Rules of Procedure - SSUNS ICJ ‘26

Delegates,

Given the uniquely complicated nature of an ICJ, your Dais has provided you with this additional guide to the Rules of Procedure. Below you’ll find an outline of the Basic Committee Proceedings, Objections, Legal Definitions, and a committee-specific schedule for the weekend. If this is still confusing, please don’t hesitate to reach out with questions. We will also be briefly reviewing this document before Committee Session I starts on Thursday, and you’re encouraged to ask questions then. Please note that the schedule is subject to change during the weekend, as the flow of debate or time constraints may cause the timing to shift.

With that, good luck, and we look forward to seeing you all in Montreal!
Your 2026 ICJ Dais

Basic Committee Proceedings

This committee will simulate the proceedings of an ICJ. In doing so, the Dais will fulfill the role of President and will moderate and facilitate this debate. The delegates will act as judges, lawyers and witnesses. Throughout the weekend, the delegates and the Dais will carry out a modified version of ICJ proceedings surrounding the case of Thailand v. Cambodia.

Witnesses will provide testimonies and work with lawyers to prepare arguments. Lawyers will then present these arguments to the court and examine witness testimonies. Judges will engage with and analyse these arguments, testimonies, and examinations throughout the weekend to come to a decision by the end of the conference weekend.

The committee will function through moderated caucuses, which consist of timed speeches, and unmoderated caucuses, which will consist of informal discussion and debate. This committee also uses committee splits, which are when certain delegates remain in the committee room (‘inroom’) while others move to a different space (‘outroom’). In an ICJ, this will largely consist of lawyers and witnesses leaving to prepare arguments, testimonies, or lines of questioning. The judges will remain inside to talk amongst each other during these times. The Dais will be sure to monitor both dynamics.

On Position Papers

Wherein a standard Model UN committee asks for delegates to submit a position paper, for the functions of an ICJ we ask the following:

- Delegates representing Lawyers and Witnesses must submit a Memorial or Mémoire, explained below. This will likely contain substantial overlap with their Prayer to the Court speech content.
- Delegates representing Judges must submit a written document exemplifying that they have done research to prepare for their position, about a page long, in whatever format is preferred.

On Settlements

Given that settlements would occur outside of the ICJ, in a deliberation between the two parties, we will not accept settlements as a judgment. The available judgments are to rule in favour of one party or the other, thus granting the party ruled in favour jurisdiction over the temple. Additionally, they can rule the case unfit for the ICJ, and refer the dispute to a regional court.

Objections

There are two types of objections: those raised preliminarily and those raised during the oral argument segments. For this committee, and given the nature of Model UN, we won't use preliminary objections, and only delegates representing legal counsel may raise objections.

During oral argument, legal counsel may also raise objections in real time to contest procedural matters, the scope of a question, or the admissibility of evidence. Judges will rule on these objections as they come up. Objections should be stated clearly and concisely, identifying the legal or procedural basis for the challenge. These objections are raised to disregard testimony.

In this committee, the dais will rule on the objections and will carefully consider each situation. The types of objections you could raise are as follows:

1. Leading Question: a question that leads the witness to a certain answer, often a yes or no answer. This reduces nuance and corners them into answering a certain way that could misrepresent the truth. An important note is that Leading Questions are allowed during cross-examination, but not during direct examination.
2. Irrelevant: The testimony or question is unrelated to the case.
3. Compound Question: Two or more questions disguised as one single question.
4. Badgering the Witness: Harassing or acting hostile towards the witness during questioning. An important note is the distinction between firm and aggressive questioning and badgering. Badgering is inherently hostile or disrespectful, whereas firm and aggressive questioning places appropriate pressure on the witness.
5. Asked-and-Answered: Repeating the same question during cross-examination in an effort to get contradictory answers.
6. Vague: A purposefully non-specific or unclear question.
7. Non-Responsive: A response to a question that is unhelpful or unrelated, or does not address the question.
8. Speculation: A question that cannot be answered without speculating, or asking the witness to guess at hypotheticals.
9. Hearsay: A testimony that is given by a Witness who speaks about not what s/he knows personally, but what others have said, which therefore depends on the credibility of someone other than the Witness. Such testimony is inadmissible under the rules of evidence.

