



**IBA ICC MOOT COURT**  
Organised by the Grotius Centre

# RULES OF PROCEDURE

**8 – 29 May 2022**

International Bar Association International Criminal Court  
Moot Court Competition

*2<sup>nd</sup> Online Edition*

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## **Chapter 1: General Rules**

### **Art. 1 – Organization**

- a. The International Bar Association International Criminal Court Moot Court Competition (hereinafter “the Competition”, the “IBA ICCMCC”), consisting of the Preliminary Round, Quarter-final Round, and Semi-final Round, is organized by the Grotius Centre for International Legal Studies – Leiden University (“Grotius Centre”) and the International Bar Association (“IBA”) ([www.iccmoot.com](http://www.iccmoot.com)).
- b. The 2022 IBA ICCMCC International Round shall be conducted entirely online.
- c. All materials developed by the Organizing Committee and Board of Advisors of the Competition, including, without limitation, the Rules of Procedure and the Competition Case, are the sole property of the IBA ICCMCC. These materials may not be reproduced for any purpose other than participation in or administration of the Competition without the express and prior written consent of the Board of Advisors of the Competition.
- d. The Final Round of the Competition will, if possible, be organized by the International Criminal Court in a hybrid format.

### **Art. 2 - Object**

The present Rules of Procedure (“Rules”) govern the IBA ICCMCC 2022, held in the English language, organized by the Grotius Centre and by the IBA (hereinafter “the Organization”).

### **Art. 3 - Subject**

All teams participating in the Competition are presumed to have knowledge of and shall be subject to these Rules.

### **Art. 4 - Interpretation of the Rules**

- a. The Organization has the authority to interpret and amend the provisions contained in the Rules.
- b. The Organization reserves the right to make changes at any time before the commencement of the International Oral Round if deemed necessary. Any changes made will be communicated to the participating teams on the website of the Organization ([www.iccmoot.com](http://www.iccmoot.com)).

### **Art. 5 - Aim of the Competition**

The Competition aims to encourage university students to improve their knowledge of international criminal law in practice and in particular of the ICC, its mandate and its jurisprudence, by simulating ICC proceedings through arguing a hypothetical case. The Competition seeks to enhance knowledge about the Rome Statute, especially within countries that have yet to ratify it. In addition, the Competition provides participants with the opportunity to become familiar with The Hague based international institutions.

## **Chapter 2: Participation and Eligibility**

### **Art. 6 - Participation**

- a. All educational institutions offering a degree, or similar graduate or postgraduate qualification or training, in law or in a field related to international law, or in international relations, are eligible to participate in the Competition.
- b. Each institution may enter one team, regardless of the number of colleges, departments, faculties, or schools within that institution, and the team may include students from one or more of its colleges, departments, faculties, or schools.
- c. Each country and the Special Administrative Regions of Hong Kong and Macau may be represented by a maximum of **5 teams**, regardless of how many teams from the same country register. In case **more than 5** teams register from the same country, the teams will have to participate in a Qualifying Round in order to determine the 5 teams that will participate in the International Round of the Competition.

### **Art. 7 – Qualifying Rounds**

- a. In the event more teams than allowed from one country are seeking registration for the Competition, a special procedure in the form of a Qualifying Round may take place. The Qualifying Round may take the form of (1) a National/Regional Round or (2) a Problem-solving Question Round.
- b. If there is no official National/Regional Round in the concerned State/region yet, it may be organized by one of the competing universities, or an independent body, such as an NGO, academic association, etc. However, this National/Regional Round must be approved by the Organization first.
- c. Teams from States/regions mentioned in Article 7 are only allowed to participate in the International Rounds, after they qualified through the National/Regional Rounds mentioned in Article 43.
- d. If no National/Regional Round is organized by any of the participating universities from the concerned State, each team from that country shall receive a problem-solving question from the Organization on **19 November 2021**.
- e. Each team concerned must submit its answer to the problem-solving question on **26 November 2021, by 5pm CET at the latest**. An answer submitted after the specified deadline renders that team's registration automatically invalid.
- f. Each team will be notified of the result of its performance in this qualifying round and its eligibility in the registration of the Competition on **3 December 2021**.
- g. All National/Regional Rounds must be completed by **1 April 2022**.

### **Art. 8 – Organization of National/Regional Rounds**

- a. The Regional Round for the Americas and Caribbean is held in White Plains, New York, in the United States of America and is organized by Pace University Law School ([www.pace.edu/school-of-law/ICC](http://www.pace.edu/school-of-law/ICC)).
- b. The National Round for Brazil is organized by the Universidade Federal do Paraná and Unicritiba - Centro Universitário Curitiba.
- c. The National Round for China is organized by the China University of Political Science and Law ([www.icc-trialcompetition.com](http://www.icc-trialcompetition.com)).
- d. The National Round for Germany is organized by the Grotius Centre for International Legal Studies, in cooperation with the German participating universities.

