

Call for Mooters

The 1st Thailand *International Humanitarian Law* Moot Court Competition



ICRC



FACULTY OF LAW
THAMMASAT UNIVERSITY

National selection round for *the 2016 Regional International Humanitarian Law Moot Court Competition* in Hong Kong

7 Oct 2015

**Deadline for Team registration
at thailandihlmoot@gmail.com**

(Please inform names and contact of 2 footers +1 researcher.
Moot problems will be distributed after registered.)

13 Oct 2015

Request for clarifications

21 Oct 2015

Memorial submission

1 Nov 2015

Announcement of semi-final teams

15 Nov 2015

**Semi-final and Final Rounds
at Thammasat University (Tha-Prachan)**

Dear Sir/Madame,

The International Humanitarian Law Moot Competition (National Round)

The Faculty of Law, of Thammasart University will be organizing the national round International Humanitarian Law Moot Competition in cooperation with the International Committee of the Red Cross (ICRC). This year, the IHL Moot will be held on 15th November 2015 at the Faculty of Law, Thammasart University.

The winning team of this national round IHL moot court competition will represent Thailand at the Regional IHL moot court competition which will be held in Hong Kong in 2016. Thailand representative will be supported by ICRC.

We would like to take this opportunity to invite your institution to send a team to participate in this year's IHL Moot competition. Each team will comprise of two mooters, namely two mooters who will be representing both the Prosecution and the Defence, and one researcher (optional).

If your institution would like to send a team, please register with The SECRETARY at thailandihlmoot@gmail.com. The closing date for registration of teams is **7th October 2015**. The moot problem will be released to all participating teams after the confirmation of participation. Please kindly study the attached leaflet for further information.

If you have any enquiries, please do not hesitate to contact us.

Thank you.

Yours sincerely,



Ms. Graziella Leite Piccoli
Deputy Head of Regional Delegation
International Committee of the Red Cross.



Ms. Thitirat Thipsamritkul
Lecturer
Faculty of Law, Thammasart Univeristy.

The SECRETARY: Mr. Paisit Pusittrakul
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**The 1st Thailand International Humanitarian Law Moot Court Competition,
National Selection Round for the 2016 Regional International Humanitarian Moot Court
Competition in Hong Kong,
Bangkok, 2015.**

OFFICIAL RULES

GENERAL

1. The Moot Court Competition shall be conducted under the auspices of the International Committee of the Red Cross (ICRC) and the Faculty of Law, Thammasat University, which shall have the power to:
 - (i) co-opt members;
 - (ii) appoint a SECRETARY and an ADMINISTRATOR;
 - (iii) appoint judges;
 - (iv) amend the rules as it thinks fit; and
 - (v) video recording of all or any of the session is allowed ONLY upon express permission by the ICRC

PARTICIPATING INSTITUTIONS AND REGISTRATION

Eligibility

2. The Moot Court shall be open to more than one team from a participating institution established in THAILAND.
3. Each team shall consist of TWO students as Mooters. Each participating institution may also opt to include ONE student as a Researcher.
4. Participating student shall be registered for a first degree in law or undergraduate or postgraduate program in law with the participating institution as of 15th November 2015. A person is ineligible to participate in the Competition if he or she:
 - (i) is registered for a doctoral degree in law, excluding a JD, at a participating institution or at any other institution;
 - (ii) holds any doctoral degree in law (other than a JD), regardless of the institution that conferred such doctorate;
 - (iii) holds or has held a full time or part time teaching post in law at any tertiary; or
 - (iv) has been admitted or licensed to practice law in any jurisdiction.

Registration fee and registration procedure

5. Each team must notify the SECRETARY via e-mail (to thailandihlmoot@gmail.com) on or before 7th October 2015 of:
 - (i) The names of the two mooters and the researcher, if any;
 - (ii) The law degree or program in which each mooter and researcher is registered;
 - (iii) The team coach, if any;
 - (iv) The name, email address, address, and telephone number of a contact person.
6. The registration is free of charged.

SUBSTITUTION OF TEAM MEMBERS

7. A participating team may substitute a student previously registered as a member of a team with another student only with the express consent of the SECRETARY.

THE MOOT PROBLEM

Selection of the Moot Problem

8. The SECRETARY shall have the sole power to determine the moot problem to be used in the Moot Court Competition.

Distribution of the Moot Problem

9. The moot problem will be distributed by the SECRETARY to the respective teams upon confirmation of their participation in the competition. The team that registered earlier will get the moot problem earlier.

Facts and Clarification of the Moot Problem

10. The facts that constitute the subject matter of the moot are provided in the moot problem. No additional facts may be introduced unless they are a logical and necessary extension of the given facts in the moot problem.
11. Any request(s) for clarification(s) of the moot problem must be brought to the attention of the SECRETARY by 13th October 2015.

