





**SECTION-D**  
**(2Qx25M=50 Marks)**

Q 12	<p>'A' a citizen of the State 'X' while serving as soldier ran away to neighbouring State 'Y' as he was fed up with army discipline. On a request by State 'X' for extradition of 'A' State 'Y's' police arrested 'A'. 'A' filed a writ petition in the court of State 'Y' contending that he was not extraditable. In the light of the above facts explain the concept and nature of extradition.</p>	25	CO4
Q 13	<p>On October 3rd, 1948 a military rebellion broke out in the South American state of Peru. However, the rebellion was quelled within a day and the accused were arrested and charged. A day after the rebellion was quashed; proceedings were instituted against Victor Raul Haye De La Torre, a leader of an opposition party known as the American Citizens' Revolutionary Alliance on the charges of instigating and directing the rebellion. Absconding arrest, Haye De La Torre dodged Peruvian authorities who were keen to bring him on trial. This was actively pursued by the Military junta government that had come up after the siege on Lima, the capital of Peru.</p> <p>However, on January 4th, 1949 it was brought to the attention of the Peruvian authorities that Victor Raul Haye De La Torre had been granted asylum by the Colombian Mission in Lima and the Colombian ambassador accordingly, requested that De La Torre be granted a right of passage or a safe-conduct so that he may leave the country. Peru solemnly refused, stating that De La Torre was accused of common crimes, not entitling him to the protection of political asylum. In other words, Peru refuted Columbia's claim that De La Torre was a political refugee.</p> <p>Soon, a diplomatic and political stalemate ensued between the two South American nation-states and after talks broke down in July, they finally agreed to let the International Court of Justice be the judge. A diplomatic correspondence ensued which terminated in the signature, in Lima, on August 31st. 1949, of an Act by which the two Governments agreed to submit the case to the International Court of Justice.</p> <p>In the light of the above facts answer the following-</p> <p>1)Is the asylum granted to Victor Raul De La Torre, the chief of the American Citizens' Revolutionary Alliance by Colombia, was irregular and in violation and direct contravention of any convention. Explain (15)</p> <p>2)Explain the concept of asylum in reference to international law. (10)</p>	25	CO4