

Fourth Semester LL.B. Three Years Course (C.B.S.) Examination**PUBLIC INTERNATIONAL LAW****Compulsory Paper—4**

Time : Three Hours]

[Maximum Marks : 80

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

(2) Follow the instructions given in each section.

(3) Marks are indicated against each question.

SECTION—A

1. Choose the correct alternative (any **TEN**) :

(i) Which one of the following organs of the UN has power to initiate studies and make recommendations for the purpose of encouraging the progressive development of :

- | | |
|--------------------------|-------------------------------------|
| (a) The Security Council | (b) The Economic and Social Council |
| (c) The General Assembly | (d) The Secretariat |

(ii) The Judges of the International Court of Justice are elected by :

- | | |
|--------------------------|---------------------------|
| (a) The General Assembly | (b) The Security Council |
| (c) Both (a) and (b) | (d) The Secretary General |

(iii) Pacta Sunt servanda means :

- (a) Treaties have to be observed
- (b) Treaties are a source of International Law
- (c) Treaties are binding
- (d) Treaties have validity in International Law

(iv) Which one of the following UN organs can take enforcement action in case of a threat to the peace or breach of peace ?

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|----------------------|----------------------|
| (a) The Secretariat | (b) The ECOSOC |
| (c) General Assembly | (d) Security Council |

(v) Innocent Passage means :

- (a) Innocent passage concerns only with merchant vessels and not warships
- (b) Innocent passage concerns only with vessels of same nationality with the Coastal State
- (c) Passage is innocent so long as it is not prejudicial to the peace, good order or security of the Coastal State
- (d) All of the above

(vi) The principle of jus cogens means :

- (a) A peremptory norm of International Law
- (b) A State is bound by the provisions of a forced treaty
- (c) A successor State is bound by the acts of a predecessor State
- (d) All of the above

(vii) Extradition normally granted :

- | | |
|--------------------|-----------------------|
| (a) In all cases | (b) In criminal cases |
| (c) In civil cases | (d) None of the above |

(viii) One of the modes of acquiring State territory is :

- | | |
|------------------|-----------------------|
| (a) Jurisdiction | (b) Occupation |
| (c) Insurgency | (d) None of the above |

(ix) The father of International Law is :

- | | |
|------------------------|-------------------|
| (a) David Dudley Field | (b) Hugo Grotius |
| (c) Jeremy Bentham | (d) None of these |

(x) According to Article 3 of the 1982 Convention on the Law of the Sea the breadth of the territorial sea is :

- | | |
|--------------|-------------------|
| (a) 10 miles | (b) 12 miles |
| (c) 14 miles | (d) None of these |

(xi) Under Article 38(1) of the statute of the International Court of Justice, which one of the following is not considered a source of International Law :

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|------------------------------------|-------------------------------|
| (a) International Conventions | (b) International Custom |
| (c) International Humanitarian Law | (d) General Principles of Law |

(xii) The term of judges of International Court of Justice is :

- | | |
|-----------------|----------------|
| (a) Three years | (b) Five years |
| (c) Six years | (d) Nine years |

(xiii) Non-permanent members of the Security Council are elected for a period of :

- | | |
|-------------|-----------------------|
| (a) 7 years | (b) 3 years |
| (c) 2 years | (d) None of the above |

(xiv) A State is, and becomes, an international person by recognition only and exclusively :

- | | |
|------------|---------------|
| (a) Starke | (b) Hart |
| (c) Kelsen | (d) Oppenheim |

(xv) The principles and objectives of the UN were laid down at :

- | | |
|--|-------------------------------------|
| (a) New York Conference, 1944 | (b) Yalta Conference, 1945 |
| (c) The San Francisco Conference, 1945 | (d) Dumbarton Oaks Conference, 1944 |

1×10=10

SECTION—B

Note :— Both the questions in this section are compulsory.

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

- Explain right to Asylum.
- What do you understand by Continental Shelf ? Explain with examples.
- Discuss the nature and scope of International Law.
- What are the legal effects of Recognition ?

5×3=15

3. Write short notes on (any **THREE**) :

- (a) Extradition
- (b) Evolution of the United Nations
- (c) Advisory Opinion of International Court of Justice
- (d) Custom as a source of International Law.

5×3=15

SECTION—C

Note :— Answer the following any **FIVE**.

- 4. Explain the sources of International Law. What according to you is the most effective source of International Law in the present era ? Substantiate your answer with opt illustrations.
- 5. Explain the role of International Law in the peaceful use of outer space.
- 6. Discuss the important conventions relating to airspace.
- 7. What do you understand by “subjects of International Law” ? Justify place of individuals as subject of International Law by giving appropriate examples.
- 8. What is State territory ? Discuss various modes of acquisition of Territorial Sovereignty by the State acknowledged in International Law.
- 9. Explain the relationship between Municipal Law and International Law with the help of various theories. Discuss the practice followed by India.
- 10. What is State Succession ? Discuss the rights and duties of succeeding State under International Law.
- 11. Write a note on specialised agencies of the UN. Discuss the role of International Labour Organisation.

8×5=40