



MUNLAWS 2025

FACULTY OF LAW, UNIVERSITY OF LJUBLJANA

RULES OF PROCEDURE



APPLICABLE FOR MUNLawS 2025 – EUROPEAN COURT OF HUMAN
RIGHTS, OSCE COURT OF CONCILIATION AND ARBITRATION



UNIVERSITY OF LJUBLJANA
Faculty of Law



European
Parliament



REPUBLIC OF SLOVENIA
MINISTRY OF FOREIGN
AND EUROPEAN AFFAIRS



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FOREWORD

The following Rules of Procedure apply to the Delegates of the European Court of Human Rights and OSCE Court of Conciliation and Arbitration at the MUNLawS conference. Due to MUNLawS being a Model United Nations conference, rules of the simulation may differ from the official rules of each Committee, as they are adapted to fit the format of the conference. In cases of doubt, the official rules of the respective Committee may be applied logically.

CHAPTER I

GENERAL CONSIDERATIONS

Article 1.1 Scope of Rules

These rules apply to legal committees at MUNLawS Conference - European Court of Human Rights and OSCE Court of Conciliation and Arbitration.

Rules apply to the Delegates, Observers, President and Vice-President of the Court and the Secretariat.

Article 1.2 Validity and Applicability of the Rules

These Rules of procedure are considered adopted prior to the conference.

The Secretary-General shall have the final word on the validity, applicability, and interpretation of these Rules in case of a dispute. The Secretary-General may, at their discretion, delegate their authority to decide on a matter of the dispute to another member of the Secretariat.

In case of doubt or conflict between these Rules of Procedure and any other procedural regulation laid down in either the European Convention on Human Rights, Rules of Court, or the rules of OSCE Court of Conciliation and Arbitration, these Rules shall prevail. The Secretariat shall have the final word in every case.

Article 1.3 Delegates

Delegates in legal committees represent Councillors/Agents (hereinafter “Councillors”) and Judges/Arbitrators (hereinafter “Judges”).

Article 1.4 Observers

As the Court is in session, Observers may attend meetings but should not communicate with the delegates in any way. Violation of this article may result in verbal warning by the Presidency. Verbal warnings shall not be subject to appeal.

In case of recurring violations, The Presidency may expel the Observer from the session. Expulsion may be temporary or permanent. The Secretary-General or, with their authorization, another member of the Secretariat, shall be the final arbitrator in case of a dispute.

The Secretary-General or, with their authorization, another member of the Secretariat, may expel the Observer from all Committees of the conference. The decision on the matter is unappealable.

Article 1.5 Language

The official and working language of the MUNLawS Conference is English. In case of necessity and where unavoidable, the Presidency may exceptionally and at their discretion allow usage of other languages, given the proper interpretation is provided by the delegates.

Article 1.6 Courtesy and Disciplinary Rules

Delegates must always show utmost respect to all other Delegates and Observers, Presidency, members of the Secretariat and other Personnel, as well as guests of the conference. Violation of

this article may result in verbal warning by the Presidency. Verbal warnings shall not be subject to appeal.

In case of recurring misconduct or serious violations, The Presidency may expel the Delegate from the session. Expulsion may be temporary or permanent. The Secretary-General or, with their authorization, another member of the Secretariat, shall be the final arbitrator in case of a dispute.

Article 1.7 Credentials

Delegates, Chairpersons, Observers, members of the Secretariat and other Personnel (hereinafter "Participants") must always wear approved credentials during the conference. Should the Participants not wear one, they shall be denied entry into an area where the meeting is held. The Secretary-General, or, with their authorization, another member of the Secretariat, shall be the final arbiter of the validity of all credentials.

Article 1.8 Dress code

In accordance with the delegate's diplomatic status, a formal and discreet dress code is required. Violation of this article may result in denial of entry into an area where the meeting is held. The Secretary-General, or, with their authorization, another member of the Secretariat, shall be the final arbiter in case of a dispute.

Article 1.9 Communications

Written notes are the only means of communication between the Delegates not recognized to speak. Notes are distributed by the Administrative Staff present in the Court.

