

**NATIONAL INSTITUTE FOR LEGISLATIVE
STUDIES/UNIVERSITY OF BENIN**
First Semester Examination 2014/2015 Session, October 2015.

COURSE TITLE: International Law

COURSE CODE: GEC 806

INSTRUCTIONS: Answer any FOUR Questions

1. Nigeria for Nigeria Initiative is a pressure group. Big Jack, the leader of the group, has written a petition to the National Assembly. In the petition, he protested that the National Assembly has not been performing its role as a subject of international law. He claimed that his group has international legal personality because it is formed to influence policies of government and the group will take over the international rights and obligations of the National Assembly since the legislative arm has abdicated its role as subject of international law. Dogo Turenchi a legal officer in the National Assembly has advised that only the Federal Government and the federating units, that is, the States have international legal personality. Dogo Turenchi further advised that Big Jack can institute action against Nigeria at the International Court of Justice if it is dissatisfied with Nigeria's legislative Mr Titus Pullo is a consultant engaged by the Senate to prepare a simplified handbook arm of government. The Senate President and Speaker of the House of Representatives both believe that the group and legal officer are misstating the law. They have jointly sought your opinion. Write a comprehensive memorandum to the duo advising them on the subjects of international law and answering the issues raised by Big jack and Dogo Turenchi.
2. On international law for the Senators. Among other things, the handbook states that the National Assembly can make international law; Nigeria can avoid treaty obligations where the treaty is in force but has not been domesticated by the National Assembly; a rule of international law can be binding on Nigeria even if the rule was made before Nigeria came

into existence; there are several ways in which National Assembly can influence the formation of international law. You have been engaged by a Senator to analyse the statements in the handbook. Write the required report to the Senator with emphasis on the sources of international law.

3. Hajia Maigida is a newly elected Member of the House of Representatives. She was informed by her son, who is an absentee law student, that she has diplomatic immunity by virtue of her status in the National Assembly. The son further asserted that diplomatic immunity is permanent and can never be waived. He then requested that Hajia Maigida should use the cover of diplomatic immunity to beat up his ex-girlfriend in the receiving State since no consequences will attach to the action because of diplomatic. Kindly advise Hajia Maigida as to the correctness or otherwise of her son's assertions. In this regard, educate her on the essence of diplomatic law; the process of establishment of diplomatic relations and permanent diplomatic missions; the contents of diplomatic Immunity; waiver, what it means to be declared persona non grata; and the distinction between diplomatic immunity and State immunity.
4. Quixote Kola is an activist who was recently elected to the Senate. He views himself as a patriot and was displeased that a Guyanese junior football team won a friendly match against the Super Eagles of Nigeria. In his capacity as member of the Senate committee on sundry affairs, he issued summons to all Guyanese living in Abuja requesting them to attend a meeting at the National Assembly. On arrival, he ordered his police orderly and some National Assembly staff to beat up the Guyanese and detain them for 5 days. Can Nigeria be held responsible for the conduct of the Quixote Kola? Would your answer have been different if Quixote Kola was the leader of a band of insurgents?
5. What are the possible defences and consequences if Nigeria commits an internationally wrongful act?
6. What is international law?