Chapter II

Contemporary Issues of Public Administration

LIFTING PUBLIC ADMINISTRATION TO SUPRA-STATE LEVEL

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READING MATERIAL FOR CHAPTER Nº 2

LIFTING PUBLIC ADMINISTRATION TO SUPRA-STATE LEVEL: INTERNATIONALISATION – GLOBALISATION – PUBLIC ADMINISTRATION TRIUMVIRATE

Content

1. Trans-boundary challenges: common aims by the community of States

Some factors or happenings influence the State from outside State borders. Dealing with such challenges cannot be ensured by purely individual internal solutions; collaboration and discussion are needed to agree upon those factors which determine the common aim and the task of domestic public administration. Settling the common aim is often shifted to a level above States into an international sphere.

Some circumstances cannot be individually dealt with and suppose collaboration with: warlike crisis, environmental disasters, climate change, etc.

Communication and establishment of a relationship between different people, nations along interests was a constant feature of maturing civilizations, but the modern, institutionalised form of cooperation upon common interests is the product of the 20th century. *International organisation*s are structured forms of idea-exchange between more than two participants upon a formal agreement and often with formal common bodies (secretaries, assembly and/or smaller decision -making body) to establish together a commonly accepted sum of interests in the form of decision or a convention/agreement to which States can join by signature.

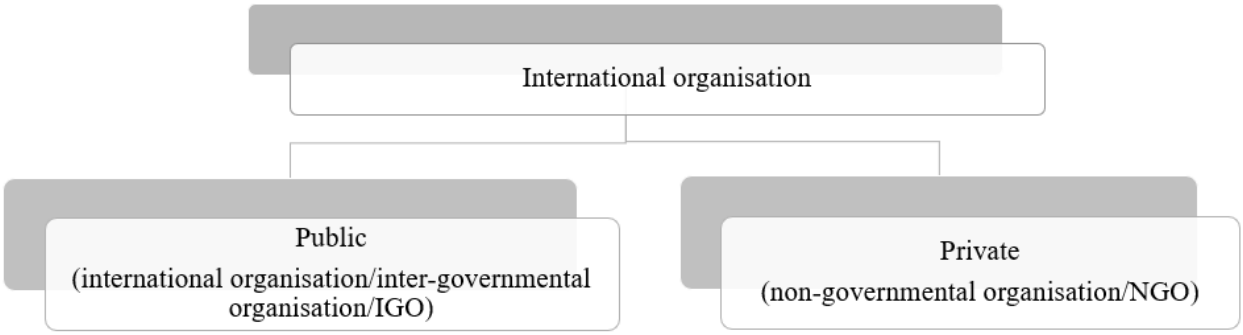
The institution of the consul was known to the Greeks and the Romans and its essential task was to watch over the commercial interests of the citizens in the territory of another polis. The representation of State interest in the form of ad hoc ambassadors and then in an institutionalised form of diplomacy was created after the State concept was established. By the 15th century, the exchange of representatives has started to dominate in argumentation of common aims of different parties (States) and the formulation of political, commercial and military alliances along with the maintenance of friendly relations. As early birds, ad hoc conferences (like the 1815 Vienna Conference) was convoked for the solution of the political problems arising from international intercourse, but in the nineteenth century, an impassive development of associations or unions, international in character, between groups other than

governments. This was followed by similar developments between governments themselves in the administrative rather than the political field. The roots of simple international organisations date back to but the ancestor of nowadays type in the 19th century. The most obvious area in which international cooperation gained place was that of transport and communication and they were called administrative unions. This term was used until the middle of the 20th century for special-purpose governmental associations set up in the second half of the 19th century. The purposes of these unions were the international regulation of postal services, railroad transportation, telegraph communications, and radio and the international protection of copyright in science, technology, literature, art, public health, and other fields. One of the first international administrative unions was the International Telegraph Union set up in 1865. All the international administrative unions shared several features. They were based on multilateral conventions, treaties, or agreements having the usual permanent character—that is, intended for a considerable length of operation—and they all had permanent bodies (bureaus or commissions). The functions of the bureaus were, as a rule, limited to purely informational tasks—to collect and publish appropriate materials, to provide references, and also to serve as intermediaries between member states. The bureau of the International Union of Railroad Transport was an exception; it could, on the expressed wish of one of the parties, settle misunderstandings between international railroad administrations. In the 20th century, the number of international administrative unions has increased greatly. When the League of Nations was set up, the imperialistic circles which held leading positions in the league attempted to use the international administrative unions to dominate international relations. But these attempts were strongly resisted by many participants in the international administrative unions because a great number of them were not members of the league. The majority of international administrative unions of that period remained independent organizations and merely exchanged information with the Secretariat of the League of Nations. The term "international administrative unions" went out of use in the middle of the 20th century. The present-day international organizations with similar roles (there are more than 200 of them) are called international organizations on special questions, and some of them are specialized institutions of the UN.

