

# Court of Justice of the European Union



## Rules of Procedure

# **Court of Justice of the European Union Rules of Procedure**

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## MODEL COURTS OF JUSTICE 2026

### RULES OF PROCEDURE

#### **SECTION A: GENERAL PROVISIONS**

##### **Article 1: Rules of Procedure**

1. *The Rules of Procedure* are adopted prior to the Oral Proceedings before the Court and shall not be appealed.
2. Interpretation of the Rules of Procedure shall be reserved exclusively to the Secretariat unless the President of the Court is explicitly authorized.

##### **Article 2: Prevalence of Good Faith**

1. The manifest abuse of a right, granted by the Rules of Procedure to Members of the Court, is not protected.
2. Such interpretation shall be in accordance with the wording and the spirit of the Rules of Procedure.

##### **Article 3: Language**

1. English is the official and working language of Model Courts of Justice.

##### **Article 4: Dress Code**

1. The dress code is formal business attire and is mandatory during the Conference.

##### **Article 5: Secretariat**

1. The Secretariat shall consist of the Secretary-General, the Under Secretaries-General, and Assistants-Secretaries-General.
2. Secretariat shall refrain from any action that might undermine their position.
3. The Secretary-General may at any time address or authorize the Under Secretaries-General to address the Court in relation with the Oral Proceedings.
4. The Secretary-General may temporarily designate a member of the Secretariat to act in their place.
5. In the absence of the Secretary-General, Under Secretaries-General shall perform all duties and obligations in their absence.

##### **Article 6: Courtesy and Disciplinary Rules**

1. All participants hold the responsibility to show utmost respect to each other, to use a formal language while addressing the Court and to act accordingly.
2. Official warnings may only be given by the President when a participant persistently acts against the Rules of Procedure.

3. Three official warnings shall lead to the dismissal of the concerned participant temporarily or indefinitely upon the Secretariat's discretion.

#### **Article 7: Electronic Devices**

1. The use of any electronic devices that allows the participants to communicate among themselves or with external parties is strictly prohibited.
2. The President may allow the Parties to use electronic devices if and only if the Advocate is obliged to make references to a document that is not in hard-copy.
3. The President may allow the Judges to use electronic devices during Deliberations to draft the Judgment or individual opinions.
4. The President may allow the Judges to use electronic devices to their discretion during sessions if explicitly authorized by the Secretariat.

#### **Article 8: Note Passing**

1. All communications between the Judges shall be performed by formal note passing under the supervision of the President.
2. Note passing between opposing Parties or between Parties and Judges are strictly prohibited.

#### **Article 9: Quorum**

1. The quorum is met when simple majority of the registered Judges and at least one counsel from each party are present in the Court room.
2. Verification of the quorum shall take place at the commencement of each session by the President via rollcall.
3. Members who are late to the sessions shall pass a note to the President in order to be eligible to participate in the proceedings.
4. The quorum shall form the basis of the majorities required for the decisions to be taken during the entertainment of Motions or the adoption of the Judgment.

### **SECTION B: COMPOSITION OF THE COURT**

#### **Article 10: Members of the Court**

1. The Court shall consist of the Judges, the Court Presidency, the Court Registrar, two Advocates for the Applicant Party and two Advocates for the Respondent Party.

#### **Article 11: Presidency**

1. The Presidency shall be composed of a maximum of two President Judges of equal authority unless explicitly stated under following Articles.
2. The Presidency shall be responsible for the implementation and observance of the Rules of Procedure and moderation all phases of the Oral Proceedings.
3. The Presidency shall refrain from any actions that might undermine their impartiality and credibility within their position and shall be responsible to the Secretariat.

4. The Presidency shall also behold the rights and duties of the Judges and have an equal vote in substantive and procedural matters during the Oral Proceedings.
5. The Presidency, after the Oaths are completed, shall announce the beginning of the
6. Oral Proceedings as “*Court convened.*”
7. The Presidency shall announce the Judgment of the Court.
8. The Presidency shall announce the adjournment of the Court after the Judgment has been announced, as “*Court adjourned.*”
9. Article 14 shall apply to the President and Vice-President in its entirety.

