

ROYAL CIVIL SERVICE COMMISSION

CIVIL SERVICE COMMON EXAMINATION (CSCE) 2008 EXAMINATION CATEGORY: TECHNICAL (LAW) Law Graduates (I.L.B.)

PAPER III: Subject Specialization

Total Marks: 100

Total time: 2 hours & 30 minutes

Instructions:

- a) You are given **10 minutes** for reading the question paper and hence you are **not allowed to write** your answers, until you are being instructed by the examiner/invigilator.
- b) The entire question segment is divided into **Section A** and **Section B**.
- c) Section A carries **70 marks** while Section B carries **30 marks**.
- d) You must attempt all 50 multiple questions (**50 marks**) and 4 short questions (**20 marks**) from **Section A**.
- e) Section A has two parts; Part I and Part II. You are required to attempt all the questions from Part I and all 4 short questions from Part II.
- f) You are required to attempt **any 1 question** (30 marks) out of **2 questions from Section B**. Your answers will be evaluated based on your analytical skill, logic and application of appropriate provisions of laws.
- g) All your answers must be written in the answer sheet/s. Answers written on the question paper/s and attached to answer sheet **shall not be accepted**.
- h) The question papers consist of **8 pages**.

SECTION A

Part I:

Attempt all 50 multiple questions. Choose and write the correct answer in your answer sheet:

1. The United Nations Organisation was established on 24 October 1945 mainly to:
 - a) Define the national territories of States
 - b) Establish hegemony of the Super Powers
 - c) Bring the criminals of World War II to justice
 - d) Maintain international peace and security.
2. The International Court of Justice in the Hague has:
 - a) 10 judges
 - b) 11 judges
 - c) 13 judges
 - d) 15 judges.
3. The proceedings before the International Criminal Court may be initiated by:
 - a) UN Security Council
 - b) UN General Assembly

- e) UN Economic and Social Council
 - d) UN Trusteeship Council.
4. The General Assembly of the United Nations has the following number of member countries as on today:
- a) 180
 - b) 185
 - c) 188
 - d) 192.
5. The World Trade Organization (WTO) was established on:
- a) 24 October 1945
 - b) 1 January 1980
 - c) 1 January 1995
 - d) 1 January 1998.
6. The Headquarters of World Intellectual Property Organization is based in:
- a) Vienna
 - b) Washington D.C.
 - c) The Hague
 - d) Geneva.
7. The restriction to profess one's own religion is a not violation of:
- a) Natural Justice
 - b) Human Rights
 - c) Civil Rights
 - d) Fundamental Rights.
8. The United Nations Environment Programme (UNEP) was established in:
- a) 1971
 - b) 1972
 - c) 1974
 - d) 1976.
9. Territorial waters, or a territorial sea, as defined by the United Nations Convention on the Law of the Sea, is a belt of coastal waters extending at most:
- a) 12 nautical miles from the baselines
 - b) 15 nautical miles from the baselines
 - c) 24 miles from the baselines
 - d) 200 nautical miles from the baselines.
10. The rights of a child is not determined by:
- a) UN Convention on Human Rights
 - b) UN Convention on the Rights of the Child
 - c) UN Convention Rights in Child Friendly Language
 - d) UN Convention on the Elimination of All Forms of Discrimination against

Women (CEDAW).

11. Al Gore, former Vice President of the United States of America shared the Nobel Peace Prize in 2007 for the efforts to build up and disseminate greater knowledge about man-made climate change with:
 - a) Chairman, Inter Governmental Panel on Climate Change
 - b) Executive Director, United Nations Environment Programme
 - c) Chairman, World Conservation Union
 - d) Head, US Environmental Protection Agency.

12. His Majesty the Fourth Druk Gyalpo was honoured with J. Paul Getty Award for the Conservation Leadership for environmental conservation works in:
 - a) 2003
 - b) 2004
 - c) 2005
 - d) 2006.

