

VEFAMUN'26
INTERNATIONAL COURT OF JUSTICE
RULES OF PROCEDURE



Index

1. Introduction to the ICJ
 - 1.1. Presidency
 - 1.2. Advocates
 - 1.3. Judges
2. Key Terms Regarding the Procedure
 - 2.1. Opening Statements
 - 2.2. Evidence Deliberation
 - 2.3. Witness Testimony
3. Objections, Points, and Motions
4. Written Documents
 - 4.1. Memoranda
 - 4.2. Stipulations
 - 4.3. Evidence
 - 4.4. Verdict



1. Introduction to the ICJ

1.1. Presidency

The President presides at all meetings of the Court; he/she directs its work and supervises its administration. During judicial deliberations, the President has a casting vote in the event of votes being tied. The Vice-President replaces the President in his/her absence, in the event of his/her inability to perform his/her duties, or in the event of a vacancy in the presidency. The president and the vice president are accompanied by the Registrar in the Presidency. His/Her duty is to keep a written record of everything said in the course of the trial. His/Her work is essential, especially during witness testimonies, to fact-check claims or clarify misunderstandings.

1.2. Advocates

The advocates are basically the lawyers of countries. They represent the states involved in cases before the Court, either the Applicant or the Respondent. They submit arguments, provide evidence, answer judges' questions, and examine witnesses if applicable. Their role is crucial for the clear communication of states' claims and requests.

1.3. Judges

Judges are responsible for ensuring the impartial application of international law. They assess pieces of evidence and arguments presented by advocates. Also, they have the right to direct questions to advocates and witnesses. Judges are obliged to be unbiased and independent. The session may only proceed once a quorum of at least half of the members is present. Most importantly, for the sake of objectivity, it is **strictly out of order for judges to conduct external research** regarding the case and wait for the memoranda to be sent to them.

2. Key Terms Regarding the Procedure

2.1. Opening Statements

Opening statements are maximum 20-minute-long speeches given by the advocates at the beginning of the court. Opening statements essentially outline the main historical facts, arguments of advocates and their perspective on the case. The applicant party begins with their speech.

2.2. Evidence Deliberation

Deliberations are the steps judges evaluate the evidence, witnesses, responses given by the advocates, and the final judgment. Advocates are not allowed to be present at the court during judges' deliberation.

Before the evidence deliberation starts, each judge is assigned by the presidency for one piece of evidence presented by the advocates. After the judges analyze the evidence in depth, they summarize and explain the evidence to the other judges and share their thoughts on the evidence. All judges evaluate the evidence together and rate it regarding their credibility, relevance, and eventually overall weight.

2.3. Witness Testimony

Each party presents 2 witnesses to the court in alternating order, starting with the applicant party. Advocates will have prepared their witnesses in advance with all the necessary details and documents they need to memorize and/or understand. The statements of witnesses are considered as evidence.

The examination of witnesses starts with direct examination (the questions of the party presenting the witness). The process goes on with the cross-examination, which expresses the questions raised by the opposing party. Advocates must keep in mind that they are not allowed to ask leading questions contrary to judges. The examination comes to an end with the questions of judges, and judges proceed with the witness deliberation.

3. Objections, Points, and Motions

3.1. Objections

Objections can only be raised by the advocates. Objections during direct examinations are out of order.

Objection relevance: A relevance objection is based on the argument that the presented evidence or the question directed to the witness is not relevant to the case.

Objection leading question: This objection is raised when an advocate asks a question that suggests a desired answer

Objection hearsay: Hearsay is an objection to evidence that relies on secondhand information—such as what the witness heard someone else say—rather than firsthand knowledge.

Objection compound question: Compound objections are raised when a question contains multiple questions, which may make it difficult for the witness to give a clear response.

Objection asked and answered: This objection is raised when an attorney asks a question that has already been asked and sufficiently answered, to elicit a different response and to cast a shadow on credibility.

3.2. Points

Points are not used to express opinions or debate the merits of the case; they are used strictly for procedural or clarifying purposes. They are always directed to the Presidency.

Point of Personal Privilege: Raised when a judge experiences difficulty hearing, seeing, or understanding the proceedings. It is the only point that may interrupt a speaker.

Point of Order: Raised when the rules of procedure are not being followed.

Point of Inquiry: Asked to clarify procedural matters or the status of the debate.

Point of Information: Used to ask a brief, relevant factual question regarding the case.

3.3. Motions

Motions in ICJ are focused on procedure, evidence, and debate management, not on political negotiation or lobbying. All motions are ruled in order by the Presidency.

Motion to follow up: Used to ask for the continuation of questioning.

Motion to suspend the meeting: Used to temporarily pause the proceedings for a short period.

Motion to adjourn the meeting: Used to end the entire gathering of the Court.

4. Written Documents

4.1. Memoranda

A memorandum is a document prepared by the advocates with its main purpose being to inform the judges about the overview of the case, the arguments of the party, the essential treaties and articles that their argument is based on, and lastly, a prayer for relief.

Memoranda are being prepared and sent to the judges before the conference. Since memoranda give all the necessary information regarding the case. It is important to note that memoranda are not being considered as evidence.

4.2. Stipulations

Normally, as expected, ICJ cases last for years, and every single detail is being broken down thoroughly. Understandably, we don't have that much time in MUN. At this point, stipulations get involved. Stipulations are the facts that each party prepares beforehand and thinks are very important to the case, and should be acknowledged by both parties. At the beginning of the conference, the stipulations of both parties are being read out loud, and advocates have the opportunity to object to the stipulations of the opposing party. The objections they may use are given above in the third article.

After the objections, the stipulations passed are being assembled; they are undeniable facts that might affect the outcome of the case. So advocates should be careful about the stipulations they pass.

4.3. Evidence

Evidence is the main document that supports the arguments of the advocates and is vital for the court ruling. Evidence can be found from:

- Web-pages
- Books, newspapers, journals
- ICJ documents
- Leading Cases and other documents

Judges criticize evidence regarding bias, relevance, and accuracy. The evidence's date of

publication, author, and source are all important points that judges pay attention to heavily.

4.4. Verdict

The verdict is the document in which the final judgment of the court is delivered. The presidency and judges will make a final deliberation about all aspects of the case and whether the burden of proof was reached by the applicant party. The court decisions must match the prayer for relief of the party for whom they gave the decision in favor of.

