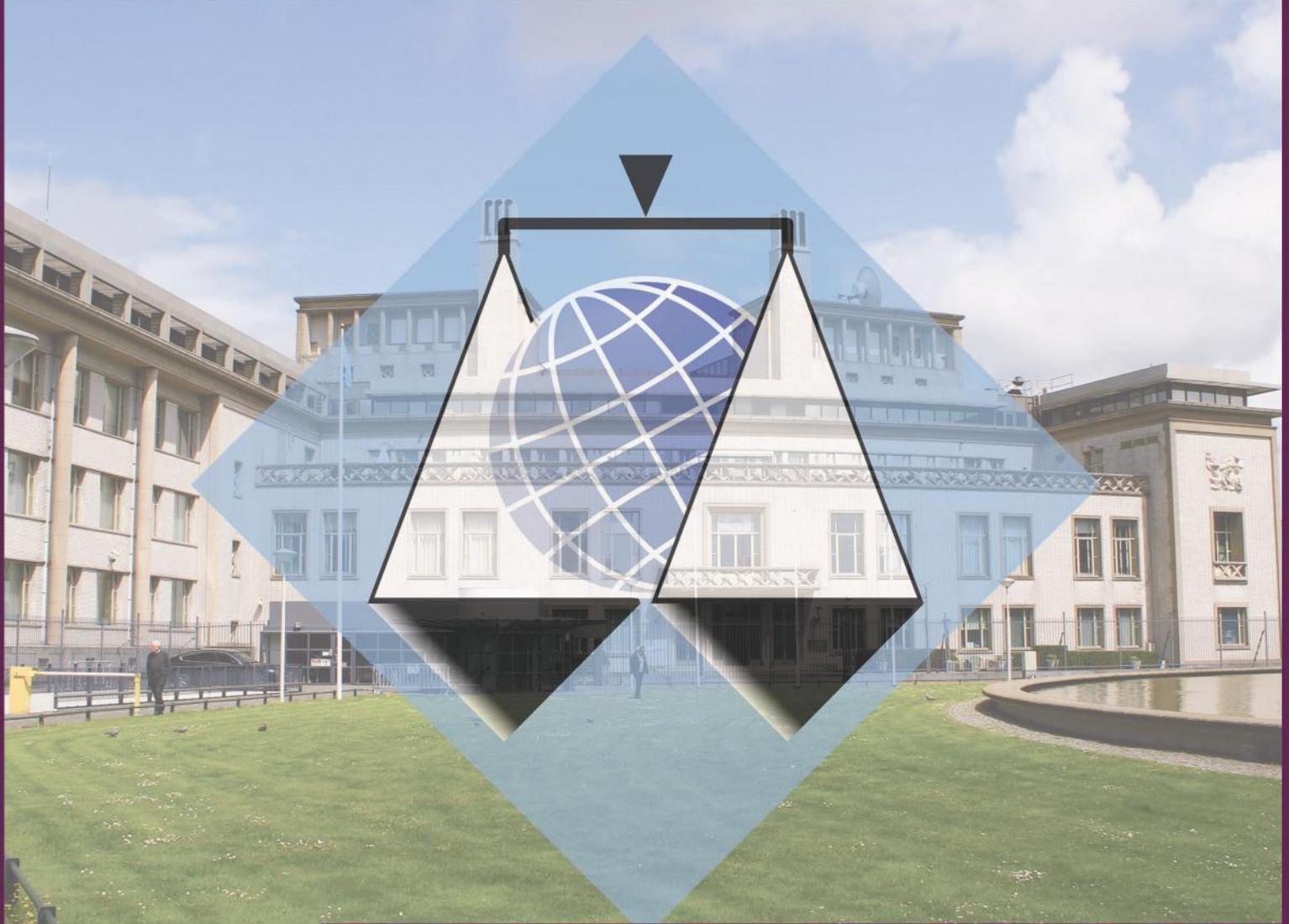


# International Criminal Tribunal for the Former Yugoslavia

## Case: The Prosecutor v. Radovan Karadžić



# Rules of Procedure

Under-Secretary General: Nihan Üçer  
Academic Assistant: Eralp Ünver

HASMUN



## HASMUN 2017

# INTERNATIONAL CRIMINAL TRIBUNAL FOR THE FORMER YUGOSLAVIA RULES OF PROCEDURE

### SECTION A: GENERAL PROVISIONS

#### **Article 1: Definitions**

**Tribunal:** Refers to the International Criminal Tribunal for Former Yugoslavia

**Hearing:** Refers to whole hearing of the Tribunal

**Applicant:** Refers to the party who applied to the Tribunal in order to get a judgment that favors itself

**Respondent:** Refers to the party to reject claims of the Applicant before the Tribunal.

**Parties:** Refers to both Applicant and Respondent collectively.

**President:** Refers to the President Judge in the Tribunal.

**Registrar:** Refers to the Registrar in the Tribunal.

**Board:** Refers to both the President Judge and rapporteur in the Tribunal.

**Counsels:** Refers to all members of the Counsels of the Applicant and the Respondent.

**Third Party Intervenors:** Refers to all of the third parties involved in the hearing.

**Press:** Collectively refers to press members of HASMUN 2017.

**Article [\*]:** Refers to a specific article in HASMUN- ICTY Rules of Procedure 2017.

**Rules of Procedure:** Refers to the International Criminal Tribunal for Former Yugoslavia Rules of Procedure 2017.

**Court Room:** Refers to venue of the Tribunal.

**Speaker:** Refers to a member of the Tribunal who has a right to speak at that moment.

**Secretariat:** Refers to the Secretary-General, the Deputy Secretary-General, Under Secretaries-General, the Assistant Secretary-General and the Academic Assistants.

#### **Article 2: Rules of Procedure**

1. This document lays out the rules to be applied for all matters relating to the International Criminal Tribunal for Former Yugoslavia at HASMUN 2017.
2. The Rules of Procedure is not subject for appeal. Such an action will be overruled by the Secretariat.
3. For the other General Provisions participants of this committee may look at the general rules of procedure of HASMUN 2017.

### **Article 3: Duties of the Secretariat**

1. The Secretariat consists of the Secretary-General, the Deputy Secretary- General, the Under Secretaries-General, the Assistant Secretary-General and the Academic Assistants.
2. The Secretariat shall receive, print and distribute all the decisions of the Court and deliver all other work that the Court may require. The Secretary-General may authorize any other member of the Secretariat for a specific task relating to the proceedings of the Court.
