



ICRC

The International Humanitarian Law Moot Court Competition

The Rules

Last updated 26 July 2024

Organized by the Extraordinary Chambers in the Courts of Cambodia (ECCC), co-hosted with International Committee of the Red Cross

Phnom Penh, Cambodia

GENERAL PROVISIONS

General

1. The Cambodia National International Humanitarian Law Moot Court Competition shall be conducted under the auspices of the Organizing Committee, comprising representative from the Extraordinary Chambers in the Courts of Cambodia and International Committee of the Red Cross, which shall have the power to:
 - a. Plan and organize the Competition in collaboration with the hosting institution.
 - b. Set and interpret the Rules for the Competition and shall have absolute discretion to resolve and decide on any question or issue regarding the interpretation and application of the official rules.
 - c. Appoint a SECRETARY, if needed.
 - d. Appoint judges with suggestions from the hosting university and participated university.
 - e. Amend the rules as it thinks fits; and
 - f. Video record all or any of the session (NB: all other video recording is allowed ONLY with the express permission by the Organizing Committee).
2. Competition Email Account- All inquiries and requests for competition materials must be sent to the Organizing Committee at sann.rada@eccc.gov.kh
3. The language used in all matters related to the Competition is English. All the reading material, official's correspondence etc. must be in English.

Purpose

4. The Cambodia National IHL Moot Court aims to disseminate international humanitarian law to academic, university students, and the general public.

Schedule

5. The date for the National IHL Moot Court Competition will be held **from 30 November 2024 to 01 December 2024**.

PARTICIPATING INSTITUTIONS AND REGISTRATION

Eligibility

6. Participating students shall be registered for a first degree or undergraduate or postgraduate program with the participating institution as of academic year of 2024. A student is ineligible to participate in the Competition if he or she:
 - a. Is registered for a doctoral degree at a participating institution or at any other institution;
 - b. holds any doctoral degree, regardless of the institution that conferred such doctorate;
 - c. holds or has held a full time or part time teaching post in law at any tertiary institution;
 - d. has been admitted or licensed to practise law in any jurisdiction; or
 - e. has already participated twice in previous years, regardless of whether the student acted as a mooter or a researcher. Participating students must declare that they have not participated twice in previous years whether as a mooter or as a researcher. Any false declaration could lead to disqualification of the entire team.

Team Composition

7. Each team shall consist of TWO students as Mooters. Each participating institution may also opt to include ONE student as a Researcher.

Registration Procedure

8. Each university/team must complete the registration form and send it to the SECRETARY by e-mail to sann.rada@eccc.gov.kh before the **16th September 2024** . The university may notify the Organizing Committee of;

- a. The names of the two mooters and the researcher, if any;
 - b. Identify the role of team members – Mooter 1, Mooter 2, and Researcher;
 - c. The law degree or programme in which each mooter and researcher is enrolled (e.g. LLB);
 - d. The number of times the mooters and the researcher, if any, have participated in the Competition before;
 - e. The team coach, if any; and
 - f. The name, email address, address, and telephone number of a contact person, who should not be a student but a representative of the participating institution.
9. Once the team has been registered, the Organizing Committee will provide team number. Team numbers will be assigned in a chronological manner upon team registration.
 10. The Cambodia National IHL Moot Court shall be open all teams from a participating institution established in Cambodia.
 11. The number of teams allowed in this year`s National IHL Competition will be minimum **8 teams**. The registered participate universities will be responsible to run school rounds to select the best team for the national rounds

Judge

12. The Organizing Committee shall decide on the composition and identity of the judge. To that end, it shall invite practicing judges, lawyers, academics, professors, alumnus of the Competition, experienced IHL experts or experts on the work of international organization to serve as judges in the Competition.
13. Selection of the judges will be within the Organizing Committee`s role discretion.
14. Decision of the judges shall be FINAL.
15. Conflict of interest – The affiliation of the Participating Institution of each participating team shall not be disclosed to the judges. To this end, no coach or participant shall disclose the affiliation of his or her team and/or any other team participating in the competition to the jury. Infringement of this regulation shall result in a penalty in accordance with the sole discretion of the Organizing Committee (such penalty may include an evaluation point deduction, or, in circumstances which the Organizing Committee deems particularly serve, disqualification). All candidates for judges must disclose all prior associations with eligible academic institutions. The Organizing Committee will endeavour to select judges from institutions other than those represented by teams at the Competition. The Organizing Committee, however, reserves the right to make exceptions, provided that it is satisfied with the judge`s complete and genuine impartiality. In such case, the judge will be prohibited from evaluating the team(s) from the institutions(s) the judge is affiliated with.

