



SLS
NOIDA

**SECOND SYMBIOSIS NATIONAL
MODEL UNITED NATIONS 2014**

SEPTEMBER 27-28, 2014

ATTENDEES INCLUDE
Academicians, Ambassadors, Advocates, Researchers
and Students engaged in the field of Law & Management

ORGANISED BY
Symbiosis Law School, Noida

IN COLLABORATION



UN Information Centre
for India and Bhutan

SPONSORS



INTERNATIONAL COURT OF JUSTICE

(Ukraine v. Russia)

GENERAL RULES OF PROCEDURE

1. Structure & Agenda:

The Court shall adjudicate upon the active dispute between Ukraine and the Russian Federation on the question of Crimea. The deliberation shall be in the format of a contentious case (*Ukraine v. Russia*) wherein aspects relating to breach of sovereignty, use of force, unilateral declaration of independence may be disputed.

2. Composition:

The Court shall be composed of a total of 21 individuals which shall be divided in the following manner:

Delegation on behalf of Ukraine comprising of 3 [three] participating counsels

Delegation on behalf of the Russian Federation 3 [three] participating counsels

Participating Judges comprising of 12 members

Executive Board comprising of 3 members who shall also be serving as sitting Judges.

The delegations on behalf of the parties to the dispute may choose to make a distinction amongst themselves as an agent or a counsel, however the same may not be relevant for the purpose for the said simulation.

3. Organs of the Court:

There shall be no concept of a Presidency in this simulation. The functions of the Registry shall also be undertaken by the Executive Board. However, teams shall be allowed to make references to the panel as a whole as 'Your Excellencies' or for the sake of brevity and convenience 'Mr. President'.

4. Rules of Procedure:

Standard MUN Rules of Procedure shall not apply except those which may be purely procedural. This is because there shall be direct engagement from both parties to the dispute and on behalf of the Judges. However, the [Rules of the Court](#) shall apply, to the extent needed for the purpose of

continuance of discussion. It is also noteworthy that since the proceeding shall comprise of legal arguments and not political debates, factual inaccuracies shall be dealt with as rebuttals. Queries during the course of proceedings shall not be raised as 'Points of Order', but as a 'Clarification to the President' and shall also be recorded in writing. 'Appeal to the decision of the Chair' shall however not apply for the purpose of this simulation.

5. Evidence:

The thresholds for admissibility of evidence shall be substantially reduced. However, the hierarchy in terms of sources of law shall be strictly followed. Only the authentic texts of treaties and related authorities shall be treated as admissible. In order to determine factual considerations, credible news and government reports may also be accepted. The matters relating to admissibility and authenticity of evidence shall be based solely on the discretion of the Executive Board.

6. Jurisdictional Challenge:

Jurisdiction is open to contestation, if the Respondent i.e. Russian Federation may decide to challenge the same. The grounds for contestation must be expressly stated in the written submission (refer to Clause 10). In the event that jurisdiction is contested, the same shall be discussed as an issue at length during the oral proceedings, however, a declaration for acceptance of jurisdiction shall be assumed to be submitted by Russia for the furtherance of the discussion.

7. Oral Proceedings:

The conference shall be divided into seven sessions. Depending upon the number and nature of arguments, one or two sessions shall be devoted towards deciding every issue. The Applicant shall be given an initial period of 10 minutes to present their arguments on the said issue, which shall be followed by the Respondent who shall give a competing line of argument in 10 minutes. Every subsequent speech, for the purpose of rebuttals, shall be for a standard time period of 5 minutes.

8. Orders/Judgments:

The Judges shall be required to submit an order after the closure of every issue. The page limit for the same shall be 2 pages. Only 15 minutes shall be provided to the Judges for the formation of these orders. It is thereby suggested that the Judges must be thorough with all substantive issues of the issue released (refer to Clause 10) and must have a skeleton of the same prepared in advance. The Judges must also incorporate notes from the pleadings in their respective orders. The written submissions of the Judges will be

9. Participation of Judges in Oral Proceedings:

All judges shall be given an opportunity to ask one question each from both sides after the opening statements have been made. These questions must be written and recorded with the Registry. Also, in the course of the proceedings, Judges may avail the opportunity of posing questions to either party. These shall be addressed to the Executive Board in writing and the opportunity shall be granted subject to ratification of the Executive Board the decision for which shall be based on relevance of the said question. The active participation of the Judges shall however be ensured.

10. Written Proceedings:

There shall be no written submissions required by the parties to the dispute during the course of the simulation. However, the teams shall be required to submit an 'Application/Memorial' and a document containing 'Preliminary Objections/Counter Memorial' before the conference. The Judges shall however be involved in active drafting during the course of the Conference. The following documents shall be required to be submitted for the purpose of the present simulation:

10.1 On behalf of the Applicant: The Applicant has been given the freedom of deciding the issues that they wish to bring up for consideration. The deadline for the submission of an 'Application/Memorial' shall be **21 September 2014**. The same shall necessarily include an exhaustive list of authorities, summary of arguments, factual context and claims.

10.2 On behalf of the Respondent: Based on the response of the Applicant, the Respondents shall draft 'Preliminary Objections/Counter Memorial'. The deadline for the submission of the same

shall be **24 September 2014**. The same shall necessarily include an exhaustive list of authorities, summary of arguments, factual context and claims.

The page limit for the purpose of written submissions has been set at (8 pages + 2 pages) for the Applicant and (8 pages + 2 Pages) for the Respondent. The Applicants/Respondents may choose to file a Written Submission/Reply of 2 pages on **25 September 2014** as a short rebuttal. In case the parties do not wish to make use of the said opportunity, the page limit of 10 pages can be exhausted.

11. Deadlines

Failure to meet any of the deadlines mentioned in these rules, for the purpose of written proceedings shall lead to immediate disqualification of the contravening delegation.

12. Communication of Written Proceedings:

All written proceedings shall be emailed to the parties at the shortest possible interval post their receipt by the Organizing Committee. This is in order to facilitate active engagement before the simulation. The Judges shall receive the said documents one day before the simulation, however only the broad agendas that the parties are disputing and the list of authorities shall be released to the Judges in order to focus the ambit of their research to only relevant issues.

13. Use of Authorities and Legal Citations:

For the benefit of all participants, it is an encouraged practice that a brief context and the relevant paragraph of every case that is cited for the purpose of argumentation be clarified. It is however assumed that all parties shall have complete knowledge of the exhaustive list of authorities that are exchanged amongst the participants

14. Use of Laptops and Wifi:

The use of laptops and Wifi is permitted for SYM MUN 2014.

15. Executive Board Decision Making:

The decision of the Executive Board shall be final and binding in all matters substantive and/or procedural. All or any of the aforementioned rules shall be accordingly amended or suitably modified without challenge.