3. The Secretariat members responsible for the Court will be handling the secretarial duties regarding the Court in the absence of the Secretary-General.

### **Article 4: Interpretation**

1. The interpretation of the Rules of Procedure and all procedural matters are exclusively in the authority of the Secretary-General and the designates of him.
2. Such interpretation is final and cannot be appealed to.

### **Article 5: Language**

1. English is the official working language of HASMUN 2017. Other languages that are accepted in the original procedure of the International Criminal Tribunal for Former Yugoslavia will not be used in HASMUN 2017.

### **Article 6: Dress Code**

1. The dress code for HASMUN 2017 is formal business attire.
2. The dress code is mandatory during the Conference.

### **Article 7: Credentials**

1. The credentials of all participants have been accepted upon registration. Actions relating to the modification of rights, privileges, or credentials of any member may not be initiated without the written consent of the Secretary- General. Any representative whose admission raises an objection by another member will provisionally be seated with the same rights as other representatives, pending a decision from the Secretary-General.

### **Article 8: Statements by the Secretariat**

1. The Secretary-General or the designates of him may make written or oral statements to the Court at any time. The members of the Court are bound by the contents of these statements.

### **Article 9: Electronic Device Usage**

1. Electronic Devices that provide the members of the Court with the ability to communicate with each other and persons outside of the Court room are strictly prohibited in principle.
2. Shall the Board deem necessary, the usage of electronic devices may be allowed;
  - a. The Counsels during the Evidence and Legal Argument Presentations, in the existence of a need to refer to a digital file.
  - b. The Judges during the Deliberations, in the existence of a need to take effective notes of the proceedings and the writing of the Judgment.

### **Article 10: Notes**

1. The communication between the members of the Court is, in principle, conducted through formal note passing with the aid of the Administrative Staff.
2. Such communication may only be allowed between the Judges. Parties may only pass a note to the Board.
3. The President Judge is authorized to pass a note to whomever they seem fit.

