

CONFERENCE SCHEDULE

Saturday, 14th of March

WHEN	WHAT	WHERE	FOR WHOM
17:00-18:30	Registration and Cocktail	Bilkent Hotel	All Participants
17:00-17:15	Press Meeting	Bilkent Hotel	Press Members
17:15-17:30	Advisor's Meeting	Bilkent Hotel	Advisors
17:30-18:00	Ambassador's Meeting	Bilkent Hotel	Ambassadors
18:00-18:30	Student Officers' Briefing	Bilkent Hotel	Student Officers
18:30-19:30	Opening Ceremony	Bilkent Hotel	All Participants
19:30-20:00	Coffee Break	Bilkent Hotel	All Participants
20:00- 22:00	Opening Dinner	Bilkent Hotel	All Participants

Sunday, 15th of March

WHEN	WHAT	WHERE	FOR WHOM
9:00	Buses Arrive	BLIS	
9:10-9:30	Student Officers' Briefing	Assigned Room	Student Officers
10:00- 10:30	Advisors' Meeting	Library	Advisors
9:30- 11:00	Committee	Assigned Committee	All Participants

	Session		
9:30-10:00	Press Meeting	Assigned Room	Press Members
11:00-11:30	Coffee Break		All Participants
11:30-13:00 _____	Committee Session	Assigned Committee	GA _____
11:30-13:30			EB, SF, ICJ, HC
13:00-14:00 _____	Lunch	Cafeteria	GA _____
13:30-14:30			EB, SF, ICJ, HC
14:00-16:00 _____	Committee Session	Assigned Committee	GA _____
14:30-16:00			EB, SF, ICJ, HC
16:00-16:30	Coffee Break		All Participants
16:30-18:00	Committee Session	Assigned Committee	All Participants
18:00-18:30	Student Officers and Organizing Team Meeting	Assigned Room	Student Officers and Organizing Team
18:30	Buses Depart		
19:00- 22:00	Chair Dinner	TBA	Student Officers and Organizing Team

Monday, 16th of March

WHEN	WHAT	WHERE	FOR WHOM
9:00	Buses Arrive	BLIS	
9:10-9:30	Student Officers'	Assigned Room	Student Officers

	Briefing		
10:00-10:30	Advisors' Meeting	Library	Advisors
9:30-11:00	Committee Session	Assigned Committee	All Participants
11:00-11:30	Coffee Break		All Participants
11:30-13:00 _____	Committee Session	Assigned Committee	GA _____
11:30-13:30			EB, SF, ICJ HC
13:00-14:00 _____	Lunch	Cafeteria	GA _____
13:30-14:30			EB, SF, ICJ, HC
14:00-16:00 _____	Committee Session	Assigned Committee	GA _____
14:30-16:00			EB, SF, ICJ, HC
16:00-16:30	Coffee Break		All Participants
16:30-18:00	Committee Session	Assigned Committee	All Participants
18:00-18:30	Student Officers' Briefing	Assigned Room	Student Officers
18:30	Buses Depart		

Tuesday, 17th of March

WHEN	WHAT	WHERE	FOR WHOM
8:45	Buses Arrive	BLIS	
9:00-9:30	Advisors' Meeting	Library	Advisors
9:00- 9:30	Student Officers' Briefing	Assigned Room	Student Officers
9:30-11:00	Plenary Sessions/	Assigned Committee	All Participants

	ICJ/ Historical		
11:00-11:30	Coffee Break		All Participants
11:30-13:00 _____	Plenary Sessions/ ICJ/ Historical	Assigned Committee	GA
11:30-13:30			EB, SF, ICJ, HC
13:00- 14:00 _____	Lunch	Cafeteria	GA
13:30-14:30			EB, SF, ICJ, HC
14:00-15:45 _____	Plenary Sessions/ ICJ/ Historical	Assigned Committee	GA
14:30- 15:45			EB, SF, ICJ, HC
15:30- 15:45	Advisor's Meeting	Library	Advisors
15:45- 16:15	Coffee Break		All Participants
16:15- 17:30	Closing Ceremony	BLIS	All Participants

AGENDA ITEMS

GC1: General Question and Program Support

- The issue of extreme population growth with an emphasis on India
- The issue of over consumption with special emphasis on UAE
- The question of the extremities of nuclear testing

GC2: Education:

- The lack of government funding for education with an emphasis on Somalia and Ethiopia
- The impact large amounts of migrants have on the education system, with a special focus on Jordan
- The issue of gender disparities and the unequal levels of education amongst genders

GC3: Natural Sciences:

- The issue of coral bleaching in the Great Barrier Reef
- The safeguarding of major rainforests from human damage
- Measures to improve water sanitation and hygiene with a special focus on Iraq

GC4: Culture:

- The issue of the loss of cultural identity (religious customs, cultural norms etc) due to immigration.
- The issue of xenophobia in culture with a special emphasis on the West.
- The protection of cultural heritage sites during conflicts with a special emphasis on Syria.

GC5: Communication and Information:

- The issue of breach of privacy caused by social media and information leaks.
- The issue of abuse of cyber power with a special emphasis on the US and Russia.
- The contribution of facial recognition technology to digital trust and hypothetical consequences.

SF1: Social and Human Sciences:

- The issue of child soldiers in war, with a special focus on the Central African Republic, Democratic Republic of Congo and Nigeria.
- The protection of women and women rights, eliminating the issue of inequality and discrimination towards women with a special focus on UAE (United Arab Emirates)
- The issue of neo-colonialism with a special emphasis on Africa.

SF2: Sustainable Development:

- Resolving the issue of carbon emissions from the combustion of coal, natural gas, oil and other fuels, including waste and non-renewable municipal waste with a special emphasis on China.
- Providing safe removal and management of solid waste within cities with a special focus on India.
- The issue of lack of clean and efficient energy with a special focus on LDCs.

