



**THIRD YEAR EXAMINATION FOR THE AWARD OF THE
DEGREE OF BACHELOR OF LAWS
FIRST SEMESTER, 2022/2023
(SEPTEMBER-DECEMBER, 2022)**

LLBK 311: PUBLIC INTERNATIONAL LAW

STREAM: LLBK Y3 S1

TIME: 2 HOURS

DAY: WEDNESDAY, 9:00 – 11:00 A.M.

DATE: 21/12/2022

INSTRUCTIONS

- 1. Do not write anything on this question paper.***
- 2. Answer Question ONE [Compulsory] and any other TWO Questions.***
- 3. Illustrate your answer with relevant cases and statutory provisions where applicable.***

QUESTION ONE

‘Some Western analysts see Russia’s 2022 invasion of Ukraine as the culmination of the Kremlin’s growing resentment toward NATO’s post–Cold War expansion into the former Soviet sphere of influence. Russian leaders, including Putin, have alleged that the United States and NATO repeatedly violated pledges they made in the early 1990s to not expand the alliance into the former Soviet bloc. They view NATO’s enlargement during this tumultuous period for Russia as a humiliating imposition about which they could do little but watch.’ (Jonathan Masters October 1, 2022)

- (a) In view of this observation and giving reasons for your answer (including reference to other similar or related situations involving any other powers), is Russia’s invasion of Ukraine justifiable in international law? (20 Marks)
- (b) Why do a vast majority of states comply with international law

(10 Marks)

QUESTION TWO

By giving examples discuss the role of the following possible sources of international law

- (a) Soft law (12 Marks)
- (b) *Jus cogens* (8 Marks)

QUESTION THREE

Vide Resolution 2625 of 24th October, 1970 the General Assembly adopted seven principles that are tenets of international law.

In relation to the principle of co-operation:

- (a) Discuss its key elements (10 Marks)
- (b) Assess how your country has sought to comply with it. (10 Marks)

QUESTION FOUR

Article 27 (3) of the UN Charter provides thus

‘Decisions of the Security Council on all other matters shall be made by an affirmative vote of nine members including the concurring votes of the permanent members...’

By giving examples, discuss how this provision promotes and/or hinders the maintenance of international peace and security (20 Marks)

QUESTION FIVE

Discuss the following

- (a) The 1648 Westphalian Treaties (5 Marks)
- (b) Sovereignty (5 Marks)
- (c) *Temple of Preah Vihear* Case (merits) ICJ Rep. (1962) (5 Marks)
- (d) *Nuclear Tests* Case ICJ Rep. (1974) (5 Marks)