### **Article 11: Quorum**

1. The Quorum is met when the simple majority of the registered Judges and one of the Counsels for each side are present at the beginning of each session.
2. Quorum shall be sought through formal roll-call at the beginning of each session.
3. Members, who arrive late to the session, shall pass a note to the Board in order to be able to participate in the proceedings and to be added to the roll-call.
4. The required majorities shall be calculated according to members recorded as present in the roll call.

### **Article 12: Disciplinary Rules and Penalties**

1. All members of the Court shall address the Board and each other with utmost respect and courtesy. The members shall refrain from any action that would undermine the dignity of another.
2. The members of the Court may face penalties if they act in violation with the Code of Conduct of HASMUN 2017 and Turkish Law.
3. A disobedience of the disciplinary code may result in an official warning by the Secretariat. Shall the action be repeated, the Secretariat may temporarily or indefinitely dismiss the participant from the Conference.

## **SECTION B. COMPOSITION OF THE COURT**

### **Article 13: Members of the Court**

1. The Court consists of the President Judge, the Registrar, the Judges, the Counsels and the Third Party Intervenors.

#### **Article 14: Presidency**

1. The Presidency is composed of one President Judge.
2. The President Judge is responsible for the moderation of the oral proceedings, implementation of the rules and taking action as a representative of the Secretariat.
3. The President Judge shall take the oath to be able to formally participate in the proceedings.
4. The Presidency should preserve their impartiality during the Conference.
5. The Presidency is responsible for reporting any inconveniences or rule violations by the Court members to the Secretariat.
6. The President Judge shall vote in procedural and substantive matters as an equal to the other Judges. If the vote results in a tie, the option favored by the President Judge shall be deemed as the final result of the vote.
7. The Presidency is responsible for announcing the Judgment.
8. All of the rules governing the Judges also bind the President Judge.

#### **Article 15: Registrar**

1. The Registrar is under the duty to take detailed records of the Oral Proceedings. It is required that these records include substantial arguments of the Counsels and important sections of the Deliberations, the summaries of the Evidence Material and the outcomes of all voting phases.
2. The Registrar holds all the evidence material presented in the Court.
3. The Press Team of HASMUN 2017 shall only address the Registrar seeking information. The Registrar cannot disclose any substantive information regarding the proceedings.
4. Before proceeding with the taking of the oaths, the Registrar shall take the oath before the President Judge by repeating this sentence; *“I solemnly declare that I will exercise loyally, discreetly and conscientiously the functions conferred upon me as Registrar of the International Criminal Tribunal for the Former Yugoslavia.”*
5. The Registrar shall take the Oaths of the Presidency, the Judges and the Counsels before the commencement of the Oral Proceedings.
6. The Registrar shall take the Oaths of the Third Party Intervenors before their Presentations.
7. The Oath for the President Judge is; *“I, President Judge –SURNAME-, solemnly declare that I will exercise my functions as the President Judge of the International Criminal Tribunal for the Former Yugoslavia, honourably, independently and impartially and that I will keep secret all deliberations.”*
8. The Oath for a Judge is; *“I, Judge –SURNAME-, solemnly declare that I will exercise my functions as a judge of the International Criminal Tribunal for the Former Yugoslavia, honourably, independently and impartially and that I will keep secret all deliberations.”*
9. The Oath for a Counsel is; *“I solemnly declare upon my honour and conscience that I shall speak the truth, the whole truth and nothing but the truth.”*

10. The Oath for a Third Party Intervener is: The Oath for a Counsel is; “I solemnly declare upon my honour and conscience that I shall speak the truth, the whole truth and nothing but the truth.”
11. The Registrar is not a Judge and therefore, is not eligible for voting.
12. The Registrar may not address the Court unless the Presidency gives an explicit authorization.
13. The Registrar shall disclose their records with only the Judges during a Deliberation if the Judges request so.
14. Registrar is required to fully comprehend the case. During the proceedings, Rapporteur may be consulted in this respect upon the motion of Judges during deliberations or the discretion of the President.