EB1: External Relations:

- The issue of combating terrorism, countering extremists and protecting terror victims with a special emphasis on Boko Haram.
- The issue of the sea route into Central America through Panama becoming a major transit hub for Colombia's illicit weapons imports.
- The issue of the ongoing trade war between the US and China with a special emphasis on the Panama Canal.

EB2: Finance:

- The prevention of future exploitation of natural resources of the Arctic for economic gain.
- The problem of a no-deal Brexit and its economic effects on the EU and UK.
- The deterioration of non-renewable energy sources and the effect this has on energy prices, such as an oil-price spike.

ICJ Committee:

- Nicaragua vs. The United States (public international law case decided by the ICJ)

Historical Committee:

- The 30 years war

ORGANIZING COMMITTEE

Director General- Ela Türkkan

President of the General Assembly- Yağmur Umay Sağlam

President of Special Focus- Defne Yörükoğlu

President of the Executive Board- Can Ay

Head of Finance and Logistics Manager- Oya Kuzuoğlu, Ece Karadağlı

Head of Business Affairs- Ada Türkkan

External Relations and Delegations Coordinators- Yasemin Ertürküner, Deniz Oray

Head of Design and Supplies- Ali Omay, Suna Nehir Köse

Head of Information and Technologies- Arın Mağdenli

Head of Administrative Staff- Naz Atay

Head of Press- Ella Su Köse, Ilgın Nehir Aksoy

CONFERENCE INFORMATION:

Opening And Closing Ceremony

The Opening Ceremony will take place between 18.30-19.30 Saturday, March 14th, followed by an opening dinner. All ambassadors must deliver a brief opening speech related to the issues on the agenda and the theme of the conference. The closing ceremony will take place between 16.15-17.30 Tuesday, March 17th. All participants are required to participate in both of the ceremonies in order to receive a certificate. In a special circumstance where one can not participate, a member from the organizing team must be contacted.

Phones and Other Electronic Equipments

Any use of electronic devices is prohibited during debates and all phones must be switched off during the committee sessions. Delegates are encouraged to bring laptops for lobbying. Electronic devices can only be used after getting permission from the student officers of the committee.

Lunch and Snacks

The lunch and snacks of all members of the conference will be catered, provided and sponsored by BILINTUR. Extra snack options will be available during certain lunches.

Badges

All participants should wear badges at all times throughout the duration of the conference. Without badges, members will not be able to enter the committees, receive lunch or enter the events.

Replacement fee for a badge is 30 TL. Replacements can be made at the registration desk which will be located at the rotunda.

Flags and Placards

All placards are the property of MUNESCO, therefore please tell the delegates to not take their placards with them. All flags are the property of MUNESCO. Ambassadors with missing and

damaged flags will be charged 50 TL and all ambassadors are required to return their flags before the closing ceremony.

Attendance

It is expected that all participants are on time to the committee sessions and other designated events. Delegates are required to be in committees during the allocated committee session times. Delegates can not wander around the corridors. If a delegate misses more than 1 (one) committee session he/she will not receive a certificate.

Note Passing

The Administrative Staff will screen notes. The Student Officers may take disciplinary action for improper notes including notes which are written in Turkish. Note passing between commissions is only allowed for ambassadors. Note passing is strictly forbidden during voting procedures.

Student Officers' Meetings

Student Officers' meetings will take place at the start and at the end of each day of the conference. The attendance to these meetings are mandatory for all student officers.

Ambassadors' Meeting

The ambassador's meetings will take place on March 14th between 17.30-18.00, prior to the opening ceremony. This meeting is mandatory for all ambassadors. The secretariat will go over the general structure of the conference and will outline the duties of an ambassador during the committee sessions as well as the plenary sessions.

Advisors' Meeting and Lounge

Advisors' lounge will be located at the library. The delegates will not be allowed in the advisors' lounge and only members from the organizing team will enter in the lounge at the designated times of the meetings. Advisors are highly encouraged to attend these meetings which will be held at the start of each day. These are the times where the organizing team will listen to their feedback and will make further announcements about the day.

Administrative Staff

The Administrative Staff ensures the flow of the conference. They control the flow of delegates and MUN advisors in and out and help the chair maintain control during sessions. Their duties also include note passing and vote counting. Administrative staff are students who are middle schoolers at BLIS and they must be respected at all times.

Security

The Security is the executive authority for the control of movement throughout the conference. They are responsible for the safety and all movement in and out of the forums.

Approval Panel

The Approval Panel consists of Academic Advisors and Approval Panel Members who are responsible for checking the format, grammar, and content of resolutions. The approval panel will be open at the beginning of each day and will close at the end of each day. The approval panel is located in the computer lab on the third floor. In order to get a resolution approved, with permission from the chairs the main submitter must submit his/her resolution to the approval panel.

Plagiarism

Any sort of plagiarism will not be tolerated at the conference. The approval panel will check each and every clause of the resolutions submitted to ensure that the works are original. If needed the text will be checked and scanned by an online plagiarism checker. If a delegate plagiarizes in any part of a resolution, the approval panel members may ask the delegate to change the plagiarized parts or may choose to disapprove the resolution as a whole. The advisors will be informed in a case of major plagiarism done by the delegate.

Newspaper

At the end of each day of the conference, a newspaper will be delivered to each participant by the press members. These newspapers will be prepared by the press team including educational and entertaining content about the conference.

Dress Code

Every participant must follow the formal dress code of MUN conferences and refrain from wearing denim clothes, sports shoes, national costumes, military attires, and any other casual clothing.

Lost Items

At the end of each day, administrative staff members will collect all the remaining items in the committee rooms and place them in the lost and found box, located at the registration desk. Please keep in mind that MUNESCO is not responsible for any lost item throughout the duration of the conference.

