

Stettin Model United Nations
StetiMUN

Rising to the challenge
Achieving equity and security

03-05 November



StetiMUN 2016

Rising to the challenge-
achieving equity and security

Dear Delegates,

I am honoured to welcome you to StetiMUN 2016 which, for the 7th time, will be held in the II Liceum Ogólnokształcące in Szczecin. As in previous years, the StetiMUN conference will attempt to find appropriate solutions for many burning issues. In this year, the topic of conference is **Rising to the challenge-achieving equality and security**, where You will be faced with problems of the modern world.

We want to give you a chance of becoming acquainted with the problems of the world we live in. We also find global problems a suitable choice as it opens a wide variety of issues that can be discussed by you.

The following Guidelines Booklet will try to help you in your preparations to StetiMUN 2016, so that you can become a perfect MUN delegate.

Since you got to this point, let's not waste any more time, and start the MUN adventure. We are hoping that you will expand your knowledge, at the same time having the time of your life.

Best regards,

Secretary General,

Paula Rahn

PAZIM



RENTAL OF COMMERCIAL SPACE

Located right in the city centre, the Pazim Complex is immediately recognizable as an office and hotel complex with a wide range of services. The complex also offers a host of services, including:

- banking and insurance
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Pazim Centre, Szczecin, pl. Rodła 8

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PartyDeco

The company PartyDeco was founded in 1995. The fact that we started with decorating wedding reception halls as well as running the shop with decorations allowed us to gain invaluable experience which is now paying off as the ability to identify our customers' needs.

PartyDeco today comprises:

- 110 employees,
- 400 square meters of offices and workshops,
- several thousand square meters of warehouse and production halls.

Our own creative design studio and customers all over Europe are the results of our effort to constantly improve the products and the service we provide. Our goal is to **become the very best in our field** not only by designing new products but also building a business organization at the highest level, using modern management and advanced information technologies. What we would like to offer to our customers is a combination of a coherent, attractive product and a modern business approach.

We put emphasis on product's and packet's designing process and the exactitude of their workmanship. Our design studio employs the industry's top designers that work through the whole year providing you with new products consistent with the latest world-wide trends in the field of design.



STETIMUN 2016 CHAIRS & ORGANIZERS

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MODEL UNITED NATIONS

Are YOU a person who believes that everyone can change the world? That everyone, in some way, can better the existence of beings around them – no matter the race, gender, age or sexuality? That by uniting we can simply save the planet?

If you have answered any of the questions above positively, then MUN which stands for Model United Nations, is the right place for YOU. It is the place for future diplomats, politicians, presidents, actors, actresses, environmentalists, economists, historians, teachers, and many others. It is the place for YOU – the student of junior high, or high school.

THE IDEA OF MUN

The idea is to stimulate the debates that take place in real United Nations Organization, with the difference of delegates whose role will be played by YOU, the students from diverse national and cultural backgrounds, taking the floor on various matters from human rights, through economy, to international security-connected. YOU will stand for the views of the country YOU choose to represent, for a few days becoming its virtual-citizen. It is a place where all solutions can be found!

THE CHANGE

The MUN represents neither executive, nor the legislative, nor any kind of power and YOU may ask a question – *how do I change the world by just talking – by doing nothing?* Well, some may call it *doing nothing*, but we like to call it *making the step forward*. Because, although we *do nothing* to the problem of violating human rights, or to the inequality among people that was discussed so vigorously during one of the debates, we *make the step forward* realizing that such issues are common in different parts of the world in the 21st century. BY MAKING THE STEP FORWARD WE INDUCE THE CHANGE.

THE EXPERIENCE

Last but not least, is *the unforgettable experience* that the MUN conferences have been bringing young people for over half a century. Ultimately this is equally as important as making oneself aware of world problems – meeting new people, facing and accepting differences that result from cultural diversities, making lifetime friendships.

The MUN experience is one of a kind – *indescribable, unforgettable*.

JOIN THE ADVENTURE!