- e. The National Round for India is organized by National Law University, Delhi ([www.nludelhi.ac.in](http://www.nludelhi.ac.in))
- f. The National Round for Georgia is organized by the Public International Law Department, Ministry of Justice of Georgia.
- g. The National Round for Israel is organized by ALMA ([www.alma-ihl.org/icc-competition](http://www.alma-ihl.org/icc-competition)).
- h. The National Round for the Netherlands is organized by the Grotius Centre for International Legal Studies.

#### **Art. 9 - Team Composition**

- a. Each team will be comprised of three (3) **speakers**. Additionally, the team may include two (2) **researchers** and two (2) **coaches**: one Leading Coach and one Assistant Coach. The amount of team representatives may never exceed seven (7) at any moment in the Competition.
- b. Registration forms may be amended at any time before **1 April 2022**. Submitted registration forms can only be amended with prior approval from the Organization. To receive approval, please send us your reasons at [iccmcc@law.leidenuniv.nl](mailto:iccmcc@law.leidenuniv.nl)
- c. The Organization reserves the right to allow changes in team composition after this deadline in consideration of exceptional circumstances, or in the interests or fairness of the Competition.
- d. Teams that qualified through the Problem-solving Question Round or a National/Regional Round are not allowed to change more than one team member after their qualification. Teams are allowed, however, to cancel the participation of team members. In exceptional circumstances the Organization may accept more than one change of team member.
- e. The Coach, or a team member appointed by the team, represents both the university and the team before the Organization.

#### **Art. 10 - Team Member Eligibility**

- a. Only actively enrolled students in Bachelor, Master or Juris Doctor Programs are eligible to participate. Exchange students may participate on behalf of their host university.
- b. Non-law students may be considered eligible, provided that they have the requisite legal knowledge. It is each team's responsibility to ensure that its team members have a level of legal knowledge suitable for the Competition.
- c. Students admitted to practice, including by having taken and passed the bar exam, are prohibited to participate.
- d. These restrictions shall not apply to the leading and assistant coaches.

## **Chapter 3: Team Registration**

### **Art. 11 - Team Registration**

- a. Teams can register via the Competition's website ([www.iccmoot.com](http://www.iccmoot.com)) or directly [here](#). The deadline for registration is at **11.59pm CET on 14 November 2021**.
- b. A confirmation of participation will be sent to the teams that advance straight to the International Round on **19 November 2021**.
- c. Each team needs to submit the names of at least three (3) members in order for the registration to be considered complete.

### **Art. 12 - Registration Fee**

- a. The registration fee for participation in the International Rounds, is based on the World Bank list of economies (FY 2021-2022). The registration fee for teams from countries qualified as high income countries is €625. Teams from countries qualified as upper middle income countries, pay €450, and teams from lower middle, or low income countries €225,00. The [World Bank List of Economies](#) (FY 2021-2022) can be found in Annex 2.
- b. The registration fee covers the participation of seven (7) team members.
- c. The Organization will issue an invoice for payment of the registration fee to eligible teams in January 2022. The invoice will be sent via email to the contact person listed on the registration form.
- d. Each team must pay their registration fee within thirty (30) days of receiving the invoice.
- e. Incomplete payment of the registration fee renders that particular registration application invalid.
- f. The registration fee will not be refunded under any circumstances.

### **Art. 13 - Team Identification**

- a. In the interest of fairness and objectivity, each team shall be assigned a team number upon their registration. This number will be emailed to each team by the Organization. This number becomes the team's identifier throughout the Competition.
- b. Teams must not reveal their identity of their institution or country of origin to the judges at any time during the Competition.
- c. The Organization may disqualify or impose a Penalty against any team that intentionally or inadvertently discloses its school or country of origin to a judge during a competition, whether or not such disclosure occurs during an Oral Round

