



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A MAIN EXAMINATION

AUGUST – DECEMBER 2018 TRIMESTER

FACULTY OF LAW

REGULAR PROGRAMME

CLS 403: INTERNATIONAL INSTITUTIONS LAW

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Date: DECEMBER 2018

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and ANY OTHER TWO Questions

Q1. FACTS OF THE CASE

In its thirty-third World Health Assembly the WHO decided to seek the International Court of Justice advisory opinion on the question whether the negotiation and notice provisions of Section 37 of the Agreement of 25 March 1951 between the World Health Organization and Egypt are applicable in the event that either party to the Agreement wishes to have the Regional Office transferred from the territory of Egypt?

Section 37 of the Seat Agreement provides that:

"The present Agreement may be revised at the request of either party. In this event the two parties shall consult each other concerning the modifications to be made in its provisions. If the negotiations do not result in an understanding within one year, the present Agreement may be denounced by either party giving two years' notice."

SUB-QUESTIONS

1. Did the question submitted before the Court meet all legal requirements? Justify your answer by supporting your arguments with relevant authorities.
(10 Marks)
2. Was the Court under duty to give its opinion on the matter? Justify your answer by supporting your arguments with relevant authorities.

3. (10 Marks)

4. In a short essay write a legal opinion addressing the substance of the matter.
(10 Marks)

Q2. In a short essay discuss the legal status of the International Committee of the Red Cross in international law. (20 Marks)

Q3. Under which circumstances can membership of a State to an international organization be brought to an end?

Provide various legal theories and support your arguments with relevant authorities. (20 Marks)

Q4. The African Union being considered a regional institution discuss the participation of Haiti to the work of the African Union. (20 Marks)

Q5. Is the question of legal personality of international institutions a question of international law or domestic law? Justify your answer by supporting your arguments with relevant authorities. (20 Marks)

END