



BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – BBA LL.B.-2019

Course Name – Public International Law

Course Code - BBALLB803

(Semester VIII)

Full Marks : 60

Time : 2:30 Hours

[The figure in the margin indicates full marks. Candidates are required to give their answers in their own words as far as practicable.]

Group-A

(Multiple Choice Type Question)

1 x 15=15

1. Choose the correct alternative from the following :

(i) Interpret the meaning of Pacta sunt servanda

a) Treaties have to be observed

b) Treaties are a source of international law

c) Treaties are law binding

d) Treaties have a validity under international law

(ii) Interpret the meaning of proportionality in relation to the options available to the victim State

a) The victim State may use the same means and intensity of force as the aggressor

b) The victim State may use any means to defeat and incapacitate the aggressor

c) The victim State may only use such means and force as it is necessary to defeat the aggressor

d) The victim State can do nothing without Security Council approval

(iii) Select the first case taken up by the International Court of Justice

a) Nationality decrees in Tunis and Morocco

b) Lighthouse in Crete and Samos

c) Corfu channel

d) Asylum case

(iv) Choose the case with the finding that non-recognition has no effect before International Courts or Tribunals.

a) The Arantzanu Mendi Case

b) Civil Air Transport Inc. vs. Central Air Transport Corp

c) Tinoco Concessions Arbitration

d) Luther vs. Sagor

(v) Indicate the meaning of Territorial asylum

a) An exercise of territorial sovereignty

b) An impingement of territorial Sovereignty

c) Granted by mutual consent

d) None of these

(vi) Identify the principle which shall be combined with a usage to create a customary law

a) long duration

b) pacta sunt servanda

c) opinio juris sine necessitatis

d) universality

(vii) Select which of these UN Agency works to achieve social justice for workers

- a) World Health Organization
- b) International Labour Organization
- c) UNESCO
- d) International Finance Corporation
- (viii) Identify which of these is not a pacific means of settlement of disputes
 - a) Arbitration
 - b) Negotiation
 - c) Blockade
 - d) Good Offices
- (ix) Identify the reason for the failure of the League of the Nations
 - a) it did not completely prohibit war
 - b) America never became a member
 - c) Unanimity principle obstructed its day-to-day working
 - d) All of these
- (x) Identify the National Law that develops true state practice
 - a) International treaty
 - b) InterNational committee
 - c) Customary law
 - d) None Of these
- (xi) Identify the belief of Delegation theory
 - a) Constitutional rule of International law permits each state to determine as to how international treaties will become applicable in the field of Municipal law
 - b) International law can be applied in the field of Municipal law only when Municipal law permits it
 - c) International law needs to be transformed to be applied in the field of Municipal law
 - d) None of these
- (xii) Interpret which of these is a war crime as classified under the Nuremberg Trial
 - a) Enslavement
 - b) Initiation or waging of a war
 - c) Murder or ill-treatment of the prisoners of war
- (xiii) Select the parties to the Asylum case that distinguished diplomatic and territorial asylum
 - a) Columbia vs Peru
 - b) Columbia vs . Brazil
 - c) Turkey, France
 - d) none of these
- (xiv) The non-Permanent members of the security council shall be elected for
 - a) 2 years
 - b) 5 years
 - c) 10 years
 - d) Permanently
- (xv) Choose that Piracy is an offense within the jurisdiction of which state
 - a) Flag State
 - b) Offenders State
 - c) All the States
 - d) None of these

Group-B

(Short Answer Type Questions)

$$3 \times 5 = 15$$

2. Classify the primary sources and the subsidiary sources of international law (3)
3. Discuss the legal effects of recognition (3)
4. Distinguish between Exclusive Economic Zone and the Continental Shelf. (3)
5. Chart the type of crimes over which International criminal Court has jurisdiction (3)
6. Explain Genocide and illustrate with examples. (3)

OR

Explain and distinguish between the two types of Asylum with case laws (3)

Group-C

(Long Answer Type Questions)

$$5 \times 6 = 30$$

7. Determine the meaning and legal regime of 'jus cogens' principle. Report a case where a principle of jus cogens has been recognized (5)
8. Analyze the statement: 'Asylum stops where extradition begins' (5)
9. Discuss Natural school and Positivist school of law (5)

10. Describe different theories regarding the relationship between international law and municipal law. (5)
 11. Evaluate the purposes and principles of the United Nations in the development of international law (5)
 12. Explain the rights and duties of coastal state over territorial waters (5)
- OR**
- Evaluate the jurisdiction of International Court of Justice and the role it plays in the development of International Law. (5)
