



PROGRAM : LL.B
BA (LAW)
BCOM (LAW)
BA (INTERNATIONAL RELATIONS)

MODULE : PUBLIC INTERNATIONAL LAW

CODE : INL41AO/ITR0011

DATE : SSA EXAMINATION
: 16 JULY 2020

DURATION : 180 MINUTES (THREE HOURS)

TOTAL MARKS : 60

EXAMINERS : DR M ROUX
: PROF MR PHOOKO

EXT MODERATOR : DR FD MNYONGANI

NUMBER OF PAGES : 2 PAGES

INSTRUCTIONS TO CANDIDATES:

- The exam paper will be placed on Blackboard, and you must then download it.
- Your answers to the questions must be typed in or written out on a separate document.
- You must then submit your answer script either on Blackboard. Only if you are not able to, please e-mail it to mroux@uj.ac.za.
- Your script may be typed or written out and photographed; we are sensitive to technological issues students may experience, and are therefore flexible in this regard.
- Please indicate very clearly which questions you are answering.
- Plan your answers carefully: the mark allocation for a specific question will give you an idea as to the level of detail expected in your answer.
- The exam will be open-book: you may therefore use prescribed study material to substantiate your answers. When quoting directly from a source, place it in quotation marks.
- You may NOT get assistance from fellow students or communicate answers to one another. Please take note that the Law Faculty takes a zero-tolerance approach to plagiarism, sharing of exam answers, or unauthorised assistance by anyone else in writing the exam.
- Your answers will be tested for plagiarism in general and in respect of the answers of other students.

QUESTION 1

Identify and describe any two different methods of peaceful dispute settlement. You must also briefly express your opinion whether these methods would be successful in resolving an armed conflict between two states. [10]

QUESTION 2

Critically discuss whether Somaliland satisfies the criteria for statehood required under contemporary international law. [15]

QUESTION 3

What is your understanding of state sovereignty post 1945? [5]

QUESTION 4

Differentiate between the following, and provide an example for each of the terms to illustrate your understanding of the differences:

- 4.1. the principles of objective territoriality and subjective territoriality; (4)
- 4.2. sanctions and counter-measures; and (6)
- 4.3. extradition, deportation and disguised extradition. (9)

[19]

QUESTION 5

Explain whether self-defence would be an appropriate enforcement measure in order to prevent “mass atrocity crimes” such as genocide, ethnic cleansing and serious violations of international humanitarian law. [5]

QUESTION 6

Answer the following questions:

- 6.1. An independent commission of inquiry in Mexico finds that genocide and crimes against humanity is being committed by the Syrian government against Syrian nationals. Can a national Mexican court charge the Syrian President Al-Assad and other senior government officials with genocide and crimes against humanity? Substantiate your answer. (3)
- 6.2. Jozi Garden Services was awarded a tender by the South African Department of International Relations and Cooperation (DIRCO) to render gardening services. DIRCO refuses to pay Jozi Garden Services, claiming they enjoy state immunity from civil action. Can Jozi Garden Services institute action at the South Gauteng High Court to claim the outstanding invoice? Substantiate your answer. (3)

[6]

TOTAL EXAM:**[60]**
