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Reg. No. : .....

Name : .....

Tenth Semester B.A. LL.B./B.Com. LL.B./B.B.A. LL.B. (Five Year Integrated) Degree Examination, April 2020

PAPER III : PUBLIC INTERNATIONAL LAW

Time : 3 Hours Max. Marks : 80

PART I

Explain any **five** of the following. Each question carries **2** marks. Answers should not exceed **50** words each.

1. '*Opinio juris sive necessitatis*'.
2. "*Piracy Jure Gentium*".
3. International Servitudes.
4. Rule of Double Criminality.
5. Territorial Sea.
6. International Labour Organization.
7. First Generation of Human Rights.

(5 × 2 = 10 Marks)

PART II

Explain any **four** of the following. Each question carries **4** marks. Answers should not exceed **120** words each.

1. Modes of acquiring State territory.
2. "*De-jure*" recognition of a State.

P.T.O.

3. Principles of criminal jurisdiction under international law.

4. "Freedoms of the air".

5. Immunities of International Organizations.

(4 × 4 = 16 Marks)

PART III

Answer any **four** of the following. Each question carries **6** marks.

1. A ship left the port of Cochin without paying the port dues. The Coast Guards followed the ship in the open sea where it was arrested. Is the arrest valid?

2. One Mr. 'X' was charged with murdering a member of the State Council of a particular canton of Switzerland. Political dissatisfaction was prevailing there for some time. An armed crowd including 'X' was responsible for the murder. 'X' fled to England. The Swiss government requested for the extradition of 'X'. Decide.

3. General Tinoco, a military dictator, overthrew the government of Costa Rica, assumed power, called an election, and established a new constitution crushing all opposition. Five years later, he resigned and went to Europe on account of poor health. His government fell a month later and the newly formed government passed a law nullifying many of the obligations assumed by the Tinoco regime towards foreigners including British nationals on the ground that the government was unconstitutional. Britain brought a claim against the new government on account of alleged mistreatment of its nationals. Decide whether the new government is bound by the obligations undertaken by the Tinoco government towards British nationals and other foreigners.

4. State 'A' and State 'B' have a legal dispute concerning the border between the two countries. At one point the situation escalates and State 'B' threatens to enforce its rights through bombing parts of State 'A'. As a response, State 'A' decides to bomb military strategic targets in State 'B'. Discuss the attack of State 'A' on State 'B' in the light of public international law.

5. 'A', a foreign sovereign, under a false name and without disclosing his identity enters into a contract of marriage in England with a lady 'B'. Later he commits a breach of that contract and 'B' sues 'A'. 'A' pleads that he is a foreign sovereign and is entitled to immunity. Decide.

(4 × 6 = 24 Marks)

PART IV

Answer any **three** of the following. Each question carries **10** marks.

1. Critically analyze the view that "International Law is not true law", with special reference to the Naturalists' and the Positivists' approach.

2. What is Asylum? How is it different from extradition? Explain the different kinds of asylum.

3. What is TRIPS? Why was TRIPS included in WTO? Explain the interrelation between TRIPS, WTO and WIPO.

4. What is "corruption"? What are the causes and effects of corruption? Do you think that corruption should be conceptualized as a human rights violation?

(3 × 10 = 30 Marks)