



PROTOCOL AND
PROCEDURE

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WELCOME

President: On behalf of the Instituto Cultural Tampico and the Secretariat we welcome you to the _____ session of the International Court of Justice of the Model of the United Nations Instituto Cultural Tampico MUNICT 2021. I will now introduce the members of the Committee Chair.

Our moderator, Mr./Mrs. _____. Next, our secretary Mr./Mrs. _____.
And I am your president: Mr./Mrs. _____. Now I yield the word to the secretary.

Secretary: Thank you Mr. /Mrs. president. I now proceed to take the roll call. Please raise your hand and say “present and voting”.

Secretary: Remember that cameras should be turned on at all times and microphones silenced when not participating.
In case of a microphone malfunction or a camera issue, please contact the Committee’s President via whatsapp.

**Secretary must call twice each Advocate and Judge before marking a non-attendance.*

Advocate number ___ of _____ / Judge of _____ (the three advocates from each country and all judges are called by the official name of the country).

**If the advocate/judge is does not answer to the roll call after being called twice:*

Secretary: The Advocate number ___ of _____ / Judge of _____ is absent.

I now yield the word to the moderator.

Moderator: Thank you Mr. /Mrs. Secretary.

OPENING OR REOPENING THE SESSION

Moderator: Advocates and judges, The Committee Chair recommends a motion to open the session. THE FLOOR IS NOW OPEN. Are there any points or motions on the floor?

A/J: Advocate number ___ of _____ / Judge of _____ would like to make a motion in order to open the session.

Moderator: There has been a motion in order to open the session. Who seconds the motion? (A/J raises his/her hand). Thank you Advocate number__of _____ / Judge of _____. /Thank you multiple seconds .

Votes in favor? (votes are counted). Votes against? (votes are counted), Abstentions? (votes are counted)

If the motion passes:

Moderator: The motion clearly passes.

If the motion does not pass:

Moderator: Sorry A/J, the motion did not pass.

OPENING THE SPEAKER'S LIST

Moderator: The Committee Chair recommends a motion to open the speaker's list. Are there any points or motions on the floor? (A/J raises his/her hand) Yes Advocate number__of _____ / Judge of _____?

A/J: Advocate number__ of _____ / Judge of _____ would like to make a motion in order to open the speakers list.

Moderator: A/Js there has been a motion in order to open the speaker's, who seconds the motion? (A/J raises his/her hand). Thank you Advocate number__ of _____ / Judge of _____. / Thank you multiple seconds. Votes in favor? (votes are counted), Votes against? (votes are counted), abstentions?

If the motion passes:

Moderator: The motion clearly passes. We're now in the speaker's list.

If the motion does not pass:

Moderator: Sorry A/J, the motion did not pass.

PRESENTING THE MEMORIALS

*Questions are allowed after the advocate finishes reading.
(Both A/J).*

Moderator: The Committee Chair recommends a motion in order to read the memorials of the APPLICANT party. Are there any points or motions on the floor? (Advocate of the APPLICANT party raises his/her hand) Yes Advocate number__of _____?

A: Advocate number ___ of _____ makes a motion to read the memorials for the time of 1 minute.

If the Advocate does not specify:

Moderator: Please reestablish for how long?

Advocate: For ___ minutes. (1:30 minutos)

If The Committee Chair considers that is too much time:

Moderator: The Committee Chair recommends _____ (less minutes). Please reestablish.

If it is said in the correct way:

Moderator: A/J there has been a motion in order to read the memorials for the time of ___ minutes, who seconds the motion? (A/J raises his/her hand). Thank you Advocate number ___ of _____ / Judge of _____. Votes in favor? (votes are counted), Votes against? (votes are counted), abstentions?

If the motion passes:

Moderator: The motion clearly passes.

If the motion does not pass:

Moderator: Sorry Advocate , the motion did not pass.

Moderator: A/Js, are there any points or motions on the floor?

Moderator: Since not/ seeing none, Advocate number one of _____ (the country who made the motion) can start reading its memorial.

