



**Mission Viejo High School Model United Nations
29th Annual Conference
"Through the Fire the Spirit is Forged"**



International Court of Justice
Georgia vs. Russian Federation

IMPORTANT! You need to send your first and last name to mvhsmunicj@gmail.com by January 4th in order to have a personalized placard for the conference.

Hello justices! My name is Katie Crandall, and I will be your head chair for the ICJ. This committee is a little different than others, as some of you may already know. The International Court of Justice resolves conflicts between nations, and it is your job as a justice to create a reasonable solution for each case. You will have the opportunity to listen to and question several witnesses for each case to help you make your decision. For this committee, you will not be writing position papers, instead, you will be responsible for writing a **Preliminary Opinion**. This is your unbiased analysis of how you believe the case should turn out based on the information provided and your own research. **Each preliminary opinion should include a background of the case, the defendant's position, the plaintiff's position, your preliminary ruling, and any questions you would like to ask of the witnesses.** Your preliminary ruling should take into consideration **international laws** and **treaties** that pertain to the case. As the cases progress, you are allowed to form new opinions about the case; you are not required to stand by your preliminary opinion. If you have any questions, please email me at kcrandall36@gmail.com.

I. Background:

NOTE: Although this is a real case which the ICJ decided to dismiss, as justices, you have the power to decide how this case proceeds. You can debate whether or not the ICJ has jurisdiction, but for the purpose of our conference, we will proceed with the trial. We will present to you new witnesses for examination, so you must take their testimonies into



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account. You are expected to form your opinions based on your research and these testimonies.

When the USSR broke up Georgia became its own state made up of ethnic Georgians. However, a minority of Ossetians were also incorporated into Georgia’s territory. The Ossetian separatists wish for Russia to annex the land that they live on and become Russians, which has caused small civil wars to break out between Georgia and the Russian backed Ossetians. Russia views most of the citizens in South Ossetia as Russian and claims to have provided almost all of them with Russian passports and has claimed that it will treat them as Russian citizens in business matters. On August 7, 2008 at 11:30 p.m., Georgian troops moved in and launched their artillery attack on Tskhinvali, the capital of South Ossetia. The Organization for Security and Co-operation in Europe, or OSCE has monitors that recounted shells raining down on South Ossetia every 15 to 20 seconds. The Georgians used numerous destructive weapons including rocket launchers, guns, and cluster bombs. The next day, Georgia began their attempt to seize the South Ossetian capital. Russia's combat unit, the First Battalion of the 135th Regiment, the first unit ordered into South Ossetia on August 8. The Russian army moved farther south into other parts of Georgia and thus Georgia has filed a suit against Russia claiming they broke the International convention on the Elimination of all forms of Racial Discrimination or (CERD) when Russians attacked Georgian citizens. They also claim that Russia committed genocide in the south Ossetian and surrounding areas.

II. Plaintiff:

Georgia has filed a claim against Russia for violating CERD (International Convention on the Elimination of All Forms of Racial Discrimination) when Russia attacked non-violent Georgian



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citizens. They also are claiming that genocide has taken place in south Ossetia and the neighboring regions and that Russia violated the Convention on the Prevention and Punishment of the Crime of Genocide.

III. Defendant:

Russia claims that the Ossetian citizens are theirs to protect against the Georgian military and was simply doing its job as a country. Russia also claims that Russia did not take part in any genocide; they only defended themselves. According to Russia, Russia did not attack Georgia. Russia was simply defending itself. Georgia was murdering Russian peacekeeping soldiers and assaulting innocent civilians. It was Russia's duty and obligation to protect its citizens. Russia did not provoke the war, they were merely responding to Georgia's genocide and their vicious take over of Tskhinvali.

IV. Things to consider:

What will you ask the witnesses?
Can either side be found guilty of violating international conventions?
What right does Russia have in terms of providing South Ossetians with passports?
Should Ossetians be considered Russians? Do the Ossetians have any say in the matter?
Should the Russian attacks be considered genocide?
What reparations, if any, are due to Georgia?
What reparations, if any, are due to Russia?

V. Documents:

~CERD (specifically Article 2, 3, 4, 5, 6, 22)
~Genocide Convention
~any others that you find pertinent to this case

VI. Possible witnesses:

Note: This list is subject to change. If you feel that there are any witnesses that you would particularly like to question, please include those names in you Preliminary Analysis along with your list of possible questions for the witness.

~Russian soldier



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- ~Georgian soldier
- ~Georgian villager (for the genocide part)
- ~Ossetian villager
- ~Prime minister Putin
- ~President Mikhail Saakashvili

VII. Sources:

<http://www.haguejusticeportal.net/eCache/DEF/9/630.html>

<http://www.icj-cij.org/docket/index.php?p1=3&p2=3&k=4d&case=140&code=GR&p3=4>

<http://jurist.org/paperchase/2011/04/icj-dismisses-case-on-georgia-russia-conflict.php>

http://www.rferl.org/content/ICJ_Begins_Hearings_In_RussiaGeorgia_Dispute/2156165.html