

The Memorandum

The memorandum focuses on legal strength, jurisdiction, and how international law applies. Because the International Court of Justice has a specific format, the **memorandum will take the place of the position paper in this committee.**

There are two types of memoranda depending on your assigned role.

The following document explains the guidelines for both Counsel and Judges, so make sure to read through all of it for full understanding.

Memoranda Guidelines:

A memorandum is a formal written document submitted to the **Court (chairs) by the judges and councils.** It explains the party's legal arguments, the background of the case, and how they interpret international law in relation to the dispute.

The Judge's Memorandum

1. Analysis Section

The section will consist of a **neutral** legal analysis of the cases prior to the arguments presented in the committee sessions.

Word count: 1,200

2. Verdict Section

The second section of their memorandum will cover a justification of each Judge's verdict to be added to the above analysis. The verdict identifies which laws were applied, explains how the court interpreted specific treaty articles, and clarifies why certain evidence was accepted or rejected. It ensures the verdict is rooted in international law rather than personal or political opinions, providing a clear precedent for future disputes.

Word count: 600

AMSIMUN ICJ Guidelines

I. Format:

- The paper must not exceed 1,200 words (excluding bibliography)
- Use Times New Roman, Size 12, 1.5 line spacing, with 1-inch margins, and justified paragraphs.
- Name the document: *Country_Committee_JudgesMemorandum*
- Citations should be in APA Format
- Reliable sources **ONLY**

II. Introduction

Your memorandum must begin with a brief introduction to the case.

- Heading: Use Roman numerals for the case title (e.g., I. Obligations concerning negotiations relating to Cessation of the Nuclear Arms Race).
- Length: 3–4 sentences.
- Content: Identify the parties involved (Applicant vs. Respondent)

III. Analysis Section

This section is a neutral evaluation of the case before hearing oral arguments. It should follow this structure:

1. Historical & Factual Background (approx. 200 words)

- Provide a neutral summary of the events leading to the dispute.
- Mention any prior diplomatic attempts, treaties, or UN resolutions that attempted to resolve the issue before it reached the Court.

2. Legal Issues & Jurisdiction (approx. 400 words)

- Identify the Questions of Law: What specific legal questions must the Court answer?
- Jurisdictional Analysis: Does the Court have the authority to hear this case under Article 36 of the ICJ Statute?
- Applicable Law: List the Treaties, Customary International Law, and past ICJ
- Precedents that you will use to evaluate the arguments.

3. Summary of Party Claims (approx. 200 words)

Briefly outline the likely legal arguments of the Applicant and the Respondent.

Identify the "points of contention" where the two parties disagree on the interpretation of the law.

The Counsel's Memorandum

The Counsel's Memorandum is a comprehensive legal brief. It is a formal argument designed to prove that your country is legally "right" and the opposing side is "wrong" under existing international law.

I. Introduction (Statement of Jurisdiction)

Before you can argue the facts, you must prove the Court has the right to hear the case.

- You cite specific clauses (like Article 36 of the ICJ Statute) or "Compulsory Jurisdiction" declarations to show why the Court can rule on this matter.
- The Applicant tries to prove jurisdiction exists; the Respondent often tries to argue the Court has no authority to hear the case.

II. Statement of Facts

This is a narrative of the events that led to the dispute, told from your country's perspective.

- Selective Emphasis: While you cannot lie about facts, you emphasize the details that favor your legal position.
- Evidence: You mention specific incidents, dates, and documented actions that will later be backed up by evidence.

III. Legal Arguments (The Merits)

You must break your argument down into specific "claims." You cite "Sources of International Law" (Treaties, Customary Law, and General Principles).

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- The Breach: You explain exactly how the opposing party violated those laws. For example, "the Respondent's naval blockade violates Article 3 of the UN Charter regarding the use of force."
- Precedents: You cite past ICJ cases to show that the Court has ruled in your favor on similar issues before.

The "Submissions" (The Prayer for Relief): This is the conclusion of the memorandum.

It is a formal, bulleted list of exactly what you want the Court to declare.

- Declaratory Relief: "We ask the Court to declare that State A violated the treaty."
- Reparations: "We ask the Court to order State A to pay \$50 million in damages."
- Cessation: "We ask the Court to order State A to immediately stop its military activities."

Sample Memorandum – Counsel

INTERNATIONAL COURT OF JUSTICE

Case Title: [Country A – Applicant State] v. [Country B – Respondent State]

Document title: Memorial of Country A/Memorial of Country B

[Date of Submission]

Counsels for [Country A]

● Counsel and Advocates – [Write your full names here please!]

- Mr. John Doe
- Ms. Jane Doe
- Etc.

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List of Abbreviations [For example, make a list based on what you reference in your case!]

Index of Authorities [The sources you used; all reference styles are accepted, but be consistent!]

A. Treaties and International Instruments

Protocol Additional to the Geneva Conventions of 12 August 1949 (Protocol I), 1125 UNTS 3, Art. 54.

UN doc. A/RES/2444 (1968), Respect for Human Rights in Armed Conflicts.

UN doc. S/RES/2417 (2018), Protection of Civilians in Armed Conflict.

*Below is an EXAMPLE of the structure of how you should write this. Please be more detailed in your research and analysis. Also, please write in full paragraphs; do not write in bullet points unless it is specified below (such as when listing the applicable laws). Remember to number your paragraphs and pages!

I. INTRODUCTION

1. This Memorial is submitted by the Republic of Country A in accordance with the Court's Order dated 10 June 2025 and pursuant to Article 38 of the Rules of Court.

2. Country A seeks to establish that Country B has violated international law through acts of military and paramilitary intervention within the territory of Country A, thereby breaching fundamental principles of the United Nations Charter, customary international law, and specific treaty obligations.