AGENDA

Wednesday, 2.11	17 ⁰⁰ -18 ⁰⁰	<u>Registration</u>
	18 ⁰⁰ -19 ³⁰	<u>Get- together</u> and accommodation
Thursday, 3.11	9 ⁰⁰ -10 ⁰⁰	<u>Registration</u>
	10 ⁰⁰ -12 ³⁰	<u>The Opening Ceremony</u>
	12 ³⁰ -12 ⁴⁰	<i>Short break</i>
	12 ⁴⁰ -14 ⁰⁰	<u>Committees in Session</u> - ice-breakers and debates
	14 ⁰⁰ -15 ⁰⁰	<i>Lunch</i>
	15 ⁰⁰ -18 ⁰⁰	<u>Committees in Session</u> (breaks adjusted accordingly to the needs by the Chairs of the committee)
	18 ⁰⁰ -19 ⁰⁰	<i>Approval Panel for the Secretariat</i>
Friday, 4.11	9 ⁰⁰ -10 ⁰⁰	<u>General Assembly</u>
	10 ⁰⁰ -10 ¹⁰	<i>Short break</i>
	10 ¹⁰ -14 ⁰⁰	<u>Committees in Session</u>
	14 ⁰⁰ -15 ⁰⁰	<i>Lunch</i>
	15 ⁰⁰ -18 ⁰⁰	<u>Committees in Session</u>
	18 ⁰⁰ -20 ⁰⁰	<i>Approval Panel for the Secretariat</i>
Saturday, 5.11	9 ⁰⁰ -13 ⁰⁰	<u>The Closing Ceremony</u>

STETTIN MODEL UNITED NATIONS

StetiMUN is one of the few MUN conferences organized in Poland, and it is the only one in the region of Western Pomerania. Organized by the students of II Liceum Ogólnokształcące in Szczecin, ever since its inception in October 2010, it has become a well-established event among young people in StetiMUN's hometown, as well as in other cities in Poland, and abroad.

The overwhelming success and extent of the third edition – over 120 participants took part and contributed to fruitful debates – caused the Organizers to, once again, host the StetiMUN in the II Liceum Ogólnokształcące. The conference has undergone certain, important changes since StetiMUN 2010 – not only have we grown in numbers, but also wiser in organizational terms.

Now, we can proudly say that we are one of the best MUN conferences in Poland. However, the development did not cause us to abandon the tradition. StetiMUN 2010 was concerned with the region of the Horn of Africa, StetiMUN 2011 touched upon the problems of countries of the Far East, StetiMUN 2012 focused on the region of Latin America, StetiMUN 2013 raised the problematic issues of the Middle East area, whereas last year problems of Europe were raised. This year's conference concentrates on the most blazing problems of the world, with the topic „Rising to the challenge- achieving equity and security”, focusing on uneven chances around our globe.

This year we created special committees, that will bring solution of international problems to another level. In 2010 we started with only three basic UN organs: the Security Council, the Human Rights Council, the Economic and Social Council, whereas in 2016 we updated StetiMUN Conference with: the International Criminal Court, the World Health Organization, United Nations High Commissioner for Refugees and United Nations Office on Drugs and Crime.

THE PREPARATIONS

Once you have registered, there are some preparations that need to be done in order to contribute as much as you can into your participation at StetiMUN 2016. Good and thorough preparations will certainly enrich your experience of the conference.

At some point of the registration, you will be assigned to a certain country and represent it in one of the seven committees. Remember, that as the delegate *you do not represent yourself, but the beliefs of your country*. Then, it is very important to know the country you represent and to be able to present its opinions on the matters discussed. Of course, we understand that it is often impracticable to acquire the sufficient knowledge concerning certain issues, but then the application of common sense is welcome.