All notes must be in English, and the content of the notes shall not be irrelevant, inappropriate or abusive, otherwise the Administrative Staff may take the note to the President for investigation and the President may decide not to pass the note if the language or the content is found such Communication through note passing between a Judge and Councillor is strictly prohibited.

Computers and other electronics may be used in the courtroom only with permission of the President.

Article 1.10 Quorum

The participants are expected to attend on time and not to skip any sessions unless there is an urgent health or personal issue at stake.

The quorum is met if at least two-thirds of registered Judges are present. In cases where Councillors are expected to be present, at least one Councillor for each party shall be present for the quorum to be met.

Verification of quorum shall take place at the beginning of every session by a roll call conducted by the President.

When a member of the Court is late for the roll call of the session, a note should be sent to the President with a request for being noticed.

A quorum will be assumed to be present during sessions, unless specifically challenged and shown to be absent by a roll call or deemed as such by the President.

CHAPTER II

MEMBERS OF THE COURT

Article 2.1 President and Vice-President

MUNLawS conference shall have one President of the Court and one Vice-president, together referred to as the Presidency.

The President and Vice-president of the European Court of Human Rights and OSCE Court of Conciliation and Arbitration shall be appointed by the Secretariat prior to the conference and they shall remain in duty until the closing of proceedings unless otherwise decided by the Secretariat.

The President and Vice-president shall be responsible for the implementation of the Rules of Procedure prepared for the European Court of Human Rights and OSCE Court of Conciliation and Arbitration. This moderation duty will be the same as a Director's in another Committee.

The President and Vice-president also act as Judges. They shall have an equal vote and say with other Judges in all matters relating to the case before the Court.

The President and Vice-president are obliged to follow the instructions given by the Secretariat. In case of any disagreement or ambiguity relating to the application of a certain article or provision of these Rules of Procedure to a specific situation, the decision of the Secretariat shall be final.

Although the President and Vice-president shall dictate the implementation of the Rules of Procedure in the Court, they shall not have authority over the decision of the other Judges unless certain Judge's opinion is obviously biased in which case the concerned Judge shall be given an official warning by the President or the Secretariat.

Article 2.2 Rapporteur

The Rapporteur of the European Court of Human Rights and OSCE Court of Conciliation and Arbitration shall be appointed by the Secretariat prior to the conference and they shall remain in duty until the closing of proceedings.

The Rapporteur shall not possess the right to participate in the decision-making process; they do not have the right to vote in procedural and substantive matters.

The Rapporteur will take the oaths of the Agents before the opening statements. The Oath shall be declared as: "I solemnly declare upon my honor and conscience that I will speak the truth, the whole truth and nothing but the truth".

Article 2.3 Judges

The Judges shall be appointed by the Secretariat amongst the applicants prior to the conference and shall remain in duty until the closing of proceedings unless otherwise decided by the Secretariat.

A solemn declaration shall be made by each Judge individually prior to oral proceedings; "I, Judge "Surname", solemnly declare that I will perform my duties and exercise my powers as a Judge honorably, faithfully, impartially and conscientiously".

Judges, as any other member of the Court, are obliged to abide by the whole Rules of Procedure and

final decisions of the President. In case of misconduct, the President shall issue the Judge with a verbal warning. Verbal warning is not subject to appeal. In case of recurring misconduct or serious violations, The Presidency may expel the Judge from the session. Expulsion may be temporary or permanent. The Secretary-General or, with their authorization, another member of the Secretariat, shall be the final arbitrator in case of a dispute.

Article 2.4 Councillors

Prior to the conference, the Secretariat shall assign Councillors to either the Applicant's or Respondent's party. They shall remain in duty unless otherwise decided by the Secretariat.

Councillors represent State parties or individuals in the case as two for the Applicant and two for the Respondent and they are obliged to act in the best interest of their clients.

Councillors, as any other member of the Court, are obliged to abide by the whole Rules of Procedure and final decisions of the President. In case of misconduct, the President shall issue the Councillor with a verbal warning. Verbal warning is not subject to appeal. In case of recurring misconduct or serious violations, The Presidency may expel the Councillor from the session. Expulsion may be temporary or permanent. The Secretary-General or, with their authorization, another member of the Secretariat, shall be the final arbitrator in case of a dispute.

