

PUBLIC INTERNATIONAL LAW EXAM QUESTIONS AND ANSWERS

Question 1:

The prohibition of genocide is considered to be a *jus cogens* norm. Explain what *jus cogens* means. Explain at least two legal effects of the fact that the prohibition of genocide is a *jus cogens* norm.

Question 2:

Since the second half of the twentieth century international courts and tribunals have proliferated. One of the often-mentioned consequences of this process is fragmentation of international law.

Explain, with the help of at least one concrete example, what fragmentation of international law means in the light of proliferation of courts and tribunals.

Question 3:

The International Court of Justice (ICJ) has no so-called compulsory jurisdiction. Explain under what circumstances the ICJ has jurisdiction to settle an inter-state dispute. Explain whether or not in the view of the ICJ its “provisional measures” are binding.

Question 4:

Aspatria, a UN member state and a state party to the International Covenant on Civil and Political Rights (ICCPR), is accused by several human rights NGOs of breaching the prohibition of torture. The government of Aspatria denies these accusations and states that: (i) the interrogation techniques used by the Aspatrian authorities do not amount to torture within the meaning of the ICCPR; and (ii) Aspatria is presently at war with a neighbouring state and has proclaimed a state of emergency, accordingly it

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