Useful preambulatory clauses:

AFFIRMING	HAVING HEARD	EXPECTING
ALARMED BY	HAVING RECEIVED	EXPRESSING ITS APPRECIATION
AWARE OF	HAVING STUDIED	EXPRESSING ITS SATISFACTION
BEARING IN MIND	KEEPING IN MIND	FULFILLING
BELIEVING	NOTING WITH REGRET	FULLY ALARMED
CONFIDENT	NOTING WITH DEEP CONCERN	FULLY AWARE
CONTEMPLATING	NOTING WITH SATISFACTION	FULLY BELIEVING
CONVINCED	NOTING FURTHER	HAVING CONSIDERED
DECLARING	NOTING WITH APPROVAL	TAKING INTO ACCOUNT
DEEPLY CONCERNED	OBSERVING	TAKING INTO CONSIDERATION
DEEPLY CONSCIOUS	REAFFIRMING	TAKING NOTE OF
DEEPLY CONVINCED	REALIZING	VIEWING WITH APPRECIATION
DEEPLY DISTURBED	RECALLING	WELCOMING
DEEPLY REGRETTING	RECOGNIZING	FURTHER DEPLORING
DESIRING	REFERRING	FURTHER RECALLING
EMPHASIZING	SEEKING	GUIDED BY

Useful operative clauses:

ACCEPTS	FURTHER PROCLAIMS	FURTHER INVITES
AFFIRMS	FURTHER REMINDS	GUIDES
APPROVES	FURTHER RECOMMENDS	EXPRESSES ITS HOPE
ASKS	FURTHER REQUESTS	TRUSTS
AUTHORIZES	FURTHER RESOLVES	
CALLS	HAS RESOLVED	
CALLS FOR	HOPES	
CALLS UPON	INVITES	
CONDEMNS	NOTES	
CONFIRMS	PROCLAIMS	
CONGRATULATES	REAFFIRMS	
CONSIDERS	REGRETS	
DECIDES	REMINDS	

DECLARES ACCORDINGLY	REQUESTS
DEMANDS	SANCTIONS
DEPLORES	SOLEMNLY AFFIRMS
DESIGNATES	STRONGLY CONDEMNS
DRAWS THE ATTENTION	STRONGLY URGES
EMPHASIZES	SUPPORTS
ENCOURAGES	SUGGESTS
ENDORESES	TAKES NOTE OF
EXPRESSES ITS APPRECIATION	TRANSMITS

ARRIVAL ON STETIMUN 2016

The conference officially begins on Thursday, 3 of November, however students coming from abroad or distant cities in Poland are *cordially welcome on Wednesday, 2 November*. This additional day will allow the accommodation and registration details to be settled and the integration between students. We will also try to explain the conduct of the debates for the delegates, who will attend an MUN conference for the very first time.

On Thursday, StetiMUN 2016 will officially begin, starting with the *Opening Ceremony at 10 am*.

HOW TO DRESS?

You are obligated to *follow the dress code* (no jeans, miniskirts, bare legs/arms or training shoes). Men are expected to wear a clean, wrinkle-free suit, a buttoned shirt with a tie and slacks. Women are expected to wear a clean, wrinkle-free suit, suit pants or a knee-length skirt worn with pantyhose or stockings. *Black and grey colors are preferred* – avoid striking colors and loud designs. However, if the country you represent happens to have a traditional outfit, then this is more than welcome.

DEFINITIONS

- ABSTAIN: if a delegate does not support a clause, a motion or an amendment and also does not oppose it, he/ she can abstain from voting. "Any delegates wishing to abstain from voting?"
- ADJOURN: to adjourn a debate means that the session time has ran out. It will be announced by the Chair saying that the committee will be adjourned for a break.
- AMBASSADOR: every delegation (USA, China, etc.) nominates an Ambassador, who will entertain his or her Opening Speech during the Opening Ceremony.
- AMENDMENT: an amendment is a change (addition, removal or adjustment) to a clause or a resolution. Each amendment is discussed and voted.
- CHAIR: the Chairperson's role is to conduct the debate and maintain order while remaining totally impartial. The decisions of the Chair are final. The Chair sets the time allotted to speakers, gives permission to give a speech, replies to points of parliamentary inquiry and can adjourn the meeting.

