

Background Guide: ICJ

Case Concerning Cross-Border Armed Violence and Firearm Trafficking (Mexico v. United States).

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Letter from the Presidency

International Court of Justice

Dear Honorable Judges and Distinguished Advocates,

It is our distinct pleasure to welcome you to the International Court of Justice at Mayo College Girls' School, Model United Nations 2026. We look forward to engaging with you on a case that resides at the epicenter of contemporary legal, political, and ethical challenges: the Case Concerning Cross-Border Armed Violence and Firearm Trafficking (Mexico v. United States).

At first glance, the regulation of firearms may appear to be a technical matter of domestic law or a simple question of trade policy. However, the legal questions raised by this agenda undermine the stability of modern states and the integrity of the international legal order. From the escalation of organized crime and the surge in homicides to the massive socio-economic burdens placed on developing nations, the cross-border flow of weapons forms the material foundation of profound human suffering. As the demand for accountability in the global arms trade accelerates, so too do the complexities surrounding state responsibility, due diligence, and the boundaries of sovereign immunity.

This case has been brought before the World Court because it raises questions that transcend the jurisdiction of any single nation. Issues of state responsibility for the acts of private industry, the management of transboundary harm, the interpretation of multilateral treaties like the UN Firearms Protocol, and the duty to protect the fundamental right to life cannot be resolved through bilateral negotiations or domestic litigation alone. They require a rigorous application of the principles of international law and an appreciation of the limits and possibilities of judicial intervention.

The International Court of Justice serves as the principal judicial organ of the United Nations. While it does not possess a police force to enforce its decrees, it plays a vital role in articulating what constitutes legitimate state behavior. Your task as judges and advocates is not merely to argue for a political outcome, but to engage with the structural depth of international jurisprudence. You will need to move beyond simple answers and examine how legal obligations are established, where the burden of proof lies, and why domestic legislation cannot serve as a defense for the breach of an international obligation.

We encourage you to approach this committee with analytical rigor, academic curiosity, and judicial restraint. Success will require you to understand the mechanics of the "Iron River" of firearms, the history of security cooperation, and the specific precedents that govern transboundary harm. Most importantly, we urge you to remember that this case is not abstract. The legal standards you debate today affect real communities and the future of regional security.

We look forward to a thoughtful and respectful exchange of legal arguments. We wish you the very best in your deliberations and hope this conference serves as a transformative learning experience.

Warm regards,

The Presidency of the International Court of Justice



The International Court of Justice: Mandate, Authority, and Judicial Structure

Mandate of the International Court of Justice

The International Court of Justice is the principal judicial tribunal of the United Nations. Established in 1945 under the Charter of the United Nations, it began its operations in April 1946 as the successor to the Permanent Court of International Justice. The Court serves as the only international judicial body with both general and universal jurisdiction, meaning it is open to all member states of the United Nations and can adjudicate any question of international law. Its seat is at the Peace Palace in The Hague, Netherlands, making it the only one of the six principal organs of the UN not located in New York.

The mandate of the Court is strictly judicial and is divided into two primary functions:

1. The settlement of legal disputes submitted by states in accordance with international law. These are contentious cases where states appear as litigants. Only states may be parties to such cases; the Court has no jurisdiction to try individuals or private organizations. The provision of legal advice on questions referred to it by authorized United Nations organs and specialized agencies. While advisory opinions are not legally binding, they carry immense political and normative weight and frequently clarify the interpretation of the UN Charter and other international instruments.
2. The functioning of the Court is governed by its own Statute, which is an integral part of the UN Charter. Every member state of the UN is ipso facto a party to the Statute of the Court. However, participation in the Statute does not grant the Court automatic jurisdiction over a state. The ICJ operates on the principle of consent, meaning that its authority to decide a case must be established through a treaty, a special agreement, or a declaration of acceptance of compulsory jurisdiction.

Why the ICJ Adjudicates Issues of Cross-Border Firearm Trafficking

Firearm trafficking is traditionally handled by domestic law enforcement agencies and criminal courts. However, when the flow of weapons across a border becomes so systematic and destructive that it threatens the sovereignty or socio-economic stability of another nation, it evolves into an international legal dispute. Cases like Mexico v. United States reach the Court for several reasons:

Trafficking involves the movement of goods between sovereign territories, necessitating an interpretation of the rights and duties of states under international trade and security law. The

core of the dispute often centers on whether a state has failed to fulfill its international obligations to prevent its territory from being used to cause harm to its neighbors. The proliferation of weapons directly impacts the right to life and the security of persons, which are protected under universal human rights treaties.

When domestic courts, such as those in the United States, provide immunity to the arms industry through legislation like the Protection of Lawful Commerce in Arms Act, the injured state may argue that there is a denial of justice or a failure of the state to provide effective remedies, necessitating recourse to the World Court. The ICJ serves as a forum for global legitimacy-building. By adjudicating these disputes, the Court helps to define the standard of conduct expected of a responsible state in the management of its domestic industry and its international borders.

Powers and Limitations of the Court

What the Court Can Do

The International Court of Justice possesses significant authority within the international system: The Court can pass final and binding judgments on the states involved in a dispute. Under Article 94 of the UN Charter, each member of the UN undertakes to comply with the decision of the Court in any case to which it is a party.

If the Court finds that a state has committed an internationally wrongful act, it has the power to order reparations. This may include restitution, compensation for economic and human losses, or satisfaction, such as a formal apology or a declaration of the wrongfulness of the state's conduct. In urgent situations, the Court can issue provisional measures to preserve the rights of the parties and prevent the aggravation of the dispute while the final judgment is pending. The Court is the final arbiter of its own jurisdiction. If a state contests the Court's authority to hear a case, the Court itself decides whether it has the power to proceed.

Judgments often clarify or develop customary international law. Repeated interpretations by the Court shape the behavior of all states, even those not party to the specific case.

What the Court Cannot Do

Despite its status as the "World Court," the ICJ operates under clear structural constraints:

- The Court cannot impose economic sanctions or authorize the use of force. Enforcement of its decisions relies on the good faith of states or the intervention of the Security Council.
- The Court has no jurisdiction over private entities. In the case of *Mexico v. United States*, the Court cannot directly regulate gun manufacturers or dealers; it can only determine whether the United States government is responsible for failing to regulate them.

- The Court cannot override the domestic constitutional law of a state. It can declare that a domestic law (like the Second Amendment or PLCAA) results in an international violation, but it cannot strike down that law within the domestic legal system.
- The Court generally avoids political questions that do not have a clear legal basis. It focuses on the application of treaties and custom rather than the merits of a state's political ideology.

The Judicial System: Procedures and Actors

The Court consists of a bench of 15 judges, elected by the General Assembly and the Security Council. They are chosen to represent the major legal systems of the world and must be independent of their national governments. If a party to a case does not have a judge of its nationality on the bench, it may choose an ad hoc judge to sit for that specific case.

States are represented by Agents, who function as the heads of the legal delegation. They are assisted by Counsel and Advocates, who are typically experts in international law. The Registry serves as the permanent administrative organ of the Court, handling all correspondence and the archiving of legal documents.

*Detailed procedural guide is attached in **Appendix 1** of this document.*

Written and Oral Proceedings

The procedure of a case is divided into two distinct phases. The written phase involves the exchange of Memorials and Counter-Memorials, where the parties set out their facts and legal arguments in exhaustive detail. These documents remain confidential until the opening of the oral proceedings. The oral phase consists of public hearings at the Peace Palace, where the advocates present their arguments before the bench. Judges may ask questions to the parties during these hearings to clarify specific points of law or evidence.