Smoking and Alcohol Consumption

Any consumption of alcoholic beverages is *strictly prohibited* at MUNESCO. Please be informed that the BLIS campus is a non-smoking area.

This document is based upon “A Brief written on Trial Procedure for the Model International Court of Justice at The Hague International Model United Nations” by Robert S. Stern.

How does the ICJ differ from a regular MUN committee?

The procedures of the International Court of Justice differs entirely from those for regular debates in the General Assembly, Special Conference, ECOSOC and the Security Council. The main distinction is that there are two advocate teams presenting the two different sides of a case. Each team must address the court extensively in attempting to convince the judges that their case is just. Judges listen, ask questions and evaluate according to the basic principles of justice.

Attending an ICJ session for the first time? Some do's and don'ts...

Don't be stressed out. More than half of those participating in an ICJ event are first timers. Due to the limited number of conferences with ICJ sessions, there is a small, albeit growing number of ICJ-experienced students. You are now going to be one of them!

Being a member of the ICJ involves developing a whole new level of skill beyond that of a MUN delegate. During the regular proceedings, advocates do most of the pleading. However, during deliberations, judges have an equal share of the speaking time. When compared with delegates representing particular countries or organizations, judges have more freedom to express their own ideas. The more intimate environment of the court allows each member to be more closely involved in discussions. As for advocates, this is the stage on which to shine with a display of advanced debating skills. However, a major difference between the ICJ and other MUN activity lies in the length of time devoted to considering a single dispute. Whereas in regular committees there can be between one and two hours of debate on each topic, in the ICJ the same case is discussed from various respects over three days.

The key to benefitting positively from this experience is to listen carefully so as to catch inconsistencies and omissions in other people's arguments.

Be sure to ask as many questions as you need in the process of making up your mind over just solutions to the problems you are considering!

KEY WORDS

Applicant Party: The applicant is the party that has brought the case to the Court. This means that applicants must prove that they need redress for their complaints. They take precedence in all aspects of the trial. (It is always: “First the applicants, then the respondents ”) In this year's MUNESCO ICJ, the Applicant Party is Nicaragua

Respondent Party: The respondent is the party that has agreed to have a dispute submitted by the applicant, heard and adjudicated by the Court. This means that respondents must reply to any accusation brought by the Applicant. Their job is to provide counter arguments that limit or invalidate the Applicant's case. Since the burden of proof is on the Applicants, this is all the respondent party usually has to do to be successful at a hearing. This year, the Respondent is The United States of America

Memorandum: The memorandum (memoranda in the plural) is a written document, of approximately 1000 words, presented to the court by each of the parties concerned. It provides the historical background to the dispute. Since each party writes its own memorandum, they may well include bias. This is normal, since memoranda represent the point of view of a sovereign state. A memorandum also contains a list of treaties, resolutions and any other social and legal documents that give grounds to the case and define the judicial competence of the Court. As a conclusion to memoranda, each party must state the judgment requested of the court. During final deliberation, the judges decide on their verdict on the basis of these requests.

Stipulations: A list of stipulations is composed by advocates and presented to the court before the trial begins. Unlike memoranda, both parties collaborate in the drawing up of this list. Stipulations are facts agreed upon by both sides, meaning that they are basic and not in dispute. This also means that the reliability of such content will not be contested during the trial. Stipulations will be considered as valid, albeit not hard evidence.

Rebuttal: The rebuttal phase is when advocates speak in order to undermine the arguments of the opposing party, on the last day of the hearing. Rebuttal phases do not include closing statements. The applicant will present first, being followed by the respondent. During rebuttal, extra pieces of evidence may be moved and admitted as valid, if approved by the opposing counsel.

Deliberation: During deliberation, advocates are asked to leave so that judges may be free to discuss the case between themselves. No one can enter the court, not even advisors or Organizing Committee members. The topics of discussion are confidential. However, if judges wish to make requests of the advocates during deliberation, the latter are summoned to respond. There are three periods of deliberation in an ICJ simulation, termed: Evidence Deliberation, Witness Deliberation and the Final Deliberation.

Verdict: This document is the resolution of the ICJ. Just as a standard resolution has its own unique structure, so too does a verdict. It contains the judgments decided with respect to the Judgments Requested by both parties during the final deliberation. It is read during the closing ceremony.

MUNESCO Rules of Procedure:

Rising to Points:

Point of Personal Privilege

Point of Personal Privilege refers to the comfort and well-being of the delegate and cannot interrupt the speaker unless it is due to audibility. When the delegate answers all the points of information and yields the floor back to the student officer, other delegates can raise their placards and wait for them to be called by the chairperson. Otherwise, a delegate cannot interrupt the speaker to open the door etc. This point doesn't require a second delegate's approval.

Point of Order

This is the motion used when a delegate wants to bring the Chair's attention to a speaker's or another delegate's mistake in violation of parliamentary procedure (e.g. if the chair makes an error in the order of the debate etc.). It should be direct referral; a delegate cannot refer to a situation that has already passed. Take your time to explain your decisions clearly in a polite way.

Point of Information directed to the Speaker

Make sure that the delegate is standing while the speaker is replying to the Point of Information. A delegate is only be allowed to speak if recognized by the Chairperson. It must be stated in the form of a question. While recognizing a delegate to speak, be fair. This cannot interrupt the speaker and follow-ups are not in order.

Point of Information directed to the Chair

This is a question directed to the chair and cannot interrupt the speaker. It should be a question referring to anything that does not fall under the category of Point of Parliamentary Inquiry, Point of Order or Point of Personal Privilege.

