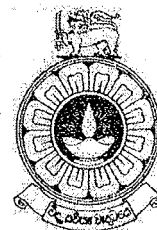


THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LLB DEGREE PROGRAMME - LEVEL 5
CONTINUOUS ASSESSMENT TEST II -2022/2023
LLU5712 – PUBLIC INTERNATIONAL LAW



DURATION- 1 HOUR

DATE: 03 December 2023

TIME: 3.30 p.m. – 4.30 p.m.

Total number of questions: 02

Answer **ONE (01)** question only.

The candidates will be penalized for illegible handwriting

1. The traditional criteria included in the Montevideo Convention on the Rights and Duties of States have long been regarded as essential benchmarks for statehood. In addition, the contemporary discussions have placed more significance on international recognition as a key determinant of claiming statehood.

Do you agree with the above statement?

Critically analyze with reference to relevant case law and contemporary examples.

(20 Marks)

2. Maya and her friend Kian, both citizens of the State of Harmonia, traveled to the State of Concordia. During their visit, there was political unrest in the State of Concordia between the government and a rebel front called the 'Unity'. Fascinated by the local history, Kian decided to explore a historical site which was declared as a restricted place by Concordia's defense authorities. However, Kian visited the historical site neglecting the warnings of defense authorities. Kian was captured by the members of 'Unity' front and stabbed to death. As a result, Kian's family went through an immense grief and loss. When attending a community event, Maya was allegedly gang-raped by a prominent government officer of

Concordia and his associates. Maya was traumatized because of this unexpected incident which she faced.

Assume that you are appointed as the legal advisor of the State of Harmonia to provide a legal opinion regarding the incidents of Kian and Maya from an international law perspective.

Draft your opinion on the application of '**jurisdiction**' in international law to these incidents by citing case law and practical examples.

(20 Marks)

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