ICJ

RULES OF PREOCEDURE

POWER OF THE PAST
PEOPLE OF THE FUTURE

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1. Letter from Secretary General

Most Esteemed Participants,

I, the Secretary-General of GITOMUN’24, am deeply honoured and privileged to welcome you to the seventh edition of our Model United Nations conference which will take place on 21-22-23-24 November 2024. I am delighted to see our journey continue as much as you, growing stronger each year to provide participants a conference that is fulfilling every aspect. From the earliest stages of planning, our academic and organizational teams have been working relentlessly to ensure that GITOMUN’24 upholds the high standards and enriching experiences that have come to define our conference. Our seventh edition marks not only a continuation but an evolution of what we aim to achieve, harnessing **the power of the past** to empower **the people of the future**.

This year, we are proud to host eight diverse committees, each providing a platform to delve into the pressing issues facing our world today. We are offering seven committees in English: the World Trade Organization (WTO), the United Nations Environment Programme (UNEP), the Disarmament and International Security Committee (DISEC), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the International Maritime Organization (IMO), the International Court of Justice (ICJ), and the Joint Crisis Committee (JCC). Additionally, we are honoured to present our sole Arabic committee: جامعة الدول العربية (the Arab League.)

In the light of reuniting for GITOMUN'24, we are lectured by the wise words of a world peace advocate: "If the United Nations is to survive, those who represent it must bolster it, those who advocate it must submit to it; and those who believe in it must fight for it."

On behalf of the entire GITOMUN’24 team, I wish you all a fruitful, challenging, and rewarding experience. May this conference inspire you to continue your journey as advocates for peace, justice, and equality.

Welcome to the seventh edition of our Model United Nations. Let us make it a memorable one.

Yours in service,
Secretary-General
Meryem Sönmez

2. Letter from the Under Secretary General

For all my Esteemed Participants,

It is a great joy for me to have the opportunity to participate in and oversee the International Court of Justice committee. As you proceed with our committee, we, as the academy, will do our best to make this experience memorable, one that follows the real procedures of the UN and hopefully gives the delegates a firm idea of how international law works. It is also undoubtedly a great opportunity for everyone involved to get further educated about the current human crises in the world.

Activist and writer James Baldwin once said, “Not everything that is faced can be changed, but nothing can be changed until it is faced.” As the Under Secretary General of this committee, I wish to give all our participants an understanding of how legality and morality work in law, especially in matters of state crimes. It is easy to recognize what is flawed within a system, but to understand how the system should be fixed one needs to either experience it or have a profound understanding of the said system.

I sincerely hope that after experiencing the court trial for themselves, all my delegates can recognize for themselves who international law protects and who it fails to protect. Let's hope our experiences here can be a building block in our lives, leading to the overhaul of the flawed systems of our time.

If any questions arise prior or during the conference regarding the procedures or the court case in hand, do not hesitate to reach out to me as it is my pleasure to assist everyone in fully partaking in the committee.

Best Regards,
Toprak Kaplan

3. Key Terminology

Jurisdiction: The officially recognized authority to interpret and apply the law and make judgments based on it.

The Burden of Proof: Generally, the burden of proof is a legal standard that determines whether or not a legal claim can be established as valid or invalid based on the evidence provided. The Burden of Proof also refers to the evidence required by the prosecution to secure a simple majority of votes, which would mean "winning" the case.

Hearsay: Hearsay is the term used when someone tries to use a statement made outside of court as evidence, assuming it is correct. Generally, courts do not allow this kind of evidence as it is not considered reliable unless there are special rules that say it can be used during the hearing. i.e., if Person A tells Person B that they saw Person C commit a crime, and then Person B tries to tell the court what Person A said, that would be hearsay. The court likely wouldn't allow it because Person A isn't in court to be questioned about what they saw.

Stipulations: A stipulation is basically an agreement or condition that two parties agree on. If it follows the rules or laws that apply, it must be followed. Stipulations can also refer to specific facts or promises that both parties have agreed to in a case. Imagine two parties in a legal dispute over a contract. They might stipulate that a certain payment was made on a specific date. In court, the stipulation could be: "The parties agree that the defendant paid $5,000 to the plaintiff on January 15, 2023." This stipulation means that both parties accept this fact as true, so they don't need to provide evidence or witnesses to prove it in court. It can help speed up the legal process by focusing on the points that are actually in dispute.

