



STRATHMORE INSTITUTE  
DIPLOMA IN INTERNATIONAL RELATIONS  
END OF SEMESTER EXAMINATION  
DIR 1204 - Introduction to issues of international law

DATE:13<sup>TH</sup> August 2019

Time: 2 Hours

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Instructions

1. This examination consists of FIVE questions.
2. Answer Question **ONE (COMPULSORY)** and any other **TWO** questions.
3. Do not write on the question paper.

**QUESTION ONE (30 MARKS)**

- a) After the creation of the International Criminal Tribunal of Yugoslavia and the International Criminal Tribunal Rwanda in the early 1990's there was a movement for the creation of a Permanent International Criminal Court. Discuss the **FOUR** circumstances under which the ICC may investigate and prosecute a case citing relevant examples **(8 Marks)**
- b) Define the term the law **(2 Marks)**
- c) International law operated mostly in the international realm and not within the domestic one, the two systems are many times seen as distinct a perspective consistent with positivism Discuss any **TWO** sources of international law **(10 Marks)**
- d) There are several dispute resolution mechanisms that are widely accepted in international law though none is regarded as superior to the other. Discuss mediation and conciliation as a mechanism of dispute resolution in International Law **(10 Marks)**

**QUESTION TWO (15 MARKS)**

- a) Distinguish between de jure recognition and de facto recognition of states **(2 marks)**
- b) Describe **FOUR** characteristics an entity must possess before it is recognized as a state under international law **(8 marks)**
- c) Differentiate between monoism and dualism **(5marks)**

**QUESTION THREE (15 MARKS)**

- a) Explain **THREE** circumstances under which a states can resort to use of force in international law citing relevant examples **(6 marks)**
- b) Gathering evidence is the first step of in pursuing transnational crimes. Over the recent past states have concluded bilateral treaties that regularize or improve the effectiveness of this on criminal matters. What are there treaties referred to us? Discuss **FOUR** points that these treaties provide for **(9 marks)**

**QUESTION FOUR (15 MARKS)**

The theories of natural law and legal positivism are two prominent theories of International Law.

- a) Discuss natural law highlighting relevant theorist/jurists **(8 marks)**
- b) Write explanatory notes on legal positivism relying on writings of theorists /jurists **(7 marks)**

**QUESTION FIVE (15 MARKS)**

- a) List and briefly discuss the challenges that face the implementation of international law **(3 marks)**
- b) What is reciprocity and what is its relevance in international law? **(2 marks)**
- c) Negotiations, signature, ratification and entry into force are all stages in the treaty making process. Discuss these **FOUR** stages citing relevant examples **(9 marks)**