



TIME ALLOWED: THREE HOURS	(PART-I MCQs) MAXIMUM MARKS: 20
PART-I (MCQs) : MAXIMUM 30 MINUTES	(PART-II) MAXIMUM MARKS: 80
NOTE: (i) First attempt PART-I (MCQs) on separate OMR Answer Sheet which shall be taken back after 30 minutes.	
(ii) Overwriting/cutting of the options/answers will not be given credit.	
(iii) There is no negative marking. All MCQs must be attempted.	

PART-I (MCQs)(COMPULSORY)

Q.1. (i) Select the best option/answer and fill in the appropriate Box ☐ on the OMR Answer Sheet.(20x1=20)
(ii) Answers given anywhere else, other than OMR Answer Sheet, will not be considered.

- The terms *lex lata* and *lex ferenda* refers to:

(A) Law as it is & law it should be

(B) Law ought to be & Law that is

(C) Law to be in future & law in the past

(D) None of these
- It is no longer possible for a ‘generalist’ to cope with the volume and complexity of the various branches of international law. Increasingly, the professional international lawyer, whether practitioner or scholar, is a specialist in a particular branch of the law and each branch develops its own complicated and often arcane doctrine.

(A) Hugo Grotius

(B) Malcom Shaw

(C) Oscar Schachter

(D) None of these
- The mere fact that States declare their recognition of certain rules is not sufficient for the Court to consider these as being part of customary international law. Bound as it is by Article 38 of its Statute, the Court must satisfy itself that the existence of the rule in the *opinio juris* of States is confirmed by practice.

(A) International Court of Justice- ICJ

(B) Permanent Court of International Justice- PCIJ

(C) International Criminal Court- ICC

(D) None of these
- States can renounce their rights under customary or conventional law unilaterally or derogate from them by mutual agreement. This pattern is known as bilateralism and it governs the great majority of international legal relations. The most prominent exception to that pattern is international.

(A) Jus Ad Bellum

(B) Jus in Bello

(C) Jus Cogens

(D) None of these
- The entire monist-dualist controversy is unreal, artificial and strictly beside the point, because it assumes something that has to exist for there to be any controversy at all and which in fact does not exist, namely a common field in which the two legal orders under discussion both simultaneously have their spheres of activity.

(A) H. Kelsen

(B) SK Kapoor

(C) J.G. Starke

(D) None of these
- The Tribunal shall decide a dispute in accordance with such rules of law as may be agreed by the parties. In the absence of such agreement, the Tribunal shall apply the law of the Contracting State party to the dispute (including its rules on the conflict of laws) and such rules of international law as may be applicable.

(A) Vienna Convention on the Law of Treatise

(B) ICSID Convention

(C) Geneva Convention

(D) None of these
- Territorial sovereignty involves the exclusive right to display the activities of a State. This right has as a corollary a duty: the obligation to protect within the territory the rights of other States, in particular their right to integrity and inviolability in peace and war, together with the rights which each State may claim for its nationals in foreign territory.

(A) Caroline Case

(B) Island of Palms

(C) Riqo Dik Case

(D) None of these
- Until a stable political organization had been created, and until the public authorities had become strong enough to assert themselves throughout the territories of the State without the assistance of foreign troops.

(A) International Committee of Jurists- ICJ

(B) International Court of Justice- ICJ

(C) International Criminal Court- ICC

(D) None of these
- The organization shall enjoy in the territory of each of its members such legal capacity as may be necessary for the exercise of its functions and the fulfilment of its purposes.

(A) International Committee of the Red Cross

(B) Geneva Conventions

(C) UN Charter

(D) None of these
- The problem in the Court’s reasoning is corroborated by the fact that the developments in and around 1885 could simply be regarded as annexation or incorporation independent of, or even contrary to, the treaty of protectorate as the latter was not mentioned in British official documents.

(A) Cameron Vs. Nigeria

(B) United Kingdom Vs. Australia

(C) Old Calabar Delegation

(D) None of these
- Occupation is the acquisition of *terra nullius* that is, territory which, immediately before acquisition, belonged to no State.