(TAKE THE TIME)

Once the Advocate has finished:

or li the Advocate ran out of time:

Moderator: Sorry Advocate, your time has expired. The Committee Chair recommends a motion to let the Advocate of _____ finish his/her memorial. Are there any points or motions on the floor? (A/J raises her/his hand) Yes Advocate number ___ of _____ / Judge of _____?

A/J: Advocate number ___ of _____ / Judge of _____ wants to make a motion in order to let the Advocate of _____ finish reading her/his memorial.

Moderator: Thank you A/J. There has been a motion in order to let the Advocate _____ finish reading her/his memorial. Who seconds the motion? Thank you

Advocate number__ of _____ / Judge of _____. / Thank you multiple seconds. Votes in favor? Against? Abstentions?

If the motion passes:

Moderator: The motion clearly passes. Advocate of _____ please continue.

If the motion does not pass:

Moderator: Sorry Advocate, the motion did not pass.

Once is finished:

Moderator: Thank you Advocate.

(After each advocate finishes reading their memorial A/J may ask for a point of information maximum 3 questions per advocate)

Moderator: A/J Are there any points or motions on the floor?

Moderator: Since not/ seeing none, Advocate number__ of _____ lecture has concluded.

Moderator: Advocate number __ of ____ you can now start reading your memorial.

SAME PROCEDURE WITH THE RESPONDENT PARTY

PRESENTING THE PRELIMINARY OPINION

Moderator: Judges, now is time for the advocates and Moderator to leave the Zoom session to prepare their evidence and witnesses. Advocates, a new meeting link will be provided shortly as well as the phone number of your corresponding witness. Please leave the current session and enter the new one.

Once the advocates have left the room:

Moderator: Judges, the Committee Chair members will switch roles.

(The President will turn into a Secretary and the Secretary will turn into a Moderator).

Moderator: The Committee Chair recommends a motion in order to present and read the preliminary opinions. Judges, are there any points or motions on the floor?

Judge: The Judge of _____ makes a motion in order to present the preliminary opinions for the time of ____ minutes. (1 minute)

If the Judge does not specify:

Moderator: For how long? Please reestablish.

Judge: (reestablishes)

** THE FIRST PERSON TO SPEAK IS THE JUDGE WHO MADE THE MOTION. THE SECOND TURN TO SPEAK IS DIRECTLY GIVEN BY THE MODERATOR TO THE JUDGE WHO SECONDED.*

Secretary: The judges that want to be added to the list please raise your hand. (Look at the judges and write on the first 5 countries who raised their hands). Thank you judge from_____, Thank you judge from_____, Thank you judge from_____, Thank you judge from_____, Thank you judge from_____. Anyone else who wants to be added to the speaker's list please send a message to The Committee Chair through the session's chat.

Moderator: Judges, are there any points or motions on the floor?
At this point there can only be points of personal privilege, order and parliamentary inquiry. For any other the moderator must say: "Judge you are out of order"

Moderator: Since not/ seeing none, the Judge of ____ (the one who made the motion) can now start speaking for the time of ____ minutes.
(TAKE THE TIME)

Once the judge has finished:

Or If there's still time:

Moderator: You have____ minutes left, what do you want to do with your time?

THE JUDGE HAS 1 OPTION:

Yield it to The Committee Chair.

If the judge ran out of time:

Moderator: Sorry, your time has expired. The Committee Chair recommends a motion in order to let the judge of _____ finish his/her preliminary opinion. Are there any points or motions on the floor? (A/J raises her/his hand) Yes A/J of _____?

Judge: The Judge of _____ wants to make a motion in order to let the judge of _____ finish reading her/his preliminary opinion.

Moderator: Thank you Judge. There has been a motion in order to let the judge of _____ finish reading her/his preliminary opinion. Who seconds the motion? Thank you Judge of _____/ Thank you multiple seconds. Votes in favor? Against? Abstentions?

If the motion passes:

Moderator: The motion clearly passes. Judge of _____ please continue.

If the motion does not pass:

Moderator: Sorry, the motion did not pass.

Once is finished:

Moderator: Thank you Judge. You can now close your microphone.

Moderator: Judges, are there any points or motions on the floor?

