

XXXIV

TECMUN Jr.

International Criminal Court

XXXIV TECMUN Jr.
Session schedule

Wednesday, November 11th

Registration	8:00 – 9:00 h.
Opening Ceremony	9:00 – 10:00 h.
Break	10:00 – 10:30 h.
First Session	10:30 – 12:30 h.
Break	12:30 – 13:00 h.
Second Session	13:00 – 15:00 h.
Lunch	15:00 – 16:00 h.
Third Session	16:00 – 18:00 h.

Thursday, November 12th

Masterly Conference	8:30 – 9:30 h
Break	9:30 – 10:00 h..
Fourth Session	10:00 – 12:30 h.
Break	12:30 – 13:00 h.
Fifth Session	13:00 – 15:00 h.
Lunch	15:00 – 16:00 h.
Sixth Session	16:00 – 18:00 h.

Friday, November 13th

Seventh Session	8:00 – 9:30 h
Break	9:30 – 10:00 h
Eighth Session	10:00 – 12:00 h
Break	12:00 – 12:30 h
Ninth Session	12:30 – 14:40 h
Lunch	14:40 – 16:00 h
Closing Ceremony	16:00 – 18:00 h

XXXIV TECMUN Jr.
General Agenda

Secretary General: David Trujillo Loza

GENERAL COORDINATION

Undersecretary of General Coordination: Alexa Esmeralda Rivera Jimenez
General Coordination Supervisor for Secretary Co: Ana Sofia Parra Meza y Narda
Regina Rentería Martínez

GENERAL ASSEMBLY

General Subsecretary: Diego Alejandro Salazar Náfate
Coordination Supervisor: Maria Fernanda Granados Martínez

Plenary Session for the General Assembly

President: Andrea Teresa Romero Bravo

Topic A) Strategies to address the transnational financing networks and arms smuggling mechanisms sustaining the operations of Al-Shabaab in the Horn of Africa.

Topic B) Addressing Cross-Border protection measures and legal frameworks for climate displaced populations especially in the Bay of Bengal and South Asia.

First Committee on Disarmament and International Security

President: Marco Omar Montemurro Spano

Topic A) Measures to restore military transparency and reduce the operational preparation of nuclear arsenals between the Russian Federation and the United States of America.

Topic B) Strategies to confront the illicit trafficking of commercial explosives and military grade weaponry within South America, with emphasis on regional cooperation, stockpile security and the logistical capabilities of transnational criminal networks.

United Nations Office on Drugs and Crime

President: Jeshua Isaí Jordan López

Topic A) Measures to address human trafficking for forced criminality in scam compounds across the Mekong sub-region, with emphasis on transnational cooperation and the protection of trafficking victims.

Topic B) Strategies to dismantle the laundering of drug trafficking profits enabled by corruption in the Sahel region, with emphasis on the cocaine route between South America and Europe.

Comisión del Derecho Internacional
Presidenta: Alexa Ortiz Van Der Graaff

Tópico A) Estrategias para abordar la difusión transfronteriza de contenido sintético generado por inteligencia artificial, que compromete la integridad electoral y la estabilidad diplomática internacional.

Tópico B) Medidas para fortalecer la protección jurídica internacional de personas desplazadas por desastres naturales y crisis climáticas en regiones vulnerables del Sudeste Asiático y el Pacífico.

Haut Commissariat des Nations Unies Pour les Réfugiés
President: Mauricio Antillón Mota

Sujet A) Actions visant à renforcer l'accès aux services essentiels dans les camps de réfugiés rohingyas situés en République Populaire du Bangladesh, en mettant particulièrement l'accent sur les défis climatiques.

Sujet B) Stratégies pour renforcer l'assistance humanitaire destinée aux personnes déplacées internes en République du Soudan, dans le contexte du conflit armé entre les Forces armées soudanaises et les Forces de soutien rapide.

Fondo de las Naciones Unidas para el Desarrollo de la Infancia
Presidenta: Andrea Hernández Caballero

Tópico A) Estrategias para abordar la desinformación en línea y la amplificación algorítmica de contenido dañino que socava el acceso de los niños a información confiable en entornos digitales en Latinoamérica y el Caribe.

Tópico B) Estrategias para garantizar el acceso humanitario infantil en la Franja de Gaza durante los conflictos armados.

International Maritime Organization
President: Isabella Buendía Ramírez

Topic A) Mechanisms to strengthen international regulatory frameworks addressing the deployment of autonomous and AI-assisted maritime systems and their implications for maritime safety, accountability and international coordination.

Topic B) Measures to strengthen occupational safety and environmental sustainability in international ship recycling practices.

Special Political and Decolonization Committee
President: Ariadna Joseline Pacheco Spirina

Topic A) Measures to strengthen international cooperation for environmental remediation and humanitarian assistance in territories affected by the legacy of nuclear testing in the Pacific and Central Asia.

Topic B) Measures to address the legal and political implications of climate-induced territorial loss affecting Low-Lying Non-Self-Governing Territories.

Sixth Legal Committee

President: Diane González Martínez

Topic A) Measures to strengthen international cooperation for environmental remediation and humanitarian assistance in territories affected by the legacy of nuclear testing in the Pacific and Central Asia.

Topic B) Measures to address the legal and political implications of climate-induced territorial loss affecting Low-Lying Non-Self-Governing Territories.

ECONOMIC AND SOCIAL COUNCIL

General Subsecretary: María Fernanda Domínguez Heredia

Coordination Supervisor: Aitana Rodríguez Hernández

Organización Internacional de la Policía Criminal

Presidenta: Andrea Guadalupe Zaldívar Escamilla

Tópico A) Acciones para fortalecer la cooperación policial internacional en la identificación y desarticulación de organizaciones criminales transnacionales responsables de ataques de ransomware contra infraestructuras críticas en Europa, con énfasis en el Reino Unido de Gran Bretaña e Irlanda del norte .

Tópico B) Mecanismos para fortalecer la cooperación policial internacional en la identificación y desarticulación de redes criminales transnacionales dedicadas al tráfico ilícito de migrantes a través de rutas terrestres irregulares entre América Latina y América del Norte.

United Nations Interregional Crime and Justice Research Institute

President: Sara Vázquez Zamora

Topic A) Actions for enhancing multilateral efforts to address human trafficking and cross border fraud and cybercrime with emphasis in the Republic of the Union of Myanmar.

Topic B) Measures to address the use of cryptocurrencies in the laundering of criminal proceeds conductas by drug cartels in Latin America with an emphasis in the United Mexican States

Comité de los Derechos del Niño

Presidenta: Camila Aimee Castañeda Espinoza

Tópico A) Medidas internacionales para prevenir el reclutamiento forzado de menores por grupos armados en la República de Haití frente al aumento de violencia de pandillas y crisis institucional.

Tópico B) Estrategias regionales para proteger a menores migrantes no acompañados en la frontera entre los Estados Unidos Mexicanos y los Estados Unidos de América frente al tráfico humano y la violencia del crimen organizado.

Entidad de las Naciones Unidas para la Igualdad de Género y el Empoderamiento de las Mujeres

Presidenta: Danna Valeria Márquez Mejía

Tópico A) Estrategias para fomentar el empoderamiento económico y la inclusión laboral de las mujeres migrantes y refugiadas por motivos de violencia sistemática en América Latina.

