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**NATIONAL OPEN UNIVERSITY OF NIGERIA**

**14-16 AHMADU BELLO WAY, VICTORIA ISLAND LAGOS**

**SEPTEMBER/OCTOBER 2015 EXAMINATION**

**SCHOOL OF LAW**

**COURSE CODE: LAW 511.**

**COURSE TITLE: PUBLIC INTERNATIONAL LAW I.**

**TIME ALLOWED: 2 ½ HOURS.**

**INSTRUCTION: ANSWER QUESTION ONE AND ANY OTHER THREE QUESTIONS.**

1. The Terrorist group BokoHaram is based in the state of Nigeria. The government of Nigeria does not support the terrorist group, but has not done anything to eliminate this threat. The BokoHaram launched an attack on the Cameroonians, firing two missiles that killed innocent civilian. Though diplomatic channel, the Cameroonians demanded that Nigeria stop BokoHaram otherwise it will do whatever necessary to defend itself. Receiving reliable intelligence report of another imminent attack by book haram and it appearing that Nigeria was incapable of preventing the attack, the Cameroonian government sent a crack team of commandos to Nigeria and after killing the leadership of the group left Nigeria immediately.
2. Was the Cameroonian action justified under international law? explain the reason for your answer
3. Assuming that Cameroon was justified by sending its armed forces into Nigeria, what would be their reason
4. Assuming Nigeria charged Cameroon with violation of Article 2.4 of the United Nations Charter which is?
5. Why was the case of Pinochet really important in International Law?
6. Who is a 'persistent objector'?
7. Which treaties are considered as 'source of international law' under article 38 ICJ Statute?
8. Discuss the following :
	1. What is *jus cogens*?
	2. What is an act *jure gestionis*?

c. What is functional (*rationemateriae*) immunity?

d. Can a treaty violate international law?

1. The Hon. Minister for Petroleum of country X travelled to Japan for a conference. at his hotel room he was approached by a young lady whom he invited into his room. In the morning the young lady was discovered dead. Is the unlawful homicide committed by Minister of country X abroad an act *jure imperii* or *jure gestionis*?
2. Comment on the following:

a. What is the 'Lotus principle'?

b. Is the jurisdiction of international tribunals regulated by the same principles applicable to national courts?

 c. What does it mean for a State to be sovereign?

 d. What is the purpose of sovereign immunity?

1. Outline with case law examples the various defences available to a state accused of breaches of its international obligations.