

**UNIVERSITY OF COLOMBO, SRI LANKA**  
**FACULTY OF LAW**  
**BACHELOR OF LAWS EXAMINATION, YEAR III - 2020/21**  
**(Online)**  
**Public International Law**  
(Three Hours)

Total Number of Questions: **06**

Answer **THREE (03)** questions and **NO MORE**  
(Candidates will be penalized for illegible handwriting)

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1. The 21<sup>st</sup> century lawyer must be aware that uncertainty and contradiction are central to the nature of international law and that any development would only occur within the constraints and structures of the existing international legal system. Furthermore, it must be accepted that despite there often being an overlapping of spheres, the international processes are not substitutes but only complements to domestic processes for societal welfare and justice.

Critically discuss the above statement, with relevant theoretical and practical illustrations to support your arguments.

(100 Marks)

2. RedLeaf Corporation, a major transnational mining and logging company registered in the State of Redwood has recently received a license from the government of the State of Sela to conduct “any economic activities” in the Haritha Protected Forest Reserve of Sela. RedLeaf has already started to clear several hundred acres of forest land. Two journalists reporting on the situation have been found dead of gunshot wounds within the past one month, but the local police have declared that they were both suicides.

‘Last Chance’ is an international non-governmental organization based in Sela. The Samiyan Nation is a group of indigenous peoples living in Sela. ‘Last Chance’ and the Samiyan people believe that this situation is a violation of international law.

Therefore, they want to go before any relevant international bodies to protest the situation and seek justice.

Assume you are an international lawyer commenting on the nature of rights, obligations and responsibilities of those identified in the above scenario in light of the current state of international law. Comment.

(100 Marks)

3. Answer **all Three (03)** parts: A,B and C:

Mega, Ola and Shora are three sovereign States. Shora has an ongoing internal conflict with an armed group named “Dhara”. The Leader of Dhara is a Shoran citizen named Sonal.

A. Sonal planned and executed an attack in Shora during an international cultural festival in April 2021. As a result of this attack, 100 citizens of Shora and 50 citizens of Mega died and around 1000 people got wounded. One month after the attack, Sonal was arrested in Ola, for the offence of travelling there on a fraudulent passport which states that he is a citizen of Mega. Both Mega and Shora want to prosecute Sonal for the attack on the festival.

Advise Mega and Shora.

(50 Marks)

B. Meanwhile, it was found that Danny, the arms supplier of the “Dhara” group, is a citizen and resident of Mega. He has been arrested by police of Shora while he was traveling in Shora on a business trip.

Advise Shora.

(25 Marks)

C. In the above situations, is there any basis for Ola to commence an investigation and prosecution of either Sonal or Danny for the attack on the festival?

Advise Ola.

(25 Marks)

4. Origano is a region situated in Jeera, which is a multi-ethnic State. Origano is rich with natural resources which contribute the economy of Jeera. Recently, the Origano National Party (ONP) declared independence from Jeera. They claimed that Jeera has intentionally suppressed Origano people's rights and freedoms for centuries and thus they need to move forward on their own. The ONP contested the recent Origano regional election with the slogan "*For Our Independence*", and won by 80% of the votes. ONP declared themselves as the official government of the Independent Republic of Origano.

However, the President of Jeera stated that Origano is still a region of Jeera and it will remain the same in the future too. Further, he ordered the national armed forces to go to Origano and control the situation.

Siyambala is an industrialized State which has invested on a large scale in the Origano Region. Assume that you a legal adviser to Siyambala. Advise them on their relationship with Origano and Jeera according to the applicable international law rules.

(100 Marks)

5. Answer **both** parts A and B

A. You have been invited to deliver a guest speech at the Kandiana National Law school on "The Difference between Sovereign and Diplomatic Immunities". You are requested to emphasize on the main characteristics of both concepts.

Draft the speech with reference to relevant examples.

(50 Marks)

B. Civil society activists in Zeba are protesting the corruption and abuse of power by their government. They have organized a protest march in the capital city of Zeba. During the protest march, police started to shoot the protestors, some of whom were standing in front of the Embassy of Ceylonica in Zeba. Devi is a diplomatic officer of Ceylonica, who sheltered some injured protestors inside the embassy premises. Later, she helps some of the protest organizers to flee the country and seek asylum in Ceylonica. A warrant to arrest Devi is issued by the Magistrate's Court of the

capital city of Zeba, on the basis that she has supported an internal uprising which threatened the national security of Zeba.

Meanwhile, a human rights group in the neighbouring State of Hera has filed an action in the courts of Hera against Karan, the Defence Minister of Zeba, for the harm done to the protestors.

Can legal action be taken against Devi and/or Karan? Your answer should be supported by reference to prevailing international law.

(50 Marks)

6. Despite the ongoing peace talks between senior officials from State of Chandi and the State of Randu, the violence between the two States, including rocket and drone attacks, has been increasing during 2021. The current situation has been described in the news and social media as one of increasing tensions, political stagnation, regional instability and a deepening sense of hopelessness of the affected population. Online polls have shown that there is increasing global public distrust of international processes for peace and prevention of war.

Assume that you a legal scholar who has decided to prepare a blog post on the role of international law and the United Nations system for preventing war and maintaining peace and providing peaceful solutions to international problems.

Write the blog post, referring to relevant provisions of international law and real world examples.

(100 Marks)

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