1. The Medical Corporation of the State of Benn concludes a contract with the Hospital Board of the State of Cann to supply $5 million dollars of medical equipment. Both the Medical Corporation and Hospital Board are bodies legally independent of their respective states.

Political unrest arises in the State of Benn. The Head of the Armed Forces of the State of Benn arrests five members of a revolutionary cell from the State of Cann and personally supervises and participates in their torture. The State of Benn is not party to the UN Convention Against Torture. The rebellion is successful, the Government is overthrown, and the Head of Armed Forces of Benn flees to the third State of Gaud. The State of Cann issues an arrest warrant for the Head of the Armed Forces. The State of Benn protests against this action.

As a result of an unresolved border dispute, the relations of the States of Cann and Benn sour. The President of the State of Cann announces through the media that all trading relations with the State of Benn and its citizens are to cease. The Director of the Medical Corporation of Benn orders the Captain of The Achilles, the ship transporting the first instalment of medical equipment to Cann, to abort its present voyage on the high seas and return home. When The Achilles returns to Benn it sells the medical equipment at 10% of its contractual price to local hospitals. The Cann Hospital Board files a lawsuit against the Medical Corporation of Benn in the High Court of Cann.

The border dispute between Benn and Cann revolves around a small island, the Island of Mull, lying at an equal distance from the coasts of the two states. Following the recent unrest, the State of Cann sends a flotilla of battleships to engage in naval exercises, using live ammunition, 50 nautical miles (n.m.) from the island, but in Cann's own Exclusive Economic Zone (EEZ).

PLEASE TURN OVER
The State of Benn brings a suit against the State of Cann before the International Court of Justice, claiming sovereign ownership over the island by means of contiguity and its continuous and peaceful display of state sovereignty. The State of Benn has maintained lighthouses on the island for over 50 years, and enacted bird sanctuary legislation covering the island 20 years ago. Citizens of the State of Cann, in contrast, have a 300-year tradition of fishing along the shores of the island. For 100 years these fisheries have been expressly covered by Cann’s fish cleaning and processing legislation.

The Minister of Foreign Affairs of the State of Benn has asked for your advice on all of the above facts. Critically advise the Minister, being certain to discuss whether the suit can proceed in the Cann High Court, the legality of the arrest warrant, and the merits of the two claims to title over Mull Island.

2. A revolution occurs in the State of Olo and battles rage around the capital. Six foreign journalists are robbed at gunpoint by Olo military forces at a checkpoint. After they leave checkpoint, rebels stop the same journalists and try to rob them. When no money is found, the rebels injure two of the journalists, Jack and Tracy. Jack is a dual national of the States of Olo and Zim. Jack was born, raised and served one term in the Senate of the State of Zim, but settled in the State of Olo 20 years ago. Since then he married an Olo national and has three children living in Olo. Tracy is a dual national of the States of Zim and Ell. She was born, raised and currently works in Ell. Tracy obtained her Zim nationality from her father (a Zim national) upon reaching the age of majority. Tracy has never lived in Zim.

The rebels overthrow the Government in Olo and seize power. The new Government enacts a law giving amnesty to all of the rebel troops for any acts of violence committed during the rebellion. The Government also enacts a new law regulating the telecommunications industry. Under the latter law, all cellular and telephone services are subject to an 80% tax on profits. Cables & Wires, which is 100% owned by nationals of the State of Zim, goes into receivership after paying the first tax instalment. The Olo Government takes over the administration of Cables & Wires and charges the company a 30% fee for doing so. Under the laws of Olo all companies must be incorporated, and registered, in Olo in order to do business there. Cables & Wires was incorporated, and has its registered head office, in the State of Olo.

The State of Zim brings a claim against the State of Olo before the International Court of Justice covering all of the above incidents. You are the clerk to the Court. Critically advise the President of the Court about the merits of Zim’s claims on behalf of Jack, Tracy and Cables & Wires.