## **Chapter 4: Judging in the Competition**

### **Art. 14 – International Panel of Evaluation**

- a. The International Panel of Evaluation (IPE) shall be tasked with the grading of the Memorials.
- b. All participating teams shall nominate **two** (2) duly qualified persons to be a member of the IPE. Each member of the IPE will evaluate three anonymous memorials (excluding the memorials of the nominating team).
- c. Teams participating in National/Regional Qualifying Rounds are exempted from nominating members to the IPE, unless they wish to do so.
- d. The nominated persons may in no way be involved with his/her nominating team, or its preparation. No faculty members of the participating universities should be nominated.
- e. The team must inform the persons they wish to nominate and receive their consent for the nomination before submitting their names with the organization.
- f. Participating teams must submit the names, contact details, position and affiliation of their nominees by **31 January 2022 @ 10am CET at the latest** via our [online nomination form](#).
- g. The Organization may waive a team's duty to nominate panel members, or lift the restriction to nominate a faculty member upon receiving a written request from the team. The authority and discretion to grant waivers lies entirely with the Organization.
- h. Non-compliance with this article will result in 10 penalty points, to be deducted from the nominating team's total memorial score.
- i. If one or both of a team's nominee does not submit the scores for the memorials that were allocated to them by **11 April 2022**, the nominating team will be penalized with 10 points, to be deducted from the nominating team's total memorial score.
- j. The Organization shall also invite duly qualified persons to act as members of the IPE.

### **Art. 15 – Members of the Oral Round Judging Panel**

- a. The Organization shall invite duly qualified persons to act as members of the Judging panels during the Preliminary, Quarter-final and Semi-final Rounds. Duly qualified persons include, but are not limited to lawyers, academics in a field of law, legal advisors, legal officers, court personnel.
- b. Qualified persons may apply to become judges in the Competition by sending their CV via email to [ICCMCC@law.leidenuniv.nl](mailto:ICCMCC@law.leidenuniv.nl).

### **Art. 16 – Eligibility**

- a. The Organization will determine the eligibility of persons to serve as judges in the Competition.
- b. A person may act as a judge if he/she holds at least a Master's degree in law in any jurisdiction, or a Master's degree in an international law-related field. Experience in the practice of law is accepted in lieu of a Master's degree.
- c. A Judge may in no way be affiliated with a team participating in the Competition.
- d. An "Affiliation" means a personal or professional relationship between a judge and an institution, coach or team member participating in the Round in which the judge is



to serve. A(n) (Assistant) Coach of a participating team can under no circumstance be appointed as a Judge.

- e. It is the duty of a judge to report any affiliations at the time he or she registers to judge or subsequently, directly to the Organizing Office in advance of the Moot. The Organizing Office shall investigate any reported affiliation (whether self-reported by a judge or otherwise) and shall determine whether such affiliation constitutes a conflict of interest.

## **Chapter 5: Competition Structure**

### **Art. 17 - Case Publication**

- a. Teams will be provided with a fictional case intended to enable the students to familiarize themselves with the law and practice of the ICC. The Competition case (hereinafter: “the Case”) will be made publicly available on the Competition’s website.
- b. Each team may request clarifications and corrections to the Case by **6 December 2021 @ 10am CET**. All requests must be submitted in writing via email at [ICCMCC@law.leidenuniv.nl](mailto:ICCMCC@law.leidenuniv.nl).
- c. Each team may submit a maximum of ten (10) questions/requests for clarification.
- d. The teams participating in National/Regional Rounds shall submit the questions/requests for clarification with the National/Regional Round Organizer.

### **Art. 18 - Preliminary Round**

- a. The Preliminary Round of the Competition shall consist of two (2) consecutive phases, each independently graded: a written round (Memorials) and an oral round (Hearings).
- b. Each team shall address the Case in the roles of (1) **Counsel for the Prosecution** (or Prosecution Counsel), (2) **Counsel for the Defendant** (or Defense Counsel), and (3) **Counsel for Victims** (or Victims’ Counsel) and shall submit one Memorial per role.
- c. Each team shall participate in six (6) Hearings before the Bench in the roles of (1) Counsel for the Prosecution, (2) Counsel for the Defendant, and (3) Victims’ Counsel. (Twice per role.)
- d. The written and oral phase of the Preliminary Round are independently assessed. The sum of the scores obtained in both phases after the deduction of any penalty points will qualify the twenty-seven (27) best teams for Quarter-final Round. Both phases, the written and oral round, count for 50% of the total score each. If two or more teams rank number 27, the team with the highest total score in the oral phase of the Preliminary-Round will proceed to the Quarter-finals.
- e. In the Quarter-final and Semi-final Rounds, the higher-ranking team from the Preliminary Rounds shall have the right to choose first which side it will argue, followed by the second higher-ranking team from the Preliminary Rounds. The lowest-ranking team (of the match-up) from the Preliminary Rounds will plead the third role. The teams will be given the opportunity to choose their roles during the Announcement of the Quarter-finalist teams and of the Semi-finalist teams, respectively.

