article. (Sovereignty)
- Article 3.3. Each Member which is responsible for the international relations of non-metropolitan territories may appoint as additional advisers teach of its delegates (a) persons nominated by it as representatives of any such territory in regard to matters within the self-governing powers of that territory; and (b) persons nominated by it to advise its delegates in regard to matters concerning non-self-governing territories. (Sovereignty)
- Article 9.4. In the performance of their duties, the Director-General and the staff shall not seek or receive instructions from any government or from any other authority external to the Organization. They shall refrain from any action which might reflect on their position as international officials responsible only to the Organization. (Sovereignty/ Non-intervention)
- Article 35.1. The Members undertake that Conventions which they have ratified in accordance with the provisions of this Constitution shall be applied to the non-metropolitan territories for whose international relations they are responsible, including any trust territories for which they are the administering authority, except where the subject-matter of the Convention is within the self-governing powers of the territory or the Convention is inapplicable owing to the local conditions or subject to such modifications as may be necessary to adapt the Convention to local conditions. (Sovereignty)

#### *International Law*

- Article 26.1. Any of the Members shall have the right to file a complaint with the International Labour Office if it is not satisfied that any other Member is securing the effective observance of any Convention which both have ratified in accordance with the foregoing articles. (International Law)
- Article 29.2. Each of these governments [concerned in the complaint] shall within three months inform the Director-General of the International Labour Office whether or not it accepts the recommendations contained in the report of the Commission; and if not, whether it proposes to refer the complaint to the International Court of Justice. (International Law) (*Moreover the fact that these governments have a right not to accept the recommendations point to the principle of 'sovereignty' as well*)
- Article 31. The decision of the International Court of Justice in regard to a complaint or matter which has been referred to it in pursuance of article 29 shall be final. (International Law)
- Article 33. In the event of any Member failing to carry out within the time specified the recommendations, if any, contained in the report of the Commission of Inquiry, or in the decision of the International Court of Justice, as the case may be, the Governing Body may recommend to the Conference such action as it may deem wise and expedient to secure compliance therewith. (International Law)
- Article 37.1. Any question or dispute relating to the interpretation of this Constitution or of any subsequent Convention concluded by the Members in pursuance of the provisions of this Constitution shall be referred for decision to the International Court of Justice. (International Law)

#### *Diplomacy*

- Article 12.1. The International Labour Organization shall co-operate within the terms of this Constitution with any general international organization entrusted with the co-ordination of the activities of public international organizations having specialized responsibilities and with public international organizations having specialized responsibilities in related fields. 2. The International Labour Organization may make appropriate arrangements for the representatives of public international organizations to participate without vote in its deliberations. 3. The International Labour Organization may make suitable arrangements for such consultation as it may think desirable with recognized non-governmental international organizations, including international organizations of employers, workers, agriculturists and co-operators. (Diplomacy/Multilateralism)

- Article 38.1. The International Labour Organization may convene such regional conferences and establish such regional agencies as may be desirable to promote the aims and purposes of the Organization. (Diplomacy)

#### *War*

- Preamble (para 1). Whereas universal and lasting peace can be established only if it is based upon social justice. (War, Equality of People)
- Preamble (para 4). The High Contracting Parties, moved by sentiments of justice and humanity as well as by the desire to secure the permanent peace of the world, and with a view to attaining the objectives set forth in this Preamble, agree to the following Constitution of the International Labour Organization. (War)

#### *Equality of people*

- Article 9.2. So far as is possible with due regard to the efficiency of the work of the Office, the Director-General shall select persons of different nationalities. Article 9.3. A certain number of these persons shall be women. (Equality of people)
- Annex II. Believing that experience has fully demonstrated the truth of the statement in the Constitution of the International Labour Organization that lasting peace can be established only if it is based on social justice, the Conference affirms that (a) all human beings, irrespective of race, creed or sex, have the right to pursue both their material well-being and their spiritual development in conditions of freedom and dignity, of economic security and equal opportunity. (Equality of people, Human Rights)