Verdict: A verdict is the official decision made by a court at the end of a trial or legal case. It marks the conclusion of the legal process. Depending on the type of trial and the court's rules, a judge or a jury delivers the verdict.

Memoranda: In legal terms, a memorandum is a clear and detailed written document that explains important laws and summarises research done on a specific legal issue. It helps in understanding and supporting a conclusion about that issue. For example, imagine a lawyer needs to advise a client about a potential business contract. The lawyer would prepare a memorandum that outlines the relevant laws about contracts, summarises any research on similar cases, and provides a conclusion on whether the contract is likely to be upheld in court. This document would help the lawyer and the client make informed decisions based on the legal analysis.

Rebuttal: Rebuttal is evidence or arguments introduced to counter, disprove, or contradict the opposing party's evidence or argument. This can happen during a trial or in written responses. Imagine a court case where one side claims that a product is dangerous. The other side might respond by showing safety tests that prove the product is safe. This response acts as a rebuttal to the original claim by providing evidence that contradicts it.

Panel: Panel of judges present in court and who will contribute to the Verdict.

4. Introduction to ICJ:

Also known as the “World Court,” the International Court of Justice (shortened as ICJ) is the principal judicial organ of the UN. Its primary tasks are to settle disputes between sovereign states and advise all branches and organs of the UN on legal matters. The court is made up of 15 judges who are chosen by the UN General Assembly and Security Council for nine-year terms. The judges represent no state and ensure that the processes are fair and impartial according to international law. The ICJ is the highest authority enforcing international law.

The International Court of Justice (ICJ) should not be confused with other judiciary bodies at The Hague, such as the International Criminal Court (ICC), founded by treaty and not part of the United Nations system. These criminal courts and tribunals have restricted jurisdiction and can only prosecute individuals for international crimes (genocide, crimes against humanity, war crimes). The International Court of Justice is the only body of law to have jurisdiction over states and strictly does so. Cases concerning individuals or organizations do not fall under the jurisdiction of the ICJ. Therefore, the Court cannot legally rule a verdict.

Simply put, a MUN ICJ committee is a stimulated court hearing following the ICJ procedure. The judges and the advocates are appointed by the Secretariat, and similar to the real ICJ, they do not represent a state. Advocates may choose to act according to the state law of the state they represent in the case, but the court's verdict will be based on international law. The ICJ is a body of law, unlike typical MUN committees where mutual benefit is desired, and in ICJ, concluding a mutually beneficial verdict is impossible. This is because courts resolve disputes based on established laws and facts, which may favor one party over the other rather than negotiating compromises that satisfy both sides equally.

The written law cannot be changed, and the Court should abide by it in all situations. However, how the written law is interpreted can differ from case to case with different contextual points. Therefore, while the law itself cannot be tampered with, the interpretation of all laws is subjective and could differ from court hearing to court hearing.

5. COMPOSITION OF THE COURT

5.1. Applicant & Respondent:

Applicant: Is also known as the prosecution. The term applicant refers to the state that files a case to be heard by the ICJ. The applicant is responsible for formally submitting a dispute to the court by filing an application outlining the case's grounds, facts, and legal claims. The application must be precise with the information provided, explaining the claimed violation of international law as well as the exact outcomes or reparations the applicant wishes. The applicant also carries the burden of proof, which means it must provide substantial evidence and legal justifications to back up its allegations.

Respondent: Is also known as the defence. The respondent is the state against which the case is filed, and allegations are made. This party must respond to the applicant's claims, including its legal arguments, evidence, and counterclaims if any. The respondent's responsibility is to defend its acts or demonstrate that the applicant's claims are baseless under international law. Similar to that of the applicant, the respondent also submits their case following the same rules of outlining. The respondent can also challenge the ICJ's jurisdiction if it considers the court lacks the authority to decide the case, which is a viable option for defending the state’s actions.

For both parties, the preparation, submission, and presentation of the cases are traditionally done by advocates/agents. The ICJ court hearings are structured to ensure that the applicant and respondent are given equal opportunities to present their cases through written submissions and oral hearings. While the court aims for fairness and adherence to international law at all times, it is not tasked with negotiating compromises between the parties. Instead, it decides binding judgments based on legal principles, which, as stated before, may favour one party over the other to resolve the dispute. This approach can result in one side “winning” the case while the other must comply with the ruling.