AT THIS POINT THERE CAN ONLY BE POINTS OF PERSONAL PRIVILEGE, ORDER AND PARLIAMENTARY INQUIRY. FOR ANY OTHER THE MODERATOR MUST SAY: "JUDGES YOU'RE OUT OF ORDER"

Moderator: Since not/ seeing none, the Judge of _____(the one who seconded the motion) can now start speaking for the time of _____ minutes.

Moderated caucus discuss preliminary and memorials (Advocates are still out of the Committee)

Moderator: Judges, the Committee Chair recommends a motion in order to open a moderated caucus for the time of:_____ minutes, with the purpose of discussing the preliminary opinions and memorials. The floor is now open. Are there any points or motions in the floor?

Moderator: Yes, judge of _____?

Judge: I would like to make a motion in order to open a moderated caucus for the time of _____ minutes, with the purpose of discussing the preliminary opinions and memorials.

If the Judge does not specify:

Moderator: For how long? Please reestablish.

Moderator: Thank you Judge. Judges, There has been a motion to open a moderated caucus for the time of:_____ minutes, with the purpose of discussing the preliminary opinions and memorials. Who seconds the motion? Thank you Judge of _____/ Thank you multiple seconds. Votes in favor? Against? Abstentions?

If the motion passes:

Moderator: The motion clearly passes. Judge of _____ please continue.

If the motion does not pass:

Moderator: Sorry, the motion did not pass.

Moderator: Judges, The Committee Chair recommends a motion in order to close the Moderated Caucus. The floor is now open. Are there any points or motions on the floor?

Moderator: Yes Judge of _____?

Judge: I will like to make a motion in order to close the Moderated Caucus.

Moderator: Thank you Judge of _____. Judges, there has been a motion in order to close the Moderated Caucus, who seconds the motion? Thank you Judge of _____./ Thank you multiple seconds. Votes in favor? Against? Abstentions?

If the motion passes:

Moderator: The motion clearly passes. Judge of _____ please continue.

If the motion does not pass:

Moderator: Sorry, the motion did not pass.

(At this time, the Secretary will send a message via WhatsApp to the Committee Chair Member whose responsibility is supervising the advocates in order to inform them that time's over and they need to come back to the original Zoom session).

Moderator: Judges, The Committee Chair recommends a motion in order to recognize the advocates to enter the session. The floor is now open. Are there any points or motions on the floor?

Moderator: Yes, Judge of _____?

Judge: I would like to make a motion in order to recognize the advocates to enter the session.

Moderator: Thank you Judge of _____. Judges, there has been a motion in order to recognize the advocates to enter the session. Votes in favor?, Against? Abstentions?

If the motion passes:

Moderator: Thank you Judges, the motion clearly passes.

If the motion does not pass:

Moderator: Sorry, the motion did not pass.

PRESENTATION OF EVIDENCE

Moderator: The Committee Chair recommends a motion to present the evidence. Are there any points or motions on the floor? (Advocate raises his/her hand) Yes

Advocate number ___ of _____?

Advocate: Advocate number ___ of _____ would like to make a motion in order to present the evidence.

Moderator: Advocates there has been a motion in order to present the evidence, who seconds the motion? (Advocate raises his/her hand). Thank you Advocate number ___ of _____? . Votes in favor? (votes are counted), Votes against? (votes are counted), abstentions?

If the motion passes:

Moderator: The motion clearly passes.

If the motion does not pass:

Moderator: Sorry, the motion did not pass.

Moderator: Advocate number ___ of _____ (the one who made the motion) can now open its microphone and present his/her evidence.

(TAKE THE TIME)

Once the advocate has finished:

If there's still time:

Moderator: You have ___ minutes left, what do you want to do with your time?

THE ADVOCATE HAS 2 OPTIONS:

Yield it to The Committee Chair.

Yield it to questions.

If the advocate ran out of time:

Moderator: Sorry, your time has expired. The Committee Chair recommends a motion to let the advocate number ___ of _____ finish presenting his/her evidence. Are there any points or motions on the floor? (A/J raises her/his hand) Yes advocate number ___ of _____ / Judge of _____ . ?