#### *Human Rights*

- Annex I. (a) labour is not a commodity; (b) freedom of expression and of association are essential to sustained progress; (c) poverty anywhere constitutes a danger to prosperity everywhere. (Human Rights)
- Annex III. [obligation of the International Labour Organization to further programmes which will achieve:] (a) full employment and the raising of standards of living; (b) the employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being; (c) the provision, as a means to the attainment of this end and under adequate guarantees for all concerned, of facilities for training and the transfer of labour, including migration for employment and settlement; (d) policies in regard to wages and earnings, hours and other conditions of work calculated to ensure a just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection; (e) the effective recognition of the right of collective bargaining, the cooperation of management and labour in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures; (f) the extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care; (g) adequate protection for the life and health of workers in all occupations; (h) provision for child welfare and maternity protection; (i) the provision of adequate nutrition, housing and facilities for recreation and culture; (j) the assurance of equality of educational and vocational opportunity. (Human Rights, Equality of People)

#### *Democracy (Majority rule)*

- Article 1.4. The General Conference of the International Labour Organization may also admit Members to the Organization by a vote concurred in by two-thirds of the delegates attending the session, including two-thirds of the Government delegates present and voting. (Democracy)
- Article 3. 9. The credentials of delegates and their advisers shall be subject to scrutiny by the Conference, which may, by two-thirds of the votes cast by the delegates present, refuse to admit any delegate or adviser whom it deems not to have been nominated in accordance with this article. (Democracy)
- Article 6. Any change in the seat of the International Labour Office shall be decided by the Conference by a two-thirds majority of the votes cast by the delegates present. (Democracy)

- Article 12.2.(c). the arrangements for the approval, allocation and collection of the budget of the International Labour Organization shall be determined by the Conference by a two-thirds majority of the votes cast by the delegates present, and shall provide for the approval of the budget and of the arrangements for the allocation of expenses among the Members of the Organization by a committee of Government representatives. (Democracy)
- Article 16.2. Except as otherwise expressly provided in this Constitution or by the terms of any Convention or other instrument conferring powers on the Conference or of the financial and budgetary arrangements adopted in virtue of article 13, all matters shall be decided by a simple majority of the votes cast by the delegates present. (Democracy)
- Article 36. Amendments to this Constitution which are adopted by the Conference by a majority of two-thirds of the votes cast by the delegates present shall take effect when ratified or accepted by two-thirds of the Members of the Organization including five of the ten Members which are represented on the Governing Body as Members of chief industrial importance in accordance with the provisions of paragraph 3 of article 7 of this Constitution. (Democracy)

#### *Development*

- Annex IV. ...to avoid severe economic fluctuations to promote the economic and social advancement of the less developed regions of the world... (Development)
- Annex V. The conference affirms that the principles set forth in this Declaration are fully applicable to all peoples everywhere and that, while the manner of their application must be determined with due regard to the stage of social and economic development reached by each people, their progressive application to peoples who are still dependent, as well as to those who have already achieved self-government, is a matter of concern to the whole civilized world. (Development and Equality of People)

### **United Nations Educational, Scientific and Cultural Organisation (UNESCO)**

#### **Constitution of the UNESCO**

Source: [http://www.icomos.org/unesco/unesco\\_constitution.html](http://www.icomos.org/unesco/unesco_constitution.html) (accessed last on 11.11.2007)

Main linkages found: Equality of People (Human Rights), War

#### *Sovereignty*

- Article IV.C.8.(a). Each Member State shall have one vote in the General Conference... (Sovereignty)
- Article V.B.12. Although the members of the Executive Board are representative of their respective Governments they shall exercise the powers delegated to them by the General Conference on behalf of the Conference as a whole. (Sovereignty/ Non-intervention)
- Article VI.5. The responsibilities of the Director-General and of the staff shall be exclusively international in character. In the discharge of their duties they shall not seek or receive instructions from any Government or from any authority external to the Organization. They shall refrain from any action which might prejudice their position as international officials. Each State member of the Organization undertakes to respect the international character of the responsibilities of the Director-General and the staff, and not to seek to influence them in the discharge of their duties. (Sovereignty/ Non-intervention)

#### *Non-intervention*

- Article I.3. With a view to preserving the independence, integrity and fruitful diversity of the cultures and educational systems of the States members of this Organization, the Organization is prohibited from intervening in matters which are essentially within their domestic jurisdiction. (Non-intervention)

#### *International Law*

- Article XIV.2. Any question or dispute concerning the interpretation of this Constitution shall be referred for determination to the International Court of Justice or to an arbitral tribunal, as the General Conference may determine under its rules of procedure. (International Law)

