



“Investing in Africa’s future”

COLLEGE OF BUSINESS, PEACE, LEADERSHIP & GOVERNANCE

NIRD504: INTERNATIONAL & DIPLOMACY LAW

END OF SECOND SEMESTER FINAL EXAMINATIONS

NOVEMBER /DECEMBER 2019

LECTURER: C. MUNGUMA

DURATION: 3 HRS

INSTRUCTIONS

Answer **QUESTION 1** from **Section A (COMPULSORY)**

Answer any **TWO** questions from **Section B**

Marks allocated to each question are indicated in brackets at the end of the question.

Section A

1. The secretary of State in A's embassy crossed the red light on the territory of State B, where he was accredited. After being arrested by the police for the driving offence he presented a diplomatic ID. The policeman came to conclusion that the diplomat was drunk and unfit for driving. The policeman wanted to take his driver's license and car keys. The diplomat stated that the police were ignorant in the field of diplomatic law and referred to his immunity of personal inviolability. The confused policemen stepped away from the car and the diplomat departed. From the police records this is the second time that the particular diplomat has been on the wrong side of driving rules.
 - a) Discuss whether this diplomat can be arrested and prosecuted in country A arising from the above facts and circumstances. [18marks]
 - b) Other than applying the law how else can a diplomat in such circumstances be dealt with by the receiving state. [7marks]
2. Anna Jamba, the wife of the ambassador of Zimbabwe, is employed as a scientist in Warsaw Poland. After 3 years of impeccable behavior at work she has suddenly stopped showing up at her workplace. She thereafter rescinded from her employment contract without any notice as required by local laws. In doing so Polish rules on notice of termination of employment were broken. The employer wants to sue Anna for compensation but is not sure whether its action will succeed in Poland. The employer comes to you an expert of international law for legal advice on whether Anna Jamba can benefit from immunity in the above case? [15marks]

Section B

3. During a parliamentary debate one parliamentarian was heard to be saying that "customary international law has no effect whatsoever unless if it is incorporated into an act of parliament in Zimbabwe". Discuss and critique the truthfulness of this statement. [20marks]
 - b) Explain how international treaties are domesticated in Zimbabwe [10marks]
4. The United Nations has received unwarranted bashing from commentators and the public at large for its alleged failures. Assess how effective has the UN been in resolving international problems in a number of fields of your choice. [30marks]
5. Evaluate the importance of the attributes that are required for a nation to gain statehood under international law. [18marks]
 - b) Discuss any four general principles used for interpreting treaties and conventions under international law. [12marks]

6. Discuss some of the methods used to enforce international law. How effective are these methods? [20marks]
 - b) Suggest proposals that can be used to improve the enforcement of international law across the world. [10marks]

End of Paper