

# Membership in International Organizations

Gerd Droeße

# Membership in International Organizations

Paradigms of Membership Structures, Legal Implications of Membership and the Concept of International Organization



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*Für Alessia*

# Preface

The idea to write a book on *Membership in International Organizations* came to me when I worked on the book *Funds for Development: Multilateral Channels of Concessional Financing* (2011), of which I am the editor and main contributor. While working on that book, I analyzed in detail the membership frameworks of international financial institutions. At the time, I noticed many issues regarding the traditional concept of membership that, in my view, required amplification and revision.

While traditional concepts of membership are still relevant for international organizations with treaty foundation, they do not take into sufficient account the evolution of public international law and the emergence of new paradigms of organizational structures and institutional frameworks, not established by a treaty, and with membership structures which do not only, or predominantly, comprise states as members, or those without any formal membership structures. Considering these new paradigms, a wider definition of international organization and subject of international law is warranted.

It is also necessary for international organizations to open themselves to the outside by promoting institutionalized participation of a wide range of transnational actors. International organizations should become open and multi-level and multi-actor institutions that give a voice to a wide variety of stakeholders, which may include, in addition to states, sub-state actors, technical government agencies and regulatory agencies, private sector entities, and philanthropy and civil society.

This book, which is based on a doctoral thesis submitted at Hamburg University, seeks to address these issues in a holistic manner by highlighting the many links that exist between membership and concepts such as constitution and constitutionalization, subject of international law and international legal personality, as well as with organizations' institutional, capital and governance structures, representation arrangements and operational and funding modalities, and with the very concepts of "intergovernmental organization" and "international organization".

Vienna, Austria

Gerd Droecke

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## About the Author

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Previously, he contributed to setting up the legal and institutional framework of the Green Climate Fund where he served as the Legal Counsel of the Interim Secretariat, Acting General Counsel, and Senior Advisor of the GCF. With the Asian Development Bank (ADB) he worked as Lead Specialist, Institution and Coordination (Director) in the Office of The Secretary, as the Legal Adviser of the Asian Development Bank Institute, and as Head of the Special Practice Group: Institutional and Administrative in the Office of the General Counsel.

With extensive experience in resource mobilization issues, funding mechanisms and innovative modalities of financing, and ability to conduct comprehensive reviews of Human Resources policies, he also contributed to the work of Food and Agriculture Organization (FAO) of the United Nations as legal adviser to the Director of Personnel.

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# Abbreviations

ADB	Asian Development Bank
AfDB	African Development Bank
AIIB	Asian Infrastructure Investment Bank
AMRO	ASEAN+3 Macroeconomic Research Office
ASEAN	Association of Southeast Asian Nations
ASEAN+3	ASEAN + China, Japan, South Korea (ASEAN+3)
BCIE	Central American Bank for Economic Integration
BIS	Bank for International Settlements
CAF	Corporación Andina de Fomento
CDB	Caribbean Development Bank
CDM	Clean Development Mechanism
CEDARE	Programme for the Arab Region and Europe
CER	Certified Emission Reductions
CGIAR	Consultative Group for International Agricultural Research
CGIF	Credit Guarantee and Investment Facility
CoE	Council of Europe
COP	Conference of the Parties
CPISA	Convention on the Privileges and Immunities of the Specialized Agencies
CSCE	Conference for Security and Co-operation in Europe
CTBT	Comprehensive Nuclear-Test-Ban Treaty
CTBTO	Comprehensive Nuclear-Test-Ban Treaty Organization
DAC	Development Assistance Committee
EADB	East African Development Bank
EBRD	European Bank for Reconstruction and Development
ECAFE	UN Economic Commission for Asia and the Far East
ECB	European Central Bank
ECHR	European Court of Human Rights
ECLA	UN Economic Commission for Latin America
ECOSOC	Economic and Social Council of the United Nations

