**ADVANCED ISSUES IN PUBLIC INTERNATIONAL LAW**

**FINAL EXAM**

***Student ID: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_***

*It is an open book take home exam. Any forms of cheating and correspondence with your group mates are strictly prohibited. You have three hours to complete the exam. The exam consists of two parts: the hypothetical situation and few open ended questions.*

***Part 1: Hypothetical overall 70 points***

Moka, Kaspia and Ruri are neighboring states (they are all members of the UN, WTO, ratified treaty on protection of leopards, UN Charter, GATT, Rome Statute, Geneva Conventions, ICCPR, ICESCR and accepted the jurisdiction of the ICJ).

Kaspia and Ruri have been importing Bluefin tuna to Moka since 2010. Scientists have observed that while catching the Bluefin tuna most fishers have been catching dolphins as well thus endangering their existence. In 2015 Moka for the purposes of protection of dolphins issued internal rules stating that they will be allowing the import of tuna`s only from those states that use the dolphin protection devises. Moka contributed to 5 states excluding Kaspia and Ruri certain amount of money for the purposes of purchase of dolphin protection devises. Thus Bluefin tunas from Kaspia and Ruri were rejected by Moka.

Furthermore, Moka, Kaspia and Ruri are members of the international convention on preservation of wild animals, birds and fish. Since all three states have snow-leopards in their territory they have agreed to impose absolute prohibition of commercial haunting on snow leopards “except for scientific purposes.” In May 2016 Kaspia launched a governmental research activity; one of the primary purposes is researching on wild animals and finding solutions on their preservations. Within the framework of this research Kaspia killed around 15 snow leopards. Moka And Ruri are claiming that this constitutes an unlawful act from the side of the Kaspia.

In August 2016 Rurian ship (the ship was full of toxic and chemical substance) was crossing by the Moka`s side (the ship contained one captain and 3 more individuals). Suddenly the engine broke and captain had no other choice but to cross the internal waters of Moka. The crossing was not communicated earlier, while being on the territory of Moka the engine of the ship broke and toxic and chemical substance was split into the waters of Moka thus polluting it substantially. Authorities of Moka characterized this as illegal armed attack against the territorial sovereignty of Moka and send a ballistic missile with toxic content and bombed the internal waters of Ruri thus polluting their waters as well, none of the individuals were injured.

As a result Ruri and Moka engaged in a war. From the moment of proclamation of war, Ruri officials ordered to undertake the following measures:

- Closed Mokan embassy in Ruri

- Confiscated Moka’s bottle producing factory on Ruri without any compensation

- Issued a regulation for Rurian citizens to leave the Moka within one week

- Sent spies and intelligent agents to Ruri to report on Rurian actions

- Sent military troops to Hari in Ruri, the bordering to Moka village, with an order not to leave anyone alive there

- Burnt the entire Mokan forest when Rurian armed forces entered the forest

**Question: *You are international expert in Public International Law. Please identify whether there any violations of norms of IPL, International Human Rights Law, International Criminal Law and Humanitarian law in the hypothetical. If yes, specify the violation (what norms), subjects of the violations (by what state?). While answering to questions refer to specific treaty, case law and principles of IPL***

**Part II Open ended short questions:**

1. **Identify main principles of international environmental law. Explain how the development of international environmental gradually limited the sovereignty principle? (10 points) (in your own words)**
2. **Explain the claim brought by Ukraine against Russia before the ICJ in 2022 (10 points) (in your own words)**
3. **Explain elements of all 4 international crimes (10 points) (in your own words)**