A/J: Advocate number ___ of _____ / Judge of _____. of _____ would like to make a motion in order to let the advocate of _____ finish presenting his/her evidence.

Moderator: Thank you Advocate number__ of _____ / Judge of _____ . There has been a motion in order to let the ADVOCATE of _____ finish presenting his/her evidence. Who seconds the motion? Thank you A/J of _____ / Thank you multiple seconds. Votes in favor? Against? Abstentions? If the motion passes:

Moderator: The motion clearly passes. Advocate of _____ please continue. If the motion does not pass:

Moderator: Sorry, the motion did not pass.

Once is finished:

Moderator: Thank you advocate. A/J, are there any points or motions on the floor? (looking for questions) Yes Advocate number__ of _____ / Judge of _____ . ?

A/J: Point of information.

If it is in order:

Moderator: Establish

If it is out of order:

Moderator: Sorry A/J, you are out of order. The number of questions established has expired.

*** They can make a motion to open an extraordinary session of questions.**

o If the A/J does not establish a Point of Information:

Moderator: Sorry A/J you are out of order, you have to establish a point of information in order to ask a question. Reestablish please.

- If the A/J establishes a Point of Information but gives an argument instead of asking a question:

Moderator: (Interrupts) Sorry A/J you are out of order. If you want to give an argument you must ask for a "Permission to establish a brief preamble".

Moderator: Advocate of (who read the pp) _____ do you accept the question? The Advocate can accept or do not accept the questions.

A/J: follow-up?

If it is in order:

Moderator: Establish

If it is out of order:

Moderator: Sorry A/J, you are out of order. A/Js, are there any points or motions on the floor? Since not/ seeing none/ since none, the advocate number__ of_____ has concluded its presentation. The advocate number ___ of _____ (the one who seconded the first motion) is recognized to open its microphone and start presenting his/her evidence.

(AND SO ON)

- *After the advocate has finished, the moderator must ask if there are any motions or points on the floor. At this point, the advocate who wills to give their evidence must make a motion in order to present their evidence, following the same steps as the beginning of this particular section shows.*

WITNESSES EXAMINATION (AA)

- *THE WITNESS EXAMINATION IS THE POINT GIVEN AT THE TRIAL WHERE EACH ADVOCATE PRESENTS AND ASKS TO THEIR OWN WITNESS. THE ADVOCATE MUST MAKE A MOTION IN ORDER TO PRESENT THEIR WITNESSES.*
- *The witness will come to the front and read his/her respective story.*
- *Leading questions allowed.*
- *No objections allowed.*
- *Witnesses should remain with their camera off at all times. When asked, they will open their microphone and speak.*

JUDGES EXAMINATION

- *After the advocate finishes interrogating, judges can interrogate that witness.*
- *Last opportunity for judges to ask that witness.*
- *No need to make a point of information to interrogate the witness.*
- *Leading questions allowed.*
- *No objections allowed.*

Moderator: The Committee Chair recommends a motion in order to open the Witnesses Examination. Advocates, are there any points or motions on the floor?

Moderator: The Committee Chair recommends a motion in order to open the Judges Examination. Judges, are there any points or motions on the floor?

Moderator: Are there any points or motions on the floor? Since not, advocate number__ from ___ please proceed to call your witness.

Advocate: Advocate number__ of _____ would like to call _____.

Moderator: Witness ____ you can now turn on your camera and present your statement.

President: Witness _____. Do you promise to tell the truth, the whole truth and nothing but the truth?

Witness: Yes I do.

President: Thank you witness____ you may start speaking.
(After he/she finishes, the advocate will have certain time to interrogate)
(When they finish)

A: No further questions.

Moderator: Thank you advocate, thank you witness.
(Now any judge can raise their hand, wait until the moderator gives him/her the word and ask a question to the witness)
Both parties have to do the same until here.

CROSS EXAMINATION (CE)

- Any advocate can make a motion to open the CE and they can choose any witness in order to interrogate them.
- The order is not relevant and the same witness can be called more than once by the same or other advocate.
- No leading questions allowed.
- Objections by judges and other advocates may interrupt the advocate who is speaking.

