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Notes on the Attributed Powers of International Organizations

Abstract: This article aims to explore the fundamental aspects of the the concept of attributed powers of international organizations. This subject holds significant importance, as attributed powers are related to the very nature of international organizations and their international subjectivity. The author discusses the essence of the attributed powers of international organizations, the doctrinal assessment of this concept, and the selected decisions of international courts that have addressed this issue.

Keywords: attributed powers, international organizations, powers, inherent powers, implied powers

Introduction – the Essence of the Attributed Powers

Articles in two earlier editions of the Adam Mickiewicz University Law Review examined the inherent and implied powers of international organizations.[2] In contrast, this publication, highlights the main aspects of the concept of the attributed powers of international organizations. These are powers that seem to be the self-evident powers of any international organization, as they are

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2 Andrzej Gadkowski, "Notes on the Inherent Powers of International Organizations," *Adam Mickiewicz University Law Review* 15, 2023: 261–72; Andrzej Gadkowski, "The Doctrine of Implied Powers of International Organizations in the Case Law of International Tribunals," *Adam Mickiewicz University Law Review* 6, 2016: 45–59.

explicitly granted and stem directly form the intent of the founders, which are primarily states, the sovereign subjects of international law.

It is beyond dispute that attributed powers are related to the essence of international organizations as subjects of international law established by states. When establishing an international organization, its founders are required to determine the powers necessary to fulfil its statutory purposes and tasks. These matters are regulated by the constituent document which usually, though not always, takes the form of an international agreement.[3] The significance of the constituent document for the functioning of an international organization was aptly described by P. Reuter, who said that "[a]ll the essential rights and obligations of the organization are based on the text of its constituent charter; the organization not only may invoke its constituent charter, but must base its every action on that text."[4] F. Seyersted argues that in its original form the doctrine of attributed powers was presented by H. Kelsen and in practice "by the conservative American judge Hackworth in his dissenting opinion in the 1949 International Court of Justice (ICJ) Advisory Opinion."[5] Judge G. H. Hackworth stated in his dissent that "[t]here can be no gainsaying the fact that the Organization is one of delegated and enumerated powers. It is to be presumed that such powers as the Member States desired to confer upon it are stated either in the Charter or in complementary agreements concluded by them."[6]

To begin with, it is important to highlight that international organizations, as non-sovereign subjects of international law, differ from states in that they lack general competencies. This is why their powers are determined by statutes. In the framework of the law of international organizations, this means

3 For more detailed discussion, see Andrzej Gadkowski, *Treaty-Making Powers of International Organizations* (Wydawnictwo Naukowe UAM, 2018), 88 et seq.

4 See Paul Reuter, "Question of Treaties Concluded Between States and International Organizations or Between Two or More International Organizations," *Yearbook of the International Law Commission* 2, 1972: 189.

5 Finn Seyersted, *Common Law of International Organizations* (Brill, 2008), 29.

6 See *Dissenting Opinion by Judge Green H. Hackworth, Reparation for injuries suffered in the service of the United Nations, Advisory Opinion: ICJ Reports 1949*, 198.

that their powers are limited to those conferred upon them by states. According to J. Klabbers, the idea of attribution is in fact eminently simple and means that international organizations and their organs may act only insofar as they have been empowered so to do.[7] In the literature this principle is known as the doctrine of attributed powers (*compétences d'attribution*), or the principle of conferral.[8] According to V. Engström, these two terms may be used interchangeably.[9] Nevertheless, the doctrine of attributed powers neither permits international organizations to generate their own powers, nor to confer powers on themselves. In accordance with a well-known doctrine, they have no *Kompetenz-Kompetenz*.[10]

A comparison of the powers of states and the powers of international organizations allows us to advance the thesis that the powers of states as sovereign subjects of international law depend on no other authority. In contrast, the powers of international organizations are limited insofar as it is necessary to perform the functions that their constitution or other international instruments define. In M. Virally's terms, this thesis is formulated as follows: the finality of the state is integral (*finalité intégrée*), whereas the finality of international organizations is functional (*finalité fonctionnelle*).[11] P. Reuter also talks about the functional nature of the powers of international organizations and notes that an organization has neither sovereign nor unlimited powers, and its competences allow it to perform only those acts indispensable for the fulfilment of its functions.[12]

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7 Jan Klabbers, *An Introduction to International Organizations Law* (Cambridge University Press, 2015), 56.

