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 **Presidency University**

**Bengaluru**

 **SCHOOL OF LAW**

**MAKE UP EXAMINATION – SEPTEMBER 2023**

**Date**: 01.10.2023

**Time**: 1.00 PM – 4.00PM

**Max Marks**: 100

**Weightage**: 50%

**Course Code**: LAW 421

**Course Name**: Advanced PIL

**Program** : BAL/BBL/BCL

 **Instructions:**

1. *Read the question properly and answer accordingly.*

 **(10Qx10M=100M)**

1. Discuss with the help of relevant case laws, the legal defences available to the responsible State to escape the consequences of a claim of State Responsibility.
2. Describe the maritime zones as contemplated by UNCLOS 1982.
3. Explain the Passive Personality Principle of State Jurisdiction. How is it different from the Nationality Principle and Protective Principle of State Jurisdiction?
4. What is the difference between Sovereign and Non-Sovereign/Commercial acts of a State as per the United Nations Convention on Jurisdictional Immunities of States and their property?
5. Critically analyse the La Grand Case between Germany and United States of America.
6. Write a short essay on the evolution and historical development of the principles of law of the sea.
7. What are the consequences of an internationally wrongful act? Explain with the help of examples and case laws.
8. Mr Neymor has come to take shelter in the State of Wakanda after committing a criminal offence in the state of Talokan. Talokan demands the extradition of Mr Neymor from the state of Wakanda. Wakanda refuses to carry out the extradition. Decide the liability of the State of Wakanda.
9. Shahrukh, an officer of the Indian Government is sent from India to Sri Lanka on a special mission. However, soon after he reaches the territory, a civil war breaks out. Shahrukh, realising the dangers of the war, immediately tries to leave the country. However, before he could return, he is arrested and detained by a few authorities who misidentified him as a Sri Lankan national. He remains in custody for 10 days. When he requests to make an immediate call to the consulate, he is denied access. The Government of India learns this and immediately approaches the ICJ requesting for the immediate release of Shahrukh and invoking state responsibility on Sri Lanka. Decide.
10. State of Ego and Alter-Ego are neighbouring countries with a common history. However, they do not share friendly relations with each other. On 26 November 2022, there was an attack on the capital city of the State of Ego by Non-State entities who allegedly came from the State of Alter-Ego. The State of Ego claimed that the attack was perpetrated by the State of Alter-Ego through the help of Non-State entities. Accordingly, the State of Ego conducted a surgical strike against the State of Alter-Ego on 25 December 2025 which led to the destruction of an entire terrorist camp. As collateral damage, incidental to the attack, some government properties and forest cover were also destroyed. The State of Alter-Ego claimed that it was an invasion of their sovereignty and a violation of the principle of prohibition of the use of force. Accordingly, the State of Ego brought a claim of State Responsibility against the State of Alter-Ego in the International Court of Justice. Both States consented to the jurisdiction of ICJ. As a sitting judge of ICJ, decide the matter.