



## **Montessori Model United Nations (MMUN 2010) International Court of Justice (ICJ) Background Guide**

Dear Delegates:

It's a great pleasure to welcome you to the 2010 Montessori Model UN, and very especially to the International Court of Justice (ICJ). The ICJ is the principal judicial organ of the United Nations (UN). It was established in June 1945 by the Charter of the United Nations and began work in April 1946. The seat of the Court is at the Peace Palace in The Hague (Netherlands). Of the six principal organs of the United Nations, it is the only one not located in New York (United States of America).

The Court's role is to settle, in accordance with international law, legal disputes submitted to it by States and to give advisory opinions on legal questions referred to it by authorized United Nations organs and specialized agencies. The Court is composed of 15 judges, who are elected for terms of office of nine years by the United Nations General Assembly and the Security Council. It is assisted by a Registry, its administrative organ. The following pages intend to guide you in the research of the topics that we will be debating. Please note that this guide will only provide the basis for your investigation. You are now a Judge of the International Court of Justice, and as such you represent the ideals of justice, equality and judicial law. Individual countries' policies are not of your concern. I encourage you to learn what to think about the current issues in a system of law and then take another perspective of them from a moral high ground.

See you in New York!

**Montessori Model United Nations 2010 Secretariat**

## The Birth of the United Nations



The first half of the 20<sup>th</sup> century is remembered as a period of change and turmoil. After the First World War many people believed that it was necessary to create a world organization capable of keeping peace and preventing the horrors of war. The League of Nations was founded immediately, consisting of 42 countries, 58 at its largest point. Its goal was to preserve peace by solving international conflicts peacefully and promoting cooperation between nations in economic and international affairs. However, the Second World War unfolded and proved that the League had not accomplished its goal.

In 1944 representatives of China, the United Kingdom, the United States and the Russian Federation (In that moment USSR) meeting at Dumbarton Oaks in Washington, DC, prepared a blueprint for a new and stronger international organization. Towards the end of the war, representatives of 51 countries gathered in San Francisco in 1945 to prepare the final text that would lay the foundations of international cooperation. Most of the ideals and structure of this new organization were the same as the League's. The difference was that now, the organization had the support of the most powerful countries of the world.

The United Nations officially came into existence on 24 October 1945, when the UN Charter had been ratified by a majority of the original 51 Member States. The purpose of the United Nations is to bring all nations of the world together to work for peace and development, based on the principles of justice, human dignity and the well being of all people. It affords the opportunity for countries to balance global interdependence and national interests while addressing international problems.

## About the International Court of Justice (ICJ)



The creation of the Court represented the culmination of a long development of methods for the pacific settlement of international disputes, the origins of which can be traced back to classical times.

Article 33 of the United Nations Charter lists the following methods for the pacific settlement of disputes between States: negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, and resort to regional agencies or arrangements; good offices should also be added to this list. Among these methods, certain involve appealing to third parties. For example, mediation places the parties to a dispute in a position in which they can themselves resolve their dispute thanks to the intervention of a third party. Arbitration goes further, in the sense that the dispute is submitted to the decision or award of an impartial third party, so that a binding settlement can be achieved. The same is true of judicial settlement (the method applied by the International Court of Justice), except that a court is subject to stricter rules than an arbitral tribunal, particularly in procedural matters.

Mediation and arbitration preceded judicial settlement in history. The former was known in ancient India and in the Islamic world, whilst numerous examples of the latter are to be found in ancient Greece, in China, among the Arabian tribes, in maritime customary law in medieval Europe and in Papal practice.

### **Members of the Court**

The International Court of Justice is composed of 15 judges elected to nine-year terms of office by the United Nations General Assembly and the Security Council. These organs vote simultaneously but separately. In order to be elected, a candidate must receive an absolute majority of the votes in both bodies. This sometimes makes it necessary for a number of rounds of voting to be carried out.

Judges must be elected from among persons of high moral character, who possess the qualifications required in their respective countries for appointment to the highest judicial offices, or are jurisconsults of recognized competence in international law. The Court may not include more than one national of the same State. Moreover, the Court as a whole must represent the main forms of civilization and the principal legal systems of the world. Once elected, a Member of the Court is a delegate neither of the government of his own country nor of that of any other State. Unlike most other organs of international organizations, the Court is not composed of representatives of governments. Members of the Court are independent judges whose first task, before taking up their duties, is to make a solemn declaration in open court that they will exercise their powers impartially and conscientiously.