PLEASE TURN OVER
3. *The Mermaid*, a fishing vessel registered in the State of Dom, is sailing on the high seas with a crew of fishermen when its engine breaks down. Three of the fishermen are nationals of the State of Granada; two are nationals of the State of Trini. *The Mermaid* drifts aimlessly on the high seas for three days. On the fourth day the Captain of *The Mermaid*, who is suffering from the effects of dehydration, becomes certain that the two Trini fishermen have sabotaged the engine. The Captain orders the First Mate to torture the two Trini fishermen until they tell him how to repair the engine. The two Trini fishermen die as a result of the interrogation before any useful information is obtained. The Captain, the First Mate, and the remaining fisherman from Granada, Mr. Slim, devour the corpses as a result of their hunger. All three men then renounce their Granada nationality, which under the laws of Granada renders them stateless, with immediate effect.

A day later *The Mermaid* drifts to a point within 175 nautical miles (n.m.) of the State of St. Vincy. A St. Vincy Coast Guard vessel sees the boat, comes to its rescue and tows it into port. After the three fishermen have received treatment in the local hospital, Mr. Slim confesses to having eaten the Trinis. The police investigate and Mr. Slim, the Captain and First Mate are all arrested. *The Mermaid* is seized by St. Vincy authorities.

The State of Dom hears of the incident and protests the arrest and detention of the crew and of its flagship, *The Mermaid*. In frustration, Dom’s Supreme Military Commander orders a number of Dom naval vessels to sail into St. Vincy’s waters and to conduct live fire naval exercises. The Dom naval vessels engage in their exercises approximately 50 n.m. from St. Vincy’s baseline. The explosions can be heard from St. Vincy and local fisheries are disrupted. A St. Vincy seismic monitoring station, located on the seabed 3,000 metres below the surface and immediately under the naval exercises, is damaged by one of the Dom missiles.

The Prime Ministers of all three states decide to resolve all of the issues raised above by means of an *ad hoc* arbitration. St. Vincy argues that her sovereignty has been violated as a result of the Dom naval exercises. The States of Dom and Trini argue that St. Vincy is violating their sovereign rights to exercise criminal jurisdiction over the Captain, First Mate and Mr. Slim. Dom also alleges violation of her flagship rights.

You are the arbitrator. Critically assess these claims and address all of the international legal issues raised in the above.

4. A naval vessel of the State of Naw, the *SS Minnow*, is sailing approximately 34 nautical miles (n.m.) from the State of Lew when it becomes entangled in, and destroys, fishing lines of a ship registered in the State of Lew, *The Seashell*. The Captain of *The Seashell* is furious and calls the Lew Coast Guard. The Lew Coast Guard immediately launches a vessel, the *SS Shark*, to intercept the *SS Minnow*.

PLEASE TURN OVER
The SS Minnow frees itself from the fishing lines and proceeds towards the state of Lew for repairs. Its engine has been severely damaged, making it unable to stop. At approximately 12 n.m. from the shore of Lew one of the sailors aboard the SS Minnow accidentally drops an explosive mine overboard. Almost immediately afterwards, another fishing vessel of the State of Lew, The Clam, runs into the mine and it explodes. The Captain of The Clam is killed and the vessel itself is destroyed. The Captain of the SS Minnow witnesses these events, slowly turns his vessel around, and rescues the remaining crew members of The Clam.

The SS Shark, the Coast Guard vessel of the State of Lew, arrives upon the scene and witnesses these events. The SS Shark pulls alongside the SS Minnow and its Captain orders, by means of the ship radio, the SS Minnow to "stop forthwith." The Captain of the SS Minnow replies using signal flags to indicate that his ship cannot stop, but that he will follow the SS Shark into port. The Captain of the SS Shark, being unable to understand signal flags, is annoyed and fires shots across the bow of the SS Minnow. The SS Minnow takes evasive action. The Captain of the SS Minnow frantically signals with both flags and through auditory instructions (using a megaphone), demanding that the SS Shark cease and desist its hostile actions. Further shots are fired by the SS Shark, one piercing the bow of the SS Minnow. The SS Minnow returns fire and sinks the SS Shark. The Captain of the SS Minnow turns his ship around, rescues the crew members of the SS Shark, and continues towards the Lew port.

By the time the SS Minnow reaches the port of the State of Lew the media and crowds of outraged citizens are thronging the docks. The Lew citizens call for the immediate execution of the Captain of the SS Minnow. The Lew Police arrive at the scene and are ready to arrest the Captain and crew of the SS Minnow and seize the ship.

You are the Senior Attorney in the Lew Police Force. You are called by the police on the scene and asked for urgent advice about what to do. Critically assess the legality of all of the above and advise the Lew Police as to their appropriate course of action.

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