1. The scheme of international cooperation (author)

2. Types of international organisations and public administration

There are two basic types of international organisations and the role of public administration varies accordingly.



2. Basic types of international organisations (author)

Speaking about international organisations in general, the term covers ***inter-governmental international organisations (IGO).*** These are public establishments that may be formulated along with different principles as there is no universal rule for their creation thus have more or less the following characteristics:

- *establishment by* some kind of *international agreement* among states (under the classical rules of international law that governs the relationship among them);
- *establishment under international law* (that regulates international relations of States);
- possession of what may be called a *constitution* (also international law in nature);
- possession of *organs* which function relatively independently from its members (functioning according to the international law source that created them);
- generally, but not always an exclusive *membership of states or governments*, but at any rate predominant membership of states or governments (given the fact that only officials in charge of States are empowered to represent their government and participate in assuming obligation on behalf of it; the activity of private parties are beyond State power and the legal capacity of participating international organisations depends on the creating States, see later);
- *possible* possession of international *legal personality* (distinct from that of their member states – it depends on the creator States what competencies they vest in the organisation)

Typical IGOs are *United Nations* (UN), *Organization for Security and Co-operation in Europe* (OSCE), *Council of Europe* (COE), *Organisation for Economic Co-operation and Development* (OECD), *North Atlantic Treaty Organisation* (NATO) or the Arctic Council which is also open for NSA participants.

Some international organizations now accept non-states as full members, while others ensure only observant or consultant role for them.

The International Union for Conservation of Nature (IUCN) is a membership Union uniquely composed of both government and civil society organisations. It provides public, private and non-governmental organisations with the knowledge and tools that enable human progress, economic development and nature conservation to take place together.

Non-governmental organisations (NGOs) or private international organisations are not established under international law, nor have exclusive or predominant state or governmental

membership, they are usually associations of any other non-state actors (NSAs); for example *Greenpeace*, *World Wildlife Fund International*, *Amnesty International*, or *Médecins Sans Frontières*.

Being an NGO does not mean powerless l'art pour l'art work. It is often an NGO that draw attention to violations of international law (treaties, conventions) by States. More generally, NGOs participate in monitoring activities, either directly or indirectly, and may trigger mechanisms of compliance or enforcement. Their capacity to gather information, provide expertise and mobilize public opinion makes NGOs powerful actors in the implementation of international law, even in situations of armed conflict, but NGOs are more often relied on in environmental and human rights issues.

In history, the two types emerged, developed and co-existed parallelly.

On the necessity of river shipping, several river commissions were established to manage the Elbe (1821), the Douro (1835) the Po (1849) and, after the end of the Crimean War, the European Commission for the Danube in 1856. Regulation of other modes of transport and communication quickly followed: in 1865 the international Telegraphic Union was established, followed in 1874 by the universal postal Union and in 1890 by the International Union of Railway Freight Transportation. Today both unions fall under the umbrella of the United Nations system of organizations which is an international organisation of States.

In other areas, in 1903 the International Office of Public Health was created, and in the field of economics the establishment of the Metric Union (1875), the International Copyright Union (1886), the International Sugar Union (1902) and the International Institute for Agriculture (1905) may be mentioned as early forerunners of a present-day international organization. Meantime, organizations started to be established by private citizens, to deal with international issues. In 1840, the world Anti-Slavery Convention was established, and in 1863 a Swiss philanthropist, Henry Dunant, created the Red Cross in 1863, for example.

Based on the founders and parties, there are different international organisations. The founders determine the **legal status** and the competencies of the organisation.

(a) the simplest and most common way is when an international organisation arises from the agreement of ***States***.

The most commonly known example is the United Nations Organisation which expresses this nature by the name.