8 For example: Henry G. Schermers and Niels M. Blokker, *International Institutional Law* (Brill – Nijhoff, 2011), 157.

9 Viljam Engström, *Constructing the Powers of International Institutions* (Brill – Nijhoff 2012), 47.

10 See for example: Norman Weiß, *Kompetenzlehre internationaler Organisationen* (Springer, 2009), 361.

11 Michel Virally, "La notion de fonction dans la théorie de l'organisation internationale," in Charles E. Rousseau, *Mélanges offertes à Charles Rousseau* (Pedone, 1974), 282 et seq.

12 Paul Reuter, *Institutions internationales* (Thémis, 1972), 214.

It is noteworthy that the doctrine of attributed powers found its way into international practice via several Permanent Court of International Justice (PCIJ) advisory opinions issued in the 1920s, which will be presented below. It is believed that the opinion which played the most significant role in the process of developing this doctrine was the *Danube* advisory opinion, in which the Court specified the sources and scope of the attribution of powers.[13] The International Court of Justice (ICJ) returned to this nearly seventy years later in the 1996 advisory opinion on the *Legality of the Use by a State of Nuclear Weapons in Armed Conflicts*, in which the Court defended attributed powers against the expansion of implied powers. In the 1996 *WHO* advisory opinion, the ICJ explicitly referred to the doctrine of attributed powers. It also concluded that international organizations are governed by the principle of speciality, which, in the opinion of the Court, forms the basis of the doctrine of attributed powers. An analysis of the French version of this opinion allows us to advance a further thesis that these terms are synonymous. The following excerpt from the above opinion substantiates this claim: "[l]es organizations internationales sont régies par le "principe de spécialité", c'est-à-dire dotées par les Etats qui les créent de compétences d'attribution dont les limites sont fonction des intérêts communs que ceux-ci leur donnent pour mission de promouvoir."[14] In Polish legal doctrine, these terms are also regarded as synonymous. Polish scholars typically refer to the principle of speciality as "the principle of limited specific competence" (pol. *zasada ograniczonej kompetencji szczegółowej*).[15]

If the source of an international organization's attributed competences is the will of a state expressed in the statute or another international instrument, these competences are in fact conferred on this international organiza-

13 *Jurisdiction of the European Commission of the Danube between Galatz and Braila*, PCIJ Publications 1927, Series B – No. 14.

14 *Legality of the Use by a State of Nuclear Weapons in Armed Conflict, Advisory Opinion*, ICJ Reports 1996, 78, para. 25.

15 See for example: Anna Wyrozumska, "Państwa członkowskie a Unia Europejska," in *Prawo Unii Europejskiej. Zagadnienia systemowe*, ed. Jan Barcz (Wydawnictwo Prawo i Praktyka Gospodarcza, 2006), I–346.

tion. This conferral may involve establishing specific competences of the international organization or transferring certain competences to this organization by its member states. Such a transfer is carried out under various transfer of competence clauses and is subject to constitutional regulations. An example of this constitutional construct is provided by the Article 90(1) of the Constitution of the Republic of Poland, which stipulates that "[t]he Republic of Poland may, by virtue of international agreements, delegate to an international organization or international institution the competence of organs of State authority in relations to certain matters."[16] The doctrinal bases of this transfer are described in constitutional jurisprudence.[17]

The Attributed Powers of International Organizations – Selected Jurisprudence of International Courts

The doctrine of attributed powers came into modern, universal international law through the case law of international courts. While the most frequently cited judgment that defines the essence of this principle is the 1996 *Legality of the Use by a State of Nuclear Weapons in Armed Conflicts* advisory opinion, the earliest mention of it can be traced back to the case law of the PCIJ. This Court, as early as in its second advisory opinion, expressed the view that is usually cited as the origin of the doctrine of attributed powers. The opinion in question concerns the *Competence of the ILO in regard to International Regulation of the Conditions of the Labour of Persons Employed in Agriculture*. The Court was asked whether "the competence of the International Labour Organization extends to international regulation of the conditions of labour of persons employed in agriculture?"[18] In response, the Court adopted a view that

16 Journal of Laws of 1997, no. 78, item 483.

17 Jan Barcz, "Membership of Poland in the European Union in the Light of the Constitution of 2 April 1997. Constitutional Act on Integration," *Polish Yearbook of International Law*, no. 23 (1997–1998): 27 et seq.

