BLOGS

MCQ’s on Public International Law for CLAT PG [Part 4]

Adtiya Aryan · 09 Feb 2026

Q1. If State A seeks to espouse a claim on behalf of one of its nationals injured by a private actor in State B, which requirement is most central to the State’s standing in international law?

a. The national must have been a national only at the time of presentation of the claim
b. The national must have been a national of State A at the time of the injury and maintained continuous nationality
c. The national must have renounced the nationality of State B before the injury
d. The national must have exhausted diplomatic channels before approaching international fora

Q2. Which statement best captures the legal character of countermeasures adopted by a State in response to another State’s internationally wrongful act?

a. Countermeasures are always lawful and equivalent to self-help
b. Countermeasures are lawful only when they comply with proportionality and aim to induce compliance, and must be reversible
c. Countermeasures excuse any breach of peremptory norms (jus cogens)
d. Countermeasures permanently alter the legal obligations between States

Q3. Under international law, the conduct of a private contractor becomes attributable to a State when:

a. The contractor is merely licensed by the State
b. The contractor acts under the State’s direction or control for the specific conduct in question
c. The contractor performs any work within the State’s territory
d. The contractor is paid from public funds, irrespective of instructions

Q4. Which basis of prescriptive jurisdiction allows a State to legislate about an offence committed by a foreign national abroad because it threatens the State’s security?

a. Universality principle

b. Passive personality principle

c. Protective principle

d. Territorial principle

Q5. Are provisional measures indicated by the International Court of Justice (ICJ) legally binding on the parties?

a. No, they are purely advisory and non-binding

b. Yes, the ICJ's orders for provisional measures create binding obligations on the parties concerned

c. Only if the Security Council endorses them

d. Only in disputes between states that have accepted the ICJ's jurisdiction under the optional clause

Q6. A reservation to a multilateral human-rights treaty is invalid if it:

a. Is accepted by a single State party

b. Is incompatible with the object and purpose of the treaty

c. Alters domestic law to implement the treaty differently

d. Is time-limited

Q7. When a State argues it cannot fulfil an international obligation because of a conflicting domestic law, international law responds that:

a. Domestic law is a valid excuse for non-performance

b. A State may temporarily suspend obligations on that basis automatically

c. A State cannot invoke its internal law to justify non-performance of international obligations

d. Internal law trumps treaty obligations in municipal courts

Q8. Which distinction between immunities is correct?

a. Immunity ratione personae protects former officials for acts after leaving office; immunity ratione materiae protects private acts only

b. Immunity ratione personae is personal and covers high officials while in office; immunity ratione materiae covers official acts even after office

c. Both immunities are identical and interchangeable

d. Immunity ratione materiae covers non-official acts; immunity ratione personae covers corporate

acts

Q9. Under current mainstream international law, is humanitarian intervention (use of force to stop human rights abuses) lawful without UN Security Council authorisation?

a. Yes, it is an established unilateral right of humanitarian intervention

b. No, there is no generally accepted legal basis for forcible humanitarian intervention absent Security Council authorisation or self-defence

c. Yes, whenever a regional organisation approves it

d. It is lawful if one powerful State declares it so

Q10. Which theory holds that Statehood depends primarily on the objective satisfaction of criteria like population, territory, government and capacity to enter into relations?

a. Constitutive theory of recognition

b. Declaratory (objective) theory of statehood

c. Subjective will theory

d. Federalist doctrine

Q11. Under what circumstance may a treaty produce obligations or rights for a third State which is not party to it?

a. Whenever the treaty text mentions a third State by name only

b. When the treaty creates rights for third States and they consent to be bound by or accept those rights

c. Whenever a majority of parties decide it should bind non-parties

d. When the UN General Assembly passes a resolution

Q12. Which test did the ICJ articulate as the standard for attributing conduct of irregular forces to a State in the Nicaragua case?

a. The “overall control” test requiring direction of every operation

b. The “mere presence” test

c. The “effective control” test focused on control over specific operations

d. The “sponsorship” test based on financial support alone

Q13. Soft law instruments (declarations, guidelines) may influence international law by:

a. Immediately creating binding obligations identical to treaties

b. Never influencing law because they are non-binding

c. Contributing evidence of evolving State practice and opinio juris that may crystallize into customary law

d. Replacing treaty law as the primary source of obligations

Q14. A newly independent state arising after decolonisation claims it is not bound by pre-independence commercial treaties. Which doctrine most strongly supports this claim?

