

## **SIMULATION - IACOURT**

### **IMPORTANT DATES**

#### **June 01:**

- 1) Submission of the memorial.
- 2) All delegates will upload the document through moodle. If the country delegates deem necessary, audiovisual resources can be used in the simulation.

#### **June 02:**

IN-CLASS SIMULATION.

### **SIMULATION: GENERAL DESCRIPTION**

We will simulate a hearing at the Inter-American Court of Human Rights. The hearing will be chaired by the monitors, representing the judges, and the participants (students) will be state representatives or representatives of the victims.

### **INTRODUCTION**

Country X is located in Latin America, with a recent democratization process (its constitution is dated from 2000) and faces a lot of obstacles to the full implementation of human rights.

In 2020, in the midst of the COVID-19 pandemic, the journalists started to suffer a lot of attacks, as death threats from the recent elected government (there are no indicatives of fraud, the election was transparent, and the president legally won).

There were no laws on censorship, however journalists were unlawfully arrested, as it was the case of “Dani”, the founder of the most important website on public security. Dani was arrested in March 2020, still today he remains in prison. He was not granted with an adequate trial, and the investigation remains confidential. On the day Dani was arrested, his family suffered several attacks, and since then his son is missing, and his wife – Angelica - had to seek refuge in another country, where she seeks justice for her husband and her child.

Country X is known for its compliance with the Mandela rules.

Besides that, the President dismantled the Constitutional Court and has already proposed several changes in the constitution, such as the possibility of reelection. Although the President has not suspended any rights, yet, its international position is to not negotiate with other countries or within international organizations, especially the ones related to human rights, calling himself as an “international pariah”. Considering the above, Angelica filled a petition on the IAComission on Human Rights to guarantee a due trial to her husband. After failed attempts of negotiation, the State claimed that no right was violated, so the Commission submitted the case to the IA Court in March 2023.

## **RESEARCH AND WRITTEN ASSIGNMENT**

### **1) Research**

Excellent database sources are on the Hein Online, Jstor, Cullom-Davis library website, Academic Search Premier, EBSCOhost, Google Scholar, LexisNexis Academic, CarbonBrief, magazines, etc.

In preparing the submissions, students must consider at least the following legal instruments and issues:

- American Convention of Human Rights – to which Country X is a signatory
- Jurisdiction / competence of the Court (you can check the case law at <https://www.corteidh.or.cr/jurisprudencia-search.cfm?lang=pt>)

### **2) Preparation Paper**

Each group will complete a 3-10 pages paper that includes the following components:

- a) A brief statement of the facts.
- b) The preliminary arguments.
- c) Merits.
- d) Requests for the Court.

### **Paper style/format and avoiding plagiarism:**

All sources must be cited properly throughout the paper. You may use the citation style you prefer (e.g. ABNT, MLA, APA, Chicago Style, etc.), but you must choose a style and use it correctly and consistently. Consult style guides, available online. **Give preference to the footnote system.**

*Failing to cite sources sufficiently constitutes plagiarism.*

Content will be the primary focus of the paper grade. Writing errors will not be considered unless they make it impossible to understand. A paper will lose points, however, if it shows lack of time spent and care taken in its preparation. Please remember to number your pages.