### **How the Court works**

The Court may entertain two types of cases: legal disputes between States submitted to it by them (contentious cases) and requests for advisory opinions on legal questions referred to it by United Nations organs and specialized agencies (advisory proceedings).

In MMUN 2010 we will only be considering contentious cases.

## **Contentious cases**

Only States Members of the United Nations and other States which have become parties to the Statute of the Court or which have accepted its jurisdiction under certain conditions may be parties to contentious cases. The Court is competent to entertain a dispute only if the States concerned have accepted its jurisdiction.

By signing the Charter, a State Member of the United Nations undertakes to comply with any decision of the Court in a case to which it is a party. Since, furthermore, a case can only be submitted to the Court and decided by it if the parties have in one way or another consented to its jurisdiction over the case; it is rare for a decision not to be implemented. A State which contends that the other side has failed to perform the obligations incumbent upon it under a judgment rendered by the Court may lay the matter before the Security Council, which is empowered to recommend or decide upon the measures to be taken to give effect to the judgment. The sources of law that the Court must apply are: international treaties and conventions in force; international custom; the general principles of law; and judicial decisions and the teachings of the most highly qualified publicists. Moreover, if the parties agree, the Court can decide a case *ex aequo et bono*, i.e., without limiting itself to existing rules of international law.

## **Rules of the Court**

**GENERAL POWERS OF THE OFFICERS OF THE COURT.** The President will act as the Presiding Officer of the Court. The President may in any moment transfer his duties of Presiding Officer to the Vice-president or the Registrar. The President shall have final decision over all committee disputes. All judgments must be approved as to form and content and subsequently signed by the President in order to be filed with the Registrar for publication. The Vice-president shall assist the President in his duties and shall keep a record of all meetings. The Registrar shall be responsible for the upkeep of the General List of Cases, communication form and within the Court, and all Court Publications and documents. The Officers of the Court may also advise the justices as to the possible course of the debate. In the exercise of these functions, the Officers of the Court shall at all times be subjected to the Secretary General and his decisions.

**QUORUM.** The Presiding Officer may declare the Court in session and permit debate to proceed when at least 47% of the judges are present. The presence of 60% of the judges shall be required for any vote on a judgment. A quorum shall be assumed to be present unless specifically challenged and shown to be absent. A roll call is not in order to determine the presence of a quorum.

**INITIATION OF A DISPUTE.** An eligible state, seeking compensation from the Court against another eligible state, may initiate judicial proceedings against another state either through a Special Agreement signed voluntarily by both parties to the dispute-, or by submitting an application to the Court. The State initiating the case shall be known as the **Applicant** and the accused state shall be known as the **Respondent**. No jurisdictional hearing will be deemed necessary. The Court will proceed immediately to the Merits phase of the case. If the case is initiated by an application, the other state shall then be invited to submit a response. In the response, the respondent may not question the Court's jurisdiction over a particular matter. The Court shall proceed directly to the Merits phase of the case. Upon reception of a Special Agreement or Application, the President shall title the case and place it on the General List of Cases. The President shall petition the parties to the dispute to submit written and oral testimony and shall set the dates in which testimony is to be given.

**AGENTS.** Parties to a case shall be represented by lawyers known as Agents. Each party may be represented by a maximum of two Agents. Agents shall be responsible for presenting their state's arguments to the Court.

**AGENDA.** As soon as the Presiding Officer declares the Court in session, the body shall begin with the written proceedings of the Merits hearing. The Court shall continue to function according to Article 14 and the guidelines presented by the President.

**PROCEDURE OF THE COURT.** Deliberation on the case shall consist of two hearings: Merits and Compensation. Compensation may not be applicable to all cases. Each hearing shall be divided into five phases:

1. Oral proceedings: Opening Statements by the Judges based of their legal notes.

2. Written proceedings: In written proceeding, documents shall be presented in the following order:
  - A Memorial by the Applicant.
  - A Counter-memorial by the Respondent.
  - Questioning of Agents, witnesses, experts, and third party friends of the Court (as needed).
3. Initial Debate: The precise time allotted for initial debate shall be determined by the Presiding Officer.
4. Deliberations: Informal work on Draft Opinions. May only be opened by a Motion to retire.