- CAUCUS: the caucus is a short break. During caucus, delegates may informally discuss and lobby ideas on the current issue. Any delegate may request a caucus as a motion.
- CO-SUBMITTER: a co-submitter is a delegation which supports the resolution and signs it before or after the debate has started.
- FLOOR: the floor is a metaphorical area, which delegates can obtain to be able to speak.
- GENERAL ASSEMBLY: the United Nations General Assembly is one of the five principal organs of the United Nations. It is the main deliberative organ of the United Nations. It consists of all the United Nations member states. As the only UN organ in which all members are represented, the Assembly serves as a forum for members to discuss issues of international law and make decisions concerning the functioning of the organization.
- HOUSE: all members of the General Assembly except for Chairs.
- LOBBYING: lobbying is an informal part of discussing draft resolutions and searching for co-submitters before the beginning of the formal debate.
- MEMBER STATE: Member States are countries in the UN who are recognized by the UN, are part of the UN and have the right to vote on resolutions and clauses.
- MERGING: the process of consolidating several draft resolutions, so that they become one, acceptable for most delegates.
- MOTION: a request made by a delegate. A delegate can request various motions.
- OBSERVER: an Observer is a delegate representing a country that is not a fully recognized UN member; therefore, these delegates cannot vote on resolutions or amendments.
- PLACARD: a placard is signed with the name of the country or organization that a given delegate represents. A placard is used by the delegate if they want to be recognized.
- POINTS: a point is a question raised with the use of a placard by a delegate pertaining to the resolution or to the committee.
- PRESIDENT OF THE GENERAL ASSEMBLY: the person who is the main authority during the General Assembly, that is the gathering of all the delegations.
- RIGHT OF REPLY: the right of reply has to be requested by a delegate if the delegate wishes to answer the previous speaker on what they said.
- RESOLUTION: a resolution is an official document, which aims to solve a specific problem. The Main Submitter of the Resolution has to find co-submitters who support the resolution and sign it as the resolution has to be written jointly with other member states who have taken interest in that specific issue.
- ROLL CALL: the Roll Call is conducted at the start of the debate within committees and after breaks. Chairs will check if all delegates are present and if the debate may begin.
- QUORUM: a Quorum is the minimum number of delegates required for a debate to start. There must be a minimum of *one third of the members* of a particular organ present for a debate to begin.
- SECOND: a second is the support of a motion called out by another delegate. Every motion must be seconded to be voted. "Are there any delegates wishing to second that motion?" "Second!"
- SECRETARY GENERAL: the Secretary General is responsible for controlling the course of the agenda of the conference and making sure that the conference runs in accordance with formal rules.
- SPEAKER'S LIST: it is the list to be held by the Chair determining which delegates will speak.
- YIELD: yielding takes place when a delegate gives the floor to another delegate or gives the floor back to the Chair.
- VETO POWER: the Five Permanent Members of the Security Council have Veto Power. The Veto Power allows them to strike a specific clause of a resolution or a resolution as a whole without question or without voting. If Permanent Members use their veto, the clause or resolution is struck immediately.



Distinguished delegates,

As the chairs of the ICC we would like to cordially welcome all the delegates, but especially those participants who will be taking part in the trials conducted by the ICC.

As we know, the topic this year's conference is "Rising to the challenge: achieving equity and security". And that is what ICC stands and aims for – protecting and fighting for justice.

This year, we would like to focus on the case of annexation of Crimea by the Russian Federation. Vladimir Vladimirovich Putin is going to be prosecuted on the charges of breaking the law of the Rome Statute.

As the revolution, called *Euromaidan* started in February 2014 the Ukrainian president Viktor Fedorovych Yanukovych was removed from power. Vladimir Putin backed by pro-russian separatists conducted the annexation of Crimea. That led to serious armed conflict in Ukraine. During this conference we would like to review this case, having listened to the testimonies of both sides, resulting in a fair and unbiased verdict.

We hope that the deliberation will turn out fruitful and enriching for every participant. It will be an unforgettable experience both for you, and us. Nevertheless, please bear in mind that the ICC Committee works on different rules of procedures than other committees and has nothing to do with the country's policies you are representing during StetiMUN 2016.

Should there arise any questions do not hesitate to contact us.

The Head of Jury, Alicja Černohorská (a.cernohor@onet.pl)

The President of the International Criminal Court, Martyna Bobala (martyna.bobala@gmail.com)

CASE STUDY

In 1994, after the breakup of Soviet Union and Ukraine regaining its independence, during the conference in Budapest, the *Budapest Memorandum on Security Assurances* was signed by Russian Federation, United States of America and Great Britain. The memorandum included security assurances against threats or use of force against the territorial integrity or political independence of Ukraine as long as Ukraine returns Russia's nuclear arms.

