

Thailand National International Humanitarian Law Competition

IHL Moot Court & Role Play 2022

Organized by

International Committee of the Red Cross (ICRC) Bangkok Regional Delegation,
Faculty of Law, Thammasat University & School of Law, Mae Fah Luang University

At Faculty of Law Thammasat University, Thaprachan Campus, Bangkok

14th – 16th October 2022

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GENERAL PROVISIONS

GENERAL

1. The 2022 Thailand National International Humanitarian Law Competition (“Thailand National IHL Competition”) consists of:
 - a. Thailand National IHL Moot Court; and
 - b. Thailand National IHL Role Play
2. The 2022 Thailand National IHL Competition will held in person, co-hosted with the Faculty of Law, Thammasat University and School of Law, Mae Fah Luang University from 14th to 16th October 2022. The National IHL Role Play Competition will take place on 14th October 2022, while the National IHL Moot Court Competition will take place from 15th to 16th October 2022.
3. The Competition is organized by the International Committee of the Red Cross (ICRC) Bangkok in cooperation with the Faculty of Law, Chulalongkorn University and School of Law, Mae Fah Luang University. The Organizing Committee will consist of members of ICRC staffs and representatives of the Faculty of Law, Chulalongkorn University and School of Law, Mae Fah Luang University, in its capacity as a partner organization. The Organizing Committee shall be responsible for the organization and administration of the Competition.
4. In its capacity as the organizer, the Organizing Committee shall have the power to:
 - a. Plan and organize the Competition in collaboration with the hosting universities;
 - b. Set the Rules for the Competitions, which interpretation rests with the ICRC;
 - c. Resolve and decide on any questions or issues regarding the interpretation and application of the official rules;
 - d. appoint a SECRETARY, if needed;
 - e. appoint judges with suggestions from the hosting universities;
 - f. amend the rules as it thinks fit; and
 - g. video record all or any of session (NB: all other video recording is allowed ONLY with the express permission by the ICRC)
5. Competition Email Account – All inquiries and request for competition materials must be sent to the Competition Committee at BAN_IHL_Unit_Group@icrc.org and dijaz@icrc.org

PURPOSE

6. The Thailand National IHL Moot Court is a moot court competition organized to select the team to represent Thailand at the Red Cross International Humanitarian Law Moot Court Competition.

7. The Thailand National IHL Role Play is a role play competition organized to select the team that will receive the financial support from the ICRC Bangkok Delegation for the upcoming Jean-Pictet Competition.

PROVISIONS FOR THE FORMAT OF THE COMPETITION

8. The Organizing Committee decided to conduct the 2022 edition of Thailand National IHL Competition in-person through the submission of *written memorials* and *in person oral hearings* and respect the measures to prevent the spread of COVID-19.
9. Students who wish to join the Thailand National IHL Competition must participate in both Competitions (Moot Court and Role Play).
10. The number of teams allowed in this year's National IHL Competition will be 10 teams. Once the registration has concluded, registered teams will be given IHL Test to select the 10 participating teams. Teams will be selected based on their scores on the IHL Test. The IHL Test will be given within **2nd September 2022**. The deadline for the submission of the test will be **23:59 on 4th September 2022**.
11. Each university that submits a team is guaranteed one (1) place in the competition, to ensure representation and diversity from as many universities as possible. Once the 10 teams have been selected, they will be given team numbers and may start working on their written memorial submissions. The Organizing Committee highly encourages each university to undertake its internal selection process to select the teams to participate in the Competition.
12. The scoring for each competition will be separate. Each competition will have its own scoring system (e.g. moot court scores will not be used to determine role play scores, and vice versa). The substantive arguments and findings of each competition are also separated and may not be used between competitions.
13. The team that has the best scores of each competition will be selected as the winner of that competition. Should a team win both competitions, that team may opt to claim the prizes of both competitions, however, they must manage their own schedule. Alternatively, the team that won both competitions may opt to choose either one of the prizes available, in which case, the runner-up in that competition may claim the prize.
14. The language used in all matters related to the Competition is English. All the reading material, official correspondence, etc. must be in English
15. The Rules for each competition can be found within this document. The Rules for each competition must be used in conjunction with the General Provisions.

PARTICIPATING INSTITUTIONS AND REGISTRATION

Eligibility

16. The Competition shall be open to all teams from participating institutions established in Thailand, except from Southern provinces from Phrachuap Khiri Khan Province southward.
17. Participating students shall be registered for a first degree or undergraduate or postgraduate program with the participating institution as of academic year of 2022. 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 at any tertiary institution;
 - d. has been admitted or licensed to practise law in in any jurisdiction; or
 - e. has already participated twice in previous years, regardless of whether the student acted as a mooter, a researcher or a role player. Participating students must declare that they have not participated twice in previous years whether as a mooter, a researcher or a role player. Any false declaration could lead to disqualification of the entire team.

