BLOGS

# MCQs on Public International Laws for CLAT PG [Part 1]

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**Q1. Which statement best reflects the Calvo Doctrine in international law?**

A. Foreign nationals can always seek diplomatic protection from their home State

B. Foreign investors must rely on local remedies and courts of the host State

C. States must protect foreign nationals above their own citizens

D. International tribunals have compulsory jurisdiction over investment disputes

**Q2. A State grants nationality to a person with no genuine link to the State, solely to espouse an international claim on their behalf. This practice was restricted by which principle?**

A. National treatment

B. Effective nationality

C. Diplomatic immunity

D. State responsibility

**Q3. Use of force by a State is permitted under international law only when:**

A. It serves national interest

B. It is authorised by domestic law

C. It falls under recognised exceptions to the prohibition

D. It is supported by allies

**Q4. Recognition of a State primarily depends on:**

A. Approval by the United Nations

B. Political convenience of other States

C. Fulfilment of objective criteria of statehood

D. Economic strength

**Q5. Which of the following is central to the Tobar Doctrine?**

A. Recognition should depend only on effective control

B. Recognition should be denied to governments formed through unconstitutional means

C. Recognition must follow popular referendum

D. Recognition should be automatic under international law

**Q6. Which of the following best explains the Estrada Doctrine in international law?**

A. States must recognise governments only after democratic elections

B. Recognition of governments should depend on effectiveness alone

C. States should avoid formal recognition or non-recognition of governments

D. Recognition should be withdrawn if a government violates human rights

**Q7. The Stimson Doctrine is based on which principle of international law?**

A. Recognition of States based on effectiveness

B. Non-recognition of territorial acquisitions achieved by force

C. Right of self-determination

D. Collective security under the UN Charter

**Q8. Relationship between International Law and Municipal Law**

Which statement correctly reflects the position under international law regarding conflict between international law and municipal law?

A. Municipal law prevails over international law

B. International law applies only if adopted by domestic courts

C. A State cannot invoke its internal law to justify breach of international law

D. International law is invalid without legislative approval

**Q9. The Act of State Doctrine prevents courts from:**

A. Reviewing actions of international organisations

B. Examining validity of sovereign acts of a foreign State within its own territory

C. Enforcing international treaties

D. Exercising jurisdiction over diplomats

**Q10. According to the Specific Adoption Theory on the relationship between international law and municipal law, international law becomes enforceable within a State only when:**

A. It is ratified by the United Nations

B. It is expressly adopted or incorporated by the State through legislation or judicial recognition

C. It is part of customary international law

D. It concerns human rights obligations

**Q11. The principle of pacta sunt servanda in international law means that:**

A. Treaties apply only after domestic legislation

B. Treaties are binding only on weaker States

C. Agreements must be honoured in good faith

D. Treaties can be ignored during political change

**Q12. A treaty provision conflicts with a peremptory norm (jus cogens) of international law. What is the legal consequence?**

A. The treaty remains valid if States consent

B. The conflicting provision of the treaty is void

C. The entire treaty automatically terminates

D. The treaty is suspended until amendment

**Q13. Which of the following statements best reflects the relationship between international law and municipal law under international law?**

A. Municipal law always prevails

B. International law is invalid without domestic adoption

C. A State cannot invoke its internal law to justify breach of international law

D. International law applies only if courts permit it

**Q14. Which of the following situations would most legitimately justify a State invoking the doctrine of rebus sic stantibus to terminate or withdraw from a treaty?**

A change in government leading to different foreign policy priorities

B. An unforeseen and fundamental change of circumstances that radically alters the extent of obligations under the treaty

C. Economic inconvenience caused by treaty obligations

D. A subsequent treaty with another State offering more benefits

**Q15. Which of the following is not a recognised mode of acquiring territory under international law?**

A. Accretion

B. Cession

C. Prescription

D. Annexation through use of force

## Answers

**1. B – Foreign investors must rely on local remedies and courts of the host State**

**Explanation:** The Calvo Doctrine emphasises **sovereign equality of States** and rejects special protection for foreign nationals. It requires foreigners to seek redress through **local legal remedies** instead of diplomatic intervention.

**2. B – Effective nationality**

**Explanation:** International law requires a genuine link between the individual and the State claiming nationality. This prevents abuse of diplomatic protection through artificial nationality.

**3. C – Recognised exceptions to prohibition**

**Explanation:** The UN Charter prohibits use of force except in limited cases like self-defence or Security Council authorisation.

**4. C – Fulfilment of objective criteria of statehood**

**Explanation:** Recognition depends on factors like population, territory, government, and capacity to enter relations, not political approval alone.

**5. B – Recognition should be denied to governments formed through unconstitutional means**

**Explanation:** The Tobar Doctrine supports constitutional legitimacy by discouraging recognition of governments that come to power through coups or unconstitutional methods, especially in Latin America.

**6. C – States should avoid formal recognition or non-recognition of governments**

**Explanation:** The Estrada Doctrine discourages States from formally recognising or refusing to recognise governments, as such acts amount to interference in internal affairs. Instead, States simply maintain or withdraw diplomatic relations.

**7. B – Non recognition of territorial acquisitions achieved by force**

**Explanation:** The Stimson Doctrine holds that States should not recognise territorial changes brought about through aggression or use of force. It aims to uphold legality and discourage unlawful expansion.

**8. C – A State cannot invoke its internal law to justify breach of international law**

**Explanation:** International law does not permit a State to rely on its domestic law as an excuse for failing to fulfil international obligations. This principle ensures uniform compliance with international commitments.

**9. B – Examining validity of sovereign acts of a foreign State within its own territory**

**Explanation:** Under the Act of State Doctrine, domestic courts refrain from questioning the **sovereign acts of a foreign State** done within its own territory, respecting international comity and separation of powers.

**10. B – It is expressly adopted or incorporated by the State**

**Explanation:** The Specific Adoption Theory holds that international law does not automatically apply within a State. It becomes part of municipal law only when the State **specifically adopts or incorporates it** through legislation or judicial acceptance.

**11. C – Agreements must be honoured in good faith**

**Explanation:** Pacta sunt servanda is a foundational principle of international law requiring States to **perform treaty obligations honestly and in good faith**. It ensures stability and trust in international relations and treaty law.

**12. B — The conflicting provision of the treaty is void**

**Explanation:** Under international law, any treaty provision that conflicts with a jus cogens norm is void to the extent of the conflict. Peremptory norms override consent and protect fundamental values of the international community.

**13. C — Internal law cannot justify breach**

Under international law, a State cannot rely on its domestic law as a defence for failing to comply with international obligations.

**14. B — An unforeseen and fundamental change of circumstances**

**Explanation:** Rebus sic stantibus operates as a **narrow exception** to pacta sunt servanda. It applies only when an **unforeseen, fundamental change of circumstances** occurs that radically transforms treaty obligations. Political shifts or economic hardship alone are insufficient grounds.

**15. D — Annexation through use of force**

**Explanation:** Use of force to acquire territory is prohibited under international law. Only peaceful modes like cession or accretion are recognised.