

Rules of Procedure

Model International Court of Justice (ICJ)

Kabataş Model United Nations 2025 (KMUN 2025)

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1. General Provisions

1.1: Scope

These Rules govern all hearings of the Model International Court of Justice (hereinafter “the Court”) at KMUN 2025. They are binding upon every participant. Questions not expressly settled herein shall be resolved by the Presidency in accordance with the Statute of the real ICJ, general principles of international procedure, and the equity of the case.

1.2: Authority

The Presidency retains ultimate authority over procedure, timing, admissibility, and decorum. Its rulings are final and immediately effective unless reversed by the unanimous agreement of the Bench.

1.3: Definitions

- Presidency: The collective term for President, Vice-President, and Registrar.

- Applicant: The State submitting the dispute.
- Respondent: The State against whom the complaint is brought.
- Advocate: Counsel officially representing a Party.
- Bench: The fifteen Judges, inclusive of the Presidency.
- Witness: An individual called by a Party to provide sworn testimony.
- Stipulation: An agreed, undisputed fact.
- Memorandum: A written pleading submitted by a Party outlining claims and relief sought.
- Evidence: Any documentary, testimonial, or demonstrative material tendered for consideration.

2. Composition and Functions of the Court

2.1: Judges

Fifteen Judges serve on the Bench. Judges sit in an individual capacity, owe no allegiance to any State, and shall exercise independent judgment.

2.2 Quorum

A minimum of nine Judges constitutes quorum for all sittings, deliberations, and the delivery of judgment.

2.3 Replacement

Should a Judge become permanently incapacitated, the Secretariat may appoint a replacement to preserve quorum.

3. Officers of the Court

Officer Core Responsibilities

President: Presides over all sittings; sets the agenda and speaking order; rules on motions and objections; ensures the expeditious and orderly conduct of proceedings.

Vice-President: Assists the President; may preside whenever the President is unavailable; monitors time allocations; supervises administrative coordination.

Registrar: Keeps the minutes; authenticates pleadings, exhibits, and rulings; administers the oath to witnesses; proclaims the judgment at the closing ceremony.

4. Parties, Counsel, and Witnesses

4.1 Advocates

Each Party shall designate two Advocates. Advocates have exclusive standing to address the Court on behalf of their respective States, submit evidence, and examine witnesses.

4.2 Witnesses

No Party may call more than three witnesses. Witnesses shall be sworn by the Registrar and treated as evidentiary material. Advocates are responsible for ensuring witness availability.

4.3 Amicus Curiae

The Court may, at its discretion, invite amicus curiae briefs or testimony from experts when such assistance would clarify complex legal or technical matters.

5. Languages, Records, and Decorum

5.1 Working Languages

The official languages are English and French. Unless specifically needed in the latter, submissions should be in English, or translated thereto.

5.2 Official Record

The Registrar maintains an official verbatim record and retains all pleadings and exhibits, which shall constitute the archives upon which the Court institutes deliberations.

5.3 Conduct

Participants shall employ a third-person formal address, avoid interruptions, and show courtesy at all times. Attire must conform to standard international diplomatic dress.

6. Order of Proceedings

6.1 Opening of the Session: Call to order, roll call, verification of quorum.

6.2 Stipulations: President reads the list of uncontested facts jointly filed by the Parties. Any objection strikes the contested stipulation.

6.3 Opening Statements: Applicant, then Respondent, outline principal submissions. Time limits set by the Presidency.

6.4 Memorial Exchange (Memoranda): Written pleadings are deemed filed and incorporated into the record. Memoranda are not evidence.

6.5 Primary Evidence Submission: Advocates tender documentary evidence with a concise summary. Objections heard immediately.

6.6 Evidence Deliberation I: Judges retire briefly (in camera) to assess admissibility.

6.7 Judges' Questions I: Judges question Advocates on facts and law. Advocates must answer; no witness may be consulted.

6.8 Witness Phase: For each witness: Direct; Cross; Redirect; Recross. Leading questions permitted only during cross.

6.9 Witness Deliberation: Bench assesses credibility and probative value.

6.10 Rebuttal Evidence: Limited final exhibits may be introduced. Admissibility rules identical to 6.5.

6.11 Judges' Questions II: Final clarification questions by Judges.

6.12 Closing Statements: Respondent, then Applicant, deliver summations.

Applicant closes last, rebuttal-style.

6.13 Final Deliberation: Bench meets in closed conference to decide the merits.

Registrar records vote and opinions.