Team Composition

18. In both competitions, each team must compose of at least two students and maximum three students:
 - a. in the Moot Court Competition, the composition will be two (2) mooters and may include one (1) researcher.
 - b. in the Role Play Competition, there is no set requirement. Students will take on role as the scenarios demand.

Registration procedure

19. Each team must submit the application to participate in the Competition. The application can be access via this [link](#). The registration must be submitted by **23:59 on 1st September 2022**.
20. Should the teams that have been selected to participate in the Oral Rounds wish to withdraw from the Competition, they must notify and submit its withdrawal request to the Organizing Committee within 24 hours of the announcement, so that the teams that have been shortlisted may be considered for replacement.

Judges

21. 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 organizations to serve as judges in the Competition.
22. Selection of the judges will be within the Organizing Committee's sole discretion.
23. Decisions of the judges shall be FINAL.
24. 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 severe, disqualification). All candidates for judges must disclose all prior associations with eligible academic institutions. The Organizing Committee will endeavor 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 institution(s) the judge is affiliated with.
25. Confidentiality – Judges are prohibited from sharing information about the Competition, including, but not limited to the evaluation criteria, judging guidelines, and simulations, with the participating teams, without prior authorization from the Organizing Committee.

LOGISTICAL ASPECT

Cost covered

26. 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.
27. 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.

RECORDINGS

28. By participating in the competition, all participants, coaches and spectators consent to be the subject of official videotaping and photography conducted by the ICRC 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. Photography is only permissible prior to the sessions provided that it does not disrupt teams. All participants and spectators alike are to refrain from usage of mobile phones during the competition.

Photography/Videography by third parties will only be allowed upon express permission from the ICRC (the Organizing Committee or a nominated representative).

COMPLAINTS

29. 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.

OFFICIAL RULES FOR ROLE PLAY COMPETITION

Thailand National IHL Role Play 2022

14th October 2022

STRUCTURE

General Structure

1. The Competition is in person and consist of two rounds. Each round will present a new simulation building upon a larger hypothetical armed conflict. Teams will receive the simulations at the start of each round and will be allotted a specific amount of time to research and prepare the team's position prior to each simulation session.

Date and Venue

2. The Role Play Competition will be conducted in person at Faculty of Law, Thammasat University, Thaprachan Campus on 14th October 2022.

Structure of Rounds

3. Each round will present teams with a different simulation requiring them to assume different professional roles and accomplish different objectives. Teams will be expected to adjust their positions according to the organization or groups that they represent. The structure of simulation sessions, including the length of each session, the number of teams participating in a simulation session simultaneously, and the role of the judges during each simulation session may also change from round to round

CONDUCTS OF THE COMPETITION

Criteria for Evaluating Teams

4. The Competition focuses on knowledge of IHL as well as the ability to use it in a practical manner. Teams will be judged on their knowledge of IHL and capacity to use it (evaluating available information to determine critical elements that directly relate to the implementation of IHL) and on their ability to understand the professional role that they undertake.

Scoring

5. The points from each round will be used to evaluate the overall performance of each team. At the end of the Competition, the team with the overall highest points will be declared the winning team.

Punctuality

6. As time is of the essence for the Competition, any participating students found to be unduly delaying the progress of the Competition without a valid, good faith reason may incur deductions of marks at the discretion of the Organizing Committee.

PRELIMINARY TRAINING AND COACHING

Training Prior to the Competition

7. Participating teams are expected to undertake independent study of IHL and may be required to attend supplementary training at their respective institutions.
8. During the weeks prior to the Competition, teams may receive IHL training materials and pedagogical materials on IHL from the Organizing Committee to help them prepare for the Competition.

Coaching

9. Before and during the Competition, teams might benefit from training and coaching by coaches designated by their institution. However, a team may participate in the competition even if a coach was not appointed by the institution.
10. Upon the completion of each simulation round – but not while the simulation round is underway - coaches will be permitted to provide feedback to their teams in relation to all aspects of their performance.

Publicity

11. The Organizing Committee may publicize the Competition and related events. The Organizing Committee may open the Competition or parts thereof to the public, including the media, prospective employers, academic staff and so forth.
12. The Organizing Committee shall have in accordance with the provisions of these Regulations, exclusive discretion in the development, timing, format, content and implementation of the Competition.
13. Each team will be responsible for bringing to the Competition all materials, including research materials and props, which they intend to use during the Competition.

ELECTRONIC DEVICES

14. The use of laptops, tablets or other devices for the purposes of conducting research is allowed. Electronic devices cannot be used to seek consultation from the coach or other persons during simulations. However, The Organizing Committee strongly cautions against over-reliance on electronic devices. Students therefore should

consider the utility of using electronic devices during the simulation sessions for research, or even for their notes, keeping in mind that participants are evaluated, in part, on their ability to assume the role of the actors they represent during simulations.

