



BRAINWARE UNIVERSITY

Term End Examination 2023-2024

Programme – BBA LL.B.-2020

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) Select under which organization was the Permanent Court of International Justice established:
 - a) League of Nations
 - b) UNO
 - c) European Union
 - d) None of these
- (ii) Choose the Article of the UN Charter under which the Security Council has the power to use force against the State:
 - a) Article 41
 - b) Article 40
 - c) Article 2(4)
 - d) Article 42
- (iii) Choose the correct 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
- (iv) Choose the case in which the permanent court of international justice applied the general principle of 'res judicata'.
 - a) The Chorzow factory case
 - b) The Serbian loans case
 - c) Diversion of water from the Meuse case
 - d) The Mavrowmattis Palestine concessions case
- (v) Choose which of these following expressions is not appropriate when we deal with the responsibilities of the security council under Chapter VII of the United Nations charter:
 - a) Investigative action
 - b) Preventive action
 - c) Enforcement action
 - d) Administrative action
- (vi) Identify the main sources of International Law for the Positivists from the following:
 - a) International Customs
 - b) General Principles of Law Recognized by Civilized States
 - c) Juristic Woks
 - d) Treaties and Customs
- (vii) Select the definition of International Law as given by Austin from the following:

- a) Laws properly so called
c) Positive law
- b) Positive morality
d) Divine Law
- (viii) Identify the Convention or the treaty under which the League of Nations was established from the following:
- a) Kellogg Briand Pact
c) Geneva Convention
- b) Treaty of Locarno
d) Treaty of Versailles
- (ix) Select which one of the following statements is not correct:
- a) Customary rules of International Law are diminishing and are being replaced by law making treaties and conventions
c) A great limitation of International Law is that it can not intervene in matters which are with in the domestic jurisdiction of states
- b) States do not deny the existence of International Law. On the contrary, they interpret International Law making so as to justify their conduct
d) International Law is positive morality of state having no force
- (x) Select from the given, the first case taken up by the International Court of Justice:
- a) Nationality decrees in Tunis and Morocco
c) Corfu channel
- b) Lighthouse in Crete and Samos
d) Asylum case
- (xi) Identify the contentious case taken heard before the ICJ concerning state responsibility for damages at sea and the doctrine of innocent passage from the following:
- a) Corfu Channel case
c) Temple of Preach Vihear Case
- b) Namibia case
d) The Arantzanu Mendi Case
- (xii) Indicate the correct meaning of Diplomatic Asylum:
- a) A diplomatic agent seeking asylum in the receiving State
c) Asylum provided to a political leader by a foreign State
- b) Asylum provided by a diplomatic mission
d) None of these
- (xiii) Identify the correct belief of Monistic theory from the following:
- a) International Law and Muncpal law are intimately connected
c) International law needs to be transformed to be applied in the field of Muncpal law
- b) International law and State Law are two separate laws
d) None of these
- (xiv) Choose the subjects of International Law:
- a) States
c) Transnational corporations
- b) Individuals
d) All of these
- (xv) Select which of these UN Agency works to achieve social justice for workers:
- a) World Health Organization
c) UNESCO
- b) International Labour Organization
d) International Finance Corporation

Group-B

(Short Answer Type Questions)

3 x 5=15

2. Explain the meaning and purpose of Extradition. (3)
3. Explain the two modes of recognition. (3)
4. Interpret the principle of 'pacta sunt servanda'. (3)
5. Discuss briefly the doctrine of 'rebus sic stantibus'. (3)
6. Explain the concept of Exclusive Economic Zone and India's position on such. (3)

OR

Explain the concept of contiguous zone and correlate this with the UN Convention of 1982 and the Indian Maritime Zones Act, 1976. (3)

Group-C

7. Explain the status of International Organisations under International Law. (5)
8. Explain different theories regarding the relationship between international law and municipal law. (5)
9. Analyze the jurisdiction of International Court of Justice and the role it plays in the development of International Law. (5)
10. Explain the jurisdiction of International Criminal Court (5)
11. Discuss India's practice and policy of recognition of a new state. (5)
12. Explain whether International Law is really Law or not. (5)

OR

Evaluate the expanding scope and subjects of Public International Law. (5)