13. Bhutan is one of the biodiversity hot spots and it currently holds:
 - a) 8th position in the world
 - b) 10th position in the world
 - c) 12th position in the world
 - d) 15th position in the world.

14. International Civil Aviation Organisation (ICAO) came into being as per:
 - a) Chicago Convention of 7 September 1944
 - b) Chicago Convention of 7 September 1945
 - c) Chicago Convention of 7 September 1946
 - d) Chicago Convention of 7 September 1948.

15. United Nations Educational, Scientific and Cultural Organisation (UNESCO) Constitution was drawn at:
 - a) The London Conference on 16 November 1945
 - b) The New York Conference on 16 November 1945
 - c) The Geneva Conference on 16 November 1945
 - d) The Washington Conference on 16 November 1945.

16. Along with Bhutan, which one of the following countries became a member of the United Nations Organisation on 21 September 1971:
 - a) Bahamas
 - b) Bahrain
 - c) Bangladesh
 - d) Barbados.

17. Which one of the following is not a member of the UNO:
 - a) Germany
 - b) Belgium

- c) Poland
 - d) Taiwan.
18. Terrorism has been in the international agenda since:
- a) 1934
 - b) 1945
 - c) 1946
 - d) 1948.
19. The Nuremberg principles were a set of guidelines mainly for determining:
- a) War Crime
 - a) Terrorism
 - b) Civil rights movement
 - c) Quantum of destruction caused by the WW II.
20. One of the core functions of the International Court of Justice (ICJ) is to:
- a) Question the laws of the States
 - b) Interpret treaties
 - c) Formulate laws for the States.
21. The private international law deals with:
- a) The conflict of laws.
 - b) Rights and obligations of two States
 - c) Only (b).
22. The resolutions of the General Assembly binds:
- a) All the UN organs
 - b) Only certain UN organs
 - c) Only (a).
23. The countries like Italy, Sweden, Finland and Norway practise:
- a) The common law system
 - b) The civil law system
 - c) A combination of (a) and (b).
24. The Chief Prosecutor of the Nuremberg Trial was:
- a) Justice Robert Jackson
 - b) Justice Ingo Muller
 - c) Justice Lothar Kressig.
25. The common law system first originated in:
- a) England
 - b) The United States of America
 - c) Russia.

26. The civil law has its origin in:
- England
 - Rome
 - Russia.
27. The General Assembly of UNO consisting all member states has one vote each but is entitled to:
- Two representatives
 - Three representatives
 - Four representatives
 - Five representatives.
28. A principle in international law, specifically the Refugee Law, that concerns the protection of the refugees from being returned to places where their lives or freedom could be threatened is:
- Non-refoulement
 - Non repatriation law
 - None of the above.
29. The mandate of the Security Council is to:
- Mobilize funds and resources for the member states
 - Maintain the international peace and security
 - Boost the economy of member states.
30. The Convention on the Elimination of all Forms of Discrimination against Women came into force on:
- 21 September 1971
 - 3 September 1981
 - 21 September 1981.
31. Mr. Ban Ki-Moon, present Secretary General of the United Nations Organisation was:
- Finance Minister of South Korea before he became the General Secretary
 - Defence Minister of South Korea before he became the General Secretary
 - Foreign Minister of South Korea before he became the General Secretary.
32. The International Biodiversity Day is observed on:
- 2 June of every year
 - 15 August of every year
 - 22 May of every year.
33. According to the World Wildlife Federation (WWF), the number one endangered specie is:
- Horn Bill
 - Black Rhino
 - Golden Languor.