Point of Parliamentary Inquiry

This is a question directed to the Chair concerning parliamentary procedures in regard to time and related issues. This point doesn't require a second delegate's approval. Interrupting the speaker is not allowed.

Procedural Motions:

Motion to Approach the Chair

This motion is for delegates to ask for a specific issue when they can't fix it by note passing. This cannot interrupt any speaker.

Motion to Move the Previous Question

This motion is also known as the “Motion to Move Directly into the Voting Procedure.” When discussing an amendment, in time in favor, this motion means to move to time against an amendment. It may be moved by the Chair or a delegate but cannot interrupt a speaker. This motion requires a second delegate’s approval but can be overruled by Chair if there are time constraints. Chairs still should ask if there are any objections.

Motion to Follow Up

In the THIMUN procedure, this motion is not allowed in any circumstances. This motion is not open to delegates’ discussion.

Motion to Adjourn The Debate

This motion calls for the temporary disposal of a resolution. The submitter should give a short speech regarding their motion. The chair will then recognize two speakers in favor and two against this motion, the chair may limit the time of the speakers but please be consistent. The forum will then put the motion to vote. If the motion fails, debates will continue. If it passes, debate on the resolution will come to an immediate end but can be restarted by any members of the forum, if only a two-thirds majority of the house supports. Tied results mean that the motion has failed.

Motion to Reconsider a Resolution/ Move into the Forward Question

This motion calls for a re-debate and a re-vote of a resolution that has already been discussed and should only be taken into consideration if all the other resolutions are discussed. This motion is only necessary if no other draft resolutions on the issue are present. Requires 2/3 majority with no abstentions.

PROCEDURE

The following will be a brief summary of the proceedings of the Court. Each ICJ term written in bold will be explained (in the order of their appearance) in the section “the ICJ terms”. Additionally the specific duties and obligations of the presidents, judges, advocates and witnesses will be written under their respective titles.

Presentation of the memoranda: Before the conference, the advocates should have already sent their memorandum and list of stipulations to the Presidents of the court. The Judges will have read such documents prior to the conference and their content will not be discussed (though it can be mentioned) during the court proceedings.

Opening Statements & Evidence Submissions: The presentation of a case starts with the opening statement by the Applicant party. After this, the Respondent party has the right to wait until the Applicant

has rested its case, or can directly make its own opening statement. If the Respondent chooses to wait, then the Applicant will present and move evidence. The Respondent will then repeat the same procedure. The evidence is finally marked and admitted. While moving evidence, keep in mind that the Applicant party has the burden of proof.

Evidence Deliberation: After receiving tangible evidence, the judges will move to deliberation on the evidence, discussing the weight to be attributed to each piece.

Witness Deliberation & Witness Interrogation: At this stage, the court will summon witnesses named in the Witness Lists provided by the advocates to the court before the trial. First, the Applicant's witnesses will be summoned. The Applicant will conduct a direct examination, whereas the Respondent will conduct a cross-examination. Following these, the Respondent's witnesses will be summoned and the process will be repeated the other way around. After each witness has been examined, the judges will ask questions to clarify testimonies. During direct examination, leading questions may not be asked. However, such questions are permitted and even encouraged during cross-examination. Hearsay questions are entirely prohibited. The judges will then move on to the deliberation of witness testimonies.

Rebuttal: After all evidence has been heard, the Court will move to the rebuttal phase. Here, advocates have the chance to move more evidence (rebuttal evidence) and to counter the arguments of the opposing counsel.

Closing Speeches: After rebuttal, judges may put questions to advocates. Following questioning by the court, advocates will present their closing statements. During the presentation of their statements, the judgments requested are read out. (These could be as mentioned in the respective memoranda or as added in rebuttal).

Final Deliberation: Finally, advocates are dismissed and judges move to the Final Deliberation, during which they write their verdict.

Verdict: The verdict will be delivered during the closing ceremony of MUNESCO.

DUTIES AND OBLIGATIONS OF THE MEMBERS OF THE ICJ

THE PRESIDENT: The president is the highest authority in the court. The president moderates the debate and also shares the same duties as a judge. He or she is responsible for guiding other judges in case they may need supervision. The president should also make sure that advocates are well- prepared prior to the conference. The Vice President

The vice president assists the president in moderating the debate. He or she acts as a judge.

THE REGISTRAR: The Registrar marks pieces of evidence as moved. He or she is also responsible for bringing witnesses to court and swearing them in. In all other ways, he or she will perform the duties of a judge.

THE JUDGES: A judge is not a member of a delegation and does not act as a citizen of any state. He or she decides ultimately what can be taken as acceptable fact. Therefore it is essential that the judges be unbiased. A judge must not be prejudiced and has to come to a verdict only after taking into consideration all valid treaties and the obligations of international law. Judges should complete preliminary research before the trial. This should not be limited to reading the memoranda and the stipulations sent by the advocates. The judges should be familiar with the relevant aspects of the subject at hand and the points of law under which judgments should be made, but should not prejudice in favor of one particular side. The role of a judge is similar to that of a jury in the United States of America. Above all, judges **MUST** take copious notes throughout the hearing as they will be listening to speeches made by advocates and testimonies given by witnesses throughout the trial, and it is impossible for anyone to remember everything that has been said by everyone concerned. Therefore, good note taking is essential.

ADVOCATES: There are two pairs of advocates: the Applicant and the Respondent. Each has his/her own responsibilities; however, they also share similar ones. First, both are required to write a memorandum and agree upon a set of stipulations. Then, they should devise a witness list. All these documents should be in written form and sent to the court for at least two months before the trial. The applicants usually start each stage of the trial: they have the burden of proof. The respondents respond to the claims of the applicants.

TERMINOLOGY OF THE ICJ

President: In MUNESCO ICJ, there is a president, a vice president and a registrar in the court. These people are the moderators of the court and have the same responsibilities as the judges.