Councillors do not have the right to vote in substantive or procedural voting.

CHAPTER III

RULES GOVERNING THE WRITTEN MEMORANDUM

Article 3.1 Submission of the Memorandum

Article 3.1.1 General

Each team of Councillors for the Applicant and the Respondent participating in the MUNLawS Conference must prepare an Applicant or a Respondent Memorandum, based on their designated allocation.

Article 3.1.2 Deadline

The deadline for submission of the Memorandum is 24 November 2025, Central European Time (UTC+1).

Art. 3.1.3. Submission Procedure

Memorandums shall be submitted into the database at the MUNLawS 2025 official website and to the following address: position_papers@munlaws.com.

Memorandum is considered submitted when received into the database or in inbox from the previous paragraph. Failure to submit a Memorandum in a deadline shall result in the discard of the Memorandum and the Delegate will be graded as if they have not submitted a Memorandum.

Correction of the Memorandum after submission is not possible.

Article 3.2 Memorandum Formatting

Article 3.2.1 File Type

All parts of each Memorandum must be contained in a single file. Memorandums must be submitted in Microsoft Word format and have a .doc or .docx file extension. Memorandums must also be submitted in Portable Document Format (PDF). Memorandums that do not conform to this rule will not be accepted. If a team submits its Memorandum in an unaccepted format, it may resubmit conforming Memorandums but will be subject to resubmission penalties (25 points).

Article 3.2.2 Paper Size/Margins

All pages of the Memorandum must be in A4 format, size 21.0 x 29.7 cm, with equal margins of 2.5 cm on all four sides. The MUNLawS Academic team may reformat a Memorandum that does not comply with this rule. Teams are advised that such reformatting may result in changes to pagination and layout and the memorandum will be subject to resubmission penalties (25 points).

Article 3.2.3 Font

The font of the Memorandum must be Source Sans Pro, sized 12. Footnotes must be sized 10.

Article 3.2.4 Line Spacing

The text of all parts of the Memorandum must be 1.5 spaced, except for the Cover Page, Table of Contents, Index of Authorities, headings, and footnotes which should be single spaced.

Article 3.2.5 Text Alignment

Both sides should be aligned with the margins (justified text alignment).

Article 3.2.6 Tracked Changes and Comments

A Memorandum with tracked changes that have not been properly accepted or comments that have not been properly removed before submission will be assessed up to a five (5) point penalty, and the Academic team shall accept any tracked changes and remove any comments found in an affected Memorandum before submitting it to Judges.

Article 3.3 Memorandum Content

The Memorandum must contain the following parts:

- Cover Page;
- Table of Contents;
- Parties;
- Statement of Facts;
- Pleadings;
- Conclusion/Prayer for Relief;
- List of Authorities.

Article 3.3.1 Cover Page

The front cover of each Memorandum must contain the name of the Court, year of the Conference, name of the case, title of the document (Memorandum for Applicant or Memorandum for Respondent) and “A” for Applicant or “R” for Respondent written in the top right-hand corner of the front cover.

Article 3.3.2 Statement of Facts

The Statement of Facts shall include a short summary of the facts of the case. It should not be longer than one (1) page. The Statement of Facts should not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions. Participants will be judged based on their ability to conform the facts to their arguments without creating new facts or drawing unreasonable inferences from the Fictional Case.

Article 3.3.3 Pleadings

The main part of each Memorandum should be the Pleadings. They can be divided into smaller sections, so each section encompasses a different legal issue. The presentation of each legal issue shall include the description of the issue, rule(s) pertinent in deciding the issue stated, application of the rule to the Fictional Case and conclusion on the rule.

Article 3.3.4 Conclusion/Prayer for Relief

The Conclusion sets out what the party is asking the Court to decide. This may include a request for the Court to find a violation (or no violation) of a treaty or of an Article of the European Convention on Human Rights. It may also include a request for monetary compensation or other forms of relief, in accordance with the European Convention on Human Rights, Rules of Court, or the rules of OSCE Court of Conciliation and Arbitration.

