

# ISARMUN 2019



International Court of Justice  
Rules of Procedure

# Rules of Procedure for ICJ

## 1. Introduction

The International Court of Justice (ICJ) is the chief judicial organ of the United Nations. It started operation in 1946 and is located in The Hague, Netherlands. The role of the ICJ is to settle disputes between different countries, in accordance with international law.

The Court consists of: The President of the Court, the Chairs, Judges, two advocates for the applicants and two advocates for the defendants. A maximum of two witnesses may be summoned by each party when it is their turn to testify before the court.

## 2. Roles of Members of the Court

Member	Role
President/Chair	Moderates the court and the debate. Has the final say if the judges' verdict is a tie.
Advocate	Defends his/her country's position throughout the case. His/her goal is to convince the court to grant the judgments the party requested, through stipulations, evidence, and witnesses. There are two parties of advocates: <b>1. Applicant Party:</b> The party that approaches the court first, and files the case. They approach the court with a certain mission that they attempt to accomplish. <b>2. Defendant Party:</b> The party that responds to the case raised, defending the position of their country.
Judge	Listens to what is said by both parties throughout the case, while occasionally asking questions to members of the court. Deliberates with other judges over the verdict, and votes on it at the end of the case.
Witness	Called upon when it's his/her time to testify before the court, answering questions from the applicants, defendants, and the judges.

## 3. Components of the Case

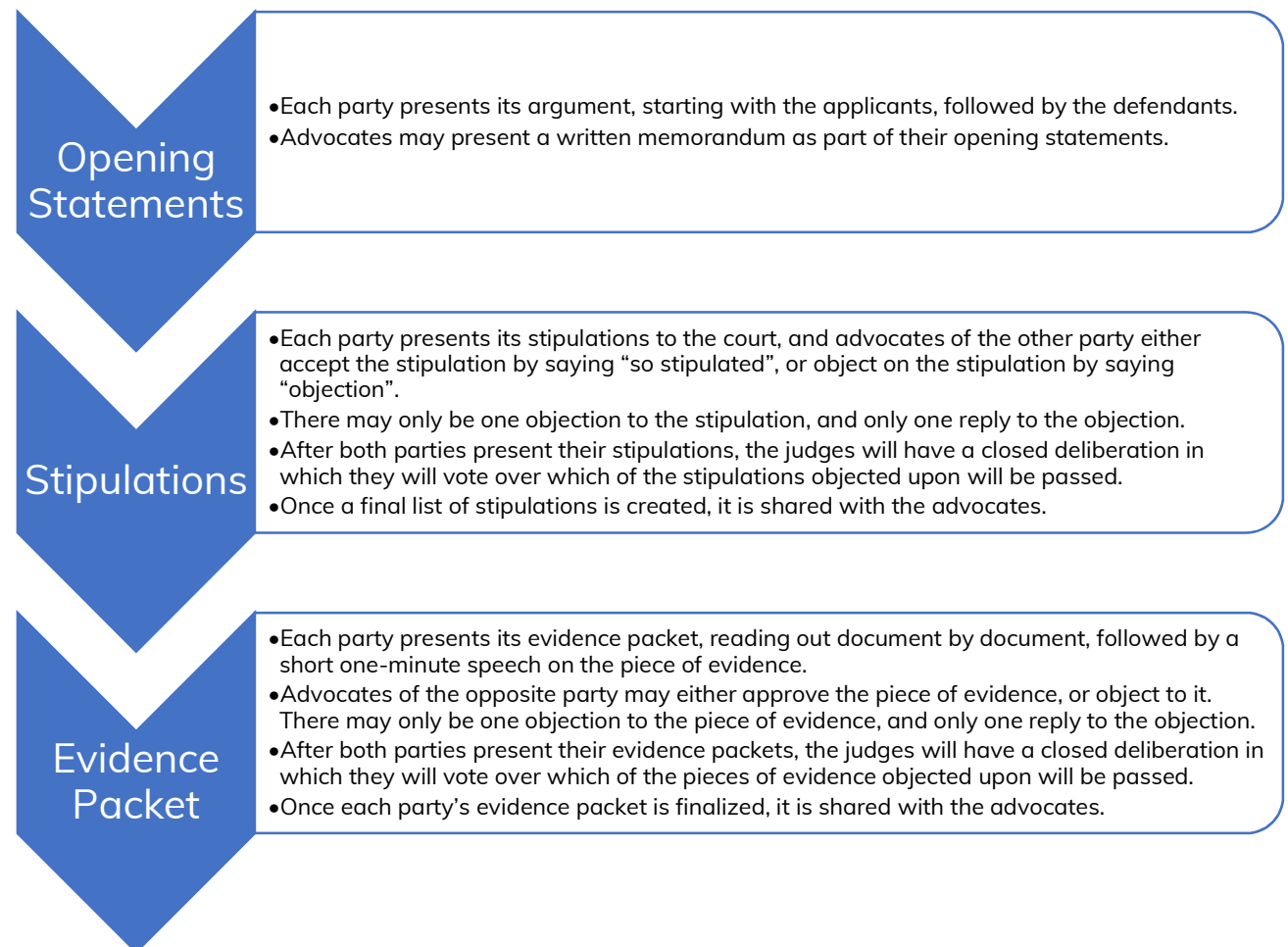
**3.1 Stipulations:** Stipulations are presumed or predetermined facts for the case. They are facts that are to be set and agreed upon by both parties, and they cannot be disputed throughout the trial once they are set. This may include: definitions of key terms, important historical events, actions taken by the involved parties, or relevant articles of the law.

