

NATIONAL LAW UNIVERSITY, JODHPUR
End-Term Examination August-December -2025
Semester: UG V
Subject: Public International Law (Compulsory)

Time: Three Hours

Marks: 100

Instructions:

1. Attempt any five questions out of six.
2. Question No. 1 and 2 are mandatory.

Q.1). The Republic of Gemstones and the State of Rockstones are neighbouring States. The rural town of Revachol lies between the two States. Revachol had been the subject of a protracted border dispute between the States, with each claiming that they were entitled to the territory. There was a broad international consensus that Revachol constituted a part of Gemstones' territory.

In September 2025, reports emerged that armed groups allegedly operating from Rockstones' territory had entered Gemstones and on 25th September, they carried out attacks on tourists visiting the beautiful city of Revachol. The attacks were also targeted against the military posts, resulting in the deaths of 50 Gemstonian nationals. Subsequent reports showed that these attacks had been led by a group known as the Revachol Citizens' Militia (RCM). The RCM is an organization that publicly advocated for Revacholian secession from Gemstones. Gemstones' government publicly accused Rockstones of harboring and supporting the RCM. These allegations were a result of public statements made by the President of Rockstones, in which she expressed her appreciation for the "brave fighters of the RCM as they fight the totalitarian regime of Gemstones" and asked them to "please continue spreading democracy through whatever means necessary."

However, the Rockstones maintained that these groups act independently and the accusations against it of harboring these armed groups are baseless. On 10 October 2025, Gemstones launched a special military operation including airstrikes and ground incursions into Rockstones' territory, claiming that it was exercising its inherent right of self-defence under Article 51 of the UN Charter. The Gemstonian army captured territory of an area of approximately 80 km. Rockstones immediately lodged a complaint before the United Nations Security Council, calling Gemstones' actions a violation of Article 2(4) of the UN Charter and of customary international law prohibiting the use of force against the territorial integrity of another State. Rockstones further alleged that Gemstones' use of force was disproportionate and unnecessary. The Security Council has failed to take collective action due to vetoes by permanent members.

The matter is posted at ICJ. Both are parties to the UN Charter, and signatories to major international law instruments including human rights treaties. Prepare arguments based on Articles 2(4) and 51 of the UN Charter, relevant to the determination of these issues.

(Marks 20)

Q.2). In 2025, the Republic of Mandore undergoes a dramatic political upheaval. The long-reigning President Umed, is overthrown following months of civil unrest, and a revolutionary government led by Kabali comes to power. The revolutionaries accuse foreign powers — especially the Kingdom of Sardarpura— of supporting the former regime and interfering in Mandore’s internal affairs.

On 10 March 2025, a group of Mandore Law University (MLU) students and revolutionary militia members storm the Embassy of Sardarpura in Mandore City, the capital. The intruders seize the entire compound, claiming they are acting “on behalf of the people of Mandore” to demand the extradition of the former Mandorian president, who is reportedly in asylum in Sardarpura. The attackers make several diplomats and consular staff hostage. They confiscate official embassy documents, destroy property, and broadcast statements demanding that Sardarpura “return the criminal tyrant to face justice.” Despite calls for restraint, Kabali’s government issues public statements praising the “patriotic students” and declaring the seizure “a legitimate expression of revolutionary justice.” No steps are taken by Mandore’s security forces to restore control over the Embassy or to secure the release of hostages.

Sardarpura lodges multiple diplomatic protests through neutral embassies and requests urgent intervention by the United Nations Security Council, citing violations the Vienna Convention on Diplomatic Relations (1961). When Mandore fails to respond, Sardarpura brings the case before the International Court of Justice (ICJ).

You are legal adviser to Sardarpura. Prepare arguments to be presented before the ICJ seeking a declaration of Mandore’s international responsibility.

(Marks 20)

Q.3). In December 2024, the Republic of SDL faced an armed conflict between its government forces and an ethnic rebel group, the Liberation of Kokum Union (LKU). Reports emerge that both sides have committed serious violations of international humanitarian law and international criminal law.

The United Nations Security Council (UNSC) establishes an International Criminal Tribunal (ICT) for SDL to prosecute individuals responsible for war crimes and crimes against humanity. The tribunal’s statute—based on the model of the ICTY and ICTR—provides that individuals, regardless of official capacity, can be held criminally responsible for serious international crimes.

Meanwhile, the government of SDL refuses to cooperate, arguing that:

1. International law governs States, not individuals, and therefore the ICT for SDL has no legal authority to prosecute persons directly.
2. No treaty to which SDL is a party recognizes individuals as bearers of rights and duties under international law.

You are a human rights lawyer based in SDL. Prepare a petition that is to be submitted to *Regional Human Rights Court* highlighting that individuals have international legal personality.

(Marks 20)

Q.4). The Indian Constitution imbibes formal dualism in the scheme of relationship between international law and municipal law in India. However, Supreme Court of India has moved away from this formal dualism to the monist tradition of incorporating international law in the domestic legal regime provided the international law is not inconsistent with domestic law. Explain the relationship between international law and municipal law in the Indian context.

(Marks 20)

Q.5). Discuss the two categories of general principles of law recognized in international law. In your answer, explain their origins, functions, and methods of identification, and provide relevant examples and judicial references to support your analysis.

(Marks 20)

Q.6). Write short notes on **any two**:

- a. Legality of Unilateral Declaration of Independence
- b. Accelerated Formation of Customary International Law
- c. Third World Approach to International Law

(Marks 10+10)