Judges: There will be 15 judges in the court. The judges are “finders of fact” and “triers of law”. Their duty is to take notes, be unbiased and when the time comes, to write a verdict and decide the fate of each party.

Opening Statement: Each party is expected to make an opening speech of about 30 minutes duration. During the opening speeches the parties are expected to make a presentation of the case. Both parties should be clear and concise in what they request of judges during these statements. Using phrases like “The Applicant aims to...” or “The Respondent hopes to...” is encouraged. The advocates should never make any promises that cannot be held. The opposing counsel could use such false promises against them later.

During the opening statements, the Applicant party will take precedence. (It is recommended that only one of the advocates present each opening statement). After the applicant's statement has been heard, the respondent may choose to declare their position, or wait until the applicant rests its case.

Resting the case: To rest the case means to give the floor to the opposing counsel. The parties could rest their cases after they have finished presenting their evidence or have finished putting questions to a witness.

Moving evidence: After opening statements, each party has to present and move evidence. It is advised that a maximum of 15 pieces of evidence per party be moved. (Remember that during deliberation on evidence, each judge might not have time to work on more than two pieces of evidence). A piece of evidence cannot be presented or moved unless it has been completely examined and/or read and approved by the opposing counsel, prior to the hearing. After being approved by the opposing counsel, each piece of evidence will be

presented to the court, together with indications of source, writer/creator, date of publishing and title. The opposing counsel may then object to the evidence being moved. (The motive for such objection can only concern bias in the source of information, or aspects that might otherwise compromise its credibility. However, the Court presidents have the final say on such objections and if an objection is not entertained, presidents will tell advocates that they must withdraw it).

Marking and admitting pieces of evidence: After a piece of evidence is successfully presented and moved, the registrar will mark it with sequentially identifying numerals and those of the respondent similarly, but with capital letters. Hence, the first evidence of the applicant will be "Evidence 1" and the first of the respondent's will be "Evidence A".

BURDEN OF PROOF: The Applicant has the burden of proof. This means that the evidence provided by the applicant should convince at least 51% of the judges to be considered valid. The applicant has to meet the burden of proof to "win."

Hard- Evidence: Hard-evidence is any written document, news article, scientific article, book, internet article, video etc. that are moved by the parties. This evidence must come from credible sources if it is to be counted as valid. An article from CNN.com will be considered more valid than an article from historygeekblog.com.

Deliberation of Evidence: After the evidence is presented, moved, marked and admitted, the advocates will be dismissed and the judges will deliberate on the evidence. Each judge will be given randomly one or more pieces of evidence and will work on that. They will take into consideration everything written/shown in that piece of evidence. After they have worked on their pieces of evidence, the judges will then present their findings to their fellow judges. They will then discuss the weight of the evidence. If they have any questions during this phase, they are allowed to call in and ask questions about the evidence to any of the advocates. Therefore, even though they have been dismissed, the advocates should not leave the vicinity of the Court.

Weight of a piece of evidence: The weight of any evidence is how much importance the judges will give to a piece of evidence during the writing of the verdict. The weight will depend on the credibility of the source and the relevance of its content to the case. The evidence provided by the applicant should be concise and try to make a point. However, the evidence provided by the respondent should aim to undermine the attempts of the applicant, and also to confuse the judges with an overload of information. These strategies are only Examples.

The Witnesses: The list of witnesses will be provided to the presidents before the trial, so that their contact information can be given to the advocates. It is entirely up to the advocates to ready their witnesses before the trial. They will have time (even though very little) to talk with their witnesses just before the examination. The witness is not required to do any research on the subject, as they are not actually a part of the ICJ. Their job is a voluntary one and their preparation is entirely up to the witnesses. However, as they are a really important part of the trial, it is imperative that they are thoroughly prepared.

The witness list: The list of witnesses will be provided to the presidents before the trial, so that their contact information can be given to the advocates. It is entirely up to the advocates to ready their witnesses before the trial. They will have time (even though very little) to talk with their witnesses just before the examination. The witness is not required to do any research on the subject, as they are not actually a part of the ICJ. Their job is a voluntary one and their preparation is entirely up to the witnesses. However, as they are a really important part of the trial, it is imperative that they are thoroughly prepared.

Direct examination: Direct examination is where the advocates who have summoned the witness will ask their questions. The questions that can be asked during direct examination cannot be leading questions. Therefore, the purpose of direct examination is to extract information from the witness and present it to the judges. This means that the testimonies given by witnesses will be considered as evidence.

Cross Examination: Cross-examination is when the opposing counsel examine the witnesses. During cross-examination, leading questions can and should be asked. This means that during cross-examination, the parties will try to make a point by getting the witnesses to say it, instead of saying it themselves.

Clarification: During witness examination, the judges have the right to ask questions after the direct and cross-examinations are finished. These questions can only be about the things that the witness has said during the examination. This means that they can only ask that something be clarified and may not ask questions that will take the discussion to another level.

Testimony: Testimony is everything that the witness says during his or her examination in the Court. Even though the witness's credibility depends on what the judges think, everything the witness says is considered to be evidence, even the responses they give to leading questions.

Leading Question: A leading question is a question that has the intended answer in it. In this way it is much like a well-structured point of information of a delegate. For instance: “Isn’t it true that the state of Japan has been whale hunting in the Southern Whale Sanctuary?” is a leading question. Because the answer is either: “Yes” or “No.” This question could be converted into a regular question like this: “Where did the state of Japan whale?” or “Has Japan ever hunted whales in the Southern Whale Sanctuary?” The parties have the right to object to a leading question, if it is done during direct examination.