How Judgments are Rendered

After the conclusion of the oral proceedings, the Court deliberates in camera. Decisions are reached by a majority of the judges present. In the event of a tie, the President of the Court has a casting vote. The judgment is delivered at a public sitting and is final and without appeal. While the judgment is binding only on the parties to the case, the legal reasoning serves as a primary source of authority for future disputes and for the progressive development of international law.

Introduction to the Agenda: Case Concerning Cross-Border Armed Violence and Firearm Trafficking

Why Firearm Trafficking Matters Today

Modern international security is increasingly threatened by the proliferation of small arms and light weapons. While heavy artillery and weapons of mass destruction often dominate the headlines, it is the steady, illicit flow of firearms that fuels the majority of contemporary armed conflicts and violent crimes. Governments and international organizations refer to this flow as a primary driver of instability.

A firearm becomes a matter of international legal concern when its cross-border movement is systemic and its impact is catastrophic. The "Iron River" of weapons flowing from the United States to Mexico represents one of the most significant examples of this phenomenon. The term describes a supply chain that originates in the loosely regulated retail markets of the United States and ends in the hands of drug trafficking organizations and cartels in Mexico. The criticality of this issue is not rooted in a shortage of weapons, but in their overabundance and the vulnerability of states to their misuse. In Mexico, where domestic gun laws are among the most restrictive in the world, the influx of US-sourced firearms systematically undermines the state's efforts to maintain public safety and the rule of law.

Firearms as Enablers of Transnational Violence

Firearms are the material foundation of the power exercised by non-state actors, particularly organized crime groups. They enable three interlinked disruptions: the escalation of lethal violence, the destabilization of government institutions, and the fueling of illicit economies.

The availability of high-powered rifles and semi-automatic weapons has dramatically increased the lethality of confrontations between cartels and state security forces. Armed with military-grade weaponry, criminal organizations can effectively challenge the state's monopoly on the use of force, leading to a breakdown in local governance. Weapons are used to secure trafficking routes for narcotics and humans, creating a feedback loop where the profits from one illicit trade fund the expansion of another.

Statistics from the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) consistently show that between 70 and 90 percent of firearms recovered at crime scenes in Mexico originated in the United States. This high concentration makes the US the primary source of the tools used in Mexican drug violence.

The Iron River: Supply Systems and Structural Constraints

While the demand for firearms is driven by criminal groups, the supply system is shaped by the domestic policy of the source state. The firearms market in the United States is characterized by high availability and low regulatory barriers for private sales. The land border between the two countries is the most efficient route for trafficking. The sheer volume of legal commerce and the proximity of US border cities to Mexican counterparts make it difficult to inspect every southbound vehicle. The "ant trade" (tráfico hormiga) involves the movement of small numbers of weapons by many different individuals, often "straw purchasers" who buy guns legally in the US and then hand them over to traffickers.

New technologies, such as "ghost guns" assembled from unserialized parts, allow traffickers to bypass traditional marking and tracing systems, further complicating interdiction. These structural features create a mismatch between the speed of the illicit market and the slow response of international legal and enforcement mechanisms.

Concentration and Hidden Chokepoints in the Arms Supply Chain

Public discussion often focuses on the border, but the supply chain begins much earlier. The greatest concentration of power and risk lies in the manufacturing and distribution stages. A small number of US-based manufacturers produce the vast majority of weapons recovered in Mexico. These companies are accused of designing and marketing products specifically to appeal to cartel demand.

The three-tier distribution system (manufacturer to wholesaler to retailer) creates a buffer that manufacturers use to claim ignorance of illegal downstream sales. A tiny fraction of US gun dealers is responsible for a disproportionate share of the trace requests linked to Mexican crime scenes. These "bad apple" dealers are known chokepoints where the legal market meets the illicit flow.

The Shift from Law Enforcement to State Responsibility

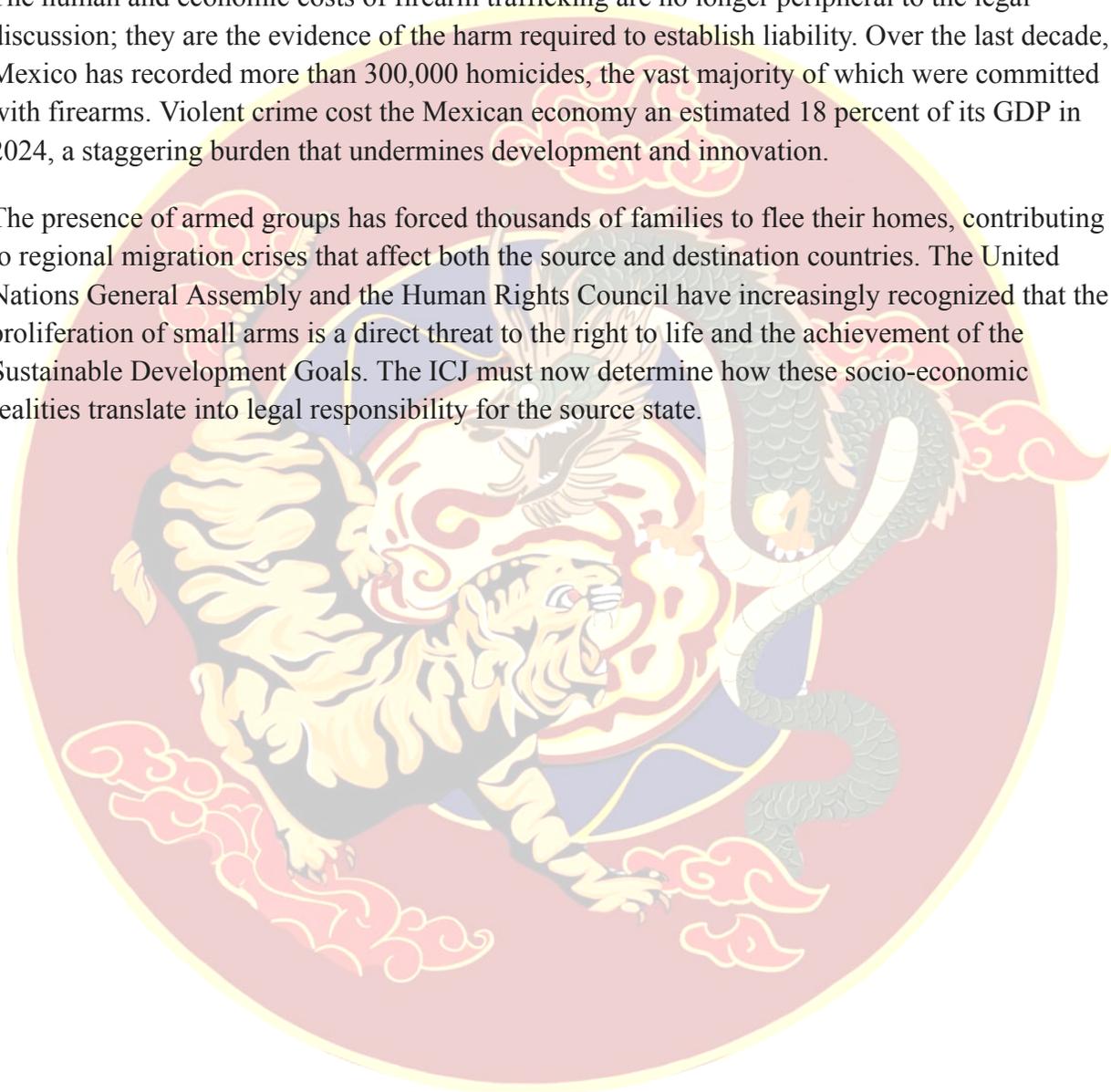
As traditional law enforcement has struggled to stem the flow, the Mexican government has reframed the issue as one of state responsibility. This shift is described as the judicialization of the security debate. Mexico contends that the United States has a legal obligation under international law to exercise due diligence over its industry and territory. In 2021, Mexico filed a landmark civil suit against US gun manufacturers, alleging that their negligent business practices facilitated trafficking. While this suit faced significant hurdles in US domestic courts due to the PLCAA, it signaled a broader global trend: treating the arms trade as a matter of international liability rather than just criminal law.