(b) there are organisations to which ***sub-State organs*** may also join to establish international bodies;

National bodies for the regulation of financial markets are associated in the above-mentioned IOSCO; national insurance regulating bodies come together in the IAIS; the International Competition Network (ICN - 2001) brings together national competition authorities; the Financial Stability Forum (FSI), promoted by the finance ministries and central banks of the G7 countries, brings together finance ministers and heads of the central banks.

(c) some organisations are made up neither by States, nor by lower level, sub-state entities, but ***by other organizations***, acting alone or together;

For instance, the Commission on Phytosanitary Measures (1992) was established by the FAO; the International Centre for Settlement of Investment Disputes (1966) was established by the World Bank.

(d) ***different organizations get together*** to establish another organization.

The Financial Stability Institute (FSI) was set up in 1999 by the Bank for International Settlements and the Basel Committee on Banking Supervision. The Codex Alimentarius Commission (1963) was established by the FAO and the World Health Organization (WHO -

1948). The World Trade Organization (WTO - 1994) and the United Nations Conference on Trade and Development (UNCTAD - 1964) together established the International Trade Committee.

3. Public administration and international organisations

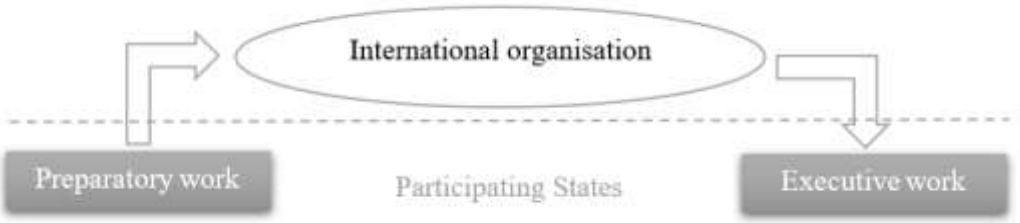
The law of international organizations can be described as special: it is always *lex specialis*, a law proper to each organization, as there are no general implications or universal international organisation law. Public administration in connection with international organisations shall be interpreted by two major directions:

3.1. Administration of the international organisation

Public administration of international organisations is supposed to mean the executive of the establishment which is not equivocal to the notion that exists in States' public administration. In the case of almost all international organisations, the executive power stays in the hands of the participating States and the public administration and public administrative law of an international organisation can be interpreted only in a narrow sense: the organisational and procedural aspects of the created bodies for maintenance of the work of the organisation and its staff. Neither international administrative law, under the terms of domestic one, exists, nor public administrative law of international organisations can be interpreted in the same way as in States.

States are recognized actors of international relations. According to its constitutional norms, each State has an internal, domestic order which describes the balance of power to serve the people. Therefore, in international relations, only those State organs (and official) can represent the State and assume obligations on behalf of the State who are empowered to do so by basic domestic norms. Consequently, they are accountable for their acts. It follows, that when States establish the international organisation as a forum for common interest exchange, it is upon the will of States what competencies they give for the international organisation, how detailed regulation they ensure for its organisation and functioning and how they wish to ensure an independent administration for it.

In most cases, in classical international organisations, the preparatory work and the executive functions stay in the hands of the State and its public administration. Thus, the public administration of an international organisation is served by the domestic administration of the participating States. These are normative rules on the formulation and representation of State interest and then, after the common interest is created, ensuring its execution. The incorporation of common achievements into domestic legal order is mainly the duty of the legislator, although once the international obligation is a part of domestic law, the task and duties of the public administration as executive power (organisation, normative tasks, decision-making) are the same.



3. State's administration and international organisation (author)

3.2. Influence of international organisation of the public administration of the State

International organizations are created upon interests of States, and the results of common work may be manifested in different forms with different legal effect: political declarations, decisions of its organs (under various names like opinion, recommendation,) and normative texts that are open for the signature of States (treaty, convention) so they can assume the commonly accepted solutions for a problem as an obligation. Being party to an inter-governmental organization may be a pressure to accept its achievements as an obligation; however, the rules of international law still ensure the freedom of choice. A State signs and ratifies it or not or chose to follow a recommendation or not. This is the classical ***Westphalian model*** of international relations.
Currently, the international legal order is based on the Westphalian model of sovereignty: States as a subject of international law, by their representatives, take part in the formulation of international agreements to fight common problems. States are entitled to assume obligations to delimit themselves and by doing so, they impose them on the territory and the people under their sovereignty in conformity with their public law framework, including constitutional and administrative law points.
Even if a convention establishes a supervisor organ to detect the implementation process and how State practice supports the success of the application of it, the judicial (and sanctioning) power that characterize States' internal affairs is missing from behind the process unless the State made a declaration of subvention to an international court. However, enforcement of the judgment is also challenging and has no features of that within the State.