If your testimony is successfully objected to, don't worry! Try pivoting to a different strategy that will still get your point across. If you raise an objection and it's overruled, don't worry! Objections are one of the most entertaining parts of an ICJ, and you will never be penalised for trying.

Legal Definitions[1]

Optional Clause Declarations: are made by states under Article 36(2) of the ICJ Statute, by which they accept the compulsory jurisdiction of the Court with the understanding that it is also compulsory for the other involved parties.[2]

Memorial (Mémoire): A comprehensive written pleading submitted by a party before the ICJ, giving details of their argument, the facts, and what they wish to

happen from these proceedings. This functions as a written form of argumentation for their position.[3]

Protest: A formal objection from a subject of international law against actions or claims from another party that contradict or are disallowed by international law.[4]

Intertemporal Law: The principle that determines that actions or rights that have existed across time must be treated in accordance with the law that they were subject to at the time, not the law that exists at the time of investigation.[5]

Opposability: The capacity of a law, legal act, right, or rule to be enacted upon one specific state and result in success, not in relation to the entire world.[6]

Uti possidetis juris: A principle in international law that lays out how a newly independent state will inherit the previous borders and internal administrative system from their predecessor.[7]

[1] Please note that many terms will have both a French and English version. This is because the ICJ uses both as their official language, meaning different translations of the terms may be used interchangeably.
[2] https://modeldiplomat.com/learn/glossary/optional-clause-declaration [3]
https://opil.ouplaw.com/display/10.1093/law-mpeipro/e3430.013.3430/law-mpeipro-e3430 [4]
https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e1460
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[6] https://academic.oup.com/bybil/advance-article/doi/10.1093/bybil/brab006/6397000 [7]
https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e1125

Acquiescence: A state's implied consent or acceptance of a legal situation through silence or inaction over time when the state was aware of a claim and could reasonably have protested.[8]

Estoppel: A principle that disallows a state from acting in contradiction to a clear statement it had previously made to gain an advantage over another state that reasonably believed the statement that had been made.[9]

Reciprocity: A characteristic of the Optional Declaration Clause that states that the involved parties accept the compulsory jurisdiction of the Court on the condition that the other involved party does the same.[10]

Operative / Dispositif: The final section of the Court's judgment that contains the binding decisions, rulings and orders based on what was presented by the parties.[11]

Key Documents

Evidence Submission: Should a lawyer or a witness wish for evidence to be displayed as they speak, they can compile images or highlight text to submit as a Google Slide via email. The email will be provided at the beginning of Committee Session I on Thursday. These pieces of evidence are not required to be from the canonical time period of the original case, but must be real sources.

Prayer to the Court: A speech presented outlining each party's stance, what they hope to achieve and the specifics of how the other party breached articles of the ICJ. As a recommendation, format the Prayer to the Court around the guiding questions.

Final Decision: A written document from the Judges that will explain the decision and result of the case, and will answer the questions laid out before the committee.

[8]https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e1373
[9]https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e1401
[10]https://opil.ouplaw.com/display/10.1093/law:epil/9780199231690/law-9780199231690-e 68
[11] https://jusmundi.com/en/document/publication/en-operative-part

Committee Schedule

**Please note, no work is to be completed outside of scheduled committee hours. **This schedule will also be subject to change dependent on timing or other factors out of the dais' control*

Thursday, November 12
Session I

- Dais introductions, review of Rules of Procedure and committee expectations
- Q&A Period on ICJ Rules of Procedure

Friday, November 13
Session II

Registrar's Pledge
Judges' Pledge (provided to the delegates by the dais)
- 1-minute round robin of opening speeches by the Judges

-- Committee split --

**At this time, the witnesses and legal counsel will exit (referred to as 'outroom') and the judges will remain where they are (referred to as 'inroom').* - Lawyers and witnesses will meet and prepare the 9-minute 'Prayer to the Court', an opening speech that should be divided equally between all members.

- Witnesses will assist with the preparation, but will not speak. - During this time, judges will be discussing with each other in an unmoderated caucus.

-- Committee rejoins --

- The lawyers will present their 'Prayer to the Court' speeches - Witnesses will now present their 1-minute opening speeches.
- Following these, the judges will discuss in a moderated caucus, which lawyers and witnesses can be present for but may not participate in.