5.2. President & Vice President:

The Court Bureau consists of the President, the Vice President, and, if appointed, the rapporteur/registrar. The roles of the President and Vice President closely resemble those of a typical committee chairboard. Their primary responsibility is to oversee court proceedings and ensure that all procedures are correctly followed. Aside from being the overseers of the Court, the presidency also has juridical duties, meaning they also function as Judges during the procedural voting. The President and the Vice President are tasked with taking notes during the hearing. Each has one vote and is free to use them according to their own will. The powers of the Presidency include extending deadlines and facilitating proceedings. The President and the Vice President both should be addressed with their titles.

The Registrar manages all the Court records. They label evidence from the Applicant with numbers (like Applicant 1, Applicant 2) and evidence from the Respondent with letters (like Respondent A, Respondent B). When needed, the Registrar will give the Presidents and Judges copies of important documents, such as memoranda, stipulations, witness lists, and evidence packets. Before the Court starts, advocates must submit all evidence, witness lists, and documents to the Registrar or another officer of the Court. The judges should avoid depending entirely on the Registrar to keep note of the hearings and should always take their own records.

5.3. Judges:

A judge in an MUN ICJ committee acts as an unbiased decision-maker responsible for evaluating cases presented to the committee impartially. In contrast to judges in domestic courts who collaborate with a jury, ICJ judges must independently examine evidence, interpret international law, and deliver verdicts without any jury support. They can be described as investigators of the facts and interpreters of the law.

The process begins with judges evaluating detailed written memorandums submitted by both the applicant and the respondent, outlining each side's legal arguments. During oral hearings, judges listen to presentations, actively question the representatives for clarifications, and observe rebuttals and surrebuttals to gauge the strength of the cases presented. In the absence of a jury, the judges must also decide whether to accept objections during evidence admissions, determining whether the admitted evidence is viable. Following these sessions, judges enter a private deliberation phase in which they discuss, debate, and compose a collective judgement or individual opinions expressing disagreement.

The president of the court leads this process and announces the final judgment, which may include detailed reasoning and citations of relevant international law. In all votings and considerations, the court bureau has the last authority. Unlike domestic court judges, who may share decision-making responsibilities with a jury for factual determinations, as stated ICJ judges are wholly responsible for assessing both facts and law.

Following are points Judges should follow prior to and during the Court hearing:

- The judges' preparation for the conference should be minimal. The memoranda are the only documents relevant to the case that they can read. All judges must avoid doing beforehand research on the case, as this can and will almost certainly influence their decision. A judge's opinion on a country and its policies should also not influence them during the trial since it’s irrelevant to the case.
- The judges are not allowed to speak with the advocates about the case prior to or during the trial, in private, or in the courtroom. Note-passing between advocates and judges is strictly prohibited. Judges can pass notes to each other via the help of the courtroom admin but are discouraged from communicating during a presentation or oral hearing. Verbally speaking with another judge during court proceedings, outside of deliberations, is strictly out of order.
- Judges are encouraged to take notes during court proceedings and keep in mind to distinguish between claims and facts. It is strongly recommended that judges utilise an electronic device, such as a laptop or tablet, as this will make it easier to interact with digital documents and enhance their organisation, enabling them to keep track of all proceedings in the courtroom effectively. While the bureau would be taking notes, judges should refrain from depending on others’ notes on the proceedings.

All judges should be referred to by their title and surname or simply by “Your Honor.”

5.4. Advocates:

An advocate in an ICJ committee represents either the applicant or respondent state. Advocates write clear and detailed memoranda that explain their state's legal arguments, the facts of the case, and what they want to achieve based on international law. In oral arguments, advocates give organised presentations to explain their points, refer to treaties, and cite previous ICJ rulings to support their case. They must answer questions from judges, present their cases clearly, and respond to counter arguments from the other side. Advocates need to know relevant legal precedents and be prepared to address any weaknesses in their arguments. Unlike lawyers in domestic courts, who can appeal to a jury's emotions, ICJ advocates must rely strictly on legal reasoning, focusing on international law to persuade a group of judges who alone make the final decision.