- Article V.B.11. Between sessions of the General Conference, the Executive Board may request advisory opinions from the International Court of Justice on legal questions arising within the field of the Organization's activities. (International Law)

### *Diplomacy*

- Article V.B.10. The Executive Board shall make all necessary arrangements to consult the representatives of international organizations or qualified persons concerned with questions within its competence. (Diplomacy)
- Article VII.1. Each Member State shall make such arrangements as suit its particular conditions for the purpose of associating its principal bodies interested in educational, scientific and cultural matters with the work of the Organization, preferably by the formation of a National Commission broadly representative of the Government and such bodies. (Diplomacy/Multilateralism)
- Article VII.2. National Commissions or National Co-operating Bodies, where they exist, shall act in an advisory capacity to their respective delegations to the General Conference and to their Governments in matters relating to the Organization and shall function as agencies of liaison in all matters of interest to it. (Diplomacy/Multilateralism)
- Article X. This Organization shall be brought into relation with the United Nations Organization, as soon as practicable, as one of the Specialized Agencies referred to in Article 57 of the Charter of the United Nations. This relationship shall be effected through an agreement with the United Nations Organization under Article 63 of the Charter, which agreement shall be subject to the approval of the General Conference of this Organization. The agreement shall provide for effective co-operation between the two Organizations in the pursuit of their common purposes, and at the same time shall recognize the autonomy of this Organization, within the fields of its competence as defined in this Constitution. Such agreement may, among other matters, provide for the approval and financing of the budget of the Organization by the General Assembly of the United Nations. (Diplomacy/Multilateralism)
- Article XI.1. This Organization may cooperate with other specialized intergovernmental organizations and agencies whose interests and activities are related to its purposes. To this end the Director- General, acting under the general authority of the Executive Board, may establish effective working relationships with such organizations and agencies and establish such joint committees as may be necessary to assure effective co-operation. Any formal arrangements entered into with such organizations or agencies shall be subject to the approval of the Executive Board. (Diplomacy/Multilateralism)
- Article XI.2. Whenever the General Conference of this Organization and the competent authorities of any other specialized intergovernmental organizations or agencies whose purpose and functions lie within the competence of this Organization, deem it desirable to effect a transfer of their resources and activities to this Organization, the Director-General, subject to the approval of the Conference, may enter into mutually acceptable arrangements for this purpose. (Diplomacy/Multilateralism)
- Article XI.4. The United Nations Educational, Scientific and Cultural Organization may make suitable arrangements for consultation and co-operation with non-governmental international organizations concerned with matters within its competence, and may invite them to undertake specific tasks. Such co-operation may also include appropriate participation by representatives of such organizations on advisory committees set up by the General Conference. (Diplomacy/Multilateralism)

### *War*

- Preamble (para 2 & 3). That since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed; That ignorance of each other's ways and lives has been a common cause, throughout the history of mankind, of that suspicion and mistrust between the peoples of the world through which their differences have all too often broken into war. (War)
- Preamble (para 8). In consequence whereof they do hereby create the United Nations Educational, Scientific and Cultural Organization for the purpose of advancing, through the educational and scientific and cultural relations of the peoples of the world, the objectives of

international peace and of the common welfare of mankind for which the United Nations Organization was established. (War)

- Article I.1. The purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations. (War)

#### *Equality of People*

- Preamble (para 4). That the great and terrible war which has now ended was a war made possible by the denial of the democratic principles of the dignity, equality and mutual respect of men, and by the propagation, in their place, through ignorance and prejudice, of the doctrine of the inequality of men and races. (Equality of People)
- Preamble (para 7). For these reasons, the States Parties to this Constitution, believing in full and equal opportunities for education for all, in the unrestricted pursuit of objective truth, and in the free exchange of ideas and knowledge, are agreed and determined to develop and to increase the means of communication between their peoples and to employ these means for the purposes of mutual understanding and a truer and more perfect knowledge of each other's lives. (Equality of People)
- Article I.1. The purpose of the Organization is to contribute to peace and security by promoting collaboration among the nations through education, science and culture in order to further universal respect for justice, for the rule of law and for the human rights and fundamental freedoms which are affirmed for the peoples of the world, without distinction of race, sex, language or religion, by the Charter of the United Nations. (Equality of People, Human Rights)
- Article I.2.b. By instituting collaboration among the nations to advance the ideal of equality of educational opportunity without regard to race, sex or any distinctions, economic or social. (Equality of People)
- Article V.A.2. It shall also have regard to the diversity of cultures and a balanced geographical distribution. Not more than one national of any Member State shall serve on the Board at any one time, the President of the Conference excepted. (Equality of People)

