BLOGS

MCQ’s on Public International Laws for CLAT PG [Part 2]

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Q1. Which of the following is regarded as a subsidiary means for determining rules of international law under Article 38 of the ICJ Statute?

1. Treaties
2. Custom
3. General principles of law
4. Judicial decisions

Q2. The doctrine that certain obligations are owed to the international community as a whole is known as:

1. Jus cogens
2. Erga omnes
3. Pacta sunt servanda
4. Rebus sic stantibus

Q3. Which concept explains that international law binds States irrespective of their internal constitutional arrangements?

1. Dualism
2. Monism
3. Supremacy of municipal law
4. International comity

Q4. The legal personality of international organisations is primarily derived from:

1. State consent alone
2. Domestic incorporation
3. Constituent instruments and functions

4. Customary international law

Q5. Which principle limits State immunity in commercial transactions?

1. Absolute immunity
2. Functional necessity
3. Restrictive immunity
4. Sovereign equality

Q6. Customary international law requires:

1. Written codification
2. Long usage only
3. State practice plus opinio juris
4. Judicial approval

Q7. Which term best describes non-binding international instruments like declarations and guidelines?

1. Hard law
2. Municipal law
3. Soft law
4. Treaty law

Q8. A reservation to a multilateral treaty is invalid if it:

1. Is objected to by one State
2. Alters domestic law
3. Is incompatible with the object and purpose of the treaty
4. Is made after ratification

Q9. The doctrine that prohibits intervention in the internal affairs of States is rooted in:

1. Territorial sovereignty
2. Diplomatic protection
3. Universal jurisdiction
4. State succession

Q10. Which body has principal judicial authority within the United Nations system?

1. International Criminal Court
2. Permanent Court of Arbitration
3. International Court of Justice
4. UN Human Rights Committee

Q11. Nationality in international law primarily serves to:

1. Confer political rights
2. Enable diplomatic protection
3. Grant residence rights
4. Create municipal obligations

Q12. Statelessness arises when:

1. A person migrates
2. A State dissolves
3. No State recognises a person as its national
4. A person renounces citizenship

Q13. Which concept allows States to exercise jurisdiction over certain crimes regardless of where they occur?

1. Territorial jurisdiction
2. Passive personality
3. Universal jurisdiction
4. Protective principle

Q14. Piracy is subject to universal jurisdiction because it is considered:

1. A domestic offence
2. A crime against humanity
3. Hostis humani generis
4. A treaty violation

Q15. The law governing maritime zones is primarily codified in:

1. Hague Convention
2. Vienna Convention
3. UNCLOS
4. Chicago Convention

Answers

1. D – Judicial decisions

Explanation: Under Article 38 of the ICJ Statute, judicial decisions are only subsidiary means for determining international law. They assist in identifying rules but do not themselves create binding law.

2. B – Erga omnes

Explanation: Obligations *erga omnes* are owed to the international community as a whole, such as prohibitions on genocide or slavery, recognised in *Barcelona Traction*.

3. B – Monism

Explanation: Monism treats international and municipal law as a single legal system, making international law binding regardless of domestic constitutional arrangements.

4. C – Constituent instruments and functions

Explanation: International organisations derive legal personality from their founding treaties and assigned functions, as affirmed in *Reparation for Injuries*.

5. C – Restrictive immunity

Explanation: Modern international law limits State immunity to sovereign acts (*jure imperii*), excluding commercial acts (*jure gestionis*).

6. C – State practice plus opinio juris

Explanation: Customary law forms only when consistent State practice is accompanied by a belief that such practice is legally obligatory.

7. C – Soft law

Explanation: Declarations and guidelines guide conduct without binding force and often shape future treaties or customary rules.

8. C – Incompatible with the object and purpose of the treaty

Explanation: The Vienna Convention invalidates reservations that defeat a treaty's core aim, regardless of consent by some States.

9. A – Territorial sovereignty

Explanation: The non-intervention principle flows from sovereign equality, preventing interference in a State's internal affairs.

10. C – International Court of Justice

Explanation: The ICJ is the principal judicial organ of the United Nations, settling disputes between States.

11. B – Enable diplomatic protection

Explanation: Nationality links an individual to a State, allowing that State to espouse international claims on the person's behalf.

12. C – No State recognises a person as its national

Explanation: Statelessness exists where no State considers a person its national under its laws.

13. C – Universal jurisdiction

Explanation: Certain grave crimes may be prosecuted by any State, regardless of where they were committed.

14. C – Hostis humani generis

Explanation: Pirates are treated as "enemies of all mankind," justifying universal jurisdiction.

15. C – UNCLOS

Explanation: The UN Convention on the Law of the Sea codifies maritime zones and navigation regimes.