

Summary

*Legal Control of Organs of the International Community:
International Organizations and Contractual Obligations*

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This article discusses the law applicable in the context of contractual relationships of International Organizations (“IOs”), which has to be determined with regard to the principle of equality between all actors in the area of private law on one hand and the special status and needs of IOs on the other. With regard to this interest analysis, the text addresses jurisdictional immunity, the concept of “non-national” arbitration and the law applicable to the legal capacity of IOs, to questions of representation and to their contractual obligations.

As to the law applicable to contractual obligation, the article, *inter alia*, elaborates on the relevance of international law as a possible contract law regime. In this respect, the text agrees that it is possible to derive contract law rules from public international law but underlines that these rules are applicable only if the parties themselves have chosen them as applicable law or if otherwise the IO could not adequately achieve its purposes. The concept of so-called “mini-legal systems” established by the contract law practice of IOs is to be rejected. Unless, for the reasons stated in this paragraph, international public law applies, the applicable contract law is to be determined by regular choice-of-law rules.