

**M A S M U N**

Urgency for Justice

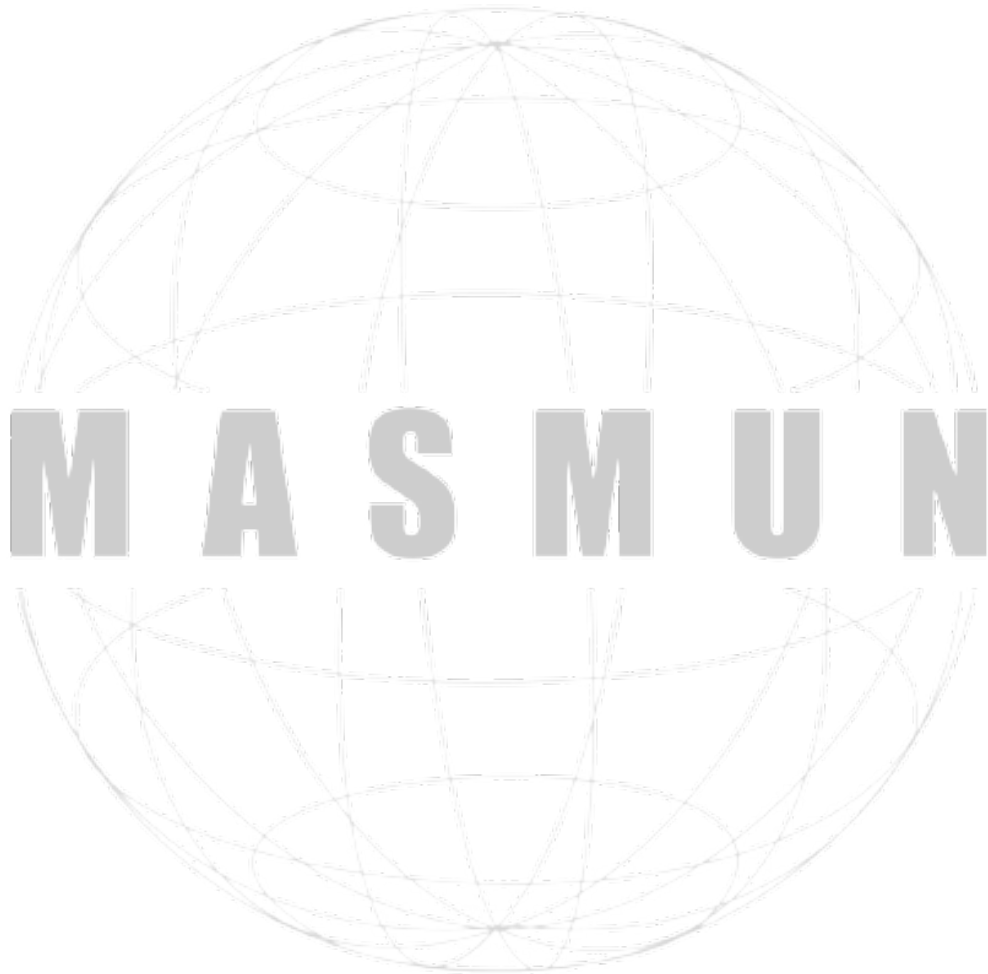


# International Criminal Court Guide

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## Committee Overview

ICC (International Criminal Court) that consists of three teams that examine a case regarding a crime committed by an individual. Advocates will argue the case representing (Prosecution and Defense), defending or prosecuting the individual. Each group of advocates will represent a party. The positions will be rotated for each case. [Judge- Prosecution- Defense]

### Advocates:

In court, advocates are similar to attorneys. A group of advocates will represent the prosecutor/plaintiff side and the other will represent the defense.

Prosecutors have to prove evidence of crimes of the

suspect. The Defendant, on the other hand, supports or defends the accused suspect

## **Judges:**

This group is in charge of evaluating the witnesses' reliability score, Judges also ask questions to test reliability of the witness.. Judges also anonymously vote to decide who wins the case.

## **Terminology:**

Personal pronouns can be used such as "I, Me, You, She, Her, He, Him," etc.

The chairing panel is to be referred to as : "your honor."

