



ICRC

Henry Dunant Memorial Moot Court Competition 2023

Organised by the International Committee of the Red Cross (ICRC)

Henry Dunant Memorial Moot Court Competition: Rules and Guidelines

1. Introduction

The International Committee of the Red Cross (ICRC) is a private, independent humanitarian organisation, headquartered in Geneva, Switzerland. The ICRC has been conferred a mandate by the international community to protect and assist persons affected by armed conflict.¹ 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. The Moot Court

In 2001, ICRC Regional Delegation for South Asia initiated the Henry Dunant Memorial Moot Court Competition, with the aim of promoting better awareness of IHL among law students at universities throughout India. This competition is named in memory of Mr Henry Dunant, the co-founder of the ICRC and the Red Cross and Red Crescent Movement in 1863.

The reputation and status of the Henry Dunant Memorial Moot Court Competition has grown steadily since its inception in 2001, and national rounds have been organised across South Asia, including in Nepal. Henry Dunant Moot Court Competition was further expanded to include a regional competition, drawing teams from countries across South Asia between 2005 and 2022. South Asia rounds will not be organised in 2023, and onwards.

The winning (one) team of the national rounds of the Moot Court Competition in each country would be entitled to register for the 2024 Asia Pacific round in Hong Kong.

1.2. 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 throughout South Asia. 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* (the "*Moot Court*"). The 2023 edition of the Moot Court in Nepal is organised by the ICRC

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.

2.2. Official Language

The official working language of the Moot Court is 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 3-member composition is mandatory for participating in the competition.

2.4. Assistance to Teams

All research, writing and editing of written memorials 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.

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 organiser.

2.6. Application of Rules

Rules contained in this document will be applicable to the 2023 National Moot Court competition in Nepal.

3. Procedure

In 2023, the national rounds of the Moot Court competition shall consist of written memorials only, in accordance with the timeline outlined below. Oral pleadings will *not* be organized.

3.1 Timeline

Participating teams are expected to adhere to the following timelines:

- (i) Friday, 1st September 2023 : Call for registration open
- (ii) Sunday, 1st October 2023 : Deadline for registration
- (iii) Tuesday, 10th October 2023 : Registered teams receive their team codes via email
- (iv) Sunday, 19th November 2023 : Deadline for submission of memorials in soft copy
- (v) Thursday, 14th December 2023 : Announcement of results

4. Memorials

4.1 Submission of Memorials

Each participating team shall prepare both memorials and counter memorials, in English. All teams are to submit their copies to the organisers before the deadline specified by the organising committee in the official announcement in an electronic format, to the email address specified. Failure to do so will result in disqualification from the competition.

All memorials shall be prepared to the following specifications:

- Memorial or counter memorial shall not be more than 25 typed pages.
- Memorials must be typed and submitted on standard A4 size paper.
- Font and size of the text of all parts of the memorial (excluding footnotes) must be the same and must be in either Times New Roman 12 or Arial 11 font size.
- The texts of all parts of each memorial 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 of the memorial.

- Quotations of sources outside of the memorial of fifty words or more in any part of the memorial shall be block quoted and must be single-spaced.
- The Table of Contents, Index of Authorities and Case Title are not included in the 25 typed pages limit.

4.2 Description of Memorials

The Memorial shall consist of the following parts:

- Cover pager containing
 - The title of the case
 - Team code assigned at the top right corner of the cover page, followed by a suffix 'P' or D' as an indication of whether the memorial is for the Prosecution or Defence. Eg. If your assigned team code is 23, the top right corners of your memorials for the prosecution and defence should bear the indication '23-P' and '23-D' respectively.
- Table of Contents
- Index of Authorities (including corresponding page numbers)
- Statement of Jurisdiction
- Identification of Issues
- Statement of Facts
- Summary of Pleadings
- Pleadings including the Conclusion and/or Prayer for Relief.

4.3 Criteria for assessment

- The assessment of each memorial (Prosecution and Defence) of the teams shall be out of a maximum of 100 marks based on the evaluation of their memorials, set out as follows:

Knowledge of law and facts	30 marks
Proper and articulate analysis	30 marks
Extent of research	20 marks
Clarity and organization	10 marks
Style, grammar and citation	10 marks
Total	100 marks

- The written memorials submitted by participating teams shall be evaluated based on blind review by experts appointed by the organising committee and marks will be awarded for them.
- Late submission of memorials will attract a penalty of 3 marks being deducted for each calendar day from the total of 200 marks allocated for memorials.
- The disclosure of the team's institutional affiliation on the memorial will result in the disqualification of the team.
- The winning and runner-up teams will be selected based upon the combined score of their written memorial marks.

5. Awards and Prizes

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

- The Winning team will be awarded individual certificates of achievement.
- The Runner up team will be awarded individual certificates of merit.
- All participating teams will receive a certificate of participation.

6. Miscellaneous Rules of the Competition

- Upon completion of the competition, the organising committee reserves the exclusive right to use the memorials submitted to them, as they deem appropriate.
- 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 memorials.
- 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.

7. Rules Regarding the jury marking the memorials

- A person appointed as an evaluator of the memorials should be well versed in the subject of International Law, in general, and International Humanitarian Law, in particular. Selected candidates are expected to be aware of the procedure involved in mooting and the rules.

- Persons appointed as evaluator of the memorials 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.

8. 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.

9. Questions, Complaints and Suggestions

Any feedback concerning the organisation or conduct of the Moot Court should be directed directly to the organisers at gchawla@icrc.org.