16. Confidentiality – Judges are prohibited from sharing information about the Competition, including, but not limited to the evaluation criteria, and judging guidelines, with the participating teams, without prior authorization from the Organizing Committee.

LOGISTICAL ASPECT

17. All reading materials and legal documents will be provided by the Organizing Committee. Participating Teams may obtain their own additional training documents. However, the cost will not be covered by the Organizing Committee.
18. The Organizing Committee will not cover the cost of the equipment and utilities costs incurred during the Competition. The Organizing Committee will not be responsible for the provisions of computers / equipment/ internet access.

RECORDING

19. By participating in the competition, all participants, coaches and spectators' consent to be the subject of official videotaping and photography conducted by the ECCC or the hosting university. Video recording of the Competition is prohibited except for the official videographer of the Organizing Committee and those receiving prior approval of the Organizing Committee. All participants and spectators alike are to refrain from usage of mobile phones during the competition.

COMPLAINTS

20. Complaints can only be made upon the basis of the official rules of the Competition, as stated in this document. Complaints must come directly from the participating team or official coach of the team.

All complaints shall be directed solely to the Organizing Committee. The Organizing Committee will, as a neutral intermediary, decide on the substance of the claim and the appropriate action. The Organizing Committee's decision is final.

Any complaint not meeting the requirements above will not be entertained.

THE MOOT PROBLEM

21. The Organizing Committee alone shall determine the moot problem to be used in the Moot Court Competition.

Distribution of the Moot Problem

22. The moot problem will be made available upon the announcement of the Competition on **26 July 2024**.

Facts and Clarification of the Moot Problem

23. 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.
24. Any request(s) for clarification(s) of the moot problem must be brought to the attention of the Organizing Committee by **27 September 2024**. Clarifications, if any, shall be distributed to all teams by **8 October 2024** and become part of the moot problem

GUIDELINES FOR MEMORIALS

Form and Length of Memorials

25. Each team shall submit a memorial for both the Prosecutor and the Defendant respectively.
26. Each memorial 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, prayers for relief, etc.

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

- 1 – 100 words in excess - deduction of 5 marks;
- 101– 200 words in excess - deduction of 10 marks;
- 201– 400 words in excess - deduction of 20
- Over 401 words in excess - deduction of 30 marks.

27. All citations must either be in the body of the text or in the footnotes. Participants are strongly advised to use a proper legal citation standard, such as OSCOLA (https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012.pdf).
28. Each memorial must have TWO cover sheets:
 - a. The first cover sheet must clearly indicate the name of the participating institution, the names of the two (or three) student members of the team, and whether the memorial is for the Prosecutor or the Defendant.

- b. 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.

Please use the following format:

Prosecution/Defense + Team Number in parenthesis
(e.g. Prosecution (2101) for Team 2101's Prosecution Memorial or Defense (2112) for Team 2112's Defense Memorial)

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.

29. For file naming – please use the following format when naming your pdf. and .doc files:

Prosecution (P)/Defense (D) + Team Number
(e.g. P2101 for Team 2101's Prosecution Memorial or D2112 for Team 2112's Defense Memorial)

Submission of Memorials

30. Each team shall submit the memorials via e-mail to the Organizing Committee **by latest on 01 November 2024 at 17:00**, at the following email address:
sann.rada@eccc.gov.kh

All participating teams are strictly reminded to submit their memorials to the Organizing Committee on the specific deadline in **BOTH** word document (.docx or .doc) and PDF document (.pdf).

In the event that any participating team fails to submit its memorials on time based the specific deadline, the Organizing Committee shall deduct 5 marks for each hour from the team's total memorial score out of 100.

Any participating team that fails to submit their memorials to the Organizing Committee after 24 hours will be disqualified from participating in the competition.

