INTERNATIONAL UNIVERSITY OF EAST AFRICA
'Learning to Succeed'

FACULTY OF LAW

END OF SEMESTER EXAMINATIONS - DECEMBER 2025

PROGRAMME: LLB
YEAR/SEM: YEAR 3/SEMESTER 1
COURSE CODE: LLB 3109
NAME: PRINCIPLES OF INTERNATIONAL LAW I

DATE:
TIME:

INSTRUCTIONS TO CANDIDATES:

SECTION A

This question is compulsory

Question 1:

In July 2024, a passenger plane operated by Two Skies Airlines, registered in the State of Alaura, was flying from Renara to Tastovia with 180 passengers of various nationalities on board. While over the high seas, Mr. Rio, a national of Tuvuma, attempted to seize control of the aircraft by threatening to detonate an explosive device.

The pilot, a national of Alaura, managed to subdue Rio with the help of crew members and diverted the flight to the nearest airport in Wazora , where the plane made an emergency landing. Upon landing, W azoran police arrested Rio.

Investigations revealed that, the device was a fake bomb made in Nordland, smuggled aboard during boarding in Renara. Several passengers were injured, including citizens of Cidora and Alaura, Rio claimed he wanted to draw international attention to human rights abuses in Ruvuma.

After the incident, Alaura, Renara, Wazora, Tuvuma, and Cidora all expressed an intention to prosecute Rio.

Each State has issued statements asserting jurisdiction on different grounds, and Wazora refuses to extradite Rio pending determination of its own claim.

Using Relevant Authorities identify and explain the different principles of jurisdiction under international law that may be relied upon by each of the States. (25 marks)

Question 2:

In 2023, **States A, B, C, and D** concluded the Regional Trade and Cooperation Treaty (RTCT), aimed at promoting free trade, regional security, and sustainable development among them. The treaty entered into force in 2024. In early 2025, State **E** applied to join the RTCT as a new party. While depositing its instrument of accession, State E entered a reservation to Article 12, which requires member States to eliminate tariffs on agricultural products within five years. The RTCT does not expressly prohibit reservations. However, Article 12 is considered central to achieving the treaty's objectives. Upon notification of the reservation: State A explicitly accepted the reservation; State B did not respond within the 12-month period after being notified, State C objected, argues that the reservation was inconsistent with the object and purpose of the treaty. State D accepted State E's accession but stated that the reservation would "not prevent the entry into force of the treaty" between them. State E insists that its reservation is valid and that it is now a party to the treaty vis-à-vis all States.

Using Relevant Authorities answer the following questions;

a) Discuss the **validity of the treaty** as between States A, B, C, D, and E. *(***5 marks***)*

b) Assess whether **State E's reservation** is **valid** under international law, with reference to the *Vienna Convention on the Law of Treaties (1969)* and relevant case law. **(5 marks***)*

c) Assuming the reservation is valid, analyze the **legal consequences** of State E's reservation for the **operation of the treaty** between: E and States that accepted the reservation, E and the State that

objected, and among the original parties themselves. (**15 marks)**

SECTION B

Choose any 1 from 2

Question 1:

Write short notes on the following Jurisdictional Principles

a) Personality Principle (active and passive) (10 marks)

b) Universality Principle (5 marks)

c) Protective Principle (5 marks)

d) Nationality Principle (**5 marks)**

Question 2:

Write short notes with exams on the following

a) Expressed recognition (5 marks)

b) Implied recognition (5 marks)

c) Immunity Ratione Personae **(5 marks)**

d) Immunity Ratione Materiae **(5 marks)**

e) De facto recognition (5 marks)

Question 3:

Write short notes with exams on the following

a) Diplomatic Immunity **(5 marks)**

b) Consular Immunity **(5 marks)**

c) State Immunity **(**Sovereign Immunity**) (10 marks)**

d) Inviolability of Diplomatic Premises **(5 marks)**

Question 4:

List and explain the four criteria for statehood under the Montevideo Convention (1933). (**25 marks**)

SECTION C

Choose any 2 from 4

Question 1:

A newly formed international organization wants to create binding rules for maritime navigation. States have disagreed on whether these rules can be considered legally binding.

Required:
(a) Identify and define the primary sources of international law under Article 38(1) of the ICJ Statute. *(***1**5 marks*)*
(b) Discuss the role of customary international law and opinio juris in this context. *(*10 marks*)*

Question 2:

During a high-level diplomatic visit, a diplomat from **State A** in **State B** is alleged to have committed a serious traffic offense causing injury to a local citizen. Additionally, evidence emerges that the diplomat has been using the diplomatic pouch to transport prohibited items.

Required:
(a) Explain the scope and limits of diplomatic immunity under the Vienna Convention on Diplomatic Relations (1961). *(***1**5 marks*)*
(b) Analyze whether State B may prosecute the diplomat for the alleged traffic offense. **(**10 marks*)*

Question 3:

Discuss the concept of state recognition under international law, distinguishing between de jure and de facto recognition, and analyze the legal consequences of recognition and non-recognition**. (25 marks)**

Question 4:

Outline and analyze the traditional requirements for an entity to qualify as a state in international law. Refer to pertinent treaties and

judicial decisions to support your discussion.

Question 5:

Explain the concept of international legal personality and its significance in determining who may be a subject of international law. In your answer, identify the core subjects of international law and illustrate the types of rights and duties that flow from their status.