Tópico B) Medidas para garantizar la igualdad económica y el derecho a la propiedad de tierras de las mujeres en la reconstrucción de zonas post-conflicto en África, con énfasis en la República Democrática del Congo.

United Nations Institute for Disarmament Research

President: Emiliano Sánchez Dorantes

Topic A) Security risks associated with the transfer, proliferation, and regulation of military artificial intelligence systems in the Indo-Pacific Region.

Topic B) Counterspace capabilities, including cyberattacks and jamming against satellite networks, and their impact on communications, navigation, and strategic systems in Eastern Europe.

Consejo de Derechos Humanos

Presidenta: Andrea Meza Hernández

Tópico A) Medidas para garantizar la protección de periodistas y el acceso libre a la información en situaciones de conflicto armado, con énfasis en la región de Oriente Medio.

Tópico B) Acciones para garantizar la protección de las infancias y adolescencias frente al reclutamiento forzado y las violaciones a los derechos humanos en la región del Sahel ante la expansión de grupos extremistas.

Comité de Expertos de las Naciones Unidas sobre la Gestión Global de la Información Geospacial

Presidenta: Regina Hernández Caballero

Tópico A) Reducción de la brecha tecnológica geoespacial en los Estados Insulares del Pacífico.

Tópico B) Fortalecimiento de la gobernanza ética de datos en sistemas de prevención y respuesta ante desastres naturales en Estados insulares del Caribe.

Food and Agriculture Organization

President: Mariana Jiménez Zamudio

Topic A) Strategies to address bioprospecting and genetic patenting inciting biopiracy that undermines traditional agricultural knowledge and smallholder seed sovereignty in Southern Asia.

Topic B) Confronting the causes of child labour and exploitative practices within West African cocoa supply chains with emphasis in the Republic of Côte d'Ivoire.

Historical Commission on Crime Prevention and Criminal Justice

President: Sofía López Rodríguez

Topic A) Mechanisms to counter the transnational growth of the Primer Comando da Capital while addressing the systemic prison crisis in the Federative Republic of Brazil (1993-2016).

Topic B) Mechanisms to combat the transnational trafficking of women and sexual exploitation networks operated by the Russian Mafia (Bratva) in Post-Soviet states (1991-2005).

SPECIALIZED AGENCIES AND REGIONAL ORGANISMS

General Subsecretary: Miguel Ander Hernández Aguilar

Coordination Supervisor: Romina Valle Velázquez

Organización del Tratado del Atlántico Norte

Presidente: Emilio Gutierrez

Tópico A) Medidas para enfrentar las crecientes tensiones internacionales, así como la amenaza de un posible conflicto bélico en la región del Medio Oriente, con énfasis en el crecimiento del programa nuclear de la República Islámica de Irán y sus posibles implicaciones para la seguridad global

Tópico B) Medidas para responder al incremento de las tensiones en Europa Oriental, así como a sus posibles repercusiones en la seguridad y estabilidad de la República de Polonia y la República de Lituania, con especial énfasis en la militarización del enclave de Kaliningrado por parte de la Federación de Rusia.

Organización Mundial de la Salud

Presidente: Javier Gil Rodríguez

Tópico A) Acciones para fortalecer la vigilancia, prescripción responsable y acceso regulado a fármacos antimicrobianos en los centros hospitalarios de la Unión Europea, con énfasis en la resistencia bacteriana a los antibióticos, el uso inadecuado de fármacos y las fallas estructurales asociadas.

Tópico B) Medidas para apoyar la recuperación de la infraestructura sanitaria y reforzar la protección del personal de salud en zonas de conflicto armado, con un enfoque crítico en la desnutrición aguda infantil en la República de Sudán.

Consejo de Seguridad

Presidente: Joaquín Pérez y Rodríguez

Tópico A) Estrategias para contrarrestar el conflicto armado en Sudán, haciendo énfasis en el genocidio y los crímenes de guerra cometidos en Darfur y las amenazas que representa para la estabilidad del África Oriental.

Tópico B) Medidas para frenar los ataques militares de los Estados Unidos de América y el Estado de Israel contra el territorio de la República Islámica de Irán, poniendo especial atención en el riesgo de escalada a un conflicto armado generalizado en Medio Oriente.

Fondo Monetario Internacional

Presidente: Daniel Emiliano Morales Ramírez

Tópico A) Estrategias para mitigar el impacto económico global causado por el conflicto en el estrecho de Ormuz tras las tensiones en Oriente Medio,

Tópico B) Mecanismos para enfrentar las repercusiones de las políticas arancelarias de Estados Unidos de América en las economías comerciales asociadas.

Organización Internacional de Energía Atómica

Presidenta: Natalia García Olmos

Tópico A) Reforzamiento de los mecanismos internacionales de verificación y no proliferación en relación con el programa nuclear de la República Islámica de Irán.

Tópico B) Fortalecimiento de las medidas y mecanismos internacionales para mitigar los riesgos ambientales, garantizar la seguridad nuclear y reforzar la protección tecnológica de las instalaciones nucleares en Ucrania.

Counter-Terrorism Committee

President: Santiago Castañeda Castro

Topic A) Measures to address the humanitarian and security crisis in Cabo Delgado, with emphasis on the violent campaign of Ahlu Sunnah Wa-Jamo (ASWJ) and extremist recruitment prevention.

Topic B) Mechanisms to eradicate the security vacuum in Somalia as a consequence of the transition from ATMIS, in the context of the operational resurgence of Al-Shabaab.

Organization for the Prohibition of Chemical Weapons

President: Mauricio Alejandro Salazar López

Topic A) Measures to address the threat of undeclared chemical weapons stockpiles and the proliferation of dual-use chemical substances in the Syrian Arab Republic after the fall of the Assad government.

Topic B) Measures to strengthen international emergency response and assistance mechanisms in relation to alleged chemical weapons incidents in the Republic of the Sudan.

Organización de los Estados Americanos

Presidenta: Andrea Vázquez Zamora

Tópico A) Mecanismos para la supervisión del uso de vehículos aéreos no tripulados en zonas con altas tasas de crimen organizado en Latinoamérica con énfasis en la República de Haití.

Tópico B) Medidas para la regulación del uso de Inteligencia Artificial (IA) enfocado en la manipulación de procesos electorales en Latinoamérica con énfasis en la República Federativa de Brasil.

International Criminal Court

President: Marco Bourget Alvarez

Case A) The Prosecutor v Rodrigo Roa Duterte for alleged crimes against humanity in the Republic of the Philippines.

Case B) 2017 Clearance Operations in the Republic of the Union of Myanmar, with emphasis on the application for a warrant of arrest against Min Aung Hlaing, Commander-in-Chief of the Myanmar Defence Services at the time of the operations, for alleged crimes against humanity.

“The world offers you comfort. But you were not made for comfort, you were made for greatness”

- Joseph Ratzinger

Dear reader,

Five years ago, I began this project without knowing what it would become. I arrived at TECMUN thinking that it was only an academic event; three days later, that perception had completely changed, and eight models later, they made me realize that the meaning I once saw in it does not come close to what I see it as today and what it truly is. Like many others, I began with the belief that TECMUN was a model of agents seeking to change and solve the problems that develop in our world. However, diplomacy and communication are only a small part of what this model is about and what it gives you to go out and truly make a difference.

