



UWA INTERNATIONAL HUMANITARIAN LAW MOOT COMPETITION 2009

SUPPORTED BY

AMNESTY INTERNATIONAL & AUSTRALIAN RED CROSS

— RULES —

Competitors and Eligibility

1. Subject to Rule 2, all students who are Financial Ordinary Members of the Blackstone Society at the time of registration may enter the competition, other than the Competitions Officer and the International Humanitarian Law Moot Coordinators.
2. The Competitions Officer may at any time exclude a student from the competition in accordance with the Competitions Disqualification Policy.
3. Students compete in teams of two and may alternate between the positions of senior and junior counsel between rounds.
4. Teams may register as reserves for the competition; however preference will be given to reserve teams comprising final year students.
5. Teams will conduct all research and preparation for the competition without assistance from any other person.

Competition Structure

6. Sixteen teams compete in Round I of the competition, eight in Round II, four in the Semi-Final and two in the Grand Final.
7. In each round, teams are assigned to a court, and represent either the prosecution or the defendant.
8. In Round I, Round II and the Semi-Final, the team that attains the higher score in each court advances to the next round.
9. The remaining teams are ranked on a reserve list according to their scores, and in the event that a team is unable to participate in the following round, that team's position is filled by the team ranked highest on the reserve list.

Problem and Applicable Law

10. Two weeks prior to the Preliminary Round the International Humanitarian Law Moot Coordinators will email competitors a brief containing:
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- a) details of the court, date and venue of the moot;
 - b) details of the agreed facts;
 - c) details of the indictment and charges;
 - d) details of applicable treaties other than those contained in Rule 14; and
 - e) a case list.
11. The problem will be framed as an indictment before the International Criminal Court.
 12. Jurisdiction to hear the appeal will be assumed.
 13. Counsel may not make submissions on issues of evidence or procedure.
 14. Teams may assume that all relevant States have signed and ratified the:
 - a) Rome Statute of the International Criminal Court; and
 - b) Geneva Conventions and Additional Protocols.
 15. Subject to Rule 14, argument is confined to customary international law unless other treaties are detailed in accordance with Rule 0.
 16. Teams may refer to cases not included on the case list at their discretion.
 17. The same problem will be used for all rounds of the competition. Teams may be required to moot either side of the problem in different rounds.

Outline of Submissions

18. No later than 9 am on the day prior to the moot, teams must email their opponents and the International Humanitarian Law Moot Coordinators an Outline of Submissions, detailing in appropriate form:
 - a) the court and the name of the matter;
 - b) the structure of counsels' submissions;
 - c) the major arguments which senior and junior counsel intend to raise, accompanied by appropriate reference to authorities;
 - d) the date; and
 - e) counsels' names and the party they represent (prosecution/defendant).
19. The Outline of Submissions must not exceed two A4 pages in length.

Conduct of the Moot

20. Moots commence at 7 pm.
21. Senior counsel for the prosecution and defence will present appearances.



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22. The moot will proceed as follows:

<i>Stage of Proceedings</i>	<i>Maximum Duration</i>
Submissions of senior counsel for the prosecution	15 minutes
Submissions of junior counsel for the prosecution	15 minutes
Submissions of senior counsel for the defence	15 minutes
Submissions of junior counsel for the defence	15 minutes
<i>Adjournment and Feedback</i>	
Approximate total:	1 hour

23. There will be no right of reply.
24. The maximum duration for each stage of proceedings, as indicated in Rule 22, must be strictly observed. However, judges may grant a short extension of time to allow counsel to respond to questions.
25. At each stage of the proceedings, the associate will display a warning sign when '10 minutes' remain, '5 minutes' remain, '2 minutes' remain and at 'Time'.
26. Counsel must provide copies of the provisions in the Rome Statute referred to in their Outline of Submissions. Counsel may not provide other documents to the court.
27. During the moot, counsel may not refer in detail to authorities not appearing on their Outline of Submissions or that of their opponents.
28. While counsel are not obliged to adhere to the structure detailed in their Outline of Submissions exactly during the moot, they should do so as closely as possible.
29. Counsel will dress professionally but will not robe.

Judges and Assessment

30. A single judge will preside at moots during Round I and Round II, two judges during the Semi-Finals and three judges for the Grand Final.
31. Judges will be judges, magistrates, legal practitioners, legal academics or others with a demonstrated experience in international law or in judging mooting competitions.
32. Judges will award each team a score out of 100 marks, as follows:

<i>Content</i>	<i>Score</i>
Organisation of presentation	15 marks
Development of argument	30 marks



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Questions from the bench	30 marks
Speaking ability and delivery	25 marks
Total:	100 marks

33. No draws are possible.

Complaints and Appeals, Penalties and Interpretation

34. All complaints and appeals concerning scoring and assessment or the organisation, administration and conduct of the competition must, within twenty-four hours of the matter giving rise to the complaint or appeal, be submitted to the Competitions Officer for determination.
35. In respect of any alleged breach of these Rules, the Competitions Officer will:
- a) determine whether there has been a breach; and
 - b) determine what penalty, if any, is to be imposed for the breach.
36. All questions concerning the interpretation of these Rules must be submitted to the Competitions Officer for determination.
37. The Competitions Officer may at any time determine such amendments or additions to these Rules or other measures as may be necessary or convenient for the efficient organisation, administration or conduct of the competition.
38. All determinations made by the Competitions Officer in accordance with these Rules will be final and conclusive and binding on all competitors.