

LL.B. (Three Years Course) Semester—IV (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, 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) Prof. Oppenheim's definition of 'International Law' has been revised by :

- (a) Sir Robert Jennings and Sir Arthur Watts
- (b) Brierly and Jessup
- (c) Kelson
- (d) None of above

(ii) The concept of the will of State was first propounded by the German Philosopher :

- (a) Hegel
- (b) Anzilotti
- (c) Bynker-Shoek
- (d) Pufendorf

(iii) United Nations Charter is the best example of treaty enunciating rules of :

- (a) General principles
- (b) Universal international law
- (c) Treaty contract
- (d) All the above

(iv) In _____ case, the ICJ pointed out that when in regard to any matter or practice, two States follow it repeatedly for a long time, it becomes a binding customary rule.

- (a) R vs. Keyn
- (b) United vs. Schooner
- (c) Burkina Faso vs. Mali
- (d) Portugal vs. India

(v) According to _____ theory, recognition clothes the recognized State with right and duties under International Law.

- (a) Constitutive
- (b) Declaratory
- (c) Natural Law
- (d) Consent

- (vi) _____ Doctrine was propounded by the Foreign Minister of Mexico.
- (a) Estrada (b) Stimson
(c) Hallestein (d) Calvo
- (vii) _____ are modes of acquiring territory.
- (a) Occupation and Prescription (b) Accretion and Cession
(c) Cession and Revolt (d) Both (a) and (b)
- (viii) Which of the following case is/are related to extradition ?
- (a) Savarkar's Case (b) Vishaka vs. State of Rajasthan
(c) Both (a) and (b) (d) None of above
- (ix) _____ are the representatives of their States but they are not deemed to be diplomatic agents. Their main function is to look after the commercial interest of their countries.
- (a) Consuls (b) Ambassadors
(c) Legates (d) Charge-d' Affaires
- (x) The principle _____ means that States are bound to fulfill in good faith the obligation assumed by them under treaties.
- (a) Pacta Sunt Servanda (b) Pacta Tertis Nec Nocent Nec Prosunt
(c) Jus Cogens (d) Rebus Sic Stantibus
- (xi) Article 1 of United Nations Charter lays down :
- (a) Four purposes (b) Seven principles
(c) General principles (d) All the above
- (xii) _____ means navigation through the territorial sea for the purpose of traversing that sea without entering internal water or calling at a roadstead or port facility outside internal water.
- (a) Innocent passage (b) Territorial sea
(c) Continental shelf (d) High sea
- (xiii) A State whose boundaries are entirely surrounded by land is called :
- (a) Blockade (b) Land Locked State
(c) Land Territory (d) All the above
- (xiv) International Labour Organisation was established on _____ as an autonomous institution by the Treaty of Versailles.
- (a) 19 April, 1919 (b) 9 Oct. 1946
(c) 24 Oct. 1945 (d) 14 Dec. 1946
- (xv) _____ declared the five freedoms of air in 1944.
- (a) Havana Convention (b) Warsaw Convention
(c) Chicago Convention (d) Paris Convention

1×10=10

SECTION—B

Note :— Both questions in this section are compulsory.

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

- (a) Briefly discuss general principles of International Law.
- (b) What is the place of Individual under International Law ?
- (c) Elaborate principles of United Nations.
- (d) Write a note on Freedom of High Seas.

5×3=15

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

- (a) Reservation
- (b) Termination of International Treaty
- (c) ILO
- (d) Specific Adoption Theory.

5×3=15

SECTION—C

Note :— Answer the following (any **five**) :

- 4. “Law of Nations or International Law is the name for the body of customary and conventional rules which are considered legally binding by civilized States in their intercourse with each other.” Critically analyse.
- 5. “Recognition is declaratory of an existing fact but constitutive in nature.” Discuss.
- 6. Define the term ‘International Treaty.’ Discuss the main steps in formation of Treaty.
- 7. “One of the pillars of modern International Law is the diplomatic immunities of the Diplomatic agents.” Referring the above statement discuss privileges and immunities of Diplomatic agents.
- 8. Explain various modes of acquisition of Nationality and Loss of Nationality.
- 9. Write a note on International Custom as a source of International Law in the light of Right of passage over Indian Territory Case (Portugal vs. India).
- 10. Write a detailed note on Vienna Conference on the exploration and peaceful uses of outer space.
- 11. Write notes on :
 - (a) Calvo Doctrine
 - (b) Pacta sunt servanda.

8×5=40