EDB	Eurasian Development Bank
EEC	European Economic Union
EIB	European Investment Bank
ESCWA	UN Economic and Social Commission for Western Asia
ESMA	European Securities and Markets Authority
EU	European Union
EURATOM	European Atomic Energy Community Treaty
EuroLat	Euro-Latin American Parliamentary Assembly
FAO	Food and Agriculture Organization
FOPREL	Forum of the Presidents of the Legislative Powers of Central America
FSB	Financial Stability Board
FSF	Financial Stability Forum
GATT	General Agreement on Tariffs and Trade
Gavi Alliance	Global Alliance for Vaccines and Immunization
GCF	Green Climate Fund
GEF	Global Environment Facility
General Convention	Convention on the Privileges and Immunities of the United Nations
GET	Global Environment Trust
GIZ	Gesellschaft für Internationale Zusammenarbeit
Global Fund	Global Fund to Fight Aids, Tuberculosis and Malaria
GMBH	Gesellschaft mit beschränkter Haftung
HIPC	Heavily Indebted Poor Countries
HRC	Human Rights Committee
IADB	Inter-American Development Bank
IAEA	International Atomic Energy Agency
IAIS	International Association of Insurance Supervisors
IANA	Internet Assigned Numbers Authority
IATA	International Air Transport Association
IAU	International Administrative Unions
IBRD	International Bank for Reconstruction and Development
ICANN	Internet Corporation for Assigned Names and Numbers
ICAO	International Civil Aviation Organization
ICC	International Criminal Court
ICJ	International Court of Justice
ICPC	International Criminal Police Commission
ICRC	International Committee of the Red Cross
IDA	International Development Association
IFAD	International Fund for Agricultural Development
IFFIm	International Finance Facility for Immunisation
IFI	International Financial Institutions
IGO	Intergovernmental Organizations
ILA	International Law Association
ILC	International Law Commission



ILO	International Labour Organization
IMF	International Monetary Fund
IMO	International Maritime Organization
INGO	International Nongovernmental Organization
INMARSAT	International Maritime Satellite Organization
INTELSAT	International Telecommunications Satellite Organization
INTERPOL	International Criminal Police Origination
IO	International Organization
IOIA	International Organizations Immunity Act
IOM	International Organization for Migration
IOSCO	International Organization of Securities Commissions
IPPC	International Plant Protection Convention
IPU	Inter-Parliamentary Union
IRENA	International Renewable Energy Agency
IRO	International Refugee Organization
IRRI	International Rice Research Institute
ISDB	Islamic Development Bank
ISFD	Islamic Solidarity Fund for Development
ISO	International Organization for Standardization
ISSB	International Standard-Setting Bodies
ITC	International Tin Council
ITO	International Trade Organization
ITU	International Telecommunication Union
IUOTO	International Union for Official Tourism Organizations
KfW	Kreditanstalt für Wiederaufbau
MDB	Multilateral Development Bank
MOU	Memorandum of Understanding
NDB	New Development Bank
NDF	Nordic Development Fund
NGO	Nongovernmental Organization
OAS	Organization of American States
ODA	Official Development Assistance
OECD	Organisation for Economic Co-operation and Development
OIE	World Organisation for Animal Health
OLA	United Nations Office of Legal Affairs
OPCW	Organization for the Prohibition of Chemical Weapons
OPEC	Organization of the Petroleum Exporting Countries
OSCE	Organization for Security and Co-operation in Europe
PAIGH	Pan American Institute for Geography and History
PCT	Patent Cooperation Treaty
PRC	People's Republic of China
QAB	Quasi-autonomous Bodies
REIO	Regional Economic Integration Organization
SBI	Subsidiary Body of Implementation
SCPI	South Caucasus Parliamentary Initiative

SITA	Société Internationale de Telecommunications Aeronautiques
TEU	Treaty on European Union
TFEU	Treaty on the Functioning of the European Union
TNC	Transnational Corporations
UN	United Nations
UNCCD	United Nations Convention to Combat Desertification
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNESCAP	UN Economic Commission for Asia and the Pacific
UNFCCC	United Nations Framework Agreement on Climate Change
UN-HABITAT	United Nations Human Settlement Programme
UNHCR	UN High Commissioner for Refugees
UNICEF	United Nations Children Fund
UNIDO	United Nations Industrial Development Organization
UNIFEM	United Nations Development Fund for Women
UNMIK	United Nations Interim Administration Mission in Kosovo
UNPF	United Nations Population Fund
UNRWA	United Nations Relief and Works Agency for Palestine Refugees in the Near East
UNU	United Nations University
UNWTO	World Tourism Organization
UPU	Universal Postal Union
VCLT	Vienna Convention on the Law of Treaties
VCLTIO	Vienna Convention on the Law of Treaties between States and International Organizations or Between International Organizations
WADB	West African Development Bank
WCO	World Customs Organization
WFP	World Food Programme
WHO	World Health Organization
WIPO	World Intellectual Property Organization
WMO	World Meteorological Organization
WTO	World Trade Organization