After the 2004/2005 *Orange Revolution*, Viktor Yushchenko becomes the president of Ukraine. But the new president doesn't meet the demand for changing the political functioning of Ukraine. Next year leads to deepening of the symbiosis between politics and business and abandonment of economic reforms. There also was no significant progress in joining *European Union* by Ukraine that led to outbreak of national revolution called *Euromaidan* (exactly 9 years later after the *Orange Revolution*). Due to significant help and influence of western countries and organizations (especially George Soros), power in Ukraine belongs to pro-western opposition, represented by Petro Poroshenko. That changes led to dissatisfaction of the part of Ukrainian society (mainly citizens of the Russian origin living in the east and in Crimea, who believes in cooperation with Russia). Victory of the pro-western opposition caused the increase of the separatist tendencies in Crimea. Crimea, since the Ukrainian's proclamation of independence, has always been an autonomous republic, so when the popular party in Crimea called *Party of Regions* was removed from the power along with president Yanukovich, residents of the peninsula begun protests against then-current government in Kiev and started manifests, declaring friendship with Russia. Threat of destabilization of the situation in Crimea, caused the Russia's Black Sea Fleet stationed in Sevastopol on 25th February 2014 to be placed in a state of combat readiness and on 26th February 2014 unmarked Russian soldiers appeared in different locations in Crimea.

Further actions conducted by president Putin led to carrying out referendum in Crimea wherein the option of joining Russian Federation won. The results of the referendum and methods of conducting it are highly doubtful.

WHAT IS THE INTERNATIONAL CRIMINAL COURT?

The International Criminal Court (ICC) is an intergovernmental organization and the first permanent international tribunal which was established to prosecute criminals or in a situation when the United Nations Security Council or individual states refer investigations to the Court.

RULES OF PROCEDURE

International Criminal Court

I. INTRODUCING THE MEMBERS OF THE COURT AND THEIR ROLES

Rule 1 – The Chairs

(a) The chairs' task is to prepare the case that will be discussed. They will also write up the present rules of procedure, study guides, collect the evidence and stay in contact with all members of the court and all parties involved in the case.

(b) The chairs will preside over all sessions of the court.

(c) They shall open and close sessions, grant the floor to parties or members of the bench and decide on objections.

(d) They shall decide on motions brought forward by either party.

(e) The head of jury with cooperation with the other judges, will write up the judgment. In the arguable situations the decisive vote belongs to the President of the ICC.

(f) The chairs only may change the rules of procedure and the amount of time given for speeches.

Rule 2 – The judges

(a)The judges will be present throughout the whole court’s proceedings, seated on the judges’ bench.

(b) They have the right to ask 3 questions to parties after each presented witness or piece of evidence.

(c)They have the right to rise motions.

(d)The judges with the help of the head of jury will draft and decide on the judgment in the end of the proceedings.

Rule 3 – The Prosecutors

(a)The prosecutors will bring forward the charges against the defendant, show evidence, examine and cross-examine witnesses and bring in motions.

(b) They must prepare an opening and closing speech.

Rule 4 – The Defence Counsel

(a)The defence has the same rules as the prosecutors. They may present evidence, examine and cross-examine witnesses and bring in motions.

Rule 5 – The Witnesses

(a)The witnesses will be presented as evidence by the prosecutors and the defence council.

(b) Each party will have the right for 3 witnesses. In the defence council one of them should be the defendant.

(c)The roles, the witnesses will be playing, shall be chosen by the prosecutors and the advocates. The roles may be either revealed before the trial or withheld till the presentation of the witnesses during the court session.

II. APPLICABLE LAW

(a)The proceedings of the court shall be conducted by obeying these Rules of Procedure and the Rome Statute for the International Criminal Court. The original Rules of Procedure and Evidence of the ICC as well as the original Elements of Crime will be also governed unless there is contradiction between the rules.

(b)If any disagreements will arise considering the Rules of Procedure it will be solved by chairs or consulted with the Secretary General.