A certain period of time before the conference (to be determined by the President), each party must send their stipulations to the forum's President. The President will then share the stipulations of each party with the opposite party, such that all advocates have access to both parties' stipulations.

**3.2 Evidence Packet:** A packet presented by each party, which contains all their evidence regarding the case. This can include past treaties, conventions, news articles, or any other documents relevant to the case that support the party's argument. In HIAMUN, it is preferred that the evidence packet consist of only relevant excerpts from such documents (i.e. one article of a UN convention rather than an entire convention).

**3.3 Witness List:** A list containing all of a party's witnesses for the case provided to the President/Chair at the start of the conference. This list should contain the real name of the witness, the name of the witness in the case, the witness's profession, as well as the forum the witness will be in during the conference and their delegation.

#### 4. Court Proceedings



## Witness Examinations

- Each party presents its two witnesses to the court. The advocates proceed by examining their witness. The witness is then cross-examined by the advocates of the opposing party. Following that, the judges may examine the witness. This procedure is repeated for every witness from either side.
- An advocacy may object upon a witness's statement, or a witness question from the opposing advocacy or from a judge. The President of the Court then decides whether this objection is to be sustained or overruled.

## Rebuttals

- Throughout the case, advocates should be making note of significant points made by the opposing party which they wish to refute. During rebuttals, advocates will have the opportunity to disprove any claims made by the opposing party in previous proceedings. Advocates should try to make their rebuttals as concise and clear as possible, using this as an opportunity to get their argument together, keeping in mind that their main goal throughout is to persuade the judges of their argument.
- The rebuttals will proceed as follows: First, the Applicant will have a maximum of ten minutes to make their rebuttals, after which the Defendant will also have ten minutes to make their rebuttals. Afterwards, the Applicant will have the option of taking up to five minutes to respond to the Defendant. If the Applicant takes this opportunity, the Defendant will also be granted five minutes to respond to the Applicant.

## Closing Statements

- Both teams of advocates will be given ten minutes after rebuttals to prepare their closing statements. The main purpose of the closing statement is for each advocacy to summarize their arguments, drawing from all passed stipulations, evidence, and witness testimonies. This is their last opportunity to convince the judges before they enter into final deliberation.

## Final Deliberations

- During this stage, only the President of the Court, the Chair, the Judges, and the Registrar are allowed to be inside the court. During deliberation, members of the court discuss the points and arguments raised by both parties. They also evaluate the credibility of the witnesses, taking a vote as to whether or not a witness's testimony can be entered into evidence. If a witness's testimony is passed, they then proceed to analyze it.
- In the end, each judge announces his/her decision to the court, in addition to the reason they made that decision.
- The decision of the majority of the judges becomes the verdict. If the decisions of the judges are split 50-50, then the President of the Court decides the verdict.

## Verdict

- In the end, a verdict is defined by the Court, based on the vote taken before.

## 5. Grounds for Objections

STEP	GROUNDS
STIPIULATIONS	<ul style="list-style-type: none"><li>• Accuracy</li><li>• Relevance</li></ul>
EVIDENCE PACKET	<ul style="list-style-type: none"><li>• Accuracy</li><li>• Authenticity</li><li>• Bias</li><li>• Credibility</li><li>• Relevance</li></ul>
WITNESS	<ul style="list-style-type: none"><li>• Badgering by Advocate</li><li>• Competence of Witness</li><li>• Hearsay</li><li>• Immateriality</li><li>• Leading Question</li><li>• Relevance</li><li>• Speculation</li></ul>

## 6. Deliverables by Advocates

Prior to commencement of debate, advocates shall submit the following documents:

1. Stipulations (sample [here](#))
2. Evidence Packet (sample [here](#))
3. Witness List
  - a. To include real name of witness, fictional name of witness, job title of fictional witness and relevance for the case
  - b. May be submitted during debate
4. Proposed Verdict

## 7. Cut-off Date

All members of the court are to abide by the cut-off date Any evidence or other arguments submitted that stem for a date after the cut-off date are of no relevance to the case.

That date is February 3 2015

## 8. Intellectual Property

The Rules of Procedure of IsarMUN's ICJ follow the guidelines set by The Hague Model United Nations (THIMUN) and their interpretation by Egypt's Hayah International Academy Model United Nations (HIAMUN)