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21 (10) PINL 10-2

2023

PUBLIC INTERNATIONAL LAW

Paper : 10-2

Full Marks : 80

Time : Three hours

The figures in the margin indicate full marks for the questions.

1. Fill in the blanks with appropriate answer :

1×10=10

(a) International law is the name for the body of customary and conventional rules which are considered legally binding by the civilized states in their intercourse with each other.' This definition of international law was given by _____.

(Philip C. Jessup/Oppenheim)

Contd.

(b) The judges of the International Court of Justice (ICJ) are elected for a term of _____.
(5 years/9 years)

(c) The recognition which is final/permanent is _____.
(de jure/de facto)

(d) A neutralized State is a State whose independence and integrity are for all the future guaranteed by an _____ of the Powers.
(international convention/international treaty)

(e) The sources of international law are to be found in Article 38(1) of _____.
(Statute of the International Court of Justice/Rome Statute)

(f) The state has four essentials namely population, _____, government and sovereignty.
(territory/community of citizens)

(g) The recognition of a new entity as a sovereign state is based on two main theories, namely, Constitutive theory and _____.
(Declaratory theory/Territorial theory)

(h) The Hague Regulations of 1899 and 1907 relates to first codification of international rules relating to _____.
(Belligerent occupation/International terrorism)

(i) The League of Nations was the first worldwide intergovernmental organisation whose principal mission was to maintain _____.
(a world devoid of terrorism/world peace)

(j) The International Criminal Court (ICC) is governed by an international treaty called the _____.
(Paris Statute/Rome Statute)

2. Write short answer : $2 \times 5 = 10$

(a) Asylum

(b) International Court of Justice

(c) State Succession

(d) Disarmament

(e) Geneva Conventions

3. (a) Define International Law. What is the basis for International Law ?

(b) Briefly explain the theories relating to relationship between International Law and Municipal Law.

$6 + 6 = 12$

Or

Explain the origin and development of International Law. 12

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4. Define 'Recognition'. What are the legal effects of recognition of a new state ? Distinguish between *de facto* and *de jure* recognition. $4 + 8 = 12$

Or

Discuss the formation, classification and ratification of Laws of Treaties. Briefly discuss the various stages of concluding treaty. 12

5. Define the term Intervention. Briefly discuss the valid principles relating to Intervention on the ground of Self Defence and Self Preservation. Support your answer with the help of relevant case law. $3 + 9 = 12$

Or

Write short notes on: $6 + 6 = 12$

(a) Insurgency and Belligerency

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Contd.

(b) International Terrorism

6. Discuss the principles governing Extradition.

What are the essential requirements for the extradition of a fugitive ? 4+8=12

Or

Discuss the concept of the Law of Neutrality.

What is Disarmament ? 8+4=12

7. Discuss the structure, powers and functions of United Nations Organisations (UNO).

12

Or

Write notes on : (any two) 6+6=12

(a) The League of Nations

(b) International Criminal Court

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(c) Composition and Powers of International Court of Justice (ICC)

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