GUIDELINES FOR MEMORIALS

Form and Length of Memorials

12. Each team shall submit a memorial for both the Prosecutor and the Defendant respectively.

13. Each memorial (excluding cover sheets) shall be typed with 1.5 line-spacing, using TIMES NEW ROMAN, font size 12. The pleading section of each memorial submitted **shall not exceed 4,000 words** in length in total, including titles and subtitles, citations, footnotes, endnotes, sources, etc.

If a team's memorial exceeds 4,000 words, the SECRETARY shall deduct marks from that team's total memorial score based on the following scale below:

- 1-5 words in excess - deduction of 1 mark
- 6-20 words in excess - deduction of 3 marks
- 21-50 words in excess - deduction of 6 marks
- 51-100 words in excess - deduction of 10 marks
- 101-150 words in excess - deduction of 20 marks
- Above 150 word in excess - deduction of 30 marks

14. All citations must either be in the body of the text or in the footnotes and should be in an intelligible form.

15. Each memorial must have TWO cover sheets:

- (i) The first cover sheet must clearly indicate the name of the participating institution, the names of the two student members of the team, and whether the memorial is for the Prosecutor or the Defendant.
- (ii) The second cover sheet must clearly indicate the team's individual moot number only which will be given to the relevant contact person of the team's participating institution upon registration (see Rule 5 above).

The purpose of this requirement is to protect the anonymity of the teams and to ensure no prejudice or bias is shown in the assessment of the memorials.

Submission of Memorials

16. Each team shall submit the memorials via e-mail to the SECRETARY latest by 21st October 2015, 5.00 p.m. (Bangkok, GMT. +7), at the following email address:

thailandihlmoot@gmail.com

- All participating teams are strictly reminded to submit their memorials to the SECRETARY on the specific deadline in both word document (.docx or .doc) and PDF document (.pdf).
- Late submission of memorials: In the event that any participating team fails to submit its memorials on time based the specific deadline in Rule 13 the SECRETARY shall deduct 5 marks for each calendar day from the team's total memorial score out of 100.
- Failure to submit memorials: Any participating team that fails to submit their memorials to the SECRETARY will be disqualified from participating in the competition.

Revision of Memorials

17. A memorial may not be revised for any purpose whatsoever once it has been submitted.

Pairing of teams and exchange of memorials

18. The SECRETARY will pair each Prosecutor with a Defendant team for the semi-final round. There will be 4 teams competing in the semi-final round, which will be announced by 1st November 2015.

19. For the exchange of memorials, the SECRETARY shall distribute, via email, a copy of each team's memorial to its paired opposing team.

GUIDELINES ON ASSISTANCE AND PRACTICE SESSIONS

Memorials

20. All research, writing and editing relating to the memorial must be the original work of the three students from each team submitting that memorial.

Assistance from Staff and Other Advisors

21. Staff of the participating institutions including coaches, assistants or advisors should restrict their advice to general matters, such as to a discussion of the issues in the moot problem, suggestions as to research sources, and a general commentary in relation to the organization, structure, the flow of arguments, format, presentation and style.

Practice Sessions

22. Each participating institution shall be permitted to arrange their own practice sessions prior to the Moot Court Competition.

ADMINISTRATOR AND COMPLAINTS BOARD

23. A neutral Administrator will be appointed by the ICRC to oversee the organization and judging of the Moot Court Competition.

24. A complaints board shall be made available to address any complaints. All decisions of the board are FINAL.

DATE AND VENUE OF THE MOOT COURT COMPETITION

25. The Moot Court Competition will be held on 15th November 2015

26. The Moot Court Competition will be held at the FACULTY OF LAW, THAMMASAT UNIVERSITY, THAPRACHAN CAMPUS.

COMPOSITION OF TEAMS AND ORDER OF THE ORAL HEARING

27. Each team will consist of TWO oralists comprising of the Leading Counsel (first oralist) and the Junior Counsel (second oralist), as designated by the team or by its relevant participating institution.

28. Each team shall speak for no more than 40 minutes, including rebuttal/surrebuttal. The Leading Counsel (first oralist) and the Junior Counsel (second oralist) for each team will be permitted to speak individually for up to 20 minutes in their main pleading, (not including time spent for rebuttal/surrebuttal).

29. The order of the oral hearing are as follows:

- (a) Prosecutor's leading counsel;
- (b) Prosecutor's junior counsel;
- (c) Defendant's leading counsel;
- (d) Defendant's junior counsel;
- (e) Rebuttal (if any by the Prosecutor's leading counsel or junior counsel);
- (f) Surrebuttal (if any by the Defendant's leading counsel or junior counsel)

30. Each team shall indicate at the beginning of the oral hearing, how long each counsel will speak and how much time it intends to reserve for rebuttal or surrebuttal.

