

QUESTIONS & ANSWERS: International Law

LexisNexis Law School Publishing Advisory Board

William Araiza

Professor of Law
Brooklyn Law School

Lenni B. Benson

Professor of Law & Associate Dean for Professional Development
New York Law School

Raj Bhala

Rice Distinguished Professor
University of Kansas, School of Law

Ruth Colker

Distinguished University Professor & Heck-Faust Memorial Chair in Constitutional Law
Ohio State University, Moritz College of Law

David Gamage

Assistant Professor of Law
UC Berkeley School of Law

Joan Heminway

College of Law Distinguished Professor of Law
University of Tennessee College of Law

Edward Imwinkelried

Edward L. Barrett, Jr. Professor of Law
UC Davis School of Law

David I. C. Thomson

LP Professor & Director, Lawyering Process Program
University of Denver, Sturm College of Law

Melissa Weresh

Director of Legal Writing and Professor of Law
Drake University Law School

QUESTIONS & ANSWERS: International Law

Multiple-Choice and Short-Answer Questions and Answers

REBECCA BRATSPIES

Professor of Law
CUNY School of Law

ISBN: 978-1-4224-1776-8

This publication is designed to provide accurate and authoritative information in regard to the subject matter covered. It is sold with the understanding that the publisher is not engaged in rendering legal, accounting, or other professional services. If legal advice or other expert assistance is required, the services of a competent professional should be sought.

LexisNexis and the Knowledge Burst logo are registered trademarks and Michie is a trademark of Reed Elsevier Properties Inc., used under license. Matthew Bender and the Matthew Bender Flame Design are registered trademarks of Matthew Bender Properties Inc.

Copyright © 2011 Matthew Bender & Company, Inc., a member of the LexisNexis Group.
All Rights Reserved.

No copyright is claimed in the text of statutes, regulations, and excerpts from court opinions quoted within this work. Permission to copy material exceeding fair use, 17 U.S.C. § 107, may be licensed for a fee of 25¢ per page per copy from the Copyright Clearance Center, 222 Rosewood Drive, Danvers, Mass. 01923, telephone (978) 750-8400.

NOTE TO USERS

To ensure that you are using the latest materials available in this area, please be sure to periodically check the LexisNexis Law School web site for downloadable updates and supplements at www.lexisnexis.com/lawschool.

Editorial Offices

121 Chanlon Rd., New Providence, NJ 07974 (908) 464-6800
201 Mission St., San Francisco, CA 94105-1831 (415) 908-3200
www.lexisnexis.com

MATTHEW  BENDER

Dedication

For Russ Miller, who got me into this.

About the Author

Rebecca Bratspies is a Professor of Law at CUNY School of Law, where she teaches International Law, Administrative Law, Environmental Law, and International Environmental Law. Professor Bratspies has published widely on issues of environmental regulation, sustainability, and food security. Her recent work explores the problem that uncertainty poses for legal decisionmaking, and the role that law plays in promoting sustainable development. She is also a research scholar with the Center for Progressive Reform in Washington, D.C. She holds a B.A. in Biology from Wesleyan University and a J.D. *cum laude* from the University of Pennsylvania.

Table of Contents

QUESTIONS	1
TOPIC 1: BASIC PRINCIPLES OF INTERNATIONAL LAW	3
TOPIC 2: JURISDICTION	11
TOPIC 3: SOURCES OF INTERNATIONAL LAW	15
TOPIC 4: THE UNITED NATIONS	21
TOPIC 5: THE USE OF FORCE AND HUMANITARIAN LAW	27
TOPIC 6: HUMANITARIAN LAW	29
TOPIC 7: INTERNATIONAL CRIMINAL LAW	35
TOPIC 8: INTERNATIONAL HUMAN RIGHTS LAW	39
TOPIC 9: INDIGENOUS PEOPLES	47
TOPIC 10: INTERNATIONAL ENVIRONMENTAL LAW	49
TOPIC 11: THE LAW OF THE SEA	55
TOPIC 12: INTERNATIONAL TRADE LAW	61
PRACTICE FINAL EXAM: ESSAY QUESTION	65
ANSWERS	71
TOPIC 1: BASIC PRINCIPLES OF INTERNATIONAL LAW	73
TOPIC 2: JURISDICTION	81
TOPIC 3: THE SOURCES OF INTERNATIONAL LAW	85
TOPIC 4: THE UNITED NATIONS	91
TOPIC 5: THE USE OF FORCE AND HUMANITARIAN LAW	95
TOPIC 6: HUMANITARIAN LAW	97
TOPIC 7: INTERNATIONAL CRIMINAL LAW	101
TOPIC 8: INTERNATIONAL HUMAN RIGHTS LAW	105
TOPIC 9: INDIGENOUS PEOPLES	113
TOPIC 10: INTERNATIONAL ENVIRONMENTAL LAW	115
TOPIC 11: THE LAW OF THE SEA	121
TOPIC 12: INTERNATIONAL TRADE LAW	125
PRACTICE FINAL EXAM: ESSAY ANSWER	129
INDEX	137

