

THE OPEN UNIVERSITY OF SRI LANKA  
FACULTY OF HUMANITIES AND SOCIAL SCIENCES  
DEPARTMENT OF LEGAL STUDIES



LL.M IN CRIMINAL JUSTICE ADMINISTRATION – LEVEL 10- 2<sup>nd</sup>Year

FINAL EXAMINATION – 2017/2018

LLPA410/LWP2210 - INTERNATIONAL CRIMINAL LAW

DURATION – 03 HOURS

Date: 13<sup>th</sup> January 2019

Time: 09.30 a.m. – 12.30 p.m.

Total number of questions 07.

**Answer four questions only**

Candidates will be penalized for illegible handwriting.

01. “Crimes under International Criminal Law (ICL) consist of a wide range of criminal acts. ‘War crime’ is one such crime under ICL.”

In the light of above statement;

- List the crimes under ICL as universally recognized today.
- Define war crimes.

**(25 Marks)**

02. “International Military Tribunal (IMT) is a mechanism developed by the international community to deal with crimes of an international nature. The history of *ad hoc* criminal tribunals can be traced back to the Nuremburg tribunal.”

Do you agree with above statement?

Discuss the following ;

- The charges examined by the Nuremburg Criminal Tribunal.
- Principles established by the trials.

**(25 Marks)**

03. “Nothing in the present (UN) Charter shall prevent a member of the United Nations from entrusting the solution of their differences to other tribunals by virtue of agreements already in existence or which may be concluded in the future.”

With reference to above statement, briefly discuss the following aspects of the International Criminal Court (ICC).

- The Jurisdiction of the ICC
- The objectives sought to be realized by of establishing the International Criminal Court.

**(25 Marks)**

04. Discuss briefly the following aspects of the International Criminal Tribunal for former Yugoslavia (ICTY).

- a) History of Yugoslavian conflict
- b) Jurisdiction of ICTY
- c) Consequences of the work of the ICTY

(25 Marks)

05. "The term 'Genocide' was first coined by a Polish Lawyer Raphael Lemkin in his famous work – **Axis Rule in Occupied Europe: Laws of Occupation – Analysis of Government – Proposals of Redress.**"

With reference to above statement briefly discuss the followings.

- a) Main incidents of genocide in the twentieth century.
- b) The Eight Stages of genocide introduced by Gregory H. Stanton.

(25 Marks)

06. *Prosecuter v. Tadic*

(Case No. 160, ICTY/ IT-94-1-AR72, October 2, 1995)

Discuss the main issues.

(25 Marks)

07. Write notes on any **three (03)** of the following topics.

- a) Joint Criminal Enterprise (JCE)
- b) The Crime of Aggression
- c) Crimes Against Humanity
- d) Treaties as a Source of ICL

(25Marks)