

THE OPEN UNIVERSITY OF SRI LANKA
 FACULTY OF HUMANITIES AND SOCIAL SCIENCES
 DEPARTMENT OF LEGAL STUDIES
 LL.B. DEGREE PROGRAMME- LEVEL 6
 CONTINUOUS ASSESSMENT TEST II- 2022/2023
 LLU 6717- INTERNATIONAL HUMAN RIGHTS LAW
 DURATION – 01 HOUR



Date: 03.12.2023

Time: 09.30 a.m.- 10.30 a.m.

Total No. of questions – 02

Answer one (1) question only.

Candidates will be penalized for illegible handwriting.

1. Read the following news report and answer the questions below.

Palestinians ask war crimes court to probe Israel over genocide allegations

THE HAGUE, Nov 10 (Reuters) - Three Palestinian human rights groups said they have asked the International Criminal Court to investigate Israel, accusing it of committing war crimes including genocide by bombing and besieging the Gaza Strip.

Israel is not a member of the Hague-based court and does not recognise its jurisdiction. It has previously said allegations of genocide are deplorable and that its actions target militants of the Hamas group that rules Gaza, not civilians.

Asked for comment, a spokesperson for Israel's foreign ministry said: "Israel is also collecting evidence for crimes against humanity and war crimes committed by Hamas during the Oct. 7 attack (on Israel) and afterwards, including the use of civilians as human shields (in Gaza)."

- (a) Explain the meaning of 'international crimes'. (5 Marks)
- (b) Discuss whether allegations against the Israel government and Hamas can be referred to the International Criminal Court. Your answer should be supported by precedent in international law. (15 Marks)

(05+15= 20 Marks)

2. The 75th anniversary of the adoption of the Universal Declaration of Human Rights (UDHR) falls in December 2023. The Declaration was adopted initially as a non-binding instrument. However, certain critics contend that, norms contained in the UDHR have become binding norms in international law by today.

Critically analyze the above statement giving appropriate examples. (20 Marks)

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