(A) Gelberg, 76 AJIL

(B) Czaplinski, 86 AJIL

(C) J. Simsarian

(D) None of these

12. In the event of collision or of any other incident of navigation concerning a ship on the high seas, involving the penal [that is, criminal] or disciplinary responsibility of the master or of any other person in the service of the ship, no penal or disciplinary proceedings may be instituted against such persons except before the judicial or administrative authorities either of the flag State or of the State of which such person is a national.
 (A) Geneva Convention I, 1949 (B) Geneva Convention II, 1949
 (C) Geneva Convention III, 1949 (D) None of these
13. On the other hand, there is no rule of international law which prevents States from extraditing in the absence of a treaty.
 (A) D. McClean (B) V. Lowe/C. Warbrick (C) W.C. Gilmore (D) None of these
14. The functions of a diplomatic mission consist inter alia in:
 (a) representing the sending State in the receiving State; (b) protecting in the receiving State the interests of the sending State and of its nationals, within the limits permitted by international law;
 (A) Art 1 of the VCDR (Vienna Convention on Diplomatic Relations) (B) Art 2 of the VCDR
 (C) Art 3 of the VCDR (D) None of these
15. The adoption of the text of a treaty takes place under the provisions of:
 (A) Art 6 of the VCLT (Vienna Convention on the Law of Treaty) (B) Art 7 of the VCLT
 (C) Art 8 of the VCLT (D) None of these
16. ICCPR provides that all “peoples” have the right to self-determination. A “people” inevitably refers to a collective. Peoplehood may signify common subjective attachment to the idea of becoming an independent State, or relatively objective criteria of a common territory, ethnicity, language or culture.
 (A) Art 3 of the ICCPR (International Covenant on Civil & Political Rights) (B) Art 4 of the ICCPR
 (C) Art 5 of the ICCPR (D) None of these
17. Just wars are usually defined as those which avenge injuries” and that “that kind of war is undoubtedly just which God Himself ordains.”
 (A) Hugo Grotius (B) De Jure Belli (C) St. Augustine (D) None of these
18. Jus in bello consists of the rules of international humanitarian law (IHL) dealing with protection of civilians and combatants during an armed conflict, and of other rules that determine the legality of State action in relation to another belligerent or third (neutral) States. There is neither logical correspondence nor normative unity between these two sets of rules, and the operation of one does not necessarily turn on the operation of another. Moreover, IHL can operate alongside human rights law, partially occupying the same space.
 (A) Temple of Preah Vihear Case (B) Construction of Wall in Occupied Palestinian Territory
 (C) Western Sahara Advisory Opinion (D) None of these
19. Article 1(4) of Additional Protocol I (1977) extends the application of international armed conflict to which of the following situations?
 (A) Internal disturbances and riots (B) Armed conflicts between private groups
 (C) Armed conflicts for the right to self-determination (D) Purely internal civil wars
20. The concept of *Levée en Masse* refers to one of the following:
 (A) Regular Armed Forces (B) Mercenaries (C) Spontaneous uprising of inhabitants (D) None of these

PART-II

- NOTE:** (i) Part-II is to be attempted on the separate Answer Book.
 (ii) Attempt **ONLY FOUR** questions from PART-II. ALL questions carry **EQUAL** marks.
 (iii) All the parts (if any) of each Question must be attempted at one place instead of at different places.
 (iv) Write Q. No. in the Answer Book in accordance with Q. No. in the Q.Paper.
 (v) No Page/Space be left blank between the answers. All the blank pages of Answer Book must be crossed.
 (vi) Extra attempt of any question or any part of the question will not be considered.