An advocate should never lie in court as honesty and accuracy are essential in any legal setting, even in practice. Trustworthiness is crucial in convincing judges, as lying or twisting the truth can harm an advocate's reputation and weaken their case. For example, if a case involves a broken plate, the advocate's goal isn't to show that the plate isn't broken. Instead, they should aim to convince the panel that breaking the plate can be justified under the law or that there are reasons that make the act of breaking it legal. They could also focus on disproving the other side's arguments about why the plate was broken by presenting evidence and counterarguments. Advocates' duty is to convince the panel of the legality of the actions, not the morality. They simply need to convince 50.1% of the Judges to "win" their case. Advocates are referred to as "Counsel" (for the country they represent.).

Prior to the conference, advocates are tasked with preparing four legal documents:

- Memoranda and the Stipulations (Expanded upon in further articles.)
- Evidence Pack
- Witness List (Accordingly the witnesses.)

The Memorandum is a document written by each pair of Advocates and presented to the other as well as members of the Court prior to the conference. It should contain the viewpoint and the primary arguments of the side that wrote it. The judges will read this document first. Because the Judges do little research before the meeting, it should be straightforward and concise. Since the Memorandum simply contains the Advocates' claims and not yet proven facts, it is not a piece of evidence that can persuade the judges. It consists of the following:

- Statement of Facts. The historical background is included and expected to explain the relevant events and facts in chronological order.
- Statement of the Applicable Law. The Advocates are to mention the Sources of Law on which their arguments are based. They are to quote the articles of treaties, resolutions, et cetera. They may comment on them and explain their meaning and relevance. The Applicant Party has to also briefly mention the Sources of Law on which the Court has jurisdiction over the case without going into detail, as it will practically be taken for granted that the Court does have jurisdiction.

- Prayer. The requested judgement/verdict from the Court.

6. EVIDENCE IN COURT

6.1. Submitting Evidence & Forms of Evidence

Real Evidence: Lists of the real items of evidence are presented twice in court. Both parties may provide the court with up to ten pieces of evidence on the first day of the hearing. These can be textual papers like court records, articles, or reports; visual sources like images, graphs, or charts; audio or video recordings; or even material items. It is important to bring printed copies of all written evidence to court. Advocates can highlight specific points if they think the judges should pay more attention to them. However, they must remember that the entire body of evidence will be examined.

Evidence Lists have to follow a specific format (provided by DSA Law School):

1. Link to the online form of the document.

2. Title of the Document (Specifically: If the evidence is a legal document, then the advocate should also include the articles, paragraphs, or clauses that the judges should focus on).

3. Source: e.g., the United Nations Archives, the New York Times, the World Health Organization.

4. Author: If the document is an article or a text written by a specific person or group of authors, they should be named here. Some background information about their country of origin, their studies, prior and current workplaces, important life events, and, most importantly, their expertise on the matter should be listed. This will help to prove the reliability of the piece of evidence.

5. Publication date: The exact publication date of the last time the document was edited should be listed for it to be deemed authentic. If the advocates want to provide the court with a previous version of a specific document, they should mention it in this section. Only pieces of evidence conducted before the case's application date can be provided to the court since the simulation takes place at the time of the application. Articles after the application can be brought to court only if they refer to events before the application.

6. Summary: The content of the piece of evidence should be briefly summarized. No further explanations about why the evidence was brought to court can be named since they could be deemed misguiding. If any questions arise, they can be answered during the advocates' questioning.

Rebuttal Evidence: On the conference's final day, up to five pieces of evidence from the Rebuttals list are presented. These pieces of evidence provide the parties' final chance to prove the validity of their accusations and statements. Although having pieces of evidence ready before the conference is an ideal plan, they will likely need to be modified. During the deliberation, the court typically discovers holes or speculative claims that the advocates had not previously taken into account. During the questioning process, the advocates will have the chance to see what they failed to clarify to the court.

Testimonies: The Testimony Evidence is considered to be equally as important as the Real Evidence. Up to three witnesses may be called by each party to testify in court. The witnesses may be eyewitnesses, representatives of organisations, ambassadors from foreign nations, distinguished diplomats, or anybody else who could assist the advocates in proving their points. The criteria used to evaluate the witnesses will be comparable to those used for real evidence. Therefore, counsel should ensure that the witness receives neutral and objective information, and their statements should not contradict real evidence. The judges will assess the witness's credibility during the deliberation. In general, witness statements should be grounded and supported with evidence. Both sides should turn in the list of witnesses prior to the conference. Further information on witnesses will be provided in later articles.