Hearsay Question: No hearsay questions can be asked during the examination. It is, however, the duty of the advocates and not the presidents to detect and object to them. Basically, advocates cannot ask a witness questions about what someone else - someone who cannot be examined by the Court - has said or done. An example: “Ambassador of X, do tell us, did the Ambassador of Y say that they did not whale in Southern Whale Sanctuary?” This is a hearsay question because the Ambassador of Y cannot be examined.

Witness Deliberation: The procedure during this is similar to the deliberation on the evidence. The judges will discuss the credibility of the witnesses and determine the weight of their testimonies as evidence. The advocates will be dismissed at the beginning of the deliberation, but will be called upon as necessary.

Rebuttal Evidence: Rebuttal evidence is a piece of evidence moved during the rebuttal phase. It is advised that they are moved only if they are extremely vital to the case.

Rebuttal Questioning: The judges will have the chance to ask questions to the advocates after the rebuttal phase. During this, they can ask questions to either Party. These questions are asked solely for clarification purposes.

Closing Statements: The phase of the closing statements is the final phase for the advocates. During this phase, the advocates will have to wrap-up their arguments and make their final points. They also have to include their Judgments Requested in their statements. The Applicants have the right to divide their statements into two during this phase, which means that, for example, the first advocate of the Applicant can speak for 15 minutes, then yield the floor to the respondent so that they can make their 30 minute speech, and then the second advocate of the Applicant may retake the floor to deliver the final words for 15 minutes. This division is entirely up to the advocates. Unlike the opening statements each advocate from the two sides can speak during the closing statements. As with the timing, the division of this is also up to the advocates.

Judgements Requested: These judgments are those that the parties would like the judges to include in the verdict. They have to be based on legal grounds and ask for something solid. For instance a Judgment Requested could be “to ask Japan to stop JARPA II, as it is in violation of the IWRC.” These should be included in the memoranda and the closing statements. But the judgments requested in the memoranda and the closing statements do

not necessarily have to be the same.

The Final Deliberation: During the final deliberation, the judges will deliberate and write the verdict. They will first bring up the main issues raised during the presentation of the case. Then they will choose which of these issues are the most important. While these are being discussed, the judges can take three positions: concurring, separate but concurring, and dissenting. Each of these positions will write their own individual verdicts, which in turn will be written up as a whole document.

Objections: During the trial, the advocates have the right to object to certain things that might occur. First of all, nothing said or declared by the Presidents, the Registrar, or the Judges can be objected to. The only things, therefore, that can be objected to are the things that the Advocates say. An advocate may object to a hearsay question and a leading question asked during direct examination. Also if the examination seems to be moving away from the subject of the case, an objection may be raised. An advocate may object to a piece of evidence if they have logical grounds for this.

PARLIAM^YENTARY LANGUAGE

The Presidents: The presidents will be referred to as “President Last Name” or “Your Honor.”

The Registrar: The registrar will be referred to as “Registrar Last Name” or “Your Honor.”

The Judges: The judges will be referred to as “Judge/Justice Last Name” or “Your Honor.”

The Advocates: The advocates will be referred to as “Advocate/Counsel Last Name” or “The Applicant Party” or “the Respondent Party”

EXAMPLE DOCUMENTS:

The following documents were used during THIMUN 2011 in the case of Australia v. Japan.

MEMORANDUM

Statement of Facts and Proceedings

On December 2, 1946, the “International Convention for the Regulation of Whaling” was

signed by 15 nations including Australia and Japan, in Washington D.C. in order to “provide for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry”. As one of the clauses of the convention, the International Whaling Commission (IWC) was established to hold annual meetings between member nations with oversight of the convention and the capacity to make modifications or adjustments to the convention itself. Australia became a member of the IWC on November 10 1948. On April 21, 1951, Japan joined the IWC.

The people of the State of Japan (hence referred to as Japan) have been whaling since the 12th century. During the 20th century, Japan has been heavily involved in commercial whaling until the International Whaling Commission (ICW) moratorium, which set the limit on commercial whaling to zero, went into effect in 1986. Japan at first objected to this moratorium; however, it later withdrew its objections with effect from May 1, 1987. The following year Japan launched the Japanese Whale Research Programme under Special Permit in the Antarctic (JARPA), which allowed Japan to continue whaling for scientific purposes as opposed to commercial ones. Specifically, JARPA aimed to manage the whale stocks. According to an aide memoire (mentioned below in the Legal Grounds section) “ the large numbers of whales taken under JARPA programmes which outnumber the whales killed globally by Japan for scientific research in the 31 year period prior to the entry into force of the moratorium on commercial whaling”. Japan initiated JARPA II in 2005, aiming to increase the amount of whaling it does for scientific purposes.

The International Convention for the Regulation of Whaling (ICRW) was signed by the Contracting Governments in December 2, 1946. The Convention formed the International Whaling Commission (IWC). The majority of IWC member states seemingly oppose whaling for commercial purposes. This is proven by the aforementioned moratorium and the formation of the Southern Ocean Whale Sanctuary in 1994. The IWC alone has no enforcement over the member states, as it is not supported by any treaties. It is only a voluntary organization that aims to unite the Contracting Governments. The Schedule to the ICRW has articles regarding issues, such as but not limited to:

- the Southern Ocean Sanctuary (southwards of the following line: starting from 40 degrees S, 50 degrees W; thence due east to 20 degrees E; thence due south to 55 degrees S; thence due east to 130 degrees E; thence due north to 40 degrees S; thence due east to 130 degrees W; thence due south to 60 degrees S; thence due east to 50 degrees W; thence due north to the point of beginning),
- the killing for commercial purposes of minke whales using a cold grenade harpoon (objected to by Japan),
- the moratorium limiting the killing for commercial purposes of whales as zero.

CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora) is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival. CITES was drafted as a result of a resolution adopted in 1963 at a meeting of members of IUCN (The World Conservation Union). The text of the Convention was finally agreed upon at a meeting of representatives of 80 countries in Washington DC, United States of America, on March 3rd 1973 and on July 1st 1975 CITES entered in force. CITES has the membership of 175 parties among which are Australia and Japan which joined on July 29th 1976 and on August 6th 1980 respectively.

Blue whales belong to the suborder of baleen whales and with a length of over 33 metres and a weight of 180 metric tons or more, they are the largest animals ever known to have existed. Blue whales are rorquals, a family that includes the humpback whale, fin whale, Byrde's whale, the sei whale and the minke whale. Due to their immense size, blue whales are neither easy to catch or kill. Following the use of steamboats equipped with harpoons designed to kill large whales in 1864, blue whales soon began to be hunted. By the end of World War II, their population had been significantly depleted, and, in 1946, the first quotas restricting international trade in whales were introduced. These were ineffective because of the lack of differentiation between species. Blue whale hunting was banned in the 1960s by the International Whaling Commission, and illegal whaling by the USSR finally halted in the 1970s, by which time 330,000 blue whales had been killed in the Antarctic, 33,000 in the rest of the Southern Hemisphere, 8,200 in the North Pacific, and 7,000 in the North Atlantic. The largest original population, in the Antarctic, had been reduced to 5000- 12000 which is 15% of their initial number. The IUCN Red list accepts the blue whale as "endangered" as it has been since the inception of the list. On the other hand, Minke whales were the target of coastal whaling by Brazil, Canada, China, Greenland, Japan, Korea, Norway and South Africa. Minke whales were not then regularly hunted by the large-scale whaling operations in the Southern Ocean because of their relatively small size. However, by the early 1970s, following the overhunting of larger whales such as the sei, fin and blue whales, minkes attracted their attention. By 1979 the Minke was the only whale caught by Southern Ocean fleets. Hunting continued until the general moratorium on whaling began in 1986.

Following the moratorium, most hunting of minke whales ceased. Japan continued catching whales under the special research permit clause in the IWC convention, though in significantly smaller numbers. The stated purpose of the research is to establish data to support a case for the resumption of sustainable commercial whaling. Environmental organizations and several governments contend that research whaling is simply a cover for commercial whaling. The 2006 catch by Japanese whalers included 505 Antarctic minke whales.

Legal Grounds:

The Commonwealth of Australia bases their claims on the following legal grounds:

- The International Convention for the Regulation of Whaling (ICRW) of December 2

1946:

- Paragraph 10(e) of the Schedule to the ICRW, which sets a zero catch limit in relation to the killing of whales for commercial purposes,
- Paragraph 7(e) of the Schedule to the ICRW, which urges the states to refrain from undertaking commercial whaling of humpback and fin whales in the Southern Ocean Sanctuary;
- Article III, paragraph 5 of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) which makes it a requirement to have a special permit for the introduction from the sea of an Annex I listed animal as defined by the To adopt measures to avoid or minimize malevolent impacts on biological diversity as defined in Article 10(b).
- An aide memoire given by Australia, Argentina, Austria, Belgium, Brazil, Chile, Costa Rica, Croatia, Czech Republic, Ecuador, European Commission, Finland, France, Germany, Greece, Ireland, Israel, Italy, Luxembourg, Mexico, Monaco, The Netherlands, New Zealand, Portugal, San Marino, Slovak Republic, Slovenia, Spain, Sweden, the United Kingdom and Uruguay objecting to the State of Japan's scientific whaling under the second Japanese Whale Research Programme under Special Permit in the Antarctic (JARPA II) which started on November 18, 2007.
- Fundamental Principles contained in Article II; The Convention on Biological Diversity which obliges the Contracting Parties to ensure that activities within their control or jurisdiction do not cause damage to the environment of other States or of areas beyond the limits of their own control as defined in Article 3,
- To cooperate with each other, directly or through a competent international organization as defined in Article 5,

Judgements Requested:

Australia requests that the ICJ makes a judgement and decides upon the following:

1. Cease implementation of JARPA II or any other lethal research program;
2. Revoke any authorizations, permits or licenses allowing the activities which are the subject of acts of commercial whaling or lethal research;
3. Provide assurance and guarantees that it will not take any further action under the JARPA II or any similar programme until such programme has been brought into conformity with its obligations under international law;
4. Adjudge and declare that Japan is in breach of its international obligations in implementing the JARPA II program in the Southern Ocean.

VERDICT Present:

Presidents: Dayaram and Windemuth

Registrar: Rhim

Judges: Abuel, Carroll, Gruner-Hegge, Gorbounova, Greenfield, Hian-Cheong, James, Langlois, Mehra, Mikaric, Rubinstein, Sekula, Souza, Turan, Van Ledingham, Wannstrom.

The International Court of Justice,

After due deliberation,

Regarding the application by the Commonwealth of Australia in the proceedings of The Commonwealth of Australia vs. The State of Japan, concerning breaches of the International Convention on the Regulation of Whaling by The State of Japan, Whereas the parties stipulated to the following facts:

