



NATIONAL OPEN UNIVERSITY OF NIGERIA
14/16 AHMADU BELLO WAY, VICTORIA ISLAND, LAGOS
SCHOOL OF LAW
MARCH/APRIL 2014 EXAMINATION

COURSE CODE: LAW 511

COURSE TITLE: PUBLIC INTERNATIONAL LAW I

TIME ALLOWED: 3 Hrs

INSTRUCTION: ANSWER ANY FOUR QUESTIONS, ALL QUESTIONS CARRY EQUAL MARKS

1. International law is definitely not law. It can never be equated with a municipal law and its processes are absolutely different from the latter. Discuss. 17.5 Marks

2. Ugranea is an independent country. It is made of varied ethnic nationalities. As a result of struggle for power among the political elite there was political unrest in the country which led to mass protests and demonstration in the country. These demonstrations led to the ouster of the government in power in the country which ouster was orchestrated by the opposition parties. The ousted leader fled to a neighboring country that is a world power. The world power has sent its special forces in Ugranea to ensure that the ousted leader is reinstated. The new leaders in Ugranea has protested to the United Nations complaining the interference of the neighbouring world power in the internal affairs of Ugranea and also contending that such interference is a violation of the sovereignty of Ugranea. Discuss the international legal principles raised in the matter. 17.5 Marks

3. Peter Talk is a national of Tanga Republic. Tanga Republic has been in the news lately for the consistent violation of the human rights of its citizens. The most violated of the rights are the rights to health, housing and education and indeed one of the former Presidents of Tanga Republic, President Babature, ordered soldiers to invade a local community during which soldiers raped and plundered the community and destroyed the houses of the community. Peter Talk, who is also a human rights lawyer, has

commenced proceedings against Tanga Republic at the human rights court set up pursuant to a treaty entered into by countries in that continent. The thrust of the case is the persistent violation of human rights by Tanga Republic. Tanga Republic is a state party to the regional human rights treaty. The Tanga Republic has filed objection to the case contending that under the principles of public international law it is only state signatories to the regional treaty that can bring action in that court and that the case brought by Peter Talk is incompetent and the court lacks jurisdiction. Discuss the legal issues raised by Tanga Republic in its objection. 17.5 Marks

4. The competence of a state to legislate and enforce its will is central to the question of jurisdiction in international law. Discuss. 17.5 Marks
5. Nanga and Cama are two neighbouring countries with a long history of boundary dispute. The border dispute at certain times in history degenerated into open military conflict. The two countries began negotiations under the auspices of a regional body for the purpose of resolving the boundary dispute. The negotiation has led to the signing of a treaty by the two countries. Cama has begun the implementation of the treaty while Nanga has refused to implement the treaty on the basis that the treaty is not valid and that a proper interpretation of the treaty will reveal that it is not bound by its contents. Discuss. 17.5 Marks
6. Treaties share some similarities with other types of agreements to the extent that treaties can be amended and terminated. Discuss. 17.5 Marks