Session III

-- Committee split --

- Lawyers and witnesses will head outroom, judges will remain in-room.
- Lawyers and witnesses will have a preparation period to discuss their major points of argument and prepare pieces of evidence for presentation.

- Witnesses must be prepared to speak on these pieces of evidence during questioning, so this is an important preparation period for them as well.
- Meanwhile, judges will have a moderated caucus to give individual speeches on their current stances and thoughts.

-- Committee rejoins --

- Each team of lawyers and their associated witnesses will present their evidence, with a 10-minute presentation period each.

Session IV

- Following these presentations, judges will have a 3-5 minute questioning period for each team, during which they can ask follow-up questions.

-- Committee split --

- Lawyers and witnesses will once again head outroom to prepare for questioning. Witnesses must prepare their testimonies, and lawyers must prepare to cross-examine.
- Judges will have a moderated caucus to debate the merits of evidence and prepare questions for the witnesses.
- If there is sufficient time, the judges will also have an unmoderated caucus to discuss the evidence in an informal setting.

-- Committee rejoins --

- Witnesses will be presented one-by-one, and after giving their testimony will be cross-examined by the other team's lawyers.
- This will go team-by-team, meaning that all witnesses from one team will present, and then all of the witnesses from the other team will present.
- 5-7 minutes will be allotted for questioning per witness for both direct examination, and then cross-examination.

**This would be a great time to use objections, which we strongly recommend!*

- Once all witnesses from one team have been examined, the judges will question the witnesses for a period of 5 minutes per witness.

**Objections are also permitted during this time!*

-- Committee split --

- Judges will remain in-room and have a moderated caucus about their thoughts on the witnesses and their examinations.
- Lawyers and witnesses will head outroom and prepare for the re-direct and

re-cross examination periods.

Saturday, November 14th

Session V

-- Committee rejoins --

- The witness presentation and examination process will repeat, this time with a 3-4 minute questioning period for direct, cross, and judge examination.

-- Committee split --

- Once this questioning period has elapsed, lawyers and witnesses will head outroom.
- Lawyers will prepare closing statements, which will be 15 minutes per team. This time should be equally split between lawyers and is the legal teams' last opportunity to present their central arguments that they highlighted in the Prayer to the Court document.
- Witnesses will also prepare their closing statements, which will be 2 minutes each.
- During this time, judges will have a quick moderated caucus to analyse all material that has been presented so far.
- Once that moderated caucus has elapsed, judges will begin writing their final judgements.

**It is recommended to showcase your legal knowledge as a judge at this time, and work together diplomatically to answer all the key questions of the case.*

- Judges are allowed to present up to two solutions to each of the key questions. These will then be voted on. The losing solution will be struck down, and the winning one will be kept.

Session VI

Please note, we are still in a **split committee at this time.*

- This committee session will begin with a short period to finish up the last details of any closing statements.
- The committee will then rejoin, and closing statements will be presented. - Lawyers will begin. This closing statement should contain no new evidence, and should repeat and defend the demands originally stated in the Prayers to the Court document from each team.
- Witnesses will then follow.

-- Committee split --

- Lawyers and witnesses will head outroom to prepare reaction speeches to the decision of the judges.
- These will function like a round robin, with every individual able to give a short speech.
- Multiple versions may be prepared for each potential outcome, if the delegate wishes to do so.
- Judges will now be adjusting their final decisions, with only minor amendments to ensure enough time to vote and reach a final verdict.

-- Committee rejoins --

- Judges will give a 2-minute for-and-against speech with two speakers each for both sides of the key questions. These speeches should aim to convince other judges to vote for a specific side of the questions.
- After hearing both sides of one question, the judges will vote. The winning solution will be kept, and the other struck down.
- This will be repeated until all questions are voted on.
- At this point, the entire decision will be voted on as a whole by the judges. - There are no abstentions at this point, and the solution will either pass or fail.
- After the vote is complete, lawyers and witnesses will present their reaction speeches.
- After lawyers and witnesses are finished with their reaction speeches, judges will be permitted to give reaction speeches in a similar round-robin fashion.

Then that's the end of debate!