

UNIVERSITY OF COLOMBO, SRI LANKA
FACULTY OF LAW

MASTER OF LAWS DEGREE EXAMINATION, TRIMESTER II - 2022/24

LLM 1104 - PUBLIC INTERNATIONAL LAW

(Three Hours)

Total Number of Questions: 04

Answer any **Three (03)** Questions.

(Candidates will be penalized for illegible handwriting.)

1. 'The landscape of international law is constantly evolving, driven by the changing dynamics of the globalized world. Balancing these evolving dynamics with established legal principles remains a central challenge, necessitating innovative approaches and enhanced collaboration among states and other actors of international law to ensure the continued relevance and effectiveness of the international legal system.'

Critically examine the above statement with special reference to the nature and the progressive development of international law

(100 marks)

2. Nihaz, a citizen of State Krodha visited the State of Thanha amidst the internal turmoil in Thanha with his girlfriend named Zharala. Zharala sought to enjoy the beach and sunlight, leading her to explore a picturesque coastal area. Nihaz, however, ventured into a high-security zone within Thanha, disregarding instructions issued by local defense authorities. Subsequently, an abrupt explosion occurred in the area, allegedly orchestrated by a terrorist group called COBRA, opposing the Thanha government. This unfortunate event resulted in Nihaz sustaining severe injuries from undetectable fragments that penetrated his body. During his ensuing hospitalization, he reportedly experienced mistreatment at the hands of Thanha's authorities, leading to the amputation of his right arm and the loss of the valuable wristwatch he had in his possession. In a deeply distressing turn of events, Zharala was subjected to a tragic incident as the Chairman of the local government authority and his friend allegedly assaulted and raped her while she was enjoying the sunlight on the beach.

Assume that you are appointed as the legal adviser to State of Krodha to give the government a considered legal opinion addressing from an international law perspective. Provide a legal opinion to Krodha authorities on how to claim remedies on behalf of Nihaz and Zharala with the relevant legal principles, case law jurisprudence and practical examples.

(100 marks)

3. 'Every State is entitled to exercise jurisdiction over all things present on its territory. The principle of immunity constitutes an exception to that rule.'

Critically examine the above statement and analyze the grounds of territorial and extra-territorial jurisdiction of States under international law and the main exceptions with reference to international law principles, practices, and legal authorities.

(100 marks)

4. Answer EITHER (A) or (B)

- A) 'The United Nations Charter has laid a robust foundation to prohibit any threat or actual use of force against the territorial integrity or political independence of any sovereign State. Nevertheless, numerous examples exist that demonstrate the contrary, resulting in violations of this fundamental cornerstone principle of international law.'

Do you agree with the above statement? Provide your answer critically discussing the relevant legal authorities and examples.

(100 marks)

OR

- B) 'The contemporary sources of international law are multi-faceted and play a vital role in shaping the global legal landscape. The significance of these sources lies in their collective contribution to the formation, interpretation, and evolution of international law.'

How do you elucidate the challenges and prospects associated with the current sources of international law concerning the peaceful settlement of disputes in the realm of international law? Submit your critical response by choosing a specific source of international law and supporting it with pertinent legal authorities and examples.

(100 marks)