6.2. Process of Marking Evidence

Before the conference, advocates prepare relevant evidence (Real Evidence), such as treaties, legal papers, images, and reports, which they then present to the Registrar for official documentation. The Registrar assigns a unique identification code or number to each item of evidence (for example, "A1" for the applicant's first piece and "R1" for the respondent's), ensuring that all evidence is catalogued correctly. During the trial, advocates formally present their evidence by referring to these codes, which the judges approve for use in the case. If one party believes a piece of evidence is inadmissible, they can file an objection, causing the judges to consider and rule on its admissibility. All participants, including judges and the Registrar, can access the list for consistent referencing.

Presenting Evidence: Advocates will provide three copies of their evidence: one for themselves, one for the opposing party, and one for the panel (to be turned over to the Registrar). In addition, the advocates must provide an electronic copy of their evidence to the Panel before the conference date, which will be distributed to the opposing team so that they can prepare their objections and counter arguments.

When presenting each piece of evidence, advocates will inform the Court about the title, author, date, and source, along with a short explanation of its significance to the case. The Applicants will present their evidence first, followed immediately by the Respondents. Once each piece of evidence has been presented, the opposing party will have the chance to object based on authenticity, undue bias, relevance, reliability, or accuracy.

Any objections will be recorded by the court Registrar, the evidence will be assigned a label, and the Advocates will present their next piece of evidence. An objection raised does not ensure that the evidence will be excluded, but it will be taken into account during the deliberation process. The Court places the highest value on evidence consisting of international treaties and official government records. It is important to remember that the Court makes its decision based on legal principles, so legal documents must be utilized to show the legality or illegality of an action.

Objecting Evidence: The evidence list cannot change after being sent to the opposite party. Adequate time should be given to both parties to prepare objections on the pieces of evidence. These should be carefully selected. The Judges will be examining to which extend they stand or not during the deliberation. The objections should not be overused but instead used in all cases in which they are deemed necessary..

1. Relevance: This objection suggests that the evidence may not be relevant to the case and should not be considered. The two parties often take different approaches because they have conflicting interests. What seems unimportant to one side might be very significant to the other.
2. Reliability/Bias: This objection suggests that the source or authors of the evidence are untrustworthy and may be biassed. Legal evidence, like resolutions from the Supreme Court or General Assembly, international conventions, treaties, and previous judgments from the International Court of Justice, is considered very reliable. For non-legal evidence, such as news articles, it's important to show reliability by providing background on the authors, their expertise, and their recognition in the field.
3. Authenticity: This objection implies that the pieces of evidence have been altered by adding information, removing information, or replacing information.

When an objection is accepted, this decision must be announced, and it can be appealed by one of the Judges or the Agents. In the event of an appeal, the Judges vote on whether the evidence should be considered acceptable. If the president's decision is successfully appealed, the evidence will stand as valid. If no appeal takes place or if the president's decision stands after the appeal process, that piece of evidence cannot be referred to during the presentation

Weighing the Evidence: After the opening arguments and the presentation, the Court will go into a closed session where the bureau may stay in the room. The judges will divide the evidence among themselves. Each judge will read, take notes, and evaluate their assigned evidence.

6.3 Discussion

They will consider the evidence's reliability, relevance, and accuracy, along with any objections raised. After this, each judge will present their evidence to the rest of the justice panel, highlighting the main points and giving them a weighting of high, medium, or low based on how reliable and considerable the evidence is. Judges can discuss their decisions with each other and may ask to review any piece of evidence themselves.

7.TESTIMONY OF THE WITNESSES

7.1. Examining Witnesses

Witnesses will be examined in the order they appear on the witness lists unless the President decides otherwise due to certain circumstances (i.e. if a witness cannot leave their forum). Each party provides a witness list, and the order alternates between the parties. The first witness will be from the Applicant, the second from the Respondent, the third from the Applicant, and so on. A witness called to the Court must stay outside until it is they are invited to enter. As each witness is called to give evidence, the Registrar will administer the following oath: *"I solemnly affirm that the evidence I am about to give shall be the whole truth as best I know it."*

The witness examinations begin with direct examination, during which the party that called the witness forth will first ask their questions. Advocates must ensure that their witnesses are well prepared prior to court proceedings on that case, ensuring that they know precisely what questions will be asked during direct examination and what answers are to be expected. as well as to know a good deal of information regarding their role in the case (i.e, their character's relation to the situation). Witnesses must not lie to the Panel or provide information that contradicts other valid evidence presented by either party.

