



**PRACTICE SET**  
**End Semester Examination, May 2026**

**Program: LLM**

**Semester: II**

**Subject: International Criminal Law**

**Subject Code: 24H.213**

**Course Outcome:**

On the completion of the Course, the students will be able to:

<b>Course Outcomes</b>	<b>Description</b>
CO1	Analyze the general principles of International Criminal Law
CO2	Examine the Offences and Prosecution System under ICC.
CO3	Scrutinize the Working of ICC/Tribunal under ICC.
CO4	Understand the Defences under ICC

**UNIT I**

**Section A (10 marks)**

1. Define International Criminal Law. Explain the ‘core crimes’ under international criminal law and distinguish it from transnational criminal law. (CO1) (Remember) (LOT)
2. Explain the purpose and significance of the International Military Tribunals at Nuremberg and Tokyo. How did these tribunals contribute to the development of international criminal law and procedure during the Second World War? (CO1) (Understand) (LOT)
3. Allies during the war drafted a charter of international tribunal which formed the basis of Nuremberg International Military Tribunal. Discuss the Nuremberg International Military Tribunal and its trial. (CO1) (Understand) (LOT)
4. State rules of evidence followed in the ad hoc international tribunal. (CO1) (Remember) (LOT)

5. Explain the international criminalisation process. How do treaties and customary international law contribute to creating international offences? Support your answer with the 1948 Genocide Convention and violations in non-international armed conflicts. (CO1) (Understand) (LOT)
6. Critically assess Cherif Bassiouni's analysis of 22 categories of international crimes and the ten penal characteristics that he identifies. To what extent do these characteristics effectively define and enforce international criminal law? (CO1) (Evaluate) (HOT)
7. Critically evaluate how the Genocide Convention defines genocide and incorporates the requirement of intent to destroy a group. To what extent do the Convention's provisions, including its application in individual criminal responsibility, effectively distinguish genocide from other crimes against humanity while preventing the dilution of the term? (CO1) (Evaluate) (HOT)
8. Analyze the concept of "grave breaches" under the Geneva Conventions, 1949 as interpreted by the ICTY in the *Tadic case (Prosecutor v Tadic, 1999)*. How did the adoption of the 'overall control' test and the redefinition of "protected persons" based on allegiance or ethnic affiliation, rather than nationality, affect the application of international humanitarian law? (CO1) (Analyze) (HOT)

### **Section B (20 marks)**

9. Analyze the International Law Commission's (ILC) approach in the Draft Code, particularly the distinction it draws between crimes against the peace and security of mankind and other crimes under general international law, such as genocide. How does this distinction influence the classification and prosecution of international crimes? (CO1) (Analyze) (HOT)
10. Assess the attempt under the Treaty of Versailles, 1919 to try Kaiser Wilhelm for a "supreme offence against international morality and the sanctity of treaties." How does this episode reflect the challenges of establishing accountability for international crimes in the absence of established international criminal mechanisms? (CO1) (Evaluate) (HOT)

## **UNIT II**

### **Section A (10 marks)**

11. Identify and describe the prohibited acts encompassed within the definition of crimes against humanity. (CO2) (Remember) (LOT)
12. Jurisdiction is the power of the State to regulate affairs pursuant to its laws. Explain three ways in which jurisdiction may be asserted. (CO2) (Understand) (LOT)

13. Define the term Aggression. Describe the material element of the crime of aggression. (CO2) (Remember) (LOT)
14. Evaluate the relationship between war crimes and international humanitarian law (IHL). To what extent does war crimes law criminalize violations of IHL, and how should the threshold for determining criminal liability be assessed. (CO2) (Evaluate) (HOT)
15. Discuss the differences between adjudicative and executive jurisdiction in international law. Describe the principle of *male captus bene detentus*, and identify whether a domestic court can lawfully try a person brought from another State without that State's consent (CO2) (Remember) (LOT)
16. Using the principles and challenges of universal jurisdiction, explain how policy and practical problems like selective enforcement, forum shopping, and lack of help from the country where the crime occurred could affect the trial of an alleged international criminal in a country other than where the crime took place. (CO2) (Apply) (HOT)
17. Outline the significance of the *Eichmann Case*' (1962) with regards to issues of jurisdiction of the International Tribunal. (CO2) (Analyze) (HOT)
18. "Functional immunity and personal immunity are mechanisms designed to safeguard the interests of States and facilitate international diplomatic relations; however, they may at times conflict with the principle of individual accountability for international crimes." Critically evaluate this assertion (CO2) (Evaluate) (HOT)

**Section B (20 marks)**

19. Applying the principle of universal jurisdiction, analyze whether Belgium's assertion of jurisdiction over Yerodia in 2000 was legally justifiable, considering the distinction between absolute (in absentia) and conditional (with presence) universal jurisdiction and the ICJ's ruling on immunities. (CO2) (Apply) (HOT)
20. 'Crime against humanity are as old as humanity itself.' Critically analyze the common element of a crime against humanity, which entails the commission of a listed inhumane act within a specific context, a widespread or systematic attack directed against a civilian population. (CO2) (Analyze) (HOT)
21. SS *Lotus case*, (*France v. Turkey, 1927*) reflects current international law on executive jurisdiction. Critically assess the statement. (CO2) (Evaluate) (HOT)