By bringing this issue to the International Court of Justice, Mexico seeks to establish that a state's internal legal choices, such as providing immunity to an industry, cannot justify the breach of its international duty to prevent transboundary harm.

Socio-Economic Costs and the Global Legal Debate

The human and economic costs of firearm trafficking are no longer peripheral to the legal discussion; they are the evidence of the harm required to establish liability. Over the last decade, Mexico has recorded more than 300,000 homicides, the vast majority of which were committed with firearms. Violent crime cost the Mexican economy an estimated 18 percent of its GDP in 2024, a staggering burden that undermines development and innovation.

The presence of armed groups has forced thousands of families to flee their homes, contributing to regional migration crises that affect both the source and destination countries. The United Nations General Assembly and the Human Rights Council have increasingly recognized that the proliferation of small arms is a direct threat to the right to life and the achievement of the Sustainable Development Goals. The ICJ must now determine how these socio-economic realities translate into legal responsibility for the source state.



The Historical Evolution of Global Arms Governance and Responsibility

Post-War Foundations: Sovereignty as a Shield for Domestic Regulation

In the decades following the establishment of the United Nations, global governance was dominated by the principle of sovereign equality and the right of states to non-interference in their internal affairs. For many states, the regulation of the arms trade was seen as an extension of their national defense policy and their domestic legislative prerogative.

The UN Charter affirmed the inherent right of self-defense, which was widely interpreted as including the right to produce, acquire, and trade conventional weapons without external constraint. During this period, firearms were largely treated as commercial commodities or instruments of state power, with little consideration for their impact on the human rights of populations in other countries. The emphasis on ownership and control meant that as long as a state was not directly arming an insurgency in another territory, its domestic regulatory failures were rarely seen as violations of international law.

Resource Nationalism and the Demand for Legal Accountability

During the 1970s, the international community began to reassess the relationship between sovereignty and responsibility. Developing nations argued that the global economic system allowed industrialized states to capture the benefits of high-value industries while externalizing the costs of their negative consequences. The movement for a New International Economic Order (NIEO) highlighted how the lack of regulation in the Global North could destabilize the Global South.

This critique extended to the arms trade, where producing states were accused of profiting from the proliferation of weapons that fueled conflict in the developing world. UNGA resolutions began to link the management of resources and industries to the obligation to promote global justice and development, laying the groundwork for the modern concept of state responsibility for private conduct.

Liberalization, Globalization, and the Rise of the Private Arms Sector

The 1980s and 1990s marked a turning point in arms governance. The end of the Cold War led to

a surplus of small arms and the rapid liberalization of global trade. Multinational corporations expanded their reach, and the firearms industry became increasingly integrated into global supply chains.

Governance shifted away from direct state control toward market mechanisms, which often prioritized economic efficiency over security and human rights. This period saw the emergence of significant governance gaps. While the production of weapons increased, the regulatory oversight of their distribution failed to keep pace with the sophistication of trafficking networks. Environmental damage and social disruption linked to the extraction of materials for weapons and the subsequent use of those weapons became more visible, leading to calls for corporate social responsibility and stronger state oversight.

The Emergence of the Transboundary Harm Principle in Arms Contexts

The principle that states have a responsibility to ensure that activities within their jurisdiction do not cause significant harm to other states was first codified in the context of environmental law. Milestones such as the Stockholm Conference (1972) and the Rio Earth Summit (1992) established the duty of prevention and the standard of due diligence.

By the late 1990s, legal scholars and some states began to argue that this principle should apply equally to the arms trade. The logic was straightforward: if a state is responsible for the transboundary effects of its industrial pollution, it should also be responsible for the transboundary effects of its poorly regulated arms industry. The ICJ's ruling in the Corfu Channel case—affirming that every state has an obligation not to allow knowingly its territory to be used for acts contrary to the rights of other states—became a primary reference point for this expanding view of state responsibility.

From Regulation to Litigation: The Contemporary Shift

The early twenty-first century has been defined by a transition from voluntary standards to legal confrontation. The failure of multilateral treaties to stem the flow of illicit weapons led states like Mexico to seek redress through the courts.

The "Iron River" became the subject of intense judicial scrutiny, as the link between US regulatory omissions and Mexican homicides became impossible to ignore. The contemporary shift focuses less on the ownership of weapons and more on the control of the value chain. Processing, marketing, and retail oversight are now the primary sites of legal and strategic leverage. States are increasingly framing arms policy through the language of security, resilience, and international liability, making the ICJ a central arena for resolving these unresolved historical tensions.

What is Firearm Trafficking and How the Supply Chain Works

From Manufacturing to Distribution: Where Responsibility Begins

Firearm trafficking is not a process that begins at the border; it is rooted in the earliest stages of the industrial supply chain. To understand the legal dimensions of this case, one must examine the movement of weapons from the factory floor to the point of illicit diversion.

The first stage is exploration and manufacturing. Hundreds of companies produce millions of firearms annually. In the United States, this industry is protected by robust constitutional and statutory frameworks. The three-tier distribution system is the primary structural feature of the market. Manufacturers sell to wholesalers, who then supply the tens of thousands of licensed retail dealers across the country. This system is intended to ensure accountability through Federal Firearms Licenses (FFLs) and mandatory record-keeping. However, it also creates a decentralized network where oversight is difficult and responsibility is easily diffused.

While manufacturers retain legal ownership of their trademarks and designs, they often claim they have no operational control over the final sale of their products. Mexico contests this, arguing that manufacturers have the data and the power to monitor their distribution chains effectively.

The Wholesale and Retail Nexus: Chokepoints of Diversion

The retail level is the least visible but most strategic stage of the firearms supply chain. It is here that legal weapons are diverted into the illicit market. Licensed dealers are required to conduct background checks on all purchasers. However, specific types of dealers, often located in border states like Texas and Arizona, are consistently linked to a high volume of weapons recovered in Mexico. The ATF has identified "bad apple" dealers as those who show patterns of repeat sales to straw purchasers or multiple sales of military-style rifles.

The lack of a federal limit on the number of guns an individual can buy at one time allows traffickers to acquire bulk quantities of weapons in a single day. This retail nexus is a critical chokepoint. If the United States enforced stricter oversight and revoked the licenses of high-risk dealers, the "Iron River" could be significantly dammed at its source.

