2010/11Public international law

12. Which one of the following is true about the legal significance of Recognition of states?
A. It may serve as an evidence to confirm or refute statehood when there is doubt regarding the four factual criteria of statehood.
B. Premature recognition may amount to unlawful intervention.
C. It may have a constitutive effect when new states are created through secession.
D. B&C
E. A&B
13. Which one of the following Doctrines in the law of International Organization receives judicial support in the Reparations for injuries Advisory Opinion when establishing international legal personality for the UN?
A. The principle of Specialty
B. the Doctrines of attributed powers
C. The doctrine of inherent powers
D. The doctrine of Autonomy
E. the Doctrine of Implied powers
2. Define the principle of legality and state its rationales? (5 Points)

2011/12

7. Which one of the following is a major milestone in the development of modern international law?
A. The Rise of the Nation State. B. The Decline of the Church.
C. The Conclusion of the Peace of Westphalia in 1648.
D. The increased contacts and the ensuing higher degree of interaction between territorially consolidated units.
E. All of the above.
8. Which one of the following is not true about the ICJ?
A. Its judgments are binding.
B. Its judgments are final and without appeal.

C. The effect of its judgment is confined to the parties to a dispute. D. It is entitled to issue advisory opinions.
E. None.

9. One of the following assertions is correct about the constitutive theory of recognition.
A. Recognition is merely an acceptance of already existing situation.
B. New states are created by virtue of the will and consent of already existing states.
C. A new state obtains international personality by virtue factual situation not by virtue of the will and consent of others.
D. A state is created by its own efforts.
E. Recognition is not an essential element of statehood.
21. Identify an item that is different from the list provided below.
A. Switzerland. B. Ethiopia.
C. India.
D. United States of America.
E. Canada.

Section IV: Write short essays for the following questions! (20%)

2. Discuss at least four advantages of customary international law over a treaty law. **10%**

2012/13

5. Which one of the following actors is outside the scope of international law?

A. £§OT4S3f States. -J'*f* H
B. International Organizations
C. Individuals.
D. Multinational Corporations.
E- None. . UiflirtWQ

6. Which one of the following developments marks the emergence of contemporary
international law?
A. The rise of the modern nation states.
B. The decline of the church and papacy.
C. The conclusion of the Peace of Westphalia in 1648.
D. The emergence of autonomous, separate and territorially consolidated
nation-states.
E. All of the above.

7. Which one of the following requirements of statehood is most affected by the right to self-determination?
A. Permanent population.
B. Defined territory.
C. Government.
D. The capacity to enter into relations with other states.
E. None of the above.
8. Which one of the following is the primary basis for exercising jurisdiction?
A. Territorial Principle.
B. Passive Personality Principle.
C. Nationality Principle.
D. Universality Principle.
E. Protective Principle.
9. Which one of the following is the most frequent means of creating international **rules? .. , (■.•iiKl**'!?>a**;-.lfi**
A. Treaties.
B. International Custom.
C. General Principles.
D. Judicial decisions. *1*
E. Academic Writings.
10. Which one of the following is the function of the International Court of Justice?
(ICJ)?
A. Hearing contentious cases.
B. Delivering advisory opinions.
C. Exercising incidental jurisdiction
D. Hearing Preliminary Objections
E. All of the above.

11. In which one of the following situations is the waging of war tolerated?
A. Collective Self-Defense.

B. Anticipatory Self-defense.
C. Humanitarian intervention.
D. Defense of one's nationals.
E. Wars of national liberation.

1. What are the two main schools of thought relating to recognition of states? (Include their distinguishing features in your answers). (5%)

2013/14

20. Which of the following is **false** about the International criminal Court (ICC)?
A. the ICC has '*complementary jurisdiction* '- a court of last resort.
B. the ICC is part of the United Nations System.
C. the ICC has jurisdiction over war crimes, crimes against humanity, genocide, and conditionally crimes of aggression.
D. B and C.
E. None.
21. Which one of the following reservations is impermissible?
A. Reservations incompatible with the object and purpose of a treaty.
B. Reservations incompatible with peremptory norms.
C. Reservations not authorized by the treaty in question.
D. Reservations which are incompatible with customary international law.
E. All.