**OATHS.** Each Agent, witness, expert or friend of the Court shall make the following declaration before giving his evidence to the Court: "I solemnly declare upon my honor and conscience that I will speak the truth, the whole truth, and nothing but the truth." The Oath shall be administered by the Registrar, or in his absence, by another Officer of the Court.

**DOCUMENTS.** All supporting documentation shall be delivered to the Bench on the appropriate date. The officers shall approve all documents and evidence and present the Agent with the general list of evidence. The Bench will exchange necessary evidence between the Agents so that they may prepare their cross examinations. Following the closing of the Written Proceedings, documentation shall be admissible only if both parties to the case agree.

**DEBATE.** Initial Debate and Deliberations shall be conducted in an informal style, the precise manner of which is to be determined by the Presiding Officer.

**QUESTIONING OF AGENTS, WITNESSES, EXPERTS AND FRIENDS OF THE COURT.** During Oral Proceedings, the Court may put questions to Agents, witnesses, experts and friends of the Court. Agents may put questions forward to opposing counsels, witnesses and experts. The time limits for the questioning of each individual shall be determined by the Presiding Officer in consultation with the Court. The precise manner in which the questions shall be put forward will be determined by the Presiding Officer.

**RIGHT OF REPLY.** A justice or agent whose personal integrity has been harmed may request a Right of Reply. The Presiding Officer's decision to grant this right is un-appealable. A Right of Reply over a Right of Reply is out of order. Rights of Reply should be turned in a written form to the Presiding Officer.

**APPEALING THE DECISION OF THE PRESIDING OFFICER.** Any decision that the Presiding Officer takes, with the exception of those matters that are explicitly designated un-appealable by these rules, may be appealed by a justice. The Presiding Officer may speak briefly in defense of the ruling. The appeal should then put to a vote, and the decision of the Presiding Officer shall stand unless over-ruled by two-thirds of the justices present. The President's decision not to sign a judgment is never appealable. The Presiding Officer's ruling on the Right of Reply, Points of Order, Recess and Adjournment of the Meeting, and other rules expressly noted are un-appealable.

**POINT OF PERSONAL PRIVILEGE.** Whenever a justice or agent experiences personal discomfort which impairs his ability to participate in the proceedings, that person may present a Point of Personal Privilege to request that the discomfort be corrected. A Point of Personal Privilege may interrupt a speaker but this power should be used with the utmost discretion.

**POINT OF PARLIAMENTARY INQUIRY.** When the floor is open, a justice may rise to a Point of Parliamentary Inquiry to ask a question to the Presiding Officer regarding these rules and parliamentary procedure. A Point of Parliamentary Inquiry may never interrupt a speaker. Points of information do not exist. Justices wishing to ask substantive questions should send a note to the Presiding Officer or should ask during a recess.

**OBJECTIONS.** An 'assertion' is defined as evidence, opinion or analysis introduced by a speaker for the purposes of advancing a legal or factual argument. Objections shall be ruled upon by the Presiding Officer unless a motion for Hearing is made before the Presiding Officer has ruled the objection. Should the objection be sustained, the assertion shall be considered stricken from the record. Objections should be used sparingly. Objections must be made courteously and may interrupt a speaker. The following are valid objections:

- **Immaterial:** An objection to an assertion of law which does not conform to the rules of evidence set forth under Article 38 of the Statute or an objection to an assertion of fact which is not properly certified under oath. Circumstantial evidence may be submitted in support of an assertion of fact.
- **Hearsay:** A hearsay objection may be raised when a speaker asserts to a fact which he did not directly observe. Agents and 'friends of the Court' may assert to a particular incident occurred even if they did not directly observe it, but such assertions shall be considered as simple arguments and not evidence.
- **Competence:** A competence objection may be raised when a speaker asserts to a technical fact that he is not professionally qualified to give. Agents and 'friends of the Court' may opine a particular technical fact is true but such assertions shall be considered as simply arguments and not evidence.
- **Prejudicial:** May be raised if an assertion is presented in such a way that the personal integrity of an Officer, justice, or speaker is harmed.
- **Speculation:** This objection may be raised if a witness attempts to guess the answer of a possible outcome or question of which he cannot be certain.

