(Pages : 3) **N – 1840**

Reg. No. : .....

Name : .....

Tenth Semester B.A.,LL.B/B.B.A.LL.B/B.Com.LL.B. (5 YEAR INTEGRATED) Degree Examination, April 2022.

Paper III – PUBLIC INTERNATIONAL LAW

Time : 3 Hours Max. Marks : 80

PART – I

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

   (a) *Jus cogens norm*

   (b) Doctrine of hot pursuit

   (c) *Holy See*

   (d) The Exclusive Economic Zone (EEZ)

   (e) Invalidity of Treaty

   (f) Power of Veto

   (g) The International Bill of Human Rights

(5 × 2 = 10 Marks)

PART – II

2. Write explanatory notes on **any four** *of* the following. Each question carries **4** marks Answers should not exceed **120** *words* each.

   (a) Status of individuals in International Law.

   (b) Modes of acquiring State territory.

   (c) The Law of Outer Space.

P.T.O.

(d) International Law Commission.

(e) United Nations Security Council.

(4 × 4 = 16 Marks)

PART – III

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

(a) State 'A' and State 'B' are two neighboring States. At some point, armed troops of State 'A' are placed at the common border. As a result, State B' fires five missiles onto the territory of State 'A' and justifies its acts on the basis of self-defence due to the placement of the troops. However, State 'A' contests the invocation of the right to self-defense by State 'B' on the ground that no armed attack took place. Decide focusing on the legality of the doctrine of use of force.

(b) A Chinese ship lost oil in the area known as the Great Barrier Reef. The Great Barrier Reef, a marine park, is situated in the territorial sea of Australia. Australia wants to prohibit ships carrying potentially polluting substances such as oil from passing through its marine park. Is Australia allowed to take these measures according to the United Nations Convention on the Law of the Sea? Decide.

(c) 'X', the Ambassador in India of a foreign State, has taken a private house on Lease for residential purposes. On his failure to pay rent, the landlord wants to file a suit to recover the rent as well as possession of the house. Advise the landlord.

(d) Not being party to the Nuclear Test Ban Treaty, State 'A' conducted nuclear tests in South Pacific. Two countries protested and started actions before the ICJ. Before they were heard, State 'A' stopped testing and unilaterally announced they would not hold any more tests. Examine whether the Declaration made by way of unilateral act is binding on State 'A'.

(e) State 'K', a UN member State and a State party to the International Covenant on Civil and Political Rights (ICCPR), is accused by several human rights NGOs of breaching the prohibition of torture. The government of State 'K' denies the accusations and states that State 'K' is presently at war with a neighbouring State and has proclaimed a state of emergency and accordingly it is temporarily not obliged to uphold the prohibition of torture. Examine the legal validity of the Government's argument.

(4 × 6 = 24 Marks)

PART – IV

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

(a) Discuss the various theories regarding the relationship between International Law and Municipal Law. In case of a conflict between a rule of International Law and Municipal law, which law would the Indian courts apply? Explain in detail.

(b) Explain the criteria for Statehood under International Law. What are the different kinds of States? To what extent 'recognition' by other States is important? Explain the theories of recognition.

(c) What is Asylum? How is it different from extradition? Explain the different kinds of asylum.

(d) "Corruption is considered to be the worst socio-economic crime and the greatest impediment on the way towards progress for a developing country like India". Comment on the statement explaining the causes and effects of corruption. Do you think that corruption amounts to human rights violation?

(3 × 10 = 30 Marks)