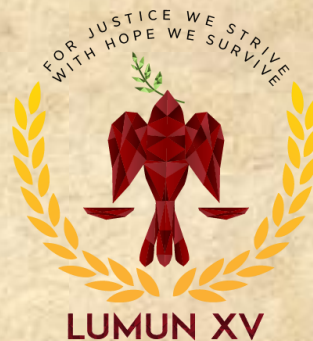
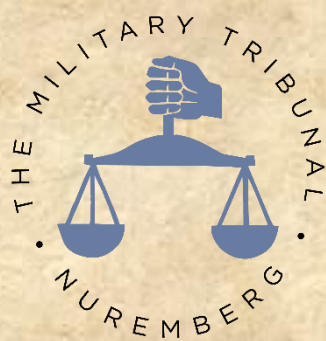


TRIAL
OF
THE MAJOR WAR CRIMINALS
BEFORE
THE INTERNATIONAL
MILITARY TRIBUNAL

NUREMBERG

14 NOVEMBER 1945 - 1 OCTOBER 1946



PUBLISHED AT NUREMBERG GERMANY

1945

RULES OF PROCEDURE

Pre-Conference:

- Prior to the commencement of the tribunal's proceedings, the prosecution counsel is expected to bring forward evidence against the accused that they came across during their pre-conference research. Pre-conference evidence has to be sent **at least** 3 days prior to the conference on intlmilitarytribunal@gmail.com. This gives adequate time to the opposing counsel to review and cross-examine the evidence.
- The judicial panel (dais) will then go through the evidence submitted by the prosecution counsel, and then deem whether it is admissible in the tribunal or not.
- Admissible evidence will be mailed to the opposing (defensive) counsel a day prior to the commencement of the trial in the shape of update papers.
- As long as the evidence is regarded admissible, evidence may include **photos, newspaper clippings, meeting minutes, journal entries, videos, legislative documents, press releases, and statements by prominent politicians** etc.

Pre-trial:

- As soon as the trial is about to commence, the prosecution counsel will be given a fifteen-minute un-moderated caucus to draft complaints. They could either draft complaints within groups of prosecutors or work independently. However, every complaint would require 1/5th of the committee's votes according to the quorum to be accepted by the judicial panel.
- The prosecution counsel shall consult the London Charter of the International Military Tribunal, customary international law, international law, and laws of war.
- The prosecution must also recommend how the court should punish the accused.
- Upon the presentation of the complaint, the defensive counsel will have the option to either plead guilty or not guilty. If the defensive council pleads not guilty, the court will move into trial.

General Speakers List:

- Opening statements, closing statements, and Testimony shall all be catered to within the General Speakers List.
- There shall be no time limit within the general speakers list in the International Military Tribunal.
- However, the judicial panel may ask a speaker to sit down whenever the panel feels the comments are going beyond the scope of the court.
- Barristers shall raise a motion to establish the general speakers list whenever they wish to present new evidence or produce a witness testimony.

Commencement of the trial, and Opening statements:

- After the initiation of the trial, prosecutors and defendants shall be expected to deliver opening statements.
- The order of speakers shall preferably be prosecution, defense, prosecution, defense and so on. However, in the absence of a speaker from the other side, the side that just spoke will be allowed to speak again.
- The Judicial panel may ask a speaker to sit down whenever the panel feels the comments are going beyond the scope of the court.
- All barristers are encouraged to directly reference to the London Charter, articles pertaining to international law, customary law and laws of war, and precedents when making their opening statements.

TESTIMONY

Whenever a witness is produced by either the judicial panel, prosecution counsel, or defensive counsel, the court will move into a general speakers list to question, and cross-question the witnesses

During witness testimony, the following rules shall be followed by each counsel:

1. Besides objections, the judicial panel expects a quiet chamber.

2. Between questions, counsel may consult with their team.
3. Apart from objections, opposing counsel may not interrupt when their team does not have the floor.
4. Each member of the counsel may question every witness, but they may not repeat their teammate's questions.
5. The opposing counsel may engage in cross examination but only after the initial team gives up the floor.
6. The judicial panel may interrupt a barrister if they are taking too long with questioning. This gives other members wishing to question the witness the chance to do so.

Moderated Caucuses:

- Different aspects of the case should be discussed within the moderated caucuses.
- A witness testimony presented earlier can also be discussed within moderated caucuses.
- Moreover, barristers are encouraged to structure the case into different reasons, and themes to allow for a smoother course of debate towards the decision.
- Conventional Model UN rules of procedure will apply during moderated caucuses.
- Barristers shall refer to members of the judicial panel as your honor.

