

## International Law

The FTFWC Scenario for Chapter Ten  
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Do not forget that when specific states are mentioned, you need to take into consideration historical (and current) events in your analysis. However, when invented states are used, you need to apply the concepts of International Law to “generic” states.

Please read the following scenario carefully. While reading it, in your notes, please write down the facts of the case you think are important in deciding the case. Make a list of facts not provided that you think may be important in deciding the case. Finally, follow the directions at the end.

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Twenty-four months ago, the Democratic Republic of Olanthas, the Kingdom of Tarsil, the Dominion of Kenderia, and the United States of America entered into a multilateral treaty designed to protect the workers in these four independent states and to increase the benefits of free trade between them. The terms of the agreement ensure the free movement of goods, prohibit workers from putting in more than 85 hours of work per week, and provide for a minimum wage equivalent to 4.00USD.<sup>1</sup> All four states signed and ratified the Free Trade and Fair Working Conditions agreement (abbreviated as “FTFWC”), which entered into force six months later.



Eleven months ago, the small Central American state of Belize began negotiations to ascend to the treaty, thinking that it would be beneficial to the marginally free-market Belizean economy. While Belize heavily relies on agriculture and tourism, it does have a small petroleum industry, centered on the Mennonite town of Spanish Lookout. The four members of the FTFWC voted last week to allow Belize entry into the agreement. It remains for Belize to ratify the ascension agreement. The independent Belizean daily, the *Amandala*, reported that the ratification bill should be passed by the end of the year.

The People’s Democratic Republic of Neracca, located on Tarsil’s southern border, has not joined the FTFWC. Companies in the United States and in Olanthas continued to trade with Neracca,<sup>2</sup> as it has a large and stable supply of Kyanite mined by the state-owned company “Kyanite ‘Я’ Us.” Scientists at Loyola College in Maryland recently discovered that Kyanite can be used in cell phones as a radiation buffer to protect us from

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<sup>1</sup> Prior to the agreement, all four signatory states, along with a bare majority of the 189 non-signatory states had minimum wage requirements substantially similar to those in the agreement.

<sup>2</sup> Neracca has never agreed that the minimum wage is a good thing and has never provided one for its citizens. Instead, it holds that in a *truly* free society, the people lift each other up out of poverty and pain, thus giving meaning to the lives of all citizens.

the unending scourge of brain cancer.<sup>3</sup> In order to encourage other countries to buy more Kyanite, Neracca began having its Kyanite miners work 98 hours per week for US\$0.75 an hour; this was designed to reduce production costs.<sup>4</sup> Although the Neraccan constitution proclaims the fundamental rights of the workers to fair compensation for their effort, miners who refuse to work for their entire assigned periods are being chained to their machines without food, water, or cigarettes until they complete their shifts.

These reports are spurring on a growing region-wide protest movement against Neracca, with major protests being held in front of the Neraccan embassies of the FTFWC states every Tuesday at 3:00 pm local time. Additionally, protests have been held in a half-dozen cities across the United States: New York, Detroit, Miami, San Francisco, Los Angeles, and Portland, OR.

Not to be outdone by simple protests against Neracca, Oregon resident Bill Sizemore collected enough signatures to put a ballot initiative on Oregon's general election ballot in November. If passed, this ballot initiative would prohibit any companies subject to Oregon state jurisdiction from trading with Neracca or with any company that trades with Neracca. On election day, the ballot initiative passed with 1,194,173 votes in favor—a full 73% of those voting. As such, it will become law in Oregon on January 1.



The Democratic Republic of Olanthas alleges that, as a result of this statute, the United States is in breach of the FTFWC. Furthermore, the Kingdom of Tarsil alleges that Neracca is already in violation of International Law because of its alleged violations of an IMS.

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Discuss the validity of these allegations, whether and how they might be decided, and also any other legal issues arising from these facts which seem likely to have legal consequences: domestic, international, and intermestic.

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<sup>3</sup> There are no scientific studies that link cell phone use to brain cancer. It is all in your head.

<sup>4</sup> This was also designed to keep a check on the inflation rate in Neracca, which currently stands at 3%.