18 *Competence of the ILO in Regard to International Regulation of the Conditions of the Labour of Persons Employed in Agriculture*, PCIJ Publications 1922, Series B – No. 2, 9.

clearly refers to the sovereignty of the member states of the ILO, in the context of which the treaty provisions should be interpreted. The Court regarded the determination of the appropriate scope of the ILO's powers as a matter exclusively tied to the interpretation of its Constitution. This reading, based on the exact meaning of the Constitution's terms, led the Court to conclude that the ILO had the competence to regulate labour conditions in the agricultural sector. The Court expressed its opinion in the following terms: "[i]t was much urged in argument that the establishment of the International Labour Organization involved an abandonment of rights derived from national sovereignty, and that the competence of the Organization therefore should not be extended by interpretation. There may be some force in this argument, but the question in every case must resolve itself into what the terms of the Treaty actually mean, and it is from this point of view that the Court proposes to examine the question."[19]

At the same time, the Court issued another advisory opinion in the case of *The Competence of the ILO to Examine Proposals for the Organization and Development of the Methods of Agricultural Production*. The Court was asked: "[d]oes examination of proposals for the organization and development of methods of agricultural production, and of other questions of a like character, fall within the competence of the International Labour Organization?"[20] This time, the view expressed by the Court was much more precise than that adopted in the earlier advisory opinion. The Court concluded that the scope of the powers of an international organization "depend[s] entirely upon the construction to be given to the same treaty provisions from which, and from which alone the Organization derives its existence and its powers."[21]

The PCIJ considered the powers of the ILO once more in the 1926 *Competence of the ILO to Regulate Incidentally the Personal Work of the Employer*

19 *Competence of the ILO in Regard to International Regulation*, 23.

20 *Competence of the ILO to Examine Proposals for the Organization and Development of the Methods of Agricultural Production*, PCIJ Publications 1922, Series B – No. 3, 49.

21 *Competence of the ILO to Examine Proposals*, 53–55.

advisory opinion. The fundamental question raised before the Court was whether it was "within the competence of the International Labour Organization to draw up and to propose labour legislation which, in order to protect certain classes of workers, also regulate[d] incidentally the same work when performed by the employer himself."[22] In response to this question, the Court invoked the provisions of the Constitution and stated that the true intention of the contracting parties was to ensure the broadest possible powers of co-operation. If states agreed on the purposes a given organization was to fulfil, it would have been inconceivable for them to try to prevent the achievement of these purposes. Any potential limitations states might have sought to impose would have been expressly stated in the Treaty. The Court offered no opinion on the relationship between the powers of the organization and state sovereignty. In his comment on the Court's finding, J. Klabbers wrote that "the Court sternly remarked that it was not to engage in such flights of theoretical fancy."[23] The Court held that: "in the present instance, without regard to the question of whether the functions entrusted to the International Labour Organization are or are not in the nature of delegated powers, the province of the Court is to ascertain what it was when the Contracting Parties agreed to. The Court, in interpreting Part XIII [of the Versailles Treaty], is called upon to perform a judicial function, and, taking the question actually before it in connection with the terms of the Treaty, there appears to be no room for the discussion and application of political principles or social theories, of which, it may be observed, no mention is made in the Treaty."[24]

The three PCIJ advisory opinions are often referenced in discussions on the powers of international organizations, especially regarding attributed powers. Most commentators are critical in their assessment of these opinions. They emphasise that the Court referred to international organizations with great

22 *Competence of the ILO to Regulate Incidentally the Personal Work of the Employer*, PCIJ Publications 1926, Series B – No. 13, 7.

23 Klabbers, *An Introduction to International Organizations Law*, 52.

24 *Competence of the ILO to Regulate Incidentally the Personal Work of the Employer*, PCIJ Publications 1926, Series B – No. 13, 23.

caution. The reason the Court distanced itself from the issue of international organizations, and especially their powers, was that they were a relatively new phenomenon in international relations. It is therefore hardly surprising that the Court found it difficult to grasp and assess the relationship between states and international organizations. Nevertheless, the Court had to address the problem and answer specific questions regarding the sources and scope of the powers of international organizations. The task was not easy since the Court had to consider the issue from the perspective of state sovereignty. Subsequent Court opinions show the way its view on the matter began to evolve. This evolution involved a steady progress from the concept of an absolute dominance of states and their sovereignty to an acceptance of a situation in which international organizations, as authorities other than states, might possess and exercise powers that had hitherto been vested exclusively in states. At the same time, the exercising of these powers by international organizations could not deny states the status of sovereign subjects of international law. Even in the 1923 judgment on the case of the *S.S. 'Wimbledon'*, the Court adopted the view that the legal capacity "[for] entering into international engagements" as an attribute of sovereignty is reserved only for states.[25]

