

Supplemental Appendix to
Legislative Process in International Organizations

1 Defining an International Assembly

When can an international organization or institution be considered an international assembly? We propose that IOs should be considered international assemblies—which are akin in many ways to legislatures—if they meet the following four criteria.¹ First, international assemblies purport to create output, as opposed to serving adjudicatory or advisory purposes. Second, international assemblies have rules to arbitrate disagreement over outputs (e.g., unanimity, majority rule, veto). Third, in contrast to organizations that exist for an ephemeral or ad hoc purpose, international assemblies are created to exist into perpetuity. Fourth, international assemblies include nation-states as their members.² Our criteria reveal similarities between domestic legislatures and international assemblies. Domestic legislatures are alternatives to the violent renegotiation of policy within a country—institutions created to prevent conflict by establishing methods by which to determine policy. As long as legislative policy output is better than the risk and payoff of conflict (e.g., civil war), legislatures persist. International assemblies function with a similar purpose. Consider the United Nations, a post-war set of rules designed to produce “policy” and prevent conflict *between* countries; as long as its policy is better than the risk and payoff of interstate war, the UN persists. We do not wish to overstate the similarities between domestic legislatures and international assemblies, but instead make the case that they are more similar than they have to date been treated in the literature.³

¹Because the majority of the US and comparative literature on legislative procedure takes the existence of a legislature as given, we were unable to find an extant definition. For example, Gandhi (2008) defines a legislature as “a body with formal, but solely, legislative powers.” Talmon (2005) argues the UN Security Council (UNSC) transitioned to a world legislature in 2001 as it moved from issuing reactive resolutions about particular countries, groups, and situations to issuing more proactive and preemptive resolutions addressing more general situations. Although we find this definition compelling in the context of the UNSC, we find it difficult to generalize to a broader cross-section of IOs.

²This is similar to the criterion used by Karns (2016) to distinguish assemblies from parliaments. See also Høyland (N.d.). Some international organizations also include members that are not nation-states (e.g., the IMF).

³One potential criticism that may be levied against the drawing of parallels between international assemblies and domestic legislatures is that enforcement is more pervasive in the domestic context. Although enforcement is not one of our criterion for defining an international assemblies, international assemblies and domestic legislatures are also similar in terms of their (lack of) ability to enforce policy outputs. Fines are to domestic enforcement as penalties or sanctions are to international enforcement; police action is to domestic enforcement as military action is to international enforcement. Another potential criticism relates to the fact that states are thought to have many venues (including unilateral action) for enacting their policies in the international system, while no such “outside option” exists in the domestic realm. Although this critique implies that domestic groups have no out-

In Table 1, we provide a list of seventeen prominent international organizations and institutions and evaluate them on the extent to which they each can be considered an international assemblies according to the the four criteria described above. We make no claim that this is a complete list of all international organizations,⁴ nor do we argue that any of these IOs should be considered a quintessential international assembly on its face. Our intention is simply to evaluate the extent to which a number of well-known international organizations can be considered international assemblies based on an examination of each organization’s founding documentation.⁵

Figure 1: International Organizations as International Legislatures

Abbreviation	Name	Output	Rules	Perpetuity	Members
UNGA	United Nations General Assembly	✓	✓	✓	✓
UNSC	United Nations Security Council	✓	✓	✓	✓
UNESCO	United Nations Educational, Scientific and Cultural Organization	✓	✓	✓	✓
IMF	International Monetary Fund	✓	✓	✓	✓*
IBRD	International Bank for Reconstruction and Development (World Bank Group)	✓	✓	✓	✓
IFC	International Finance Corporation (World Bank Group)	✓	✓	✓	✓
WTO	North-Atlantic Treaty Organization	✓	✓	✓	✓
OPEC	Organization of the Petroleum Exporting Countries	✓	✓	✓	✓
NATO	World Trade Organization	✓	✓	✓	✓
LAS	League of Arab States	✓	✓	✓	✓
ASEAN	Association of Southeast Asian Nations	✓	.	.	✓
OAS	Organization of American States	✓	.	.	✓
ICAO	International Civil Aviation Organization	✓	.	.	✓
ISO	International Organization for Standardization	✓	✓	✓	✓*

Notes:

1. The IOs listed in Figure 1 do not constitute the universe of possible IOs.
2. For items denoted with a ".", we were unable to locate the relevant information in originating documents.
3. Members -- ✓*: IO includes members that are not nation-states.

Based exclusively on their founding documentation, eleven of the fourteen organizations

side options when they fail at seeing their preferred policies legislated, there are other venues (e.g., state and local governments, rules for a private establishment) where people might get polices enacted by bypassing the national legislature.

