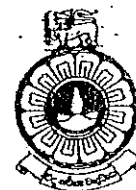


**THE OPEN UNIVERSITY OF SRI LANKA
FACULTY OF HUMANITIES AND SOCIAL SCIENCES
DEPARTMENT OF LEGAL STUDIES
LLB DEGREE PROGRAMME 2023/2024
CONTINUOUS ASSESSMENT EXAMINATION -1
LEVEL V
PUBLIC INTERNATIONAL LAW-LLU5712
DURATION – ONE HOUR**



Date: 07.11.2024

Time: 3.30 p.m. – 4.30 p.m.

Illegible handwriting will be penalized.

Answer ALL the given questions based on the following scenario.

1. Agni and Waruna are neighbouring States from the global south, and they are members of the United Nations Organisation. Last year, a military unrest broke out in the State Agni. However, this military unrest was not successful. Victor, a leader of the 'People's Revolutionary Alliance' in Agni was accused of organizing this military unrest. Three months before starting the legal proceedings, Victor sought political asylum from the State Waruna. The State Waruna's embassy situated in Agni granted the asylum to Victor. Now Agni questions the legal validity of the asylum granted by the State of Waruna. In contrast, State Waruna argues that there is a constant practice among global south countries to provide asylum and protect the political victims from a time immemorial. Since there was no evidence to prove Victor committed the alleged crime and no agreement exists between Agni and Waruna on this matter, State Waruna wishes to continue providing asylum to Victor according to previous practices. Further, State Waruna points out that in the past, there were incidents in which the State Agni also granted asylum to political victims of other States. Both the States wish to refer their dispute to International Court of Justice.

Note: The general definition for asylum in international law is the protection granted by a State to a foreign citizen against her/his own state.

(a) In the light of Article 38 of Statute of International Court of Justice how do you think both States of Agni and Waruna can resolve this dispute? Discuss with relevant legal authorities.

(15 Marks)

(b) What would have been the consequence if the State of Agni had continuously opposed to granting asylum to political victims in the global south region?

(05 Marks)

(15 + 5 = 20 marks)

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