

Henry Dunant Memorial Moot Court National Competition in Tamil 2023

Organised by

**The International Committee of the Red Cross (ICRC) Colombo and
Department of Law, University of Jaffna**

Henry Dunant Memorial Moot Court Competition in Tamil: Rules and Guidelines

1. Introduction

The International Committee of the Red Cross (ICRC) is a private, independent humanitarian organisation, based in Geneva, Switzerland. The ICRC has been conferred a mandate by the international community to protect and assist persons affected by armed conflict. This mandate includes the promotion and development of International Humanitarian Law (IHL), including in times of peace. In the fulfilment of this responsibility, the ICRC is active in disseminating and promoting IHL in academic circles. This includes developing IHL curricula for universities, conducting university teacher training programmes in IHL and organizing events such as the Henry Dunant Memorial Moot Court Competition.

1.1 Objectives

The principal objective of the Henry Dunant Memorial Moot Court Competition is to develop an increased awareness and interest in IHL in academic institutions. A further objective is to use IHL to further academic excellence in the student community, and to develop their advocacy skills in an environment of friendly competition.

2. Administration and General Rules

The official name of the competition is The Henry Dunant Memorial Moot Court Competition in Tamil (the "Moot Court"). The ICRC and the Department of Law, University of Jaffna are the official organizers of this Moot Court competition in Sri Lanka.

2.1. Eligibility

All universities, colleges, and institutions imparting legal education on a regular or evening basis in a program of study that leads to a Bachelors degree in law (LL.B / BL) or Masters in law (LL.M / ML) are eligible to participate in the Moot Court competition. All students enrolled on a full time or evening basis in a program of study leading to or equivalent to a Bachelors degree in law

(LL.B / BL) or Masters in law (LL.M / ML), are eligible to participate. Students who have participated in this Moot Court competition on a previous occasion are not eligible to participate again.

Participation in the competition is by invitation only.

2.2. Official Language

Even though the moot court competition will be conducted in Tamil language, correspondence with the organizers may be in English.

2.3. Team Composition

Each participating university/college/institute shall nominate only one team consisting of three student members. It is optional for the teams to be accompanied with a coach from the faculty of the university/college/institute that they represent. The t h r e e - m e m b e r composition is mandatory for participating in the competition.

2.4. Assistance to Teams

All research, writing and editing of summary of pleadings for the Moot Court must be the exclusive product of the team members. Faculty members, coaches and team advisors of the participating team may only render external assistance to the team. During oral presentation, consultation with coaches shall be strictly prohibited.

2.5. Implementation and Interpretation of Rules

Regarding Moot Court practice and procedures, the final decision on the interpretation and implementation of rules lies with the organisers.

2.6. Application of Rules

There are rules specified in addendum, which will be applicable where the number of participating teams is less than eight. (refer addendum). With the exception of rules in addendum, all other rules and guidelines contained in this document will apply to the competition.

3. Rules for Oral Pleadings and Procedures

The organizers will conduct the competition to ensure whether participating teams are given opportunity to perform their orals both in Prosecution and Defense in the Semi-final rounds in the morning of the competition day and the finals will be held in the afternoon.

- Teams shall argue cases against each other; the matching of teams will be decided by a draw of lots prior to the commencement of the competition.
- During the semi-final rounds, each team will have the opportunity to argue both sides; once as the prosecution and once as the defence.
- Time allotted for arguments will be 12 minutes for the prosecution and 12 minutes for the defence. The time will not be counted when the judges pose a question to the speakers. The time taken to respond to the questions by the speaker will be counted in the time allotted to the speakers.
- There will be time allotted for rebuttals. Each team will be allowed 3 minutes for rebuttals during the preliminary rounds.
- Both selected members of the team shall make oral presentations during the each round. The presentations shall be divided equally among the Moot Court participants.

3.3. Rules for the Final Round

- The top two teams from the semi-final rounds will be selected to compete in the final round of the Moot Court competition.
- The final round of the competition will take place during the afternoon of the competition day.
- The sides to be argued by the teams will be decided by a draw of lots prior to the commencement of the final round of the competition. There shall be two rounds of arguments by the final teams.
- There shall be break after the first round of arguments. After the break, the team that argued on behalf of the prosecution in the first round will be required to argue on behalf of the defence; the team which argued on behalf of the defence in the first round will be required to argue on behalf of the prosecution during the second round of the arguments.
- Each team will be permitted to speak for a total of 20 minutes during the final round. There will be a warning bell at the end of 15 minutes and a final bell at the end of the allotted time.
- Each team will have three minutes for rebuttal in each round.

4. Summary of Pleadings

4.1. Submission of Summary of Pleadings

Each participating team shall prepare both Summary of Pleadings (Prosecution and Defence) in Tamil. All teams are to submit their copies via email (will be notified by the organizers) to the organizers before the deadline specified by the organizing committee on its invitation letter. Failure to do so will result in disqualification from the competition. Two copies of each Summary of Pleadings in paper (hard copy) shall be submitted to the organizing committee on the day of the competition. During oral presentations, the participating teams should retain copies of their Summary of Pleadings for their personal use. The copies submitted to the organizing committee will not be returned to the participants under any circumstances. There will be exchange of the Summary of Pleadings between the teams during the competition. Summary of Pleadings shall be prepared to the following specifications:

- Each Summary of Pleadings (Prosecution and Defence) shall not be more than 8 typed pages.
- Summary of Pleadings must be typed and submitted on standard A4 size paper.
- Font and size of the text of all parts of the Summary of Pleadings (excluding footnotes) must be the same and must be in Bamini font size 12.
- The texts of all parts must be double-spaced, with one inch margin on both sides.
- The text of footnotes and headings may be single-spaced. The font size of footnotes must be 2 points less than the text font.
- There must be double spacing between separate footnotes and between each heading and the body text.
- Quotations of sources outside of the Summary of Pleadings of fifty words or more in any part shall be block quoted and must be single-spaced.
- The OSCOLA method of citation shall be used for footnotes.