The "Ant Trade" and Straw Purchasing: The Mechanics of Illicit Flow

The acquisition of firearms for trafficking to Mexico is characterized by a method known as "ant-trafficking" (tráfico hormiga). This involves the discreet movement of small quantities of weapons by a large number of individual actors. Straw purchasing is the most common technique. A person who is legally eligible to buy a firearm (the straw) makes the purchase on behalf of another person (the real buyer) who is often a prohibited person or a member of a criminal group.

Traffickers offer thousands of dollars to individuals in border communities to enter gun stores and purchase specific models of rifles or handguns. This decentralized method makes traditional interdiction extremely difficult. Law enforcement data indicates that the majority of cross-border seizures involve fewer than five firearms, reinforcing the pattern of many small batches rather than a few large shipments.

Transport, Logistics, and the Porous Nature of Borders

Between the point of sale and the crime scene in Mexico lies the complex infrastructure of transport and logistics. Weapons move through rail networks, shipping ports, and, most frequently, the land crossings of the southwest border. The logistics of trafficking take advantage of the high volume of legal crossings. Thousands of people and vehicles cross the US-Mexico border every day, making a 100 percent inspection rate impossible without paralyzing international trade.

Traffickers utilize hidden compartments in vehicles to move guns south while moving drugs and cash north. Logistics also interact with finance. The illicit arms trade is a lucrative business, with traffickers often getting upwards of three times the US retail price for a weapon once it reaches Mexico. This high profit margin incentivizes the continued operation of these networks despite the risks.

Where Power Concentrates Along the Value Chain

An analysis of the value chain reveals that power is unevenly distributed. While the actual smuggling is done by low-level actors, strategic leverage concentrates in the hands of those who control the production and the legal distribution system.

The International Energy Agency's logic regarding critical mineral chokepoints can be applied here: supply security and stability depend less on where the final product is used and more on who controls the stages of its creation and first sale. Manufacturers and authorized distributors have the technological and financial means to implement rigorous tracing and vetting systems. By failing to do so, and by specifically designing products for the criminal market, they exert a disproportionate influence on the security outcomes in neighboring countries.

Why Firearm Trafficking Has Become a Geopolitical Issue

From Commercial Commodity to Strategic Asset

In the twenty-first century, the way states understand the arms trade has undergone a fundamental transformation. For much of the post-war period, firearms were governed primarily through markets and domestic regulation. While states intervened to tax or license the industry, the trade was viewed through the lens of economic benefit and national defense.

This began to change as the lethal impact of small arms on regional stability became clearer. Firearms have been "securitized," meaning they are no longer treated as ordinary commercial goods but as strategic assets that can destabilize entire nations. The availability of US-made weapons in Mexico is now framed by the Mexican government as an existential threat to its sovereignty and its ability to protect its citizens. Once a commodity is framed through a security lens, market logic is no longer sufficient. Governments begin to prioritize resilience and international liability over economic efficiency.

Supply Concentration and National Vulnerability

A central driver of the geopolitics of firearms is the concentration of supply. While many countries manufacture small arms, the United States dominates the civilian market with a volume and a level of firepower that is unmatched globally.

This creates a dependency relationship where the security of Mexico is inextricably linked to the legislative environment of the United States. Consuming countries like Mexico face a "vulnerability gap": they can restrict their own citizens from owning guns, but they cannot restrict the flow of guns from their neighbor. This concentration increases the likelihood that the arms trade will be used as a tool of geopolitical pressure, either intentionally or as a consequence of regulatory inaction.

The "War on Drugs" and Strategic Competition

The global energy transition and the rise of synthetic drugs like fentanyl have intensified these dynamics. While the United States views the flow of drugs as a primary security threat, Mexico views the flow of weapons as the enabling factor for the drug trade. This creates a paradox: both states have shared goals of security and development, yet their national strategies prioritize different sides of the same cross-border flow.

Access to weapons has become a determinant of the "balance of power" between the state and non-state actors. As cartels race to acquire more powerful weaponry, they essentially engage in a

strategic competition with the Mexican military, using US firearms to challenge the state's authority and control over territory.

Trade Tools and Judicial Statecraft

The geopolitics of firearm trafficking is rarely expressed through direct military confrontation. Instead, it operates through trade regulations, diplomatic pressure, and "judicial statecraft." Mexico's use of the International Court of Justice and domestic US courts is a form of statecraft that seeks to secure its national interest through legal rather than military means.

The United States, in turn, uses its legal framework (the PLCAA and the Second Amendment) as a defensive tool to preserve its industry and its domestic policy autonomy. This form of legal competition blurs the line between domestic law and international relations. It also complicates global governance, as actions taken by one state to protect its industry are perceived by others as a violation of the duty to prevent harm.

Great Power Rivalry and Regulatory Divergence

The competition over firearm standards cannot be separated from the broader patterns of rivalry in the international system. Control over the standards for marking, tracing, and exporting weapons confers long-term strategic advantages.

The United States' refusal to ratify the Arms Trade Treaty is a significant example of regulatory divergence, where a major power opts out of global standards to protect its strategic and economic interests. For developing countries, this rivalry creates a "risk-opportunity" dynamic. On one hand, they face the lethal consequences of unregulated trade. On the other hand, the demand for international legal reform gives them a platform to voice their concerns and influence global norms on an equal formal footing at the ICJ.

Arms as Instruments of Influence and Insecurity

Unlike traditional warfare, the geopolitics of firearm trafficking operates gradually. Its effects accumulate over time, reshaping the social and economic landscape of a country. The steady flow of weapons across the border functions as an instrument of influence for criminal organizations, allowing them to exert control over local populations and political processes. Governance responses therefore require a long-term perspective. The ICJ must consider not only the immediate acts of trafficking but the systemic incentives that allow the "Iron River" to persist.

The recognition of these incentives is essential for understanding why global arms governance remains fragmented despite the shared interests of all nations in maintaining peace and security.

International Law and Global Rules Governing Firearms

Permanent Sovereignty and Domestic Jurisdiction

The foundational legal principle in any dispute between states is sovereignty. The United States asserts that the regulation of its firearms industry is a matter essentially within its domestic jurisdiction, protected by its Constitution and its sovereign right to set national policy.

This principle is affirmed in several UNGA resolutions, which recognize the right of states to regulate their internal affairs. However, international law also establishes that sovereignty is not absolute. It must be exercised in a manner that is consistent with the international obligations of the state. The tension in this case lies between the US right to domestic self-governance and its duty not to injure its neighbors.

The Law of State Responsibility and Aiding and Assisting

The International Law Commission's Articles on the Responsibility of States for Internationally Wrongful Acts provide the primary framework for adjudicating this case.

Article 16 of the Articles on State Responsibility posits that a state is responsible if it provides aid or assistance to another state (or, by extension, a non-state group) in the commission of an internationally wrongful act. Mexico argues that by knowingly allowing its industry to supply the cartels and by providing that industry with legal immunity, the United States is effectively aiding and assisting the violence in Mexico. Aiding and assisting constitutes an autonomous wrongful act under international law. The responsibility of the exporting state is engaged if it has knowledge of the circumstances and if the act would be wrongful if committed by that state itself. The "knowledge requirement" is a central point of debate. Mexico contends that the US government's possession of trace data constitutes "constructive knowledge" of the ongoing harm.