34. The official languages of the International Court of Justice are:
- Spanish and German
 - English and Russian
 - English and French.
35. The judges of the International Court of Justice are elected by the United Nations General Assembly and the Security Council for a term of:
- Five years to office
 - Seven years to office
 - Nine years to office.
36. The Declaration of the General Assembly is:
- Legally binding under the international law
 - Not legally binding under the international law
 - None of the above.
37. The Universal Declaration of Human Rights grants the right to freedom of opinion and expression under:
- Article 18 of the Declaration
 - Article 19 of the Declaration
 - Article 20 of the Declaration.
38. In 2006, one of the following countries joined the UNO as its 192nd member:
- Switzerland
 - Montenegro
 - East Timor.
39. The President of the 63rd session of the United Nations General Assembly since 16 September 2008 is:
- Mr. Miguel d'Escoto Brockmann
 - Mr. Ban Ki-Moon
 - Mr. Kofi Annan.
40. The President of the General Assembly announced the winners of the prestigious United Nations Prize in the Field of Human Rights for 2008 posthumously for:
- Indira Gandhi and Ronald Reagan
 - Mahatma Gandhi and Jawaharlal Nehru
 - Benazir Bhutto and Sister Dorothy Stang.
41. The General Agreement on Tariffs and Trade (GATT) was an international organization created in 1947 to reduce trade barriers through:
- Multilateral negotiations
 - Bilateral negotiations
 - Both (a) and (b).

42. A country which is not a member of the WTO as of now is:
a) Bangladesh
b) Belgium
c) Bhutan.
43. The Convention on Rights of the Child is applicable only to:
a) Children under 21 years
b) Children under 18 years
c) Children under 19 years.
44. The Fourth World Conference on Woman in Beijing was participated by:
a) 187 Governments
b) 189 Governments
c) 191 Governments.
45. The Kyoto Protocol which was adopted in Kyoto, Japan, on 11 December 1997 came into effect from:
a) 16 January 2005
b) 16 February 2005
c) 16 March 2005.
46. The International Labour Organization was created in 1919 as:
a) As a part of UNO after the WWII
b) As a part of the Treaty of Versailles
c) None of the above.
47. The first Secretary General of the United Nations Organizations was:
a) Dag Hjalmar Agne Carl Hammarskjöld from Sweden
b) Trygve Halvdan Lie from Norway
c) U Thant from Myanmar.
48. The name "United Nations" was coined by:
a) Franklin D. Roosevelt
b) Sir Winston Churchill
c) Harry Truman.
49. The United Nations Organization had begun with a total of:
a) 45 Member States
b) 48 Member States
c) 51 Member States.
50. The Universal Declaration on Human Rights was adopted by:
a) The General Assembly on 10 December 1948
b) The Security Council on 10 December 1948
c) The Trusteeship Council on 10 December 1948.

Part II:

Attempt all short four questions (5 marks each):

1. From the legal and academic point of view, state five demerits of the Constitution of the Kingdom of Bhutan 2008.
2. You are appointed as one of the members of the Law Commission of Bhutan to review the existing laws, what five suggestions would you give to the Government for rectifying some of the lacunae in our legal system?
3. Why is it good or harmful for Bhutan to join the World Trade Organization (WTO)?
4. Critically comment on the Separation of Power among the three branches of the Government in our country.

SECTION B

There are two case studies given below. You are required to answer any one of them (30 marks):

Case Study 1

A and *B* are two neighbouring countries. *A* is a member of the United Nations Organization since 1945 while *B* has not entered into the membership of the UNO. These two countries have a long pending territorial dispute. *B* decides to submit a petition to the International Court of Justice in The Hague? Will the ICJ entertain the petition? If not, why and how will *A* defend the case?

Case Study 2

Karma Lhamo, a civil servant in her own individual capacity has made some comments in the print media about the recent proceedings of Parliament. As per the order of the Government, the Agency where she is currently working has reprimanded and withheld her promotion to next higher position by 8 years. She has exhausted all the local administrative remedies but without any success.

If Karma Lhamo now approaches you, what legal advices would you give her to submit an appeal and fight her right in the Court of Law? Invoke appropriate provisions of law to strengthen your contention.