

10. State and explain essential elements of a state within the meaning of International law. Discuss International position of Bhutan and Vatican City.
11. How diplomatic mission is terminated ? Can a state refuse to accept diplomatic agent ? If yes, state the grounds.

NTK/KW/15/7265

**Seventh Semester B.A. LL.B. (Five Years Course)  
(C.B.S.) Examination**

**Course Code—7.5**

**PUBLIC INTERNATIONAL LAW**

**Compulsory Paper—V**

Time—Three Hours] [Maximum Marks—80

**N.B. :—** (1) Section A consists of **10** marks, Section B consists of **30** marks and Section C consists of **40** marks. Attempt all Sections.

- (2) The number of questions to be answered and marks for each question for Section 'A' and Section 'B' are as indicated in each section.
- (3) Answer any **FIVE** questions from Section 'C'. Each question carries **8** marks.

**SECTION—A**

**(Multiple Choice Questions)**

1. Answer any *ten* by choosing correct alternatives :  
1×10=10
  - (i) Law of Nations or International Law is also popularly known as :
    - (a) Droit des gens
    - (b) Volkerrecht
    - (c) Law of Western States
    - (d) (a) and (b) only

(ii) According to Vyshinsky, following is the characteristic of International Law :

- (a) It expresses the will of the ruling class
- (b) Aggregate of norms adjusting social relations
- (c) Guaranteed by enforcement measures
- (d) All the above

(iii) According to \_\_\_\_\_ of statute of International Court of Justice its decisions are binding upon the parties to a dispute and in respect of that dispute :

- (a) Art. 59
- (b) Art. 94
- (c) Art. 47
- (d) Art. 36

(iv) The main function of Security Council is to :

- (a) Maintain or restore international peace and security
- (b) To make laws
- (c) To take-up international disputes
- (d) All the above

3. Attempt any **three** of the following. Each question carries **5** marks : 3×5=15

- (a) Immunities available to diplomatic agents
- (b) Security Council of United Nations
- (c) Equality of States
- (d) Continental Shelf.

### SECTION—C

5×8=40

#### (Long Answer Questions)

- 4. Explain in brief the sources of International Law as mentioned in Art. 38 of the Statute of International Court of Justice.
- 5. Discuss the theories explaining the basis of International Law.
- 6. 'Asylum ends, where extradition begins.' Explain this statement with reference to the principles of International Law in regard to fugitive criminals.
- 7. Define State Succession. Explain the kinds of succession.
- 8. Write a detailed note on evolution of the Law of the Sea.
- 9. Write down important features of Paris and Havana Conventions on Airspace.

(viii) The following is the theory which explains the relationship between International Law and Municipal Law :

- (a) Monism
- (b) Dualism
- (c) Transformation Theory
- (d) All the above

(ix) The Declaration of Paris, 1856 laid-down principles relating to :

- (a) Abolition of privateering
- (b) Non-capture of neutral goods except contraband of war under enemy flags
- (c) Blockades
- (d) All the above

(x) According to Oppenheim, following is the essential element of a state :

- (a) Population and government
- (b) Definite territory
- (c) Sovereignty
- (d) All the above

(xi) When two or more states exercise rights over a territory, it is called :

- (a) Vassal state
- (b) Confederation
- (c) Condominium
- (d) Protectorate state

(xii) \_\_\_\_\_ is a war of citizens against the state for the purposes of obtaining power in the whole or part.

- (a) Civil war
- (b) Belligerency
- (c) Insurgency
- (d) None of the above

(xiii) The main effect of recognition is :

- (a) The recognized state becomes entitled to sue in the courts of the recognizing state
- (b) The courts of the recognizing state given effect to the past as well as present legislation and executive acts of the recognized state
- (c) A recognized state is entitled to sovereign immunity for itself as well as its property in the courts of the recognizing state
- (d) All the above

- (xiv) Partial succession of a state takes place only when :
- (a) A part of the state is added to another state
  - (b) When one state is completely absorbed in another state either through subjugation or voluntary merger
  - (c) When a state breaks into several parts and each part becomes a separate international person or are annexed by surrounding international person
  - (d) (a) and (b) only
- (xv) To handover the criminal from one country to the jurisdiction of another country is called as :
- (a) Intervention
  - (b) Extradition
  - (c) Asylum
  - (d) Diplomacy

### SECTION—B

#### (Short Answer Questions)

2. Attempt any *three* of the following. Each question carries **5** marks :  $3 \times 5 = 15$
- (a) Subjects of International Law
  - (b) Extradition and Asylum
  - (c) International Labour Organization
  - (d) Five Freedoms of Air.

- (v) The United Nations Charter provides that the organisation is based on the principle of :
- (a) Equality of its members
  - (b) Sovereign equality of all its members
  - (c) Democracy
  - (d) All the above
- (vi) “Pacta Sunt Servanda” means :
- (a) States must respect the covenants
  - (b) Supreme fundamental norm or principle
  - (c) Practice of States
  - (d) None of the above
- (vii) 1958, Geneva Conventions on the Law of the Sea is a good example for :
- (a) International treaty which lay down general principles
  - (b) Law making treaty
  - (c) Treaty contracts
  - (d) All the above

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