Environmental Law Analogies and Transboundary Responsibility

One of the most innovative aspects of Mexico's legal strategy is the application of the transboundary harm principle, traditionally found in environmental law, to the arms trade. The landmark Trail Smelter arbitration and the Corfu Channel case established the rule of *sic utere tuo ut alienum non laedas* (use your own property so as not to injure that of another). These principles establish that a state's failure to regulate or prevent serious harm from activities within its territory constitutes a wrongful act.

The Draft Articles on Prevention of Transboundary Harm from Hazardous Activities indicate that states have a duty to minimize the risk of significant harm through their physical consequences. In this case, the "physical consequences" are the hundreds of thousands of firearms that cross the border and result in the death of Mexican citizens.

Human Rights Law and the Obligation to Protect

International human rights law further shapes the legal landscape. States have a positive obligation to protect the right to life of all individuals within their jurisdiction and to prevent abuses by third parties.

The UN Human Rights Council has repeatedly affirmed that arms transfers have devastating impacts on human rights. A state that fails to exercise due diligence in its arms transfer decisions may be in violation of its international human rights obligations. This duty applies more strongly when weapons are destined for conflict-affected areas where there is an aggravated risk of human rights violations. The UN Guiding Principles on Business and Human Rights outline that states must protect against human rights abuses within their territory by business enterprises, which includes the firearms sector.

Treaty Frameworks: The Firearms Protocol and the Arms Trade Treaty

Despite the lack of a single global treaty that binds all states, several instruments provide the normative standards for arms governance.

- The UN Firearms Protocol is the only legally binding global instrument to counter illicit manufacturing and trafficking. It requires states to adopt marking, tracing, and licensing systems.
- The Arms Trade Treaty (ATT) establishes common standards for the international trade of conventional weapons and seeks to reduce human suffering.
- Article 6 of the ATT prohibits transfers if a state has knowledge that the arms would be used in the commission of genocide or crimes against humanity.
- Article 7 requires an export assessment of whether the arms could be used to commit serious violations of international humanitarian law or human rights law.
- While the US is not a party to the ATT, Mexico argues that these treaties reflect an emerging customary international law norm that the US is obligated to follow.

Why Law Alone Cannot Resolve Firearm Geopolitics

The fragmented nature of these legal frameworks explains why the dispute persists. Sovereignty protects state authority but does not ensure security. Trade law promotes openness but ignores the lethal externalities of the products being traded. Human rights law articulates obligations but

lacks a direct enforcement mechanism against corporations. This fragmented architecture means that the ICJ must integrate these disparate legal principles into a coherent assessment of state responsibility.



The Role of the United Nations System in Arms Governance

The International Court of Justice as a Norm-Setting Institution

The International Court of Justice occupies a unique position in the UN system. It is the only organ that can provide a binding legal determination on whether a state's domestic policies violate international law. In the context of the arms trade, the Court's role is primarily one of norm-articulation. By ruling on the "standard of due diligence" required for firearm regulation, the Court provides a benchmark for all states.

Its decisions help to bridge the gap between the broad, abstract principles discussed in the General Assembly and the technical implementation of national laws. The Court's history of adjudicating cases involving the use of force and non-intervention (such as *Nicaragua v. United States*) ensures that its reasoning is grounded in a deep understanding of state sovereignty and international security.

The UN Office on Drugs and Crime and Technical Frameworks

The United Nations Office on Drugs and Crime (UNODC) contributes to arms governance through the development of technical frameworks and policy guidance. UNODC acts as the secretariat for the UN Firearms Protocol, assisting states in implementing the legislative and operational measures needed to counter trafficking. Its work includes the standardization of marking and tracing practices, the improvement of border control technologies, and the facilitation of international judicial cooperation. While UNODC does not have judicial authority, its reports and data collection efforts provide the factual evidence that states like Mexico use in their legal filings at the ICJ.

Human Rights Mechanisms and State Accountability

The UN's human rights architecture, including the Human Rights Council and various special rapporteurs, plays a critical role in highlighting the human dimension of firearm trafficking. The Special Rapporteur on extrajudicial, summary or arbitrary executions has specifically called on the United States to review its lethal-force practices and its regulatory oversight of the firearms industry. These mechanisms investigate abuses, issue recommendations, and raise international awareness around the link between arms proliferation and the violation of the right to life. They help to establish the expectation that certain state omissions are unacceptable, even if they are

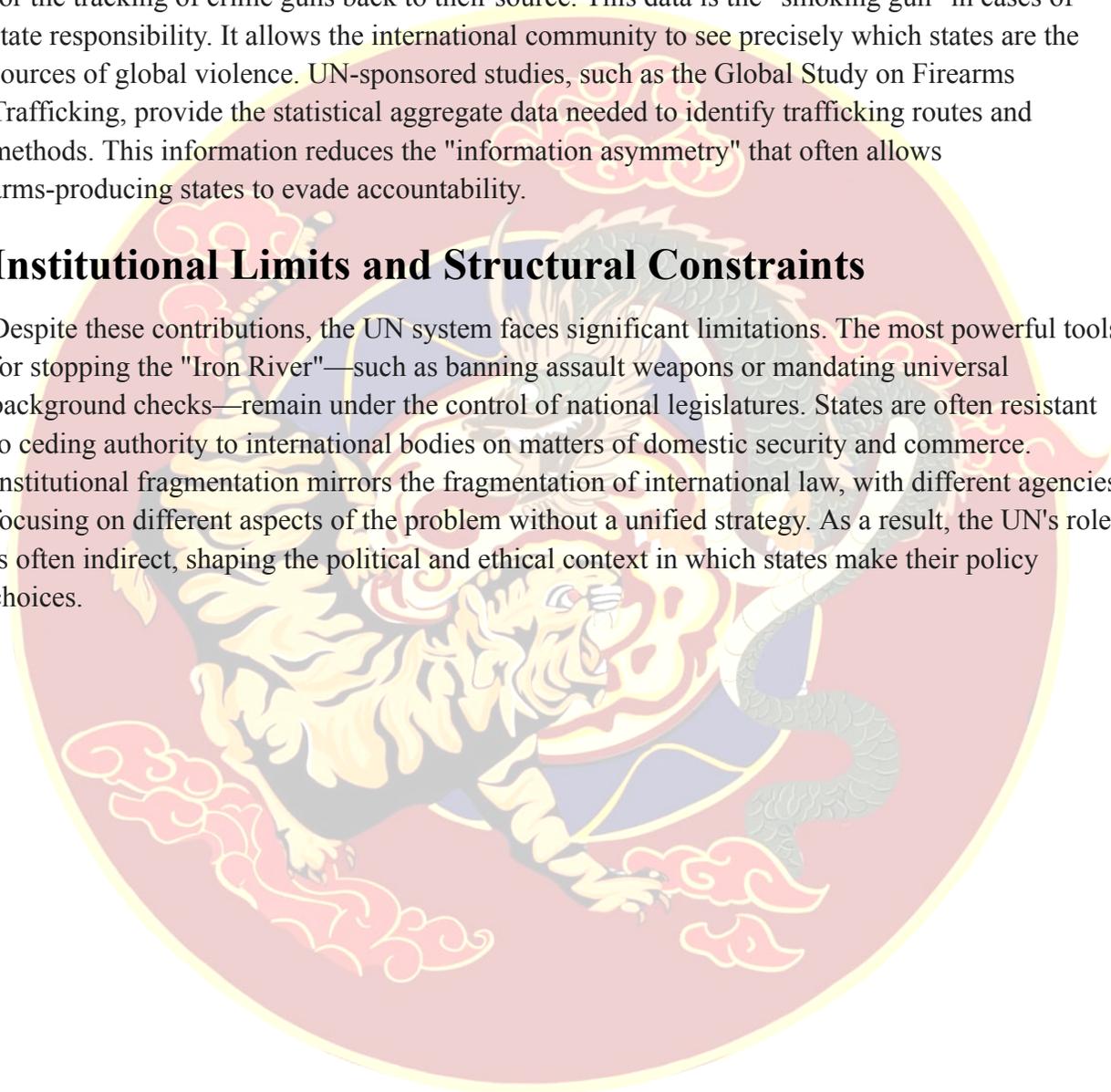
legal under domestic law.