- However, the maximum time limit reserved for rebuttal and surrebuttal is up to 5 minutes only. No extension of time beyond the 5 minutes shall be permitted for the rebuttal and surrebuttal.

31. Either the Leading or Junior Counsel may address the court for the rebuttal or surrebuttal. To avoid any doubts, the time reserved for rebuttal or surrebuttal is not included in the time for each counsel to speak as specified in Rule 30.

32. The court may, at its discretion extend the time for each counsel, provided that the maximum extension for any counsel shall not exceed 2 minutes.

33. Time shall be kept by a court clerk or timekeeper who will remind each counsel by appropriate means when they have:

- (i) 15 minutes left;
- (ii) 10 minutes left;
- (iii) 5 minutes left;
- (iv) 1 minute left;
- (v) to conclude their address forthwith.

34. Every courtesy shall be shown to the oralists during the oral hearing. Communication between team members at the counsel table shall be in writing to prevent any disruptions.

35. Participating teams and spectators shall avoid all unnecessary noise or any form of inappropriate behavior which will distract the oral hearing in progress. Team members seated at the counsel table shall not be permitted to communicate with the spectators, or with any other external person except the judges.

BUNDLE OF AUTHORITIES

36. All participating teams are not allowed to submit any bundle of authorities to the judges. However, all participating teams are allowed to use the bundle of authorities or any other relevant documents for their own reference only during the oral hearings.

FORMAT OF THE MOOT COURT COMPETITION

37. The format of the Moot Court Competition shall consist of the submission of memorials and the oral rounds. (See RULES 12-17 above on guidelines for memorials)

The Oral Rounds of the Moot Court Competition will be divided into the following:

- SEMI-FINAL ROUND

The FOUR teams with the best score from the memorial will advance to the Semi-Final Round. The SECRETARY will determine the role to be played by each of four teams (the Prosecutor or the Defendant).

- FINAL ROUND

The TWO teams with the best score from Semi-Final Round will advance to the Final Round to decide the winning team. The role to be played by the TWO teams (the Prosecutor or the Defendant) will be determined by means of random draw after completion of Semi-Final Round.

SCORING

38. Scoring shall consist of TWO parts:

- (a) the scoring of the memorials and
- (b) the scoring of the oral rounds

39. The scoring of the memorials shall be assessed by a panel of TWO memorial judges.

The maximum score for each memorial shall be 100. The memorial judges will be given copies of the memorials with the cover sheet indicating only the participating teams individual moot number.

The memorial score for each team is determined by first adding together the TWO Memorial judges' scores and the final score for each memorial will then be decided based on the average score of the TWO memorial judges' scores.

40. The scoring of the oral rounds shall be assessed based on the following:

- SEMI-FINAL ROUND

For the Semi-Final Round, the oral hearing scores shall be assessed by a panel of THREE judges. The maximum score for each oralist shall be 100 points and the maximum score for each team in the oral rounds shall be 200 points.

The oral hearing scores for each team are determined first by adding together the THREE judges raw scores. The final oral hearing scores for each team will then be decided based on the average score of the THREE judges oral scores. The TWO teams with the best overall oral scores will advance to the FINAL ROUND.

In the event that THREE judges cannot be present, the oral hearing for the Semi-Final Round will be assessed by a panel of TWO judges only.

- FINAL ROUND

For the Final Round, the oral hearing scores shall be assessed by, at least, a panel of THREE judges. The maximum score for each oralist shall be 100 points and the maximum score for each team shall be 200 points.

The oral hearing scores for each team are determined first by adding together all the judges raw scores. The final oral hearing scores for each team will then be decided based on the average score of the all the judges oral scores to decide the winning team.

41. The decision of the judges shall be FINAL.

AWARDS

Winning Team

42. The team (either the Prosecutor Team or the Defendant Team from a participating institution) with the best oral hearing scores in the FINAL ROUND will be declared as the winning team.

The winning team shall be awarded with the ICRC challenge trophy and will represent Thailand in the 2016 Regional International Humanitarian Law Moot Court Competition to be held in Hong Kong. (Supported by ICRC)

Best Mooter

43. The counsel with the highest individual average total oral scores in the oral hearings of the Moot Court Competition shall be adjudged the Best Mooter and shall be awarded with a certificate and a book prize.

Best Memorial

44. The memorial with the highest score out of 100 shall be adjudged the Best Memorial and the team that submitted the memorial shall be awarded with a certificate and a book prize.

INTERPRETATION OF THE OFFICIAL RULES

45. The SECRETARY shall have absolute discretion to resolve and decide on any questions or issues regarding the interpretation and application of the official rules.