#### *Human Rights*

- Preamble (para 5). That the wide diffusion of culture, and the education of humanity for justice and liberty and peace are indispensable to the dignity of man and constitute a sacred duty which all the nations must fulfil in a spirit of mutual assistance and concern. (Human Rights)

#### *Democracy (Majority rule)*

- Article II.2. Subject to the conditions of the Agreement between this Organization and the United Nations Organization, approved pursuant to Article X of this Constitution, States not members of the United Nations Organization may be admitted to membership of the Organization, upon recommendation of the Executive Board, by a two-thirds majority vote of the General Conference. (Democracy)
- Article IV.B.4. The General Conference shall, in adopting proposals for submission to the Member States, distinguish between recommendations and international conventions submitted for their approval. In the former case a majority vote shall suffice; in the latter case a two-thirds majority shall be required. Each of the Member States shall submit recommendations or conventions to its competent authorities within a period of one year from the close of the session of the General Conference at which they were adopted. (Democracy)
- Article IV.C.8.(a). ...Decisions shall be made by a simple majority except in cases in which a two-thirds majority is required by the provisions of this Constitution, or of the Rules of Procedure of the General Conference. A majority shall be a majority of the Members present and voting. (Democracy)
- Article XIII.1. Proposals for amendments to this Constitution shall become effective upon receiving the approval of the General Conference by a two-thirds majority; provided, however, that those amendments which involve fundamental alterations in the aims of the Organization or new obligations for the Member States shall require subsequent acceptance on the part of

two-thirds of the Member States before they come into force. The draft texts of proposed amendments shall be communicated by the Director-General to the Member States at least six months in advance of their consideration by the General Conference. (Democracy)

- Article XIII.2. The General Conference shall have power to adopt by a two-thirds majority rules of procedures for carrying out the provisions of this Article. (Democracy)

## **World Intellectual Property Organization (WIPO)**

### **Convention Establishing WIPO**

Website: [http://www.wipo.int/treaties/en/convention/trtdocs\\_wo029.html](http://www.wipo.int/treaties/en/convention/trtdocs_wo029.html) (accessed last on 11.11.2007)

Main linkages found: All related to internal structure of the organisation

#### *Sovereignty*

- Preamble. The Contracting Parties, desiring to contribute to better understanding and co-operation among States for their mutual benefit on the basis of respect for their sovereignty and equality, desiring, in order to encourage creative activity, to promote the protection of intellectual property throughout the world, desiring to modernize and render more efficient the administration of the Unions established in the fields of the protection of industrial property and the protection of literary and artistic works, while fully respecting the independence of each of the Unions, agree as follows...(Sovereignty)
- Article 6.3.(a). Each State, whether member of one or more Unions, shall have one vote in the General Assembly.
- Article 7.1.(b). The Government of each State shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts. (Sovereignty)
- Article 7.3.(a). Each Member State shall have one vote in the Conference. (Sovereignty)
- Article 8.1.(b). The Government of each State member of the Coordination Committee shall be represented by one delegate, who may be assisted by alternate delegates, advisors, and experts. (Sovereignty)
- Article 8.5.(a). Each State whether a member of one or both of the Executive Committees referred to in paragraph (1)(a), shall have one vote in the Coordination Committee. (Sovereignty)

#### *Diplomacy/Multilateralism*

- Article 3. The objectives of the Organization are: (i) to promote the protection of intellectual property throughout the world through cooperation among States and, where appropriate, in collaboration with any other international organization. (Diplomacy/Multilateralism)
- Article 4.(iii). [WIPO] may agree to assume, or participate in, the administration of any other international agreement designed to promote the protection of intellectual property (Diplomacy/Multilateralism).
- Article 6.2.(ix). [The General Assembly shall] determine which States not Members of the Organization and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers. (Diplomacy/Multilateralism)
- Article 7.2.(v). determine which States not Members of the Organization and which intergovernmental and international non-governmental organizations shall be admitted to its meetings as observers. (Diplomacy/Multilateralism)
- Article 12.3. The Organization may conclude bilateral or multilateral agreements with the other Member States with a view to the enjoyment by the Organization, its officials, and representatives of all Member States, of such privileges and immunities as may be necessary for the fulfilment of its objectives and for the exercise of its functions. (Diplomacy/Multilateralism)
- Article 13.1. The Organization shall, where appropriate, establish working relations and cooperate with other intergovernmental organizations. Any general agreement to such effect

entered into with such organizations shall be concluded by the Director General after approval by the Coordination Committee. (Diplomacy/Multilateralism)