Knowledge Production and the Role of Tracing Data

One of the most valuable roles of the UN system is the production of shared knowledge. The eTrace system, managed by the ATF but used in collaboration with international partners, allows for the tracking of crime guns back to their source. This data is the "smoking gun" in cases of state responsibility. It allows the international community to see precisely which states are the sources of global violence. UN-sponsored studies, such as the Global Study on Firearms Trafficking, provide the statistical aggregate data needed to identify trafficking routes and methods. This information reduces the "information asymmetry" that often allows arms-producing states to evade accountability.

Institutional Limits and Structural Constraints

Despite these contributions, the UN system faces significant limitations. The most powerful tools for stopping the "Iron River"—such as banning assault weapons or mandating universal background checks—remain under the control of national legislatures. States are often resistant to ceding authority to international bodies on matters of domestic security and commerce. Institutional fragmentation mirrors the fragmentation of international law, with different agencies focusing on different aspects of the problem without a unified strategy. As a result, the UN's role is often indirect, shaping the political and ethical context in which states make their policy choices.



Socio-Economic Impacts of Firearm Trafficking in Mexico

Escalating Homicide Rates and Violent Crime

Firearm trafficking is the primary driver of the public health crisis in Mexico. The availability of high-powered weaponry has transformed criminal disputes into lethal conflicts. In 2021 alone, over 20,000 murders in Mexico were committed with firearms. The national homicide rate peaked in 2019 and has remained significantly higher than the levels seen before the expansion of the US arms market. Statistics indicate that approximately 70 percent of all intentional homicides in Mexico involve a weapon traced to the United States. The shift toward military-style rifles has increased the lethality of crime, as these weapons are designed for rapid fire and high-capacity magazine use.

Internal Displacement and Migration Pressures

The violence fueled by trafficked firearms has led to a widespread and systemic humanitarian crisis of displacement. Families are forced to flee their homes due to extortion, territorial disputes, and the threat of forced recruitment by criminal groups. In 2024, nearly 26,000 new internal displacements were recorded, double the number from the previous year. Ninety-five percent of displaced families surveyed in the region report that they fear for their lives and cannot return to their places of origin. This displacement has profound ripple effects, as people fleeing violence in Mexico and Central America seek asylum in the United States, creating a complex and controversial migration challenge for both nations.

Component of Violence Cost	Percentage of Total Impact
Private Spending on Security	47%
Public Spending (Police, Justice, Prisons)	31%
Loss of Human Capital & Productivity	22%

The Deterioration of Institutional Peace and Integrity

Armed violence does more than kill individuals; it erodes the very attitudes and institutions that sustain a peaceful society. Mexico allocated only 0.7 percent of its GDP to its justice system and law enforcement in 2024, a level of investment that falls far short of the need to combat high levels of impunity. The concentration of firepower in the hands of cartels allows them to corrupt or intimidate local officials, weakening the effectiveness of the government. Violence against

journalists and social activists has spiked, with 54 environmental activists killed in 2021, many by armed criminal groups. The normalization of fear leads to "isolation economies," where businesses shorten their hours and people avoid public spaces, further contracting the social and economic life of cities.

Economic Impact: GDP Loss and Human Capital

The economic cost of firearm violence in Mexico is staggering and represents a significant barrier to long-term development. The total economic impact was estimated at 4.5 trillion pesos (\$245 billion) in 2024, which is equivalent to 18 percent of Mexico's GDP. This is nearly double what the entire region invests in technological innovation and innovation infrastructure. The loss of human capital—every worker murdered or young person who drops out of school out of fear—represents a direct blow to the country's future growth capacity. Reducing the cost of crime to the global average would free up at least one additional percentage point of GDP per year, enough to finance the energy transition or active employment policies.

Unequal Distribution of Costs and Benefits

A recurring pattern in firearm governance is the stark inequality in how costs and benefits are distributed. The US firearms industry generates hundreds of millions of dollars in revenue from weapons that are eventually trafficked. Conversely, Mexico bears the cost of providing medical and mental health services to victims, training specialized police units, and managing a growing judicial backlog. This imbalance fuels perceptions of injustice and is a primary driver of the "shared responsibility" narrative that Mexico uses to justify its legal actions.

Case Studies and Patterns in Firearm Governance

Operation Fast and Furious and Governmental Omission

Operation Fast and Furious remains the most infamous example of a failed arms interdiction strategy. The ATF's "gunwalking" tactic allowed nearly 2,000 weapons to enter Mexico without being intercepted. The operation was conducted with a near-total disregard for public safety, as officials lost track of the weapons, which were subsequently used in the murder of a US Border Patrol agent and hundreds of Mexican civilians. The fallout from this scandal shook the US Department of Justice and resulted in the resignation of several top officials. For legal scholars, this case study illustrates a "culpable omission" by a state, where its own law enforcement strategies actively contributed to transboundary harm.

The PLCAA and the Shielding of Private Industry

The Protection of Lawful Commerce in Arms Act is a central feature of the legal battle between Mexico and the US. Enacted in 2005, the law prohibits "qualified civil liability actions" against gun manufacturers and sellers for harms resulting from the criminal misuse of their products. The US Supreme Court's 2025 decision to reject Mexico's lawsuit confirmed that the PLCAA provides broad immunity, even for foreign governments seeking damages for extraterritorial harm. However, the Court left open a small window: aiding and abetting liability remains possible if manufacturers have "active and culpable participation" in facilitating trafficking. Mexico's failure to prevail in domestic courts serves as a case study in how domestic legislative "shields" can create a denial of justice that necessitates international judicial intervention.

Militarization and the Impact of High-Caliber Weaponry

The use of .50 caliber sniper rifles by cartels illustrates the increasing militarization of criminal violence. These weapons are capable of penetrating armored vehicles and shooting down aircraft from distances of over a mile. They are manufactured and sold legally in the US border states, often to straw purchasers who have no legitimate need for such firepower. The recovery of these weapons at major crime scenes in Mexico has prompted calls for the US to reinstate its ban on assault weapons and to regulate high-caliber rifles as "weapons of war." This pattern shows how the failure to distinguish between "civilian" and "military" weapons in domestic law leads to a "firearms race" on the international border.

Bilateral Cooperation: From Merida to the Bicentennial Framework

The history of US-Mexico security cooperation shows a gradual shift in the framing of the problem. The Merida Initiative (2008) was a package of antidrug assistance that focused on training and equipping Mexican forces. However, both governments struggled to fulfill their commitments, and homicides in Mexico continued to surge. The Bicentennial Framework (2011) represents a new phase based on "mutual security interests" and "shared responsibility." It includes three pillars: protecting people, preventing transborder crime, and pursuing criminal networks. The launch of "Mission Firewall" in 2015 represents the most recent attempt to create an ambitious bilateral effort to combat trafficking through unprecedented collaboration and information sharing.