#### **Article 16: Judges**

1. The Judges are responsible for deciding on the cases brought before them by seeking the application of the International Criminal Tribunal for the Former Yugoslavia and international law in general, while respecting the general principles of law, impartiality and the secrecy of the proceedings.
2. Each Judge shall take the Oath to be able to formally participate in the proceedings.
3. The Judges shall word their decision in the format of a Judgment.
4. The Judges may examine the Counsels in the appropriate phases of the proceedings.
5. All Judges have an equal vote in procedural and substantive matters. The tiebreaker exception in Article 14 is reserved.
6. Judges may be warned by the Secretariat if they demonstrate partiality or disclose any exclusive information.

#### **Article 17: Counsels**

1. The Counsels are representatives of the Applicants and the Respondents.
2. The Counsels are required to serve in the best interests of their party in all actions relating to the proceedings.
3. The Counsels are not eligible for voting in substantive or procedural matters.
4. The Counsels shall also follow any procedural instruction given by the Presidency or the Secretariat.
5. The Secretariat and the Board shall ensure that the Judges are fully aware of the pre-hearing submissions of the Parties.
6. The Counsels for the Applicants shall, in principle, bear the burden of proof, which is preponderance of evidence. The burden may shift to the Counsels for the Respondent if they attempt to base an argument on an extraordinary ground.
7. The Counsels are required to abide by the Rules of Procedure. A disobedience of the rules laid in this document may result in penalties determined by the Secretariat.
8. The Counsels are required to make all of their statements standing before the Court.
9. The Counsels are able to give a motion to alter the speakers’ time against the period of time determined by the Presidency. This motion may be given at the beginning of the Opening Speeches, Presentation of Evidence and Legal Arguments, Rebuttals and the Closing Statements. The Presidency may decide on this motion by themselves or open this motion to a voting by the Judges if they see fit.

## **SECTION C. WRITTEN PLEADINGS PRIOR TO THE HEARING**

### **Article 18: Submissions**

1. The Counsels are required to submit written pleadings corresponding with the Section C of this document and according to the deadlines set by the Secretariat.
2. The Counsels for the Applicants shall first submit their pleadings. The Counsels for the Respondent shall submit their pleadings after they receive the memorial of the Applicants and in a fixed period of time determined by the Secretariat.

### **Article 19: Content and Form**

#### **1. The form and the contents of the pleadings shall be as follows;**

- a. typed and wholly legible, the text appearing in at least 12 pt. in the body and 10 pt. in the footnotes, with one-and-a-half line spacing;
- b. all numbers expressed as figures;
- c. pages numbered consecutively;
- d. divided into numbered paragraphs;
- e. divided into chapters and/or headings corresponding to the form and style of the Court's decisions and judgments
  - i. "Facts"; A section explaining the facts leading up to the application.
  - ii. "Domestic law [and practice]"; A detailed explanation of the domestic law and the practice that is the subject of the application
  - iii. "The Law"; The sections of the International Criminal Tribunal for the Former Yugoslavia that set the ground for the case and their applications in the prior decisions of ICTY
  - iv. "Claims"; The Counsels' prayers from the court
- f. any answer to a question by the Court or to the other party's arguments under a separate heading;
- g. a reference to every document or piece of evidence mentioned in the pleading

2. If the Counsels fail to submit pleadings in accordance with these rules, the Secretariat may request a resubmission.

## **SECTION D. ORAL PROCEEDINGS BEFORE THE COURT**

### **Article 20: Taking of the Oaths**

1. Prior to the commencement of the Oral Proceedings, the Registrar shall take the oath and all the members of the Court shall have their oaths taken by the Registrar.
2. A member, who rejects to take the oath, is not able to participate in the proceedings.

### **Article 21: Opening Statements**

1. After the oaths are taken, the Hearing shall commence with the Opening Statements.
2. The Counsels for the Applicants shall begin with the first speech and the Counsels for the Respondent shall follow.
3. The Counsels shall present a brief overview of their arguments and claims in their Opening Speeches.
4. Opening Speeches cannot be divided between the Counsels of the Parties. One Counsel for each Party shall conduct the speech.