Moderator: Advocates the Committee Chair recommends a motion in order to open the Cross Examination. Advocates, are there any points or motions on the floor?

Moderator: Advocate since you started the motion, please proceed to call a witness.

Advocate: Advocate number__ of _____ would like to call ____.

Moderator: Thank you Advocate number__ of _____. Witness ____ you are recognized to open your camera....

Then the advocate who seconded the motion is the next one to choose a witness and so on...

AT THIS PART OF THE TRIAL ADVOCATES MUST:

-Make the witness seem credible or not credible.

- Create a dispute over the witness' statements.
- However, in a witness examination, advocates can ask leading questions, in fact it is advised for them to use the tool of leading questions to the fullest.
For example; "you did not see the burglar getting away, did you?"

AT THIS PART OF THE TRIAL JUDGES MUST:

- Feel free to ask any questions to the witnesses in order to gather relevant information to the case.
- Judges can ask leading questions.
- Advocates will remain silent, while addressing each contention made by the opposing party and start searching for any legal arguments to prepare their finishing statements.

OBJECTIONS (YOU MAY INTERRUPT TO MAKE AN OBJECTION)

Hearsay: When the evidence said is given outside the court. For example, an individual is relating evidence based on what he/she was told by another person outside the court.

Leading question or speculation: Question that suggest an answer.
For example; But you saw him, didn't you?

Compound question: Question that asks multiple things.

Narrative: Either a witness or an advocate is telling a narrative as part of their answer.

Argumentative: When the advocate argues with the witness.

Asked and answered: When the advocate asks the same question after is being answered.

Misleading: When the question/answer is confusing.

Incompetent: When the witness is not mentally stable or very young.

Inflammatory: A question which is manipulating or irrelevant and could produce a reaction within the jury, or against the witness or defendant.

Privilege: When a witness does not have to give testimony or evidence in certain areas. For example, when a doctor witness might not have to provide answers to questions that violate the confidence between the doctor and the patient.

Immaterial: Irrelevant questions to the matter in trial, often made to manipulate the opponent.

MODERATED CAUCUS

President: The advocates from _____ and _____ are recognized to leave the session in order to re-enter the previously used Witnesses Meet session. (At this point, all advocates must leave the session in order to prepare the rebuttal and sub-rebuttal (finishing statements). The president of the committee must accompany them)

Moderator: The Committee Chair recommends a motion to open a moderated caucus with the purpose of discussing the memorials, evidence, witnesses. Are there any points or motions on the floor?
(Judge raises his/her hand) Yes Judge of _____.

Judge: The judge of _____ makes a motion in order to open a moderated caucus with the purpose of discussing the memorials, evidence, witnesses, for ___ minutes.

If the Judge does not specify:

Moderator: For what purpose and for how long? Please reestablish.

Judge: (reestablish)

Moderator: There has been a motion in order to open a moderated caucus with the purpose of discussing the evidence for ___ minutes. Who seconds the motion?
(Judge raises his/her hand) Thank you Judge of _____. Votes in favor? Against? Abstentions?

If the motion passes:

Moderator: The motion clearly passes.

If the motion does not pass:

Moderator: Sorry Judge, the motion did not pass.

o ALWAYS THE FIRST PERSON TO SPEAK IS THE ONE WHO MADE THE MOTION. THE SECOND TURN TO SPEAK IS DIRECTLY GIVEN BY THE

MODERATOR TO THE ONE WHO SECONDED. WRITE THAT DOWN SO YOU WON'T FORGET. GIVE THE WORD TO WHO RAISES HIS/HER PLACARD UP FIRST, BUT TRY TO GIVE EVERYONE A CHANCE TO SPEAK.

When time is up:

Moderator: Sorry, the time for the moderated caucus has expired. Are there any points or motions on the floor? Seeing none, the advocates and witnesses are recognized to enter the session.

FINISHING STATEMENTS

The president of the committee and advocates are recognized to enter the session and read their finishing statements the same way they would read a working paper.

Moderator: The Committee Chair requests two supporting advocates from Country A to raise their hand in order to read their finishing statements.