The Council of Europe has many conventions under its roof, however, many failed to be generally recognized even by its Member States. Check! The most famous and generally recognized is the Convention for the Protection of Human Rights and Fundamental Freedoms (1949). The breaches of its articles by a signatory State (its organs and authorities) can be submitted to the European Court of Human Rights (ECtHR) in Strasbourg, which is entitled to disapprove a legal application practice in individual cases and sentence a State, but beyond political pressure, it has no further tool for the enforcement of its decision or force the State to change its legislation.

In the case of NGOs, the State is missing behind the establishment procedure and the formulation and shaping of the commonly accepted results, thus the acceptance and incorporation of the NGO achievements are also less (or completely missing) effective than that of IGOs. Therefore, the main efficiency of NGOs does not stand directly in their normative contribution but in highlighting the needs and challenges and manifests in other efforts as a response to problems.

Just think about the work of Greenpeace with calling attention to global problems related to the environment and organize different programs and collect donations to that end.

3.3. Supranational organizations

In general, all international organization are supranational: they are establishments beyond state borders and above single states. In a legal sense, the key distinction between a *supranational organization* (SNO) and an ordinary international organization is the scope of autonomous regulatory power that the body may enjoy. The SNOs are inter-governmental organisations and are quite rare as their competencies and level of autonomy are based on the sovereignty transfer of their creating States which has several consequences: they can behave independently of their creators and establish (unwanted) obligations – without the possibility of choice originally offered by international law. Unlike IGOs or NGOs, SNO dominates over States.

SNO is similar to a federation as a form of government (like the USA): the self-governing status of the component states, as well as the division of power between them and the central government, is typically constitutionally entrenched and may not be altered by a unilateral decision of either party, the states or the federal political body.
The European Union (EU) is the leading exemplar of SNO. As a sui generis international organisation, it – via its institutions created by States in funding treaties – can exercise a whole range of rulemaking, adjudication, and enforcement powers with a comparatively high degree of independence from the States that created it. The EU is not a federation mainly as in the case of the EU, the supranational entity is an international organisation and not a State, lacking the features of statehood.

4. Globalisation and public administration

Globalisation is often used as a word to describe nowadays in many aspects of life, and it shall not be disregarded in the world of public administration either. Traditionally, 'public policy' and 'public administration' have been directly linked to the sovereign powers of the nation-state but globalisation transforms this original thought.

Law has traditionally been the province of the nation-state with powers to regulate social relations and also enforce them. By contrast, international law has been comparatively weak with few effective enforcement powers. But globalization is changing the contours of law and creating new global legal institutions, norms and also new challenges to enforcement and adjudication.

4.1. Globalisation and its implication on common solution finding

Globalisation is a fancy term with plenty of meanings in the literature to describe happenings in the world beyond or above the States. In a broad sense, it has an interpretation (1) as internationalization, (2) as border openness, (3) as a process; (4) as ideology and (5) as a phenomenon, (6) and as both a transcending phenomenon and a continuing process of capital accumulation.

Globalisation is a term used to describe the changes in societies and the world economy that are the result of dramatically increased cross-border trade, investment, and cultural exchange along with, of course, the negative impacts of the positive changes (environmental challenges, for example). Globalization shares several characteristics with internationalization and is used interchangeably, although some prefer to use globalization to emphasize the erosion of the nation-state or national boundaries. This is the direct impact of the *interdependency* in many ways and many areas of life; therefore, the extra-State factors have a direct influence on the inner-State conditions.

States are not isolated entities: they are a part of a community and related to each other in many ways: economically (export-import), politically (alliances and the friendly-hostile relationship has a direct impact on their economic situation, for example), environmentally (effect of industrial activities does not respect state borders, rivers, air and the same soil we live on connects a continent, and continents are connected by the oceans and the air above), etc., so the activity of one State necessary affect and influence the others.

