
TAIMUN XVIII

International Court of Justice Handbook

Written by Sean Ko — Secretary-General of TAIMUN XVIII

Reviewed by James Lai — Deputy Secretary - General of TAIMUN XVIII

2nd February 2019



Table of Contents

1. Introduction to ICJ
2. Positions
3. Relevant Documents
4. Procedures
5. How to Address each other in ICJ?
6. List of Objections in TAIMUN
7. Bibliography

Introduction to ICJ

The International Court of Justice (ICJ), or sometimes known as the World Court, is the judicial organ of the United Nations (UN). It was first established in June 1945 by the UN charter and officially began its work on the year after. The seat of the court is at the Hague, Netherlands, and its main role in the United Nation is to settle legal disputes between nations. There are a total of 15 judges in ICJ, each elected by the General Assembly and the Security Council to a nine-year term.

In Model United Nations, ICJ is a specialized committee that runs on a **separate procedure**. Its positions include chairing members of the committee (president and vice president), advocates, judges, and witnesses.

Positions

President

Just like a chair in other committees, the President of ICJ guides the entire committee and ensures that everything goes smoothly. He or she should have a well-rounded understanding of the ICJ procedure.

Vice President (Registrar)

The Vice President carries out his or her duty just like chairs in other committees do. When the President is absent, the Vice President should take on the President's duties and temporarily be the "President" of the committee. The Vice President of TAIMUN ICJ is also known as the Registrar. A Registrar keeps all the previous ICJ cases and even the passed UN resolutions needed for referencing and other authenticity purposes.

Advocates

Put simply, the advocates are like lawyers that represent a country. There will be two advocate teams (Applicant and Defendant) in TAIMUN, each composed of three members. The team whose country filed the ICJ case will be referred to the Applicants, while the other will be the Defendant. Because the majority of the ICJ procedure and debate centers around the advocates, they must acquire the necessary knowledge, history, and timeline of the event prior to committee session. Aside from debating and researching, advocates also need to choose students to participate as witnesses, whose performances are crucial to the result of final judgment. Advocates are strongly advised to not only provide a complete, easy-to-comprehend evidence list to the witnesses, but also remain strong communication with them.

Judges

In TAIMUN, the number of ICJ judges is best kept as odd numbers (preferably more than 5 less than 11). The reason behind this is to prevent judges split opinion equally, thus hindering the process of final judgment.

Witnesses

Witnesses are students (typically delegates in other committees) pretended to be "witnesses" during the event of the filed ICJ case. When witnesses are needed in ICJ, they should best arrive to the ICJ committee room regardless of what position they're holding in other committees.

Relevant Documents

Stipulations (Advocates)

Stipulations are mutually-agreed facts by both of the advocate teams. In TAIMUN, there should be no more than 20 Stipulations. Stipulations should come in bullet points (or other similar formats) and should be discussed with one another prior to the conference to save time.

Evidence Packet (Advocates)

An Evidence packet includes all the evidence that supports all the arguments. A piece of evidence in the evidence packet should include all the available information: the name of the website, author, publisher, published date, and the quotations that support the claim.

For example:

Argument: TAIMUN shows support to LGBTQ+

1. “This year, Taiwan was lucky enough to become the very first country in Asia to pass the Same-Sex marriage bill. [To coincide and celebrate such a magnificent event, this year at TAIMUN, we’re very proud to announce our theme—LGBTQ Rights.](#) Passing the bill indicates our society has moved on from the past and is willing to accept new changes, new individuals, and new ideas. But still, as a global citizen, possessing the knowledge is never enough. [As we envision the day when every human being, no matter the age, gender, race, and even sexual orientation can all live equally, we are responsible for spreading this knowledge and correct every misconception within the society.](#)” --Sean Ko, TAIMUN XVIII Secretary-General.
 - a. Author: Sean Ko
 - b. Website: taimun.org
 - c. Published date: N/A

Witness List(Advocates)

Each advocate team is responsible for providing two witnesses, preferably both from the same school in which the advocates attend for the sake of better communication. The witness list should provide information about the student, including: name, grade, school, email, and/or other contact information.



Memorandum(Advocates)

To put it simply, a memorandum is basically a document that includes the main points advocates will need in court, just like a note. However, a memorandum should cover the following four aspects:

1. **Statement of Fact:** Facts that one finds to show support for his/her position in the case
2. **Statement of Law:** Laws or any legal documentation that is relevant to the case
3. **Arguments:** an overview of all the potential main arguments
4. **Prayer for Relief:** the ideal outcome or solutions based on the advocate team's stance

Research Paper(Judges)

A research paper is written by Judges to demonstrate their understanding of the current case based on what they read on the chair report. The report should be written in an impartial manner and should not try to predict the outcome of the case.

ICJ Procedure

Advocates

Both teams will read out their open statements. Each open statement should be 20~30 minutes long(Applicant first then Defendant).

The Chair would read out the list of stipulations, which are prepared prior to the conference by the advocates.
Max Stipulation per team:10

Each team will present their own evidence while the other advocate team will either object or accept the each evidence.
Max evidence per team: 15

Advocates are exempt from this activity and should prepare for the next procedure.