Revision of Memorials

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

Pairing of teams and exchange of memorials

32. Organizing Committee will pair each Prosecutor with a Defendant team for the General Rounds.

33. For the exchange of memorials, the Organizing Committee shall distribute, via email, a copy of each team's memorial to its paired opposing team on the **27 November 2024**

GUIDELINES ON ASSISTANCE AND PRACTICE SESSIONS

Memorials

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

Assistance from Staff and Other Advisors

35. Staff of the participating institutions including coaches, assistants or advisers 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

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

FORMAT OF THE ORAL ROUNDS

Oral Rounds

37. The Competition consists of 1) General Rounds, 2) Semi-final, and 3) Final Round.
- a. The **General Rounds** consists of two oral rounds between all teams. Each team pleads once a Prosecutor and once as Defendant. The Organizing Committee will randomly determine which Prosecutor and Defendant teams will meet each other in each General Round, bearing in mind not to repeat the role, the opponent and the panel. The 4 teams with the highest average oral scores of the General Rounds and highest average written memorial scores combined shall advance to the Semi-finals.
 - b. The **Semi-finals** consist of one oral round, with 2 pairs (4 teams) going up against each other. The teams and their roles shall be matched by the Organizing Committee after the completion of the General Rounds. The 2 teams with the highest average oral scores of the Semi-finals shall advance

to the Final Round. Should the scores prove inconclusive, the average written memorial scores will be factored in to determine the winner.

- c. The **Final Round** consists of one oral round between 2 teams advancing from the Semi-finals before a panel of 5 or more judges. The team with the highest average score of the Semi-finals will have the right to choose the role they prefer. The result of the Final Round will be determined by the panel's decision.

COMPOSITION OF TEAMS AND ORDER OF THE ORAL HEARING

38. 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. Each team may include ONE additional member as the Researcher. The Researcher may be allowed to replace the one of the Oralists, should one of them become unavailable to participate in the Oral Hearings.
39. Each team shall speak for no more than 40 minutes, not 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);
40. 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).
41. 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.
42. 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 39**.

43. 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.
44. Time shall be kept by a court clerk or timekeeper who will remind each counsel by appropriate means when they have:
 - a. 15 minutes left;
 - b. 10 minutes left;
 - c. 5 minutes left;
 - d. 1 minute left;
 - e. to conclude their address forthwith
45. 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.
46. 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

47. 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.

SCORING

48. Scoring shall consist of TWO parts:
 - a. the scoring of the memorials; and
 - b. the scoring of the oral rounds.
49. The scoring of the memorials shall be assessed by a panel of TWO (or more) memorial judges.
50. 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.

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

a. General Oral Rounds

For the General Oral Rounds, the oral hearing scores shall be assessed by a panel of TWO (or more) 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 TWO judges' raw scores, the final oral hearing scores for each team will then be decided based on the average score of the TWO judges' oral scores.

The 4 teams with the highest average oral scores of the General Rounds and highest average written memorial scores combined shall advance to the Semi-finals

a. Semi-final

For the Semi-final round, the oral hearing scores shall be assessed by a panel of THREE (or more) 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 highest combined oral scores of the Semi-final shall advance to the Final Round. Should the scores prove inconclusive, the average written memorial scores will be factored in to determine the winner.

In the event, THREE judges cannot be present, the oral hearing for the semi-final round will be assessed by a panel of TWO judges only.

b. Final Round

For the Final Round, the oral hearing scores shall be assessed by a panel of FIVE (or more) judges. The winner of the Final Round will be decided by the panel.

In the event, FIVE judges cannot be present, the oral hearing for the final round will be assessed by a panel of THREE judges only.

52. Copies of individual judge's scoresheets of oral hearing and memorials shall be distributed to the respective team after the announcement of the results of the General round. Participating teams may appeal to the Organizing Committee through their team coach within 15 minutes if an arithmetic error is identified. The Organizing Committee shall check and rectify any errors. If such rectification affects the team entering the Semi-final Round, the rectified results will be announced within 15 minutes after verification of the rectification.

53. The decision of the judges shall be FINAL.

AWARDS, PRIZES AND CERTIFICATES

Winning Team

54. 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 trophy and will represent Cambodia in the 2024 Regional International Humanitarian Law Moot Court Competition with the support by ECCC.

Best Mooter

55. The counsel with the highest individual average total oral scores in the General rounds shall be adjudged the Best Mooter and shall be awarded with a certificate.

Best Memorial

56. The memorial of Prosecutor with the highest score out of 100 shall be adjudged the Best Memorial for Prosecutor and the team that submitted the memorial shall be awarded with a certificate.

57. The memorial of Defendant with the highest score out of 100 shall be adjudged the Best Memorial for Defendant and the team that submitted the memorial shall be awarded with a certificate.

58. All participants will receive certificates of participation.