

BOWEN UNIVERSITY
(Of the Nigerian Baptist Convention)
Iwo, Osun State
COLLEGE OF LAW

1ST SEMESTER EXAMINATION

SESSION: 2022/2023 ACADEMIC SESSION

COUSE CODE: PIL 421

COURSE TITLE: PUBLIC INTERNATIONAL LAW I

DURATION: 3 HOURS

INSTRUCTION: Answer 4 questions in all, at least 1 question from each section.

Section A

1. a.) Some students have approached you to help them settle their discord about the theories on relationship between international and national laws. Identify and discuss the two major theories of Monism and Dualism on the relationship between international and national laws.
b.) Discuss the differences between international law and municipal or national law if there is any.
2. Article 38(1) of the statutes of International Court of Justice (ICJ) provides a reflection of the sources of international law, though, not accurate and it did not expressly mention 'sources' but it is usually invoked as sources of international law. In the light of the said Article, comment on the sources of international law.

Section B

3. The Afriye people are a tribe in the Western fringes of the Federal Republic of Oodua, a member of the United Nations (UN). The tribe has an estimated population of about 250,000 people, in a highly mountainous terrain, part of which is being disputed by the Fufu tribe, their eastern neighbours. Following persistent repression and marginalization by the central government, the UN established the United Nations Mission in Afriye, (UNMIA) to administer the territory pending a final settlement of the crisis. Although, the administration of the Afriye people was supervised by the UNMIA, the administrative officials were native Afriye people. After several years of UN sponsored peace talks, it has appeared to UNMIA that the best option to the crisis is to grant the Afriye people independence from Oodua. UNMIA intends to submit this recommendation as a part of its annual report to the Secretary General of the UN for consideration and possible implementation but it is doubtful whether Afriye would qualify as a state in international law. With the aid of appropriate authorities, analyze the chances of statehood of Afriye.
4. After a very acrimonious war, the Federal Republic of Wazobia disintegrated into three component States, Wa, Zo and Bia Republics. Wazobia, until the disintegration, was a member of the United Nations Organization (UN). The new Wa Republic has applied to the United Nations (UN) to continue the membership of the former Wazobia at the UN, a move resisted by the Bia Republic, which claims the legal right to continue the membership of Wazobia at the UN. The Attorney General of Bia Republic, has approached you as an international law expert to advise him on the chances of his country continuing the membership of Wazobia at the UN.
(a) Advise him, citing appropriate precedents and authorities.

- (b) Asante Republic, a neighbouring country, has invited you to a Peace Summit, convened to enable the three emergent States amicably settle other issues incidental to succession. You are the key speaker at the Summit. List the issues you will discuss in your legal opinion to be delivered at the Summit.

Section C

5. Discuss the **meaning, nature and applicable theories** of state recognition, drawing line(s) of distinction between recognition of a State and that of a Government.
6. (a) The mode of territory acquisition in international law is not as important as the intention behind it. Discuss.
- (b) State territory and territorial sovereignty are closely connected as one is a premise for the other. To what extent is the above statement true in international law?