Witnesses will be introduced to the court. The witness will first respond to questions from his or her own advocate team then the other. (5~10 min for each team for 1 witness)

Oath Taking(Optional)
(approach the chair and read out the oath)

Open Statements

Presenting Stipulations

Presenting Evidence

Evaluating Evidence

Questioning Witnesses

Judges

Judges should listen and take notes

Judges should listen and take notes

Judges should listen and take notes

The chair will allocate each piece of evidence to judges and let the judges evaluate the validity of each evidence with a score.

Judges should ask questions after both advocate teams are done asking. (1 min)

Fast-Paced Q&A session between advocate teams. Direct conversation between the two teams are also allowed at this time. Advocates may also work on the closing statement during final judge questioning as well.

Each team will be given 15~20 minutes to deliver the closing statement. **Keep in mind that closing statement is meant to refute the other team's argument and strengthen yours. New evidence aren't allowed.**

Advocate teams are excused from the room at this moment for judges to deliver the final judgement.

The President will announce the final verdict during closing ceremony.

Crossfiring + Final Judge Questioning

Closing Statement

Final Judgement

Verdict

Judges should listen and take notes. After the crossfiring session between the advocates. Judges should be given about 15~20 minutes to give final questioning to the advocate teams.

Judges should listen carefully and deliberate the result of the case (i.e. who won the case and why).

The president will go through each judge and ask for their opinion on the case. Judges will also use this time to compose the verdict.

The President will announce the final verdict during closing ceremony.

How to Address Each Other in ICJ?!

**Important note: Unlike most committees in Model United Nations, ICJ procedures allow participants to use first-person pronouns.

Judges: When addressing other Judges, one must include the judge's surname along with the position. For example, a person with the last name Chen should be addressed as Judge Chen. Since some of the last names are extremely common and may occur to several judges in the same committee, one may include the person's first name to better distinguish(e.g. Judge Frank Chen and Judge Nordy Chen).

Advocates: Advocates are typically categorized into two sides: the applicant and the defendant. The Applicant refers to the party that requested and filed the ICJ case, while the Defendant refers to the party which the ICJ case is filed against. Aside from using the term Applicants and Defendants, one may also refer respective parties based on their country(e.g. Ugandan Advocate).

Witnesses: Witnesses are people involved in an event surrounded by the ICJ case. These people tend to have a specific name and should be addressed in a formal way(Mr. Ko, Mrs. Ko). Witnesses may possess a particular position as well(e.g. President of a country). In this case, one should include the relevant position as well.

List of Objections in TAIMUN

**The following list is adopted and/or modified from “HSINMUN ICJ Manual for Advocates and Judges”.

**When an advocate team points out an objection and given explanation(s), Judges will be given one minute to assess the validity of the objection. That is, either the objection is valid(passes), or invalid(overrule).

Ambiguous/Vague	Statement or question is unclear and requires additional explanation
Answer Exceeds	When an answer to a question exceeds the concern and scope of the question itself.
Argumentative	Questions that do not educe facts and/or are prejudicial.
Argument improper	When the opposition's argument contains incorrect information(e.g. Made-up facts, or misquoted information, etc.)
Asked and Answered	When the witness is asked a question, it cannot be asked again. If the person questioning the witness finds information that contradicts the witness' answers, they have to take on a charge of impeachment, where a new question is asked regarding the contradictory evidence found.
Assumes facts not in Evidence	Witnesses have to testify on facts and evidence included in the evidence packet.
Badgering the Witness	When question-ers are quarreling with, displeasing, provoking, and harassing the witnesses on the stand.
Calls for a Conclusion	Questions draw out conclusions and not facts.
Compound Question	**Only one question can be asked at a time. Compound Questions → A question that is made up of two or more parts.
Confusion of Issue(s)	Information presented is irrelevant to the issue discussed at hand.

Continue Objecting	When objections against as a side are continuous, and impair the participation and presentation of arguments by the side.
Cumulative	When a piece of information has been proven; additional proof is unnecessary.
Hearsay	When information stated by a third party, outside the court's presence.
Inconsistent	[From the same team] two arguments that are contradicting.
Incorrect	A team states incorrect information which could be proved untrue.
Lack of Foundation	A question/piece of information presented has no relevance regarding the timeframe, relevance, or importance to the arguments/case discussed at hand.
Leading Question	A question designed to suggest what the witness is supposed to answer.
Non-responsive Answer	When an answer doesn't answer the questions asked.
Relevancy	When a question asked is irrelevant or is questioned for its relevancy along with the testimony presented to the court.
Witness not competent	When the witness is underprepared(lacks essential knowledge) and is unable to formulate a convincing testimony.



Bibliography

HSINMUN ICJ Manuel for Advocates and Judges

Lin, Cindy. HSINMUN-ICJ. Hsinchu: Google, 9 Sept. 2015. Google Doc.

Lin, Cindy. Introduction to ICJ.pptx. Hsinchu: Google, 8 Oct. 2015. PPTX.

Shu, Timothy -. "THIMUN Online ICJ Handbook." THIMUN O-MUN - Online

Model United Nations. THIMUN, 09 July 2012. Web. 29 June 2014.