⁴The IOs listed in Table 1 are generally representative of international organizations discussed in preeminent introductory textbooks (e.g., Hurd 2014, Pease 2012).

⁵Other documentation for these organizations may well include information on these dimensions. We consulted only founding documentation for each IO may include information that is listed as “missing” in Table 1. We chose to consult only the founding documentation of each IO for two reasons: (1) to generate a conservative estimate of the number of IOs that are international legislatures, and (2) to avoid overestimating the extent to which studying legislative process might be useful to IO scholars. A complete list of each IO’s founding documentation will be made available on the authors’ websites upon publication.

included in Table 1 meet all four of the aforementioned criteria to be considered an international legislature. Turning to our second and third criteria—the extent to which the remaining IOs have rules to arbitrate disagreement over outputs and are created to exist in perpetuity—all but three international assemblies in Table 1 make the cut.⁶ With regard to our final criterion, all of the IOs listed in Table 1 include nation-states as members.

2 Codebook

In this section, we describe the coding rules used for Table 1 in the letter and Table 1 in the Appendix.

2.1 Table 1 (Letter)

- *Committees*: 1 if committees are all committees of the whole; 2 if committees are made up of a subset of the whole; 0 if no committees are used in the organization.
- *Recorded Votes*: 1 if there are some votes are recorded; 2 if all votes are recorded, 0 if no votes are recorded.⁷
- *Voting Rule*: 0 if there is a majority vote; 1 if 2/3 rule, 2 if unanimous rule, 3 if is another voting rule.
- *Agenda Control*: Agenda Control coded 0 if a leadership group has complete control, 1 if members can completely freely propose items, 2 if some coalition of members is required to propose items, 3 if something else.

⁶The originating documents for the Association of Southeast Asian Nations (ASEAN), the Organization of American States (OAS), and the International Civil Aviation Organization (ICAO) make no mention of rules to arbitrate disagreement or indicate that these organizations were created in to exist into perpetuity. Although we do not consider these IOs to be international assemblies based on their founding documentation, it is possible that other documentation—or institutional norms—may cause other scholars to classify them as international assemblies.

⁷We only consider a vote recorded if it is made public.

- *Amendments*: 1 if members can amend a proposal being considered in a meeting of the whole body; 0 otherwise.
- *Scheduling Proposals*: 1 if members can schedule a proposal on the floor; 2 if only leadership can schedule a proposal on the floor; 3 if group of members need to schedule proposals.
- *Debate Limits*: 1 if rules allow for debate limits; 0 if there are no rules that allow for debate limits.

2.2 Table 1 (Appendix)

- *Output*: 1 if the organization purports to create output; 0 otherwise.
- *Rules*: 1 if the organization has rules that help to arbitrate disagreement within the whole body; 0 otherwise.
- *Perpetuity*: 1 if organization serves some enduring purpose which allows it to exist into perpetuity; 0 otherwise.
- *Nation States*: 1 if the organization has nation-states and other (governmental or non-governmental) actors as members; 2 if membership only includes nation states; 0 otherwise.

3 Founding Documentation

In this section, we list the founding documentation for each international assembly used to code the procedures discussed in our letter and this appendix.

- UNGA
 - UNGA Rules of Procedure

- UNSC
 - Provisional Rules of Procedure of the Security Council
 - UN Charter
 - UNSC Working Methods

- UNESCO
 - Constitution of the United Nations Educational, Scientific and Cultural Organization
 - Rules of Procedure of the General Conference

- IMF
 - IMF Articles of Agreement
 - IMF Bylaws

- IBRD
 - IBRD Articles of Agreement
 - IBRD Bylaws
 - IBRD Rules of Procedure for meetings of the Executive Directors

- IFC
 - IFC Articles of Agreement
 - IFC Bylaws

- WTO
 - Agreement Establishing the World Trade Organization

- OPEC

- OPEC Statute
- NATO
 - The North Atlantic Treaty
- LAS
 - Pact of the League of Arab States
 - Internal Regulations of the Committees of the League of Arab States
 - Internal Regulations of the Council of the League of Arab States
 - Internal Regulations of the Secretary-General of the League of Arab States
- ASEAN
 - ASEAN Charter
- OAS
 - Rules of Procedure of the General Assembly of the Organization of American States
- ICAO
 - Convention on International Civil Aviation - 9th edition
 - Standing Rules of Procedure of the Assembly of the International Civil Aviation Organization
- ISO
 - ISO Statutes

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