- Article 13.2. The Organization may, on matters within its competence, make suitable arrangements for consultation and cooperation with international non-governmental organizations and, with the consent of the Governments concerned, with national organizations, governmental or non-governmental. Such arrangements shall be made by the Director General after approval by the Coordination Committee. (Diplomacy/Multilateralism)

#### *Democracy (Majority rule)*

- Article 6.3.(c). Notwithstanding the provisions of subparagraph (b), if, in any session, the number of States represented is less than one-half but equal to or more than one-third of the States members of the General Assembly, the General Assembly may make decisions but, with the exception of decisions concerning its own procedure, all such decisions shall take effect only if the following conditions are fulfilled. The International Bureau shall communicate the said decisions to the States members of the General Assembly which were not represented and shall invite them to express in writing their vote or abstention within a period of three months from the date of the communication. If, at the expiration of this period, the number of States having thus expressed their vote or abstention attains the number of States which was lacking for attaining the quorum in the session itself, such decisions shall take effect provided that at the same time the required majority still obtains. (Democracy)
- Article 6.3.(d). *Subject* to the provisions of subparagraphs (e) and (f), the General Assembly shall make its decisions by a majority of two-thirds of the votes cast. (Democracy)
- Article 6.3.(e). *The* approval of measures concerning the administration of international agreements referred to in Article 4(iii) shall require a majority of three-fourths of the votes cast. (Democracy)
- Article 6.3.(f). The approval of an agreement with the United Nations under Articles 57 and 63 of the Charter of the United Nations shall require a majority of nine-tenths of the votes cast. (Democracy)
- Article 7.3.(c). Subject to the provisions of Article 17, the Conference shall make its decisions by a majority of two-thirds of the votes cast. (Democracy)
- Article 8.6.(a). The Coordination Committee shall express its opinions and make its decisions by a simple majority of the votes cast. Abstentions shall not be considered as votes. (Democracy)
- Article 17.2. Amendments shall be adopted by the Conference. Whenever amendments would affect the rights and obligations of States party to this Convention not members of any of the Unions, such States shall also vote. On all other amendments proposed, only States party to this Convention members of any Union shall vote. Amendments shall be adopted by a simple majority of the votes cast, provided that the Conference shall vote only on such proposals for amendments as have previously been adopted by the Assembly of the Paris Union and the Assembly of the Berne Union according to the rules applicable in each of them regarding the adoption of amendments to the administrative provisions of their respective Conventions. (Democracy)

### **World Health Organization (WHO)**

#### **Constitution of the WHO**

Source: [http://www.who.int/governance/eb/who\\_constitution\\_en.pdf](http://www.who.int/governance/eb/who_constitution_en.pdf) (accessed last on 12.11.2007)

Main linkages found: Equality of People, War, Development

#### *Sovereignty*

- Article 37. In the performance of their duties the Director-General and the staff shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action which might reflect on their position as international officers. Each Member of the Organization on its part undertakes to respect the exclusively international

character of the Director-General and the staff and not to seek to influence them. (Sovereignty/ Non-intervention)

- Article 47. Regional committees shall be composed of representatives of the Member States and Associate Members in the region concerned. Territories or groups of territories within the region, which are not responsible for the conduct of their international relations and which are not Associate Members, shall have the right to be represented and to participate in regional committees. The nature and extent of the rights and obligations of these territories or groups of territories in regional committees shall be determined by the Health Assembly in consultation with the Member or other authority having responsibility for the international relations of these territories and with the Member States in the region. (Sovereignty)

#### *International Law*

- Article 75. Any question or dispute concerning the interpretation or application of this Constitution which is not settled by negotiation or by the Health Assembly shall be referred to the International Court of Justice in conformity with the Statute of the Court, unless the parties concerned agree on another mode of settlement. (International Law)
- Article 76. Upon authorization by the General Assembly of the United Nations or upon authorization in accordance with any agreement between the Organization and the United Nations, the Organization may request the International Court of Justice for an advisory opinion on any legal question arising within the competence of the Organization. (International Law)
- Article 77. The Director-General may appear before the Court on behalf of the Organization in connexion with any proceedings arising out of any such request for an advisory opinion. He shall make arrangements for the presentation of the case before the Court, including arrangements for the argument of different views on the question. (International Law)

