BLOGS

# MCQ’s on Public International Laws for CLAT PG [Part 9]

Adtiya Aryan · 12 May 2026

**Q1. Which of the following theories best explains the binding force of international law on sovereign states?**

A. Command theory of law

B. Doctrine of consent and pacta sunt servanda

C. Sovereign equality doctrine

D. Doctrine of diplomatic immunity

**Q2. Which of the following situations most clearly illustrates customary international law?**

A. Rules adopted by the UN General Assembly through resolutions

B. Long-standing state practice accepted as legally binding

C. Treaties signed but not ratified by states

D. Judicial decisions of domestic courts

**Q3. The persistent objector rule in customary international law implies that:**

A state may withdraw from treaties unilaterally

B. A state that consistently objects to an emerging custom is not bound by it

C. Customary law cannot bind non-consenting states

D. States may refuse to comply with peremptory norms

**Q4. The constitutive theory of recognition holds that:**

A state exists only when recognised by other states

B. Recognition merely acknowledges an already existing state

C. Recognition is legally irrelevant to statehood

D. Recognition is determined by international organisations

**Q5. Under the declaratory theory of recognition, a state becomes a subject of international law when it:**

A. Is recognised by at least five states

B. Fulfils objective criteria of statehood

C. Joins the United Nations

D. Gains diplomatic recognition from major powers

**Q6. Which principle governs the acquisition of nationality under the rule of jus soli?**

A. Citizenship determined by ancestry

B. Citizenship determined by place of birth

C. Citizenship determined by marriage

D. Citizenship determined by residence

**Q7. Which international instrument most comprehensively defines the status of refugees?**

A. Geneva Conventions 1949

B. Universal Declaration of Human Rights 1948

C. 1951 Refugee Convention and 1967 Protocol

D. Vienna Convention on Diplomatic Relations

**Q8. Which principle prohibits states from returning refugees to territories where they face persecution?**

A. State sovereignty

B. Principle of non-refoulement

C. Doctrine of diplomatic protection

D. Doctrine of recognition

**Q9. Internally displaced persons (IDPs) differ from refugees primarily because:**

A. IDPs are protected by international treaties

B. IDPs remain within their own state borders

C. IDPs receive diplomatic protection

D. IDPs possess dual nationality

**Q10. Which doctrine governs situations where a state refuses extradition because the offence is considered political?**

A. Principle of aut dedere aut judicare

B. Doctrine of political offence exception

C. Principle of territorial jurisdiction

D. Principle of diplomatic immunity

**Q11. Which of the following best describes the principle aut dedere aut judicare?**

A. States must extradite offenders only to allied states

B. States must either prosecute an offender or extradite them

C. States must recognise foreign criminal judgments

D. States must grant asylum to political offenders

**Q12. Which organ of the United Nations has primary responsibility for maintaining international peace and security?**

A. General Assembly

B. Security Council

C. International Court of Justice

D. Secretariat

**Q13. Which of the following powers distinguishes the UN Security Council from the General Assembly?**

A. Power to adopt treaties

B. Power to impose binding sanctions on member states

C. Power to elect judges of the ICJ independently

D. Power to appoint the Secretary-General without recommendation

**Q14. Which of the following statements best describes the legal authority of ICJ decisions?**

A. They bind all states universally

B. They bind only the parties to the dispute

C. They automatically create customary law

D. They override UN Security Council resolutions

**Q15. Which of the following best captures the modern nature of international law?**

A purely voluntary system lacking legal obligation

B. A decentralised legal system governed primarily by consent of states

C. A hierarchical legal order dominated by international organisations

D. A system identical to domestic legal systems

## Answers

**1. Correct Answer: B – Doctrine of consent and pacta sunt servanda**

**Explanation:** International law lacks a central sovereign authority. Its binding force primarily arises from the consent of states. The principle *pacta sunt servanda* ("agreements must be kept") forms the foundation of treaty obligations and reflects the consensual basis of international law.

**2. Correct Answer: B – Long-standing state practice accepted as law**

**Explanation:** Customary international law requires two elements: **state practice** and **opinio juris** (belief that the practice is legally required). Long-standing consistent practice accepted as law satisfies both elements.

**3. Correct Answer: B – Persistent objector rule**

**Explanation:** A state that consistently and openly objects to an emerging customary rule from the beginning may avoid being bound by that rule. However, this doctrine does not apply to **jus cogens norms**.

**4. Correct Answer: A – State exists only when recognised**

**Explanation:** The constitutive theory holds that recognition by other states confers international legal personality. Without recognition, an entity lacks full legal status in international law.

**5. Correct Answer: B – Objective criteria of statehood**

**Explanation:** Under the declaratory theory, recognition merely acknowledges an existing fact. A state exists once it satisfies criteria such as population, territory, government, and capacity to enter relations with other states.

**6. Correct Answer: B – Citizenship determined by place of birth**

**Explanation:** Under **jus soli**, nationality is granted based on the place of birth. This contrasts with **jus sanguinis**, where nationality depends on parentage.

**7. Correct Answer: C – 1951 Refugee Convention**

**Explanation:** The **1951 Convention Relating to the Status of Refugees**, supplemented by the **1967 Protocol**, provides the most authoritative definition of refugees and establishes protections for them.

**8. Correct Answer: B – Non-refoulement**

**Explanation:** The principle of **non-refoulement** prohibits states from returning refugees to territories where their life or freedom would be threatened. It is considered a cornerstone of refugee protection.

**9. Correct Answer: B – Remain within own borders**

**Explanation:** Refugees cross international borders, whereas **internally displaced persons remain within their own country**. Therefore, they remain under the jurisdiction of their home state.

**10. Correct Answer: B – Political offence exception**

**Explanation:** Many extradition treaties include a **political offence exception**, allowing states to refuse extradition when the alleged offence is political rather than criminal.

**11. Correct Answer: B – Extradite or prosecute**

**Explanation:** The principle **aut dedere aut judicare** obligates states either to prosecute individuals accused of certain serious crimes or extradite them to another jurisdiction for prosecution.

**12. Correct Answer: B – Security Council**

**Explanation:** The UN Charter assigns primary responsibility for international peace and security to the **Security Council**, which can adopt binding measures including sanctions and military actions.

**13. Correct Answer: B – Binding sanctions**

**Explanation:** Unlike the General Assembly, the **Security Council can adopt binding decisions** under Chapter VII of the UN Charter, including sanctions and enforcement measures.

**14. Correct Answer: B – Bind only parties**

**Explanation:** Under Article 59 of the ICJ Statute, ICJ decisions bind only the parties to the dispute and only in respect of that particular case.

**15. Correct Answer: B – Decentralised legal system**

**Explanation:** International law differs from domestic law because it lacks a central legislature and enforcement authority. It is largely **decentralised and based on state consent**, though institutions like the UN increasingly influence its development.