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Henner Gött

The Law of Interactions Between International Organizations



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For my family

Preface

International organizations interact with each other. In labour governance, this phenomenon is ubiquitous. The International Labour Organization, equipped with a mandate to pursue social justice and decent work for all, interacts with a wide range of economic, financial, human rights and other organizations, all of which work on labour issues as well. These interactions vary in shape and form and can substantially affect all interacting organizations' work. For this reason, they are of significant structural relevance for labour governance as a whole.

For the organizations themselves, interactions are an ambivalent matter: through interactions, each organization can promote its own model of labour governance, thus enhancing its effectiveness and legitimacy. Yet, interactions simultaneously expose each organization to adverse influence from others, compromising its efforts and jeopardizing its goals. In this context, it becomes critical to ensure that interactions take place in a structured and predictable manner.

This book enquires how international law addresses interactions between international organizations in labour governance. Based on detailed case studies of mutual influence between the International Labour Organization, the World Bank and the Council of Europe's human rights bodies, it provides a systematic analysis of the law of inter-organizational interactions as it stands at present. It identifies key challenges and envisions a (more) developed law of inter-organizational interactions as a normative framework structuring interactions and enhancing the effectiveness and legitimacy of multi-institutional labour governance.

The book is based on my doctoral thesis I defended at the Law Faculty of Georg-August-University Göttingen in summer term 2019. The thesis was awarded the Faculty Prize for the best dissertation.

I am indebted to a remarkable community of teachers, colleagues and friends. Above all, I express my sincere gratitude and appreciation to my supervisor Peter-Tobias Stoll for his unwavering support, patience, trust and guidance. He gave me the freedom and inspiration to pursue this project and included me into an exceptional academic environment at the Göttingen Institute of International and European Law.

I also thank Andreas Paulus, who agreed to serve as second examiner and provided many thoughtful and critical comments on the thesis.

Armin von Bogdandy and Anne Peters accepted this book into the prestigious *Beiträge zum ausländischen öffentlichen Recht und Völkerrecht* series of the Max Planck Institute for Comparative Public Law and International Law in Heidelberg, for which I am much obliged. I also gratefully acknowledge the German National Academic Foundation (Studienstiftung des deutschen Volkes) for supporting me with a doctoral scholarship.

As my research proceeded, I had the opportunity to present work in progress at a series of conferences, workshops and seminars in Göttingen, at ELTE Budapest, the University of Oslo and the German National Academic Foundation's annual doctoral forum. I am grateful for the comments and feedback I received.

Throughout the entire duration of this project, I was fortunate to receive support, understanding and encouragement from many knowledgeable colleagues and dear friends. Pars per toto, I thank Till Patrik Holterhus and Patrick Abel for their continuous intellectual engagement with my work and for an outstanding and inspiring time in Göttingen.

I dedicate this book to my family, especially my parents Gisela and Rainer and my brothers Kristoff and Steffen.

Göttingen, Germany
May 2020

Henner Gött

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Abbreviations

ACABQ	Advisory Committee on Administrative and Budgetary Questions (UN)
ACC	Administrative Committee on Coordination (UN)
AoA	Articles of Agreement
ASEAN	Association of Southeast Asian Nations
BVerfGE	Entscheidungen des Bundesverfassungsgerichts
CAS	Conference Committee on the Application of Standards (ILO)
CDF	Comprehensive Development Framework (World Bank)
CEACR	Committee of Experts on the Application of Conventions and Recommendations (ILO)
CEB	Chief Executives Board for Coordination (UN)
CESCR	Committee on Economic, Social and Cultural Rights
CETS	Council of Europe Treaty Series
CFA	Committee on Freedom of Association (ILO)
CJEU	Court of Justice of the European Union
CM	Committee of Ministers (CoE)
CoE	Council of Europe
CPC	Committee for Programme and Coordination
CPIA	Country Policy and Institutional Assessment
DARIO	Draft articles on the responsibility of international organizations
EBRD	European Bank for Reconstruction and Development
ECB	European Central Bank
ECHR	European Court of Human Rights, Reports of Judgments and (in case references) Decisions
ECHR	European Convention on Human Rights
ECOSOC	Economic and Social Council (UN)
ECR	European Court Reports
ECSR	European Committee of Social Rights
ECtHR	European Court of Human Rights
EEC	European Economic Community

EHRH	European Human Rights Reports
EIB	European Investment Bank
ESC	European Social Charter
ESM	European Stability Mechanism
EU	European Union
EWI	Employing workers indicator
FAO	Food and Agriculture Organization of the United Nations
GATT	General Agreement on Tariffs and Trade
HLCM	High-Level Committee on Management (UN)
HLCP	High-Level Committee on Programmes (UN)
HRC	Human Rights Committee
IACtHR	Inter-American Court of Human Rights
IBRD	International Bank for Reconstruction and Development
IBRD-AoA	Articles of Agreement of the International Bank for Reconstruction and Development
ICAO	International Civil Aviation Organization
ICFTU	International Confederation of Free Trade Unions
ICJ	International Court of Justice
ICSID	International Centre for Settlement of Investment Disputes
IDA	International Development Association
IEG	Independent Evaluation Group (World Bank)
IFAD	International Fund for Agricultural Development
IFC	International Finance Corporation
ILC	International Law Commission (UN)
ILO	International Labour Organization
ILOAT	Administrative Tribunal of the International Labour Organization
IMO	International Maritime Organization
IO	International organization
IOCC	Inter-Organization Coordinating Committee
ISPA	Inter-Agency Social Protection Assessment
ITLOS	International Tribunal for the Law of the Sea
ITUC	International Trade Union Confederation
MDG/MDGs	Millennium Development Goal(s)
MERCOSUR	Mercado Común del Sur/Southern Common Market
MIGA	Multilateral Investment Guarantee Agency
MoU	Memorandum of understanding
NGO	Non-governmental organization
OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the High Commissioner for Human Rights (UN)
PACE	Parliamentary Assembly of the Council of Europe
PCIJ	Permanent Court of International Justice
PRSP	Poverty Reduction Strategy Paper (World Bank)
RESC/(R)ESC	(Revised) European Social Charter