After direct examination, the opposing party gets to question the witness in a process called cross-examination. Judges may also ask questions during this time. Advocates need to prepare their witnesses for both cross-examination and any questions from the judges. Each party has 20 minutes to examine every witness. They can split this time into several rounds, like 3 minutes for direct examination, 4 minutes for cross-examination, and then another 3 minutes for direct examination, and so on. Advocates can only interrupt a witness to make an objection. The President's decision on any objection is final and cannot be challenged. Once advocates finish examining a witness, the judges will have a chance to ask questions as well.

a. Direct Examination: The counsel who calls upon the witness conducts direct examination. This allows the advocates to ask their witnesses pointed questions that allow the witnesses to make statements that will support past evidence or claims. It is highly advised for the counsels to brief their witnesses on how they should answer the questions they will be asked. During the direct examination, the opposing counsel can not interrupt unless for objections.

b. Cross-examination: Once the other party has finished asking their questions, the opposing advocate (and then later the Judges) can cross-examine the witness. The goal of cross-examination is to challenge the witness's statements and question their credibility. A strong cross-examination can assist judges in determining the truth and the witness's honesty, which includes observing how the witness behaves. It is important that nothing the witness says during cross-examination conflicts with what they have said during direct examination.

7.2. Witness Objections

Both sides can raise objections during the direct and cross-examination of a witness. Advocates are advised to print out and study these objections so they can use them effectively during the examination. Objections are an important part of witness examination as they can completely change the outcome of the examination. Therefore, advocates should use them wisely and refrain from overuse. The judge may ask advocates to explain why they made their objection. It is up to the judges and primarily the Presidency to decide whether to accept or reject the objection.

1. Leading Question: This objection implies that the question asked suggests its own answer. The question usually includes the answer and can often be answered with a ‘yes’ or ‘no’. You can only use this type of question during direct examination. Leading questions are allowed during cross-examination since the opposing party brought the witness to court.
2. Relevance: This objection implies that the question asked is irrelevant to either the case as a whole or the testimony presented to the court.
3. Hearsay question: This objection implies that the question asked refers to, or addresses a person, organization, or state that is not present in court. Thus, that person or entity cannot defend itself and shouldn’t be mentioned during the questioning.
4. Badgering: This objection implies that the question posed possibly intimidates the witness and should either be rephrased in a less aggressive, provocative, and disrespectful way or avoided altogether.
5. Lack of competence: This objection implies that the witness is not required to be aware of the answer to the question posed because they are not supposed to be experts on the content of the question.
6. Ambiguous/Vague/ Misleading question: This objection implies that the question asked to the witness is general, unclear, or misleading and needs to be rephrased more clearly. The Presidency may ask the advocate to give the witness a specific piece of evidence. This way, the witness has clear information to understand the question better.
7. Non-Responsive Answer: This objection is the only one that does not refer to the questions of the advocates but to the answers of the witness. It implies that the answer given is irrelevant to the question asked. It should then be rephrased in a way that specifically answers the question

When posing questions during direct or cross-examination, it should be kept in mind that the questions should be relevant to the case and the witness's testimony. The language used should be formal and refrain from accusing or aggressive tones. The questions can not include statements. The questions should be audible. Examiners should pose their questions one at a time.

8. COURT HEARING

8.1. Opening Statements

During the opening statement, advocates summarise the main points of their case. They highlight the key legal precedents, treaties, and evidence that support their position. This statement should be clear and persuasive to build credibility and set a strong tone for the following arguments. The opening statements are unsuitable for detailed evidence or rebuttals but serve as a roadmap to introduce the judges to the case and the advocate's stance. The opening statement is the first opportunity to frame the narrative and make an impression on the judges. It showcases the strengths of the legal argument and explains how the advocate plans to prove their case under international law. Advocates are advised to refrain from making certain claims referring to the future. The opening statement can be viewed as an oral recalling of the memoranda. The opening statement should not take longer than 15 minutes, and only one advocate from each side should state the opening statement.