### **Article 22: Presentation of Legal Arguments and Evidence Material**

1. The Counsels for the Applicants shall begin with the first presentation, which shall be followed by the Counsels for the Respondent.
2. The Presentation shall include any factual evidence, such as news articles, maps, images, videos etc. in the attempt of proving facts and judicial decisions, international treaties, articles and other documents of legal value in the attempt of grounding the legal arguments.
3. Material that are written in another language than English, shall be submitted to the court with an English translation attachment.
4. The material for this Phase shall be submitted to the Secretariat before the phase.
5. If the Opposing Counsel would like to point out the inauthenticity of a piece of material, they shall raise an Objection of Immaterial. This objection shall be evaluated by the Presidency. The President may grant the Counsel that has presented the evidence a right of reply.
6. This phase may be divided in two between the two counsels of the Parties.

### **Article 23: Questioning of the Parties by the Judges**

1. In this phase judges are allowed to ask questions to the advocate during the presentation, after obtaining permission by the president judge.
2. A Judge may ask only one question at a time. If the Judge is unsatisfied with the answer or would like to ask a following and related question, they shall immediately ask the President for a right of a follow-up question.
3. The President may grant the Counsels a short period of time no longer than 1 minute, in order for them to discuss their answer to the question of a Judge.
4. Only one Counsel may answer the question. The other Counsel for the same Party shall not interrupt the speaker.

### **Article 24: Statements of Witnesses**

1. Judges shall be entitled to call upon Witnesses.
2. Any Witness in front of the International Criminal Tribunal for the Former Yugoslavia shall take the Oath which is as the following: "*I solemnly declare, upon my honour and conscious that I shall speak the truth, the whole truth and nothing but the truth.*"
3. When the Judges call Witness to the court, Witness duty is to enlighten the court by giving their opinions and sharing the experiences regarding to the legal issue.
4. Time allocated for this phase shall not be limited.

### **Article 25: Rebuttal**

1. The Counsels for the Applicants shall first engage in the Rebuttal phase, which shall be followed by the Counsels of the Government.
2. The Counsels shall use this phase to reiterate their arguments, negate the arguments presented by the opposing Counsels and point out their contradictions, fallacies and failures to ground their claims.
3. This phase may be divided between the Counsels of each Party.
4. Presenting new evidence in this phase is strictly prohibited. If the Counsels mention a piece of evidence that was not brought up before, it shall be removed from the Court records and the Judges shall ignore the piece of information while making a decision.
5. Following this Phase, Judges may question the Counsels once more.

### **Article 26: Closing Statements**

1. The Counsels for the Applicants shall begin with the first statement, which shall be followed by the Counsels for the Respondent.
2. The Counsels shall use this phase to summarize their presentations and what they have proven during the prior phases. The Counsels shall conclude with simply stating their prayers to the Court.
3. This Phase cannot be divided between the two advocates of the Counsels for the Parties.

## **SECTION E. RULES GOVERNING THE DELIBERATION OF JUDGES**

### **Article 27: Deliberation of Judges**

1. Deliberation is a sub-session that is conducted within the formal sessions of the Conference, in which the Judges engage into discussions and voting procedures regarding the merits of the case.
2. The Deliberation is commenced by the decision of the Presidency. In principle, the deliberations are held immediately after each of the phases explained in the Oral Proceedings section of this document.
3. The Deliberations are held in secrecy. All members of the Court and the Press Team, except the Board, the Judges and the Secretariat members are removed from the Court room.
4. Judges are not required to stand up while making statements.
5. The length of the duration of the deliberations is determined by the Presidency.
6. The President Judge shall entertain points and motions in deliberation to set the flow of the discussion.

### **Article 28: Tour de Table**

1. It is up to the discretion of the President Judge to set a Tour de Table during the deliberations.
2. In a Tour de Table phase, the Judges shall express their brief opinions on the matter stated by the President Judge.
3. The President Judge shall make the first speech, and shall be followed by the other Judges in alphabetical order.
4. The President Judge is the authority to determine the speakers' time. Each Judge shall be allocated with the same amount of time.

### **Article 29: General Speakers' List**

1. The Presidency may also establish a General Speakers' List at the beginning of the deliberation.
2. The Judges, in principle, shall pass notes to the President in order to be added to the Speakers' list. The President Judge may add themselves in the list.
3. The speakers' time shall be determined by the President Judge. Motions to alter the speakers' time shall be in order.
4. The list shall stay in effect until a new Motion is entertained by the President Judge.