3. The Applicant respectfully requests the Court to adjudge and declare that Country B bears international responsibility for its unlawful conduct and must cease its activities and provide full reparation.

II. STATEMENT OF FACTS

(Provide a detailed and chronological narrative of the dispute, referencing annexed documents and evidence. Example below:)

4. On 5 January 2024, armed units identified as supported by Country B crossed into the northern province of Alenza, Country A, seizing key infrastructure and engaging in hostilities.

5. Intelligence obtained by Country A and verified by independent sources, including the UN Special Rapporteur on the Situation in Alenza, indicated logistical, financial, and military support provided by Country B to the armed insurgent group known as the Free Alenzan Movement (FAM).

(Continue to develop the facts with precise dates, actors, and incidents.)

III. JURISDICTION OF THE COURT

13. The Court has jurisdiction pursuant to Article 36(2) of the Statute of the Court, as both parties have deposited declarations accepting the Court's compulsory jurisdiction.

14. Additionally, jurisdiction is established under Article IX of the [Fictional] Treaty of Amity, signed by both States on 10 March 1990, which provides for ICJ adjudication in cases of dispute regarding treaty interpretation and application.

15. The present dispute relates directly to breaches of that Treaty and the UN Charter.

IV. APPLICABLE LAW

16. The applicable law includes:

- Article 2(4) of the United Nations Charter
- The principle of non-intervention under customary international law
- Article 41 of the ILC Draft Articles on State Responsibility
- The Treaty of Amity (1990), Articles IV and IX
- The VCLT (1969), Articles 26 and 31

V. LEGAL ARGUMENT

A. Unlawful Use of Force by Country B

17. Article 2(4) of the UN Charter prohibits the threat or use of force against the territorial integrity or political independence of any State. The military operations conducted by Country B

within Country A's territory, including aerial bombardment and logistical support to armed groups, constitute a clear violation of this provision.

(Cite relevant ICJ cases: Nicaragua v. USA, Oil Platforms (Iran v. USA).)

B. Violation of the Principle of Non-Intervention

23. Country B's actions amount to unlawful intervention in the internal affairs of Country

A. Intervention by supporting insurgents with arms, training, and intelligence violates

both treaty law and the well-established customary principle affirmed in the

Nicaragua case (para. 205).

C. Breach of Sovereignty and Territorial Integrity

30. Sovereignty and territorial integrity are core principles of international law. The continued unauthorized presence of foreign operatives and military assets in Country A constitutes a breach of its sovereign rights under general international law and specific treaty guarantees.

VI. PRAYERS FOR RELIEF

Country A respectfully requests the Court to adjudge and declare that:

1. Country B has violated international law by using force against Country A;
2. Country B has violated the principle of non-intervention and the sovereignty of Country A;
3. Country B is under an obligation to cease its internationally wrongful acts;
4. Country B must provide full reparation for all damages caused, including compensation;
5. Country A reserves the right to submit further claims relating to the consequences of the violations.

VII. CONCLUSION

38. The facts and legal principles clearly demonstrate that Country B's conduct constitutes serious violations of international law. Country A has exhausted diplomatic efforts and now seeks judicial resolution through the only available legal avenue.

39. The Applicant respectfully asks the Court to uphold the rule of law and grant the relief requested.

ANNEXES [Photos or videos you may have referenced]

1. Treaty of Amity between Country A and Country B (10 March 1990)
2. UN General Assembly Resolution 2625 (XXV) – Declaration on Friendly Relations
3. Report of the UN Special Rapporteur on Alenza (May 2024)
4. Diplomatic Note from Country A to Country B (12 January 2025)
5. Map of Military Activity in Northern Province, Verified by UN Observers
6. Statement of Captured FAM Commander (Translated Transcript)

Sample Memorandum – Judge

YEAR/SESSION: [e.g., AUSMUN 2026]

CASE TITLE: [e.g., Legal Consequences of the Separation of the Chagos Archipelago]

SUBMITTED BY: Judge [Country Name]

I. Introduction

[3-4 sentences summarizing the case, the parties involved (Applicant vs. Respondent), and the primary treaty or law being debated.]

II. Analysis Section (Pre-Conference)

A. Statement of Facts

[Neutral summary of the events leading to the dispute.]

[Summary of prior diplomatic or legal attempts at resolution.]

B. Legal Framework and Jurisdiction

1. Basis of Jurisdiction: [Identify the article (e.g., Art. 36 of the Statute) that gives the Court authority.]

2. Applicable Law: [List the treaties, conventions, or customary laws relevant to this specific case.]

3. Core Legal Questions: [List 2-3 specific questions the Court must answer during the trial.]

C. Summary of Claims

1. Applicant's Theory: [Briefly describe what the Applicant is trying to prove.]

2. Respondent's Theory: [Briefly describe the likely defense strategy of the Respondent.]

III. Verdict Section (Post-Deliberations)

Note: This section is added during or after the committee sessions based on oral arguments.

Delegation from Represented by

Country Institution Name

A. Findings of Fact (approx. 100 words)

[Based on the trial, state which facts the Court now accepts as proven truth.]

B. Findings of Law (approx. 200 words)

[Explain the Court's interpretation of the law. Example: "The Court finds that the actions of the Respondent constitute a breach of Article 4, as the interpretation of 'territorial integrity' includes..."]

[Explain why certain arguments were rejected or why specific evidence was deemed inadmissible.]

C. The Operative Clause (approx. 100 words)

1. The Decision: [For each claim, state whether the party is guilty or
2. Reparations: [State what the losing party must do (e.g., pay damages, cease actions).]
3. Final Declaration: "Accordingly, the Court, by [X] votes to [Y], adjudges and declares that..."