

## ICJ Proceedings

- Students are assigned a court case according to the country their school represents. Not all countries are represented on the ICJ. Countries that debate on the ICJ are listed on the “ICJ Docket” (see pp. 2).
  - Students write either a memorial (as the plaintiff) or a counter- memorial (as the defendant). See pp. 3 for an example of a memorial.
  - Memorials and counter-memorials are due the same date as position papers for all other committees.
  - ***Students should bring 15 copies of their memorial/counter-memorial to the Spring Conference to distribute in committee.***
- At the Spring Conference, students will democratically determine the order of cases on the docket.
- Following the docket procedure completion, the court will begin to hear cases.
- See the Archives Page of the IHSMUN Website to view past IHSMUN ICJ decisions.

## Presenting an ICJ Case

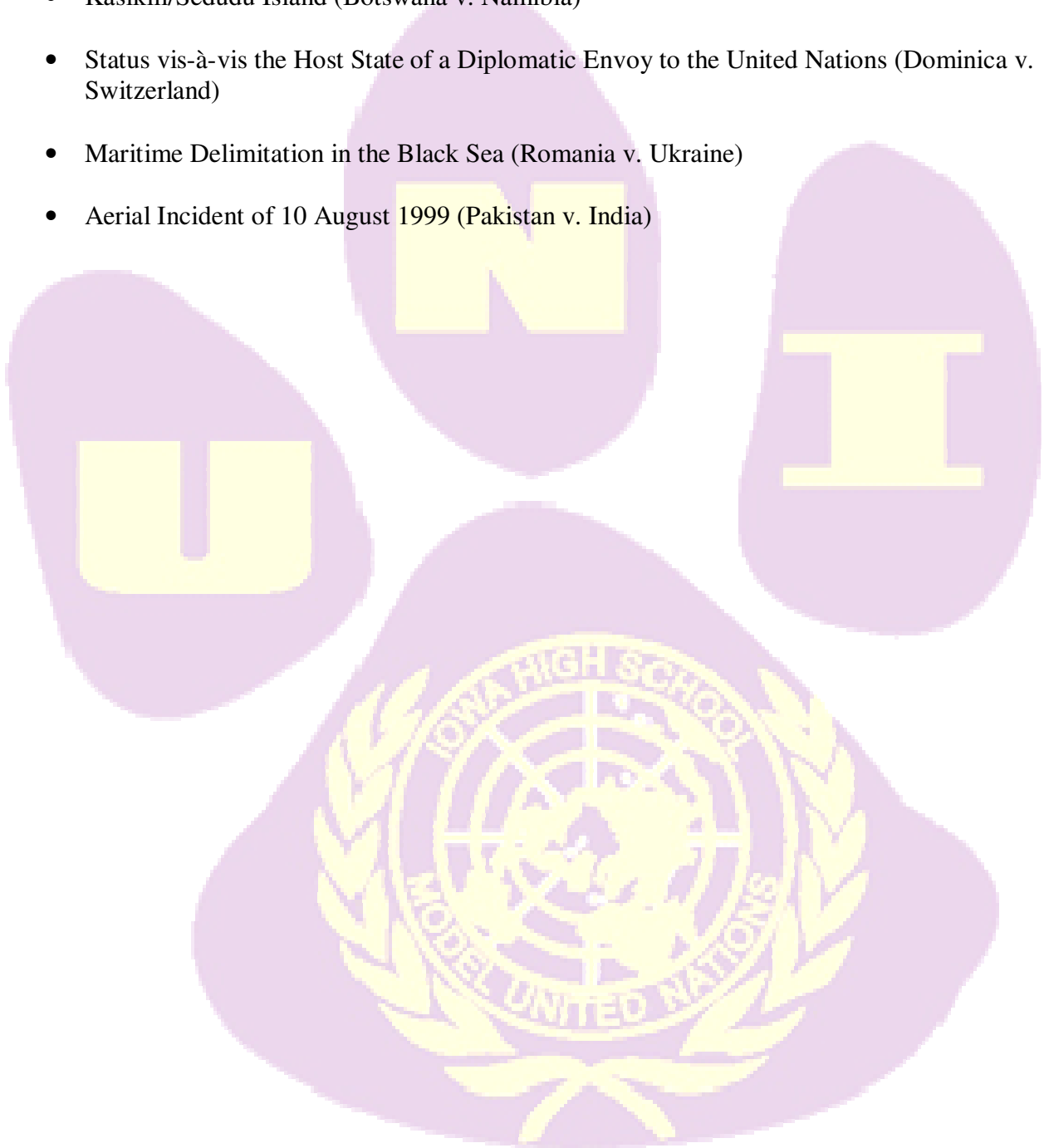
- The Applicant (plaintiff) will present their case first. Time may be limited by the court. The Applicant will then respond to questions.
- The Respondent (defendant) will present their case next. They will then respond to questions.
- Following initial presentations by the Applicant and Respondent, there will be more questioning of both parties.
  - When the court determines there has been adequate questioning, a caucus will be called.
  - The purpose of the caucus is to reach a decision.
    - *NOTE: The ICJ can only give their opinion on the case. The countries do not approach the court for specific action, but guidance in the course of action.*
- After a decision is reached, the court will vote.
  - Each justice votes for either the Applicant or Respondent
  - An Opinion is written and submitted by the court.
    - Dissenting Opinions are also written at this time.

## Tips for ICJ Justices:

- Prepare!
  - Anticipate what others may request. If you think they may ask for a specific example, they will. For example, if the case is about a territorial dispute, bring a map of the area to pass out to the court. Bring copies of the law you are using to base your case on. Et cetera.
  - Also do some basic research on other cases in the docket. This way you will be more prepared to ask good questions during the hearing.
- Participate!
  - Actively participating and debating is much more fun than non-participation.
- Debate!
  - Other committees emphasize compromise. This is not the situation in the ICJ. In the Court, delegates choose a particular side and strongly defend it.

## ICJ Docket 2012

- Pulp Mills on the River Uruguay (Argentina v. Uruguay)
- Kasikili/Sedudu Island (Botswana v. Namibia)
- Status vis-à-vis the Host State of a Diplomatic Envoy to the United Nations (Dominica v. Switzerland)
- Maritime Delimitation in the Black Sea (Romania v. Ukraine)
- Aerial Incident of 10 August 1999 (Pakistan v. India)



## **Memorial Example**

THE INTERNATIONAL COURT OF JUSTICE

The Democratic Republic of Congo

*Applicants*

Rwanda

*Respondents*

### **Claim:**

That the Democratic Republic of the Congo, hereafter the Congo, have been harboring members of the Rwanda Hamwe; the militant group responsible for the genocide of more than a million Rwandans in 1994.

They have allowed and aided these persons to regroup and rearm in preparation of a return to Rwanda and the unfinished genocide.

The Congo has not demonstrated a prima facie basis for the jurisdiction of this court.

### **Assert:**

That according to Article 41 the Applicants must provide a prima facie basis for the jurisdiction of the Court and that the measures it seeks are necessary to protect from irreparable harm, which could be subject of the Court's decision.

Many of the treaties and conferences the Application names as grounds are largely inapplicable to this case.

Because of the inadequacy of these grounds of jurisdiction, there is clearly no prima facie basis.

### **Pray:**

The Court strikes this case from its list of cases.

The Court dismisses the Congolese request for provisional measures.