The world increasingly shares problems and challenges that do not obey nation-state borders, most notably pollution of the natural environment, poverty, and disease and to respond to them,

the legal order shall also be adapted to it. Globalisation is dominated by the nation-state, national economies, and national cultural identities; however, it opens the sphere for other actors and that leads to changes in legal perceptions. Other actors also wish to take part in the formulation of the common aims and goals so as the tools to achieve them, therefore they wish to take part in the power that creates them. However, these changes simply do not fit into our well-established classical legal order and administrative law conception.

4.2. Global governance as a concept of a new world order

New forms of diplomacy have been formulating to meet changing needs, and this evolution of the diplomatic process needs to be examined. Global society is still primarily made up of nation-States, each with its own culture, a form of government, national priorities, and a fierce desire to act independently.

Globalisation does not mean the existence of a supranational global government. ***Global governance*** is the sum of individuals and institutions, public and private to manage their common affairs at the supra-State level. It is a continuing process through which conflicting or diverse interests may be accommodated and cooperative action may be taken. It includes formal and informal arrangements that people and institutions have agreed to or perceive to be in their interest. In this sphere, State is only one among the many other actors.

In the point of view of international organisations and a common set of aims and purposes, *global governance* is *governing, without sovereign authority, relationships that transcend national frontiers. Global governance is doing internationally what governments do at home*. [Finkelstein (1995) p. 369.] In this sense, every international cooperation can be categorised as global governance.

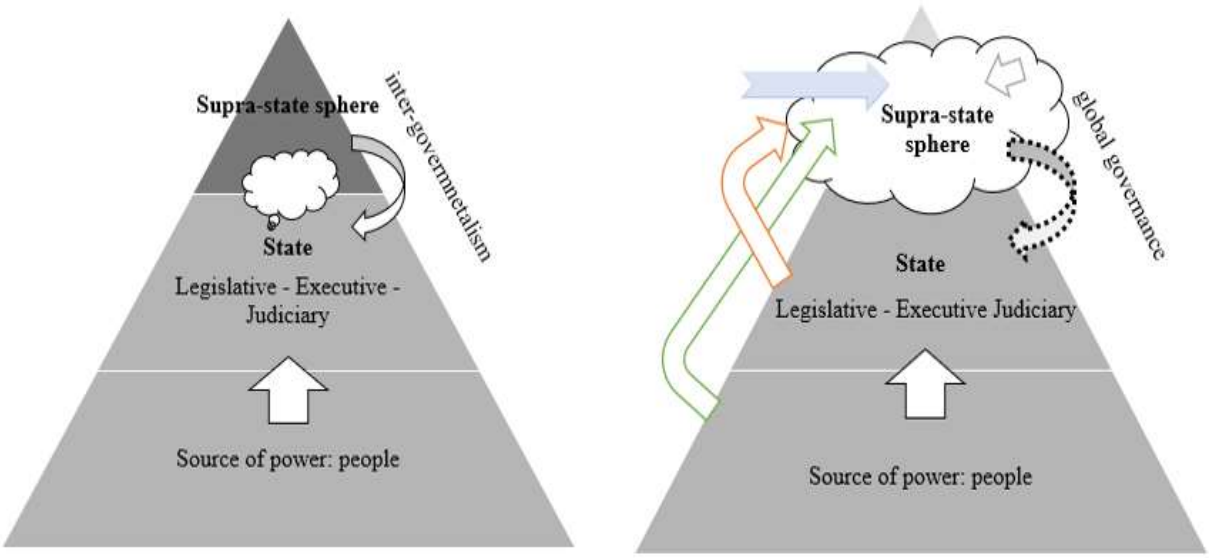
> *These organizations are normally given international functions to perform and, in carrying out their responsibilities, they engage in international relations and practice diplomacy as international actors. The organizations themselves use diplomacy in dealing with states and with other organizations in carrying out their mandates. Civil society mostly in the form of NGOs must also be considered as they play an increasing role in global affairs. Their political power is not comparable to what nation-States or international (inter-governmental) organizations can do, but their significance in global politics is increasing, they maintain transnational networks, insist on being heard in diplomatic gatherings, mobilizing public opinion, and affecting the course of international events. Many NGOs are officially accredited by a large number of international organizations. They even participate in the decision-making process of several institutions, such as the World Bank and the Joint United Nations Program on HIV/AIDS (UNAIDS). Besides, some non-sovereign territories are now occasionally invited to participate in international conferences. And some revolutionary movements are heard in international gatherings. Even when distrusted or seen as illegitimate, some of their representatives participate in the diplomatic process, as was the case with the Palestine Liberation Organization. International practices have become highly diversified; what was once unthinkable is now part of mainstream diplomacy.* [Leguey-Feilleux (2015) p. 2-3.]