**ADJOURNMENT.** Whenever the floor is open, a justice may move for the adjournment of the meeting to suspend all committee functions for the duration of the conference. The Presiding Officer may rule such motion out of order, and this decision shall be not subject to appeal. Such a motion requires a majority of justices present to pass. A motion to adjourn shall be out of order prior to the time allotted for the last meeting of the Court.

**DISMISSAL OF THE WITNESS OR EVIDENCE.** Whenever the testimony of a witness or certain evidence is proved to be false, fake, irrelevant or questionable in any general sense, a motion to dismiss the witness or the evidence by a justice is in order. The Bench will recognize one speaker in favor and one against the motion. The majority of two thirds of the justices is needed for it to pass. If the motion passes, the justices will be instructed by the Bench to disregard the testimony or evidence in their final decisions.

**RECESS.** Whenever the floor is open, a justice may move to recess the meeting. The Presiding Officer may rule such Motion out of order; these decisions shall not be subject to appeal. The sponsor of the Motion may specify the time limit and briefly explain the purpose of the recess. The Motion shall then be put to an immediate vote, which passes with the affirmative vote of the majority of justices present.

**RETIREMENT.** During Initial debate, a justice may move the Court to reconsider a decision. When the Motion to retire is moved the Presiding Officer shall recognize up to two justices against the Motion. No justice in favor of the Motion shall be recognized. This Motion requires a two-thirds majority of the justices present to pass. If the vote to retire carries, deliberations will commence in closed doors. Justices may vote 'Yea', in favor of the applicant, 'Nay', in favor of the respondent, or may abstain. The first vote is non-binding. The justices then proceed to draw up their judgments after which a second vote shall be taken to see if any justice has reversed his opinion. The second vote shall determine for whom the judgment is rendered and this vote is binding. The Presiding Officer shall then declare for whom the judgment is rendered and then shall determine which opinion of the majority is to be deemed the Opinion of the Court in accordance with Rule 36. The Presiding Officer shall then reconvene the Court to deliver the judgment to the parties and shall subsequently declare the case closed.

**INTERVENTION.** A third party nation or international organization may before the close of initial debate petition to submit evidence or testify. The Presiding Officer shall at some point during initial debate place such request to a vote; a majority of justices present is needed for the request to be accepted. If the motion carries, the third party shall be invited to give evidence or testimony, as the case may be, as a 'friend of the Court'. A justice must place a Motion for a vote on intervention.

**HEARINGS.** Before the Presiding Officer has ruled an objection, a justice, feeling the matter requires special consideration, may move for a hearing on the objection. The Presiding officer may rule the Motion dilatory, subject to an appeal. Having accepted the Motion, the Presiding Officer shall place the request to an immediate vote; the majority of justices present are needed for it to pass. If the motion passes, the Presiding Officer shall recognize two speakers in favor of sustaining the objection and two speakers opposed, after which the court, by a majority vote of the justices present, shall rule on the objection.

**VOTING.** Each justice will have one vote. In the event of a tie, the President shall have the deciding vote. Justices may not abstain from procedural votes. Justices may only abstain on substantive votes if they feel there is a conflict of interest which shall be immediately reported to the president. Justices who abstain from substantive votes shall not be considered in deciding the total needed to determine the result of the vote. A majority is half of the justices present plus one. Substantive votes shall be taken by roll call. The roll call shall consist of only one round in which the justice may vote Yea, Nay, or Abstain. After the Presiding Officer has announced the beginning of voting, no person shall interrupt the voting, except on a Objection in direct connection with the actual conduct of voting. Justices disrupting the voting may be asked to leave the room by the Presiding Officer.