The earliest signs of change in the Court's opinion are to be found in the *S.S. 'Lotus'* case judgment, in which the Court confirmed state consent as the basis for the international legal system. At the same time, the Court ruled that restrictions upon the independence of states are possible but stressed that they cannot be presumed.[26] Without a doubt, the next significant step in the evolution of the Court's view on the matter was the *Danube* advisory opinion.[27] In it the Court confirmed that international authorities other than states exist and may exercise legal powers in international relations. The question the Court was asked to address concerned the division of powers between

25 *The case S.S. 'Wimbledon'*, PCIJ Publications 1923, Series A – No. 1, 25.
26 *The case of the S.S. 'Lotus'*, PCIJ Publications, 1927, Series A – No. 10, 18.
27 *Jurisdiction of the European Commission of the Danube between Galatz and Braila*, PCIJ Publications 1927, Series B – No. 14, 7.

a state – Romania – and an international organization – the European Commission of the Danube. In its opinion, the Court accepted the special status of the Commission as an authority with prerogatives and privileges that were generally withheld from international organizations. At the same time, however, it concluded that this organization, unlike a state, had no exclusive territorial sovereignty. If the Court thus accepted the parallel existence of two separate authorities, then it also indicated that the differences in the jurisdictions of each derive primarily from their functions.[28] In his analysis of this opinion V. Engström pointed out that the Court indicated the sources and scope of the powers of the Commission as an international organization. If an organization exercises powers attributed to it by states, the sources of these powers may be traced back to state consent.[29]

The PCIJ position that the European Commission of the Danube could only act on the basis of powers specifically attributed to it is commonly considered the foundation of the doctrine of attributed powers.[30] The Court expressed its view as follows: "[w]hen in the same and one area there are two independent authorities, the only way in which it is possible to differentiate between their respective jurisdictions is by defining the functions allotted to them. As the European Commission is not a State, but an international institution with a special purpose, it only has the functions bestowed upon it by the Definitive Statute with a view to the fulfilment of that purpose, but it has power to exercise these functions to their full extent, insofar as the Statute does not impose restrictions upon it."[31]

As highlighted earlier, any discussion concerning the doctrine of attributed powers must refer to the 1996 *Legality of the Use by a State of Nuclear Weapons*

28 J. Klabbers stresses that although the Court used the term functions, and not powers, it clearly refers to powers; Klabbers, *An Introduction to International Organizations Law*, 53.

29 Viljam Engström, *Understanding Powers of International Organizations: A Study of the Doctrines of Attributed Powers, Implied Powers and Constitutionalism – with a Special Focus on the Human Rights Committee* (Åbo Akademi University Press, 2009), 26.

30 The text of the Court's opinion uses the phrase '*the functions bestowed upon it*'.

31 *Jurisdiction of the European Commission of the Danube between Galatz and Braila*, PCIJ Publications 1927, Series B – No. 14, 64.

in Armed Conflicts ICJ advisory opinion. The Court was asked to answer the question whether "in view of the health and environmental effects, would the use of nuclear weapons by a State in war or other armed conflict be a breach of its obligations under international law, including the WHO Constitution."[32] In its opinion, the ICJ expressed doubts on the legitimacy of the question and noted that the question seemed not to be addressing the effects of the use of nuclear weapons on health as such but the legality of the use of such weapons in view of their health and environmental effects. It was the Court's opinion that the competence of the WHO to deal with such effects is independent of the legality of acts potentially causing these effects. The most valuable aspect of this opinion is the Court's consideration of the nature of attributed powers of international organizations in the context of a teleological interpretation of their constituent instruments. The Court therefore emphasised that despite being subjects of international law, international organizations, unlike states, have no general competence. They are characterised by the principle of speciality, which indicates that their powers are created by states.[33] The Court expressed its view as follows: "international organizations are subjects of law which do not, unlike states, possess a general competence. International organizations are governed by the 'principle of speciality', that is to say, they are invested by the States which create them with powers, the limits of which are a function of the common interests whose promotion those states entrust to them."[34]

The 1996 advisory opinion contains interesting considerations by the Court on the relationship between attributed and implied powers. The Court expressed strong support for the concept of attributed powers, marking the first explicit defence of this concept in nearly seventy years, particularly in contrast to the concept

32 *Legality of the Use by a State of Nuclear Weapons in Armed Conflicts*, *Advisory Opinion*, ICJ Reports 1996, 68.