1. Write a short essay (in not more than 15 lines) on the fundamental principles governing international relations. (12%)

2014

18. Which one of the following marks the emergence of international law?

A. The decline of the church and papacy.

B. The emergence of the secular modern sovereign state.

C. The Peace of Westphalia.

D. Increasing contact between states.

E. All of the above.

19. Which one of the following needs to be shown by a country seeking the extradition of a suspect?

A. The crime alleged is sufficiently serious.

B. The existence of a *prima facie* case against the individual sought.

C. The extradited person can reasonably expect a fair trial in the recipient country.

D. The likely penalty will be proportionate to the crime.

E. All of the above.

20. The continuity principle of state succession does not apply in one of the following situations?

A. Territorially grounded treaties.

B. Localized Treaties.

C. *Uti Possidetis.*

D. Hunan Rights Treaties

E. Political r Personal Treaties.

21. Which one of the following principles is the most common basis of state jurisdiction?

A. territorial Principle

B. Passive Personality.

C. Nationality Principle.

D. Protective Principle.

E. Universality Principle.

1. Article 38(1) of the Statute of the International Court of Justice stipulates that "international custom" is one of the sources of international law. What are the requirements that rules need to fulfill to become part of customary international law?

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7. Which one of the following is a major milestone in the development of modern international law?

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D. A state is created by its own efforts.
E. Recognition is not an essential element of statehood.

2008

19. Which one of the following is the traditional definition of public international law?
A. The body of law which regulates the relationship between sovereign states.
B. The body of law which governs the relationship not only between states but also with international organizations and individuals.
C. The body of law which governs the relationship among states, international organizations, non-state actors, and individuals.
D. The body of law which governs the relationship among states, inter-governmental organizations.
E. The body of law which governs the relationship among states, international organizations, non-state actors, individuals, and

multinational corporations.

20. Which one of the following reservations to a treaty is probably valid under international law?

A. Reservations incompatible with object and purpose of a treaty.
B. Reservations incompatible with peremptory norms.
C. Reservations not authorized by the treaty in question.
D. Reservations which are incompatible with customary international law .
E. Reservations accepted by state parties to a treaty.

21. Which one of the following can be parties to contentious cases before the ICJ?

A. Individuals
B. Corporations
C. Units of a Federal State
D. 'Non-governmental organizations
E. States

22. Which one of the following IS the most widely accepted doctrine of recognition of governments?

A. Doctrine of Legitimacy
B. Estrada Doctrine
C. Doctrine of Effective Control
D. Stimson Doctrine
E. Doctrine of sovereignty

3.2. Mention three requirements for the existence of statehood.

2009

1. Which one of the following is **not** a cardinal principle of international law as contained in the Charter of the United Nations (UN)?
   A. Promotion of Human Rights.
   B. Peaceful Settlement of Disputes.
   C. Prohibition of the Threat or Use of Force.
   D. The Prohibition of acquisition of the territory of States by force.
   E. The sanctity of absolute sovereignty and exclusive domestic jurisdiction of states.

2. Which one of the following is a “subsidiary” source of international law by virtue of Article 38 of the Statute of the International Court of Justice?

A. International Custom.
B. Treaties.
C. General Principles of Law recognized by most nations.
D. Judicial Decisions.
E. Conventions.

3. According to the Constitutive Doctrine of Recognition, a new state is created by virtue of

A. Effective control.
B. A particular factual situation.
C. Its own efforts and circumstances without the need for recognition by other states.
D. The will and consent of already existing states.
E. The process whereby it obtained independence.

4.2. Write an essay that explains the nature and root causes of statelessness and the legal response to the problem of statelessness. (10%)

Re exam 2009

17. What is the relationship between the sources of international law?
A. Rules created by means of custom are superior than those created by treaty
B. Rules created by means of treaties are superior than those created by custom
C. Rules created by means of general principles are superior than those created by treaty
D. Rules created by means of judicial decisions are superior than those created by treaty
E. There is no hierarchy between custom and treaties

18. Which one of the following is the traditional subject of international law?

A. Components of federal states
B. International Non-Governmental Organizations
C. Individuals
D. Multinational Enterprises
E. States

19. The continuity principle of state succession does **not** apply in one of the following situations?
A. Territorially grounded treaties
B. Localized Treaties
C. Uti Possidetis
D. Human Rights Treaties
E. Political or Personal Treaties

20. Which one of the following is the most elementary means of settlement of disputes?
A. Arbitration
B. Conciliati
on
c. Mediation
C. Good Offices
D. Negotiation

21. Which one of the following requirements of statehood is most affected by the principle of self-
determination and significant international recognition?
A. Permanent Population
B. A defined territory
C. Government
D. Capacity to enter in to relations with other states
E. Foreign residents of the. State affected.