**JUDGEMENTS.** The majority of the Court is defined as the group of justices that are enough for a vote to be determined either way. The opinion of the Court shall be deemed the opinion receiving the most signatures from among the opinions written by the majority of the Court. If no opinion should attain a plurality of majority signatures so as to be considered with the opinion of the Court, the Presiding Officer will declare no opinion of the Court exists and shall subsequently draw up as statement declaring for whom the ruling is rendered by the opinions drawn up by justices. The opinion of the Court shall contain:

- The date on which it is delivered;
- The names of the justices authorizing the opinion;
- The names of the parties;
- A summary of the proceedings;
- A statement of the submissions of the parties;
- A statement of the facts;
- The reasons of law;
- The operative provisions of the judgment;
- A justice's dissenting (opposing the judgment) or concurring (agreeing with the judgment but for a different reason than those stated) opinion.

## SAMPLE LEGAL NOTE

A Judicial Note

Madam Justice Higgins

March 15, 2000

Re: Netherlands vs. Sweden

Dear Colleagues:

This Case presents us with some interesting problems of prioritizing the various elements of international law. Our first Job, however, will be to determine the facts. Although I cannot be sure how the facts will come out in Court, I can present some of the questions which I feel the Court must answer. First, we must determine exactly how and why Sweden authorities decide to place Marie Elizabeth Boll in Skyddsuppostran, the Swedish protective education programs for infants. This will help us answer the questions raised by article VII of the 1902 Convention, which states that "in waiting for the organization of guardianship, in case of urgency, necessary measures for the protection of person and interests of the infant may be taken by local authorities."

I feel there are three primary legal questions we will need to address. Can *puissance paternelle* supersede international treaty obligations? This seems to me a dubious proposition, as pp is not even a proper element of international law, but Sweden has presented such an argument. Second, can Sweden's actions, applied as order public and thus not be subject to the 1902 Convention?

I believe that Sweden must prove that at least one of the preceding questions so as that it did not break its obligations under the 1902 Convention. I look forward to working with you on this case and welcome any opinions voiced on my analysis.

(signed)

M. Higgins

## SAMPLE OPINION

Application of the 1902 Convention concerning the Guardianship of Infants

Netherlands vs. Sweden

20 November 1958

Justices Suarez, Doak, Ty and Bonfili

The Case of the application of the Convention of 1902 Concerning the Guardianship of infants was submitted by the nations of the Netherlands and Sweden and the further clarified by the Swedish and Dutch Agents,

The Opinion must include the next sections and/or paragraphs:

- Statement of the facts,
- Admissibility of the Convention or Treaty that should be applied,
- Application of the Convention or Treaty (how will it be enforced to the case).

For these reasons,

The Court

Does adjudge and declare,

That the measures taken and maintained by Swedish authorities in respects to Marie, namely the Skyddsuppfostran,

This judgment:

On the twenty-second day of October, nineteen hundred and ninety eight, at the first session of the ITAMMUN International Court of Justice

Is passed by a vote 10 to 2

The Concurring Opinion of Justice Hartman and the Dissenting Opinion of Justices Baader and Meinhof is attached.

## SAMPLE CONCURRING OPINION

Justice, J. Fredrich Hartman

I concur with the Court's conclusion with one respectful exception. The Court finds that the concept of *puissance paternelle* in no way overrides Sweden's obligations under the 1902 Convention. However, I feel that... (Explain why, briefly).

## SAMPLE DISSENTING OPINION

Justice, Baader

In this matter of Netherlands vs. Sweden, the Court has concluded that "Respectfully, I dissent. The reasons for this are fundamental in nature and cause a profound rift between our opinion and that of the majority" (Explain why, briefly).

## At MMUN 2010

As you know, the ICJ will be discussing two very important cases during the conference:

- a. **Georgia -vs.- Russian Federation:** Application of the International Convention on the Elimination of All Forms of Racial Discrimination
- b. **Peru -vs.- Chile:** Maritime Delimitation Dispute

## Case 1 : Georgia –vs.- Russian Federation: Application of the International Convention on the Elimination of All Forms of Racial Discrimination



### Georgia institutes proceedings against Russia for violations of the Convention on the Elimination of All Forms of Racial Discrimination

