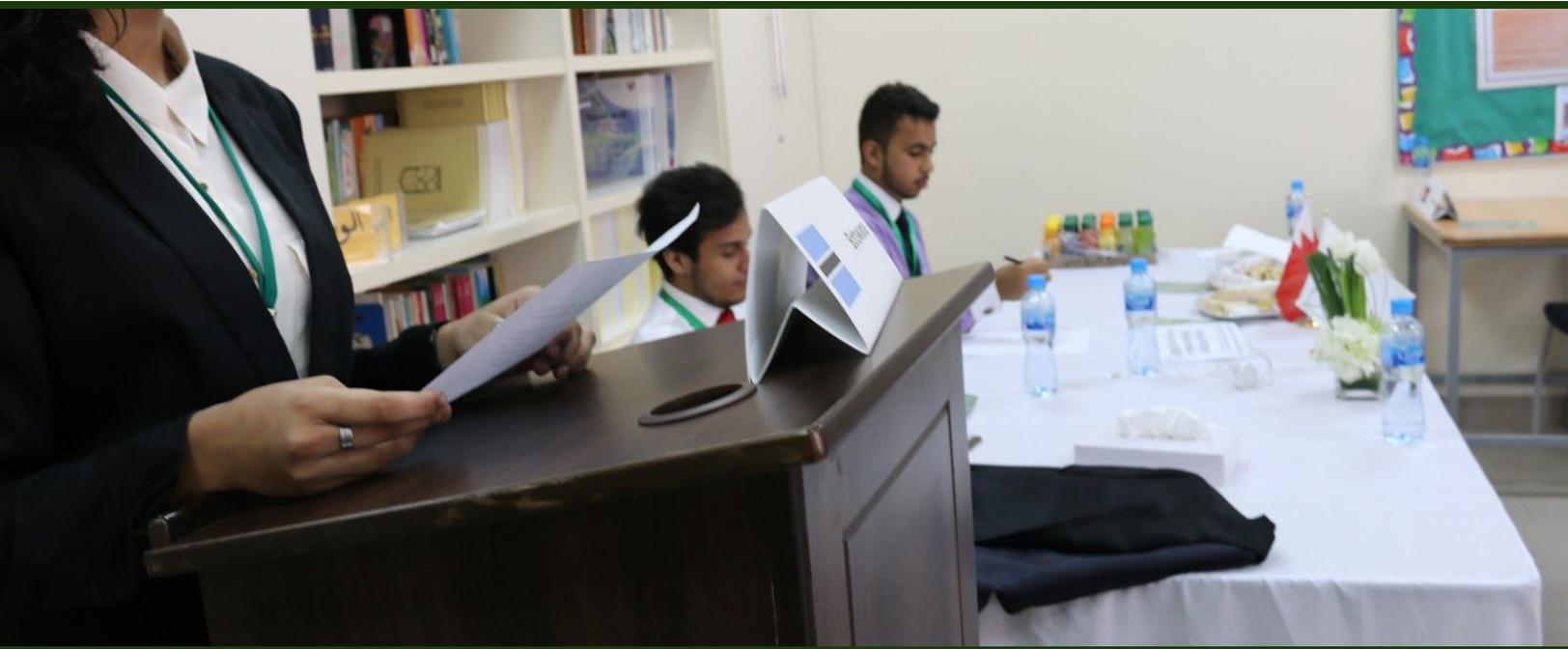




BayMUN XI

International Court of Justice

Rules and Procedures Handbook



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The BayMUN Rulebook

Since its inception in 2008, Bayan Model United Nations has shown a rapid growth to become one of the largest – if not the largest – MUN in Bahrain, and has recently gone international. The conference attained a set of rules of its own; guidelines for procedure and diplomacy are unique and exclusive to this conference.

The general rules and structure of BayMUN conferences mimics that of a real United Nations conference, although drastically simplified in order to correspond to a younger generation. These rules are designed to maintain structure in the academic aspect of the event from start to finish, preserving the rights of each delegate while at the same time permitting freedom and creativity through courteous debate. This set of guidelines is directly suited for modern politics, involving principles that will surely come in useful to any aspirer in the future.

Structure

Applicant

The nation that will file a case against a specific nation in order to settle a dispute.

Respondent

The respondent party will be accountable for defending its nation against the submitted case by the applicant party.

Panel

The panel is composed of everyone else in the court, that being: the president, vice president, judges and the registrar.

Participants

Participants in BayMUN conferences not only originate from a diverse spectrum of backgrounds, but also occupy a wide range of roles within the conferences themselves. Each participant should be aware of the responsibilities associated with his/her role in the context of the conference.

President and Vice president

The president functions like a chairperson in an MUN. They serve as a neutral, unbiased body that holds absolute power within a committee. The president regulates actions within the court, and any decisions issued by them are final. They manage the behavior of delegates, moderate debates, keep time, and enforce the rules of procedure.

Register

The register will be held responsible for all the documents and record keeping in the court. He/she is in charge of ensuring that all the documents are in their correct format and distributed to the whole panel.

Advocate

The advocate functions like a delegate in an MUN. The advocates serve as the lawyers for the applicant and respondent nation.

Judges

Judges are the key part to the final conclusion of the International Court of Justice. They will be present during the whole conference, in which they will be asking questions to the advocates. During the end of the session, the judges will analyze the arguments made by all the advocates and will decide on the solution for the dispute.

Documents

All of the documents should be submitted before the conference.

