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## Overview of the ICJ

The International Court of Justice is a committee that is very different to that of other MUN committees, such as the General Assembly, Security Council, et cetera, as it is not a committee per se, rather a legal court where disputes between two or more nations are brought to be resolved. As such, the ICJ does not consist of “chairs” and “delegates”, but of “judges” and “advocates”. The goal of the court is to settle a dispute between the two nations who have asked for its jurisdiction.

For first timers, being a member of the ICJ may come off as a daunting task, however, it can also be one of your most memorable and enjoyable MUN experiences. This guide is intended to introduce the reader to the concepts within the ICJ, its terminology, and its rules of procedure, as well as the roles of the members within the court. It is recommended that this guide be read before attending the conference, and to have it with you to consult whenever you feel lost or are having trouble understanding what is going on.

## Terminology

This section is intended to explain some of the more common terminology used within the ICJ.

### Applicant/Respondent Parties

The nations who have decided to invoke the jurisdiction of the ICJ to settle a dispute are referred to as “parties”. The applicant party is the nation that has decided to apply to the ICJ with a case, and the respondent party is the nation that is responding to the claims of the applicant party.

The title of the case is always written in the “Applicant Party v. Respondent Party” format, so that the two parties can be easily distinguished. The burden of proof is usually on the applicant party, however, this may not always be the case, such as in territorial disputes.

### Memoranda

Plural of “memorandum”. A memorandum is the first document that the advocates will present to the judges, where they will outline their statement of facts, arguments et cetera. This document serves as the advocates’ introduction of the case to the court. It can be referred to during the proceedings to remind one of the position the corresponding party has taken. As memoranda are written entirely by advocates representing a single party, they are certain to contain biases, and are therefore not regarded as evidence.

### Stipulations

Stipulations are essentially facts that both parties agree on before the proceeding of the case. They are introduced after both parties have finished presenting their memoranda. Should either of the parties disagree with any of the stipulations that are introduced, that stipulation will be crossed out. Stipulations that neither party objects to will be taken as facts and their credibility will not be challenged.

## Opening Statements

An opening statement is the speech that advocates of both parties will make after their memoranda are presented and the stipulations are introduced. This is where the advocates will first get to address their judges and verbally present their represented nation's point of view regarding the case. It is also encouraged that advocates present the judges with the course they will be taking throughout the proceedings.

## Closing Statements

The closing statement is the speech that advocates of both parties will make after their final questioning by the judges. This will be the advocates' last chance to address the judges and their final attempt to convince them that their case is right. It is recommended that advocates use their closing statements to once more go over their arguments in a concise and clear manner.

## Rebuttal

A rebuttal will take place after both parties have presented their pieces of evidence and their witness testimonies, where the advocates will have a chance to try and refute the arguments presented by the other party. This is also the last time where the advocates are allowed to make any new arguments in order to convince the judges that their case is right.

## Verdict

The verdict is the final statement the court will produce at the end of the conference where they will decide on which of the parties' case is right. It will be read at the closing ceremony and will detail the issues the court has had to sort through in order to arrive at a decision.

## Evidence

Plural: Pieces of Evidence. A piece of evidence is any document, map, legislation et cetera that the advocates will use to persuade the judges that their case is right. Pieces of evidence will be submitted to the court after the opening statements and will be thoroughly deliberated by the judges in order to determine its credibility, relevance, and weight. Having proper evidence is one of the most crucial steps to convincing the court that your case is right. As such, any piece of evidence that can potentially help should be presented.

## Credibility

The credibility of a piece of evidence or a witness is the measure of how unbiased that piece of evidence or witness is. A document published by one of the parties or a government official's testimony will have lower credibility as opposed to a document created by the UN or a testimony by an impartial third party official. A high credibility score is desirable for a piece of evidence to come off as convincing.

## Relevance

The relevance of a piece of evidence or a witness is the measure of how relevant that piece of evidence or witness is to the case. Pieces of evidence or a witness that is directly correlated with the case or directly serve to further an argument are more relevant than pieces of evidence or a witness that do so in a circumstantial manner. A high relevance is desirable for a piece of evidence to come off as convincing.

## Weight

The weight of a piece of evidence or a witness is the measure of how impactful that piece of evidence or witness is to the case. Although credibility and relevance are good metrics as to how much weight a piece of evidence or a witness holds, this is the ultimate measure of how convincing a piece of evidence or a witness is. A piece of evidence or a witness should present critical information regarding the case, or serve as a direct means to further an argument for it to hold a high weight value.

## Witnesses

Witnesses are the people either of the parties will call to the stand in order to provide the court with their experience, expertise, or opinion. Witnesses are evaluated the same way pieces of evidence are (by their credibility, relevance, and weight). They serve as yet another medium for advocates to further their case. Witness can range from government officials, experts on various fields, to the common folk of an area.