#### *Diplomacy*

- Article 2.b. [the functions of the Organization shall be] to establish and maintain effective collaboration with the United Nations, specialized agencies, governmental health administrations, professional groups and such other organizations as may be deemed appropriate. (Diplomacy/Multilateralism)
- Article 2.h. . [the functions of the Organization shall be] to promote, in cooperation with other specialized agencies where necessary, the prevention of accidental injuries. (Diplomacy/Multilateralism)
- Article 2.g. [the functions of the Organization shall be] to promote, in cooperation with other specialized agencies where necessary, the improvement of nutrition, housing, sanitation, recreation, economic or working conditions and other aspects of environmental hygiene. (Diplomacy/Multilateralism)
- Article 2.k. [the functions of the Organization shall be] to propose conventions, agreements and regulations, and make recommendations with respect to international health matters and to perform such duties as may be assigned thereby to the Organization and are consistent with its objective. (Diplomacy)
- Article 18. (h) to invite any organization, international or national, governmental or non-governmental, which has responsibilities related to those of the Organization, to appoint representatives to participate, without right of vote, in its meetings or in those of the committees and conferences convened under its authority, on conditions prescribed by the Health Assembly; but in the case of national organizations, invitations shall be issued only with the consent of the Government concerned. (Diplomacy/Multilateralism)
- Article 33. The Director-General or his representative may establish a procedure by agreement with Members, permitting him, for the purpose of discharging his duties, to have direct access to their various departments, especially to their health administrations and to national health organizations, governmental or non-governmental. He may also establish direct relations with international organizations whose activities come within the competence of the Organization. He shall keep regional offices informed on all matters involving their respective areas. (Diplomacy/Multilateralism)
- Article 41. The Health Assembly or the Board may convene local, general, technical or other special conferences to consider any matter within the competence of the Organization and may

provide for the representation at such conferences of international organizations and, with the consent of the Government concerned, of national organizations, governmental or nongovernmental. The manner of such representation shall be determined by the Health Assembly or the Board. (Diplomacy)

- Article 50. (d). [the functions of the regional committee shall be] to cooperate with the respective regional committees of the United Nations and with those of other specialized agencies and with other regional international organizations having interests in common with the Organization. (Diplomacy/Multilateralism)
- Article 69. The Organization shall be brought into relation with the United Nations as one of the specialized agencies referred to in Article 57 of the Charter of the United Nations. The agreement or agreements bringing the Organization into relation with the United Nations shall be subject to approval by a two-thirds vote of the Health Assembly. (Multilateralism, Democracy)
- Article 70. The Organization shall establish effective relations and co-operate closely with such other inter-governmental organizations as may be desirable. Any formal agreement entered into with such organizations shall be subject to approval by a two-thirds vote of the Health Assembly. (Multilateralism, Democracy)
- Article 71. The Organization may, on matters within its competence, make suitable arrangements for consultation and cooperation with non-governmental international organizations and, with the consent of the Government concerned, with national organizations, governmental or non-governmental. (Multilateralism)

#### *War*

- Preamble (para 4). The health of all peoples is fundamental to the attainment of peace and security and is dependent upon the fullest co-operation of individuals and States. (War)

#### *Equality of People*

- Preamble (para 3). The enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition. (Equality of People, Human Rights)
- Article 1. The objective of the World Health Organization (hereinafter called the Organization) shall be the attainment by all peoples of the highest possible level of health. (Equality of People)
- Article 24. The Board shall consist of thirty-four persons designated by as many Members. The Health Assembly, taking into account an equitable geographical distribution, shall elect the Members entitled to designate a person to serve on the Board, provided that, of such Members, not less than three shall be elected from each of the regional organizations established pursuant to Article 44... (Equality of People)
- Article 35. ...Due regard shall be paid also to the importance of recruiting the staff on as wide a geographical basis as possible. (Equality of People)