Closing Statements:

- The Judicial Panel shall declare when the submission of evidence, and the discussion is closed.
- After the closure of the trial, prosecutors and defendants shall be expected to deliver closing statements.
- There shall be no time limit for closing statements either.

- The order of speakers shall preferably be prosecution, defense, prosecution, defense and so on. However, in the absence of a speaker from the other side, the side that just spoke will be allowed to speak again.
- The Judicial panel may ask a speaker to sit down whenever the panel feels the comments are going beyond the scope of the court.
- All barristers are again encouraged to directly reference to the London Charter, articles pertaining to international law, customary law and laws of war, and precedents when making their opening statements.
- The goal of each barrister will be to demonstrate why their bloc have made the best case in rapport to the charges, the evidence and the testimonies presented.

OBJECTIONS

An objection is a form of formal complaint which is raised in a court during trial. The purpose is to bring to the attention of the judicial panel any violation of the rules of evidence or of other procedural law during the proceedings of the trial. Only the following objections can be raised throughout the course of the trial:

Objections must be said out as follows:

“Objection your Honour, the objection is [insert objection you intend to make].”

I. Opening Statements:

1. Discussing facts that weren't or shouldn't be deemed admissible: the barrister is discussing facts that are not valid.

2. Misstatement of the law: The barrister is quoting a legal principle or international law inaccurately.
3. Vocalizing personal opinion on the claims.

II. Direct Examination (during Testimony):

1. Argumentative: the question is an argument rather than asking a question.
2. Leading: the question is a leading question as it is suggestive of the answer.
3. Relevance: the witness is giving irrelevant responses that may be detrimental to the case.
4. Hearsay: the witness did not witness anything themselves, but are quoting someone else.
5. Ambiguous: the question is very ambiguous and random for the witness to properly answer.
6. Calls for Speculation: the question asks the witness to speculate the answer to a question or think about it on spot.
7. Calls for a Narrative Answer: the question requires the witness to narrate a story rather than state specific facts.
8. Asked, and Answered: when the same barrister continues to ask the same question, and the witness has already answered it a number of times.
9. Compound: Several questions were raised at the same time even though a single question has to be asked at a time

10. Assumes facts not in evidence: the question makes several assumptions about facts even though evidence hasn't been shown for these facts.

I. Cross-Examination (during Testimony):

Beyond the Scope of the Direct Examination: when the question

1. during cross

-examination does not relate to what was asked during direct examination.

2. Relevance: the witness is giving irrelevant responses that may be detrimental to the case. They are not addressing the question.

3. Hearsay: the witness did not witness anything themselves but are quoting someone else.

4. Ambiguous: the question is very ambiguous and random for the witness to properly answer.
5. Calls for Speculation: the question asks the witness to speculate the answer to a question or think about it on spot.
6. Calls for a Narrative Answer: the question requires the witness to narrate a story rather than state specific facts.
7. Asked and answered: when the same barrister continues to ask the same question, and the witness has already answered it a number of times.
8. Compound: Several questions were raised at the same time even though a single question has to be asked at a time
9. Assumes facts not in evidence: the question makes several assumptions about facts even though evidence hasn't been shown for these facts.

II. Documents and Evidence:

1. Authentication: the evidence lacks authenticity legitimacy or lacks the source.
2. Relevancy: the witness is giving irrelevant responses that may be detrimental to the case. They are not addressing the question.
3. Hearsay: the witness did not witness anything themselves, but are quoting someone else.
4. Privilege: the witness may be protected by law from answering the question.

III. Closing Arguments:

1. Facts not in evidence: the question assumes something as true for which no evidence has been shown.
2. Misstatement of the facts: The barrister is quoting the facts incorrectly.
3. Misstatement of the law: The barrister is quoting the law incorrectly.
4. Stating personal beliefs in the merits of the case: (this is self-explanatory)
5. Irrelevant: the advocate in question is discussing irrelevant things to sway the court's attention from the matter at hand.
6. Unduly prejudicial/inflammatory: the question is intended to cause prejudice.

CRISES

- Barristers are allowed to tamper with evidence via the crisis staff through quick crisis notes.
- Crisis staff have to approve such notes for them to be introduced to the committee through updates via the judicial panel.
- Judicial panel has the right to present new evidence and new witnesses.