CASE LAW UPDATES

Landmark Judgments in Public International Law You Must Know

Shruti chauhan · 22 Aug 2026

Picture two warships exploding in a narrow sea channel, a French sailor being tried by Turkey for a collision on the high seas, or a chemical plant's smoke silently poisoning farmland across a border. These are not scenes from a thriller. They are real disputes that ended up defining how nations must behave towards each other, and they now we them as Landmark Judgments in Public International Law.

Ask any CLAT PG or LLM entrance aspirant which subject quietly decides a big chunk of their score, and public international law is almost always on that list. Exams like CLAT PG, AILET PG, DU LLM, and various judiciary and UGC NET papers love testing this subject through case based questions rather than plain definitions.

Why? Because international law barely has a single legislature or a codified rulebook like the Constitution or the IPC. Its principles have grown almost entirely out of judgments, arbitral awards, and advisory opinions. This means examiners cannot simply ask you to define a section. They ask you to identify a principle from a fact pattern, match a case to its doctrine, or spot the odd one out among four similar sounding judgments.

This article walks you through the most important judgments in public international law that repeatedly show up in these exams. We explain the facts, the ruling, and why each case still matters, in simple language you can actually remember on exam day.

Why Case Law Matters So Much Here?

Unlike domestic law, international law does not have one single legislature. There is no world parliament passing binding statutes for every state.

Instead, international law grows through treaties, custom, and importantly, through judicial decisions. The International Court of Justice, or ICJ, and its predecessor, the Permanent Court of International Justice, have shaped the field almost as much as any treaty has.

That is exactly why these cases are called landmark judgments. Each one either clarified an unsettled principle or created a new legal test that courts and states still rely on.

The Corfu Channel Case (UK v Albania), 1949

This was the very first contentious case decided by the ICJ after its creation in 1945.

British warships were damaged by mines while passing through the Corfu Channel, part of Albanian territorial waters. The **United Kingdom** argued Albania knew about the mines and failed to warn incoming ships.

The ICJ held Albania responsible, even without direct proof of who laid the mines. The Court reasoned that a state cannot allow its territory to be knowingly used for acts that harm other states.

This case gave us the foundational principle of state responsibility based on circumstantial evidence, along with the idea that states owe basic duties of warning and diligence to one another.

The SS Lotus Case (France v Turkey), 1927

A **French** ship collided with a Turkish ship on the high seas, causing Turkish deaths. T**urkey prosecuted the French officer** once the ship reached Istanbul.

France argued Turkey had no jurisdiction over acts occurring on a French vessel on the high seas. The Permanent Court of International Justice disagreed.

The Court held that in the absence of a specific rule prohibiting it, states are free to exercise jurisdiction as they see fit. This became known as the Lotus Principle, meaning that what is not expressly forbidden in international law is permitted.

This case is still debated today, since many scholars argue this approach gives states too much unchecked freedom.

The Trail Smelter Arbitration (United States v Canada), 1941

A Canadian smelting plant near the US border released fumes that damaged crops and land across the border in the state of Washington.

The arbitral tribunal held that no state has the right to use its territory in a way that causes serious harm to another state's territory, when the harm is proven by clear and convincing evidence.

This is now recognised as the foundation of international environmental law. It gave rise to the "no harm rule," a principle you will find echoed in nearly every modern environmental treaty and later ICJ judgment.

North Sea Continental Shelf Cases (Germany v Denmark, Germany v Netherlands), 1969

Germany, Denmark, and the Netherlands disagreed on how to divide the oil rich continental shelf of the North Sea. Denmark and the Netherlands wanted to apply the equidistance method under a 1958 treaty that Germany had not signed.

The ICJ ruled that the equidistance rule was not automatically binding as customary international law on a non-signatory state like Germany.

More importantly, the Court laid down the classic two element test for how any rule becomes customary international law. There must be widespread and consistent state practice, plus opinio juris, meaning states must follow the practice because they believe they are legally obligated to.

This two element test is still the starting point for identifying customary international law in every international law classroom today.

Barcelona Traction Case (Belgium v Spain), 1970

A company incorporated in Canada, with mostly Belgian shareholders, faced financial ruin due to actions by Spanish authorities. Belgium tried to bring a diplomatic protection claim on behalf of its shareholders.

The ICJ rejected Belgium's claim. It held that the right of diplomatic protection generally belongs to the state of the company's nationality, which was Canada, not the state of its shareholders.

The judgment is equally famous for introducing the concept of obligations erga omnes, meaning certain obligations, like the prohibition on genocide, are owed by every state to the international community as a whole, and any state can raise concern over their breach.

Nicaragua v United States of America, 1986

The United States funded and supported Contra rebels fighting against the government of Nicaragua, and also mined Nicaraguan harbours.

The ICJ held that the United States had violated customary international law, specifically the principles prohibiting the use of force and intervention in the internal affairs of another state.

This case confirmed that customary international law can exist independently and alongside treaty law, even when a treaty like the UN Charter covers the same subject. It remains the leading authority on the prohibition of the use of force and unlawful intervention.

Legality of the Threat or Use of Nuclear Weapons, Advisory Opinion, 1996

The UN General Assembly asked the ICJ whether the threat or use of nuclear weapons is permitted under international law in any circumstance.

The Court gave a famously split answer. It held there is no comprehensive and universal prohibition on the threat or use of nuclear weapons, but any such use must still comply with international humanitarian law and the laws of armed conflict.

The Court further stated it could not conclude definitively whether such use would be lawful or unlawful in an extreme case of self-defence where the survival of a state was at stake. This advisory opinion remains central to debates on nuclear disarmament and humanitarian law even today.

LaGrand Case (Germany v United States), 2001

Two German nationals were sentenced to death in the United States without being informed of their right to contact German consular officials, a right guaranteed under the Vienna Convention on Consular Relations.

The ICJ held that the United States had violated the Convention, and importantly, ruled that provisional measures ordered by the Court are legally binding on the parties, not merely advisory suggestions.

This case strengthened the enforceability of ICJ interim orders and confirmed that individuals can derive enforceable rights from treaties between states.

How to Remember These Cases for Exams

Group them by theme rather than trying to memorise them in a random list.

For state responsibility and sovereignty, remember Corfu Channel and Trail Smelter. For jurisdiction, remember SS Lotus. For customary international law, remember North Sea Continental Shelf and Nicaragua v United States.

For diplomatic protection and erga omnes obligations, remember Barcelona Traction. For the law of armed conflict, remember the Nuclear Weapons Advisory Opinion. For treaty enforcement and provisional measures, remember LaGrand.

Conclusion

These judgments are not just historical trivia. They are the working toolkit of public international law, cited in ICJ pleadings, UN reports, and academic writing even decades after they were decided.

Understanding the facts and the core principle behind each case will help you far more than memorising citations alone. Once you see the pattern behind each ruling, the entire subject becomes far easier to connect and recall.