

UNIVERSITY OF COLOMBO, SRI LANKA
FACULTY OF LAW
MASTER OF LAWS DEGREE PROGRAMME 2024/26
2nd Semester End Examination – 2025
Public International Law – LLM12405

(Three Hours)

Total number of questions: 04

Answer any **Three** questions
(Candidates will be penalized for illegible handwriting)

Question 01

“Undeniably, we need to take into account the new features arising in the new century, such as the advent of international organizations, the birth of the concept of *jus cogens*, and international protection of human rights, which to some extents have limited the absoluteness of state sovereignty.”

Hu Henan, 'International Law Defined and Its Impact: The Legal Thoughts of Grotius, Vattel and Wheaton' (2012) 6 HK J Legal Stud 1

Critically examine the above statement considering contemporary developments that have transformed the traditional nature and scope of international law. Support your analysis with relevant case law, international legal instruments, and real-world examples.

(20 Marks)

Question 02

“The relationship between international law and municipal law is not one of subordination but of coordination.”

Oppenheim's International Law, 9th ed., Vol. 1, p. 54

Critically analyze the above statement with reference to the relationship between international law and domestic law, with special reference to Sri Lanka. Support your discussion with relevant case law, constitutional provisions, and comparative insights from at least one other jurisdiction of your choice.

(20 Marks)

Question 03

‘Recognition of States still remain much of a political act than one which is well governed or regulated by law.’

Critically evaluate the accuracy of this statement in light of the applicable international legal principles and case studies of your choice, with a minimum of two contemporary examples.

(20 Marks)

Question 04

Answer **Either** A or B

- A) ‘Attribution is the essential first step in engaging the international responsibility of a state for wrongful acts.’

Critically discuss the principles governing the attribution of conduct to a state under state responsibility in international law. In your answer, explain the criteria laid down by the International Law Commission’s Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA), and assess how these have been interpreted and applied by international courts and tribunals.

OR

- B) ‘The legality of using force between states remains one of the most contested areas in international law, particularly in light of shifting geopolitical realities and humanitarian concerns.’

Critically evaluate the international legal principles governing the use of force between states. In your answer, consider the recognized exceptions to the general prohibition on the use of force. Support your discussion with reference to relevant cases, state practice, and practical examples.

(20 Marks)