

Roll No.
SAP ID



UNIVERSITY OF PETROLEUM AND ENERGY STUDIES
End Semester Examination, July 2020
Open Book – Through Blackboard Learning Management System

Course: International Criminal Law Semester: VIII
Programme: BA-LLB-CRL

Time: 03 hrs.

Max. Marks: 100

Instructions:

As this examination is in open-book format, the students are expected to demonstrate a very high degree of Academic Integrity and not copy contents from resources referred. Instructors would look for understanding of the concept by the students and any similarity found from resources online/ offline shall be penalized in terms of deduction of marks and even cancellation of paper in requisite cases. The online examination committee of the School would also look for similarity of two answer scripts and if answer scripts of two or more students are found similar, both the answer scripts shall be treated as copied and lead to cancellation of the paper. In view of the aforesaid points, the students are warned that they should desist from any unfair means and provide answers in their own words.

All Questions are Compulsory
Answer each question in not more than 500 words

S. No.		Marks	CO
1	Marine a British ship collided with a US ship, Shire and as a result US ship sank. The US ship was not having the lights which it was supposed to carry as per the new British regulations which were accepted by the US congress. Keeping in mind the statement: 1. Write a note on “Custom may be developed from the practice of states”. 2. Critically analyse the decision of Scotia case .	10*2= 20	CO 1
Ans.			
2	In 2003, without the sanction of the UN Security Council, the United States and United Kingdom led an invasion of Iraq with the alleged aim of destroying weapons of mass destruction supposedly possessed by the regime of Saddam Hussein. The invasion resulted in years of violence and thousands of civilian deaths over the period 2003-08. Iraq is not a state party to the Rome Statute. However, the ICC prosecutor is conducting a preliminary examination to allegations of detainee abuse by United Kingdom troops following the 2003 invasion of Iraq.	10*2= 20	CO2

	<ol style="list-style-type: none"> 1. Whether it is a war crime? Give reason for your answer and explain essentials of war crimes. 2. As Iraq is not a party to Rome statute, whether ICC can conduct preliminary inquiry against Iraq? 		
Ans.			
3	<p>Adolf Hitler came to power as chancellor of Germany in 1933, he and his Nazi government began implementing policies designed to persecute German-Jewish people and other perceived enemies of the Nazi state. Over the next decade, these policies grew increasingly repressive and violent and resulted, by the end of World War II (1939-45), in the systematic, state-sponsored murder of some 6 million European Jews (along with an estimated 4 million to 6 million non-Jews). The first instance of prosecuting the perpetrators of crime for the violence caused to the civilian population came in December 1942 when US, Britain and Soviet made a joint declaration. Joseph Stalin (1878-1953), the Soviet leader, initially proposed the execution of 50,000 to 100,000 German staff officers. British Prime Minister Winston Churchill (1874-1965) discussed the possibility of summary execution (execution without a trial) of high-ranking Nazis, but was persuaded by American leaders that a criminal trial would be more effective. This would be an advantage as criminal proceedings will require documentation and the defendants would be charged and later it cannot be stated that they were condemned without evidence. In the light of above stated facts, answer the following:</p> <ol style="list-style-type: none"> 1. What were the offence under which the accused were prosecuted? Was genocide a crime during the Nuremberg Trial? 2. Write a note on why Nuremberg Trial is known as Victor's Justice. 	10*2= 20	CO 3
Ans.			
4	<p>China has created biological weapon which is capable of mass destruction throughout the world and also caused serious physical, psychological, social and economic harm to the world. Under these circumstances whether China can be Prosecuted under ICL.</p> <p>Discuss the Jurisdiction of International Criminal Court.</p>	20	CO 4
Ans.			
5	<p>Victims have a right to participate in proceedings independently of the Prosecution or Defence. Comment and also discuss the victim compensation scheme under ICL.</p>	20	CO4
Ans.			

I,, understand that submitting work that isn't my own may result in failure in this paper and I may also be subject to Disciplinary Proceedings as per the Academic Integrity policy of the University.