The problem in our days does not lie in the lack of knowledge we have about them, but in the lack of willingness of those who know and do not act. The human fear of attempting that which we know makes us uncomfortable surpasses the desire we have to do it and, in an attempt to change that mindset, TECMUN came to shape and change those who hesitate to act out of fear of transcending and facing realities. The agents of change that I thought were formed through formality were, in reality, being shaped through adversity and setbacks, with people willing to embrace what is difficult, people willing to empty themselves of what they have in abundance and fill themselves with what they lack.

Understanding this, I invite you, delegate, advisor, and secretariat, to empty yourself of what is simple and fill yourself with what is complex. I invite you to leave conformity behind and choose transcendence for these three days. Because if you long for change as much as I do, there is no better initiative than starting with oneself. In this way, many Model United Nations conferences can teach you communication and diplomacy, but few seek a transition the way TECMUN does. Love change and work with love for it, because only then will greatness prevail over conformity.

David Trujillo Loza
Secretary General for the
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"Every great dream begins with a dreamer. Always remember, you have within you the strength, the patience, and the passion to reach for the stars to change the world."
- Harriet Tubman.

Querido soñador:

Siempre he pensado que cada uno de nosotros llegó a este universo con un mismo propósito: cambiar el mundo. Estoy segura de que debes tener miles de sueños y metas que anhelas cumplir en un futuro; yo vengo a pedirte que nunca te rindas. Hoy en día el mundo está lleno de noticias sobre cómo la humanidad está siendo gobernada por el poder y la ambición, y yo sé que eso puede llegar a desanimar e incluso desviar nuestros propósitos, pero, por favor, nunca dejes que los retrocesos sean una razón para dejar de intentar; al contrario, que se conviertan en el porqué de tus pasos hacia el cambio.

Hace algunos años mis sueños seguían borrosos, no era muy consciente de mis alrededores y tampoco tenía herramientas para comprenderlo del todo, pero el día que entré a Tecmun fue como si hubiera visto con lentes por primera vez. Tecmun me ha enseñado que el primer paso para el cambio es el volvernos conscientes; con esto me refiero a no hundirnos en la ignorancia y empezar a ver el mundo desde cualquier perspectiva posible, empezar a investigar sobre todo lo bueno y lo malo y formar un criterio de ello.

Si me preguntaran cómo describiría a Tecmun, diría que es un espacio para descubrir; dentro de este eres capaz de pensar más allá e intentar buscar soluciones para problemáticas que gente real vive día con día. No solo analizas, te vuelves un poquito más empático con cada propuesta que realizas. Tecmun es un lugar para soñadores; está basado en un modelo de naciones que surgió para evitar futuros conflictos, pero yo considero que Tecmun es aún más que eso.

Para mí, Tecmun se ha convertido en los tres días que espero con ansias cada semestre. El motivo eres tú; trabajar durante todo el semestre para llegar al modelo y poder verte list@ para adentrarte en un mundo lleno de ideas y soluciones, de creatividad y pasión, hace que todo mi esfuerzo valga la pena. Mi propósito es que te enamores de Tecmun al igual que yo lo hice; busco transmitirte mi pasión y hacerte ver este proyecto como lo hago yo, como el lugar en el que los sueños se hacen realidad.

Como jóvenes debemos luchar por un mundo mejor; somos el futuro de nuestra sociedad y debemos actuar como tal. Nuestro deber como estudiantes es querer ser mejor cada día, pero no por los demás, sino porque esa alma soñadora que tenemos en nuestros corazones nos vea triunfar y ser la persona más feliz del mundo, siempre apegada a nuestros valores, siempre perseverante, siempre libre. Luchemos por tener un mundo mejor, pensemos en grande y no dejemos que nunca nadie nos quite lo más importante que poseemos, nuestra humanidad. Gracias por estar aquí, por hacer el cambio, por no rendirte.

Alexa Esmeralda Rivera Jiménez
Under-Secretary-General for Coordination for the
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“On ne voit bien qu'avec le cœur. L'essentiel est invisible pour les yeux.”

- *Antoine de Saint-Exupéry*

Dear Disruptor,

Hoping that these words resonate with you, I dare to stand before you and ask you, from the bottom of my heart, to never stop dreaming, connecting, and creating. In a world where we are expected to conform and simply accept things as they are, the greatest act of rebellion is to question. Please, never remain silent; always raise your voice for yourself and for those who cannot do so. Do not let fear or laziness take away the humanity that lives within you. Always fight for what you desire and, above all, always put love into everything you do. Those who never give up are the ones who inspire hope in others.

Something incredibly valuable that TECMUN has given me is the opportunity to connect with extraordinary people who strive for something greater; people who are committed to what they do and who want to change the world. Whether you are a chair, staff member, delegate, agent, judge, minister, or advisor, thank you for seeing this as more than just an academic event. Because something much greater lies here: the dreams of countless like-minded individuals who believe that we can fight for a better world. Never stop dreaming, make a positive difference in the lives of those around you, always strive for more, and never settle.

I wish you tremendous success throughout these upcoming days of debate. Prepare yourself, believe in yourself, work hard, and give your best in every moment. If you have made it this far, it is because you aspire to something greater and refuse to remain within your comfort zone. Every single one of us recognizes your effort, and remember that beyond an award or recognition, the most valuable thing you can take away from this Model United Nations conference is the connection with unique individuals who see something extraordinary in you.

Miguel Ander Hernández Aguilar

Under-Secretary-General for Specialized Agencies and Regional Organizations for the

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"It takes a great deal of courage to stand alone even if you believe in something very strongly."
-12 Angry Men (1957)

Dear Agent/Judge,

Over the next three days, you will analyze some of the most heinous crime cases in modern society and reach a verdict that brings justice to the victims. You will be put in the place of real-life people who work to make the world a better and fairer place, but do not forget you are also working for it. I welcome you to the International Criminal Court, a committee that has shown me so much and shaped me into who I am. I thank you for choosing this committee and for being with me for my first presidency. It is a true honor to be here, and the path here was not easy at all. I remember the first time I was in the place you are now, my first committee was the Historical Security Council. I remember not knowing what the UN was, and more importantly, what MUN was. But that did not stop me, and since that day, MUN has become one of the most important pillars of my life. Before being here, I participated 2 times as chair. I wish to thank Mar and Mike for teaching me everything I know about being a chair, and for becoming my friends. If this is your first MUN, congratulations. It takes a great effort and courage to be here, and that is something not everyone has in them. Don't be afraid to speak and question, because that makes us stand out, and standing out is the first step to changing the world. With this first presidency, I finally fulfil a dream I have had since I started participating in MUNs, and fulfilling it in this committee, in which I first participated as Judge Péter Kovács, is the biggest honor of my life. Remember, you are never too young to speak out about what you believe. Never stay silent in the face of injustices; remember that everything in this world is political and open to questioning. Everything affects us, no matter how far it may seem. Keep learning, because knowledge in this era is power. I believe that you will change the world, and I feel extremely honored to be able to push you and help you do it. Don't forget to connect with your fellow judges and agents, because that is the best part of this. I can say that my best friendships and experiences come from this. I wish you all the luck, and may the odds be ever in your favor.