The concept of global governance exceeds the classical scenario which is based on the Westphalian model as recognizes other actors than States at the international level which also take part in the formulation of the commonly accepted solution for a common problem. In many cases, State participation is completely missing, and the competent non-State forum establishes a best- practice-based standard. In a legal sense, this solution is ***soft law***. Despite its orthodox birth compared to the classical international law acts, its significance and efficiency in practice have been justified.

The term soft law is used to denote agreements, principles, and declarations that are not legally binding mostly because it was not issued by actors that are empowered to create legal obligations. Hard law refers generally to legal obligations that are binding on the parties involved and which can be legally enforced before a court. Hard law is created by the legislator and by those who are empowered to create regulations for example. They are sources of rights and obligations that can be enforced, and the disrespect of their content is subject to punishment. This is because their creator is empowered (usually in constitutional norms) to rule the social relationships. Soft law is, in contrast, a term to use for those legal instruments which may be useful as guidance for interpretation for hard law but they are not able to create directly right and obligations, therefore, their enforcement is not ensured, they cannot be successfully invoked before courts. In domestic law, it is always the highest norm in force that declares what is hard law in a State (usually acts and regulations, decrees) and what is soft law (everything that is not hard law but issued to give a guidance legal application. In international law, the treaties and customary international law are generally accepted as hard law, while decisions of international organisations are usually soft law, their legal force depends on the competency of the international organisation in question and the willingness of the state parties.

Globalization and the rise of global governance are transforming the structure of international law as it does not fit easily into the structures of classical, inter-state, consent-based models of international law; too much of it operates outside the traditional ***binding forms of law***. All governmental functions are not shifted to the international sphere and neither legislative nor judiciary power shifts either, however, the result sometimes shows a controversial image due to their usefulness and/or interdependency pressure.

Compare the classical and the global governance international relations with the help of the following image!



4. Difference between classical international cooperation and global governance (author)

4.3. Global administration and global administrative law

With the expansion of global governance, many administrative and regulatory functions are now performed in a global rather than national context, yet through a great number of different forms, ranging from binding decisions of international organizations to non-binding agreements in intergovernmental networks and domestic administrative action in the context of global

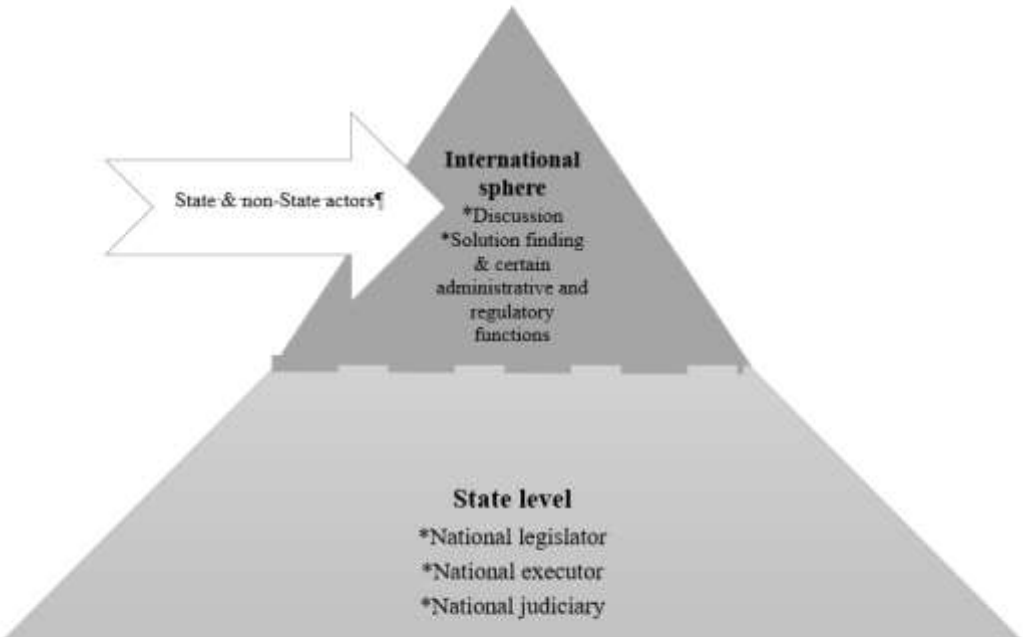
regimes. Central pillars of the international legal order are seen from a classical perspective as increasingly challenged: the distinction between domestic and international law becomes more precarious, soft forms of rulemaking are ever more widespread, the sovereign equality of states is gradually undermined, and the basis of legitimacy of international law is increasingly in doubt.