a. Continuity of obligations doctrine

b. Doctrine of estoppel

c. Clean slate (tabula rasa) doctrine for newly independent States

d. Universality principle

Q15. Which constraint applies to lawful countermeasures taken by a State in response to a prior wrongful act by another State?

a. They may permanently change borders as a punishment

b. They may breach peremptory norms if necessary

c. They must be temporary, proportionate, and not affect obligations under jus cogens

d. They are exempt from judicial review

Answers

1. Correct Answer: B – The national must have been a national of State A at the time of the injury and maintained continuous nationality.

Explanation: Diplomatic protection depends on the victim's nationality. International law requires the injured person to have the nationality of the espousing State at the time of injury and, generally, to maintain that nationality continuously for the State to validly espouse the claim.

2. Correct Answer: B – Countermeasures are lawful only when they comply with proportionality and aim to induce compliance, and must be reversible.

Explanation: Countermeasures are otherwise-unlawful acts taken in response to a prior wrongful act; they are constrained by necessity, proportionality, temporariness and the objective of securing compliance, and they cannot breach peremptory norms.

3. Correct Answer: B – The contractor acts under the State's direction or control for the specific conduct in question.

Explanation: Attribution to a State requires a sufficiently close link — e.g., State direction or effective control over the specific operation — not mere payment or licensing.

4. Correct Answer: C – Protective principle.

Explanation: The protective principle permits a State to assert jurisdiction over acts abroad that threaten its security, even when committed by non-nationals, provided the threat is direct and substantial.

5. Correct Answer: B – Yes, the ICJ's orders for provisional measures create binding obligations on the parties concerned.

Explanation: The ICJ has affirmed that provisional measures issued under its procedural powers impose binding obligations to preserve the rights at issue and prevent irreparable harm pending final judgment.

6. Correct Answer: B – Is incompatible with the object and purpose of the treaty.

Explanation: Under treaty law, reservations that defeat the object and purpose of a multilateral treaty are invalid because they undermine the core commitment of other parties

7. Correct Answer: C – A State cannot invoke its internal law to justify non-performance of international obligations.

Explanation: International law requires States to perform their international obligations regardless of internal law; domestic law cannot be relied upon as an excuse for breach.

8. Correct Answer: B – Immunity ratione personae is personal and covers high officials while in office; immunity ratione materiae covers official acts even after office.

Explanation: Ratione personae affords temporary personal immunity to certain high officials (e.g., heads of state) while in office; ratione materiae protects acts performed in an official capacity normally even after they leave office.

9. Correct Answer: B – No, there is no generally accepted legal basis for forcible humanitarian intervention absent Security Council authorisation or self-defence.

Explanation: The UN Charter proscribes use of force except for self-defence or Security Council authorisation; unilateral humanitarian intervention remains legally controversial and generally regarded as unlawful.

10. Correct Answer: B – Declaratory (objective) theory of statehood.

Explanation: The declaratory approach (e.g., Montevideo criteria) treats statehood as an objective factual status; recognition by other States is evidentiary rather than constitutive.

11. Correct Answer: B – When the treaty creates rights for third States and they consent to be bound by or accept those rights.

Explanation: Generally, treaties do not bind third States; however, they may create rights for third States if the treaty intends to and the third State accepts (consent is required).

12. Correct Answer: C – The "effective control" test focused on control over specific operations.

Explanation: The ICJ in Nicaragua required that a state exercise effective control over the specific operations in which the irregular forces engaged for attribution to arise.

13. Correct Answer: C – Contributing evidence of evolving State practice and opinio juris that may crystallize into customary law.

Explanation: Soft law can shape expectations, guide behaviour and, over time, contribute to the formation of binding customary norms if accompanied by a sense of legal obligation.

14. Correct Answer: C – Clean slate (tabula rasa) doctrine for newly independent States.

Explanation: Newly independent States are often treated under the clean slate principle as not automatically bound by treaties of a predecessor State, though the practice varies and specific arrangements may alter the result.

15. Correct Answer: C – They must be temporary, proportionate, and not affect obligations under jus cogens.

Explanation: Countermeasures must be aimed at inducing compliance, be proportionate, reversible, and cannot breach obligations arising from peremptory norms.