AN APPRAISAL OF INTERNATIONAL ORGANIZATIONS’ ROLES IN THE SETTLEMENT OF DISPUTES AMONG MEMBER STATES

A CASE STUDY OF ECOWAS AND UNO

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ABSTRACT

This study presents the general roles of International organizations (ECOWAS and UNO) in issues that relates with the relationship among their member states; focusing particularly on how disputes are being managed among them. Regardless of the sovereignty most of the nations of the world acquire today, some parts of their rights are still expected to be submitted to international laws to which they are subject. States are expected to submit certain rights and privileges to the organizations they belong to; but these submissions are subject to their agreement to the laws creating the organizations. It is important to explore the jurisdictions of the international bodies and the extent to which the jurisdiction may go on their member states; i.e, the limitations of their jurisdictions. Few international decided cases will also be presented to further reveal how disputes are being managed internationally be those bodies.

The reasons for the establishment of these Organizations, their respective histories as well as their present stands will be treated. Furthermore, this work will cover the basic mechanisms these organizations employ, the deficiencies of the mechanisms and the solutions to those deficiencies.

This study adopted qualitative research methodology, using historical approach in discussing the roles of these international organizations in dispute settlements since more than hundreds of years back.

The findings of this study, through the outcomes of the treated decided cases and some other factors however suggest that the international organizations have been a source of world peace and their decisions have been serving as techniques for resolving disputes among member states, even though the disputes are not usually resolved with the use of sanction. It was also found out that the effects and validity of these decisions rests on the voluntary acceptance by the states concerned.

CHAPTER ONE

INTRODUCTION

From time immemorial, the roles of International Organizations in the settlement of disputes among member states cannot be overlooked. Organizations like the Economic Community of West African States (ECOWAS) and the United Nations Organizations (UNO) were established in the 20th century to allow for the effective regulation of the relationships among several states. These Organizations are often established by treaties, written agreements between states or sovereign nations. Nevertheless, it is of great importance to understand the extents to which the jurisdictions of the respective organizations can be effective on their member states. This is because, in law, no organization or body whatsoever can exercise any legal right on another except if a jurisdiction has been established. The UNO, ECOWAS and other international organizations must have had this legal status of “jurisdiction” before they can resolve disputes among member states. What is more, acquiring jurisdiction is not enough to perform this functions, it is also subject to the acceptance of compulsory jurisdiction by states concerned. What this simply entails is that, the authorities of the organizations will only be effective in disputes resolution where all parties to the dispute have accepted the jurisdiction.

The role of international organizations is to resolve disputes among member states by a branch empowered to do so, mediating political bargaining, and so on.