Marco Bourget Alvarez

President of the International Criminal Court for the

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Background

The International Criminal Court (ICC) is a permanent international tribunal established to investigate, prosecute, and try individuals accused of committing crimes that concern the international community, like the crime of genocide, crimes against humanity, war crimes, and the crime of aggression. The court is regulated by the Rome Statute, a treaty signed in 1998, that defines the crimes under the court's jurisdiction, the rules of procedure, and the mechanisms for States to cooperate with the ICC. The court has 18 judges, who are divided into the Pre-Trial judges, who decide if there is enough evidence to proceed to trial, the trial judges, who conduct fair trials, and the appeals judges, who handle appeals from the Parties involved in the cases. The headquarters of the ICC is located in The Hague, in the Kingdom of the Netherlands.

Faculties

To ensure a fair trial and the establishment of sentences for the accused individuals, the International Criminal Court can:

- Investigate and prosecute individuals according to the Rome Statute in which the State is unwilling or incapable of doing so;
- Judge leaders and high-level government officials responsible for war crimes, crimes against humanity, genocide, and crimes of aggression;
- Work with the Security Council to ensure the jurisdiction of the case to the court with the help of referrals or deferrals;
- Protect the security, welfare, and dignity of victims and witnesses through reparations, compensations, or rehabilitations;

- Issue arrest warrants or summonses to appear, relying on State Parties to arrest and transfer suspects to the ICC;
- Work with State Parties to ensure the implementation of the sentences.

Case A

The Prosecutor v. Rodrigo Roa Duterte for
alleged crimes against humanity in the
Republic of the Philippines.

Introduction

On May 24th, 2021, the Office of the Prosecutor¹ of the International Criminal Court (ICC) requested authorisation from the Pre-Trial Chamber 1 to open an investigation of crimes under the court's jurisdiction² allegedly occurred inside the Republic of the Philippines' territory between November 1st, 2011 and March 16th, 2019. The ICC has jurisdiction over 4 fundamental crimes: crimes of genocide, crimes against humanity, war crimes and the crime of aggression. These crimes were established in the Rome Statute, an international treaty signed on July 17, 1998, which instituted the court's jurisdiction, rules of procedure, and other matters relating to the court. The Pre-Trial Chamber accepted the petition on September 15th, 2021, and on January 26th, 2023, the prosecutor was granted permission to continue the investigation.

According to the investigations, the main accused individual by the ICC is Rodrigo Roa Duterte, the 16th President of the Republic of the Philippines, mayor of Davao, a city in the Republic of the Philippines, for 22 years and allegedly the founder and head of the Davao Death Squad (DDS), a vigilante group in Davao City. This group is alleged to have committed extrajudicial executions of street children and other individuals who were suspected of drug-related activities. This vigilante group also allegedly participated during his time as President of the Republic of the Philippines, and worked with the police of the Republic of the Philippines. These actions lie under the ICC's jurisdiction under crimes against humanity, which are defined in the Rome Statute as any act that was committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack (International Criminal Court, 1998). The ICC accuses Rodrigo Roa

¹ **Prosecutor:** A legal official who accuses someone of committing a crime, especially in a law court. (Cambridge, n.d.)

² **Jurisdiction:** The authority of a court or official organization to make decisions and judgments. (Cambridge, n.d.)

Duterte of three counts of crimes against humanity: One during his time as mayor of Davao City and the other 2 during his presidential term, relating to the so-called “High-Value Targets” and 43 executions of low-level drug suspects in the context of the so-called War on Drugs that Rodrigo Roa Duterte implemented. According to Human Rights Watch, during these operations, approximately 12,000 victims were deprived of their lives, and at least 2,555 of these victims were attributed to the police of the Republic of the Philippines.

Background of the case

Before 1986, the Republic of the Philippines was governed by President Ferdinand Marcos, who had the country in a dictatorship in which the power was concentrated in the executive branch, meaning his closest allies held all the power, and he used torture and incarceration³ tactics against the opposition and other of his public enemies to maintain order and compliance. According to BBC News, approximately 70,000 people were imprisoned, 34,000 were tortured and 3,200 were executed from 1972 to 1981. Ferdinand Marcos declared martial law in September 1972, which meant that the military would rule the country instead of the civilians. He stated that the reason for the martial law was that the students' demonstrations, the rise of the Communist Party of the Philippines, and the Muslim separatist group were getting harder to manage for the government alone. During this time, Ferdinand Marcos arrested opposition members of Congress. He also implemented censorship of media outlets, deploying the Department of Public Information to ensure that the information had a nationalist focus and promoted his public view.

The dictatorship of Ferdinand Marcos came to an end in 1986, following the People Power Revolution. Internal dissent grew after the killing of Senator Benigno Aquino Jr, which was popularly seen as a tactic to prevent further opposition from expanding by the

³ **Incarceration:** the act of putting or keeping someone in prison or in a place used as a prison (Cambridge, n.d.)

military. This, along with Ferdinand Marcos' call for a snap election, grew a greater sense of opposition against the regime. On February 22nd, 1986, Cardinal Jaime Sin called for peaceful protests in the streets of Epifanio de los Santos Avenue, the main avenue of Metro Manila, in the Republic of the Philippines. Even though President Ferdinand Marcos tried to stop the protests with the support of the military, a part of the military refused to support him and instead supported the protesters. The regime ended on February 25th, 1986, when the United States of America's government helped Ferdinand Marcos escape to Hawaii. That same night, Corazon Aquino, Benigno Aquino Jr's widow, was declared president of the Republic of the Philippines.

Rodrigo Roa Duterte's time as mayor of Davao City

Rodrigo Roa Duterte was first elected as mayor of Davao City in 1988. The city had been enduring years of instability due to the New People's Army (NPA), a communist insurgency which was founded in 1969 by the Communist Party of the Philippines, which used Davao City as a laboratory for rural and urban guerrilla warfare⁴ tactics. Due to these acts, the city was known as the "murder capital" of the Republic of the Philippines. The government tried to counterattack the NPA with poorly trained paramilitary forces like the Civilian Home Defense Force, which used torture and deprived people of their lives if they were suspected of being involved with the NPA. Vigilante groups also emerged during this time, like the *Alsa Masas* ("Masses Arise" in Filipino). This vigilante group gained popularity due to widespread resentment against the NPA.

⁴ **Guerrilla Warfare:** type of warfare fought by irregulars in fast-moving, small-scale actions against orthodox military and police forces and, on occasion, against rival gained popularity due to widespread insurgent forces, either independently or in conjunction with a larger political-military strategy. (Britannica, n.d.)

The administration of Rodrigo Roa Duterte implemented different strategies to fix the city's problems. To eradicate and minimize communist insurgencies, Rodrigo Roa Duterte offered the communist rebels a deal to stop their spread. If they surrendered to the government and ceased their operations inside urban areas, the government would provide them with financial integration assistance and with jobs within the city government. For the rebels who refused to surrender, Rodrigo Roa Duterte enforced harsh policies to prevent the use of urban areas and pushed rebels to the rural areas of Davao City. These actions lowered crime rates in the urban area and helped the economic and industrial growth of the city.