### **Article 12: Appeals to Decisions of the Presidency**

1. Any decision of the Presidency, with the exception of matters that are explicitly stated within this very document, may be appealed immediately after it has been made, by the Judges or the Parties depending on the phase of the hearings.
2. A member of the Presidency may speak briefly in defense of the ruling. The appeal shall then be put to a vote among the Judges. An “*in favor*” vote indicates support for the Presidency’s ruling whilst an “*against*” vote indicates opposition to it.
3. The decision of the Presidency shall stand unless overruled by **a two thirds majority** of the Judges.
4. Presidency shall not have any part in the voting process of the appeal.

### **Article 13: Registrars**

1. The Registrar shall take and preserve a full and accurate, copious record of all Court proceedings including arguments of the Parties, substantive Deliberations of the Judges, Statements of Experts, and procedural decisions taken by the Presidency.
2. The Registrar shall have the custody of all the Evidence and other materials offered during the hearing, subject to any order of the Court.
3. The Registrar shall take and record the Oaths of the Presidency, Judges and Parties before the commencement of the Oral Proceedings.
4. The Registrar shall take and record the Oaths of the Experts prior to their Statements before the Court.
5. The Registrar shall study the case to the detail and if need be, she/he may be required to share her/his knowledge of facts upon the Motion of a Judge during the Deliberations.
6. The Registrar is not a Judge therefore does not have a right to vote in procedural or substantive matters.
7. The Registrar shall provide linkage between the Court and the Press Team of Model Courts of Justice. She/he is hereby authorized to inform the Press of the Deliberations; however is strictly prohibited from leaking any information that will have substantive impact on the hearings before the Court.
8. It is strictly forbidden for the Registrar to address the Court unless explicitly authorized by the Presidency.

### **Article 14: Judges**

1. Judges must conclude the case in accordance with international law on the specific case and reach a Judgment.
2. The final Judgment of the Court shall be written by the Judges.
3. Judges are entitled to question the Parties in the designated phases of trial under the moderation of the Presidency.
4. Each Judge has one equal vote in procedural and substantive matters.
5. In the case of a tie, the vote of the Presidency shall prevail.
6. Should any Judge fail to be unbiased, the procedure of the official warning may be in order.

### **Article 15: Advocates**

1. Advocates represent parties to the case as two for the Applicant and two for the Respondent and are obliged to act for the best interest of their respective parties represented through written proceedings prior to the hearings as well as in the oral proceedings.
2. The Applicant Party shall submit a Memorial and the Respondent Party a Counter-memorial in designated deadlines before the Oral Proceedings take place. The Secretariat and the Presidency shall ensure that the Judges are aware of the content of the Memorials.
3. Parties shall be required to submit Stipulations before the Presentation of Evidence material.
4. Advocates do not have a right to vote in procedural matters before the Court.
5. Advocates shall make all their statements standing before Court.

## **SECTION C: ORAL PROCEEDINGS BEFORE THE COURT**

### **Article 16: Oaths**

1. Before exercising their functions under the Rules of Procedure, the Oaths given in the following paragraphs shall be made by the President, and the Judges.
2. The Registrar shall take the Oaths prior to the Oral Proceedings. In their absence, the administrative staff or any other party authorized by the Secretariat can also take the Oaths.
3. The Oath for the President shall be taken as follows:

*“I solemnly undertake that I will perform my duties and exercise my powers as the President Judge honorably, faithfully, impartially and conscientiously, and that I will respect the confidentiality of the submissions and the secrecy of Deliberations.”*

4. The Oath for the Judges shall be taken as follows:

*“I solemnly undertake that I will perform my duties and exercise my powers as a Judge honorably, faithfully, impartially and conscientiously, and that I will respect the confidentiality of the submissions and the secrecy of Deliberations.”*

5. The Oath for the Advocates shall be taken as follows:

*“I solemnly declare upon my conscious and honor that I will speak the truth, the whole truth and nothing but the truth.”*

6. After the Oaths are completed, the President shall announce the beginning of the Oral Proceedings as stated in Article 10 paragraph

### **Article 17: Burden of Proof**

1. The burden of proof is a prerequisite of the evidence and, as the duty of proving a claim, shall primarily rest on the Applicant.