### **Art. 19 - Quarter-final Round**

- a. The top twenty-seven (27) teams of the Preliminary Rounds will qualify for the Quarter-final Round.
- b. The Quarter-final Round will consist of an oral phase only. The result of the written Memorials and the result of the Hearings of the Preliminary-Round will not be taken into account in assessing the final scores of the Quarter-final Round.
- c. Quarter-Final matchups will be predetermined by the Preliminary Rounds ranking.
  - Quarter-Final Matchup 1 : 1, 18, 27<sup>th</sup> place teams
  - Quarter-Final Matchup 2 : 2, 17, 26<sup>th</sup> place teams.
  - Quarter-Final Matchup 3 : 3, 16, 25<sup>th</sup> place teams.
  - Quarter-Final Matchup 4 : 4, 15, 24<sup>th</sup> place teams.
  - Quarter-Final Matchup 5 : 5, 14, 23<sup>rd</sup> place teams.
  - Quarter-Final Matchup 6 : 6, 13, 22<sup>nd</sup> place teams.
  - Quarter-Final Matchup 7 : 7, 12, 21<sup>st</sup> place teams.
  - Quarter-Final Matchup 8 : 8, 11, 20<sup>th</sup> place teams.
  - Quarter-Final Matchup 9 : 9, 10, 19<sup>th</sup> place teams.
- d. The higher-ranking team of the match-up will decide first which side it wishes to plead, followed by the second higher-ranking team of the match-up. If a team fails to select its role during the Announcement of the Quarter-finalist teams, the team will plead the third role not selected by the other teams in the match-up. If two teams in the same match-up fail to select their role, the Organization will randomly appoint the roles.
- e. The teams are free to choose which of their three speakers will represent their team at the Quarter-final Round. They are not bound by the role the speakers represented in the Preliminary-Round.
- f. The winning team of each of the nine (9) match-ups shall be decided by majority vote of the judges. No ties are allowed. The winning team in each match-up of the Quarter-final Round will advance to the Semi-final Round.

### **Art. 20 – Semi-final Round**

- a. The nine (9) winning teams of the Quarter-final Round will proceed to the Semi-final Round.
- b. The Semi-final Round will consist of an oral phase only. The result of the written Memorials and the result of the Hearings of the Preliminary-Round and Quarter-final Round, will not be taken into account in assessing the final scores of the Semi-final Round.
- c. Semi-final matchups will be predetermined by the order of the advancing teams in the rankings from the Preliminary Rounds.
  - Semi-Final Matchup 1 : 1, 6, 9<sup>th</sup> place teams.
  - Semi-Final Matchup 2 : 2, 5, 8<sup>th</sup> place teams.
  - Semi-Final Matchup 3 : 3, 4, 7<sup>th</sup> place teams.
- d. The higher-ranking team of the match-up will decide first which side it wishes to plead, followed by the second higher-ranking team of the match-up. If a team fails to select its role during the Announcement of the Quarter-finalist teams, the team will plead the third role not selected by the other teams in the match-up. If two teams in

the same match-up fail to select their role, the Organization will randomly appoint the roles.

- e. The teams are free to choose which of their three speakers will represent their team at the Semi-final Round. They are not bound by the role the speakers represented in the Preliminary Round and Quarter-final Round.
- f. The winning team of each of the three (3) match-ups shall be decided by majority vote of the judges. No ties are allowed. The winning team in each match-up of the Semi-final Round will proceed to the Final Round

#### **Art. 21 - Final Round**

- a. The winner of each match-up of the Semi-final Round will proceed to the Final Round.
- b. The higher-ranking team of the match-up will decide first which side it wishes to plead, followed by the second higher-ranking team of the match-up. If a team fails to select its role during the Announcement of the Quarter-finalist teams, the team will plead the third role not selected by the other teams in the match-up. If two teams in the same match-up fail to select their role, the Organization will randomly appoint the roles.
- c. The teams are free to choose which of their three speakers will represent their team at the Final Round. They are not bound by the role the speakers represented in the Preliminary-Round, Quarter-final Round, or Semi-final Round.
- d. The Bench of the Final Round will announce the winner of the Competition (to be picked at the discretion of the Bench). The team winning the Final Round will be the winner of the Competition, regardless of the scoring of the Memorials and the results of the team in the Preliminary-Round, Quarter-Final Round and Semi-Final Round.
- e. The Final Round of the Competition will, if possible, be organized by the ICC in a hybrid format. It will consist of an oral phase only.

