



"Investing in Africa's future"

SCHOOL OF LAW
NLLB528: PUBLIC INTERNATIONAL LAW
END OF FIRST SEMESTER EXAMINATIONS
NOVEMBER 2025
LECTURER: DR. T.C. NHENGA
DURATION: 3 HOURS

INSTRUCTIONS

1. Answer **three** questions - **Question 1 is compulsory.**
2. This exam carries a total of **100 Marks**
3. You are encouraged to provide appropriate references where necessary in your work

SECTION A (THIS SECTION IS COMPULSORY)

Question 1

Chequobovakia is a member of the United Nations. Its population is composed of 1200 people of which 90% are Majoritarians and 10% Minoritarians, who are an ethnic minority. The Minoritarians have been agitating over several years for increased political autonomy, but these requests have been met with firm opposition from the Chequobovakian government, which is dominated by Majoritarians. The Minoritarians nonetheless continue to press their case, organising various peaceful protests and demonstrations to draw national and international attention to their cause. During these peaceful protests, the Chequobovakian government reacts in a swift and severe manner, dispersing the crowds and generally implementing measures which restrict the rights of Minoritarians. There are also rumours of kidnappings and summary executions of certain key figures in the Minoritarian struggle for greater autonomy. The human rights situation in Chequobovakia as it relates to Minoritarians continues to deteriorate, with a large number of reports of increased state-sponsored violence targeting the Minoritarian people. The neighbouring states surrounding Chequobovakia have all registered their concern at the situation and have called on the Chequobovakian government to respect the human rights of all its citizens, including the Minoritarians.

A group of Minoritarians, calling themselves the 'Liberation Council' organise themselves as the voice of the Minoritarian people and try to negotiate a settlement of the matter with the Chequobovakian government. The Liberation Council enjoys wide support among the Minoritarians. When their attempt to arrive at a negotiated settlement fails, the Liberation Council unilaterally issues a declaration purporting to secede from Chequobovakia in exercise of their right of self-determination. The declaration goes on to establish a new state, the Liberated State of Minoritaria, with the Liberation Council as its sole and legitimate government. A large proportion of the international community, including all of Chequobovakia's neighbours, has recognised the Liberation Council and the Liberated State of Minoritaria. However, Chequobovakia continues to maintain that the Liberated State of Minoritaria is part of its territory and rejects the unilateral declaration as contrary to international law. In condemning the actions of the Liberation Council, they also call attention to the heavy dependence of the Liberation Council on economic support from the neighbouring state of Bukane, which is sympathetic to the Minoritarian cause.

Advise Chequobovakia on the following:

- a) The legality of the unilateral declaration made by the Liberation Council; [20 marks]
- b) Whether the Liberated State of Minoritaria qualifies as a state in international law. [15 marks]
- c) The type and legal effect of the recognition by other members of the international community. [15 marks]

Total: [50 marks]

SECTION B (ANSWER ANY TWO QUESTIONS FROM THIS SECTION)

Question 2

International law is entirely concerned with the rights and duties of States. This has been the case historically and remains so today. International law provides no rights or duties for individuals or any other so-called 'international persons'. Assess this statement. [25 Marks]

Question 3

Discuss the relationship between international law and domestic law in Zimbabwe, focusing on how Zimbabwe incorporates international legal obligations into its national legal framework. In your answer, explain the process of domesticating treaties under Zimbabwean law, referring to the Constitution and examples of international treaties. [25 Marks]

Question 4

What are the legal and political considerations for the UN Security Council to determine a threat to international peace and security and authorize forcible measures under Chapter VII of the United Nations Charter? [25 Marks]

Question 5

“The history of international law shows a gradual progression from a state-centred global order to one in which a much wider variety of subjects plays a role in international law. International organisations, for example, have been recognised as having the same rights and obligations as states. Moreover, individuals everywhere on the planet, including those in Zimbabwe, now have direct and effective rights to challenge their states for violation of their human rights at the international level. States therefore should be characterised as second-tier actors at the international level.” Discuss the above statement, making reference to the historical development of international law and any present trends that may contradict the above statement. **[25 Marks]**

END OF EXAMINATION