1. In 1946, the International Convention for the Regulation of Whaling (ICRW) was signed with the purpose of “providing for the proper conservation of whale stocks and thus make possible the orderly development of the whaling industry”;
2. Japan accepted the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) on August 6, 1980; Australia ratified the CITIES on July 29 1976;
3. Japan accepted the Convention on Biological Diversity (CBD) on May 28, 1995; Australia ratified the CBD on July 18, 1993;
4. The Japanese Whale Research Program under Special Permit in the Antarctic (JARPA) was launched by the Government of Japan in 1987, “with the purpose of paving the way to achieve sustainable use of whale resources” (The Institute of Cetacean Research). This program ended in 2005;
5. JARPA II was launched in 2005, echoing the purposes of the original JARPA;
6. The International Whaling Commission (IWC) has urged Japan to either withdraw the proposal of JARPA II or revise it so that any information needed to meet the stated objectives of the proposal is obtained using non-lethal means in 2005 and called upon Japan to suspend indefinitely the lethal aspects of JARPA II conducted within the Southern Ocean Whale Sanctuary in 2007;
7. The Southern Ocean Whale Sanctuary is an area of 50 million square kilometres surrounding the continent of Antarctica. The northern boundary of the sanctuary follows the 40°S parallel of latitude except in the Indian Ocean sector where it joins the southern boundary of the Indian Ocean Whale Sanctuary at 55°S, and around South America and into the South Pacific where the boundary is at 60°S;
8. With regard to the Southern Ocean Sanctuary, the ICRW, under Paragraphs 1 and 2, Article V, states that “any adopted regulations with respect to the conservation and utilization of whale resources fixing...(g) methods of measurement...shall be based on scientific findings and shall take into consideration the interests of the consumers of whale products and the whaling industry”;

The court makes the following findings of fact and/or law:

Whereas the International Convention for the Regulation of Whaling (ICRW) established the International Whaling Commission (IWC) on December 2nd 1946 and that both The Commonwealth of Australia and The State of Japan are signatories to the convention and henceforth members of the commission;

Whereas the Japanese Whale Research Program under Special Permit in the Antarctic (JARPA) and JARPA II were established under Article VIII of the ICRW;

Whereas both Australia and Japan are signatories of the Convention for International Trade of Endangered Species of Flora and Fauna (CITES);

Whereas both Australia and Japan are signatories of the Convention of Biological Diversity;
Therefore, the court finds in favor of the Respondent party, Japan, for the following reasons:

1. The evidence submitted by the Commonwealth of Australia did not sufficiently prove that the JARPA program was in violation of the ICRW;
2. Insouciant evidence was submitted to the court to prove that JARPA and The State of Japan were actively engaged in the act of whaling for commercial purposes, and, therefore, not in breach of the provisions set up in the ICRW;
3. Japan also was not in violation of the CITES or Convention of Biological Diversity as each state retains the right to issue special permits for scientific research purposes;
4. The evidence submitted by Australia was unable to justify that the quantity of whales collected by Japan and JARPA were beyond necessity for reaching scientific conclusions;
5. Insouciant evidence was submitted to prove that Japan was primarily engaged in the sale of whale meat and generating a profit from the proceeds thereof;

Therefore, the International Court of Justice ordered, adjudged and decreed that:

1. The State of Japan is not in violation of any of its international obligations concerning the ICRW;
2. Japan is entitled to continue the JARPA program to the scale it so desires under Article VIII of the ICRW;

Concurring: Justices: Abuel, Carroll, Dayaram, Gorbounova, Greenfield, Hian-Cheong, Langlois, Mehra, Mikaric, Rubinstein, Souza, Turan, Wannstrom, Windemuth.

Separate but Concurring: Justices: Gruner-Hegge, James, Van Lanningham

Dissenting: Justices: Langlois

Draft Committee: Justices: Abuel, Carroll, Gorbounova, Hian-Cheong, Mehra, Turan, Wannstrom

SEPARATE BUT CONCURRING OPINION BY JUSTICES
GRUNER-HEGGE, JAMES, AND VAN LANDINGHAM

Regarding the application by The Commonwealth of Australia in the proceedings of
The Commonwealth of Australia vs. The State of Japan, concerning the issue of whaling under
the JARPA programs,

In accordance with the majority opinion, we find in favour of the Respondent. We agree that Japan has not breached any international obligations, including the International Convention for the Regulation of Whaling, the Convention on International Trade in Endangered Species of Wild Fauna and Flora and the Convention on Biological Diversity. We also find that the evidence suggesting that Japan has taken part in commercial whaling is insufficient in that the programme cannot be characterized as a primarily commercial enterprise. We agree that Australia did not meet its burden of proof, especially in regards to showing that the number of whales killed was unjustified scientifically and harmful to the environment.

However:

Whereas, we find there to be additional compelling evidence to demonstrate the legitimate scientific nature of the JARPA II program, specifically studies undertaken by the Institute for Cetacean Research significantly advancing scientific understanding of whale biology;

We find that non-lethal research has limits, which would make the objectives of the JARPA II program difficult to achieve. Moreover, we conclude that lethal research is a necessary component of JARPA and recognize the right of the State of Japan to authorize these techniques as it sees fit under Article VIII of the ICRW.

Additionally, we believe that taking large samples of whales for research purposes serves to increase the accuracy of the data collected by the Institute of Cetacean Research, recognizing that this data is essential to the ICW and the future conservation of all whale species.

We have hereby rendered our opinion,:

Justice Nicolai Gruner-Hegge

Justice Oliver James

Justice Mariel Van LANDINGHAM

DISSENTING OPINION OF JUSTICE LANGLOIS:

Regarding the application by The Commonwealth of Australia in the proceedings against The State of Japan, concerning the case of Whaling in the Antarctic against the JARPA II program in Japan,

I Dissent:

Given the evidence presented by both parties, I believe that Japan has ignored the sentiment of various regulations involving whaling.

Therefore, I, the dissenting Justice, find that:

1. The JARPA II whaling program is a front for the black market tracking of whale meat.
2. The argument denying Japan's economic interest in whaling was significantly weakened by the attempts of the Japanese government to encourage the consumption of whale meat in younger generations, despite it being established that whales are an increasingly endangered species.
3. The Japanese delegation did not effectively refute the claim that the number of whales being killed was excessive.
4. JARPA II and all other Japanese Whaling Programs must cease all lethal methods of whale research.

I have hereby rendered my opinion, Justice Langlois