

## RULES OF PROCEDURE ICJ

The ICJ consists of 16 delegates, divided into 8 advocates and 8 judges. Each delegate will be either an advocate for one case or the other. In such a way, each delegate shall be an advocate and judge once. There will be one Head of Judges, who has the task to make sure that tied votes do not occur.

The advocates will prepare a *charge* before the conference. A *charge* consists of an accusation and advised punishment. The *charge* will act as a resolution and will eventually be amended. In the *charge*, the advocates state the wished punishment for a committed crime. To achieve this, the punishment shall be split into clauses, each explaining part of the punishment. As the events surrounding a certain crime differ, it is impossible to create one punishment for a certain crime. Previous rulings of courts and/or the ICJ itself can be used as a precedent for a certain punishment. It is therefore useful to revise previous cases of the ICJ to establish to what lengths certain punishments can be upheld for each crime.

Before the debate begins, the advocates will have time to lobby, and to merge their *charges*. Each party of advocates will present one *charge*. After lobbying, the party's advocates will hold their opening statements, in which they try to convince the jury of their accusations. Each party has one speech as an opening statement. After the opening speeches, a debate time will be set, and the advocates will defend their *charge* and attack the opponents'. The judges will have the opportunity to ask for 'clarifications', in which an advocate must clarify their statements.

After this debate, the jury will go into closed debate. During this debate, the *charges* will be discussed, and subsequently there will be a vote on which *charge* the judges prefer. If there is a tie, the Head of Judges shall be asked to make the deciding vote. The Head of Judges must then vote for the *charge* that has best been argued for, not his/her own preference. The Head of Judges may take part in the debate, as to bring forward certain aspects of the *charges* that have until then been left from the debate. During this debate, there may be moments when statements about the intent of a clause arise. In such instances, the advocates can be called upon to clarify.

Once the debate time has expired – it can be extended only once as per *the motion to extend debating time* – there will be a vote on which charge will be accepted. The Head of Judges will then present the advocates with some points on which the advocates can improve. These points can be used during the second part of the debate: the amending of the *charge*.

In this part of the debate, the advocates will send in amendments to clauses in the *charge*, in order to mediate a deal between both parties. These amendments can come from either party. Each amendment will be discussed in the traditional MUN debate format. After the discussion, the jury will be asked to vote on the amendment. Once again, if there is a tie, the Head of Judges will be asked to make the deciding vote.

Once the allotted time for amendments has elapsed, the advocates and jury members will be asked to vote on the *charge*, clause by clause. If a clause has a majority vote against, it will not be admitted into the *charge*. If there is a tie the Head of Judges will cast a deciding vote. Once all clauses have been voted upon, the ambassadors will be asked to come to the committee to sign the *charge*, enacting the clauses. If no clauses pass, the entire *charge* will be tabled, and the other *charge*, without amendments, will be enacted in a similar fashion, without the possibility to amend.

### Example Charge

FORUM: The international Court of Justice  
THE QUESTION OF: Legal Consequences of the Construction of a Wall in the Occupied Palestinian Territory

THE INTERNATIONAL COURT OF JUSTICE;

finds, with a vote of fourteen to one, to uphold the following consequences on the question:

A. By fourteen votes to one, (these votes will be added after the eventual voting and amendments)

The construction of the wall being built by Israel, the occupying Power, in the Occupied Palestinian Territory, including in and around East Jerusalem, and its associated régime, are contrary to international law; (each clause will end with a semi-colon)

B. By fourteen votes to one,  
Israel is under an obligation to terminate its breaches of international law; it is under an obligation to cease forthwith the works of construction of the wall being built in the Occupied Palestinian Territory, including in and around East Jerusalem, to dismantle forthwith the structure therein situated, and to repeal or render ineffective forthwith all legislative and regulatory acts relating thereto;

C. By fourteen votes to one,  
Israel is under an obligation to make reparation for all damage caused by the construction of the wall in the Occupied Palestinian Territory, including in and around East Jerusalem;

D. By thirteen votes to two,  
All States are under an obligation not to recognize the illegal situation resulting from the construction of the wall and not to render aid or assistance in maintaining the situation created by such construction; all States parties to the Fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949 have in addition the obligation, while respecting the United Nations Charter and international law, to ensure compliance by Israel with international humanitarian law as embodied in that Convention;

E. By fourteen votes to one,  
The United Nations, and especially the General Assembly and the Security Council, should consider what further action is required to bring to an end the illegal situation resulting from the construction of the wall and the associated régime, taking due account of the present Advisory Opinion. (the final clause ends with a full stop) □