Article 3.4 Length

The main text of the brief must not exceed 25 pages. The limitation of the text comprises the parties, statement of facts, pleadings, conclusion and footnotes. Outside the limitations are the cover page, table of content and the list of sources.

Article 3.5 Citation

Footnotes must be used to identify the source of statements or propositions made in the body of the Memorandum. Footnotes should be placed at the bottom of the respective page.

Sources should be cited according to APA 7 rules of citation. Legal documents (treaties, resolutions, declarations ...) should be cited in accordance with Bluebook citation format.

Where possible, *ibid* should be used. *Ibid*, from Latin *ibidem* “in the same place”, repeats the previous author and title and whatever else is identical and was mentioned beforehand.

All sources mentioned in the footnotes should also be cited in the reference list/list of authorities and *vice versa* all sources cited in the reference list/list of authorities should be mentioned at least once in the footnotes.

List of Authorities should be divided into the following categories: Treaties and Convention, United Nations Resolutions and other documents, International cases and arbitral decision, Municipal cases and laws, Other Sources - books, journal articles, etc. Within a specific category, the references should be in alphabetical order. All the sources of pictures in the Memorandum need to be included in a specific category named Images of the List of Authorities Chapter.

CHAPTER IV

ORAL PROCEEDINGS

Article 4.1 Pleadings

The oral proceedings shall begin with the Applicant's pleading, which sets out the details of their case and the relief sought against the Respondent. This pleading is limited to 20 minutes. If both Councillors for the Applicant side are present, the time should be divided equally among them.

The Applicant's pleading is limited to the content of their memorandum. While no new issues may be introduced, new legal arguments, analysis and supporting evidence may be presented.

After the Applicant's pleading, the Respondent has 20 minutes to reply. If both Councillors for the Respondent side are present, the time should be divided equally among them.

The Respondent's pleading is based on both their memorandum and the Applicant's pleading. In the European Court of Human Rights simulation, the Respondent should primarily address the Applicant's arguments. In order to respond to those arguments, it is not limited to the content of their memorandum. In the OSCE Court of Conciliation and Arbitration simulation, the Respondent may also raise new issues, but only those already included in their memorandum.

Article 4.2 Rebuttal and Surrebuttal

After the Respondent's pleading, the Applicant has 10 minutes for a Rebuttal. No new issues may be introduced at this stage. If both Councillors for the Applicant are present, the time must be divided equally.

Following the Rebuttal, the Respondent has 10 minutes for a Surrebuttal, limited to responding to the Rebuttal. If both Councillors for the Respondent are present, the time must also be divided equally.

Article 4.3 Use of Supporting Evidence

During all stages of the oral proceedings, Councillors may refer to the contents of the Fictional Case. Each Judge will be provided with a printed copy of the Fictional Case and shall have it with them throughout the proceedings. Councillors are advised to direct Judges to specific pages and paragraphs of the Fictional Case when referring to its contents.

The presentation of any additional evidence shall be forbidden.

Article 4.4 Questioning by the Judges

Judges may interrupt a speaker at any time to ask a question related to their pleading. Only one question may be asked at a time, and there is no limit to the number of interruptions. The speaking time is paused while Judges ask questions and while Councillors provide their answers.

At the President's discretion, Judges may be temporarily paused from asking questions to allow a pleading to commence.

After the Surrebuttal, Judges shall have 20 minutes to ask Councillors additional questions. These questions are not limited to the scope of the presentations. Judges may address questions to either side, and any Councillor from that side may respond. Upon the written request by any Judge, the

President may extend the allocated time for questioning. Such a request must be submitted before the expiration of the questioning period.

Article 4.4 Conclusion of the Oral Proceedings

After the questioning by the Judges, the President shall declare the oral proceedings concluded. The Rapporteur will then escort the Councillors out of the Courtroom, and the Judges will proceed with their deliberations.

CHAPTER V

OBJECTIONS

Article 5.1 General

Where one of the parties' action or statement is considered as falling under the scope of any objection set forth in this Section, the other party has a right to raise an objection.

