

FOURTH YEAR FIRST SEMESTER REGULAR EXAMINATION
(FOR BACHELOR OF ARTS IN INTERNATIONAL RELATIONS AND DIPLOMACY
2020/2021 ACADEMIC YEAR
COURSE CODE: 411
COURSE TITLE: DIPLOMATIC LAW: PRIVILEGES AND IMMUNITIES

INSTRUCTION TO CANDIDATES

- Answer Question One and any other Three questions
- Duration: 3 hours

QUESTION ONE

John is the head of a diplomatic mission from Kitere State to Nyamarambe State. John has had a domestic stand off for some time with his lawfully wedded wife. On suspicion of infidelity against his beloved wife and prompting an argument between them, John's wife angrily retorted that she indeed has some affair with another diplomat with whom John had their credentials presented to the head of state for Kitere on the same day and that the new love birds were at a very advanced stage with their affair. Helpless and having no one to consult, John landed blows onto his wife leaving her with serious injuries and even breaking her left arm. The commotion attracted the neighbourhood and a security guard on patrol reached out to John's residence to offer help only to find himself beaten in black and blue by an angry John. The guard who is a Kitere national is then rushed to hospital, unfortunately after some days the guard succumbs to the injuries sustained from the assault by John. The family of the late guard, John's wife and John all have sought for your opinion on how to handle this weighty issue knowing that you are an astute diplomatic immunities and privilege expert. Advise the three parties on how to protect their respective interests. **(25 Marks)**

QUESTION TWO

Discuss the history of diplomatic immunities and privileges giving illustrations of ancient, pre-history, renaissance and the modern times. **(15 Marks)**

QUESTION THREE

Explain the meaning of the following terms giving relevant examples:

- i. Diplomatic immunity **(5 Marks)**
- ii. Diplomatic mission **(5 Marks)**
- iii. Diplomatic corps **(5 Marks)**

Ms Mwende Mwinzi a citizen of the United States of America by birth, equally a citizen of the Republic of Kenya by registration was lately appointed as the Kenyan Ambassador designate to South Korea by the President of the Republic of Kenya, H.E, Uhuru Kenyatta. Ms Mwende Mwinzi during her interview before the National Assembly of Kenya had some issues to grapple with, at the least her status of dual citizenship. The National Assembly members however made recommendations to the Head of state to withdraw the nomination of Ms Mwinzi, recommendations which the president never gave an ear. The MPs are unhappy and as unbowed, they have further requested the president to recall the nomination of the

ambassador designate. Ms. Mwinzi has since presented her credentials to the president of South Korea HE Moon Jae-in who accepted the credentials as the Kenyan ambassador designate to South Korea. The Speaker of the National Assembly has sought for your considered opinion on this matter. Being a Diplomatic; Privileges and Immunities expert while paying great attention to the process of accrediting an Ambassador, discuss your how you advise the Speaker of the National Assembly.

(15 Marks)

QUESTION FOUR

Discuss the diplomatic rank in a diplomatic mission

(15 Marks)

QUESTION FIVE

Using appropriate examples, explain any three privileges and immunities of members of the diplomatic staff and diplomatic mission.

(15 Marks)

End