Another recurrent problem in Davao City was the high rate of kidnappings for ransom, especially targeted at the wealthy sector of the Chinese-Filipino business district. To quicken the response time of the traditional police departments, Rodrigo Roa Duterte decided to work together with REACT (Radio Emergency Action Communications Team), a system of businessmen. The way this system worked was the following: when a kidnapper used a pay phone to make a ransom call, the REACT team would be notified, and the REACT team's car would honk their car in a specific way depending on the district they were located in. After that, the investigators of the government were able to analyze the honking pattern and trace the call to the district it came from. Thanks to this process, Rodrigo Roa Duterte was able to resolve some high-profile cases of kidnappings, which ultimately resulted in the number of kidnappings decreasing.

Additionally, Rodrigo Roa Duterte aimed to reduce the polarization of different ethnic groups and different religions inside Davao City with the implementation of the deputy mayors inside the executive branch, allocating one seat for each tribe inside Davao City: the Klata tribe in Calinan, Ata in Paquibato District, Ovu Manuvo and Matigsalog tribes in Marilog District and Tagabawa in Tori, and the six Islamized tribes in the city: the Kagan, Maguindanaon, Maranao, Sama, Tausug, and Iranun. With these measures, the tribes were

able to be heard by the government, and the disputes between the tribes decreased. Relating to inclusion in the government, Rodrigo Roa Duterte signed and funded in 1997 the Integrated Gender and Development Division, which was created to supervise the implementation of the Women Development code, which aims to ensure gender mainstreaming by the integration of women in various areas of local governance.

Even though Rodrigo Roa Duterte supported the development of the City, the harsh measures of his administration also drew attention from international human rights organisations. According to Human Rights Watch, between 1998 and 2009, there were 814 reported homicides, most of the victims being teenagers, street kids who worked as drug dealers or petty thieves. These cases were associated with the Davao Death Squad, which worked in a style that is known in the Republic of the Philippines as “riding in tandem”, in which two men on a motorcycle would approach a target, shoot him and accelerate towards another place. According to the investigations of Human Rights Watch, the targets were delivered to the squad in lists provided by the police, in which the main targets were drug dealers, thieves, gang members and other targets related to drug-dealing offenses in Davao City.

Republic of the Philippines’ War on Drugs

Since the beginning of Rodrigo Roa Duterte’s electoral rally for president, he announced his objectives to reduce drug trafficking and drug-related crimes in the Republic of the Philippines, and even before the start of his campaign, Rodrigo Roa Duterte declared that:

I will definitely kill you. I will win because of breakdown in law and order. I do not want to commit a crime. But if by chance per chance God will place me there, stay on guard because that 1,000 will become 100,000. You will see the fish in Manila Bay becoming fatter. That is where I will throw you. (Human Rights Watch, 2017).

On June 30th, 2016, Rodrigo Roa Duterte was officially declared the 16th president of the Republic of the Philippines, and that same day, the so-called “War on Drugs” was launched. According to his declarations, these operations would only last for 6 months, and after this time, drug-related crimes inside the Republic of the Philippines would be eradicated, and simultaneously, he launched “Operation Double Barrel” on July 1st, 2016, which consisted of the Project Tokhang, in which neighborhood councils were forced by the government of the Republic of the Philippines to compile local lists of suspected drug users. These lists, according to reports from Human Rights Watch, were then used by the police and other vigilante groups that were backed by the government to locate and arrest these individuals, tracking them and carrying out extrajudicial killings in their homes or in hidden areas, like alleys, and to avoid being held responsible legally, the police would allegedly fabricate and alter official police reports in which they declared that the suspects had resisted arrest violently, which justified the extreme use of force, and to support these claims, the officers supposedly planted drugs and arms to make it appear as if they were drug traffickers and that they had resisted. Duterte also ensured immunity to any police officer or vigilante publicly, and praised the high number of executions carried out.

On January 30th, 2017, the Republic of the Philippines’ National Police announced a temporary stop to all drug-related operations, due to the kidnapping and brutal execution of Jee Ick Joo, a businessman of the Republic of Korea, who was arrested illegally by police of the Republic of the Philippines. He was taken to the police headquarters in Metro Manila, and then was executed inside it. The police also requested a ransom to his wife, and they accepted the money even though Jee Ick Joo was already executed. This suspension only lasted a few weeks due to the pressure from Rodrigo Roa Duterte to continue the operations. The operations were formally relaunched in March 2017.

These new operations were declared to be “bloodless” and peaceful, but the executions continued. In August 2017, police in the Bulacan province reportedly executed 32 individuals in 24 hours, and following these events, President Rodrigo Roa Duterte declared that “If we could kill another 32 every day, then maybe we can reduce what ails this country.” (The Guardian, 2017). On August 16th, 2017, members of the Philippine National Police purportedly killed a 17-year-old student named Kian Loyd delos Santos. According to the police’s official reports, the student fought back and acted violently against members of the police, but evidence showed that police officers pushed him into an alley, in which he was then shot in the head. This event caused national protests around the Republic of the Philippines, and Rodrigo Roa Duterte suspended the Philippine National Police from drug-related operations in October 2017, and handed the control of these operations to the Philippine Drug Enforcement Agency. On January 29th, 2018, Rodrigo Roa Duterte reinstated the police back into the operations and relaunched the Tokhang operations, but now, they would be restricted from 8:00 AM to 5:00 PM on weekdays, and the police teams were required to be accompanied by religious leaders or human rights representatives. Allegedly, these measures did not stop the extrajudicial executions, and these acts were now committed in unofficial hours without supervision.

During the SARS-CoV-2 pandemic in 2020, the operations for the “war on drugs” did not stop. According to Human Rights Watch, killings related to the “war on drugs” increased by more than 50% during the first months of the pandemic. The police implemented abusive treatment against individuals who violated the strict curfew, including stray children. Rodrigo Roa Duterte’s administration was described as restrictive due to his actions against media outlets who were against his policies. In July 2020, the Republic of the Philippines’ Congress voted not to extend the franchise of ABS-CBN, the largest television network, due to the network reportedly criticizing his policies. His presidential term finally

ended on June 30th, 2022, and Ferdinand Marcos Jr. was elected. Ferdinand Marcos Jr. modified the government's anti-drug policy with an emphasis on rehabilitation and prevention, though reports of drug-related homicides continued during his administration.

International Criminal Court's actions

In February 2018, the administration of Rodrigo Roa Duterte issued an official request to withdraw from the Rome Statute of the International Criminal Court. The Republic of the Philippines formally withdrew from the Rome Statute on March 19th, 2019. The Rome Statute, under Article 127, point 2, declares that:

A State shall not be discharged, by reason of its withdrawal, from the obligations arising from this Statute while it was a Party to the Statute, including any financial obligations which may have accrued. Its withdrawal shall not affect any cooperation with the Court in connection with criminal investigations and proceedings in relation to which the withdrawing State had a duty to cooperate and which were commenced prior to the date on which the withdrawal became effective, nor shall it prejudice in any way the continued consideration of any matter which was already under consideration by the Court prior to the date on which the withdrawal became effective. (International Criminal Court, 1998).

Even though the country is no longer part of said Statute, thanks to Article 127 the International Criminal Court maintains jurisdiction over any crime that allegedly occurred in the Republic of the Philippines from 2011 to 2019.

