**WALTER AND JUDITH PINTO**

**GOLD MEDAL & SCHOLARSHIP**

For the best essay in

**PUBLIC INTERNATIONAL LAW**

(For the Year III Students of 2022 Academic Year)

This competition is open to **third year students of the academic year 2022 (2019 batch)** The essay may be written in any one of the three languages (Sinhala, Tamil or English) and should not exceed 6,000 words[[1]](#footnote-1). It must be word-processed (1.5 spacing) and bound with the attached cover page and handed over to the Department of Public and International Law; also send an e-copy to [pil@law.cmb.ac.lk](mailto:pil@law.cmb.ac.lk). The submission should include cover page with the title of the essay, the theme for the essay and student registration number and contact phone number (please see the example cover page).

THE CLOSING DATE IS **OCTOBER** **7th  2023.**

Please consult the Head, Department of Public and International Law or the three teachers of Public International Law for any further information.

**THEME FOR THE ESSAY:**

“According to traditional methodology, [Customary International Law] CIL emerges spontaneously ‘like a path in a forest.’ It has been suggested, somewhat convincingly, that the identification and interpretation of CIL have taken a strategic turn, potentially arising from the proliferation of international interactions and norm-interpreters and entrepreneurs. The theories of ‘modern CIL’ have attempted to explain and justify the broadened methodology, which utilises CIL to advance political, ethical, economic and other aims. Some of such attempts may in fact encourage and expand potential misinterpretations of CIL, with reliance and application of elements far removed from the common understanding of state practice and *opinio juris*. The effect is not relevant only in methodology but also in the outcomes: with the utilisation of different interpretative methodologies by different courts and other norm-interpreters, the resulting identification of a rule of CIL and/or its subsequent interpretation could be highly inaccurate, due to either a genuine mistake in the interpretative methodology or an aspiration to apply a progressive norm disguised as customary rule for moral, ethical, policy, or other extra-legal reasons.”

* Jean D’Aspemont, ‘Misinterpreting Customary International Law’ in Panos Merkouris, Jorg Kammerhofer and Noora Arajarvi (eds), *The Theory, Practice, and Interpretation of Customary International Law (CUP 2022)* 41.

Critically analyse and assess the above statement based on the establishment and consolidation of a customary international law rule of your choice. Your discussion should include reasons for your analysis and arguments substantiating with authorities and practical examples.

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For the best essay in Public International Law

(For the Year III Students of 2022 Academic Year)

Registration Number:………………

Contact phone number: ………………..

**<ADD YOUR TITLE FOR THE ESSAY HERE>**

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1. The word count is not applicable to the footnotes or annexures. Students are advised to use footnotes and follow the OSCOLA citation style. A list of references should be attached. [↑](#footnote-ref-1)