INTERNATIONAL UNIVERSITY OF EAST AFRICA
'Learning to Succeed'

FACULTY OF LAW

END OF SEMESTER EXAMINATIONS - APRIL 2025

PROGRAMME: LLB
YEAR/SEM: YEAR 3/SEMESTER 2
COURSE CODE: LLB 3210
NAME: PRINCIPLES OF INTERNATIONAL LAW II (ELECTIVE)

DATE:
TIME:

INSTRUCTIONS TO CANDIDATES:

SECTION A

This question is compulsory

Question 1:

Russian forces launch full-scale invasion of Ukraine

In February 2022, Russia initiated a military invasion of Ukraine, citing a number of reasons, including security concerns regarding NATO expansion, the protection of Russian-speaking populations in Ukraine, and the need to demilitarize Ukraine. Ukraine, however, argues that it is a sovereign state and that Russia's actions constitute an illegal act of aggression under international law. Ukraine has resisted the invasion and has called on the international community for support, while Russia has consistently defended its actions, claiming it is exercising its right to self-defense.

The United Nations General Assembly passed a resolution condemning Russia’s invasion and calling for the immediate withdrawal of Russian forces from Ukraine. Some states, including the United States and European Union member states, have imposed severe economic sanctions on Russia and have provided military aid to Ukraine. Russia, in turn, has rejected these resolutions and sanctions, arguing that it is acting in its national interest and defending its territorial integrity.

The United Nations Security Council (UNSC) is deadlocked, with Russia, as a permanent member, using its veto power to block any formal action against it. The international community is divided, with some states supporting Ukraine and others either siding with Russia or maintaining neutrality.

Answer the following questions based on the facts above

a) Analyze the legality of Russia’s use of force against Ukraine under international law, particularly in relation to the United Nations Charter and customary international law. (15 marks)

b) Assess whether Russia’s actions can be justified under the right to self-defense under Article 51 of the UN Charter. (10 marks)

Question 2:

Omega is a coastal state located in the South Pacific. It has a territorial sea extending 12 nautical miles from its coastline. Omega has established an exclusive economic zone (EEZ) that extends 200 nautical miles from its coast, where it holds exclusive rights to explore and exploit natural resources, including fisheries and subsea minerals.

Yellow, a neighboring State, has been conducting oil drilling activities within Omega's EEZ, arguing that the oil deposits extend into what it claims to be its continental shelf. The State of Yellow asserts that the oil deposits are shared resources and that it has a right to access them, based on its interpretation of international law. Omega strongly disagrees, stating that Yellow has violated its EEZ and maritime boundaries.

In addition, the state Petra, a non-coastal state, has been conducting scientific research in the high seas beyond the EEZ of any coastal state, but it has not followed the required notification and consent procedures as per international law. Petra’s research includes deep-sea exploration, which could potentially impact the environment and marine biodiversity.

The UN Convention on the Law of the Sea (UNCLOS) governs these maritime issues, but there is a dispute between the countries on the interpretation of key provisions. The State of Omega has filed a complaint with the International Tribunal for the Law of the Sea (ITLOS), seeking resolution of the dispute with the state of Yellow regarding the oil drilling activities. Petra’s activities have prompted concerns over environmental protection in the high seas.

Using your knowledge of the law of the sea and relevant authorities answer the following questions;

a) Analyze the legal rights of Omega regarding the oil drilling activities of Yellow within its Exclusive Economic Zone (EEZ) using the applicable provisions of the United Nations Convention on the Law of the Sea (UNCLOS) and any relevant case law. (15 marks)

b) Discuss Petra’s rights and obligations regarding scientific research in the high seas, under the UNCLOS (10 marks)

SECTION B

Choose any 1 from 2

Question 1:

a) Write a shot note on the following terms giving examples where necessary under International Humanitarian Law;

I. Jus ad bellum (**5 marks**)

II. Jus in bello (**5 marks**)

b) With your knowledge of international humanitarian law. Discuss the principle of precaution focusing the specific measures of precaution to be taken during armed conflict (15 marks)

Question 2:

Write brief notes on the following methods of peace settlement of disputes in International law outlining their advantages and disadvantages

I. Conciliation (5 marks)

II. Arbitration(5 marks)

III. Mediation(5 marks)

IV. Inquiry (5 marks)

V. Negotiations (5 marks)

Question 3:

Write short notes on any five organs of the United Nations (25 Marks)

Question 4:

With relevant authorities discuss the following terms under the law of the sea

a) Baselines (10marks)

b) Maritime zones (5 marks)

c) Continental Shelf and Contiguous zones (10 marks)

SECTION C

Choose any 2 from 4

Question 1:

Malak and Tenaka have a legal dispute concerning the closure border between the two countries by Tenaka. The situation escalating and Malak is threating to enforce its rights through bombing parts of Tenaka. As a response, Malak decides to bomb military strategic targets in Kyekoko (Tenaka). Discuss the attack of Malak on Tenaka in the light of public international law (**25 marks**)

Question 2:

“In order to ensure prompt and effective action by the United Nations, its members confer on the Security Council primary responsibility for the maintenance of international peace and security.” Discuss the compulsive methods provided for in chapter VII of the Charter of the United Nations. (**25 Marks**)

Question 3:

"International Humanitarian Law (IHL) is a body of law designed to regulate the conduct of armed conflict and protect those who are not taking part in the hostilities. Discuss the key principles of IHL, including the principle of distinction, proportionality, and necessity. **(25 marks**)

Question 4:

"The case of M/V Saiga (No. 1) [1999] International Tribunal for the Law of the Sea (ITLOS) is a landmark decision in the field of international maritime law, particularly concerning the law of the sea and the rights of vessels on the high seas. Discuss the facts and legal issues surrounding the M/V Saiga (No. 1) case. (25 marks)

Question 5:

"Article 92 of the United Nations Convention on the Law of the Sea (UNCLOS) establishes that ships on the high seas are subject to the exclusive jurisdiction of the flag state." **Discuss the relevance of this principle under the law of the Sea. In your answer, address any exceptions to this rule and explain the circumstances under which the jurisdiction of a flag state may be limited.** (**25 marks**)