On February 10th, 2025, the Office of the Prosecutor requested an arrest warrant against Rodrigo Roa Duterte, ex-president of the Republic of the Philippines, for alleged crimes against humanity of murder, torture and rape. The Pre-Trial Chamber inspected the

evidence presented by the prosecutor and confirmed that there were reasonable grounds to believe that Rodrigo Roa Duterte is individually responsible as an indirect co-perpetrator for the crime against humanity of murder, but did not find reasonable evidence to accuse him of crimes against humanity of rape (International Criminal Court, 2025). After the order was issued, on March 11th, 2025, the police of the Republic of the Philippines and the International Criminal Police Organisation arrested Rodrigo Roa Duterte at the Ninoy Aquino International Airport, located in Manila. He was surrendered later to the ICC, on March 14th, 2025, Rodrigo Roa Duterte made his first appearance via video link, and on September 8th, 2025, his case was postponed indefinitely following a request issued by the Defence of Rodrigo Roa Duterte, alleging that Rodrigo Roa Duterte was not fit to stand trial. The Pre-Trial Chamber agreed to the request, and his pre-trial was postponed until January 26th, 2026, when the Pre-Trial Chamber 1 found Rodrigo Roa Duterte fit to take part in the pre-trial.

The confirmation of the charges hearing took place from February 23rd to February 27th of 2026, in which Rodrigo Roa Duterte was not present, following his request to waive his right to attend the hearing. The Pre-Trial Chamber made its decision with the support of evidence and witnesses presented by the prosecutor, the Common Legal Representatives of the Victims and the Defence. On April 23rd, 2026, the chamber unanimously confirmed the charges against Rodrigo Roa Duterte, which consisted of three counts of crimes against humanity of murder, allegedly related to 76 cases, and committed him to trial before the Trial Chamber. Now, under the ICC legislation, the Defence will have enough time to form their case, ensuring a fair trial for Rodrigo Roa Duterte and his defence.

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Case B

2017 Clearance Operations in the Republic of the Union of Myanmar, with emphasis on the application for a warrant of arrest against Min Aung Hlaing, Commander-in-Chief of the Myanmar Defence Services at the time of the operations, for alleged crimes against humanity.

Introduction

On July 4th, 2019, the International Criminal Court (ICC) prosecutor Fatou Bensouda requested from Pre-Trial Chamber III a formal authorization to open an investigation relating to the situation in the Republic of the Union of Myanmar and the People's Republic of Bangladesh for alleged crimes against humanity of deportation, other inhumane acts and persecution. These crimes are determined under the Rome Statute of the International Criminal Court as crimes against humanity as "acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack" (International Criminal Court, 1998). These crimes were allegedly committed in the context of the 2017 Clearance Operations. Although the Republic of the Union of Myanmar is not a State Party to the Rome Statute, the People's Republic of Bangladesh is. Under Article 12(2)(a) of the Rome Statute, the Court may exercise territorial jurisdiction when at least one element of an alleged crime occurs inside the territory of a State Party. The request was authorised on November 14th, 2019, allowing the prosecutor to proceed with the investigation.

The investigation focuses on the 2017 Clearance Operations, which were large-scale operations that led to alleged human rights violations, such as sexual violence, unlawful killings, destruction of villages and other civilian infrastructure, and the displacement of more than 700,000 Rohingya to the People's Republic of Bangladesh. These acts occurred after the Arakan Rohingya Salvation Army (ARSA) launched attacks against military posts. The main individual named in the Prosecutor's application is Min Aung Hlaing, who was former Commander-in-Chief of the Myanmar Defence Services, and Acting President at the time the application was filed. According to Prosecutor Karim Khan, the application alleges that he bears criminal responsibility for the crimes against humanity of deportation and persecution, which reportedly occurred from August 25th, 2017, to December 31st, 2017.

Cultural context

The Rohingya constitute a Muslim ethnic group that, according to United Nations investigations and human rights organizations, has faced systematic discrimination and serious human rights violations by the Republic of the Union of Myanmar's authorities and security forces. Recognized as one of the world's most persecuted minorities, they lack legal protection and free movement due to their stateless⁵ status. They possess a distinct cultural heritage and religious identity, which contrasts with the Buddhist majority situated in the Republic of the Union of Myanmar. Therefore, they have suffered from a range of conditions that have deprived them of fundamental human rights, including access to medical services, education and basic necessities.

Historians trace the origin of the Rohingya back to the 8th century in the Rakhine State located in Burma, now the Republic of the Union of Myanmar. Historically known as Arakan, it is believed to be the place where their ancestors lived for generations. Between the 9th and 14th centuries, Arab traders began to settle in Rakhine and established Islam as the religion in the region. Nevertheless, in 1785, the state was conquered by the dominant ethnic group in Burma known as the Bamar. Since then, tensions between communities have increased, with episodes of violence and displacement affecting the Rohingya population.

Thousands of Rakhine fled to Lower Bengal, an Indian territory which was under British control. During the nineteenth century, Burma became a colony ruled by the British Monarchy. Aiming to maximize their economic administration, they boosted migrant labor throughout Burma in order to increase employment in rice cultivation, paddy fields and tea plantations. This allowed refugees who left the country to return to Arakan. Notably, British authorities showed support for the Rohingya community during this period. As a result, these differing alliances contributed to tensions and mistrust among communities of the region. In

⁵ **Stateless:** A stateless person has no country that they officially belong to (Cambridge, n.d.)

January of 1942, Japan's invasion during World War II showed an opportunity for the Burmese nationalists to depose the current government. They allied with the Japanese forces while the Muslims supported the United Kingdom of Great Britain and Northern Ireland. However, the Rohingya were only providing help because of the assurance British authorities gave of declaring Arakan a "Muslim National Area". This alignment triggered numerous violent confrontations. Since then, the situation between the two sides has aggravated the ethnic tensions, creating mistrust that evolved into the modern Rohingya crisis. After the war, the Japanese were defeated and forced to leave, but the promise made by the British authorities did not enter into force.

On December 10th, 1947, the Burma Independence Act was passed by the United Kingdom of Great Britain and Northern Ireland, and Burma gained full independence from the British Empire on January 4th, 1948. Following independence, the Burmese government implemented several restrictions that progressively limited the Rohingya population's legal status, citizenship rights and access to fundamental rights. Under the administration of General Ne Win, they arranged military operations in response to the refusal to recognize the Rohingya as legal citizens. In 1977, Operation King Dragon, also known as *Nagamin*, registered citizens in order to screen out foreign people. During these operations, over 200,000 Rohingya were displaced and forced to seek refuge in the People's Republic of Bangladesh, and widespread reports of brutality from military forces, homicides and sexual violence were issued during these operations. After these operations, some Rohingya were allowed to come back, and later, the Burmese government promulgated the 1982 Citizenship Law. The authorities recognize 135 groups as national ethnic groups. Although it has been documented that the Rohingya have lived there for generations, they are not recognized among these groups. Rohingya are considered the world's largest stateless population,

dispossessing them of the right to vote, enter civil services, or obtain passports, which severely limits their legal protections against the State-sponsored actions.

