

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 early 2005, thirty States negotiated an agreement among them relating to the prevention and managing the operation of drug trafficking. The Treaty was considered beneficial to all states because of the geographical proximity among them, making them particularly vulnerable to cross-border drug cartels and regional gang rings.

In April 2005 the foreign ministers of all thirty states met at a conference and signed the Treaty on the Suppression of Drug Trafficking (the Treaty), which contained the terms of this agreement. Article 3 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 when 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.

SAMPLE ONLY

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.

In outrage, the state of Deponia has demanded that Bonhiai immediately return Tim, apologise for the actions of the BSSS and punish the agents that abducted Tim.....

Question Three

Feijoaland is an island in the Pacific, which gained independence from Portugal in 1955. Upon independence, many of the descendents of the Portuguese settlers, known as Portas, remained in Feijoaland. Today the half of Feijoaland's population is made up by Portas. The other half of the population is the indigenous people of the land, the Feijoans. The Government and economy are controlled mostly by Portas while the Feijoans live in relative poverty.

In the years leading up to its independence, a civil war had erupted between the Portas and the Feijoans. At the time, the Security Council authorised Member States of the UN to "use all necessary measures to restore and maintain international peace and security in the region" in Resolution 555 (1955). This was understood at the time to be directed at Portugal, the former colonial power, if it needed to intervene to stop the carnage. However, Portugal never intervened because the factions agreed (albeit reluctantly) to a peace deal. The situation between the two groups has since been relatively stable since 1960 but there have been some intermittent clashes.

In 2005, Feijoaland, along with New Zealand, Australia and other Pacific Island states, attended a regional forum on exploitation of significant amount of tuna stock in Feijoaland's.



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