### **Article 30: Yields**

1. The Judges may utilize the remainders of their speakers' time through the usage of yields.
2. The Judges may yield to another Judge/President Judge or to Points of Information.
3. The Judges are able to refrain from yielding. In that case, the Open Discussion shall move on.
4. If the yield is used towards another Judge, the President Judge shall ask the referred Judge if they would like to take the floor. If the Judge accepts, they shall speak with no ability to yield again. If they reject, the Open Discussion shall move on as if there was no yield in order.
5. If the yield is used towards the President Judge, the President Judge shall immediately accept or reject the yield. If the President accepts the yield, they also do not have the right to yield again.
6. If the yield is used for Points of Information; the President Judge shall ask the other Judges if any of them would like to raise a Point of Information to ask a question to the yielding Judge. The questions shall be asked until the end of the lapsed time. The answers of the yielding Judge shall pause the time.

### **Article 31: Moderated Caucus**

1. Moderated Caucuses are initiated through the passing of a proper motion.
2. The motion shall include the topic, the total time, and the time allocated per speaker.
3. Total time allocated for a Moderated Caucus cannot exceed 20 minutes.

4. The motion can be proposed any time when the floor is open. The floor may be opened even in a formal discussion if the President Judge takes discretion.
5. The President Judge may take initiative to alter the details of the motion.
6. The motion is proposed to a procedural voting following the President Judge's decision to entertain it. The President is authorized to overrule a motion without proposing to vote upon it.
7. The Judges cannot refrain from the procedural voting.
8. The motion passes with a simple majority of the present Judges.
9. Once the motion passes, the President shall grant the Judges rights to speak if the Judges express their intentions by raising their placards. The President Judge may also grant themselves a right to speak.
10. The commencement of a Moderated Caucus suspends the Open Discussion and leads the Judges into a Formal Discussion.
11. The President Judge shall observe the allocated time and notice the speaker that the time is running out or that it has passed.
12. The Moderated Caucus may be terminated by the final decision of the President Judge, if the discussion is not productive.
13. The Judges may raise a motion to extend the caucus twice, with proposing a timeframe shorter than the one before.

#### **Article 32: Unmoderated Caucus**

1. Unmoderated Caucuses are initiated through the passing of a proper motion.
2. The motion shall include the topic and the total time.
3. Total time allocated for an Unmoderated Caucus cannot exceed 20 minutes.
4. The motion can be proposed any time when the floor is open. The floor may be opened even in a formal discussion if the President Judge takes discretion.
5. The President Judge may take initiative to alter the details of the motion.
6. The motion is proposed to a procedural voting following the President Judge's decision to entertain it. The President is authorized to overrule a motion without proposing to vote upon it.
7. The Judges cannot refrain from the procedural voting.
8. The motion passes with a simple majority of the present Judges.
9. The commencement of an Unmoderated Caucus suspends the Open Discussion and leads the Judges into a Formal Discussion.
10. The Unmoderated Caucus may be terminated by the final decision of the President Judge, if the discussion is not productive.
11. The Judges may raise a motion to extend the caucus twice, with proposing a timeframe shorter than the one before.

#### **Article 33: Points of Order**

1. A Point of Order may be raised by a member of the Court to notice the Presidency that the application of a procedural rule is improper.
2. The Presidency takes the point into consideration and evaluates the implementation of the rule according to the Rules of Procedure.

3. The President Judge gives the final decision on the point by themselves. .
4. The Point of Order may not interrupt the speaker, unless an irreparable consequence will rise if the error is not corrected.

#### **Article 34: Points of Parliamentary Inquiry**

1. Point of Parliamentary Inquiry is raised to request an explanation of the Procedure from the Presidency.
2. This point may not interrupt the speaker.

#### **Article 35: Points of Personal Privilege**

1. Point of Personal Privilege is raised to express a personal inconvenience or discomfort that has an effect on their participation to the proceedings.
2. This point may not interrupt the speaker unless it is raised due to inaudibility.

#### **Article 36: Points of Information**

1. The Point of Information is used by the Judges to ask a question to a fellow Judge or the Presidency, on the substantive matters of the case.
2. This point may never interrupt the speaker.
3. This point is also used if a Judge yields their time to Points of Information.