**UNIT III**  
**Section A (10 marks)**

22. State the main steps involved in the indictment process at the ICC, ICTY, and ICTR, and how do amendments to the indictment function during the trial? (CO3) (Remember) (LOT)
23. Explain the concept of trials in absentia in international tribunals. How did the approach of the IMT differ from that of the ICTY, ICTR, and ICC? (CO3) (Understand) (LOT)
24. Define the term victim under the ICC rules and list out the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. (CO3) (Remember) (LOT)
25. Enumerate the provision of International Covenant on Civil and Political Rights (ICCPR) that guarantees the right to a fair trial as well as other pre-trial with the help of relevant case laws. (CO3) (Remember) (LOT)
26. Analyze the balance between the right to self-representation and the Tribunal's obligation to provide legal counsel at the ICTY and ICTR. (CO3) (Analyze) (HOT)
27. Considering the Pre-Trial Chamber's decision in *Lubanga Dyilo ICC T. Ch. I 18.1.2008*, how should a Prosecutor determine which charges to include in an indictment when multiple overlapping acts may constitute different international crimes? (CO3) (Apply) (HOT)
28. Analyze how the ICC's provision allowing a Trial Chamber to modify the legal characterization of facts can affect the Prosecutor's strategy and the accused's right to a fair trial. Discuss the potential benefits and challenges of this approach, with reference to the Lubanga case. (CO3) (Analyze) (HOT)

**Section B (20 marks)**

29. In the case of *Prosecutor v. Mathieu Ngudjolo Chui*, the accused was acquitted of all charges of war crimes and crimes against humanity despite extensive investigation and evidence collection. Evaluate the challenges faced by the ICC in proving international crimes in this case, considering factors such as evidentiary difficulties, witness credibility, procedural safeguards, and the rights of the accused. To what extent does this case illustrate the tension between ensuring justice for victims and upholding the principles of fair trial and due process in international criminal proceedings? (CO3) (Evaluate) (HOT)
30. Analyze the role and responsibilities of the Prosecutor in international criminal investigations at the ICC and ad hoc Tribunals. How do the scope of investigations, the

principle of objectivity, cooperation with States, and protection of witnesses affect the conduct and fairness of the proceedings? (CO3) (Analyze) (HOT)

31. Assume you are the Prosecutor at the ICC and a State with concurrent jurisdiction requests a deferral of proceedings while it undertakes national prosecutions. Apply the ICC's rules on jurisdiction and admissibility to determine how you would proceed, considering the Pre-Trial Chamber's powers and the interests of the accused. (CO3) (Apply) (HOT)

#### UNIT IV

##### Section A (10 marks)

32. The defence of superior orders has a lengthy history. Describe the concept of superior orders in international criminal law. (CO4) (Remember) (LOT)
33. The Trial Chamber in *Kordić and Čerkez ICTY T. Ch. 26.2.2001* accepted that customary law recognized self-defence. Justify the statement. (CO4) (Evaluate) (HOT)
34. Consider the situation where individuals, like the Sonderkommandos during the Second World War or participants in Rwanda's genocide, were coerced or intoxicated while committing atrocities. If you were the Prosecutor at an international tribunal, how would you assess the applicability of duress or intoxication as a defence under international criminal law? (CO4) (Apply) (LOT)
35. 'The first codification at the international level of the concept of duress and necessity was observed in the Rome Statute'. Critically analyze the statement along with relevant provisions and judicial pronouncement (CO4) (Analyze) (HOT)
36. Explain the terminology 'defence' as prescribed in the ICC Statute and illustrate the different types of defence recognized in international criminal law and briefly explain the circumstances in which each may apply. (CO4) (Understand) (LOT)
37. Critically evaluate the defence of insanity under the ICC Statute and assess the recognized situation of insanity. (CO4) (Evaluate) (HOT)
38. Explain the role of domestic law and general principles as sources of defences under Article 31(3) and Article 21 of the ICC Statute. (CO4) (Understand) (LOT)

##### Section B (20 marks)

39. A commander orders an attack on a facility he believes to be an enemy military base, but it turns out to be a civilian shelter. Applying Article 32 of the ICC Statute, analyze whether the commander can rely on a mistake of fact or law to avoid criminal responsibility. Support your reasoning with reference to the requirement of *mens rea*. (CO4) (Apply) (HOT)

40. Critically evaluate the concept of duress as a defence in international criminal law. Assess the limitations and scope of this defence, with reference to the case of *Prosecutor v. Erdemović, ICTY A. Ch. 7.10.1997*. (CO4) (Evaluate) (HOT)

### Summary Sheet

#### CO Wise

CO	Q. No	Mark s
CO1	1,2,3,4,5,6,7,8,9,10	120
CO2	11,12,13,14,15,16,17,18,19,20,21	140
CO3	22,23,24,25,26,27,28,29,30,31	130
CO4	32,33,34,35,36,37,38,39,40	110
<b>Total</b>		<b>500</b>

#### Unit Wise

Unit	Q. No	Mark s
Unit 1	1,2,3,4,5,6,7,8,9,10	120
Unit 2	11,12,13,14,15,16,17,18,19,20,21	140
Unit 3	22,23,24,25,26,27,28,29,30,31	130
Unit 4	32,33,34,35,36,37,38,39,40	110
<b>Total</b>		<b>500</b>

### Blooms Taxonomy Level (BTL) Wise

<b>BTL</b>	<b>Q. No</b>	<b>Marks</b>
LOT	1,2,3,4,5,11,12,13,15,22,23,24,25,32,34,36,38	170
HOT	6,7,8,9,10,14,16,17,18,19,20,21,26,27,28,29,30,31,33,35 ,37,39,40	330
<b>Total</b>		<b>500</b>

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**Disclaimer:** -This is a Practice set. The Question in End term examination will differ from the Practice set. This Practice set is meant for practice only.