



MOHANLAL SUKHADIA UNIVERSITY, UDAIPUR

FACULTY OF LAW

SECOND YEAR BACHELOR OF LAWS

(Effective from Session 2020-21)

PAPER – V (PAPER CODE - 7005)

(PAPER NAME – **PUBLIC INTERNATIONAL LAW AND HUMAN RIGHTS**)

COMPULSORY PAPERS

Max. Marks: 100

Min. Marks: 36

Note: A. In order to ensure that students do not leave out important portions of the Syllabus, examiners shall be free to repeat the questions set in the previous examination.

B. Leading cases prescribed under this paper may be read whenever they are relevant.

1. Definition, Nature and Basis of International Law, Weakness of International Law, Sources of International Law, Codification and Development of International Law, Relation between International Law and Municipal Law, Subjects of International Law, Nationality, Extradition and Asylum.
2. Recognition of States and Governments, Recognition of Insurgency and Belligerency de-facto and de jure recognition, State succession; State jurisdiction ; Territorial jurisdiction, Criminal jurisdiction in International Law, Intervention.
3. Diplomatic agents, Counsels, Classification and Function of Diplomatic agents privileges and Immunities with reference to Vienna Convention on Diplomatic Relation, 1961 Treaties, Definition Basis, Classification and Formation of treaties, Interpretation and Revision of treaties, Principles of jus cogens and pacta sunt servanda, termination of treaties, Vienna Convention on the law of treaties.
4. Pacific and Compulsive means of settlement of International Disputes, War, its legal character and effects, Enemy character, Armed conflicts and other hostile relations Belligerent occupation, War crimes, Termination of war and doctrine of post liminium and Prize courts.
5. The Law of Neutrality: Basis of Neutrality, Rights and duties of neutral states, quasi-neutrality, neutrality and U.N. Character, Right of Angary, Contraband, Blockade, Unneutral service, Right of visit and search.
6. International Institution : United Nations, History and information of United Nations, Organs of United Nations with specific reference to general Assembly Security Council and International Court of Justice.
7. Human Rights : Meaning, Universal Declaration of Human Rights, 1948 International Covenants on Civil and Political Rights, 1966, International conventions on Economic, Social and Cultural Rights, 1966. Regional Conventions on Human Rights, Convention on the Elimination of all Forms of Discrimination Against Women, 1979, Conventions on Rights of Child, Protection of Human Rights Act, 1993.

LEADING CASES FOR EXAMINATION:

1. The S.S. Lotus (France v. Turkey), PCIJ, Ser. A, No. 10 (1927)
2. Asylum Case (Columbia v. Peru), ICJ Rep. 1950, p. 266
3. Temple of Preah Vihear Case (Merits) (Cambodia v. Thailand), ICJ Reports 1962, p.6
4. Castioni, Re, Munier, Re; Ex parte Kolczynski, (1955) 1 All ER 31
5. The Corfu Channel Case (Merits), ICJ Rep. 1949, p.4

CASES FOR READING:

1. North Sea Continental Shelf Cases, ICJ Rep. 1969, p. 3
2. R v. Keyn, (1876) 2 Ex. D. 63
3. Arantatzu Mendi, (1939) AC 256
4. Anglo-Norwegian Fisheries Case (United Kingdom v. Norway), ICJ Rep. 1951, p. 116
5. Barcelona Traction, Light and Power Co. Ltd. Case, ICJ Rep.1964, p. 6

SUGGESTED READINGS:

1. J. G. Starke : An Introduction to International law
2. Oppenheim : International Law, Vol. I and II
3. Brierly : The Law of Nations
4. S.K. Kappor : International law (English & Hindi)
5. Tandon, M.P. : International law (English & Hindi)
6. Rabertson, A.H. : Human Rights in the World
7. Khare, S.C. : Human Rights and United Nations
8. Basu, D.D. : Human Rights in Constitutional Law
9. Nagendra Singh : Protection of Human Rights
10. Satish Chandra : International Documents on Human Rights
11. Daiya, K.C. : Human Rights Jurisprudence
12. Karkara, G.S. : Commentary on Protection of Human Rights Act.
13. H. O. Agarwal : International Law and Human Rights (English & Hindi)