## What to prepare:

As there are three topics, the ICC committee does not have a 'lobbying and merging' session on Day

1. Individuals must also be aware of topics, understand them and prior events.

Each advocate team must prepare the following before the conference.

### 1. Opening speech:

A speech made by both the defendant and prosecution team. The prosecution starts first. Each speech takes around 10 minutes. In which they state the following:

- Introduce the case: what is the topic, what side is being supported and brief explanation on why the suspect is innocent/guilty.
- The verdict they want the court to achieve
- Evidence or statistics to support your argument (do NOT go into detail here. This will be done later on in the debate).
- Which witnesses the team will have (2-3)
- Roman Statue clauses that support the topic.

**\*\*Note that the advocate teams must create an opening speech for all topics.\*\***

## How to create opening speech:

Start with:

*Your Honor, Esteemed president,  
Noble and Virtuous judges,  
Fellow Advocates of the Court,*

### 1. Introduction (make it interesting)

- ❖ State your position
- ❖ Include emotion, and practice it

### 2. Introduce the suspects

- ❖ Who are they?
- ❖ What crime did they commit?

3. The Roman Clauses based on what the plaintiff/defendant think are relevant

❖ The Roman Clauses will be given for each topic in the topic briefs

## 2. Evidence packet:

- 10 pieces of evidence that support your case, all evidence must be reliable. [Advocates cannot use evidence from the ICC]
- Evidence is copied exactly from the resource (copy/paste). However it must be relevant and reliable.
- Note that Evidence could be objected to so make sure it is relevant and accurate.



The structure is as follows:

Title of the evidence with number

Brief summary of the evidence

Citation or link of the evidence

### 3. Witnesses:

2-3 witnesses must be chosen for both advocate teams. These witnesses must be related to the topic. Moreover, each witness must have an affidavit that they should memorize.

- Affidavits:

A speech that the witness must memorize, of which they will be questioned on. It must include:

Name of the witness and introduction (written in first person)

Brief background information of the witness

Information that supports the case

How the witness relates to the case.

The affidavit is followed by direct examination, cross examination and ends with re-direct examination.

Questions on the witness can be objected to, thus members of advocate teams must be familiar with the objections.

**Direct examination:** Members questioning from the same team.

**Cross examination:** Members questioning from the opposing team.

#### 4. Closing speech

A summary of everything that happened with statistics and supporting statements that help persuade your side for the verdict.

- Concluding statements (objections, unreliability.. etc)

## OBJECTIONS LIST

### Ambiguous (or vague, confusing, misleading)

All questions shall be precise enough to allow the witness to answer properly.

### Argumentative

Parties may not give statements during examination or cross-examination instead of asking questions.

### Asked and answered

Parties may not ask a question again to which they already received an answer by the same witness.

### Badgering

Parties may not try to intimidate witnesses by improper behavior, including asking multiple questions without giving the witness time to answer.

### Calls for a conclusion

Parties may ask only for the witness's observations, not for any conclusion. They may however ask, for example, how they felt, whether they were afraid etc.

### Calls for speculation

Parties may not ask witnesses to speculate or guess on certain points.

### Compound question

Parties should ask one question at a time and refrain from combining multiple questions.

### Hearsay

Parties may ask only for the witness's observations, not for any information they received from another source.

## Incompetent

Parties may not ask witnesses a question, which they in their capacity are not able to answer.

## Lack of Foundation

Advocates should not assume witnesses are familiar with certain pieces of evidence or information, and instead should establish this familiarity before proceeding with the next question.

## Leading Question

A leading question is one that suggests the answer by the form of the question. "You are a witness, are you not?", is an example of a leading question. To rephrase this question in order for it not to be a leading question, one would ask: "Are you a

witness?”. Leading questions are out of order during the direct examination of a witness, and the opposing council may object to leading questions asked during direct examination. On the other hand, the use of leading questions is encouraged during the cross examination of a witness.

### **Narrative**

Parties should ask questions on specific facts and not ask witnesses to tell a story.

### **Privilege**

Parties may not ask witnesses a question if the witness is protected by law from answering the question.

### **Relevance**

Parties may not ask questions which are not relevant for the case.

### Non-responsive

Witnesses have to answer the question being asked. They are not allowed to provide an answer to a question that was not asked.

### Nothing pending

Witnesses may not speak on matters irrelevant to the question.