



KENYATTA UNIVERSITY
UNIVERSITY EXAMINATIONS 2018/2019
SECOND SEMESTER EXAMINATION FOR THE DEGREE OF
BACHELOR OF LAWS
LIL 301: INTERNATIONAL DISPUTE RESOLUTION

DATE: MONDAY 14TH APRIL, 2019

TIME: 12.00 P.M - 2.00 P.M

INSTRUCTIONS:

1. Answer ALL QUESTIONS.
2. Support your answers with illustrations from relevant case law, statutory provisions and any other applicable references.
3. Write neatly and legibly.
4. Your answer script must bear your student's registration number.
5. Do not scribble or draft answers on the inner or outer cover pages of your answer booklets.
6. Do not write anything except your registration number on this Question Paper.

QUESTION 1

Last year, Patricia and John started an online business that sells towels both locally and internationally. On 20th October, 2018 they sold 6 towels to Busau from Uganda. The towels were set to be delivered within 7 days from date of purchase.

On 30th November, 2018 Busau called Patricia as he had not received the towels. Patricia insisted that she had sent the towels through Vila Courier on 22nd October 2018. She even had a receipt for the same.

On contacting Vila Courier, Patricia was informed that the towels had been dispatched to Busau. On requesting for the delivery note Patricia was directed to the terms and conditions governing delivery using Vila Courier which she had accepted when she signed the receipt.

One of the terms stated that if delivery is not received within 3 days it should be considered lost and Vila Courier would not be held liable. Patricia has approached you seeking guidance on the various methods of settling such a dispute without having to go to court.

Prepare a legal opinion outlining the best approach at this stage of the dispute resolution and the limitations thereof.

(30 MARKS)

QUESTION 2

The Charter of the United Nations provides under *Article 1* that one of the purposes of the United Nations is *'to be a centre for harmonizing the actions of the nations...'* in a bid to maintaining international peace and security.

DISCUSS the role that the United Nation plays and whether it is effective in resolving international disputes.

(20 MARKS)

QUESTION 3

The European Union has for decades been used to resolve international disputes. Discuss the role it plays and the limitations of using such a regional organization in resolving disputes at the international level.

(20 MARKS)