### **Chapter 6: Memorial Provisions**

#### **Art. 22 - Submission of Memorials**

- a. All teams, excluding the teams participating in National or Regional Rounds, must submit their three (3) Memorials for each role by email at [ICCMCC@law.leidenuniv.nl](mailto:ICCMCC@law.leidenuniv.nl) **prior to 8 March 2022, at 10am CET**.
- b. There will be a penalty of **five (5) points for each day** the briefs are past the due date. After one week beyond the due date, briefs will not be accepted and the team will be disqualified without a registration fee refund.
- c. Submission must occur in a single email message with all three (3) Memorials attached as separate files titled “###P”; “###D” and “###V”, respectively (where “##” is the official number assigned to the team). Failure to comply with this provision will be penalized with **one (1) penalty point** per violation, with a maximum of six (6) penalty points.
- d. Each team must submit its Memorials in both Microsoft Word and Pdf. format. Failure to do so will be penalized with **two (2) penalty points**.

- e. The organizers of the National and Regional Rounds will submit the Memorials of the participating teams to the Organization, **without giving the qualified teams the opportunity to change the memorials after their participation in the National or Regional Round.**

#### **Art. 23 - Identification in Memorials**

- a. Each team must **omit** the following references in their Memorials:
  - The names of team members;
  - The members' and/or the university's country of residence;
  - Its nationality; and
  - The name of its university.
- b. Violations of this article will be sanctioned with up to **forty (40) penalty points**, with **ten (10) penalty points** per violation.

#### **Art. 24 - Memorial Format**

- a. Each team must submit its Memorials in size 12 Times New Roman font style. This requirement applies to all pages of the Memorial, including the cover page.
- b. Each page must have a margin of 2 cm on every side of the text.
- c. Memorials must be continuously page-numbered, with each page being numbered.
- d. The line spacing for all parts of the Memorial is to be 1.5 lines.
- e. Headings and subheadings of more than one line in length must be single spaced.
- f. Violations of this article are sanctioned with **one (1) penalty point** per violation. More than one violation of the same item of this Article should be considered as one violation in total.

#### **Art. 25 - Word Limit**

Each Memorial must not exceed 10.000 words (**including footnotes**). Violations of this article are sanctioned by **five (5) penalty points per 400 words**. The 10.000 words include the statement of facts, issues, summary of arguments, written arguments, submissions and (optional) annexes, and exclude the front cover, title page, table of contents, list of abbreviations and index of authorities.

#### **Art. 26 - Order of Content**

- a. Each Memorial shall include the pages/sections below and shall be presented in the following order:
  - Front cover;
  - Title page;
  - Table of contents;
  - List of abbreviations;
  - Index of authorities (list of sources);
  - Statement of facts;
  - Issues;
  - Summary of arguments;
  - Written arguments;
  - Submissions;
  - Optional: Annex (max two (2) pages); and

- Back cover.
- b. Violations of this article are sanctioned by **two (2) penalty points** per violation. The swapping of two sections will be sanctioned by **one (1) penalty point**.

#### **Art. 27 - Front Cover Requirements**

- a. The front cover (page) must contain the following information:
- Team number;
  - Role (Counsel for the Prosecution, Defense Counsel, and Victims' Counsel);
  - Title of the Competition (IBA ICC Moot Court Competition in the English language);
  - Year; and
  - Total word count.
- b. The front cover (page) must be colour coded accordingly:
- Green for Counsel for the Prosecution.
  - Red for Defense Counsel
  - Blue for Victims' Counsel.
- c. Violations of this article will be sanctioned with **one (1) penalty point** per violation.

#### **Art. 28 - Footnotes**

- a. Footnotes have to be in Times New Roman font style, size 10 font. Footnotes of more than one line in length must be single spaced.
- b. Spacing between each footnote shall be single.
- c. Consistency in the reference to sources throughout the Memorial is required. One referencing style only may be used throughout the Memorial.
- d. All the sources included in the index of authorities, must be included in the footnotes as well.
- e. Abbreviations of sources within footnotes are allowed. The abbreviation has to be announced in the index of authorities.
- f. Violations of this article are sanctioned with **two (2) penalty points** per violation. More than one violation of the same item of this Article should be considered as one violation in total.

#### **Art. 29 - Scoring Structure Memorials**

- a. Each Evaluator will score each Memorial on a scale of 50 to 100 points.
- b. The scoring factors to be considered, without regard to their order of importance, shall include, but not limited to: knowledge of the facts and law; proper and articulate analysis; extent and use of research; clarity and organization; evidence of original thought; persuasiveness; grammar and style.
- c. The score sheets will be emailed to each team upon the cessation of the Competition.

#### **Art. 30 - Plagiarism**

Plagiarism in Memorials will be sanctioned with the disqualification of the team. A team's disqualification is final and irrevocable.

### **Art. 31 - Memorial Penalties**

- a. Memorial Penalties shall be deducted from each of the individual evaluators' scores of a team's Memorial.
- b. The Organization shall notify all teams on **4 April 2022 at the latest** about their penalty points. Any written appeals against the decision to impose penalties should be submitted **prior to 11 April 2022 at 10am CET** via email at [ICCMCC@law.leidenuniv.nl](mailto:ICCMCC@law.leidenuniv.nl).

