

WRITING ICJ MEMORIALS

To present or respond to a case to the Model International Court of Justice, a party must prepare and present a Memorial. A Memorial must contain three basic elements:

- 1) Claims of Fact
- 2) Assertions of Law
- 3) Prayers for Relief

If a nation is sued in the ICJ, it will be required to submit a counter-memorial, due before the first day of the Model United Nations. Countries being sued will be notified and will be supplied with a copy of the memorial brought against them.

CLAIMS OF FACT

Applicants and Respondents must briefly outline the issues and facts relevant to the case to be decided by the ICJ. Claims of Fact detail the events that lead to the dispute pending before the court. Historical, legal and political research will be helpful in finding and stating the relevant facts. While facts must be truthfully stated, they may be written in the best light of the party preparing the Memorial.

ASSERTATIONS OF LAW

This section is the most important part of the Memorial. It contains the relevant principles and sources of law such as international treaties, international conventions, customary law, previous ICJ decisions, United Nations Resolutions and the works of noted international law writers and jurists.

PRAYERS FOR RELIEF

In this section, each party requests that the court rule and act in their favor. Applicants will generally ask the court to direct the Respondent to correct the wrong or injustice committed or applicants will seek sanctions or a simple declaration of the rights and duties that exist between the disputing parties. Respondents generally request a dismissal of the case or seek counter-relief against the Applicant(s).

To find ideas for Memorials, watch your daily newspaper and magazines for current world events. **All nations sitting on the ICJ are required to author at least one memorial. Nations not sitting on the ICJ are strongly encouraged to write and submit a memorial.**

THERE IS NO FORM FOR MEMORIALS – they are simply typed in the same format as the sample Memorial and are limited to 3 pages.

MINNESOTA YMCA MODEL UNITED NATIONS SAMPLE ICJ MEMORIAL

THE INTERNATIONAL COURT OF JUSTICE

The Scientists and the People of Japan: *Applicants*

The United States of America:
The International Whaling Community *Respondents*

Claim:

That the United States of America and the IWC (hereinafter known as the Respondents) have not given Japanese Scientists the opportunity to study the Southern Hemisphere Mince Whales because of claims of killing too many whales in the process,

That the Japanese government has issued permits to the Japanese nationals who give them the right to kill the Southern Hemisphere whales for scientific studies,

That the Japanese Scientists are bringing its whaling activities into conformance with the regulations of the IWC,

That Japan is conducting these scientific experiments for the improvement of all countries' knowledge of the Minke Whale,

Assert:

That such regulations are not in accord with the accepted norms of decisions and regulations made within the United States,

That such a regulation is infringing on the rights of the Japanese Scientists to make new discoveries that could seriously change the world in which we live in,

Prayers:

That the court can find that such regulations are unjustifiable;

That the court orders the Respondents to rectify their regulations on Japan's Scientists so they can kill a minimum number of Minke Whales to continue their complex study.