

# World Affairs Council of Philadelphia

## *Mock ICJ Student Training Session*

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# Training for Counsel and Witnesses

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# Recap of Applicable Law

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- Sources
  - Treaties
  - Custom
  - General Principles
- *Subsidiary* Means
  - Jurists
  - Publicists (Scholars)

# Goals for Both Parties

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- *Prove* that your side should win its case based upon *the applicable law* when *applied to the facts* of your case.
- How do you prove this?
  - Testimony
  - Documentary evidence

# The Role of Counsel

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- ❑ Make the best case for your client
- ❑ Demonstrate that your client is entitled to relief based upon the *law, facts, and policy*
  - Know what relief your client seeks
  - Know what relief the ICJ can award
  - Prove your client's case through testimony and admission of evidence
- ❑ Be a "zealous advocate," . . . but be a credible, forthright advocate as well.

# Role of Witnesses

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- “Real life” – you know what you know
- Simulation
  - Know your part well
  - Be able to answer questions about your actions and what you know or have observed
  - Style
    - Speak clearly and at a good pace
    - Maintain good eye contact
    - Sound natural

# Steps for Counsel's Preparation

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- Review AIP
- Research law
- Prepare witnesses
  - Your side's witnesses
    - Direct examination
    - Re-direct
  - Opposing party's witnesses
    - Cross-examination
    - Re-cross
- Opening
- Closing

# Steps for Witnesses' Preparation

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- Review AIP
- Learn all you can about your role(s)
- Make an **outline** – use outline form, bullet points, or some other technique so that *you don't read from a script*
- Practice your comments
- Practice answering questions
- Simulation: answer only the questions asked

# For the Simulation:

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- Continue to think about the evidence your country needs to submit to the court in order to win its case
  - Will the evidence be produced on direct or cross-examination?
  - Will the evidence result from testimony, documents, or both?
- Think about the order of presenting witnesses

# Contact Information

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