## **Chapter 7: Oral Round Provisions**

### **Art. 32 – General procedures**

- a. Each team shall participate in six (6) Hearings during the Preliminary Round, representing each role twice.
- b. Each Hearing shall take up to two (2) hours, with each team being allotted a total of thirty (30) minutes.
- c. Each team scheduled to appear has a maximum of thirty (30) minutes from the start of the scheduled time to appear before the bench.
- d. The Competition will proceed on an *ex parte* basis at the expiration of the thirty (30) minutes. The Organization may decide to delay the start of the proceedings, or reschedule the session, in exceptional circumstances.

### **Art. 33 – Order of Appearance and Time Division**

- a. The order of the pleadings in each Hearing is:
  - Presentation by Prosecution Counsel: up to 20 minutes.
  - Presentation by Defense Counsel: up to 20 minutes.
  - Presentation by Victims' Counsel: up to 20 minutes.
  - Rebuttal by Prosecution Counsel: up to 10 minutes.
  - Rebuttal by Defense Counsel: up to 10 minutes.
  - Rebuttal by Victims' Counsel: up to 10 minutes
- b. Any other time division is strictly forbidden. Time not used in the presentation may not be allocated to the rebuttal, and time not used in the rebuttal may not be allocated to the presentation.
- c. Questions posed by the Judges are included in the speaking time of the presentation and of the rebuttal, respectively.

### **Art. 34 - Speakers**

- a. Each team will have three (3) individual speakers. Every individual speaker of a team will represent in their pleadings the Prosecution Counsel, or the Defense Counsel or the Victims' Counsel. The rebuttal must be presented by the same speaker as the main presentation.
- b. Researchers are not allowed to present at any stage of the Competition.
- c. Each team must submit the role allocation within the team **by 11 April 2022 at 10am CET at the latest** (i.e. Team member X will undertake X role, where role is to be

understood: Prosecution Counsel, Defense Counsel or Victims' Counsel). Failure to do so will be sanctioned with twenty (20) points.

- d. The role allocation is to be submitted online [here](#).
- e. Only two members of each team, two speakers, or one speaker and one researcher, are allowed to be present before the Bench. The person acting as co-counsel need not be the same person in each Hearing.
- f. Each speaker will present in accordance with the time allocated under Article 33.

#### **Art. 35 – Scope of Pleadings**

- a. A team's oral pleadings are not limited to the scope of the team's Memorial. Teams may refer directly to the opposing teams memorials in their main argument.
- b. Speakers are not allowed to introduce new issues in their rebuttal. All arguments and issues raised by opposing counsels during both presentation and rebuttal may be discussed during the rebuttal.
- c. Objections are under no circumstances allowed at any moment during the proceedings.
- d. Verbatim reading of the Memorials during the Hearings is strictly prohibited.

#### **Art. 37 - Bench Composition**

- a. Each Bench will be composed of one (1) or two (2) Judge (s) and one (1) Presiding Judge (appointed by the Organization or by consensus by the Judges participating in the Hearing) and shall be assisted by a Bench Clerk.
- b. If only two Judges score a given Hearing, the Organization shall create a third score by averaging the scores of the two Judges.
- c. The organization may appoint a fourth Judge. In the event four (4) Judges score a given Hearing, the score that is furthest from the average of all four (4) scores, and the scoresheet on which it appears, will be disregarded.
- d. Judges in the Hearings can be different from the Bench evaluating the Memorials.
- e. Judges in the Hearings do not have access to the teams' Memorials.
- f. Judges are not permitted to give their individual opinion outside the deliberation room regarding the quality of the presentations and results of the participating teams. Furthermore, Judges are not allowed to give the participating teams any feedback on details of the Case.
- g. During the oral rounds, the Bench shall ensure respect for the Rules of Procedure and will assess the quality of the arguments. The Judges are encouraged to intervene with appropriate questions during the oral pleading to further assess the knowledge and the preparation of the speakers.
- h. The Bench will follow its own Rules of Procedure within the framework of accepted norms of judicial practice, and with regard to questions of doubt or dispute in the procedure or facts. A decision of the Presiding Member of the Bench shall be final.
- i. The Judges shall mark the oral arguments in accordance with the scoring criteria provided for in these Rules.
- j. Team objections to a jury panel due to conflict of interest or prior relationship must be disclosed and communicated to the Bench Clerk prior to the commencement of the Hearing.

