

INTERNATIONAL LAW: TEST

Complete ALL five tasks. Please follow the required format. Since this test aims to evaluate your understanding and your application of the principles and methods discussed in class, **you have to apply the law as discussed in class**. You are not permitted to consult with anyone about this test. Please do not ask me questions about the test once this test is posted online. As a matter of fairness, I do not want to give answers to some students that others do not have the benefit (or detriment) of hearing. You will simply have to use your own judgment about how to handle any possible difficulties, including the interpretation of the questions and tasks. **Submission:** You need to send this evaluation to the Algoma University Moodle platform for this course in an MS Word document by **Wednesday, March 9, 2022 10 pm EST**. Please include your name on the document with your answers.

Section A (30%)

1. Viviane Forrester wrote her book *A Strange Dictatorship* in the year 2000. She passed away in 2013 before the Covid-19 pandemic. Write a short (3-5 page) essay explaining whether the main thesis of her book *A Strange Dictatorship* still applies in today's world, and, if so, how. In other words, discuss whether the measures adopted during the Covid-19 pandemic reinforce her ideas or whether these measures turned her ideas obsolete. Start your essay by explaining Forrester's main thesis. Include specific examples to illustrate your explanation of her thesis.

Instructions for writing the essay**Format**

The purpose of your essay is to state and prove your thesis. In other words, you need to convince the reader that your thesis is correct. You need to divide your essay into sections.

Please have a look at Tetley's article on Mixed Jurisdictions Part 2, widely available online, for an example of the required format.

Title

Include a title. It should persuade people to read the article and to frame the readers' thinking, i.e., focus the attention of the reader on your specific angle or perspective.

Introduction

The introduction acquaints the reader with the topic. Its purpose is to get the readers' attention and make them want to read the essay. For this reason, you should try to make your introduction interesting, engaging, and original. The introduction must also help organize the essay. It should tell the readers what you are going to say in your essay. The introduction should be short, simple, and clear. The most important aspect of your introduction is your thesis. You also need to place your thesis into some larger context.

Thesis development.

Divide your arguments into sections. Each section should include only one idea, major point, or argument. It should be preceded by a heading. And it must contain a topic sentence. The rest of the section must provide examples, explanations, and evidence to prove the topic sentence. Always address the opposing arguments that others could have about your own arguments.

Conclusion

The purpose of the conclusion is to bring the essay to a satisfying close. You should avoid bringing up a new point in your conclusion. You should avoid a lengthy and excessive summary. Simply, summarize your thesis and main arguments. The most successful conclusions are thoughtful and reflective. Go back to the context. After having presented your topic and proven your thesis, you want to be able to make an overarching statement based on that information. Just as the introduction sought to place the paper in the larger context about the topic, so should the conclusion insist on returning the reader to that ongoing conversation.

Section B (25%)

2. Analyze the jurisdiction/s and governing law/s of the following scenario.

Atalanta is an Italian football club, organized as an Italian corporation, with main offices in Bergamo, Italy (civil law). On December 1, 2021, Atalanta's football head coach emailed an order for the purchase of 1,000 soccer balls to Greyhounds, an Ontario company, with main offices in

Sault Ste. Marie, ON (common law). Atalanta's email read: "Prezzo dei 1000 palloni da calcio. Gennaio 25, 2022". Greyhounds quoted a price of US\$ 10 per ball. Greyhounds promised to deliver the balls by the end of the month. Greyhounds' email read: "US\$ 10 per soccer ball DDP Sault Ste Marie by Jan. 25, 2022." The balls were going to be manufactured in Holoborodko factory in Ukraine (civil law). Greyhound was unable to deliver the balls to Atalanta due to Ukraine's armed conflict with Russia. Atalanta complained. It wants to sue Greyhounds for breach of contract. Greyhounds informed Atalanta that the contract was invalid because a valid contract must be entered into by a CEO, director, or manager, but not a football coach.

Section C (25%)

3. Discuss Japan's international obligations, if any, in the following case.

In the year 2022, a Martian falls off a space vehicle and lands on Earth. Out of courtesy to the extraterrestrial being, Russia, the United States, France, China, and India –the states with the most advanced space technology- rescue and help the Martian. In the following years, many more Martians come to Planet Earth because of malfunctions in their space vehicles. And countries continue to help Martians. No state on Earth has ever objected to the custom of helping Martians in distress. It is now the year 2030. Another Martian is in distress in Japanese territory, but Japan does not want to help the Martian and formally objects to this practice for the first time.

Section 4 (10%)

4. Briefly discuss the role of corporations as subjects (actors) of International Law. Give examples.

Section 5 (10%)

5. Please analyze the following news in light of our discussions on recognition of states. Since this is an ongoing phenomenon, please stick to the news as transcribed here. Do not discuss any new developments, if any.

Name:

Prof.: Dr. Julian Hermida

On February 21, 2022, Russian President Vladimir Putin signed decrees to recognize the independence of the Donetsk People's Republic and the Luhansk People's Republic. European nations condemned Russia's recognition of these separatist regions of Ukraine.