

LLB
THIRD SEMESTER
PUBLIC INTERNATIONAL LAW
LLB - 304
[USE OMR SHEET FOR OBJECTIVE PART]

**SET
B**

Duration: 3 hrs.

Full Marks: 70

Time: 30 min.

(Objective)

Marks: 20

Choose the correct answer from the following:

1 × 20 = 20

- Which is not a diplomatic means of dispute settlement in International Law?
 - Negotiation
 - Mediation
 - Good Office
 - International Court of Justice
- The _____ attempts to explain the binding force of these rules of international law as arising from the supposed fact that states have consented to be bound by them.
 - Positivist Doctrine
 - Formalist Doctrine
 - Naturalist Doctrine
 - None of the above.
- Self-defense by the countries is given in which Article of UN Charter?
 - Article 51
 - Article 32
 - Article 47
 - Article 2
- _____ traditions is considered as the foundations of the international law.
 - Greco-Roman
 - Germanic
 - Anglo-French
 - Egyptian
- _____ is a Dutch scholar and he is treated as the father of international law.
 - Alberico Gentili
 - Malcolm N. Shaw
 - Hugo Grotius
 - Johannes Selden.
- Which of the following is not an approach to International Law?
 - TWAIL
 - Marxist approach
 - Scandinavian approach
 - Asian African approach
- Which of the following is not a subject of International Law?
 - States
 - Insurgents
 - Territories
 - Transnational Corporation
- International Law also develops through State Practices, it is known as
 - International Treaty
 - International Comity
 - International Customary Law
 - International Morality
- Which article of the statute of ICJ deals with the sources of international law?
 - Article 36
 - Article 40
 - Article 38
 - None of the above

10. Which one of the following is not a source of International Law
 - a. Constitution of Sovereign States
 - b. Treatise
 - c. International Customs and Practices
 - d. International Conventions
11. _____ called international law as a positive international morality.
 - a. Austin
 - b. Holland
 - c. Kelson
 - d. Vattel
12. Recognition is necessary for :
 - a. Establishing diplomatic relations and international intercourse.
 - b. Filing actions in the municipal courts of other states.
 - c. Recovering property situated within the jurisdiction of other states.
 - d. All of the above
13. 'Monism' denotes that International Law and State Law _____
 - a. represent two entirely distinct legal system
 - b. are concomitant aspects of the one system
 - c. are not enforceable
 - d. are not binding
14. The main difference between de jure and de facto recognition is that the former is _____?
 - a. legal while the latter is factual
 - b. provisional and the latter is definite
 - c. informal while the latter is formal
 - d. explicit and the latter is implicit
15. Diplomatic relations are established by
 - a. Mutual consent
 - b. A unilateral decision
 - c. A decision of a regional organization
 - d. None of these
16. Pacta Sunt Servanda means
 - a. Treaties between states are to be respected
 - b. An unwanted person
 - c. International Law must be honoured
 - d. None of these
17. Which of the following is not a source of international law?
 - a. treaties and conventions
 - b. custom
 - c. judicial decisions and teachings
 - d. None of the above
18. (72) The term International Law was first coined by:
The term International Law was first coined by
 - a. Hugo Grotius
 - b. Jeremy Bentham
 - c. Thomas Hagel
 - d. None of these
19. The book "Jure Belli ac paceis" is written by
 - a. John Austin
 - b. Jeremy Bentham
 - c. Hugo Grotius
 - d. None of the above
20. Which of the following is relatively the most important source of International law?
 - a. Treatise
 - b. Custom
 - c. Judicial Decision
 - d. General principles of Law

Descriptive

Time : 2 hrs. 30 min.

Marks : 50

[Answer question no.1 & any four (4) from the rest]

1. Write an essay on the emergence of modern International Law. 10
2. Discuss the relevance of Positivist theory in International Law. 10
3. Write short notes on- 5+5=10
 - a. Marxist approach to International Law.
 - b. TWAIL
4. What are the sources of International Law? Elucidate your answer with special emphasis to Treaties in International Law. 3+7=10
5. Write short notes on- 5+5=10
 - a. Customs
 - b. Non-state entities as subjects of International Law.
6. Discuss the various aspects of Recognition International Law. 10
7. Write a detailed note on the relationship between International Law and Municipal law. What are the different theories as to the relationship between International law and Municipal law? 5+5=10
8. Write a note on the creation of Statehood under International Law. 10

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