

Guide

ICC

Guide for ICC participants



MUNISH '11



Please think about the environment and do not print this research report unless absolutely necessary.

General Powers of the President

The president shall declare the opening and closing of each session or meeting, he/she will lead the discussion, ensure that all participants abide by the rules of the conference, accord the right to speak, promote general agreement of the judges and state any decisions made. The president will also, in the interest of time, limit the number of speakers, the time and frequency with which they may speak on a question. He/she may also adjourn, suspend or close debate or a meeting. He/she will be present during the judges' deliberations.

Prosecutors and Advocates:

The prosecutors and advocates are asked to thoroughly research the situation and make a list of 2-3 potential witnesses that they would like to be present during the trial. This list should be emailed to the Academic Advisors by the 6th of September. The Academic Advisors will then attempt to allocate the witnesses desired from other delegations and provide the contact details to respective parties. It is imperative that prosecutors and advocates prepare their witnesses well in advance for the trial. On the 10th of October a list of all the witnesses will be issued to both the prosecutors and the advocates so that contact can be made to the opposing party's witnesses. Contact is not mandatory but advisable.

In order to strengthen their case, the prosecutors and advocates should collect evidence. All evidence should be sent to the Academic Advisors by the 10th of October. A maximum of 15 pieces of evidence will be accepted by the Academic Advisors. Before the trial, all evidence will be presented to the court, so that if either the prosecutors or advocates have any objection to the evidence submitted, it may be discussed by both parties. The judges then decide whether the evidence may be used during the trial.

During the trial prosecutors and advocates may question their own witnesses by direct **examination** and the opposing party's witnesses during **cross-examination**. The questioning is done in the following order: direct, cross, redirect, re-cross and so forth until there are no further questions or the President decides otherwise. It is important that both parties research methods and rules of examination.

To close the case, the prosecutor and the advocate will each have 30 minutes to reinforce their arguments, conclude their case and affirm what they wish the judgment to be. The prosecutor will start, followed by the advocates; however it is possible to save some time to speak twice.

During the course of the conference, the Prosecutor and Advocates should be addressed as "Counsel".

Witnesses

The witnesses have to be real-life individuals or representatives of a community. The witness may do some research on the case, however it is important for prosecutors and advocates to keep in mind that witnesses are part of delegations in other committees and must also prepare for those committees.



Delegates, acting as witnesses, can improvise, however it has to be in keeping with the true character of the witnesses.

Judges

Prior to the conference, the judges must research the Declaration of Human Rights and have some knowledge of human rights violations. They must not contact with the prosecutors, advisors and witnesses about the case.

Before the trial starts, the judges will be presented with all the evidence and it is important that they analyze it thoroughly. To minimize loss of time, this can be done by distributing the evidence amongst the judges, so that summaries can be reported to each other.

During the trial it is essential that judges take excellent notes and ensure they are fully informed. These notes can be referred to when they have the opportunity to question the witnesses, usually at the end of an examination. The notes are also critical when summarizing each witness' testimony to be included in an end report. This report will be used during the judges' final deliberation, when a judgment and if necessary a sentence will be agreed upon. A final report shall then be produced in writing.

During the course of the conference, judges should be addressed as "Judge (*name*)" or "Your Honour".