THE HAGUE, 12 August 2008. The Republic of Georgia today instituted proceedings before the International Court of Justice (ICJ) against the Russian Federation for “its actions on and around the territory of Georgia” in breach of the 1965 International Convention on the Elimination of All Forms of Racial Discrimination (CERD). In its Application, Georgia “also seeks to ensure that the individual rights” under the Convention “of all persons on the territory of Georgia are fully respected and protected”. Georgia contends that the “Russian Federation, through its State organs, State agents, and other persons and entities exercising governmental authority, and through the South Ossetian and Abkhaz separatist forces and other agents acting on the instructions of, and under the direction and control of the Russian Federation, is responsible for serious violations of its fundamental obligations under [the] CERD, including Articles 2, 3, 4, 5 and 6”. According to Georgia, Russia had “violated its obligations under [the] CERD during three distinct phases of its interventions in South Ossetia and Abkhazia” in the period from 1990 to August 2008.

Georgia requests the Court to order “the Russian Federation to take all steps necessary to comply with its obligations under the CERD”.

As a basis for the jurisdiction of the Court, Georgia invokes Article 22 of the Convention on the Elimination of All Forms of Racial Discrimination. It also reserves its right to invoke Article IX of the Genocide Convention, to which both Georgia and Russia are parties, as an additional basis for the Court's jurisdiction.

### **International Convention on the Elimination of all Forms of Racial Discrimination**

The **International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)** is a United Nations convention and it commits its members to the elimination of racial discrimination and the promotion of understanding among all races. The Convention defines "racial discrimination" as:

"Any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose of denying the enjoyment of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life."

The World Summit held in Durban, South Africa in 2001 was a significant progress by the International Community to combat racism, racial discrimination, and xenophobia. The outcome of that Conference expressed the commitment of the International Community to establish a clear set of objectives and course of action to address them strategically, from all possible angles.

### **Important Links**

Application Instituting Proceedings

<http://www.icj-cij.org/docket/files/140/14657.pdf>

Summary of the Order of 15 October 2008

<http://www.icj-cij.org/docket/files/140/14809.pdf>

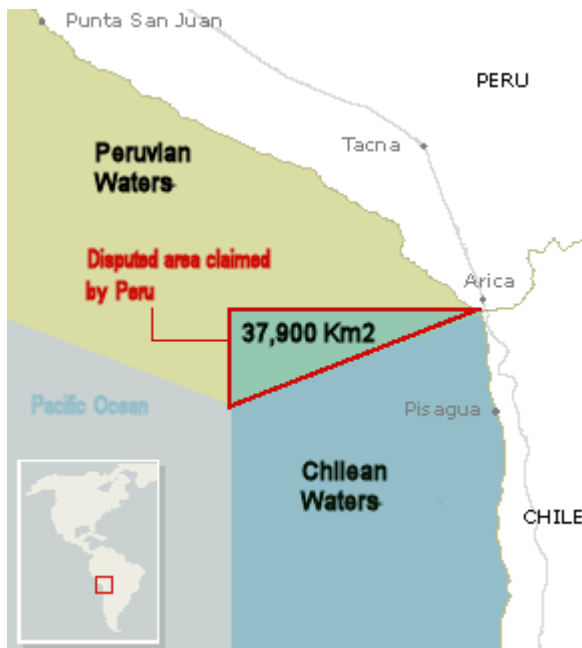
Latest Developments in the Case

<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&code=GR&case=140&k=4d>

International Convention on the Elimination on All forms of Racial Discrimination

<http://www2.ohchr.org/english/law/cerd.htm>

## Case 2: Peru –vs.- Chile: Maritime Delimitation Dispute



Peru institutes proceedings against Chile with regard to a dispute concerning maritime delimitation between the two States

THE HAGUE, 16 January 2008. Today Peru instituted proceedings against Chile before the International Court of Justice (ICJ), the principal judicial organ of the United Nations, concerning a dispute in relation, on the one hand, to “the delimitation of the boundary between the maritime zones of the two States in the Pacific Ocean, beginning at a point on the coast called Concordia, . . . the terminal point of the land boundary established pursuant to the Treaty . . . of 3 June 1929”, and, on the other, to the recognition in favor of Peru of a “maritime zone lying within 200 nautical miles of Peru’s coast, and thus appertaining to Peru, but which Chile considers to be part of the high seas”.

