

ARISMUN 2020: International Court of Justice

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INTRODUCTION TO THE COMMITTEE

The International Court of Justice (ICJ) situated in the Peace Palace in the Hague, is the principal judicial organ of the United Nations. Established in June 1945, the ICJ deals exclusively with legal disputes between States but also gives advisory opinions on legal questions. The ICJ consists of 15 judges, each elected for 9 years. The session will be led by the President and Vice President but for this conference, we will mainly be following general MUN rules.

To read more about the judge that you have been assigned, refer to:
<https://www.icj-cij.org/en/current-members>

TOPIC A: ADVISORY OPINION ON THE LEGAL CONSEQUENCES OF THE CONSTRUCTION OF A WALL IN PALESTINIAN TERRITORY

HOW COMMITTEE WILL WORK

To begin, all judges should prepare an opening statement of around 250 words or that is less than 1 minute long. For the sake of debate, judges are expected to provide opinions and clauses supporting either side. Judges are expected to have 1 preambulatory and 2 operative clauses. The rest of the session will follow normal MUN procedures where a resolution will be written. For better flow of debate, the resolution will not be an advisory opinion but rather a judgement.

** Delegations of Croatia and Serbia may adopt neutral positions to participate in this topic.*

INTRODUCTION

Israel has been accused of violating the International Law according to the United Nations. The Palestinian government denounces the construction of the wall, claiming its impact goes beyond its legality. Many individuals, in addition to losing land to the Wall's footprint, were separated from agricultural lands, water wells, irrigation networks and social services such as schools. This wall also prevents communities from engaging in economic activities with each other.

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In 2002 Israel started the construction of a Wall that stretches for about 700 kilometers. The Israeli government claims the wall was built for security purposes, with this excuse they have continued to build the wall choosing to ignore its obvious direct side effects.





BACKGROUND KNOWLEDGE

The Israeli-Palestinian conflict is one of the world's longest-running and most controversial conflicts. At its heart, it is a conflict between two self-determination movements — the Jewish Zionist project and the Palestinian nationalist project — that lay claim to the same territory. But it is so, so much more complicated than that, with seemingly every fact and historical detail small and large litigated by the two sides and their defenders.

TIMELINE

- I. The construction of the wall began in 2002.
- II. On 8 December of 2003, the General Assembly of the United Nations held its 10th emergency meeting and adopted a resolution in which they asked for an urgent advisory opinion from the International Court of Justice. The ICJ was asked to provide the legal consequences of the wall being built by Israel (the occupying power) in the occupied Palestinian territories.

Topic B: Croatia v Serbia (Genocide Case)

HOW COMMITTEE WILL WORK

All states involved in the matter will be asked to present its case to the house followed by questions from the judges. The judges will then be given time to form opinions and questions. States will be given the opportunity to provide evidence which will be followed by rounds of questions. Finally states will be asked to make their closing remarks and a decision will be made.

INTRODUCTION

On the 2nd of July, the Croatian government filed an application against the Republic of Yugoslavia (now referred to in part and in this report as Serbia) of committing genocide in the town of Vukovar and elsewhere in 1991 during Croatia's War for Independence. The Battle of Vukovar was one of the bloodiest battles on Croatian soil, lasting around 87 days. Many civilians were forced to flee their homes or were said to be captured and sent to concentration camps. On the 11th of September 2002, Serbia filed preliminary objections to the accusation and on January 4th 2010 accused Croatia for the expulsion of more than 200,000 Serbs from Croatia as a counterclaim..



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KEY TERMS

- Genocide: the deliberate killing of a large group of people, especially those of a particular nation or ethnic group.
- Genocide Convention is an instrument of international law that codified for the first time the crime of genocide. The Genocide Convention was the first human rights treaty adopted by the General Assembly of the United Nations on 9 December 1948 and signified the international community's commitment to 'never again' after the atrocities committed during the Second World War.

BACKGROUND KNOWLEDGE

The Croatian War of Independence (1991-1995) was started as a response to the oppressive behaviour of Yugoslavia. Croatia became part of Yugoslavia in 1945, a government that ruled many states now known as Montenegro, Serbia, Slovenia, Bosnia and Herzegovina and Croatia. The Croatian Spring of 1971 sparked a nationalistic movement that resulted in Croatia declaring independence from Yugoslavia in 1991.

MAJOR STAKEHOLDERS

Croatia and Serbia are the main stakeholders present today so they will play the biggest role. When presenting the case and offering a rebuttal, delegates must be prepared to answer tough questions from the judges in addition to having anticipated the moves of the opposing state. Opening statements should include arguments why they are correct, why the other party is in the wrong, suggestions for actions that should be taken etc.

Further Reading

<https://www.icj-cij.org/en/case/118>

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