4.2. Description of Summary of Pleadings

The Summary of Pleadings shall consist of the following parts:

- Cover page mentioning the Code Number* (which will be notified to every registered institution in due course).
- Table of Contents with corresponding page numbers
- Identification of Issues and Summary of Pleadings (including footnotes where appropriate)
- Conclusion and/or Prayer for Relief.

The Summary of Pleadings shall be submitted to the organising committee in pdf format. Any other formats will not be accepted.

* Disclosure of the Name of the Institution on the Summary of Pleadings is strictly prohibited.

5. Criteria for Assessment

The assessment of the teams during the oral competition shall be out of a maximum of 100 marks, set out as follows:

Appreciation of Fact and Law	30 Marks
Advocacy (Arguments, Framing of Issues, expression and articulation)	30 Marks
Use of Authorities and Citations	25 Marks
General Impression and Court Manner	15 Marks

6. Awards and Prizes

Awards and prizes will be awarded for the Moot Court competitions, as follows:

- The Henry Dunant Memorial Moot Court Competition winners will be awarded a Trophy, medals for the three participants of the team, and certificates.
- The Runners up team will be awarded certificates.
- There will be a Best Advocate prize. This prize will be awarded to the participant who performed best during her/his oral presentations.
- Each participant in the Henry Dunant Memorial Moot Court Competition will be given a general certificate of participation.
- The coaches and advisers of the participating teams will not be entitled to receive any kind of certificate or award.

7. Miscellaneous Rules of the Competition

- Upon completion of the competition, the organising committee reserves the exclusive right to use the Summary of pleadings submitted to them, as they deem appropriate.
- Participating teams should carry with them required study or reference materials for their own use during the oral rounds of competition. Electronic equipment such as laptops, Ipads, tablets etc. if used during oral rounds will be solely to refer to reference materials saved on the same. There will be no right granted to participating teams to access wi - fi/internet to source information or answers to respond to queries posed by the bench. Any team found violating this rule would be disqualified from the competition.
- Scouting is permitted in the competition in all the rounds.
- Participating teams shall be expected to maintain the proper decorum of the courtroom during the proceedings and shall conduct themselves in a manner befitting the legal profession.

- The organising committee reserves the right, at its sole discretion, to take appropriate action for any unethical, unprofessional and wrongful conduct during the entire period of the Moot Court competition.
- The organising committee's decision as regards the interpretation of these rules or any other matters related to the Moot Court competition shall be final and binding. If there is any situation, which is not covered by these rules, the decision of the organising committee shall be final.
- The organizing committee is vested with the sole and absolute discretion to publish or not publish the scores of any of the oral rounds.
- The organising committee reserves the right to amend, modify or repeal any of the rules if so required and as they deem appropriate. Participating teams shall receive adequate notice of any/all such amendments or modifications to the rules.
- The organising committee shall not be held responsible for any loss or non-delivery of the Summary of pleadings.

8. Rules Regarding the Judges

8.1. Judges

A person appointed as a Moot Court judge should be well versed in the subject of International Law, in general, and International Humanitarian Law, in particular. Judges are expected to be aware of the procedure involved in mooting and the rules.

Judges may be selected from the following categories:

- Academicians,
- Legal advisers to the Government/armed forces/diplomats,
- Serving or retired judges of the Supreme Court or the High Court, or
- Senior advocates of the Supreme Court or the High Court
- IHL experts from the International Committee of the Red Cross (ICRC)

8. 2. Rules for the Judges

All oral presentations should have a minimum score.

Judges are instructed to follow the time limit as closely as possible. Interventions from the judges are permitted at any stage of the presentations; however these interventions must be relevant to the issues and be kept to a minimum, so as not to disrupt the presentations of the participants.

Three minutes per team should be provided for rebuttal during the semi-final and final rounds. Two minutes per team will be permitted for rebuttals during the preliminary rounds of the competition.

8.3. Commentary by Judges

Judges in any round of the competition are encouraged to provide direct feedback to teams regarding the team's performance, at the completion of the round. In providing such feedback, Judges are cautioned to give due regard to the time limitations and the schedule of the competition as a whole.

9. Anonymity

To ensure the smooth functioning of the Moot Court and avoid any perception of bias during the competition, the organising committee maintains anonymity of the college/university/institute names throughout the competition. To ensure this the organising committee will allocate a code number to each participating team in the competition. This code is to be applied by the organising committee to the participating teams during the competition, including on their Summary of Pleadings.

10. Accommodation and Travel

The organizing committee will provide travel & accommodation allowance and meals to members of the participating teams for the duration of the competition, where it is required and possible.

11. Questions, Complaints and Suggestions

Any feedback concerning the organisation or conduct of the Moot Court should be directed directly to the organisers. Formal complaints or suggestions for improvement of the competition should be addressed formally, in writing.