

LAIKIPIA



UNIVERSITY

UNIVERSITY EXAMINATIONS

1ST SEMESTER 2023/2024 ACADEMIC YEAR

FOURTH YEAR EXAMINATION FOR THE
DEGREE OF BACHELOR OF ARTS IN PEACE AND
CONFLICT STUDIES

PACS 415: INTERNATIONAL HUMANITARIAN LAW

STREAM:

TIME: 2 HRS

DAY: THURSDAY [11.30-13.30 P.M]

DATE: 07/12/2023

THIS QUESTION PAPER CONSISTS OF TWO (2) PAGES

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INSTRUCTIONS:

Question ONE is compulsory. Answer any other TWO questions from the rest.

QUESTION ONE

“International law is in a primary sense, law made by sovereign states, to govern sovereign states.”

- a) In view of this, critically examine the sources of the international humanitarian law. **(10 Marks)**
- b) Explore the need to rethink the traditional sources of international law. **(10 Marks)**
- c) Discuss the challenges that impede the implementation of the international humanitarian law. **(10 Marks)**

QUESTION TWO

“The main demands of the day are to rethink the problems of sovereignty.” Discuss this statement made by Boutros Boutros Ghali, the Former UN Secretary. **(20 Marks)**

QUESTION THREE

International humanitarian law makes expressly provides for the resolution of conflict through peaceful means. In this regard, compare and contrast the methods that have been set out for the peaceful settlement of disputes. **(20 marks)**

QUESTION FOUR

The ‘Peace versus justice’ debate has been a central theme when analyzing the politics of international criminal justice. Some have argued that the role of the international courts and tribunals may be portrayed as an obstacle to peace processes but it may as well facilitate those processes. On the other hand, others suggest that the dichotomous debate of peace versus justice is false, as it relies on a dubious and narrow understanding of both peace and justice. Analyze both sides of this debate indicating in your view, which approach fosters the best opportunity towards a comprehensive reconstruction of post conflict societies. **(20 Marks)**

QUESTION FIVE

Write notes on ONE of the current application of humanitarian law situations: a) intra and inter-state conflicts, b) piracy and protracted conflicts, c) international terrorism, d) gangsterism and cults, e) cattle rustling. **(20 Marks)**