Common Patterns in Transboundary Harm Cases

Across these cases, several themes emerge:

- Power is often exercised through the "refusal to act" or the "granting of immunity" rather than direct state intervention.
- Governance responses are fragmented, often focusing on the "Northbound" drug flow while ignoring the "Southbound" gun flow.
- Environmental and social costs are externalized to the state with the weakest regulatory capacity, creating a "vicious cycle" of insecurity and low growth.

These patterns reinforce the need for a comprehensive international legal assessment of state responsibility for the externalities of private industry.

Why Global Cooperation on Firearm Trafficking is Structurally Difficult

Sovereignty and Control Over Strategic Industries

The most fundamental barrier to global cooperation is the assertion of state sovereignty. For the United States, the right to bear arms and the freedom of its industry are core components of its national identity and its economic policy. Commitments that would limit export controls or mandate universal background checks are often viewed as unacceptable infringements on domestic autonomy. Even when states recognize the shared risks of trafficking, they prioritize preserving their own decision-making freedom over the creation of binding international agreements. This dynamic explains why proposals for a global arms trade treaty faced decades of resistance from the leading weapons-producing states.

Asymmetries Along Global Supply Chains

Global cooperation is further complicated by the extreme asymmetries between producing and consuming states. The United States benefits from the economic output of its firearms industry, while Mexico bears the security and socio-economic costs of its proliferation.

States that control the manufacturing and retail stages of the supply chain benefit from the status quo and have little incentive to implement reforms that would reduce their market share. Conversely, states that are concentrated at the "end-use" stage lack the leverage needed to enforce changes in the regulatory environment of the source state. As a result, cooperation efforts often reflect these existing power hierarchies rather than correcting them.

Fragmented Institutions and Overlapping Legal Regimes

Firearm trafficking sits at the intersection of trade, security, and human rights. Each of these domains is governed by different institutions with distinct rules. Trade institutions like the WTO focus on non-discrimination and the prevention of trade barriers, which can sometimes conflict with security-driven interdiction efforts. Environmental and human rights bodies prioritize the protection of the global commons and individual security, but they lack the authority to regulate international commerce directly. No single UN body integrates these perspectives into a coherent framework, allowing states to justify their inaction under one regime while violating the objectives of another.

Security Framing and Trust Deficits

The securitization of the arms trade intensifies the difficulty of cooperation. When a state frames its firearms industry as a national security asset, transparency declines and information becomes

sensitive. The "trust deficit" between Mexico and the United States has been aggravated by operations like Fast and Furious and by the perception that each side is "unwilling or unable" to tackle its side of the cross-border problem. This lack of trust undermines the information-sharing mechanisms that are essential for effective interdiction. When states suspect that others are using the illicit arms market as a tool of pressure, they are more likely to pursue unilateral diversification and border restrictions rather than shared solutions.



Key Governance Trade-offs and Dilemmas in Firearm Policy

Domestic Constitutional Rights versus International Obligations

The most significant dilemma in this case is the tension between the US Second Amendment and its international duty to prevent harm. The US argues that its constitutional framework limits the government's ability to restrict the sale of firearms. Mexico counters that a domestic right cannot be used to justify the systematic violation of the right to life in another sovereign state. This creates a paradox: the "protection of freedom" in one nation results in the "erosion of safety" in another. The ICJ must determine how to balance these competing rights within a coherent international legal order.

Economic Gain versus Human Security

Firearm policy involves a constant trade-off between the economic vitality of the industry and the security of the public. The US firearms industry earns millions of dollars from sales that are eventually trafficked. Legislators face pressure to protect manufacturing jobs and export revenue. However, the "externalities" of these sales—the \$245 billion cost of violence to the Mexican economy—far outweigh the economic benefits captured by the manufacturers. Balancing short-term economic interests against the long-term stability of a strategic trading partner is a persistent challenge for policymakers.

Autonomy versus Collective Interdependence

The case highlights the contradiction of a world characterized by absolute autonomy and deep interdependence. No country is an island in the global arms market; the regulatory choices made in Washington have immediate effects in Mexico City. Managing this contradiction requires states to accept that their sovereign choices have international legal consequences. The dilemma is whether the international system is moving toward a "global due diligence" standard or retreating into a model of "sovereign immunity" that ignores the cross-border impact of domestic failure.

Conclusion: What is Ultimately at Stake in Mexico v. United States

The case of Mexico v. United States is about much more than the flow of firearms; it is a test of the integrity of the international legal system in an age of globalization and non-state violence. At its core, the dispute asks whether a state can be held responsible for the predictable and lethal consequences of its domestic regulatory omissions.

A central issue running through this case is the standard of due diligence. As technologies and supply chains become more integrated, the "no-harm" rule must evolve. The Court must decide whether a state's knowledge of a systemic risk—evidenced by years of tracing data and bilateral warnings—necessitates a change in its national policy. This decision will have implications far beyond the arms trade, affecting how the world manages the global flows of chemicals, cyber-technologies, and other hazardous commodities.

Ultimately, the case is a challenge to the legitimacy of state immunity. If a state can shield its most dangerous industries from accountability, the foundations of sovereign equality and the right to life are undermined. The International Court of Justice, by providing a forum for dialogue and a mechanism for the articulation of shared principles, plays a vital role in ensuring that the negotiation of power and responsibility is conducted through the language of law rather than the force of arms. The governance of firearm trafficking is a continual process of renegotiating the boundaries of sovereignty and the duties of interdependence. The World Court, by making the trade-offs visible and the responsibilities clear, ensures that the "Iron River" does not become a source of permanent conflict between neighbors.

Questions to Consider

1. To what extent does a state's knowledge of its industry's negative externalities trigger an international legal obligation to act?
2. Can domestic constitutional protections like the Second Amendment be invoked as a valid defense for a breach of the international duty to prevent transboundary harm?
3. How should the "aiding and abetting" standard in Article 16 of the ILC Articles on State Responsibility be interpreted in the context of regulatory omission?
4. What role does "constructive knowledge" play in determining whether the US government has failed in its due diligence obligations?
5. Should the socio-economic impacts of violence, such as GDP loss and human capital degradation, be considered legally compensable injuries at the ICJ?
6. Is the "ant trade" method of trafficking a sufficient justification for a state to claim that interdiction is "impossible"?
7. How does the "shared responsibility" narrative of the Bicentennial Framework influence the legal assessment of "fault" in this dispute?
8. Can the principles of environmental law, such as the "no-harm" rule, be successfully applied to the cross-border flow of tangible manufactured goods?
9. Why is the concentration of the arms industry in a few specific states a source of systemic risk for the entire international community?
10. What are the long-term implications for global governance if the ICJ rules that domestic industry immunity laws are inconsistent with international obligations?

References

The International Court of Justice: Mandate and Judicial Structure

- International Court of Justice. (2024). *How the Court Works*. <https://www.icj-cij.org/how-the-court-works>
- United Nations. (1945). *Statute of the International Court of Justice*.
- United Nations Office of Legal Affairs. (2013). *The International Court of Justice Handbook*.