8.2. Stipulations

Statements that are accepted as objective facts of the case as agreed by both opposing parties. Only one set of stipulations will be presented to the Court but signed and agreed to by all advocates presenting the case. Advocates must know what they agree to in the stipulations, as it will be a foundation for the Judges' verdict and cannot be changed once agreed upon. The Applicant Counsel presents the stipulations after the opening statements. They are stated one by one, and the opposing counsel is given the opportunity to object.

8.3. Questioning

As the seekers of facts in the Court, judges are periodically given opportunities to pose questions to counsel, each other, or witnesses. After the day's presentations, usually at the end of the sessions, there will be a questioning period for the judges. During this period, the judges are free to question the advocates and their earlier statements as much as needed for clarification. The presidency would still monitor this questioning period, and talking over each other is strictly forbidden. If a judge wishes to pose a question to a witness, they should do so in the examination. In the same fashion, if they have a question for another judge, they should pose it during the deliberations. The judges can also invite an advocate or witness (if available) to the deliberation room for further questioning if clarifications are needed.

Questions should not be confrontational. Use this time to clarify issues, facts, and legal points. Direct your questions to one side's counsel. Make sure your questions are not open-ended. Follow-up questions can be asked at the President's discretion and are encouraged. Use the questioning time period effectively. It is advised to take note of your questions during the hearing itself.

8.4. Closing Statements

In a closing argument, advocates are expected to summarise their party's case by linking each element of the argument to the relevant evidence presented, as well as to applicable legal principles, treaties, conventions, and customary international laws. This includes incorporating testimony from witnesses and key points made in rebuttals and witness examinations. Each party's advocate will have a maximum of 20 minutes to deliver their closing argument. However, this time cannot be divided into multiple rounds.

8.5. Deliberations & Opinions

There are typically two types of Deliberations: “Deliberations” and “Formal Deliberations.” Deliberations are done with periods in between so the judges can introduce notes and discuss points. After the case proceedings, judges look at the evidence and arguments again, discussing within themselves. The deliberation process is done in a closed session or a separate courtroom.

Similarly, formal deliberation is to reach a verdict in a closed session, where only the judges can be present. However, judges can call back lawyers or witnesses for more questions during this time. First, the issues to discuss are decided from notes introduced in the past, which can be done by voting. Then, the panel considers the evidence based on its relevance, reliability, and accuracy while also considering any objections. Judges may bring in lawyers to ask questions during this period and review the stipulations made by both sides, noting any contradictions in the evidence to help them with their final decision.

The prayers of relief are extremely important for judges during deliberation to consider perspective. However, the ICJ is not limited to supporting either prayer of relief and may come to its conclusion and conditions.

After the judges finish discussing, each judge shares their decision and the reasons for it with the Court. Some judges might agree on the same decision for different reasons, while others might disagree. The decision that most judges support is called the Majority Opinion. This opinion and an explanation are written down and given to the President of the Court. Judges who disagree with the majority opinion can write a separate statement called a dissenting opinion. Those who voted against the majority form the minority party and will write a “Dissenting Opinion.” If any judges disagreed with the majority but had different reasons, they would write one or more “Separate But Dissenting Opinions.”

Imagine there are 8 judges: 4 of them (A, B, C, D) voted for Candidate X, while the other 4 (E, F, G, H) voted for Candidate Y. The final decision favours Candidate X. Among the judges who voted for Candidate X, A, B, C, and D provided their reasons, forming the "Majority Opinion." Judges E and F agree with Candidate X but for different reasons and write a "Concurring Opinion." Judge H also supports Candidate X but disagrees with the reasons given by others, so H writes a "Separate Concurring Opinion."On the side of Candidate Y, judges E, F, G, and H explain why they voted against Candidate X, forming the "Dissenting Opinion." Judge H has a different take from the others in their group and writes a "Separate Dissenting Opinion."

Opinions need to include the following:

- The Date.
- Names and signatures of the Judges authorising the judgement.
- Names of the advocates.
- Names of the sender of the document.
- Summary of the trial.
- Statements of the facts and stipulations.
- Objective descriptions of events that occurred, both country's interpretation of those events, how those events helped/hurt the judges' decisions, etc.
- Legal ground.
- Details regarding the international regulations that the defendant either breached or adhered to, along with the implications of those actions (how this substantiates the applicant's claims, what the consequences ought to be in light of the seriousness of the infraction, etc.) [this would encompass the legislation from a specific location or a citation from a previous ruling that established the precedent for interpreting these events].
- The decision. What should the decision be based on the above details, how should the legal ground and the facts implicate which country should "win" and why.
- Merits of each claim.
- The position of the Parties.

