



International Court of Justice

United States of America v. China

for

Misinformation on the CoronaVirus

President Aïcha Amaoui Gueriri; Vice President Merel Rodenjris

Honorable Judges Hiba Haloui, Yasmine el Ouarradi,

Niamat-Allah Fellah Ghnimi

Dear Delegates,

On behalf of this year's presidency, we would like to welcome you to Tangier's 7th MUN and its International Court of Justice! This year, we will be debating the case of Misinformation on the Corona Virus against China.

As your assigned country's representative, you are required to consider their alliances when picking a side to defend. We urge you to put aside your personal bias when doing so and finding your sources. The MUN Court of Justice is a simulation of a court case, thus requiring you to find sufficient and valid evidence on your own. Your findings will be compiled in an evidence packet, which will be turned in to us by the due date we announce.

ICJ is unique in the nature of its debate at MUN, but can only be worthwhile if everyone is prepared. We urge you to research your topics and country's positions thoroughly beforehand and find enough evidence to make this year's Court the most exciting one yet! Feel free to email us at aicha.amaoui_gueriri@ast.ma or merel.rodenjris@ast.ma for any questions or concerns.

Best of luck!

Topic Introduction

In April 22 of 2021, Missouri Attorney General Eric Schmitt filed a civil suit against China regarding the Covid-19 outbreak that started in Wuhan, the capital of the Hubei province. He claimed that China withheld information on the virus that would've otherwise enabled the world to deal with it properly. China's foreign ministry has strongly condemned these allegations but, as of writing this, the UN International Court of Justice hasn't released a statement addressing the case. Still, the World Health Organization has been summoned to confirm and stabilize the state of the virus in China.

Background

The Coronavirus originated from China, on December 31, 2019, when the Wuhan Municipal Health Commission filed a report of a cluster of cases of pneumonia. At that time, the exact disease was unidentified until it was revealed that China had found similar cases of a new type of pneumonia two months prior. On January 8th, the Covid-19 virus was recognized and found to

have originated from an exotic animal market in China, though there are disputes on the transfer to humans.

The months to follow saw the evolution of the virus into a worldwide pandemic that claimed millions of lives and infected even more. Most nations were pushed into lockdown, causing immense economic losses, steepening social imbalances, and destabilizing the global political climate. Despite the world's best efforts, the Coronavirus pandemic will undoubtedly go down as a notable calamity this century, standing out from previous pandemics in history as well.

This being the case, people have been rushing to hold someone accountable for the pandemic and blame has been pointed in several directions. Countries like the United States and Italy have been targeted for their response to the virus, the latter even being attributed as the instigator of the spread. Still, most statements made towards the nations have been vague, mostly sourcing from informal debates among societies across the globe.

There are, of course, exceptions. The United States of America have been very vocal about their disapproval of China's handling of the Coronavirus. Donald Trump, then president of the United States, has been quoted criticizing and even blaming China publicly and officially. Nonetheless, these claims have been widely ignored given their context and source.

April 22nd of 2021 can be considered the first action taken by the United States in support of their stand on the matter, when the Attorney General of Missouri sued China on the grounds of misinformation. The case detailed that China failed to notify the WHO in a timely manner which is mandatory by international law, that China is spreading misinformation regarding the origins of the virus and the number of cases in the nation. The U.S claims that if China had obliged international law and had notified the WHO of the new disease which was labeled as a new form of pneumonia that the virus would not have spread as quickly and thus not harmed the economy, global health, and society overall. Since this dispute could not be resolved by the WHO and that the WHO does not have the authority to resolve this case, the case has been sent to the International Court of Justice to rule over.

These claims source from the initial discovery of the virus that was not reported to the International World Health Organization (WHO), who requires they be notified of events that may be seen as "a public health emergency of international concern." Similarly, The

International Covenant on Economic, Social, and Cultural Rights (ICESCR) demands the right to “the highest attainable standard of physical and mental health,” which the United States imply was prevented from other nations in China’s failure to notify them.

Plaintiff Allegations (USA)

Though this case hasn’t been taken to court yet, the United States has made its claims clear. The lawsuit called by the Missouri Attorney General asks for ‘billions of dollars’ in compensation from the Chinese Communist Party, the government, and other Chinese officials and institutions. He claims that China failed to report the dangers of the virus and silenced those who tried to while poorly handling the spread of the virus in and out of their nation, as well as having withheld supplies that could have alleviated the global pandemic.

This court acknowledges that several other lawsuits have been appealed for or filed against China. Though the lawsuits themselves cannot be presented as evidence, relevant countries are welcome to use the information and sources presented in said cases.

Defendant’s Objections (China)

The spokesperson of China’s foreign ministry released a statement via Twitter addressing the lawsuit. He called it a “frivolous lawsuit has no factual or legal basis. Really absurd.”

Evidence Packets

All evidence is required to be compiled in a packet the delegate plans to use to support their legal arguments. The evidence packet must be prepared in the form of a Google document containing all the pieces of evidence shared in an *editable* Google Doc with the president and vice president (aicha.amaoui_gueriri@ast.ma and merel.rodenjris@ast.ma respectively). The Doc must be labeled with the delegate’s full name and school, the country they’re representing, and the side they chose to defend. Each piece of evidence must follow certain formatting and citations:

- *Title*
- *Author*
- *Medium (Website link/Book/etc.)*
- *Date*
- *Brief explanation (what is your source/what does it prove/how it's relevant/why it's reliable)*

The panel reserves the right to strike out pieces of evidence that have not been reviewed beforehand. *Packets cannot be altered or retyped at any point during the court, nor can additional research be made.* Evidence generally consists of objects with any relevance to the case, such as papers, articles, or documents. They must be related to the topic, particularly in defense of arguments being made.

In the case of evidence falsification, the panel reserves the right to order said advocate to leave the court.

Requirements

- Evidence packets **(DUE APRIL 2ND)**
- Substantial research on the topic.
- Country's position

Relevant Sources

- <https://www.ibanet.org/Article/NewDetail.aspx?ArticleUid=d1b023c0-4033-4197-b68d-c11301478271>
- <https://www.orfonline.org/expert-speak/corona-the-case-for-taking-china-to-icj-64096/>
- <https://www.icj.org/southeast-asia-states-must-respect-and-protect-rights-in-combating-misinformation-online-relating-to-covid-19/>
- https://twitter.com/MFA_China/status/1252932052237705216?s=20