#### **Article 37: Motions to Suspend/Adjourn the Meeting**

1. Before the breaks designated by the Secretariat, the meeting shall be formally suspended. The members of the Court are allowed to propose a motion to suspend the meeting in order to go on a break.
2. At the end of the announcement of the Judgment, the meeting shall be formally adjourned. In order to close the case and leave the Court room, a member of the Court shall propose a motion to adjourn the meeting.
3. Motions for Suspension pass with a simple majority. Two thirds of the members are sought for the adjournment of the meeting.

#### **Article 38: Precedence of Points and Motions**

1. If there are multiple points and motions presented to the Presidency at the same time, the President Judge shall entertain the motions in the following order;
  - a. Point of Personal Privilege
  - b. Point of Order
  - c. Point of Parliamentary Inquiry
  - d. Point of Information
  - e. Motion for Suspension/Adjournment of the Meeting
  - f. Motion for an Extension of the Previous Caucus
  - g. Motion for an Unmoderated Caucus

- h. Motion for a Moderated Caucus
2. If multiple caucuses of the same nature are presented at the same time, the longer one shall be first put to vote.

## **SECTION F. OBJECTIONS**

### **Article 39: General Provisions Governing Objections**

1. Where one of the Parties' action or statement is considered as falling under the scope of any Objection set forth in this Section, the opposing Party has a right to raise an Objection.
2. Judges shall have a right to raise an Objection of Prejudice when provided within the rules set forth in this Section.
3. The Participant raising the Objection must state the correct ground enlisted in this Section.
4. Objections may interrupt the speaker.
5. The Presidency shall announce the decision on the Objection as *granted* meaning a decision in favor of the Objection, or as *overruled* meaning a decision against it.
6. If the Objection is granted by the Presidency, the assertion subject to Objection shall be removed from any Tribunal records and Parties shall refrain from referring to that specific assertion.

### **Article 40: Ambiguous**

1. An Objection of Ambiguous may be raised if a question is not clear enough for a witness to answer.
2. Objection of Ambiguous shall be raised during Witness Testimony.

### **Article 41: Argumentative**

1. An Objection of Argumentative may be raised It is used when the questioning Party is not asking a question and is instead making an argument of law or application of law that should be argued in summation. It is only valid when the witness is not being asked a question that he or she can properly answer.
2. Objection of Argumentative shall be raised during Witness Testimony.

### **Article 42: Immaterial**

1. An Objection of Immaterial may be raised if a Party presents any piece before the Tribunal whose authenticity is not proven. The decision of the Presidency upon this Objection is appealable by a Judge or the opposing Party.
2. Objection of Immaterial shall be raised during Evidence Presentation, Rebuttal and Surrebuttal.

### **Article 43: Irrelevant**

1. All assertions of Parties shall be relevant to the case at hand.
2. If the assertion made is irrelevant to the case, the opposing Party shall have the right to raise an Objection.
3. Objection of Irrelevant shall be raised during Evidence Presentation, Rebuttal and Surrebuttal.

#### **Article 44: Prejudicial**

1. If an assertion by one of the Parties harms the personal integrity of any member that person may raise an Objection.

#### **SECTION G. JUDGMENT**

#### **Article 45: Writing the Judgment**

1. Following the final deliberation, the Judges are expected to write a Judgment on the merits of the case.
2. The substantive issues in the case are resolved with the simple majority of the Judges. The Judges are allowed to abstain in substantive voting procedures.
3. The President Judge shall announce the Majority's Judgment in the presence of the Press and the Counsels.
4. The Judges disagreeing with the majority's decision may write a dissenting opinion that shall be annexed to the Judgment.
5. The Judges agreeing with the outcome of the final vote, yet disagreeing with the reasoning method that led to the result; may write a concurring opinion that shall be annexed to the Judgment.

#### **Article 46: Contents and Form**

1. The contents of a Judgment are the following;
  - a. The names of the President and the other judges constituting the Chamber or the Committee concerned, and the name of the Registrar
  - b. the dates on which it was adopted and delivered;
  - c. a description of the parties;
  - d. The names of the counsels of the parties;
  - e. an account of the procedure followed;
  - f. the facts of the case;
  - g. a summary of the submissions of the parties;
  - h. the reasons in point of law;
  - i. the operative provisions;
  - j. the decision, if any, in respect of costs;
  - k. the number of judges constituting the majority;
2. Where appropriate, a statement as to which text is authentic.