The final decision on the objection shall be made by the President and this decision shall not be subject to an appeal.

The President shall announce the decision on the objection as "granted" or "overruled".

Objections may interrupt the speaker.

Article 5.2 Relevance

All assertions by the parties shall be relevant to the case at hand. If the assertion made is irrelevant to the case the other party shall have the right to object.

Article 5.3 Prejudicial

All assertions of law and facts shall respect the personal integrity of the Councillors, Judges and others present in the Courtroom. If an assertion by one of the parties harms the personal integrity of a person, an objection may be raised by any of the persons mentioned above.

Article 5.4 Competence

This objection shall be raised when a speaker asserts to a technical detail which cannot be assessed by the mentioned speaker.

Article 5.5 New Issue

During Rebuttal and Surrebuttal, no new issues may be raised. If a new issue is raised, the other party may raise an objection.

This objection should only be made if the party has no other way to bring to the Judges' attention that a new issue has been introduced.

CHAPTER VI

JUDGES DELIBERATION AND JUDGEMENT

Art. 6.1 Deliberation

During the Deliberation stage of the procedure, the Judges shall discuss the claims of the parties, their evidence, and vote. After voting, they shall prepare a written Judgement and vote upon it, as well as Separate and Dissenting Opinions.

As Judges deliberate, no Councillors or Observers shall be present in the Committee.

Art. 6.2 Voting on Claims and Judgement

The simple majority vote will be required for deciding on claims and issuing a written Judgement. Each Judge shall have one equal vote. In the event of a deadlock, the President or the Judge acting in their place shall have a casting vote.

Art. 6.3 Judgement

Art. 6.3.1 Scope of Judgement

The Judgment shall include the following aspects:

1. **The date of Judgment** refers to the date on which the Judgment is rendered.
2. **Composition of the Tribunal** includes the names and signatures of the Judges authorizing the Judgment.
3. **Identification of the Parties** lists the names of the parties to the dispute, together with the Councillors who appeared on their behalf.
4. **Summary of the trial** outlines the procedural history of the case, including the filing of applications, written pleadings, oral hearings, and any procedural rulings.
5. **Statement of the facts** is a clear and concise account of the factual background underlying the dispute, as established by the Tribunal.
6. **Legal ground** offers an identification of the applicable law, including relevant treaties, customary international law (state practice and *opinion iuris*), general principles of law and judicial precedents.
7. **The Merits of Each Claim** consist of the Position of the Parties, a balanced presentation of the principal arguments advanced by each party, both in writing and orally, and Tribunal's Assessment in form of reasoning, analysis, and evaluation of the facts and law, leading to its conclusions on each claim.
8. **Decision** is the dispositive section of the Judgment, setting out the Tribunal's final rulings, orders, or declarations, clearly formulated and legally binding.
9. **Separate and Dissenting Opinions**

Art. 6.3.2 Separate and Dissenting Opinions

Separate Opinions may be written and added to the Judgment by Judges in agreement with the Judgment on a different legal basis or reasoning, or to elaborate on an issue in greater detail. Multiple Judges may join in a single Separate Opinion.

Dissenting Opinions may be written and added to the Judgment by Judges in disagreement to the Judgment. Multiple Judges may join in a single Dissenting Opinion.

Art. 6.3.3 Reading of the Judgement

Once the Judgment has been drafted and voted upon, the President or the Judge acting in their place shall read the Judgement. For the reading, Councillors shall be called into the Committee. Observers may be present.

APPENDIX I

TIMELINE OF THE PROCEDURE

Phase of Oral Proceedings	Description	Time Allocated
Applicant's pleading	Details of the Applicant's case and the relief sought against the Respondent	20 minutes
Respondent's pleading	Response to the Applicant's pleading. (Additionally, in OSCE CCA details of Respondent's case and relief sought against the Applicant)	20 minutes
Rebuttal	Response to Respondent's pleading	10 minutes
Surrebuttal	Response to Rebuttal	10 minutes
Questioning by the Judges	Judges ask Councillors additional questions, not limited to the scope of the presentations	20 minutes (possible extension by the President)