Witness testimonies proceed with the advocates asking questions to the witness, and their answers are what the advocates expect to further their case.

## Direct Examination

A direct examination is when a party asks questions to a witness that they have called up to the stand. This examination is meant to be used by advocates to further their case using the witness' testimony. Leading questions are not allowed during direct examinations.

## Cross Examination

A cross examination is when a party asks questions to a witness that the other party has called up to the stand. This examination is meant to be used by advocates to refute the claims that witness has made during the direct examination. Leading questions are allowed during cross examinations.

## Objections

An objection is when a party believes that a question the other party has directed to the witness is against the rules of the court. Objections are raised by advocates by saying "Objection" followed by its type by the advocate after a question has been asked by the other party. The objection will then be considered by the board, and will either be sustained or overruled. An objection that is sustained means that the objection has been found to be valid and the question will not be answered by the witness. An objection that is overruled means that the objection has been found to be invalid and the question will proceed. Only advocates can raise objections.

## Hearsay

A hearsay objection may be raised when a question asked to the witness has to do with what someone else, who has not been examined by the court, has said or done. Such a question will not be valid as the witness will be working as a secondary source as opposed to a primary one.

## Leading Question

A leading question is a question that hints at the intended answer. These are usually of the form of a yes/no question, and are not valid during direct examinations as they are more of a statement as opposed to a question.

### Speculation

A speculation objection may be raised when a question asked to the witness calls on the witness to predict the result of an action or the outcome of an event. These questions are not valid as they provide the court with no certain information regarding the case.

### Irrelevant

An irrelevant objection may be raised when a question asked to the witness is not deemed to be relevant to the case. Such questions will not be valid as they provide the court with no information regarding the case.

### Badgering

A badgering objection may be raised when a question asked to the witness uses intimidation or other distressing methods to get the witness to answer a certain way. These questions are not valid as they will be unjustly causing the witness to answer a certain way.

### Immaterial

An immaterial objection may be raised when a question asked to the witness tends to prove some fact that is not proper or is lacking logical connection with the consequential facts. Such questions are not valid as they do not contribute to the case.

### Prejudicial

A prejudicial objection may be raised when a question asked to the witness hurts the integrity of the witness. These questions are not valid as the question presumes to know the answer the witness will provide.

### Competence

A competence objection may be raised when a witness is not deemed competent enough to answer the question they were asked. These question are not valid as they require knowledge that the witness does not possess.

## Procedures of the Court

The court will proceed according to the following plan.

1. Presenting of the Memoranda
2. Stipulations
3. Opening Statements
4. Evidence Submission/Presentation
5. Evidence Deliberation
6. Witness Testimonies
7. Witness Deliberation
8. Judges' Deliberation
9. Rebuttal
10. Closing Statements
11. Final Questioning of the Advocates
12. Final Judges' Deliberation
13. Writing of the Verdict

## Roles of the Members of the Court

This section is intended to explain the roles of the members within the court.

### Judges

Judges are responsible to determine the rules of international law on the specific case and reach a final judgment. Each judge will have one vote in procedural and substantive voting procedures. Judges' decisions and actions must be unbiased; if they fail to meet this criterion they may be given an official warning by the President. Judges may ask questions to the advocates or witnesses in designated phases of the trial proceedings.

### Advocates

Advocates will represent the sovereign states that are parties to the dispute and are obliged to defend the stance of their states. The presentation of evidence, questioning of the witnesses and other methods of proof shall constitute the instruments of advocates while carrying out their duty. In the event of misconduct the advocates can be given an official warning by the President.

### President

The president will be responsible for the implementation of the Rules of Procedure prepared for the International Court of Justice. The president also acts as a judge. He or she will have an equal vote and say with other judges in all matters relating to the case before the Court. The President will also have one vote in procedural voting matters. Although the President will dictate the implementation of the Rules of Procedure in the Court, they will not have authority over the decision of the other judges unless certain judges' opinions are obviously biased, in which case the concerned judge shall be given an official warning by the President.

### Registrar

The Registrar will be the regular channel of communications to and from the Court, and in particular shall effect all communications, notifications and transmission of documents required by the parties. The Registrar will primarily be responsible for taking copious notes of court proceedings, arguments of the conflicted parties, deliberation of the judges and decisions of the Presidents. The Registrar will take and record the oaths of the judges, advocates, staff members of the Registry, and witnesses before the commencement of the court proceedings. In the case of witnesses, it will be before the presentation of any evidence or testimony. The Registrar will also be part of the decision making process of the court as a judge with one vote.