6.14 Delivery of Judgment: Registrar publicly reads the dispositive paragraphs of the Judgment and any Separate Opinions. Verdict is final upon pronouncement.

7. Motions and Points

Point of Order

Purpose: Address alleged procedural breach.

Mover: Any Judge or Advocate.

Timing: At any time, except during a witness answer.

Ruling by: President

Point of Personal Privilege

Purpose: Remedy personal discomfort impeding participation.

Mover: Any participant.

Timing: When no one is speaking.

Ruling by: President

Motion to Clarify

Purpose: Request brief factual clarification.

Mover: Judge.

Timing: During deliberation.

Ruling by: President

Objection: Relevance / Credibility / Hearsay

Purpose: Challenge evidence or question.

Mover: Advocate

Timing: Instantly upon submission or question.

Ruling by: President

Motion to Adjourn / Suspend

Purpose: Recess proceedings.

Mover: President or Judge.

Timing: End of scheduled session or as exigent circumstances require.

Ruling by: Presidency

No motion to overrule the Presidency is admissible except as provided in Rule 1.2.

8. Evidence and Exhibits

8.1 Admissibility Criteria

Evidence must be relevant, authentic, and material. The Presidency shall exclude evidence that is manifestly unreliable, purely speculative, or prejudicial. Hearsay is inadmissible unless independently corroborated or falling within recognized exceptions (e.g., public documents).

8.2 Procedure

1. Offer – Advocate identifies exhibit, summarizes content, and states its purpose.
2. Objection – Opposing Advocate may object on recognized grounds.
3. Ruling – Presidency sustains or overrules the objection.
4. Numbering – Registrar assigns exhibit number; admitted evidence is distributed electronically to Judges.

8.3 Burden of Proof

The Applicant bears the onus of establishing each claim on a preponderance of the evidence, except where international law sets a higher standard.

9. Witness Examination

1. Direct Examination – Non-leading, open questions to elicit narrative testimony.
2. Cross-Examination – Leading questions permitted; scope limited to matters raised on direct or credibility.
3. Re-Direct / Re-Cross – Clarification within the confines of prior testimony.

4. Witness Deliberation – Judges may question the witness after counsel have concluded.

Witnesses may refuse to answer only upon a valid privilege recognized by international practice (e.g., diplomatic immunity). The Presidency rules on claimed privilege.

10. Deliberations of the Bench

10.1 Confidentiality

Deliberations are strictly in camera. Disclosure constitutes serious misconduct and may result in removal from the Bench.

10.2 Moderation

The President moderates the discussion but enjoys only one vote.

10.3 Consensus and Voting

The Bench shall seek consensus. Failing unanimity, decisions are taken by majority vote; a tie sustains the status quo ante, benefiting the Respondent.

11. Judgment and Separate Opinions

11.1 Structure

Every Judgment shall contain: (a) Introduction, (b) Facts, (c) Jurisdiction, (d) Applicable Law, (e) Reasoning, (f) Dispositive Paragraphs.

11.2 Types of Opinions

- Majority Opinion – Binding judgment of the Court.
- Separate (Concurring) Opinion – Agrees with the outcome but presents distinct reasoning.
- Dissenting Opinion – Disagrees with the outcome.

11.3 Pronouncement

The Registrar reads the dispositive paragraphs verbatim. Opinions are appended to the record and published simultaneously.

12. Amendment, Suspension, and Interpretation of the Rules

12.1 Amendment

These Rules may be amended solely by the KMUN Secretariat prior to the opening of the first session.

12.2 Suspension

For compelling reasons the Presidency may, with the consent of two-thirds of the Bench, suspend specific procedural provisions pro tempore, provided such suspension does not prejudice the substantive rights of either Party.

12.3 Interpretation

Any ambiguity shall be interpreted in light of the Statute of the real International Court of Justice and the object of securing a fair, expeditious, and authoritative adjudication.

Appendix: Indicative Timings (For guidance only; subject to Presidential adjustment)

Stage Suggested Maximum Duration per Party

Opening Statement 8 minutes

Direct Examination (each witness) 5 minutes

Cross-Examination (each witness) 5 minutes

Closing Statement 6 minutes

(The Presidency may revise these limits in accordance with conference scheduling constraints.)

These Rules of Procedure are hereby promulgated for use at KMUN 2025. All participants are expected to familiarize themselves thoroughly with their provisions ahead of the conference.

Issued on 18 April 2025

Kabataş Model United Nations Secretariat