In its Application Peru claims that “the maritime zones between Chile and Peru have never been delimited by agreement or otherwise” and that accordingly, “the delimitation is to be determined by the Court in accordance with customary international law”. Peru explains that “since the 1980s, [it] has consistently endeavored to negotiate the various issues in dispute, but . . . has constantly met a refusal

from Chile to enter into negotiations". It asserts that as a result of a Note of 10 September 2004 from the Minister for Foreign Affairs of Chile addressed to the Minister for Foreign Affairs of Peru, further attempts at negotiations were no longer possible.

Peru now "requests the Court to determine the course of the boundary between the maritime zones of the two States in accordance with international law . . . and to adjudge and declare that Peru possesses exclusive sovereign rights in the maritime area situated within the limit of 200 nautical miles from its coast but outside Chile's exclusive economic zone or continental shelf". As the basis for the Court's jurisdiction, Peru invokes Article XXXI of the American Treaty on Pacific Settlement (Pact of Bogotá) of 30 April 1948, to which both States are parties without reservation. This Article provides that: "In conformity with Article 36, paragraph 2, of the Statute of the International Court of Justice, the High Contracting Parties declare that they recognize, in relation to any other American State, the jurisdiction of the Court as compulsory ipso facto, without the necessity of any special agreement so long as the present Treaty is in force, in all disputes of a judicial nature that arise among them concerning:

- (a) The interpretation of a treaty;
- (b) Any question of international law;
- (c) The existence of any fact which, if established, would constitute the breach of an international obligation;
- (d) The nature or extent of the reparation to be made for the breach of an international obligation."

## Important Links

Application Instituting Proceedings

<http://www.icj-cij.org/docket/files/137/14385.pdf>

Latest Developments in the Case

<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&code=pc&case=137&k=88>

Maritime Delimitation

<http://www.un.org/Depts/los/LEGISLATIONANDTREATIES/>

## References and Recommended links

1. International Court of Justice  
<http://www.icj-cij.org/homepage/index.php?p1=0>
2. History of the ICJ  
<http://www.icj-cij.org/court/index.php?p1=1&p2=1>
3. Charter of the United Nations  
<http://www.icj-cij.org/documents/index.php?p1=4&p2=1&p3=0>
4. Statute of the Court  
<http://www.icj-cij.org/documents/index.php?p1=4&p2=2&p3=0>
5. Rules of the Court (Please note the Rules have been adjusted for MMUN 2010)  
<http://www.icj-cij.org/documents/index.php?p1=4&p2=3&p3=0>
6. Jurisdiction  
<http://www.icj-cij.org/jurisdiction/index.php?p1=5>
7. Frequently Asked Questions  
<http://www.icj-cij.org/information/index.php?p1=7&p2=2>

**\*\*\*For questions about the cases of the procedures of the ICJ, please contact:**

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# MONTESSORI MODEL UNITED NATIONS (MMUN 2010)

## INTERNATIONAL COURT OF JUSTICE (ICJ) RULES OF PROCEDURE SHORT SHEET

MOTIONS	PROCEDURE	VOTING
Motion to <b>Set the Agenda</b>	Immediate Vote	Simple Majority
Motion to <b>Set the Speaker's Time for Opening Statements</b>	Two For Two Against	Simple Majority
Motion to <b>Present Written Proceedings</b>	Immediate Vote	Simple Majority
Motion to <b>Start Initial debate</b>	Immediate Vote	Simple Majority
Motion to <b>Open Hearing on an Objection</b>	Immediate Vote	Simple Majority
Motion to <b>Retire</b> (This motion is used to start <b>Deliberations</b> )	Immediate Vote	Two Thirds Majority
Motion to <b>Adjourn the Meeting</b> (Used at the end of the Conference)	Immediate Vote	Simple Majority

### POINTS

1. **Objection:** A public correction made by a Delegate or the President when a mistake has been made while using the Rules of Procedure. It should be implemented immediately. (See Guide for details).
2. **Point of Personal Privilege:** When a Delegate's performance is affected by an external matter to the content of debate.
3. **Point of Parliamentary Information:** It allows the Delegates to clarify doubts in relation to the rules of procedure. It's asked to the President.
4. **Reciprocal Rights:** If a comment affects the integrity of a Delegate, the President can allow reciprocal rights to enable a public response. This should be submitted by writing.