


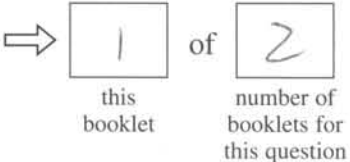


## 2014 HIGHER SCHOOL CERTIFICATE EXAMINATION

### Examination

Legal Studies

### Instructions

- Write the question number you are answering in this box. 
- Write the number of this booklet and the total number of booklets that you have used for this question (eg:  of ). 
- Write your Centre Number and Student Number at the top of this page.
- Write in black or blue pen (black is recommended).
- You may ask for an extra writing booklet if you need more space.
- If you have not attempted the question(s), you must still hand in the writing booklet, with 'NOT ATTEMPTED' written clearly on the front cover.
- You may NOT take any writing booklets, used or unused, from the examination room.

Start here.

The cooperation of nation states and the achievement of world order are influenced significantly by domestic and international legal and non-legal responses to worldwide conflicts. ~~It overall~~ The effectiveness of these measures often depends on the international community's willingness to act and the nature of their measures. This can be seen through the examination of conflicts domestically and internationally and how the UN and the international community has responded, such as in the conflict in former Yugoslavia, the Rwandan genocide, the building of democracy in East Timor, and the current conflict in Syria. The effectiveness of legal and non-legal responses vary greatly due to unique individual circumstances but all aim for the cooperation of nation states to achieve world order.

The conflict in former Yugoslavia during the 1990s and early 2000s sparked much international response to attempt to resolve the conflict and encourage world order. The introduction of the UN Protective Forces (UNPROFOR) 1992 was an attempt at peacekeeping to quell the conflict ~~between~~ in Croatia and surrounding areas through the establishment of UN Protected Areas (UNPA) or 'safe havens'. The effectiveness of these 'safe havens' were ultimately compromised by the violent nature of the fighting and

UNPROFOR ~~was~~ had limited success in encouraging cooperation. The airstrikes conducted by NATO under UN supervision in 1994 and 1995 ~~had some success~~ were more effective in that it pressured the Bosnian-Serbs into signing the Dayton Agreement and an end to the Bosnian War. The further airstrikes on Yugoslavia in 1999 by NATO, a prohibited use of force judged by the UN, were also effective in ending the conflict in Kosovo and the signing of the Kumanovo Agreement. The effectiveness of these legal and non-legal measures can be seen in that ~~the~~ NATO action pressured parties into peace and encouraged cooperation between these nations. The International Criminal Tribunal for the former Yugoslavia (ICTY) established in 1993 is another legal measure by the UN to prosecute those responsible for gross human rights abuses and crimes against humanity, but has limited effectiveness in its purpose and in the ~~best~~ achievement of world peace due to its costly and inefficient processes.

The ineffectiveness of the ICTY can be compared to the relative effectiveness of the International Criminal Tribunal for Rwanda, also an ad hoc tribunal to prosecute the crimes against humanity of individuals during the Rwandan genocide in 1994. The ICTR has conducted 50 trials and convicted 29 individuals, with 11 ongoing trials, and is considered ~~to~~ overall as more effective in its purpose.

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Despite the relative effectiveness of the ICTR, the response of the international community towards the Rwandan genocide itself was severely lacking and overall ineffective in resolving the conflict and achieving world order. The UN Assistance Mission for Rwanda (UNAMR) established the previous year for peacekeeping was largely understaffed and had no legal power to intervene and stem the conflict. The international community, particularly the USA refused to acknowledge the conflict and the fact that what was occurring was genocide, as it took steps to veto Security Council decisions for action in Rwanda. The lack of any truly effective legal and non-legal measures in Rwanda demonstrates the failure of the UN and the international community in achieving world order. As former UN Secretary General Boutros Boutros-Ghali acknowledges, in regards to Rwanda, nobody was interested.

The UN and the international community can be effective in some areas such as when resolving the conflict in East Timor and encouraging cooperation with Indonesia in the 1990s. The UN sponsored referendum, overseen by the UN Assistance Mission for East Timor (UNAMET), saw a result of 78.5% of those who voted in favour of independence from Indonesia. In the conflict before and after the referendum, the International Force in East Timor (INTERPET) was



Tick this box if you have continued this answer in another writing booklet.

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effective in quelling the conflict between the East Timorese and the Indonesian forces and encouraging cooperation between the nation states and to achieve world order.

The success of these measures can also be seen through the implementation of ~~the~~ the UN Administrative Mission for East Timor, as it encouraged the development of a democratic government and good governance with relative success.

~~The legal and~~ The legal and non-legal measures taken by the international community in regards to the conflict in East Timor can be regarded overall as effective and successful.

The current conflict in Syria demonstrates areas where legal and non-legal measures have been effective as well as ineffective. ~~The~~ Security Council Resolution 2118, established in 2013, called for the destruction of stockpiles of chemical weapons being used in the fighting. This measure has been a success, as it is now reported that 92% of chemical weapon stockpiles have been destroyed and dealies have been met. Another recent measure taken by the UN has been Security Council Resolutions 2139 and 2165, allowing for the entry of peacekeeping forces to provide humanitarian aid for those impacted by the conflict. While its effectiveness has yet to be judged, this is a step forward in resolving the conflict and

achieving world order. However, the ineffectiveness of the UN can be seen through the controversial veto power of members of the Permanent Five and the failure of R2P in regards to this conflict. Russia and China have blocked and vetoed several Security Council drafts regarding Syria in the beginning of the conflict in 2011 and 2012 due to conflicting interests. Russia is a major arms supplier of Syria and is fears that instability in another country and becoming involved can encourage instability at home. Similarly, China is Syria's second largest importer and has economic interests, and wishes to not intervene. The conflicting decisions of the Security Council and the Permanent Five are a significant setback for the UN and its ability to respond to issues effectively. The issue of R2P is also an indicator of the failure of UN to effectively use R2P to resolve conflict and promote world order.

The effectiveness of legal and non-legal measures in encouraging cooperation between nations ~~and~~ to achieve world order ~~is~~ depends on the circumstances of individual cases and their circumstances. In some cases, ~~the~~ such as in the Rwandan genocide, the measures taken are ineffective due to the lack of sufficient resources and forces to encourage peace. In other cases, legal and non-legal measures have been more successful

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a) they encourage an end to a conflict and cooperation between nations, such as in former Yugoslavia, and in East Timor. Some areas may be effective and others ineffective, as seen in the response to the crisis in Syria. ~~The response by international legal and non-legal~~ The legal and non-legal measures taken to encourage cooperation are overall too slow and shallow to provide a meaningful impact. Due to the complex nature of international relations, it is impossible for a fast and truly effective response to encourage cooperation, and is ~~ineffective~~ largely ineffective in achieving world order.

← Tick this box if you have continued this answer in another writing booklet.