**Art. 38 - Role of the Bench Clerk**

- a. The Bench Clerk is nominated by the Organization.
- b. The Bench Clerk is responsible for:
  - the collection of the score sheets and their delivery to the Organization;
  - briefing and advising the Bench Members on the Rules of Procedure contained herein;
  - keeping the order during the Hearing;
  - facilitating the sessions' development;
  - timekeeping.

**Art. 39 - Scoring**

- a. Scores are rewarded out of a maximum of 100 points for the overall performance of the team during each pleading. The presentation and the rebuttal shall be awarded with one score only.
- b. Points are allocated as follows:
  - Organization, structure and time management: max 20 points.
  - Knowledge and use of rules and principles of law: max 20 points.
  - Knowledge and use of the facts: max 20 points.
  - Questions and rebuttal: max 20 points.
  - Persuasiveness and style of presentation: max 20 points.
- c. Score sheets will be emailed to each team upon the cessation of the Competition.

**Art. 40 - Penalties for Inappropriate Behaviour**

Every team should maintain the fullest dignity and decorum, not only in the Courtroom, but during the entire Competition. Inappropriate behaviour or blatant disregard for the procedures may result in deduction of penalty points and in extreme cases to the disqualification of the team.

**Art 41 - Recording of the Hearing**

- a. Members of the presenting team, may (voice) record their own team members during their presentation and/or rebuttal. However, it is strictly forbidden to (voice) record the opposing teams during their presentation and/or rebuttal.
- b. Recording of the pleadings may only take place upon prior approval from the judges, opposing teams and Organization.
- c. Violations of this article are sanctioned with 50 penalty points.

**Art. 42 - Scouting**

- a. Scouting is forbidden at all times during the Competition.
- b. Scouting is defined as:
  - when a team or one or more of its members attend a Hearing in which they are not participants;
  - instances where students, coaches or spectators discuss with or pose questions of substantive issues of international (criminal) law to the Judges.
- c. Violations of this article will result in disqualification. A team's disqualification is final and irrevocable



**Chapter 8: The Awards**

**Art. 43 – Categories of the Awards**

- a. The following awards will be given by the ICC after the Final Round:
- **Winner;**
  - **First Runner-up;**
  - **Second Runner-up;**
  - **Best Oralist.**
- b. The following awards will be given by the Organization in accordance with the scores obtained by teams in the Preliminary Round of the Competition:

**(i) Memorial Awards**

<b>Best Prosecution Counsel Memorial</b>	<b>Best Defense Counsel Memorial</b>	<b>Best Victims’ Counsel Memorial</b>
First Runner-up Best Prosecution Counsel Memorial	First Runner-up Best Defense Counsel Memorial	First Runner-up Best Victims’ Counsel Memorial
Second Runner-up Best Prosecution Counsel Memorial	Second Runner-up Best Defense Counsel Memorial	Second Runner-up Best Victims’ Counsel Memorial
<b>The IBA Award for Best Memorial Overall</b>		

**(ii) Speaker Awards – the speakers with the highest average score awarded per role**

<b>Winner Best Prosecution Counsel Speaker;</b>	<b>Winner Best Defense Counsel Speaker</b>	<b>Winner Best Victims’ Counsel Speaker</b>
First Runner-up Best Prosecution Counsel Speaker	First Runner-up Best Defense Counsel Speaker	First Runner-up Best Victims’ Counsel Speaker
Second Runner-up Best Prosecution Counsel Speaker	Second Runner-up Best Defense Counsel Speaker	Second Runner-up Best Victims’ Counsel Speaker
<b>The IBA Award for Best Speaker Overall</b>		

- (iii) **Team awards** – the teams with the highest total score awarded in the written and oral round of the Preliminary Round

<b>Best Prosecution Counsel Team</b>	<b>Best Defense Counsel Team</b>	<b>Best Victims' Counsel Team</b>
First Runner-up Best Prosecution Counsel Team	First Runner-up Best Defense Counsel Team	First Runner-up Best Victims' Counsel Team
Second Runner-up Best Prosecution Counsel Team	Second Runner-up Best Defense Counsel Team	Second Runner-up Best Victims' Counsel Team
<b>The IBA Award for Best Non-Native English Speaking Team</b> (A team is considered 'non-native' if at least two out of the three participating speakers are nationals of a non-English speaking country);		
<b>The IBA Award for Best Newcomer Team</b> (A team is considered 'newcomer' if it represents a university from a jurisdiction that is participating for the first time ever in the Competition);		
<b>Best Regional Team</b>		
<ul style="list-style-type: none"> <li>○ Africa</li> <li>○ The Americas (Central, North and South) &amp; Oceania</li> <li>○ Asia</li> <li>○ Europe</li> </ul>		

- c. Upon completion of the entire program, each participant shall receive a certificate of participation.