33 In its definition of the principle of speciality, the Court referred to the aforementioned PCIJ advisory opinion on the Danube, in the light of which the expressions 'attributed powers' and 'principle of speciality' are synonymous.

34 *Legality of the Use by a State of Nuclear Weapons in Armed Conflicts*, *Advisory Opinion*, ICJ Reports 1996, 78, para. 25.

of implied powers. The Court distanced itself from recognising the implied powers of the WHO with regard to the matter in question. By way of explanation, it stated that accepting the implied powers of the WHO would be akin to 'disregarding the principle of speciality'. This is illustrated by the following excerpt from the advisory opinion: "[t]he powers conferred on international organizations are normally the subject of an express statement in their constituent instrument. Nevertheless, the necessities of international life may point out to the need for organizations in order to achieve their objectives, to possess subsidiary powers which are not expressly provided for in the basic instruments which govern their activities. It is generally accepted that international organizations can exercise such powers, known as 'implied' powers […] In the opinion of the Court, to ascribe to the WHO the competence to address the legality of the use of nuclear weapons – even in view of their health and environmental effects – would be tantamount to disregarding the principle of speciality; for such competence could not be deemed a necessary implication of the Constitution of the Organization in the light of the purposes assigned to it by its member States."[35]

The view of the ICJ is presented by V. Engström, who notes that by refusing to accept the implied powers of the WHO the Court "wanted to keep the WHO safely within those powers that States had 'invested' in the organization."[36] The Court's view clearly constituted no rejection of the implied powers of international organizations in general, since this functional interpretation of the constituent instruments of international organizations had already been commonly applied in practice. On the other hand, it was also a popular practice at the time to include the principle of attributed powers in the statutes of international organizations, often in the form of the principle of conferral.[37]

35 *Legality of the Use by a State of Nuclear Weapons*, 78, para. 26.

36 Viljam Engström, "Reasoning on Powers of Organizations," in *Research Handbook on the Law of International Organizations*, ed. Jan Klabbers and Åsa Wallendahl (Edward Elgar Publishing Limited, 2011), 62.

37 In the modern law of international organizations, the principle of attributed powers is the most important and characteristic feature of the division of powers between an international organization and its member states. This is prominent in the statutes of international orga-

It should be emphasised, that the assessment of the 1996 advisory opinion presented in the literature is fairly unequivocal. The opinion is usually analysed from the perspective of both attributed powers and implied powers. It should be noted that, based on the 1949 advisory opinion, international practice often employed a functional interpretation of the constituent instruments of international organizations, which made it possible to seek the powers of these organizations within the concept of implied powers. This was a common occurrence in the practice of various international organizations, including the UN, and will be analysed more carefully in the next section. In this context, the 1996 advisory opinion is universally seen as a departure from the previous case law concerning the powers of international organizations, and some commentators even describe it "as the end of an era of functional interpretations of constituent instruments of organizations."[38]

Concluding Remarks

When assessing the doctrine of attributed powers, we must stress that since states are the creators of international organizations it is understandable that they would confer certain powers on these organizations to allow them to serve their designated purposes. It follows that these powers are the result of the will of the member states. At the same time, creating an organization with these specific powers gives it an independent status in relation to its member states. After all, the international organization gains its own legal personality and thus the capacity to act on an international level. For this reason, a situation

nizations, of which EU law provides the best and most recent example. The principle that allows the EU to exercise powers attributed to it in the Treaties is the principle of conferral. EU Treaties emphasise this principle more strongly and in a much broader sense than the constituent instruments of other international organizations; see Alina Kaczorowska, *European Union Law* (Routledge, 2011), 167 et seq. and Gadkowski, *Treaty-Making Powers of International Organizations*, 90 et seq.

38 Engström, *Understanding Powers of International Organizations*, 51. Engström adds that, as a result of such an interpretation of the constituent instruments, the "finding of ever more (implied) powers of at least the UN had started to look almost automatic."

where the powers of an international organization are limited to those expressly conferred on it by the constituent instrument is unacceptable. If this were to be the case, we could say that this organization is in a sense 'incapacitated': all its actions are dependent on the member states. We must also emphasise that every international organization operates in a specific field of international co-operation. The dynamic nature of this co-operation requires the organization to be flexible in its actions; that is to say, it has to perform acts which could not be explicitly specified by states in the statute. The constituent instrument of an international organization is a constitution of sorts, whose purpose is to regulate only the most fundamental issues regarding the functioning and organization of a given entity (a state or an international organization). For this reason, the powers of an international organization conferred on it in the statute by states may be treated as the most important.