2. Fulfilling the burden of proof by proving an incident, the Applicant shall carry the benefit of the doubt and the burden of proof shall shift to the Respondent.

3. Burden of proof may also be shifted if the Respondent has extraordinary claims such as trying to disprove an acknowledged fact.

4. Where the burden of proof is shifted, the Respondent bears a burden to present evidence to refute the presumption or to prove their extraordinary claims.

### **Article 18: Opening Speeches**

1. After the solemn undertaking of the Judges and the Parties, the Court shall proceed with the opening statements.

2. The Applicant Party shall be the first to make an opening statement, to be followed by the Respondent.

3. The opening speeches shall briefly summarize the arguments of each Party mentioned in the Memorials, and what they will pursue during Oral Proceedings.

4. The time allocated for opening statements - equal for each Party - will be determined by the Presidency before the commencement of speeches.

5. Immediately after the announcement of the time, Advocates may raise a Motion once to alter the speakers' time. A simple majority of the Judges present (including the Presidency) is required for the Motion to pass. Should the Court accept the Motion, the speakers' time will be altered for both Parties.

6. Unless decided otherwise, the default duration of the Opening Statements is fifteen minutes for each party.

7. Advocates may split the time allocated for their Opening Statement among themselves.

### **Article 19: Stipulations**

1. A Stipulation is a document agreed upon by the Applicant and Respondent Parties which states a certain number of predetermined facts that cannot be challenged during the trial.

2. Preparation of the Stipulations shall start after both sides are finished with the opening statements, while the Judges are deliberating on the case. The Advocates will be dismissed and be required to prepare the document before the presentation of the evidence.

3. Should the Advocates fail to produce Stipulations, they will not be able to rely on predetermined facts that are privy from being disproven by the opposing Party.
4. Stipulations shall be in the form of a simple list clearly defining the events and facts that both Parties acknowledge and agree upon.
5. Stipulations must be signed by all Advocates on all sides before it can be delivered to the Court.

#### **Article 20: Presentation of Evidence Material**

1. The Applicant Party shall be first to present Evidence Material, to be followed by the Respondent Party.
2. Before the presentation of the Evidence Material, Parties shall state:  
*“May it please the Court”*
3. Parties shall present any evidence material such as international treaties, legal sources, reports, resolutions of international organizations, news articles, maps, charts, videos, photographs, written Statements of Experts or anything in essence that supports the construction of the case.
4. Each piece of Evidence shall be submitted to the Court before its presentation.
5. The Court shall have the authority, in accordance with their discretion, to assess freely all Evidence submitted in order to determine its relevance or admissibility.
6. After the Applicant is through with the Presentation of Evidence Material, Judges may question the Advocates for the Applicant Party during which Article 21 provisions shall apply. The Court shall then move on to the presentation by the Respondent. The Judges are also entitled to question the Respondent Party in the same manner.
7. An issue relating to the authenticity, if existing, must be raised by the opposing Party, at the time dedicated for the evidence to be submitted to the Court. An Objection Immaterial shall be in order.
8. If the issues were not known at the time when the Evidence was submitted, it may also be raised in writing immediately after the issue has become known.
9. Evidence ruled immaterial shall not be considered by the Court.
10. The Presidency shall ensure that both Parties use equal amount of time for the Presentation of the Evidence Material.
11. Parties may divide the phase into two for each Advocate to have their turn.

#### **Article 21: Questioning of Advocates by Judges**

1. The Judges may interrupt the Advocates to ask questions at any time during the Presentation of Legal Arguments.
2. Each Judge shall ask one question at a time; but the number of questions per Judge shall not be limited.
3. The Presidency may allow follow-up questions if the request is raised by the Judge whose question has just been answered. The Presidency shall have absolute discretion on this matter.

4. There is no time limitation for this phase; yet the Presidency shall have the discretion to terminate the phase in accordance with the flow of the discussions.
5. The time spent on questions and answers shall not be deducted from the time of Advocate.
6. Only the Advocate addressed shall answer a question. Interruption by the other Advocates is strictly prohibited.
7. The Presidency may overrule questions at their discretion.
8. The Presidency may rule out further questions during a phase to their discretion.