Global governance and **global administration** are not synonyms. Much global governance can be understood as administration, and that such administration is often organized and shaped by principles of an administrative law character. Many administrative and regulatory functions are now performed in a global rather than national context through a great number of different forms, ranging from binding decisions of international organizations to non-binding agreements in intergovernmental networks and domestic administrative action in the context of global regimes. The concept of global governance does not make a difference between authoritative acts and non-authoritative ones; however, this distinction is crucial for the constitutive and limiting functions of public law. Authoritative acts shall be constituted and limited by public law, and the limiting function of public law depends on identifiable actors on whom to impose limitations. Global governance, therefore, is not enough to describe this kind of public law framework. [Bogdandy, Dann and Goldmann (2010) p. 10.]

The title ***global administrative law*** is challenging to find legal expression for the phenomenon. The phenomenon it describes is not only global, not only administrative, and not only law. [Cassese (2015) p. 466]

- it is *not only global*, because it includes many supranational regional or local agreements and authorities;
- it is *not only administrative* because it includes many private and constitutional law elements (although the administrative component prevails, because constitutions and private regulation, involving "high politics" matters or societal interests, resist globalization)
- it is *not only law*, because it also includes many types of "soft law" and standards.

Global administrative law covers the normative background to the structures, procedures and normative standards for regulatory decision-making including transparency, participation, and review, and the rule-governed mechanisms for implementing these standards, that apply to



5. Actors and competencies in global administrative space (author)

formal intergovernmental regulatory bodies; to informal intergovernmental regulatory networks; to regulatory decisions of national governments where these are part of or constrained by an international intergovernmental regime; and to hybrid public-private or private transnational bodies.

LITERATURE

- Jean-Robert LEGUEY-FEILLEUX: *Global Governance Diplomacy. The Critical Role of Diplomacy in Addressing Global Problems*. Rowman & Littlefield, London, 2017.
- Chittharanjan Felix AMERASINGHE: *Principles of the Institutional Law of International Organizations*. Cambridge University Press, Cambridge, 2005.
- Sabino CASSESE: Global administrative law: The state of the art. *International Journal of Constitutional Law*, Vol. 13. No. 2. 2015. p. 465-468.
- Nico KRISCH and Benedict KINGSBURY: Introduction: Global Governance and Global Administrative Law in the International Legal Order. *The European Journal of International Law*, Vol. 17. No.1. 2006. p. 1-13.
- Lawrence S. FINKELSTEIN: What is Global Governance? Global Governance, Vol. 1. No. 3. 1995. pp. 367-372.
- Armin VON BOGDANDY - Philipp DANN - Matthias GOLDMANN: Developing the Publicness of Public International Law: Towards a Legal Framework for Global Governance Activities. In: Armin von Bogdandy, Rüdiger Wolfrum, Jochen von Bernstorff, Philipp Dann Matthias Goldmann (eds.): *The Exercise of Public Authority by International Institutions. Advancing International Institutional Law*. Springer, Heidelberg, 2010.
- Rudolf BERNHARDT (ed.) Encyclopedia of Public International Law. vol. 5. International Organizations in General Universal International Organizations and Cooperation, Elsevier, 2014, the following titles:
    - Rüdiger Wolfrum: International Administrative Unions.
    - Eckart Klein: United Nations, Specialised Agencies.

