



**STRATHMORE INSTITUTE
DIPLOMA IN INTERNATIONAL RELATIONS
END OF SEMESTER EXAMINATION
DIR 1204: INTRODUCTION TO ISSUES OF INTERNATIONAL LAW**

DATE: 10th December 2019

Time: 2 Hours

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) Define the term the law **(2 marks)**
- b) Reciprocity is regarded as the cornerstone of International Relations and more so International Law. Explain the meaning of the word reciprocity supporting your answer with a relevant example **(3 marks)**
- c) International law operates mostly in the international realm and not within the domestic one. The two systems are many times seen as distinct with different sources of origin. In view of this discuss **TREATIES** and **CUSTOMARY LAW** as sources of International Law **(10 marks)**
- d) List and briefly discuss the challenges that are faced the implementation of international law **(5 marks)**
- e) Negotiations, signature, ratification and entry into force are all stages in the treaty making process. Discuss these **FOUR** stages citing relevant examples **(8 marks)**
- f) What do you understand by the phrase **RESERVATIONS OF TREATIES** in the treaty making process **(2 marks)**

QUESTION TWO (15 MARKS)

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

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

QUESTION THREE (15 MARKS)

- a) Citing relevant examples, explain **THREE** circumstances under which a State can resort to use of force in international law citing relevant examples **(6 marks)**
- b) There are several dispute resolution mechanisms that are widely accepted in international law.
 - i) discuss mediation as a mechanism of dispute resolution **(3 marks)**
 - ii) discuss conciliation as a mechanism of dispute resolution **(4 marks)**
 - iii) define arbitration as a mechanism of dispute resolution in international law **(2 marks)**

QUESTION FOUR (15 MARKS)

- a) What is *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) Using relevant examples, differentiate between monoism and dualism **(5marks)**

QUESTION FIVE (15 MARKS)

- a) Briefly discuss the **THREE** elements of international crimes **(3 marks)**
- b) What is purpose of diplomacy in international law? **(2 marks)**
- c) Discuss diplomatic immunity **(5 marks)**
- d) Write short explanatory notes on consular immunity **(5 marks)**