

Roll No



**PRESIDENCY UNIVERSITY
BENGALURU**

**SCHOOL OF LAW
END TERM EXAMINATION - JAN 2023**

Semester : Semester V - 2020

Course Code : LAW120

Course Name : Sem V - LAW120 - Public International Law

Program : LLB (All)

Date : 10-JAN-2023

Time : 1.00PM - 4.00PM

Max Marks : 100

Weightage : 50%

Instructions:

- (i) Read all questions carefully and answer accordingly.
- (ii) Question paper consists of 3 parts.
- (iii) Scientific and non-programmable calculator are permitted.

PART A

ANSWER ALL THE FOLLOWING QUESTIONS

10 X 2 = 20M

1. Explain the drawbacks of International Law?
(CO1) [Knowledge]
2. Explain State as a subject of Public International Law?
(CO1) [Knowledge]
3. What do you understand from General Principles of Law, explain with the help of example?
(CO2) [Knowledge]
4. Define "*Lex posterior derogate priori*".
(CO2) [Knowledge]
5. Which theory of the relationship between municipal and international law is followed by India?
(CO3) [Knowledge]
6. Explain the Vienna Convention on Succession of States in respect of Treaties.
(CO4) [Knowledge]
7. Distinguish express and implied recognition.
(CO4) [Knowledge]
8. What is Specific Adoption Theory?
(CO3) [Knowledge]
9. Mention the permanent members of the UN SC.
(CO5) [Knowledge]
10. Explain the concept of 'collective self defence'.
(CO5) [Knowledge]

PART B

ANSWER ALL THE FOLLOWING QUESTIONS

4 X 10 = 40M

11. The interests of the new states of the Third World are often in conflict with those of the industrialised nations, witness disputes over nationalisations. But it has to be emphasised that, contrary to many fears expressed in the early years of the decolonisation saga, international law has not been discarded nor altered beyond recognition. Its framework has been retained as the new states, too, wish to obtain the benefits of rules such as those governing diplomatic relations and the controlled use of force, while campaigning against rules which run counter to their perceived interests. Give your opinion on third world.
- (CO1) [Comprehension]
12. The relationship between international and national law is often presented as a clash at a level of high theory, usually between 'dualism' and 'monism'. Dualism emphasizes the distinct and independent character of the international and national legal systems, whereas Monism postulates that national and international law form one single legal order, or at least a number of interlocking orders which should be presumed to be coherent and consistent. Comment.
- (CO3) [Comprehension]
13. The Montevideo Convention mentions the characteristics of a state. Comment. Can recognition be given to a state in an implied manner? Explain.
- (CO4) [Comprehension]
14. The United Nations Security Council (UNSC) has primary responsibility for maintenance of peace and security. Comment.
- (CO5) [Comprehension]

PART C

ANSWER ALL THE FOLLOWING QUESTIONS

2 X 20 = 40M

15. State 'Arrabbiata' is a developed democratic state with a strong military. As per the constitution of the State of 'Arrabbiata' general elections were held in the year 2019 leading to the creation of a new government under the leadership of Mr Pink Pasta. However, the policy decisions taken by Mr Pink Pasta were not very popular among the people of Arrabbiata. The onset of the COVID-19 pandemic and the consequent mismanagement by the government led to a massive protest, and the government lost its popularity. Meanwhile, the Military General of Arrabbiata, Mr Cheesy Pizza realised the incompetence of Mr Pink Pasta and his government and decided to take matters into his hands. Subsequently, a military coup was organised under the leadership of Mr Cheesy Pizza, the incumbent government was removed, and Mr Pink Pasta was sent to prison. Mr Cheesy Pizza declared himself the supreme leader of Arrabbiata. With the drastic change in government, several neighbouring countries withdrew the recognition of Arrabbiata as a State. Is this move justifiable as per the principles of international law? Comment.
- (CO4) [Application]
16. The State of 'Vishanti' is an island nation and is considered to be an economic superpower of the world. However, due to climate change 'Vishanti' has lost vast stretches of its land which has been submerged into the ocean. Accordingly, to sustain its population and economy, Vishanti has adopted a national policy of expansionism. In furtherance of the same, 'Vishanti' has attacked two neighbouring countries and made them into its colony. Keeping in mind the object, purpose and principle of the United Nations Organisation, comment on the role of UNO in such situations.
- (CO5) [Application]