- Q. No. 2.** Critically analyze the interplay between Articles 31 and 32 of the Vienna Convention on the Law of Treaty, 1969, with particular reference to the circumstances in which supplementary means of interpretation may be invoked. In your answer, discuss whether subsequent practice and *travaux préparatoires* can alter the ordinary meaning of treaty terms, and evaluate the implications of this interpretative framework for judicial discretion in international adjudication. Substantiate your answer with relevant treaty provisions and precedents of the ICJ or other international bodies. (20)
- Q. No. 3.** Chapter VI of the United Nations Charter emphasizes the pacific settlement of international disputes. Critically examine the legal nature and binding force of the powers conferred upon the Security Council under Articles 33–38, and analyze the extent to which Chapter VI mechanisms retain relevance in contemporary international relations, particularly in situations where disputes escalate toward threats to international peace and (20)

- Q. No. 4.** Critically examine the legal status, scope of protection, and limitations applicable to “protected persons” and “protected objects” under the four Geneva Conventions of 1949 and their Additional Protocols of 1977. In your answer, analyze how the principles of distinction, proportionality, and military necessity affect the protection afforded to civilians, civilian objects, medical units, cultural property, and the natural environment. Assess the extent to which contemporary treaty law, customary international humanitarian law, and international criminal jurisprudence have expanded or restricted these protections in modern armed conflicts, including non-international armed conflicts. **(20)**
- Q. No. 5.** Critically examine the distinction between *State* and *Government* in international law and domestic legal systems. How do the theories of *Monism* and *Dualism* influence the reception, authority, and enforceability of international law within domestic legal orders, particularly in situations involving unconstitutional changes of government, recognition disputes, or regime change? Illustrate your answer with relevant judicial decisions and state practice. **(20)**
- Q. No. 6.** Critically analyze the legal status of combatants under international humanitarian law, with particular reference to the distinction between lawful combatants, civilians, and so-called ‘unlawful (or unprivileged) combatants’. Examine how this notion was articulated and applied by the United States Supreme Court in *Hamdan v. Rumsfeld* (2006). To what extent did the Court’s reasoning align with or depart from the Geneva Conventions especially Common Article 3 and customary international law? Assess the implications of the *Hamdan* judgment for the erosion or reinforcement of combatant protections, due process guarantees, and the future development of international humanitarian law in non-international armed conflicts. **(20)**
- Q. No. 7.** Critically examine the scope, rationale, and limitations of diplomatic immunity under the Vienna Convention on Diplomatic Relations, 1961. With particular reference to the Raymond Davis incident in Pakistan, analyze how diplomatic immunity can be misused or overextended to shield individuals from criminal accountability. In your analysis, assess the legal distinction between diplomatic agents, members of the administrative and technical staff, and other categories of mission personnel. Evaluate whether the application of immunity in the Raymond Davis case was consistent with international law, host-state sovereignty, and the principle of functional necessity. **(20)**
- Q. No. 8.** State A, a party to several multilateral environmental and human rights treaties, operates a state-owned corporation that manages offshore oil drilling near the maritime boundary of neighboring State B. Due to negligent maintenance and weak regulatory oversight, a major oil spill occurs, causing extensive environmental damage to State B’s coastline and adversely affecting the livelihood and health of its population. **(5 each)**
(20)
- In response to international criticism, State A argues that:
1. The acts were committed by a separate corporate entity and are therefore not attributable to the State;
 2. The damage was caused by unforeseen circumstances amounting to force majeure;
 3. Any countermeasures taken by State B, including suspension of trade obligations and diplomatic sanctions, are unlawful; and
 4. The Articles on Responsibility of States for Internationally Wrongful Acts (ARSIWA, 2001) are not legally binding and therefore cannot be relied upon.
- In light of the above scenario, respond to the following:**
- a. Applying the ILC’s Articles on State Responsibility, assess whether the conduct of the state-owned corporation can be attributed to State A.
 - b. Critically evaluate State A’s reliance on circumstances precluding wrongfulness under ARSIWA.
 - c. Examine the legality and limits of countermeasures adopted by State B in light of the ILC framework.
 - d. Discuss the legal status and authoritative value of the ILC’s Articles on State Responsibility and analyze their influence on the jurisprudence of the International Court of Justice and contemporary state practice.
- *****