

Name First Name Student Number

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Introduction to International Law

Points: 1. / 10 2. / 10 3. / 10 = / 30

1. In 1955, a sharp increase in lead levels was detected in the groundwater on the Xympora Peninsula. In 1956, the States of Astamor and Balala concluded an agreement called the Investigation Convention to investigate and combat the cause of the rising lead levels. In the 1980s, a health crisis broke out in the State of Cumo, which was attributed to contaminated groundwater. As a result, in 1984 Cumo ratified an agreement with the Xympora Regional Health Organisation (XRHO) – an international organisation based in Balala – entitled the Lead Crisis Understanding, to support Cumo in managing the local health crisis. The XRHO was established in 1982 by the Xympora Health Charter, an agreement between Astamor, Balala, and Cumo. In 1994, a scientific breakthrough was achieved: researchers in Astamor developed a process that can easily purify groundwater of lead. In 1995, Astamor, Balala, and Cumo concluded with the company HydroClean the so-called LeadFree Pact, under which the company was commissioned to construct twenty purification plants. The following year, Astamor, Balala, and Cumo concluded the Debt Allocation Agreement, which regulated the allocation among them of the debts arising from the LeadFree project.

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a) To which of the agreements mentioned in the text is the Vienna Convention on the Law of Treaties applicable, and why or why not? (3 points)

b) Under what conditions does a State have the right to terminate a treaty? (5 points)

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c) How do the invalidity, termination, and suspension of a treaty differ in their effects? (2 points)

(... / 10 points)

Name:

2. a) Is the ban on the use of force binding under international law? Can a powerful State threaten a weaker State with the use of force? Provide reasons for your answer. (3 points)

b) What are the exceptions to the general prohibition of the use of force? (2 points)

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Do you agree with the following statements? Provide reasons for your answers.

c) When a State defends itself against the use of force, it may use any defensive measures at its disposal. (2 points)

d) A State may defend itself against non-State actors, such as terrorists. (2 points)

e) The United Nations General Assembly can impose non-military measures, such as economic sanctions. (1 point)

(... / 10 points)

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3. Following a series of cross-border cyberattacks against critical infrastructure in State Y allegedly originating from State X, the United Nations Security Council convened. The Council adopted a first resolution under Chapter VII of the UN Charter, determining that the cyberattacks constituted a threat to international peace and security. The resolution established an investigative mechanism to collect evidence of cyber operations. The UN Charter does not explicitly mention the establishment of investigative mechanisms.

a) Can the UN Security Council lawfully establish such an investigative mechanism? If so, on what legal basis? (3 points)

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As the attacks continued, the Security Council voted on a second resolution imposing binding economic sanctions on State X. The vote was 11 in favor, 1 against (a permanent member), and 3 abstentions.

b) Are UN member States obliged to implement these economic sanctions on State X? (3 points)

At the same time, the General Assembly adopted a resolution condemning State X's action and calling upon all States to refrain from supporting cyber operations.

c) What is the legal effect of a UN GA resolution? (2 points)

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Finally, a UN staff member working for this investigative mechanism, a national of State X, was summoned before a domestic court in State X to testify regarding confidential information obtained in the course of his duties under the mechanism.

d) Does the UN staff member enjoy immunity? (2 points)

(... / 10 points)