#### *Democracy (Majority rule)*

- Article 6. ...may apply to become Members and shall be admitted as Members when their application has been approved by a simple majority vote of the Health Assembly. (Democracy)
- Article 19. ...A two-thirds vote of the Health Assembly shall be required for the adoption of such conventions or agreements, which shall come into force for each Member when accepted by it in accordance with its constitutional processes. (Democracy)
- Article 60.(a). Decisions of the Health Assembly on important questions shall be made by a two-thirds majority of the Members present and voting. (Democracy)
- Article 73. ... Amendments shall come into force for all Members when adopted by a two-thirds vote of the Health Assembly ... (Democracy)

#### *Development*

- Preamble (para 5). Unequal development in different countries in the promotion of health and control of disease, especially communicable disease, is a common danger. (Development)

## **United Nations Industrial Development Organization (UNIDO)**

### **Constitution of the UNIDO**

Source: [http://www.unido.org/file-storage/download/?file\\_id=38833](http://www.unido.org/file-storage/download/?file_id=38833) (accessed last on 12.11.2007)

Main linkages found: Development, Equality of People

#### *Sovereignty*

- Preamble (para 7). It is the sovereign right of all countries to achieve their industrialization... (Sovereignty)
- Article 11.4. In the performance of their duties the Director-General and the staff shall not seek or receive instructions from any government or from any authority external to the Organization. They shall refrain from any action that might reflect on their position as international officials responsible only to the Organization... (Sovereignty/Non-intervention)

#### *International Law*

- Article 22.1.(b). If the dispute is not settled pursuant to paragraph 1 (a) to the satisfaction of any party to the dispute, that party may refer the matter: either, (i) if the parties so agree: (A) to the International Court of Justice; or (B) to an arbitral tribunal; or (ii) otherwise, to a conciliation commission. (International Law)
- Article 22.2. The Conference and the Board are separately empowered, subject to authorization from the General Assembly of the United Nations, to request the International Court of Justice to give an advisory opinion on any legal question arising within the scope of the Organization's activities. (International Law)

#### *Diplomacy*

- Article 4.2. Without prejudice to paragraph 1, the Conference has the authority to invite other observers to participate in the work of the Organization. (Diplomacy/Multilateralism)
- Article 19.1. [The Director General may] enter into agreements establishing appropriate relationships with other organizations of the United Nations system and with other intergovernmental and governmental organizations. (Diplomacy/Multilateralism)
- Article 19.2. [The Director General may] establish appropriate relations with non-governmental and other organizations the work of which is related to that of the Organization. When establishing such relations with national organizations the Director General shall consult with the governments concerned. (Diplomacy/Multilateralism)

#### *Equality of People*

- Preamble (para 5). It is necessary to establish a just and equitable economic and social order to be achieved through the elimination of economic inequalities, the establishment of rational and equitable international economic relations, implementation of dynamic social and economic changes and the encouragement of necessary structural changes in the development of the new world economy. (Equality of People)
- Preamble (para 9). All countries, irrespective of their social and economic systems, are determined to promote the common welfare of their peoples by individual and collective actions aimed at expanding international economic cooperation on the basis of sovereign equality, strengthening of the economic independence of the developing countries, securing their equitable share in total world industrial production and contributing to international peace and security and the prosperity of all nations, in conformity with the purposes and principles of the Charter of the United Nations. (Sovereignty, Development, War)
- Article 7.3. Other subsidiary organs, including technical committees, may be established by the Conference or the Board, which shall give due regard to the principle of equitable geographical representation. (Equality of People)
- Article 9.1. The Board, ... shall give due regard to the principle of equitable geographical distribution... (Equality of People)

- Article 10.1. ... Budget Committee ... shall give due regard to the principle of equitable geographical distribution.
- Article 11.5. ... Due regard shall be paid to the importance of recruiting staff on a wide and equitable geographical basis. (Equality of People)

#### *Democracy (Majority rule)*

- Article 3.(b). ... States ... may become members of the Organization ... after their membership has been approved by the Conference, by two-thirds majority of the Members present and voting, upon the recommendation of the Board. (Democracy)
- Article 8. (d). The Conference shall have the authority to adopt, by a two-thirds majority of the Members present and voting, conventions or agreements with respect to any matter within the competence of the Organization... (Democracy)
- Article 14.2, Article 14.3, Article 14.4.(a), Article 14.6., Article 15.1. ... Such recommendations of the Committee shall require a two-thirds majority of the members present and voting. (Democracy)
- Article 20.1. The seat of the Organization shall be Vienna. The Conference may change the seat by a two-thirds majority of all members. (Democracy)
- Article 23.2.(b)., Article 23.2.(c)., Article 23.3.(a)., Article 23.3.(b). ... Amendments require two-thirds majority of all Members. (Democracy)