AWARDS, PRIZES AND CERTIFICATES

15. The winning team for Thai National Round will receive the IHL Competition Award and sponsorship of participation in the Jean-Pictet Competition, provided the team applies and is admitted, and travel is possible and allowed. If the team duly applies and is not admitted, the Organizing Committee may, at its discretion, decide to offer team members an alternative award related to IHL.
16. The Organizing Committee will issue certificates of participation to all participating students and the trophy to the Winning Team.
17. Should the winning team decide to keep the trophy, they must enter into contractual agreement with the IHL Department to maintain and safekeep the trophy, until the time of the next National IHL Competition, when the team must surrender the trophy back to the ICRC. The ICRC shall maintain record of each year's winner and publish the results on the ICRC's website and publications in recognition of the students' achievements.

OFFICIAL RULES FOR MOOT COURT COMPETITION

Thailand National IHL Moot Court 2022

15th - 16th October 2022

THE MOOT PROBLEM

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

Distribution of the Moot Problem

2. The moot problem will be distributed by the ICRC Bangkok to the respective teams upon confirmation of their registration and participation in the competition. Team numbers will be assigned in a chronological manner. Teams are encouraged to register early.

Facts and Clarification of the Moot Problem

3. 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.
4. Any request(s) for clarification(s) of the moot problem must be brought to the attention of the Organizing Committee as soon as possible. Clarifications, if any, shall be distributed to all teams 1 week after the team is given team numbers and become part of the moot problem.

GUIDELINES FOR MEMORIALS

Form and Length of Memorials

5. Each team shall submit a memorial for both the Prosecutor and the Defendant respectively.
6. 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 marks;

Over 401 words in excess - deduction of 30 marks.

7. 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).
8. 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 (see Rule 2 above).

Please use the following format:

Prosecution/Defense + Team Number in parenthesis e.g.
*Prosecution (2201) for Team 2201's Prosecution Memorial or
Defense (2212) for Team 2212'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.

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

Prosecution (P)/Defense (D) + Team Number e.g.
*P2201 for Team 2201's Prosecution Memorial or
D2212 for Team 2212's Defense Memorial*

Submission of Memorials

10. Each team shall submit the memorials via e-mail to the Organizing Committee latest by **23:59, 6th October 2022** (Bangkok times), at the following email address:

BAN_IHL_Unit_Group@icrc.org and dijaz@icrc.org

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 in Rule 10, 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

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

Pairing of teams and exchange of memorials

12. Organizing Committee will pair each Prosecutor with a Defendant team for the General Rounds. The teams competing in the General Rounds will be announced by **7th October 2022**.
13. 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 **7th October 2022**.

GUIDELINES ON ASSISTANCE AND PRACTICE SESSIONS

Memorials

14. 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

15. 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

16. 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

17. During each oral round, teams will be sorted into the court rooms, in which they will proceed with the oral hearings before a panel of judges. The oral rounds consist of 1) General Rounds; 2) Semi-finals, and 3) Final Round.
 - a. The **General Rounds** consist of two oral rounds between all teams. Each team pleads once as 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.

DATE AND VENUE OF THE MOOT COURT COMPETITION

18. The Moot Court Competition will be conducted in person at Faculty of Law, Thammasat University, Thaprachan Campus, on 15th - 16th October 2022.

COMPOSITION OF TEAMS AND ORDER OF THE ORAL HEARING

19. 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.
20. 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);
21. 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).
22. 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.
23. 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 20.
24. 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*.
25. 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.
26. 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.
27. 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

28. 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

29. Scoring shall consist of TWO parts:

- a. the scoring of the memorials; and
 - b. the scoring of the oral rounds.
30. The scoring of the memorials shall be assessed by a panel of TWO (or more) memorial judges.
31. 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.

32. 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

b. Semi-finals

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-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.

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.

c. Final Round

For the Final Round, the oral hearing scores shall be assessed by a panel of FIVE (or more) judges. The maximum score for each oralist shall be 100 points and the maximum score for each team shall be 200 points. 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.

33. The decision of the judges shall be FINAL.

AWARDS, PRIZES AND CERTIFICATES

Winning Team

34. 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 2022 Regional International Humanitarian Law Moot Court Competition with the support by ICRC

Should the winning team decide to keep the trophy, they must enter into contractual agreement with the IHL Department to maintain and safekeep the trophy, until the time of the next National IHL Competition, when the team must surrender the trophy back to the ICRC. The ICRC shall maintain record of each year's winner and publish the results on the ICRC's website and publications in recognition of the students' achievements.

Best Mooter

35. 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

36. 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.

37. 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.

38. All participants will receive certificates of participation.

ELECTRONIC DEVICES

39. The use of laptops, tablets or other devices for the purposes of conducting research is allowed. Electronic devices cannot be used to seek consultation from the coach or other persons during Oral Pleading sessions. Access to the internet for the research and coaching purposes are strictly prohibited during Oral Pleading sessions. The Organizing Committee strongly cautions against over-reliance on electronic devices. Students therefore should consider the utility of using electronic devices during the Oral Pleading sessions for research, or even for their notes, keeping in mind that participants are evaluated, in part, on their ability to assume the role of they represent during Oral Pleading.