#### **Article 22: Statements of Experts and Witnesses**

1. Judges shall be entitled to call Experts and Witnesses before the Court.
2. The Registrar shall take the Oath which must be spoken as follows:  
*“I solemnly declare, upon my honour and conscience that I shall speak the truth, the whole truth and nothing but the truth.”*
3. Experts must be legally competent to give their statements under Oath.
4. Experts before the Court shall state their opinion regarding the subject that they have been requested.
5. Witnesses can only be called upon if available.
6. Time allocated for this phase shall not be limited, yet the Presidency may exercise discretion to terminate, in accordance with the flow of the discussions.
7. Upon the Motion of a Judge, should the Court accept the Motion, an Expert can be recalled to the Court before the closing statements.

#### **Article 23: Rebuttal**

1. During the Rebuttal Phase, the Applicant shall compensate for the lacking sections of their arguments and respond to the claims of the Respondent.
2. Responses to the claims of the Respondent, evidence presented, and questions posed by the Judges shall constitute the content of Rebuttal. Presentation of new arguments is strictly prohibited.
3. Time allocation shall be decided upon by the Presidency, treating each Party equally.
4. Parties may divide the phase into two, entitling both Advocates to speak.
5. Following the Rebuttal, the Judges shall have the opportunity to question the Parties. Article 21 provisions shall apply to this phase.

#### **Article 24: Surrebuttal**

1. During Surrebuttal, Respondent shall respond to the Applicant's rebuttal.
2. The scope of surrebuttal shall be limited to the content of Rebuttal.
3. Provisions of Article 23 shall apply to the phase regarding time allocation, division among Advocates, and questioning by the Judges.

### **Article 25: Closing Speeches**

1. During the closing speeches, Parties shall briefly summarize what they have proven during the presentation of the case. The speech should include a suggestion to the Judges for the final adjudication, in accordance with their claims in the Memorials.
2. The Respondent shall be the last to make their closing statement.
3. Article 18(4) applies to the closing speeches.
4. Parties cannot divide this phase; only one Advocate on each side may make the closing speech unless otherwise decided by the Presidency.

### **Article 26: Rules Governing Points and Motions during Oral Proceedings**

1. Parties and Judges shall be entitled to raise Points of Personal Privilege, Parliamentary Inquiry, and Order during Oral Proceedings.
2. The Presidency must entertain and decide on the Points so as long as they are not disruptive.
3. Parties shall be entitled to raise a “Motion to Extend the Speaker’s Time” in designated phases of Oral Proceedings as described in this Section.
4. Parties and Judges may raise a “Motion to Suspend Proceedings” for designated breaks.
5. The Presidency shall announce the adjournment of the Court, after the Judgment has been announced, as stated in Article 10, paragraph 7.
6. Presidency shall entertain Motions. Simple majority of the Judges and Presidency is required for a Motion to pass.
7. Substance of the Points and Motions described in Section D shall apply to this Section.

## **SECTION D: RULES GOVERNING THE DELIBERATION OF THE JUDGES**

### **Article 27: Deliberation of the Judges**

1. Deliberation is the act of carefully considering issues and options before making a decision or taking action. Following phases described in Articles 18, 20, 22, 23, 24, and 25, Judges shall move to their Deliberation sessions and act according to the procedure described in this Section.
2. The Judgment shall be written during the final Deliberation session.
3. Members of the Presidency, the Secretariat, the Judges and third parties authorized by the Secretary-General can be present during deliberations with an exception of Article 21.
4. Time allocated for each Deliberation shall be determined by the President in accordance with the flow of the discussions.
5. While making their statements, Judges shall never be required to stand up.
6. The President shall moderate the Deliberations.
7. The President shall entertain Points and Motions. They shall decide on the Points. Motions shall be decided by themselves and Judges through voting.