Introduction to the Agenda and Firearm Trafficking Mechanics

- Bureau of Alcohol, Tobacco, Firearms and Explosives. (2022). *National Firearms Commerce and Trafficking Assessment*.
- Government Accountability Office. (2021). *Firearms Trafficking: U.S. Efforts to Combat Arms Trafficking to Mexico*.
- Stop US Arms to Mexico. (2024). *The Iron River of Weapons*.

International Law and State Responsibility

- International Law Commission. (2001). *Articles on the Responsibility of States for Internationally Wrongful Acts*.
- Rivera, R. (2011). *U.S. State Responsibility à la Trail Smelter: Arms Trafficking and Transboundary Harm to Mexico*. *Mexican Law Review*.
- United Nations. (2013). *The Arms Trade Treaty*.

Socio-Economic Impacts and Human Rights

- Institute for Economics and Peace. (2025). *Mexico Peace Index 2025*.
- UN Human Rights Council. (2025). *Impact of arms transfers on human rights*. Report A/HRC/58/41.
- International Monetary Fund. (2024). *Breaking Latin America's Cycle of Low Growth and Violence*.

Case Studies and Geopolitical Difficulty

- Congressional Research Service. (2025). *Evolution of U.S.-Mexico Security Cooperation*. Report IF10578.
- U.S. Supreme Court. (2025). *Smith & Wesson Brands, Inc. v. Estados Unidos Mexicanos*. 605 U.S.
- Wilson Center. (2022). *Arms Trafficking Across the U.S.-Mexico Border*
- Reducing violence: Latin America's pending economic policy - Latinoamérica 21, accessed on February 6, 2026, <https://latinoamerica21.com/en/reducing-violence-latin-americas-pending-economic-policy/>

Appendix 1

INTERNATIONAL COURT OF JUSTICE Procedural Guide

1. Jurisdiction of the Court

Both states have accepted the jurisdiction of the International Court of Justice under declarations recognizing the Court's authority to adjudicate disputes concerning the interpretation and application of international law.

The Court has therefore agreed to hear the case and determine the legal responsibilities of the parties.

2. Composition of State Representation

Only states appear before the Court as parties to the dispute. However, states are represented by **agents, counsel, and expert authorities** who present arguments and evidence on their behalf.

Each state delegation may include:

Agent of the State
Legal Counsel
Security or Policy Authorities
Political Leadership
Economic or Policy Advisors

Representation of Mexico

Agent of the State:

- Juan Ramón de la Fuente – Secretary of Foreign Affairs

Senior Legal Counsel:

- Ernestina Godoy Ramos – Attorney General

Security and Defense Testimony:

- Omar García Harfuch – Secretary of Security and Citizen Protection
- General Ricardo Trevilla Trejo – Secretary of National Defense
- José Rafael Ojeda Durán – Mexican Navy
- General Hernán Cortés Hernández – National Guard Commissioner

Political Authority:

- Claudia Sheinbaum – President

Economic Perspective:

- Marcelo Ebrard – Secretary of Economy

Additional Government Perspective:

- Luisa María Alcalde Luján – Former Secretary of the Interior

Representation of the United States

Agent of the State:

- Marco Rubio – Secretary of State

Legal Counsel:

- Pam Bondi – Attorney General

Security and Intelligence Authorities:

- Kristi Noem – Secretary of Homeland Security
- Tulsi Gabbard – Director of National Intelligence

Political Leadership:

- Donald Trump – President
- JD Vance – Vice President

Economic Perspective:

- Howard Lutnick – Secretary of Commerce

These representatives present arguments, testimony, and evidence before the Court.

3. Structure of the Hearing

Proceedings before the Court follow several stages.

Opening of the Court

The bench of judges convenes and confirms jurisdiction and admissibility of the case.

Presentation of Legal Arguments

Both states present their initial legal positions outlining the basis of their claims and defenses.

Evidence and Testimony

Representatives and experts from each state may present factual and technical information relevant to the dispute. Judges may question witnesses to clarify evidence.

Cross-Examination

Each party may challenge the arguments and evidence presented by the opposing state.

Judicial Questioning

Members of the Court may pose questions to both states in order to clarify legal and factual issues.

Closing Arguments

Both states summarize their positions and request specific remedies from the Court.

4. Purpose of the Simulation

This simulation aims to deepen understanding of:

- International law and dispute resolution
- Judicial procedure
- Legal argumentation and evidence
- The role of international courts in resolving disputes between states

Participants will be expected to present arguments, respond to questions, and engage with judicial procedures while representing their respective states.

5. Flow of Debate

Maximum speech time: 6 minutes

Average speech: 5 minutes

Phase 1 — Opening of the Court

Duration: 20 minutes

President of the Court:

- Calls the session to order
- Introduces the dispute before the Court
- Clarifies legal questions before the bench
- Explains procedural rules of the hearing

Phase 2 — Opening Statements

Purpose: Establish the initial legal positions of the parties.

Duration: 40 minutes

Speaker

Applicant Opening Statement — 6 minutes
Respondent Opening Statement — 6 minutes
Applicant Supporting Statement — 6 minutes
Respondent Supporting Statement — 6 minutes
Judicial Clarification Questions — 16 minutes

Phase 3 — Legal Arguments Round 1

Purpose: Presentation of detailed legal arguments.

Duration: 2 hours

Each speaker: 5–6 minutes

Delegations present legal arguments supporting their respective positions.

Phase 4 — Judges Question Round

Purpose: Judicial interrogation of arguments.

Duration: 1 hour

Judges may ask:

- Targeted questions
- Requests for clarification
- Legal challenges

Delegates respond in 1–2 minute replies.

Phase 5 — Witness Testimony

Purpose: Presentation of factual testimony.

Duration: 3 hours

Each witness:

Segment

Testimony — 5 minutes

Questions — 5 minutes

Phase 6 — Cross Examination

Purpose: Challenge opposing evidence.

Duration: 2 hours

Each side alternates asking questions.

Interaction

One party questions opposing witnesses — 1 hour

Other party questions opposing witnesses — 1 hour

Each question: 30–60 seconds

Each answer: 1–2 minutes

Phase 7 — Rebuttal Round

Purpose: Respond to opposing arguments.

Duration: 2 hours

Short rebuttal speeches:

Speaker

Delegation speakers — 5 minutes each

Delegates address arguments raised by the opposing side.

Phase 8 — Presidential Statements

Purpose: Provide policy-level perspectives.

Duration: 30 minutes

Speaker

Presidential Statement — 6 minutes

Presidential Statement — 6 minutes

Questions from Judges — 18 minutes

Phase 9 — Final Judicial Questions

Purpose: Clarify remaining issues.

Duration: 1 hour

Judges may question:

- Any representative
- Specific witnesses
- Legal counsel

Responses limited to 2 minutes.

Phase 10 — Closing Arguments

Purpose: Summarize final legal positions.



Duration: 30 minutes

Speaker

Respondent Closing — 6 minutes

Applicant Closing — 6 minutes

Final Questions — 18 minutes

The Applicant speaks last.

Phase 11 — Judicial Deliberation

Duration: 1 hour

Judges deliberate privately before reaching a decision.

Phase 12 — Delivery of Judgment

Duration: 20 minutes

President of the Court announces:

- Legal findings
- Reasoning
- Final decision of the Court

Optional: dissenting or separate opinions may be delivered by judges.