2017 Clearance operations in the Republic of the Union of Myanmar and the People's Republic of Bangladesh

Before the Clearance Operations, in March 2017, the United Nations Human Rights Council established the Independent International Fact-Finding Mission on Myanmar, a fact-finding mission to investigate and document the facts and circumstances of alleged human rights violations caused by military and security forces, due to several allegations of these crimes occurring against the Rohingya. Previous to the Clearance Operations, on August 24th, 2017, leaders of the Arakan Rohingya Salvation Army (ARSA), an active insurgent military group, called local cells to mobilise and rise against the authorities via a WhatsApp call. The clearance operations officially began on August 25th, 2017, when local villagers and fighters attacked 30 police posts and a military base in Maungdaw and Bothidaung. During these attacks, according to official data, 14 members of security forces, a government official and 371 militants were deprived of their lives (Asia Maior, 2018).

Following this, the military forces of the Republic of the Union of Myanmar implemented a counterinsurgency operation, formed by special units, police officers and vigilante groups formed by ethnic Rakhines, and used arson⁶ tactics against Rohingya villages, widespread sexual violence and executions. According to Human Rights Watch, satellite images from the Republic of the Union of Myanmar, from August 25th, 2017, to October 17th, 2017, show that at least 288 villages were partially or totally burned (Human Rights Watch, 2017). The *modus operandi*⁷ for these attacks was as follows: Firstly, police troops and vigilante groups would surround the village. After this, the troops would fire

⁶ **Arson:** the crime of intentionally starting a fire in order to damage or destroy something, especially a building. (Cambridge, n.d.)

⁷ **Modus Operandi:** a particular way of doing something (Cambridge, n.d.)

automatic weapons into homes to spread fear among civilians, and as people fled, the military would burn the structures and separate men from women. Men were reportedly executed, and women were subject to sexual violence.

Records show that most of the attacks occurred from August 25th to September 25th, despite Aung San Suu Kyi, the de facto leader of the Republic of the Union of Myanmar, announcing that the clearance operations ended on September 5th, 2017. After these attacks, it is estimated that approximately 700,000 Rohingya fled to the People's Republic of Bangladesh to escape the attacks, and the People's Republic of Bangladesh permitted the entry of these refugees. Still, it implemented restrictions on the construction of the camps, forcing the construction to be done with non-permanent materials, such as bamboo and low-grade plastic sheeting, so that the camps would not be settled permanently. Due to the use of these materials, the monsoon⁸ seasons of the area triggered landslides and disease outbreaks, such as waterborne and parasitic infections.

In 2018, the Independent International Fact-Finding Mission on Myanmar released its full report on the situation of the clearance operations. According to the report, the operations carried out by the Tatmadaw show a level of preplanning and design by the leader of the Tatmadaw, Commander-in-Chief, Senior General Min Aung Hlaing. According to the report, on September 2nd, 2017, on his Facebook page, he posted the following declaration: "The Bengali problem was a long-standing one which has become an unfinished job despite the efforts of the previous governments to solve it. The government in office is taking great care in solving the problem." (Office of the High Commissioner for Human Rights, 2018). Also, the report suggests that the approximate 10,000 casualties may be a "conservative" estimate. The Tatmadaw also allegedly placed landmines around the border between the Republic of

⁸ **Monsoon:** The season of heavy rain during the summer in hot Asian countries (Cambridge, n.d)

the Union of Myanmar and the People's Republic of Bangladesh to prevent the Rohingya from returning to the Republic of the Union of Myanmar.

This report also declares that the clearance operations continued until October 2017, when the *Tatmadaw* restricted the Rohingyas' freedom of movement, limiting their access to their households and to markets, causing malnutrition in the area, leaving the Rohingya vulnerable. The Rohingya were also vulnerable to attacks from vigilante groups and the theft of properties, livestock and other possessions. An estimated 1,733 Rohingya fled to the People's Republic of Bangladesh per month from the beginning of 2018 to September 2018, when the report was published. Following the evacuation of the Rohingya, the government of the Republic of the Union of Myanmar allegedly used their lands and territory to build new police posts and other infrastructure, like mines and roads. According to the report, the alleged perpetrators of the clearance operations are the *Tatmadaw*, supported by the police of the Republic of the Union of Myanmar and the border guard. In the village operations, Rakhine men allegedly participated as well, burning and looting the remains of the villages. The report also documented alleged human rights abuses committed by ARSA, including the execution of suspected informants and the burning of the Rakhine village of Ah Htet Pyu Ma. The government also accused the Rohingya of burning the villages, but the report did not find enough evidence.

Current situation in the Republic of the Union of Myanmar and the People's Republic of Bangladesh

After the clearance operations, on February 1st, 2021, following political unrest, the military of the Republic of the Union of Myanmar initiated a coup d'état⁹ against the government of President Win Myint and Aung San Suu Kyi, citing alleged electoral fraud in the 2020

⁹ **Coup d'état:** sudden defeat of a government through illegal forlivesce by a small group, often a military one (Cambridge, n.d).

elections. That day, the parliament of the Republic of the Union of Myanmar was organized to meet after the elections. Vice President Myint Swe was declared Acting President and declared a one-year state of emergency, using articles 417 and 418 of the constitution, which declare that the president is enabled to declare a state of emergency in case of extreme threats like insurgency risings or extreme violence, and that the power directly goes to the Commander-in-Chief of the Defense Services. Due to this article, the control of the 3 government branches was handed to Min Aung Hlaing. This act sparked peaceful protests nationwide, leading to the Spring Revolution. According to ACLED, an independent database of protests and violent conflicts around the world, from February 1st, 2021, to the end of June, approximately 4,700 anti-coup demonstration events were reported in the Republic of the Union of Myanmar. (ACLED, 2021). According to Amnesty International, the *Tatmadaw* deprived more than 6,000 people of their lives, detained more than 20,000 and renewed judicial executions. Also, according to this same organization, 2024 was the year with the most violence against Rohingya since 2017, due to the armed conflict between the *Tatmadaw* and the Arakan Army in Rakhine State (Amnesty International, 2025). Following the government's response, the Association of Southeast Asian Nations (ASEAN) limited the Republic of the Union of Myanmar's participation at ASEAN Summits and Foreign Ministers' Meetings to the non-political level.

On April 10th, 2026, Min Aung Hlaing was sworn in as president of the Republic of the Union of Myanmar, after the presidential elections on April 3rd. During his inauguration, he declared that "Myanmar has returned to the path of democracy and is heading towards a better future" (Al Jazeera, 2026). International actors widely criticized the electoral process due to concerns about its inclusiveness, competitiveness and restrictions on political participation. Allegedly, opposition participation in the electoral process was severely restricted, and the final vote for the presidency was held in the Republic of the Union of

Myanmar's Federal Parliament. The system of elections in the Republic of the Union of Myanmar works as follows: The upper and lower houses, alongside the military, each select one candidate, after which the Electoral College votes to elect the President from among the three candidates.