III. THE COURT SESSION

Rule 6 - Presence

(a)The following positions have to be present during the court's proceedings at all time:

- I. The chairs
- II. The judges
- III. The office of the Prosecution
- IV. The Defence council
- V. The witnesses

(b)In case of an absence of one the following above-mentioned positions, court will call a recess until all positons have been filled in the court.

Rule 7 – The Solemn Undertaking

(a)In order for the judges to perform their functions legally, they must make the following solemn undertaking:

“I solemnly undertake that I will perform my duties and exercise my powers as a judge of the International Criminal Court honourably, faithfully, impartially and conscientiously, and that I will respect the confidentiality of investigations and prosecutions and the secrecy of deliberations.”

(b)The judges, while reading the solemn undertaking, must raise their right hand.

(c)In order for the witnesses to perform their functions legally, they must make the following solemn undertaking:

“I solemnly swear that I will tell the truth, the whole truth and nothing but the truth”

(d)The witnesses shall be undertaken individually, before each of their testimonies, with their right hand raised.

Rule 8– Motions

(a)Both parties and the judges may call for an unmoderated caucus of the court at any time. They shall propose a specific time for the length of the caucus. The President will decide on the necessity and the length of it.

(b)The opposing party may object to a request for unmoderated caucus because it may be intended to slow down the proceedings, intended to unlawfully influence a witness or infringing the rights of the opposition.

(c)Both parties can ask for the public or specific persons to be excluded in case of a disturbance of the court's proceedings, if their presence is preventing a truthful testimony by a witness or is intimidating any witness or the accused.

(d) List of motions:

- Motion to adjourn the Meeting,
- Motion to Suspend the Meeting,
- Motion to proceed to Unmoderated Caucus,
- Motion to provide evidence

Rule 9 - Points

(a)Points may be used by every member of the ICC.

(b)List of points:

- Point of information
- Point of Personal Privilege-is used when one has specific, justified need, for example wants to leave the room, asks for someone to speak up, open the window, etc.
- Point of Parliamentary Inquiry-such is made in order to ask the Chairs questions regarding the procedure.

Rule 10 – Opening Statements

(a)Before presenting the case, each party shall be granted the floor for their opening statement.

(b)Each party may either decide on one speaker for the opening statement or they may divide the time between the members of their party.

(c)The opening statements must consist of an outline of the discussed case. Overall the opening statements should be constructed in a general matter, but parties may also address concrete aspects of the case and state the reason to call specific witnesses or present other evidence.

Rule 11 – Preparation of Evidence

(a)The prosecutors and defence council have to prepare a list of pieces of evidence..

(b)If the parties decide on adding more pieces of evidence during the courts proceedings, the court will vote and decide if they are included in the case..

Rule 12 – Presentation of the case and evidence

(a)After all opening statements have been read, the prosecutors will present their case by presenting evidence.

(b)When the prosecutors decide to finish presenting their case by stating: “The prosecution rests”, the defence counsel will continue by presenting their case in the same manner.

(c)This part of the proceedings will be finished when neither side will want to call further evidence.

(d)After presentation of all the pieces of evidence prepared before by any of councils, the court will move to the calling of witnesses. That works in the same way as presenting the evidence.

Witnesses:

I. Every witness beforehand must take the following solemn undertaking: “I solemnly declare that I will speak the truth, the whole truth and nothing but the truth.”, as it was mentioned before.

II. The party who called the witness will have the right to examine the witness by asking questions. Any objection against the admissibility of a question shall be raised immediately by stating: “Objection.”

III. The objecting party is then required to state the reasons for their objection. The chairs will decide on the accuracy of the objection raised.

IV. When the party who called the witness, finished with asking questions, they must state: “Your witness.” or “No further questions” and yield the floor back to the President

of the ICC. After that, the opposing party may cross-examine the witness in the same manner. Then the party, which presents the witness may redirect. At the end of the questioning, the judges may ask questions to both the witness and also the party that called the witness.

V. Before the closing statements, parties may ask to re-call witnesses if they require further clarification on a specific. In such a case, the chairs shall decide if they allow such requests.