### **Article 28: Summons for the Advocates**

1. Upon the Motion of a Judge or the discretion of the President, the Court may summon the Advocates to the Court room. Such Motion shall pass with the **simple majority** of the Judges. During the Summons, Advocates shall join the Deliberation of the Court. The
2. following rules shall apply:
  - a. Advocates' participation shall be **strictly** limited to:
    - i. Answering questions posed by Judges, upon the explicit referral of the President,
    - ii. Asking questions to fellow Advocates, upon the explicit authorization of the President.
  - b. Advocates shall ask their questions through the following procedure:
    - i. Advocates shall send a request to the President including the particular question through message paper, and wait for the approval,
    - ii. Follow-up questions shall not be in order,
    - iii. Each request shall be limited to one question.
3. There shall be no time limitation for this phase; yet, the President shall have the discretion to end the Summons in accordance with the flow of the discussions. The decision shall be open to appeals.

### **Article 29: Tour de Table**

1. The President shall have the discretion to conduct a Tour de Table at any time during Open Discussion.
2. During Tour de Table, each Judge shall briefly outline their views on the matter under discussion.
3. The time allocated per each speaker shall be determined by the President.
4. The President shall be included in the Tour de Table.

### **Article 30: Open Discussion**

1. During Deliberations, the Court will by default be in a state of Open Discussion.
2. During an Open Discussion, members present may raise their placard for a turn to speak when asked by the Presidency.
3. Members shall not speak out of turn.
4. The Presidency shall order the requests and entertain speakers when it is their turn.
5. The Presidency may set a time limit on speeches or terminate a speech at their discretion.
6. The Presidency may call upon any present member to speak if there are no raised or existing requests to speak.
7. The Presidency may grant themselves a turn to speak at any time between speeches.
8. The Presidency may open the floor for Motions at any time between speeches.
9. If there are no Motions on the floor, the Presidency shall continue with Open Discussion.
10. If a Motion passes, the Open Discussion is suspended for its duration.

### **Article31**

1. When in an Open Discussion; Judges may yield their remaining time in two ways as follows:
  - a. Yield to another Judge, or,
  - b. Yield to Points of Information.
2. Judges shall be allowed to refrain from yields. When there are no yields, the P resident shall proceed with the Open Discussion.
3. The Presidency may prohibit yields at their discretion.
4. In case of yielding the floor to another Judge; the President shall ask the particular Judge to whom the yielding Judge refers if they wish to take the floor. Should the latter accept, they shall use the remaining time to make their statements. If the President has been yielded the floor; they shall immediately proceed with accepting or rejecting the yield. The latter speaker shall not be entitled to yields.
5. In case of yielding the floor to Points of Information; the P resident shall ask the remaining Judges if there are any questions directed to the yielding Judge. The yielding Judge shall answer any question directed to her/him until the yielded time lapses. Recognition of a follow-up question shall be up to the discretion of the President.
6. Only the answer shall be deduced from the remaining time.
7. Yields to yields are not in order.

### **Article32:UnmoderatedCaucus**

1. A Judge may propose moving to an unmoderated caucus by raising a “Motion for an Unmoderated Caucus”. Such a Motion may be raised during Open Discussion when the President announces the floor is open for Motions.
2. The Judge raising the Motion shall briefly explain the purpose and specify a time length of the caucus, if any.
3. The President may rule the Motion out of order without any possibility of appeal or may alter the length of the caucus and put it to a vote.
4. Adoption of the Motion requires the approval of the **simple majority** of the Judges.
5. Adoption of such a Motion temporarily shall suspend the Open Discussion for the specified time and the Judges shall carry a formal discussion without leaving the Court.

### **Article 33: Moderated Caucus**

1. A Judge may propose moving to a Moderated Caucus by raising a “Motion for a Moderated Caucus” during Open Discussion in order to facilitate debate on a specific issue when the President announces the floor is open for Motions.

2. The Judge raising the Motion must state the purpose of the moderated caucus and specify a total time for the caucus, not exceeding twenty minutes, and the time per each speaker.
3. The President may rule the Motion out of order without any possibility of appeal or may alter time per speaker, the total length of the caucus, or the purpose of the caucus, and put it to a vote.
4. Adoption of the Motion requires the approval of the **simple majority** of the Judges.
5. Adoption of such a Motion shall temporarily suspend the Open Discussion for the specified time and the Judges who signify their desire to speak by raising their placards may speak in turn upon recognition of the President.
6. The President may interrupt the speaker if the speaker exceeds the allocated time or if the speaker's remarks are not relevant to the topic under discussion.
7. Where there are no Judges who desire to speak or when the total time has expired; the moderated caucus shall end and the Open Discussion shall resume.