8.6. Voting

The voting process is used to reach a final decision. The first step is *preliminary voting*, often called a straw vote. This is an informal process where judges indicate their initial leanings based on the case arguments and evidence they have heard. It serves as a way to gauge the general consensus within the panel and determine how closely aligned or divided the judges are on the issues at hand. During this phase, judges may express reservations or highlight areas that need further discussion, uncertainties or questions to be addressed, and judges can engage in additional debate or clarification to solidify their positions.

Once the preliminary voting helps establish where the judges stand, the committee can proceed to *final voting*. This step is more formal and binding, marking the conclusion of deliberations. Each judge casts their vote either in favour or against the proposed judgement, including the court's decision and its reasoning. A simple majority typically makes the decision, meaning that more than half of the judges must agree for the verdict to be adopted. The formal vote ensures that all perspectives have been considered and that the final decision represents the collective judgement of the panel. The President oversees this process and may cast a deciding vote in case of a tie to break the deadlock and reach a conclusive outcome. The result of the final vote is then recorded, forming the basis of the written judgment that will be presented and read aloud, explaining the court's decision, its legal basis, and any separate opinions, whether concurring or dissenting.

9. CLOSING

9.1. Verdict

All other opinions constitute "separate but concurring" or "separate and dissenting" opinions, while the majority opinion, which receives the most votes, is then typed up as the Court's official verdict. Although they will only be used for documentation, these opinions must also be documented.

Only legality, as established by international conventions and treaties that the parties have ratified, will be used to construct the verdict. Advocates must therefore be extremely careful while locating and presenting their evidence. Only during the Closing Ceremonies will the president announce the verdict. The verdict of the Court will follow this format:

The International Court of Justice,

Regarding the case of the dispute between the [Applicant] and the [Respondent], We have found the following statements of fact:

(Clauses and statements from pieces of evidence will be directly quoted and cited, similar to Clause [X] of the [Treaty of Y] states: "[Quote clause here].")

Hence, we, the majority opinion judges, find that:

(Here, the Court will list and evaluate the arguments made by the advocates in numbered points. It will explain which arguments they find valid and which ones they do not consider valid for this case.)

For these reasons, we believe that:

(The Court will state its conclusion and conditions in several numbered clauses.)

10. SCOPE OF THE RULES

10.1. Rules to Abide By

a. Language: English is the official language of the conference and the courtroom. Except for specific terminology or special cases authorised by the Presidency, using any language other than English during court proceedings is prohibited. Statements made in any other language will be considered invalid. Repeated violations of this rule will result in a warning.

b. Dress Code: The courtroom follows the conference's and a typical courtroom's dress code. Any clothing other than formal wear will induce a warning. While wearing a formal robe is allowed, the clothing worn under it should still follow the dress code.

c. Electronics: Electronics are allowed in the courtroom only for case-related purposes. Using an electronic device for leisure may result in a warning, and the warned participant will be prohibited from using electronic devices during the court hearing for the rest of the conference.

d. Note Passing and Cross Talking: It is against the rules to interrupt a speaker's speech at any point other than fitting objections. At any moment, speaking in the background is strictly against the rules. While note passing is allowed within judges, attempting to pass a note to a witness or an advocate during the court hearing may result in a warning.

e. Biased Opinion: The duty of all judges is to remain unbiased throughout the hearing. While it would not induce a warning, showing repeated signs of having personal opinions interfere with the court deliberations, which may result in a judge losing the weight of their statements and the presidency not prioritising their statements. Speaking with the advocates regarding the case outside of the courtroom and outside of the given questioning periods may induce a warning.

10.2. Harassment

This court hearing is a simulated experience following a set official procedure. Opinions being shared and statements being made are made under a legal framework mirroring the actual legal framework of the UN. A person's morality and political views are unrelated to their Court stance based on legality, and harassing any participants for their alignments during the Court hearing will result in an Official Warning. Similarly, the case being heard in the Court is the real-life experience of some others and requires respect while handling it. It is advised to remember that real-life people are actively being negatively affected by the matter as the conference is happening. As this is a court environment and the case is sensitive, please show the seriousness and respect expected from the court participants. At any point, hate speech and offensive humour may result in an Official Warning.

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