

International Law

Chapter Assignment Six

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These questions require additional research outside the text. Use original documents. Cite appropriately. These are due on March 12. If, after the class discussions, you do not like your answer, you may turn in a revised copy on March 17 (the date of the second quiz). You do *not* need to email your response to me.

You are only required to do one of the following. For students with last names from Callen to May, do the first scenario; Oberhelman to Zimmer, the second.

Scenario 1

The People's Democratic Republic of Korea (North Korea) anchors a destroyer 210 statute miles directly off the coast of Santa Barbara, CA. The United States says this is an effort to intimidate the United States and sway her from her current course of action. North Korea asserts that the ship is there to protect Korean fishing vessels.

The United States decides to utilize the ICJ to force North Korea to remove the ship. North Korea consents to Article 36(1), *compromis*, ICJ jurisdiction in this arbitration.

What would be the best argument for the United States to use?

How should North Korea respond to this argument?

Scenario 2

The United States, in an effort to increase its national security, places twenty-five satellites in geo-stationary orbits, equally scattered about the sky. These satellites have X-Ray lasers that will be used to destroy ICBMs when they pass into space on their flight path. These lasers, as all X-Ray lasers, require small, controlled nuclear detonations to produce the X-Rays needed for lasing. The military rulers of Myanmar see these satellites as threats to their own security and to the security of their state as the beams could be turned on them. The United States contends that these satellites are purely for defensive purposes and that the X-Rays will not be turned on any earth-bound targets.

Myanmar takes the United States to the ICJ to force the United States to remove those satellites. The United States consents to Article 36(1), *compromis*, ICJ jurisdiction in this case.

What would be Myanmar's best argument?

What would be the best counter-argument by the United States?