Rebuttal and sub-rebuttal (reading of finishing statements)

Moderator: The Committee Chair recommends a motion in order to open the rebuttal for the time of _____. Are there any points or motions on the floor?

Advocate from applicant: This advocate would like to make a motion in order to open the rebuttal for the time of _____.

Moderator: Thank you advocate number ___ of _____, you are in order. Who seconds the motion?, votes in favor?, against?, abstentions? The motion clearly passes. Applicants, you have the word.

Moderated caucus between applicant and respondent.

-Brief kind of moderated caucus in which both parties ask questions to each other and argue about their rebuttal and sub-rebuttal (finishing statements) and/or witnesses.

-Each party must defend its finishing statement and question the other one. Judges will listen.

-Any advocate can make the motion.

Moderator: The Committee Chair recommends a motion in order to open a moderated caucus between applicant and respondent parties with the purpose of discussing the rebuttal and sub-rebuttal, for the time of _____. Are there any points or motions on the floor?

Advocate: Advocate number__ of _____ would like to make a motion in order to open a moderated caucus between applicant and respondent parties with the purpose of discussing the rebuttal and sub-rebuttal, for the time of _____.

Moderator: Thank you Advocate number__ of _____. Who seconds the motion?, votes in favor?, against? abstentions? The motion clearly passes. Advocate from ___ as you started the motion, you have the word. (after he/she finishes speaking) advocate from ___ as you seconded the motion, you have the word.

Moderated caucus between both parties and judges.

- Same procedure as the previous moderated caucus, but with judges.
- Motion must be made by a judge. (As a regular moderated caucus).
- Judges will ask questions to both of the parties in order to develop their preference (which party to vote for).

Unmoderated caucus: working papers.

- Judges or advocates can make a motion in order to open an unmoderated caucus.
- There has to be only 2 working papers:
 - Applicant party.
 - Respondent party.
- Each judge will go with the party they choose.
- Judges and advocates can stand up in order to write the working papers, but they have to speak in the designated language.
- A voting process will be opened in order to choose the readers.
- One advocate and one judge per party will read their working paper.

VOTING PROCESS

Judges may vote following the voting process for a regular resolution paper voting process.

After having a winner, an unmoderated caucus is opened with the purpose of writing the deliberation.

Moderator: Judges the Committee Chair would like to make a motion in order to start a voting process for the working papers. Are there any points or motions on the floor?

Moderator: Yes Judge of _____.

Judge: I would like to make a motion in order to start a voting process for the working papers.

Moderator: Thank you Judge ____. You are in order.

Moderator: Judges, I will now proceed to take the voting process for the applicant party, please raise your hand, say (in favor/against/abstention) and explain your decision.

Unmoderated caucus: DELIBERATION

-Both working papers have to become one.

-The party that did not win the working paper will adjust to the winning party.

-A voting process will be opened in order to read the resolution paper.

-Two judges will read the resolution paper.

-No need to be approved by another committee.

-This will be the end of the trial.

CLOSING THE SESSION.

Moderator: Advocates, judges, The Committee Chair recommends a motion to close the session. THE FLOOR IS NOW OPEN. Are there any points or motions on the floor?

A/J: Advocate number__ of _____ / Judge of _____. would like to make a motion in order to close the session.

MODEL CLOSURE

Moderator: Advocates, Judges, the floor is now open. Are there any points or motions on the floor?

No points or motions are allowed anymore except for PERSONAL PRIVILEGE, or PARLIAMENTARY INQUIRY.

Moderator: Since not, I yield the word to Mr. / Mrs. President.

President: I invite those present to listen carefully to the closing statement.

President: After successfully reaching our purposes, The International Court of Justice proudly finalizes today (day / month / year), its work on the seventh edition of the Model United Nations Instituto Cultural Tampico. The Model is officially over.

[A/J: Advocate/Judge]

ENTRANCE/DEPARTURE FROM THE COMMITTEE OF A MEMBER OF THE SECRETARIAT

President: Judges, Advocates, pardon me for interrupting. A member of the Secretariat is about to enter/leave the Session Hall.

Members / Member of the Secretariat: Thank you delegates. Thank you, Mr./Mrs. President. You may continue.