UNIVERSITY OF KWAZULU-NATAL – PIETERMARITZBURG CAMPUS
SCHOOL OF LAW: JUNE 2013 MAIN EXAMINATION
MODULE AND CODE: INTERNATIONAL LAW (LAWS3IN/LAWP3IN)
FULL-TIME & PART-TIME
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DURATION: 2 HOURS
TOTAL: 60 MARKS

INTERNAL EXAMINER : MS J EASTHORPE
                   : MS W BANOOBHAI
INDEPENDENT MODERATOR : MS S BOSCH
EXTERNAL EXAMINER   : PROF G ABRAHAM

INSTRUCTIONS

1. Please make sure that your writing is legible.
2. There are two (2) sections (Section A and Section B).
3. Both Section A and Section B must be answered.
4. Section A and Section B must be answered in separate books.
SECTION A

Answer both Question 1 and Question 2

Question 1
Critically discuss the circumstances under which South Africa will exercise (or not exercise) jurisdiction over persons in South Africa. Cite relevant case law to illustrate your understanding.

[Total Q1: 15 marks]

Question 2
You are approached by a group of Tutsis who fled from Rwanda after their families had been killed by Hutus. The Hutus had subjected them to torture on the grounds that the Hutu’s believe the Tutsis are an inferior race. Most of the offences against them have been committed by Hutu children around the age of 11 years. They seek advice on what International Crimes, if any, have been committed in the circumstances they describe.

[Total Q2: 15 marks]

[TOTAL SECTION A: 30 marks]
SECTION B

There are 3 (three) questions in this section. Answer any 2 (two) questions.

Answer this section in a different book.

Question 3

The Foreign States Immunity Act 87 of 1981 grants certain exceptions to the general immunity granted to a foreign state before the South African courts. Briefly discuss each of these exceptions citing relevant case law to illustrate your understanding.

[Total Q3: 15 marks]

Question 4

"The Convention is a major achievement. It represents the will and determination of African States and peoples to address and resolve the problem of internal displacement in Africa"

Dr Chaloka Beyani, UN Special Rapporteur on the human rights of internally displaced persons, 23 October 2010

In terms of International Humanitarian Law, briefly discuss why the Kampala Convention has been described as an historic accomplishment in Africa.

[Total Q4: 15 marks]

Question 5

Discuss the role of the International Committee of the Red Cross (ICRC) in circumstances of both international and non-international armed conflict.

[Total Q5: 15 marks]

[TOTAL SECTION B: 30 marks]

TOTAL MARKS FOR PAPER: 60