Stipulation

The stipulation is the first document to be submitted by both nations. This document will consist of facts (in bullet points) that both nations agree on and sign it before the conference. The points should only consist of solid facts that are understood by both parties.

Memorial

The memorial will be submitted by the applicant nation. This document will contain the arguments, facts, and reasons as to why they decided to file a case.

Counter Memorial

The respondent party in response to the memorial will submit a counter memorial. The document should contain the following:

- a) A denial or acceptance of the facts that were mentioned in the memorial.
- b) Additional facts that are relevant to the case.
- c) An argument defending their nations from the claims that are submitted by the applicant nation.

Evidence Packet

The evidence packet is all relevant and vital evidence that will be submitted by both nations. This information will be the proof used by each nation to support their arguments. The evidence packet should contain a table of content and numbered pages. In addition, each piece of evidence should be properly cited with the following information: title, author, medium, and date. If the evidence does not contain a citation, it will be removed from the court and will not be taken into consideration. Lastly, all pieces of evidence should be in its original form and not altered or retyped.

Court Proceedings

Structure

The International Court of Justice will split into two days in BayMUN. Below is the general outline of the proceedings.

Day 1

1. Opening speeches
2. Presentation of evidence
3. Weighing of evidence
4. Witness examination

Day 2

1. Rebuttals
2. Closing statements
3. Deliberation
4. Judgment

Roll Call

The first order of business in any BayMUN council, carried out at the beginning of the day and after any breaks. The president will call out the names of each representative to which the respective advocate responds, “present”. The advocate should stand up and raise his/her placard to be recognized as present by the chairpersons.

Opening Speeches

Opening speeches will consist of the outline arguments of each nation. Each opening speech will be no more than 10 minutes, and the order of the speeches will be alternative.

Presentation of Evidence

During this stage, each nation will present its evidence packet. The presentation will consist of explaining the relevance and significance of the evidence to the case and their arguments. The nation that will present the evidence should start by reading the citation. After each evidence presented, the opposing nation will either agree or disagree with the evidence based on several factors such as the authenticity, relevance, reliability, accuracy, and whether the evidence was biased or not.

Weighing of Evidence

After the presentation of evidence, all the evidences will be handed to the judges, in which they will examine the information and mark the weight of the evidence high, medium, or low.

Witness Examination

The witnesses will be examined in the order that they are written in the witness list. There are two witness lists, one from each nation, so the order of witnesses will alternate between each nation. The starting list will be the one submitted by the applicant.

All witnesses must remain outside and enter when their turn comes. Each witness must give evidence and an oath, which will be administered by the president:

"I solemnly affirm that the evidence I am about to give shall be the whole truth as best I know it."

Direct examination will start first; the nation that called the witness will ask their question first. Then, it is followed by cross-examination; the opposite nation will question the witness. Both nations will get up to 15 minutes to examine each witness.

Advocates can only interrupt a speaker for the following reasons: audibility, relevance to the case, badgering of a witness, or asking a leading question.

Finally, when direct examination and cross-examination are over, the judges will be given chance to question the witness.

Rebuttals

The rebuttal stage will start after the witness examination. During this stage, both nations will be allowed to argue about the points in the evidence packet submitted by each nation.

There will be 2 rounds. In each round, 10 minutes will be given to each nation with a 5 minutes break in between for the advocates to discuss their arguments. In each round, the applicant nation will start.

Closing Statements

Lastly, each advocate team will be allotted 30 minutes to give a closing statement. A closing statement should re-address all the points of contentions in the court thus far and bring up new arguments if needed.

Lastly, each nation will be given 30 minutes to give a closing statement. The closing statement will summarize all the points that were brought up in the court, as well as new arguments that can be addressed if necessary.

Deliberation

During this session, only the panel (president, vice-president, judges, register) will be allowed in the room. The Judges will discuss all points and arguments that were brought up during the court session. The president and vice-president will lead the discussion.

When the deliberation ends, each judge will vote on the solutions. The solution with most of the votes will be considered as the verdict and the final judgment.

Judgement

Finally, the verdict will be written, which will consist of the solution to the dispute. The format should be written in this way:

The International Court of Justice,

Regarding the case of [subject of dispute] between the [Applicant] and the [Respondent]

We have found the following statements of fact:

(Here, clauses and statements from pieces of evidence will be directly quoted and cited as follows)

Clause [X] of the [Treaty of Y] states:

“[Quote clause here]”

Hence, we, the majority opinion judges, find that:

(Here, the Court would state and evaluate the arguments of the advocates in several numbered clauses, stating what arguments they determined valid and what they did not consider valid pertaining to this case)

For these reasons, we believe that:

(Here, the Court will state its conclusion and conditions in several numbered clauses)

Further Research

Issues debated at BayMUN are broadly applicable to the interest of the international community. In order to compile useful information, advocates should research their country's basic information. Advocates can then research the issue at hand generally in order to gather information on the issue itself, its nature, people affected by it, and its effect in the international community.

Suggested Links

www.bbc.co.uk

www.cia.gov/cia/publications/factbook

www.thimun.org

www.un.org

<http://www.icj-cij.org>

Glossary

A high level of vocabulary is generally employed throughout BayMUN conferences by the president and between advocates. Following is a list of key terms along with brief definitions of those terms in the general context of a BayMUN conference.

A glossary of key terms commonly used at BayMUN may be found at the following UN website:

<http://www.unpan.org/Directories/UNPAGlossary/tabid/928/Default.aspx>