#### *Development*

- Preamble (para6). Industrialization is a dynamic instrument of growth essential to rapid economic and social development, in particular of developing countries, to the improvement of the living standards and the quality of life of the peoples in all countries, and to the introduction of an equitable economic and social order. (Development, Equality of People)
- Preamble (para 7.). ...any process of such industrialization must conform to the broad objectives of self-sustaining and integrated socio-economic development, and should include the appropriate changes which would ensure the just and effective participation of all peoples in the industrialization of their countries. (Development, Equality of People)
- Preamble (para 8). As the international cooperation for development is the shared goal and common obligation of all countries it is essential to promote industrialization through all possible concerted measures including the development, transfer and adaptation of technology on global, regional and national, as well as on sectoral levels. (Development)
- Article 1. The primary objective of the Organization shall be the promotion and acceleration of industrial development in the developing countries with a view to assisting in the establishment of a new international economic order. The Organization shall also promote industrial development and cooperation on global, regional and national, as well as on sectoral levels. (Development)
- Article 2.(a). [the Organization shall] encourage and extend, as appropriate, assistance to the developing countries in the promotion and acceleration of their industrialization, in particular in the development, expansion and modernization of their industries. (Development)
- Article 2.(e). [the Organization shall] encourage and assist in the development of an integrated and interdisciplinary approach towards the accelerated industrialization of the developing countries. (Development)
- Article 2.(f). [the Organization shall] provide a forum and act as an instrument to serve the developing countries and the industrialized countries in their contacts, consultations and, at the request of the countries concerned, negotiations directed towards the industrialization of the developing countries. (Development)
- Article 2.(g). [the Organization shall] assist the developing countries in the establishment and operation of industries, including agro-related as well as basic industries, to achieve the full utilization of locally available natural and human resources and the production of goods for domestic and export markets, as well as contribute to the self-reliance of those countries. (Development)
- Article 2.(i). [the Organization shall] devote particular attention to the adoption of special measures aimed at assisting the least-developed, land-locked, and island developing countries, as well as those developing countries most seriously affected by economic crises

and natural calamities, without losing sight of the interest of the other developing countries. (Development)

- Article 2.(j). [the Organization shall] promote, encourage and assist in the development, selection, adaptation, transfer and use of industrial technology, with due regard for the socio-economic conditions and the specific requirements of the industry concerned, with special reference to the transfer of technology from the industrialized to the developing countries as well as among the developing countries themselves. (Development)
- Article 2.(k). [the Organization shall] organise and support industrial training programmes aimed at assisting the developing countries in the training of technical and other appropriate categories of personnel needed at various phases for their accelerated industrial development. (Development)
- Article 2.(l). [the Organization shall] advise on and assist, in close cooperation with the appropriate bodies of the United Nations, specialized agencies and the International Atomic Energy Agency, the developing countries in the exploitation, conservation and local transformation of their natural resources for the purpose of furthering the industrialization of developing countries. (Development, Multilateralism)
- Article 2.(n). [the Organization shall] develop special measures designed to promote cooperation in the industrial field among developing countries and between the developed and developing countries. (Development)
- Article 2.(o). [the Organization shall] assist, in cooperation with other appropriate bodies, the regional planning of industrial development of the developing countries within the framework of regional and sub-regional groupings among those countries. (Development) *(Can we not also talk about the principle of 'subsidiarity' as a derivative institution of sovereignty?)*
- Article 2.(p). [the Organization shall] encourage and promote the establishment and strengthening of industrial, business and professional associations and similar organizations which would contribute to the full utilization of the internal resources of the developing countries with a view to developing their national industries. (Development)
- Article 2.(r). [the Organization shall] Assist, at the request of Governments of the developing countries, in obtaining external financing for specific industrial projects on fair, equitable and mutually acceptable terms. (Development)

**Remaining UN Institutions to be looked at:**

- International Civil Aviation Organization
- International Maritime Organization
- International Telecommunication Union
- Food and Agriculture Organization (FAO)
- Universal Postal Union (UPU)
- World Bank
- World Meteorological Organization (WMO)
- International Fund for Agricultural Development (IFAD)