



The International Court of Justice

Rules and Procedures

A. Basic Structure of the Court:

- The Court will be composed of a minimum of 7 Judges, including the President of the Court and a Deputy President (optional).
- A minimum of 2 advocates is required for each the plaintiff and the defense, and a maximum of four.
- Each side has the right to a minimum of 6 witnesses and maximum of 7.
- It is the responsibility of the presiding head to make sure this structure is accurate.

B. Time Management and Organization (Before Trial):

- Communication between the advocates and the President should take place at least two weeks before the conference, no less.
 - Only information regarding the timing, the organization and order of witnesses, and the Court expectations in terms of evidence and argument presentation can be exchanged.
 - Details of the case will be avoided, and the President should not aid in the research other than by providing links and research possibilities.
- One week prior to the commencement, all the witnesses should be prepared, and an explanatory list of their names and roles in the case should be presented (via email or other) to the President.
- The President (and the Deputy President) should also be in contact with the other judges for each case, exchanging articles or briefings regarding the issues to fully understand the parameters and complexities of the case.
- The President is to make sure such procedures are followed through successfully.

C. Time Management and Organization, and Other Procedures (During Trial):

Day 1:

- On the first informal day of the AISMUN, at least 7 copies of all evidence should be made and handed to each of the judges. (More copies should be made in the case more judges are hearing the case)
- Any changes to the witness list, or any other mishaps should be brought to the attention of the President on this day, and s/he will convey this to the other judges.

- A list of the witnesses and the forums to which they belong must be handed in so that, during the trial, the administrative staff can summon them to the hearing.
- All Court members must convene for at least 1 hour on this day for an orientation meeting (personal introductions, questions, etc.).
- The President, the head of this meeting, will declare the order of the cases.
- The rest of the day should be, to all members, a work session.
- Advocates are invited to develop their arguments fully, write their opening and closing speeches, or research.

Day 2:

- The trial begins on this day. Evidence will not be accepted, and changes in witnesses will be disallowed unless under extenuating circumstances, which will be under the President's judgment. Judges and advocates must remain for the entire duration in the room, and will be permitted to leave under certain circumstances. Advocates for the second case, however, must remain for the opening speeches only, and may leave to research during the remainder of the first trial. Note that there will be several coffee breaks, a luncheon, and an opening ceremony on this day.
- The President will first lead the judges in repeating the following oath: "I, on my honor, pledge to uphold the Tenets of Justice, and to serve the International Court of Justice under the Basic Principles of the United Nations."
- The plaintiff will begin with presenting an opening speech, which may last between 15 and 30 minutes. The defense will follow. Note that only one advocate may carry out each of these. (If time is scarce, these may be carried out at the end of the Day 1)
- The plaintiff witnesses will be summoned by the administrative staff during these speeches, and they will remain outside until the speeches are over. The plaintiff advocates will call upon the first witness, and the witness will be placed under oath by repeating to the Court (guided by the President) the following:
 - "I, on my honor, solemnly swear to tell the truth, the whole truth, and nothing but the truth." Note: The phrase "So help me God" will not be used.
- 10 minutes will be given as witness examination time, to be monitored by the President.
- More than one advocate may participate in this examination.
- 5 minutes will be given as witness cross examination, to be carried out (of course) by the defense.
- More than one advocate may participate in this examination.
- The defense witnesses will follow in identical procedure.
- The Court will aim to complete the hearing of this case on this day. If this is not the case, then it will be the first item on the agenda for the next day. In either case:
 - Closing speeches (plaintiff first, defense following) will be heard with a maximum of 15 minutes.
 - The judges must be given a maximum of 30 minutes to review evidence and share opinions. At the end of this closed meeting (i.e. excluding all other participants), a vote must be held on the verdict, and a statement must be prepared for presentation by the President.
 - The vote will be conducted by the President, in which s/he has a vote. More than half must support the verdict for it to pass.

Day 3

- This will be the final day of the Court. The second case will be carried out in the same exact fashion. Again the President should arrange procedures around other AISMUN events, such as the coffee breaks, luncheons, and the closing ceremony.
- In the closing ceremony the President will reveal the verdicts on both cases.

D. Responsibilities Outline (Comprehensive of responsibilities by member role)

Judges

- Must have a conceptual grasp of each case prior to the conference.
- Attendance is mandatory throughout (Orientation meeting, trials).
- Maintain a record of the trials, the evidence presented, and personal responses for future reference (i.e. when making verdict).
- Attentiveness is encouraged during the case hearings.

President

- Required to regulate (accepted) dialogue with advocates prior to the trial.
- Required to check the witness list, and make sure it has been submitted on the proper deadline (See Section B).
- Encouraged, on Day 1, to confirm witness list and ensure the distribution of evidence to the judges has been completed.
- Must conduct the orientation meeting and be familiar with procedures in order to answer questions.
- Will declare the order of the cases to be heard.
- Required to effectively manage (time-wise) the cases so that they are completed.
- Must regulate all of Trial so that
 - The judges and witnesses are placed under oath.
 - The timing is regulated of the speeches, examination, and the cross examination.
 - The closed judge meeting (following the case) is carried out effectively, and the President conducts a vote (in which s/he is required to vote).
 - All of Section C (Day 2 and Day 3) is effectively carried out.
- In the closing ceremony, the President must present a statement with the verdicts on each case.

Advocates

- Must follow the timetable presented in Section C. This includes:
 - Establishing communication 2 weeks prior to the trial.
 - Meeting submission deadlines such as
 - The witness list (1 week prior)
 - The evidence (on Day 1)
 - Being present for all opening speeches.
 - Sticking to time limitations (7 minutes examination, 4 minute cross examination, etc.)
- Effective participation is encouraged.

Witnesses

- Should be ready to answer questions from the defense and the plaintiff.
- Should have a strong understanding of their role and a grasp of the case.
- Be ready to present their testimony at any given time.

E. Objections, Prohibitions, and Penalties:

- The Court will only sustain objections (within reasonable limits) regarding the following. (Note that objections should be directed to the President.)
 - Audibility- The advocate's voice is unclear, or any similar complaint. This excludes asking for a repeat of certain phrases.
 - Relevance- the witness examiner/cross examiner is not providing a relevant argument. The President
 - Badgering Witnesses- The advocate is attempting to harass the witness through insults, or any such behavior.
 - Lack of Consistency- The advocate fails to present his or her argument, or is discordant with earlier presented arguments.
 - Any other objections may be brought to the attention of the President, however their success possibility is limited.
- Prohibitions involve most extreme and disrespectful behavior, and my result in the assigning of penalties. The Court (for example) prohibits:
 - Interrupting the speaker for a reason other than an objection.
 - Interrupting or rebelling against the President's decision.
 - Failing to rise (stand up) when addressing a witness, the President, or the Court.
- Penalties could range from a 1 to 15 minutes expulsion, where the expelled member must remain in the vicinity.

F. Research Possibilities

- The AISMUN website may display a set of helpful links in its ICJ section, or related articles. The URL is <http://www.geocities.com/aismun>
- Otherwise, the United Nations website (<http://www.un.org>) and the ICJ website (<http://www.icj-cij.com>) may be of great help.