

The Status of Non-governmental Organizations in International Law

Abstract

Non-governmental Organizations and particularly International Non-governmental Organizations are important players in international relations as well as other stakeholders like States, International Governmental Organizations and Multinational Corporations. Each of these actors has a unique role in international relations, with different impacts into the international law.

This thesis has mapped international NGOs in detail, from the beginning of their origin to the present. NGOs were divided and classified according to several selected criteria and finally, the definition of NGOs was made. In the next part of the work, has been identified a group of non-governmental organizations *sui generis*. Although they are non-governmental organizations, enjoy international legal subjectivity.

This thesis dealt with elements of the sociological method, so it dealt much more with the facts why the document was created in such a form and how it is actually fulfilled, rather than what is the content of the document itself and how it should be interpreted. With regard to the chosen method, causal cases are placed in historical contexts.

The second part of the work dealt mainly with sports organizations, which were the initial impulse to write this thesis. The thesis not only analyzed in detail how selected NGOs work, but which international implications had their actions. The last chapter was focused on the comparative analysis of seemingly disparate entities. The conclusion of the comparative analysis was, that it does not matter, in principle, on the type of entity (whether it is an (I)NGO or a multinational corporation), because each entity can commit violations of regulations, especially human rights, even if only under national law.

The development of international non-governmental organizations in terms of their number and their legal status was identified, on the basis of selected methodological procedures. NGOs cooperation with selected intergovernmental organizations has been evaluated as well. The legitimacy of non-governmental organizations was not left out either.

The author considers the main benefit of this work in filling the gap, when for the international relations is the (international) legal subjectivity of international NGOs to much legal issue. On the other side, legal theorists do not consider international legal subjectivity

of international non-governmental organizations as the subject of closer examination, due to the fact, that they are not bearers of international legal subjectivity. Foreign literature is more significantly developed in this area, where the quality of works of J. Klabbers and A. K. Lindblom meets the highest standards of scientific work in this area. In Czech literature, Š. Waisová and M. Romancov deal with this topic at least marginally. However, the view of these authors is different due to their background in the political science and philosophy. This thesis is more focused on the legal perspective of Non-governmental Organizations.

Key words: [International Non-governmental Organizations, INGO, international legal subjectivity]

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