

Name:		
Enrolment No:		

UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, May 2021

Course: Public International Law	Semester: VI
Programme: B.B.A.LL.B. (Hons.) (Corporate Law, ITIL / BFIL), BA LL.B (Hons.) (Energy Law, Criminal Law/ Labour Law/ Constitution Law), B. Com. LL.B (Hons.) (TL/M&EL), B. Sc. LL.B. (Hons.) (Intellectual Property Rights/Food, Health and Environment Law/ Medical and Forensic Law)	
Course Code: CLCC 3009	Time: 03 hrs. Max. Marks: 100

SECTION A

1. Each Question will carry 5 Marks
2. Instruction: Answer all the questions.

S. No		Marks	C O
	Attempt all questions. All questions carry equal marks. (5 marks each)		
Q 1	Pacta sunt servanda.	5	C O 1
Q 2	Exclusive Economic Zone	5	C O 1
Q 3	“ex aequo et bono”	5	C O 1
Q 4	Opino Juris.	5	C O 1
Q 5	Principle of Equidistance	5	C O 1
Q6	Jus Cogens	5	C O 1

SECTION-B

1. Each Question will carry 10 Marks
2. Instruction: Answer all the questions. Support your answers with relevant legal provisions and case laws (if any)

Q 7	Write a short note on various generations of human rights and international instruments related to them. Discuss which generations of human rights are focussed on individual rights of human beings and which are focussed on collective rights.	10	C O 2
Q 8	Who are primary and secondary subjects of international law? What is difference in their rights and obligations under international law? Whether individuals and multinational companies can invoke jurisdiction of international tribunals, on their own against a State?	10	C O 2

Q 9	<i>“The great majority of the rules of International law are generally observed by all nations without actual compulsion, for it is generally observed by all nations concerned to honour their obligations under international law.”</i> In the light of the above statement, discuss whether international law is true law?	10	C O 3
Q 10	Describe “de facto recognition” with the help of case laws. What is the difference between de facto recognition and de jure recognition?	10	C O 3
Q 11	What is the “continental shelf”? Why it is important? What does the jurisprudence of the ICJ tell us about the continental shelf?	10	C O 2
SECTION-C Question for 20 marks. Support your answers with relevant legal provisions and case laws (if any)			
Q 12	<p>A, a company registered in a state ‘X’ and carrying on its operations in state ‘Y’. During the course of its operations, a civil war breaks out in state ‘Y’ as a result of which the company A had to shut down its operations in state ‘Y’. As a result of the shutting down of operations, A suffers a loss and goes into liquidation. As a result of the liquidation, the shareholders of the company, majority of who were citizens of the state of ‘Z’ suffer a loss and state ‘Z’ brings a claim before the International Court of Justice against state ‘Y’, where the company was all of a sudden asked to shut down its operations. Whether the claim of state ‘Z’ on behalf of its citizens who constituted the majority shareholders of the company be successful against state ‘Y’ which ordered the shutting down of the operations of the company A, owing to the exigencies of civil war.</p> <p>(a) Discuss the instant case in the light of the sources of international law to be applied by the International Court of Justice in view of Article 38 of the statute of the court.</p> <p>(b) Enumerate the various cases where the above mentioned source of international law been applied by the International Court of Justice.</p>	20	C O 4