#### **Article 34: Extensions**

1. A caucus may be extended with a "Motion to Extend the Previous Motion" given by a Judge right after the allocated time for those moderated or unmoderated caucuses have lapsed.
2. The Presidency may rule the Motion out of order without any possibility of appeal.
3. This Motion shall be put a vote immediately after its proposal and its adoption requires a **simple majority** of the Judges.
4. The extension may not be longer than the caucus itself, unless otherwise is decided by the President for the sake of the Deliberation.
5. A caucus may only be extended once unless otherwise is decided by the President for the sake of the Deliberation.

#### **Article 35: Right of Reply**

1. Any Judge or Advocate whose personal integrity has been accused by another Judge or Advocate may submit a request for a Right of Reply to the Presidency through a message paper.
2. The Presidency shall grant the Right of Reply at their discretion. The decision is unappealable.
3. The Judge or Advocate granted a Right of Reply shall address the Court to defend her/his integrity in specified time determined by the President, not exceeding two minutes.

#### **Article 36: Point of Personal Privilege**

1. Members of the Court may request the President to intervene provided that a situation prevents their ability to participate in the proceedings through a "Point of Personal Privilege".
2. A Point of Personal Privilege may not interrupt the speaker unless it is raised due to inaudibility.

### **Article 37: Point of Order**

1. Members of the Court may raise a “*Point of Order*” to indicate an improper implementation of the Rules of Procedure by the Presidency or any other member of the Court.
2. The Presidency shall immediately take into consideration the Point pursuant to the Rules of Procedure.
3. A Point of Order which is dilatory or improper may be ruled out of order. This may be appealed by the members of the Court, subject to a two-thirds majority.
4. The Member of the Court raising a Point of Order may not speak on the substance of the matter under discussion.
5. A point of order may only interrupt a speaker if the speech is not following proper parliamentary procedure.

### **Article 38: Point of Insistence**

1. If the member of the Court whose Point of Order is overruled by the Presidency still believes that a rule of the Rules of Procedure is being violated, he/she shall raise a “*Point to Insistence on the Article ....*”, via stating the specific Article. The Presidency is obliged to accept a Point to Insistence in any case, check the relevant Article and announce the outcome to the Court.
2. A Point to Insistence may only be raised immediately after the overrule decision in accordance with abovementioned criteria.
3. If usage in bad faith of a Court member to prejudice the Court proceedings is detected, the Presidency may foreclose that specific member from raising Point to Insistence with the consent of the Secretariat, pursuant to the Article 2 of this Rules of Procedure. Several overruled Point to Insistence of the same member shall constitute a presumption of bad faith.
- A4. Point of Insistence to the overrule decision of a Point of Insistence is not in order.

### **Article 39: Point of Information**

1. During Open Discussion, Judges may direct questions to their fellow members of the Court upon the President’s recognition, if the speaker yields the floor to Points of Information.
2. A Point of Information may also be raised to the P resident, at any time during the deliberations, to raise a substantial question regarding the case.
3. A Point of Information can never interrupt a speaker.

### **Article 40: Point of Parliamentary Inquiry**

1. Members of the Court may raise a Point of Parliamentary Inquiry requesting an explanation on the Rules of Procedure from the President.
2. A Point of Parliamentary Inquiry may neither interrupt a speaker nor be in regard to substantive matter.

### **Article 41: Suspension of the Deliberations**

1. At the end of each Deliberation, or before the designated breaks; the President shall open the floor for the suspension of the Deliberations till the subsequent one.
2. The Motion shall pass with the approval of the **simple majority** of the P resident and Judges.

### **Article 42: Closure of the Deliberations**

1. A Motion for the Closure of the Deliberations shall be raised by the Judges.
2. The Motion shall pass with the approval of the **two-thirds majority** of the P resident and Judges.
3. When the Deliberations are closed, President and Judges shall move onto the announcement of the Judgment.