SIGNIFICANT DEFINITIONS

Diplomacy	a method of interaction between States or other international actors
Global administration	administration of global affairs in a multi-level structure of State and non-State actors
Global administrative law	normative background of global administration: refers to the structures, procedures and normative standards for regulatory decision-making including transparency, participation, and review, and the rule-governed mechanisms for implementing these standards, that apply to formal intergovernmental regulatory bodies; to informal intergovernmental regulatory networks; to regulatory decisions of national governments where these are part of or constrained by an international intergovernmental regime; and to hybrid public-private or private transnational bodies.
Global governance	the sum of the many ways how individuals and institutions, public and private, manage their common affairs
Globalisation	a term used to describe the changes in societies and the world economy that are the result of dramatically increased cross-border trade, investment, and cultural exchange along with, of course, the negative impacts of the positive changes
International organisation	structured forms of idea-exchange between more than two participants upon a formal agreement and often with formal common bodies to establish together a commonly accepted sum of interests in the form of decision or a convention/agreement to which States can join by signature
Non-governmental international organisation (NGO)	the organisation of non-State actors
Soft law	agreements, principles, and declarations that are not legally binding mostly because it was not issued by actors that are empowered to create legal obligations.
Supranational (international) organisation	an organization with supra-State authority, i.e. lifting of certain State powers to a supranational sphere where the supra-State level can practice it without State-dependency.

EXERCISES TO TEST YOUR KNOWLEDGE

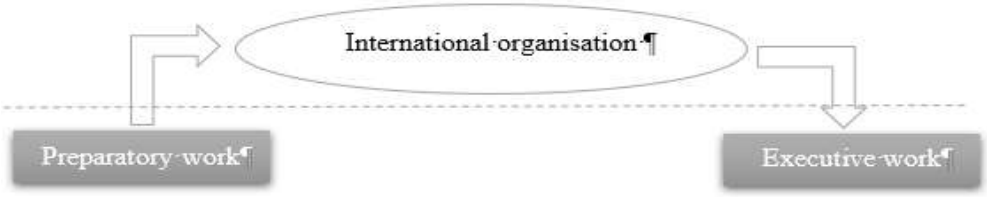
1. Try to match the characteristic features and the type of international organisation!

Inter-governmental	Non-governmental	Supra-national

Characteristic features:

a) bodies and organs are created to help the common work
b) State participants
c) State and non-state participants
d) non-state participants
e) sub-state level actors may participate as members/observers/
f) can create soft law
g) can create only soft law
h) can create hard law and oblige States even if they voted against a decision
i) unanimous decision-making procedure
j) majority voting
k) governed by international law
l) based on sovereignty (power) transfer from States which enables the decision-making body to act independently from States
m) possibility of having legal personality
n) Greenpeace
o) United Nations Organisation
p) European Union

2. Bring examples of how the preparation and execution take place in the case of an international organisation!



TEST OF MULTIPLE CHOICES/QUIZ

1. Globalisation
a) brings transboundary solutions for transboundary problems within the existing legal order.
b) requires transboundary solutions for transboundary problems within a new legal order.
c) is the reason and the result of transboundary solutions for transboundary problems that challenge the existing world order.
d) is the reason and the result of transboundary solutions for transboundary problems that require a new legal order instead of the previous one.

2. Globalisation
a) is a legal phenomenon.
b) is a social phenomenon.
c) economic phenomenon.
d) is a complex and multifaceted phenomenon that has, inter alia, economic, social, cultural, economic, and legal implications and effects.

3. International organisations
a) are the creatures of the 20th century.
b) exists since Roman times.
c) ' history dates back to the 19th century.

4. International organisations
a) are synonyms of inter-governmental organisations.
b) covers all type of organisations in the international community.
c) are synonyms of non-governmental organisations.

5. Non-governmental international organisations
a) may establish an obligation on its Member States in the form of soft law.
b) lack the legitimate power to establish an obligation on States.
c) cannot establish an obligation on its members.

6. International organisations
a) are autonomous entities as legal persons.
b) can possess legal personality if they are empowered with this capacity.
c) are not legal persons.

7. Non-state actors are not entitled to appear on a global stage and participate as part of the international community.
a) True.
b) False.

8. International organisations are not able to be a member of another international organisation.
a) True.
b) False.

9. Administrative law
a) cannot be interpreted in an international context.

b) cannot be interpreted in an international context the same way and under the same conditions as in internal context.
c) can be interpreted in international context the same way and under the same conditions as in internal context.

10. Global administrative law
a) covers the normative background of international organisations.
b) covers the normative background of external acts of administration.
c) covers the normative background of administrative issues in connection with globalised structures.