



THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LLB DEGREE PROGRAMME 2021/2022
LLU5712 – INTERNATIONAL LAW
CONTINUOUS ASSIGNMENT TEST - II
DURATION: 01 HOUR

Date: 15th September 2022

Time: 03.30 p.m. – 04.30 p.m.

Illegible handwriting will be penalized.

Answer ONE (01) question only.

Total number of questions: 02

Each question carries 20 marks.

1. “As a stronger than ordinary rule of customary law, *jus cogens* nullifies acts and treaties that contravene its rules. This power is one of the most important attributes of *jus cogens*.”

Akehurst’s Modern Introduction to International Law, p.41.

Do you think that the above quotation correctly reflects the contemporary application of *jus cogens* as a source of international law? Support your answer with relevant case law and international legal standards.

(20 marks)

2. “There are four elements connected with international legal personality: a treaty-making power (often referred to as *jus tractatum*), a right to send and receive diplomatic envoys (*jus legationis*), a right to present claims based on international responsibility, and a right to use armed force.”

Wladyslaw Czapinski, ‘Recognition and International Legal Personality of Non-state Actors’, Pécs Journal of International and European Law, Vol. 01, 2016, p.8.

Does the above statement correctly reflect the evolving attributes of international legal personality? Critically evaluate the above statement citing the relevant legal authorities.

(20 marks)

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