



INNOVA JUNIOR COLLEGE  
JC 2 PRELIMINARY EXAMINATION 2  
in preparation for the General Certificate of Education Advanced Level  
**Higher 2**

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## HISTORY

Paper 1 International History, c1945-2000

**9731/01**

**17 September 2012**

**3 hours**

Additional Materials:          Writing Paper

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### READ THESE INSTRUCTIONS FIRST

Write your name and class on all the work you hand in.  
Write in dark blue or black ink on both sides of the paper.  
Do not use staples, paper clips, highlighters, glue or correction fluid.

#### **Section A**

Answer **Question 1**.

#### **Section B**

Answer any **three** questions.

At the end of the examination, answers for Section A and Section B should be fastened **separately**. Section B should be fastened with a cover page.  
All questions in this paper carry equal marks.

You are reminded of the need for good English and clear presentation in your answers.

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This document consists of **4** printed pages.



Innova Junior College

**[Turn over**

## Section A

You **must** answer Question 1.

### THE INTERNATIONAL COURT OF JUSTICE

1. Read the sources, and then answer the question which follows. When answering **Question 1**, candidates are advised to pay particular attention to the interpretation and evaluation of the Sources both individually and as a group.

#### Source A

Rulings in some territorial cases were accepted and honoured by the countries concerned. This was in itself a significant achievement. However, they did not concern territory of much intrinsic value. And there are thirty or forty frontier disputes between nations which remain unresolved, sometimes concerning for more valuable territory, and which have never been submitted to the Court, either because one's party claim is not based on purely legal grounds or because one or both are not prepared to submit to the Court's jurisdiction on the matter

*Evan Luard, The United Nations and How it Works, 1979.*

#### Source B

A still more fundamental problem concerns the lack of enforcement available to the Court to secure compliance when it does make judgments. The Security Council can, under Article 94, 'decide upon measures to be taken to give effect to "the judgments" of the Court, but has never done so. This leads to a situation where many deride the usefulness of bringing disputes to the Court, doubting, with some reason, not only whether the other government involved will accept jurisdiction in the first place, but whether it will comply with any judgment obtained. If Albania can defy the Court with impunity, who cannot?

*Adapted from an academic specializing in International Relations*

#### Source C

The Court is competent to entertain a dispute only if the States concerned have accepted its jurisdiction in one or more of the following ways:

- By entering into a special agreement to submit the dispute to the Court;
- By virtue of a jurisdictional clause where the dispute involves a disagreement over the interpretation or application of the treaty, one of them may refer the dispute to the Court;
- By virtue of each party has accepted the jurisdiction of the Court as compulsory in the event of a dispute with another State having made a similar declaration.

*From the United Nations, The International Court of Justice,  
(URL: <http://www.un.org/en/law/>, accessed in 2012).*

**Source D**

A strong legal position gives the application deterrence against an antagonistic state, even if the Court ultimately fails to establish jurisdiction. This probably helps explain US resort to the Court in three aerial incidents of the 1950s in which the Soviet Union twice and Bulgaria once were charged with illegally shooting down foreign aircraft. Undoubtedly, it was also a factor in Nicaragua's 1984 decision to seek ICJ action on its complaint against the US for mining Nicaraguan harbours and aiding Nicaraguan rebels, although the Court subsequently found jurisdiction in that case and, indeed, ruled in favour of Nicaragua.

*American scholar, in an academic research on the United Nations, 1996.*

**Source E**

The International Court of Justice still remains the only judicial body with legitimacy derived directly under the Charter, enjoying general jurisdiction and available to all States of the international community on all aspects of international law. All other international judicial institutions, established as they are with competence over specified fields, are confined to their limited areas of jurisdiction, and lack general jurisdiction of a universal nature. Over the last fifty years, the Court has dealt with a variety of legal issues. Its judgments covered disputes concerning sovereignty over islands, navigational rights of States, nationality, asylum, expropriation, law of the sea, land and maritime boundaries, enunciation of the principle of good faith, equity and legitimacy of use of force. The issues presently before it are equally wide ranging, and its judgments have played an important role in the progressive development and codification of international law. Despite the caution it exhibited and the sensibility it showed to the political realities and sentiments of States, the Court has asserted its judicial functions and consistently rejected arguments to deny it jurisdiction on the ground that grave political considerations were involved in a case in which it otherwise found proper jurisdiction for itself. Thereby, the Court clearly emphasized the role of international law in regulating inter-state relations which are necessarily political.

*A speech by a UN delegate, 2000.*

Now answer the following question.

*How far do sources A to E support the view that the International Court of Justice can manage international disputes?*

## Section B

You **MUST** answer **THREE** questions from this section

2. "Regional conflicts were hijacked by the US for its own foreign policy interests." How far does this describe the Korean War and Cuban Missile Crisis?
3. "The tide of nationalism caused the downfall of the Communist system." Assess the validity of this statement.
4. "The Japanese only have themselves to blame for the collapse of the Japanese economic miracle." How far do you agree with this statement?
5. How far do you agree that the global economy was dragged down by America from the 1970s to 2000?
6. Assess the impact of Religious Fundamentalism on global stability from the 1970s to 2000.