### **Chapter 9: Friendly Rounds**

- a. Friendly rounds and exchange of memorial are completely prohibited unless approved by the Organization. Please contact the Organization if you wish to organize/participate in friendly rounds.
- b. Only teams that do not participate in a National/Regional Round will be permitted to organize/participate in Friendly Rounds.
- c. Separate Rules of Procedure will be made available for Friendly Rounds.



**IBA ICC MOOT COURT**  
Organised by the Grotius Centre

**SUPPLEMENTARY**  
**RULES OF PROCEDURE**  
**FOR ONLINE HEARINGS**

**8 – 29 May 2022**

International Bar Association International Criminal Court  
Moot Court Competition

*2<sup>nd</sup> Online Edition*

### **Art. 1: General rules**

- a. All rules presented in the main body of this document shall be applicable to the Online Hearings.
- b. The Online Oral Round of the Competition will take place over the course of three (3) weeks, as follows:
  - Week 1: Preliminary Rounds
  - Week 2: Preliminary Rounds
  - Week 3: Advanced Rounds: Quarter-final Round, Semi-final Round, Final Oral.
- c. During an Online Hearing, team members, coaches and assistant coaches may not directly or indirectly indicate their country or school of origin to the judges, including through the display of screen names, the wearing of name tags, pins, logos, or other signifiers, or the placement of folders, files, library books, or other materials identifying their school or country in such a way as may be visible to a judge.
- d. The speaker must ensure that his/her name, team number and role are properly displayed during the Hearing.

### **Art. 2: Software and Hardware**

- a. All teams are responsible to ensure they have access to software and hardware, including a stable Internet connection, that enables them to properly participate in the Competition.
- b. The Hearings will be hosted via Zoom.
- c. The speaker is not permitted to share his or her screen, or present any other text or written materials at any stage.
- d. During a Hearing, a judge shall, to the degree possible, arrange the camera so that his or her face is visible to the speakers. Judges shall have their camera on at all times. Judges should have their microphone muted unless they are asking a question.
- e. The speaker delivering oral pleadings shall also configure his or her camera to permit the judges to observe his or her face at all times. Speakers should have their cameras on at all times.
- f. All other participants in a Hearing (who are not the speaker) shall have their microphone muted and cameras turned off.
- g. Speakers may sit or stand when making their submissions.

### **Art. 3: Technical Difficulties**

- a. Where a team or a team member is experiencing technical problems in joining an Online Hearing, they must inform the Organizing Office immediately, or as soon as possible, of the problem and the reasons (if known) for it.
- b. Where a technical problem occurs during a Hearing, the Organizing Office shall exercise his or her discretion as to how to proceed.
- c. If a team fails to join the Hearing due to technical reasons, the Organizing Office, after waiting 30 minutes, shall allow the Hearing to proceed *ex parte*. In an *ex parte* proceeding, the attending teams present their oral pleadings, which are scored by the judges to the extent possible as if the absent team had been present and arguing. In such a case, the team that fails to appear for its scheduled Hearing, will be rescheduled to give either for an *ex parte* proceeding or for a different match-up.

- d. Where a team member, who has been designated as a speaker for one of the roles, either is unable to join the Hearing, or having joined the Hearing has such technical difficulties as makes it impossible for him or her to commence his or her oral argument, the Judges may permit another team member to be substitute and plead on behalf of that specific role, save that no team member may speak for longer than the time permitted by the Rules.

**Art. 4: Participants in the online Hearings**

- a. The following people are permitted to join an Online Hearing:
  - the judges assigned to that Hearing;
  - the members of each team arguing in that Hearing;
  - the coaches of each team arguing in that Hearing;
  - any person nominated by the Organizing Office to observe;
- b. Location of participants:
  - No judge of any Online Hearing may be in the same room as any members of the teams pleading in that Online Hearing.
  - All team members (including coaches and assistant coaches) may be in the same physical room with the speaker pleading on behalf of the team, provided the communication rules in Art. 5 are respected.

**Art. 5: Communication during the online Hearings**

- a. Team members participating in an Online Hearing may communicate with each other during the Moot in any written or electronic medium. No other person, including a coach/assistant coach, may communicate with any team member in any way during a Hearing, save to give technical assistance with any equipment being used to participate in the Hearing.
- b. No team member may communicate with a speaker in any way while he or she is making his or her oral argument, save to give technical assistance with any equipment being used to participate in the Hearing.
- c. Violation of this provision will be sanctioned with a penalty of up to twenty (20) points, to be imposed by the Organizing Office proportionately with the severity of the violation.