In acknowledging the importance of the attributed powers of international organizations, and in particular their expressly granted powers, it should be noted that such attribution cannot be, and indeed is not, the only source of international organizations' powers. Practice clearly shows that these powers need to be complemented by another category, particularly implied powers and, to some extent, the inherent powers of each international organization.[39]

References

Barcz, Jan. "Membership of Poland in the European Union in the Light of the Constitution of 2 April 1997. Constitutional Act on Integration." *Polish Yearbook of International Law*, no. 23 (1997–1998): 21–34.

Czapliński, Władysław, and Anna Wyrozumska. *Prawo międzynarodowe publiczne. Zagadnienia systemowe*. Wydawnictwo C. H. Beck, 2014.

Engström, Viljam. *Constructing the Powers of International Organizations*. Brill – Nijhoff, 2012.

39 See footnote 2.

Engström, Viljam. “Reasoning on Powers of Organizations.” In *Research Handbook on the Law of International Organizations*, edited by Jan Klabbers and Åsa Wallendahl. Edward Elgar Publishing Limited, 2011.

Engström, Viljam. *Understanding Powers of International Organizations: A Study of the Doctrines of Attributed Powers, Implied Powers and Constitutionalism – with a Special Focus on the Human Rights Committee*. Åbo Akademi University Press, 2009.

Gadkowski, Andrzej. “The Doctrine of Implied Powers of International Organizations in the Case Law of International Tribunals.” *Adam Mickiewicz University Law Review* 6, 2016: 45–59.

Gadkowski, Andrzej. “Notes on the Inherent Powers of International Organizations.” *Adam Mickiewicz University Law Review* 15, 2023: 261–272.

Gadkowski, Andrzej. *Treaty-Making Powers of International Organizations*. Wydawnictwo Naukowe UAM, 2018.

Kaczorowska, Alina. *European Union Law*. Routledge, 2011.

Klabbers, Jan. *An Introduction to International Organizations Law*. Cambridge University Press, 2015.

Reuter, Paul. *Institutions internationales*. Thémis, 1972.

Reuter, Paul. “Question of Treaties Concluded Between States and International Organizations or Between Two or More International Organizations.” *Yearbook of the International Law Commission* 2, (1972): 172–199.

Schermers, Henry G., and Niels M. Blokker. *International Institutional Law*. Brill – Nijhoff, 2011.

Seyersted, Finn. *Common Law of International Organizations*. Brill, 2008.

Skubiszewski, Krzysztof. “Implied Powers of International Organizations.” In *International Law at a Time of Perplexity. Essays in Honour of Shabatai Rosenne*, edited by Yoram Dinstein and Mala Tabory. Brill – Nijhoff, 1989.

Virally, Michel. “La notion de fonction dans la théorie de l’organisation internationale.” In Charles E. Rousseau, *Mélanges offertes à Charles Rousseau*. Pedone, 1974.

Weiß, Norman. *Kompetenzlehre internationaler Organisationen.* Springer, 2009.

White, Nigel D. *The Law of International Organizations*. Manchester University Press, 2005.

Wyrozumska, Anna. "Państwa członkowskie a Unia Europejska." In *Prawo Unii Europejskiej. Zagadnienia systemowe*, edited by Jan Barcz. Wydawnictwo Prawo i Praktyka Gospodarcza, 2006.

Selected PCIJ and ICJ Cases

The case S.S. 'Wimbledon', PCIJ Publications 1923, Series A – No. 1.

The case of the S.S. 'Lotus', PCIJ Publications, 1927, Series A – No. 10.

Competence of the ILO in Regard to International Regulation of the Conditions of the Labour of Persons Employed in Agriculture, PCIJ Publications 1922, Series B – No. 2.

Competence of the ILO to Examine Proposals for the Organization and Development of the Methods of Agricultural Production, PCIJ Publications 1922, Series B – No. 3.

Competence of the ILO to Regulate Incidentally the Personal Work of the Employer, PCIJ Publications 1926, Series B – No. 13.

Legality of the Use by a State of Nuclear Weapons in Armed Conflict, Advisory Opinion, ICJ Reports 1996.

Jurisdiction of the European Commission of the Danube between Galatz and Braila, PCIJ Publications 1927, Series B – No. 14.

Reparation for Injuries Suffered in the Service of the United Nations, Advisory Opinion: ICJ Reports 1949.