### **Article 43: Points and Motions**

1. In case where multiple Points and Motions are proposed at the same time, the proposed Points and Motions shall be ranked pursuant to the provisions stipulated in this Section and then will be entertained accordingly by the President.
2. Points shall have precedence over Motions at all times.
3. The precedence shall go as follows:
  - Point of a .Personal Privilege
  - Point of b .Insist
  - Point of c .Order
    - d. Point of Parliamentary Inquiry
    - e. Point of Information
    - f. Motion for Suspension/Adjournment of the Deliberations/Court
    - g. Motion for the Closure of the Deliberations
    - h. Motion for an Extension of the Previous Caucus
    - i. Motion for a Summons for Advocates
    - j. Motion for an Unmoderated Caucus
    - k. Motion for a Moderated Caucus
4. When more than one motion for unmoderated caucus proposed, the longer shall be put into the vote first. The same rule applies for moderated caucus.

## **SECTION E: OBJECTIONS**

### **Article 44: General Provisions Governing Objections**

1. Where one of the Parties' action or statement is considered as falling under the scope of any Objection set forth in this Section, the opposing Party has a right to raise an Objection.
2. Exceptionally Judges shall have a right to raise an Objection of Prejudice when provided within the rules set forth in this Section.
3. The Participant raising the Objection must state the correct ground enlisted in this Section.
4. Objections may interrupt the speaker.
5. The final decision on the Objection shall be made by the Presidency and this decision shall not be subject to appeal unless otherwise provided in this section.

6.The Presidency shall announce the decision on the Objection as *granted* meaning a decision in favor of the Objection, or as *overruled* meaning a decision against it.

7.If the Objection is granted by the Presidency, the assertion subject to Objection shall be removed from any Court records and Parties shall refrain from referring to that specific assertion.

8.Upon their discretion, the Presidency may consult the Judges on the overruling or granting an Objection alike. A simple majority of the Judges shall be necessary for granting an Objection.

#### **Article45: Immaterial**

1.An Objection of Immaterial may be raised if a Party presents any piece before the Court whose authenticity is not proven. The decision of the Presidency upon this Objection is appealable by a Judge or the opposing Party.

2.Assertion of law by the Parties must be in accordance with the rules of public international law. Furthermore, the assertion of facts must be certified under Oath.

3.Objection of Immaterial shall be raised during Evidence Presentation, Rebuttal and Surrebuttal.

#### **Article46:Irrelevant**

1.All assertions of Parties shall be relevant to the case at hand.

2.If the assertion made is irrelevant to the case, the opposing Party shall have the right to raise an Objection.

3. Objection of Irrelevant shall be raised during Evidence Presentation, Rebuttal and Surrebuttal.

#### **Article 47: Prejudicial**

1.Prejudice is a preconceived judgment formed without a factual basis, a strong bias.

2.All assertions of law and facts shall respect the personal integrity of the Members.

3.If an assertion by one of the Parties harms the personal integrity of any member enlisted in Article 9; that person may raise an Objection.

### **SECTION F: JUDGMENT**

#### **Article48: Judgment**

1.In their final Deliberation, Judges are expected to write a Judgment on the merits of the case.

2.A Judgment shall pass with the **simple majority** of the Judges. Abstentions shall not be in order.

3.The Presidency shall announce the Judgment submitted and passed by the majority with all Members present in the Court room and the Judgment shall be made public through the presence of Press Team.

4.Judges who are in minority may submit their dissenting opinions in groups or individually.

5.Judges who are in the majority but have reached the conclusion on different and/or additional legal grounds may submit their concurring opinions in groups or individually.

D6.issenting and concurring in part opinions shall be in order.

7.Declarations by individual Judges to explain their substantive votes or to comment of the Judgment without substantially concurring or dissenting on it shall be in order.

8. The Judgment shall include the following elements, where applicable:
  - a. Heading (Name of the Case)
  - b. Date
  - c. Name of the Advocates for the Applicant Party
  - d. Name of the Advocates for the Respondent Party
  - Procedural History of the Case
  - Submissions of the Applicant Party
  - g. Submissions of the Respondent Party
  - h. Statement of Facts
  - i. The Applied Law
  - j. The Decision
  - k. Concurring Opinions
  - l. Dissenting Opinions
  - m. Declaration