

# **INTERNATIONAL LAW MODEL EXAM**



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## ***IRAC method of completing exams***

- Issues** - Outline the issues that you are going to discuss.
- Rules** - Define the legal rules that are relevant to the question.
- Application** - Apply the legal rules to the facts of the question (this is the hard part!).
- Conclusion** - Tie things up, usually in the form of an advice to your hypothetical client.

Always use your reading time wisely to **PLAN YOUR ANSWER** before writing. This is of utmost importance as it will help you clarify your thoughts and ensure that you avoid following desperate exam strategies that unprepared students commonly resort to, such as:

- i) 'the kitchen sink' i.e. spilling all of your knowledge that is vaguely related to the topic onto the exam paper and hoping for the best.
- ii) 'the garden path' i.e. going off on an irrelevant tangent

Remember that the **APPLICATION IS THE MOST IMPORTANT SECTION** of your answer and should take up the bulk of your time. The actual conclusions you reach are often superfluous. Rather, your marker will be most interested in *how you arrived* at your conclusion.

### ***Question One***

In 2005, thirty States adopted at a conference the terms of the Treaty on the Suppression of Drug Trafficking (the Treaty). Article 3 of the Treaty requires parties to the Treaty to make drug trafficking a criminal offence within their respective domestic legal systems. Article 4 imposes on each party an obligation either to prosecute, or else to extradite to a State which requests it, any individual found within its territory whom there is reasonable cause to suspect of having committed acts of drug trafficking. Article 14 provides that the Treaty will enter into force 40 days after it has been ratified by fifteen States. The Treaty is silent on the question of reservations.....

Advise Chakara (another party to the Treaty):

1. whether the Treaty is now in force: and
2. what are the actual or potential effects of Grysonia's statement and Oberdanya's note on the legal relationships between the parties to the Treaty?

You are further asked to advise the Foreign Affairs Minister of Grysonia of the legal implications within international law pertaining to the.....

### **Question Two**

Tim is a national of Deponia. From 2001 until early 2002, he was living in Bonhiai. In 2004, Bonhiai's government secret service agency (SSS) had formed the opinion that Tim passed secret information relating to Bonhiai's weapons industry to Mezzoia sometime during 2002.

In early 2007 BSSS learned that Tim was living in Deponia. BSSS then sent some of its special agents into Deponia in order to forcibly abduct Tim and bring him back to Bonhiai. The operation was successful. Nothing has been heard from Tim since then.....

1. Advise Deponia as to the legal position under international law, and what options it has open to it as a result.
2. How, if at all, would your advise regarding Deponia's legal position differ if at all the facts were to remain the same except that Tim was instead a national of another State called Bomsoa, rather than a national of Deponia.
3. Advise the Legal Adviser of Bonhiai whether they have sufficient grounds to prosecute Moses.

**Question Three**

Kemora and Tamoona are neighbouring States, both of whom have traditionally enjoyed a close relationship with another State, the Federate Provinces of Celta (FPC). In May 2006, a military revolution in Kemora brought to rule a new government which was ideologically very antagonistic to the FPC and its allies, Tamoona.

At a traditional meeting held each year in late November called the Zerissa Conference, representatives from the State parties of Kemora, Tamoona and the FPC come together to discuss and implement ways to improve the political and financial relations between the parties

In November of 2007 at the Zerissa Conference, both the Foreign Affairs Minister of Tamoona and the FPC have indicated to State representatives of Kemora that they are no longer welcome to take part in the traditional Zerissa Conference held each year. In response, the military chief of Kemora, before storming out, outlines that severe fiscal and military consequences will follow.....

Advise counsel for Tamoona and FPC of any legal implications within international law that may follow from the invasion of Kemora.

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