



The Institutional Veil in Public International Law: International Organisations and the Law of Treaties (Hart Monographs in Transnational and International Law)

Catherine Brolmann

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This book deals with the nature of international organizations and the tension between their legal nature and the system of classic, state-based, international law. This tension is important in theory and practice, particularly when organizations are brought under the rule of international law and thus have to be designated as legal subjects. The position is complicated by what the author terms 'the institutional veil,' comparable to the corporate veil found in corporate law. The book focuses on the law of treaties - a pre-eminently 'horizontal' branch of international law - bringing out the problem particularly clearly. The first part of the book addresses the legal phenomenon of international organizations, their legal features as independent concepts, the history of international organizations and of legal thought in respect of them, and the development of contemporary law on international organizations. The second part focuses on the practice of international organizations and treaty-making. It discusses the treaty-making practice within organizations, judicial practice in interpretation of organizations' constitutive treaties, and the practice of treaty-making by organizations. The third and final part analyzes the process by which international organizations have been brought under the rule of the written law of treaties, offering a practical application of the conceptual framework as previously set out. Additionally, this final section is an analytic overview of the drafting history of the 1986 Vienna Convention on the Law of Treaties between States and International Organisations or between International Organisations. This book is the latest in the Hart Monographs in Transnational and International Law series.

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