On the other hand, in the People's Republic of Bangladesh, over one million Rohingya are currently settled in the camps around the Naf River, the border between the Republic of the Union of Myanmar and the People's Republic of Bangladesh. These camps operate under the administration of the government of the People's Republic of Bangladesh, while UNHCR and other humanitarian partners support the provision of infrastructure, protection and essential services. The Rohingya have not been able to return to their villages due to the ongoing armed conflict in the Republic of the Union of Myanmar. In these camps, the Rohingya endure severe insecurity due to the clash between the ARSA and the Rohingya Solidarity Organization. These disputes have caused targeted executions, kidnappings for ransom and other acts of violence. Gender-based violence has also risen in the adjacent areas of refugee camps. According to a report published in 2025 by XCEPT, an international research initiative funded by the United Kingdom of Great Britain and Northern Ireland's government, physical assault and sexual violence against Rohingya women have become "distressingly¹⁰ normal". Also, the forced conscription¹¹ of young Rohingya men has become more common, and armed groups in the refugee camps abduct and torture young Rohingya men and forcibly recruit them into these groups.

International Criminal Court's actions

As part of the investigation, on November 27th, 2024, the ICC prosecutor Karim Khan officially filed a request for an arrest warrant against Min Aung Hlaing for crimes against

¹⁰ **Distressingly:** in a way that causes worry, sadness, or pain (Cambridge, n.d.).

¹¹ **Conscription:** the act or process of forcing people by law to join the armed services (Cambridge, n.d.).

humanity of persecution and deportation. Deportation is defined under Article 7 of the Rome Statute as “forced displacement of the persons concerned by expulsion or other coercive acts from the area in which they are lawfully present, without grounds permitted under international law”, and persecution is defined as “the intentional and severe deprivation of fundamental rights contrary to international law by reason of the identity of the group or collectivity”. The prosecutor declared that there are reasonable grounds to believe that he bears criminal responsibility for these crimes. However, the application for a warrant is still pending before Pre-Trial Chamber I.

Various international organisations have expressed their worry due to the new status of Min Aung Hlaing as President of the Republic of the Union of Myanmar, and the possibility of this affecting his pending arrest warrant and possible trial. For example, Amnesty International Myanmar Researcher Joe Freeman declared that: “He may exchange his military fatigues for civilian attire, but this changes nothing with respect to his suspected responsibility for serious crimes under international law in Myanmar.” (Amnesty International, 2026), He also declared that “We also urge the ICC to proceed with arrest warrants for Min Aung Hlaing and other Myanmar junta officials under the ICC’s investigation, and for the UN Security Council to refer the whole situation in Myanmar to the ICC” (Amnesty International, 2026). If the situation were referred to the ICC by the Security Council, the ICC could exercise jurisdiction over the crimes committed in the Republic of the Union of Myanmar within the scope of that referral, including crimes committed entirely on its territory.

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XXXIV TECMUN Jr.
Glossary of Objections

1. Relevance

Used to object to the relevance of evidence either if a piece of evidence or a witness is saying has nothing to do with the affair or it is not important in determining the judgment.

2. Prejudicial

Used to object whenever an evidence presented would unfairly turn the Chamber against a party even when the evidence is considered to be relevant within the affair.

3. Leading Questions

It is used to object any time a party poses a question on direct examination that leads either a witness or other party to a certain answer, leading questions usually occur within the case of yes or no questions.

4. Argumentative

It is only used when the questioning attorney is not properly asking a question and is instead making an argument of law or application of law that should be argued in summation. In addition, it is only valid when the witness is not being asked a question that he, she, they or them can properly answer.

5. Speculation

Used when any party to the affair, or if given the case a witness, does not have first-hand knowledge of the fact it is testifying to, being that this could be what someone else thought or why someone did something.

6. Assumed Facts not in Evidence

Used whenever a question by the directing attorney contains information not yet in the recorded evidence.

7. Lack of Foundation

Used when an evidence has not been entered that would make this admissible. This could be proof that a confession has been made knowingly and voluntarily, that a witness is competent to testify to a fact, or that a document is admissible.

8. Repetitive

Also described as asked and answered, it is used at the time in which during the evidence process either a judge or agent might ask the same question over and over again; perhaps in slightly different ways or re-ask a question they had asked earlier towards the evidence or if given the case, a witness.

9. Non-responsive

Whenever a judge or an agent responds to a question with information that is completely unrelated to the same question, it can be objected to as being non-responsive. This can be especially important in the evidence process or when looking for very specific answers.

10. Vague

It is a vague question when it is either difficult or impossible to tell what the question is about. If the question is objected to, the questioning judge or agent might then be able to ask the question in a different way that makes more sense or is more specific.

11. Hearsay

A statement made out of Court and offered in Court to prove the truth of the matter asserted. A statement is not hearsay if the words spoken are relevant, not what the words mean.

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Glossary of Forbidden Words

Forbidden Words

Defined by the United Nations, are non diplomatic terms participants must avoid to mention during their speeches on the debate and in the writing of resolution projects

Forbidden Words	Permitted equivalents
First world countries	Developed countries
Third world countries	Developing countries
Gay ¹²	Member of the LGBTIQ+ community
War ¹³	Armed conflict
Rape	Sexual abuse
Terrorist	Extremist
Kill or murder	Deprive someone of their life
Death	Casualties
Assassination	Homicide
Army	Military forces
Money	Economic resources
Poor	Lack of resources
Okay	Yes or agree
Black ¹⁴	Afrodescendant

¹² The word *Gay* is replaced by a more inclusive term, recognizing that not all people within the LGBTIQ+ community identify in the same way.

¹³ The word *War* can be used in order to refer to historical contexts, such as the Cold War, the First World War, etc. It can only be used in the Security Council to refer to armed conflicts.

¹⁴ The word *Black*, in reference to ethnicity, is not prohibited but it is recommended to limit its use and refer to this sector as a dark-skinned person or afrodescendant as the case may be.

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Glossary for Resolution Projects

Preambulatory Phrases

Preambulatory Phrases are used at the beginning of every Resolution Paper in order to give context about the resolutions made for the topic. Preambulatory Phrases must be written in italics followed by a sentence that gives said context. For each Resolution Paper there must be five sentences beginning with a Preambulatory Phrase.

Affirming	Desiring	Noting with deep concern
Alarmed by	Emphasizing	Noting with satisfaction
Approving	Expecting	Noting further
Bearing in mind	Expressing its appreciation	Observing
Believing	Fulfilling	Reaffirming
Confident	Fully aware	Realizing
Contemplating	Further deploring	Recalling
Convinced	Further recalling	Recognizing
Declaring	Guided by	Referring
Deeply concerned	Having adopted	Seeking
Deeply conscious	Having considered	Taking into consideration
Deeply convinced	Having examined	Taking note
Deeply disturbed	Having received	Viewing with appreciation
Deeply regretting	Keeping in mind	Welcoming

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Glossary for Resolution Projects

Operative Clauses

Operative Clauses are used at the beginning of every resolution within the Resolution Paper on the debated topic. They must be written in italics and bold.

Accepts	Endorses	Notes
Affirms	Draws the attentions	Proclaims
Approves	Emphasizes	Reaffirms
Authorizes	Encourages	Recommends
Calls	Expresses its appreciation	Regrets
Calls upon	Expresses its hope	Reminds
Condemns	Further invites	Requests
Confirms	Further proclaims	Solemnly
Congratulates	Further reminds	Affirms
Considers	Further recommends	Strongly
Declares accordingly	Further requests	condemns
Deplores	Further resolves	Supports
Designates	Has resolved	Takes note of
		Transmits
		Trusts

[illegible]