(e) Other evidence

I. During the proceedings, the court may allow evidence such as written documents, data files, websites, photographs, audio and video recordings to be introduced.

II. Above mentioned items may be introduced by handing them in to the chairs and asking for them to be formally accepted as evidence. The chairs will then inform both parties and all members of the court of the content.

III. Both parties may also introduce other evidence while examining a witness for the purpose of showing the item to the witness and/or ask him/her about it.

IV. Any objection to the admissibility of evidence shall be raised immediately in the manner of discussing in court.

(f) The accused

I. The defence must call the accused himself to testify. When called, he is obliged to answer questions by the defence and, during cross-examination, by the prosecution. The accused may not be called by the prosecution unless he was previously called by the defence.

Rule 13 – Reasons for Objections

(a) Ambiguous - the question is not clear and precise enough for the witness to properly answer..

(b) Argumentative - the question makes an argument rather than asking a question..

(c) Asked and answered - when the same question had been asked and they have already received an answer.

(d) Leading question - the question suggests the answer to the witness.

(e) Badgering - when any member of the court intimidates witnesses.

(f) Calls for a conclusion - the question asks for an opinion rather than facts.

- (g) Calls for speculation - the question asks the witness to guess the answer rather than to rely on known facts.
- (h) Compound question - multiple questions asked together.
- (i) Hearsay - the witness does not know the answer personally but heard it from another.
- (j) Incompetent - the witness is not qualified to answer the question.
- (k) Privilege - the witness may be protected by law from answering the question.
- (l) Irrelevant - the question is not about the issues in the trial.
- (m) Lack of foundation - the evidence lacks testimony as to its authenticity or source.
- (n) Non-responsive - the witness's response constitutes an answer to a question other than the one that was asked, or no answer at all.
- (o) Nothing pending - the witness continues to speak on matters irrelevant to the question.
- (p) Narrative - Witness relate a story rather than state specific facts.

Rule 14 - Questioning

(a) After the presentation of the case by the prosecutors and the defence council, the chairs will call an unmoderated caucus. During this time judges with the help of the chairs will privately prepare questions to either the prosecutors, the defence council or both on the discussed case. Questions may be regarding any factual or legal issues.

(b) Witnesses are presented in the following format:

I. Swearing in - witness is introduced and sworn in.

II. Initial questioning - the member of the party that is presenting the witness is allowed to initial questioning of the witness.

III. Cross examination - the member of the opposite party is allowed to question the witness.

IV. Redirect - the member of the presenting party may ask any questions that have arisen during the cross examination.

V. Judges questioning - judges are allowed to question the witness and the lawyers of the party presenting the witness.

Rule 15 – Closing statements

(a) After the presenting all pieces of evidence and questioning all witnesses, the closing statements will begin. The prosecutors will begin with their closing statement, the defence council will present theirs afterwards.

(b) Each party may either decide on one speaker for the opening statement or they may divide the time between the members of their party.

(c) The nature of the closing statements is to sum up the case. Parties must refer to relevant witnesses and other evidence.

(d) The closing statement of either party may not be interrupted by any motion or other statement. If a party wants to object against a specific statement it has to wait until the opposition closed before raising such objection.

Rule 16 – Deliberations

(a) After the closing statements, the chairs will call an unmoderated caucus in order to consult on the final deliberations.

(b) Judges, assisted by the head of jury, will privately discuss the whole case. The aim of the deliberations is to determine whether the accused is guilty of the terms of the indictment. Such guilt will only be determined if the court is satisfied beyond reasonable doubt of the fulfilment of all required elements of the specific crime.

(c) Votes are taken by majority vote amongst the judges.

Rule 17 – Judgement

(a) The judgments aim is to state the case. It will include an overview of the issue and evidence that was needed in order for the court to make this decision. It will also state the reasons for its decision.

(b) The judgment will be signed by all judges, the head of jury and the president of the ICC.

Rule 18 – Verdict

(a) The verdict will be read out by the head of jury.

(b) When the decision and sentence are read the accused is required to rise.

Bibliography:

- Klaus Bachmann and Igor Lyubashenko. The Maidan Uprising, Separatism and Foreign Intervention. Ukraine's complex transition. (2014)
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