

Seventh Semester B.A.LL.B. Five Years Course (C.B.S.) Examination**PUBLIC INTERNATIONAL LAW****Compulsory Paper—5**

Time : Three Hours]

[Maximum Marks : 80

N.B. :— (1) **ALL** sections are compulsory.(2) Section—A consists of **10** marks.Section—B consists of **30** marks.Section—C consists of **40** marks.

(3) Follow the instructions given in each section.

SECTION—A**N.B. :—** This section consists of **one** question having sub-questions carrying **1** mark each.1. Choose the correct alternative (any **ten**) :

(i) In the _____, Lord Coleridge, C.J., defined, “International Law or Law of Nations is that collection of usages which civilized States have agreed to observe in their dealings with one another.”

(a) Queen V. Keyn

(b) S.S. Lotus Case

(c) West Rand Central Gold Mining Ltd. Co. V. King

(d) RV. Keyn

(ii) According to _____, in the ultimate analysis a will of the States is the main source of international law.

(a) Bynkershoek

(b) Hegel

(c) Anzilotti

(d) Vattel

(iii) _____ does not find mention in Article 38 of the statute of ICJ but it has now become a well-recognized source of International Law.

(a) International conventions

(b) International customs

(c) General Principles of Law Recognized by civilized nations

(d) Decisions or determinations of the organs of international institutions

- (iv) _____ is any injury to another State committed by the Head or Government of the State in violation of a legal duty.
- (a) International Delinquency
 - (b) Breach of Treaty
 - (c) Expropriation of Foreign Property
 - (d) Acts of insurgents
- (v) Tibet is a _____ state of China.
- (a) Confederation
 - (b) Vassal State
 - (c) Condominium
 - (d) Federal State
- (vi) According to _____ theory recognition is merely a formal acknowledgement through which established facts are accepted.
- (a) Declaratory
 - (b) Constitutive
 - (c) Consent
 - (d) Positivism
- (vii) When one State is completely absorbed in another State either through subjugation or voluntary merger, it is known as _____ .
- (a) Universal Succession
 - (b) Partial Succession
 - (c) Recognition
 - (d) None of above
- (viii) Under international law, a State may acquire territory through _____ of the mode/modes.
- (a) Occupation
 - (b) Prescription
 - (c) Accretion
 - (d) All the above
- (ix) The concept of _____ was for the first time advocated by Kenya in the Asian African Legal Consultative Committee.
- (a) Exclusive Economic Zone
 - (b) Continental Shelf
 - (c) Archipelagic state
 - (d) Contiguous zone
- (x) In _____ the Permanent Court of Arbitration held that, once a person is extradited, even though it was done in irregular way, the country receiving the fugitive is not bound under international law to return the accused.
- (a) Savarkar's case
 - (b) Ram Babu Saxena V. State
 - (c) State of Madras V. C.G. Menon
 - (d) Sucha Singh's case

(xi) _____ are the representatives of their States but they are not deemed to be diplomatic agents.

- (a) Ambassadors (b) Legates
(c) Consuls (d) All the above

(xii) Following is/are the various modes by which a State may express its consent to be bound by a treaty :

- (a) By Signature (b) By Ratification
(c) By Accession (d) All the above

(xiii) The _____ is called the child of War.

- (a) League of Nations (b) United Nations Organisation
(c) Both (a) and (b) (d) Neither (a), nor (b)

(xiv) The Head Office of International Labour Organisation (ILO) is situated in _____ .

- (a) Geneva (b) New York
(c) Chicago (d) Hague

(xv) According to Article _____ of the statute of the International Court of Justice, the decisions of the Court shall not have a binding force except upon the parties to a dispute and only in respect of a particular dispute between them.

- (a) 59 (b) 49
(c) 56 (d) 38

1×10=10

SECTION—B

(Short Answer Questions)

N.B. :— Both the questions are compulsory. Each question carries **15** marks.

2. Answer the following (any **three**) :

- (a) What is the importance of International conventions as a source of International law ?
(b) Explain the concept of State territorial sovereignty.
(c) State the various modes of acquiring the Nationality.
(d) Is individual a subject of International Law ?

5×3=15

3. Write short notes (any **three**) :

- (a) Savarkar's Case.
(b) Territorial Sea.
(c) Advisory jurisdiction of ICJ.
(d) Kinds of State and non-State-entities.

5×3=15

SECTION—C

(Long Answer Questions)

N.B. :— Answer any **five** questions. Each questions carries **8** marks.

4. Explain the relationship between International law and Municipal law. Which law shall prevail in case of conflict between them ?
5. What is the concept of recognition ? Explain the theories of recognition. Which theory is more appropriate according to you ?
6. Explain the concept of 'Freedom of the High Seas'. What are the various rights and duties of State with regard to the High Seas ?
7. "Extradition and Asylum are the two sides of the same coin." The former begins when the latter comes to an end. Explain.
8. Explain the powers and functions of the General Assembly of the United Nations Organisation. Discuss its role as the principal organ of the United Nations for the maintenance of international place and security.
9. Discuss the various privileges and immunities available to diplomatic agents under international law.
10. Discuss the rights of State over the Air Space and explain the rules of international law regarding rights of different countries with respect to navigation in air space.
11. Explain the concept of international treaty and discuss various steps in the formation of treaty.

8×5=40