



**General Rules of the
INTERNATIONAL COURT OF JUSTICE
MOOT COURT
2021**

elsa

The European Law Students' Association
BARCELONA-UPF



UNSA
Barcelona

ORGANISATION OF THE COMPETITION

ADMINISTRATION OF THE COMPETITION

1. The International Court of Justice Moot Court Competition (hereinafter, “the Competition”) is a simulated hearing of a court proceeding organised by the local committee of The European Law Students’ Association, ELSA Barcelona-UPF, and the United Nations Students Association of Barcelona, UNSA Barcelona. It aims at contributing to the Law School students’ and young jurists’ education and training by giving them the chance to apply their legal knowledge while acting as representatives for fictitious parties in a case in court, thus linking legal theory and practice together.
2. ELSA Barcelona-UPF and UNSA Barcelona members present the Competition and constitute the Organisation Committee (hereinafter, “OC”) administers and organises it. The Head OC, in name of ELSA Barcelona-UPF and UNSA Barcelona, manages the administration of the Moot Court Competition and is responsible for its good progress.
3. ELSA Barcelona-UPF and UNSA Barcelona have the right not only to develop and interpret these rules, but also to modify them or promulgate new ones. Were new rules to be issued, these would come into force as soon as they are published in the Competition’s website.

STRUCTURE OF THE COMPETITION

4. During the Competition, the different teams might be either Applicant or Respondent. The determination of the roles will be exclusively left to the OC, which will allocate them by random draw.
5. The Competition shall have one level: Oral Round, which includes three rounds:
 - a. Preliminary rounds, consisting of oral pleadings with a maximum of 8 teams.
 - b. Semi-final, consisting of oral pleadings with 4 teams.
 - c. Final, consisting of oral pleadings with 2 teams.
6. The Competition shall be developed in English and will take place at the Universitat Pompeu Fabra (Barcelona).
7. In each Round, teams will act as Applicant or Respondent.
8. Semi-final rules:
 - a. The best four teams of the Preliminary Rounds shall advance to the Semi-Final.
 - b. The pairings in Semi-Final Rounds shall be determined by use of “power-seeding”: the highest-ranked team (1st) will face the lowest-ranked one (4th) in Semi-Final 1, whereas the second and third highest ranked teams shall face each other in Semi-Final 2. The rankings that will be the base of the pairing will be ones of the Preliminary Rounds.
 - c. The winning teams shall advance to the Final, where they will face each other.

THE COMPETITION JUDGES

9. The OC shall appoint the Competition Judges, who shall be people with a proven expertise in the field of Law applied in the Competition or in Moot Courts Competitions.
10. In order to safeguard the impartiality of Judges, they shall not provide any sort of academic support to the participants in any Competition-related issue. This prohibition comes into force when Judges know their appointment and disappears with the end of the Competition.
11. Should there be any conflict of interest, Judges or participants shall communicate it to the OC. Hiding this situation will be penalised.

12. Judges shall have a Court Memorandum with the Facts, applicable rules, case law, legal issues and that are meant to be raised during the Round and possible questions for the participants. This is strictly confidential. Judges commit themselves not to disclose it.
13. Judges may ask questions to the oralists and requests clarifications of their pleadings.
14. Judges shall be discretionary when it comes to the evaluations of the teams.

THE COMPETITION

PARTICIPATION, TEAM COMPOSITION AND REGISTRATION

15. Any person pursuing a (1) Law, (2) Law and Business Management and Administration, (3) Law and Economics or (4) Law and Criminology and Public Prevention Policies degree at the Universitat Pompeu Fabra or any other university may participate in the Moot Court Competition. Students part of Erasmus programs or other international exchange programs are not excluded. **Each team is allowed to have a non-law student.** In case that the applications exceed the maximum number 8 teams, the teams composed by most UPF members will have a preferential place.
16. A person who has engaged in the practice of law after having graduated shall not be eligible to take part in the Competition. A person who has the professional qualification but who has not been actively engaged in the practice of law can be a team member.
17. If someone wants to participate but is afraid of not being eligible, he or she may address the OC with a description of his or her situation and his or her CV. The OC will answer within five (5) days from the reception of the e-mail.
18. A team may be composed of two (2) to four (4) Team Members. Once the application period is closed, the composition shall not be changed. However, a reasoned change may be requested to the OC, which will decide within five (5) days. The decision shall be final.
19. Teams may have coaches. Nevertheless, the teams may not be coached by any of the judges.
20. Participants shall not try to communicate with the Judges for any Competition-related issue. Should it happen, the Team shall be penalised.
21. Under no circumstance may a person participate in the Competition if:
 - a. He or she is part of the OC.
 - b. He or she has engaged in the practice of law.
22. Participants shall not try to communicate with the Judges for any Competition-related issue. Should it happen, the Team shall be penalised.
23. The OC presumes that participants are aware of the rules since their registration. This is an un rebutted presumption.

PARTICIPATION FEE

24. Each team must register by completing a registration form online and paying the fee (per member) within 7 days from the registration. Until then, the participant is not inscribed.
25. The fee for the competition will be the following
 - ELSA or UNSA members: 15 euros (10 the inscription fee + 5 of deposit*)
 - Non-ELSA and non-UNSA members: 20 euros (15 of the inscription fee + 5 of deposit*)

* They will be returned at the end of the competition if the team does not cancel its participation.

26. Each team must provide a valid email address at registration which shall be used by the OC to communicate with that team. Any notice sent to the registered email address constitutes notice to all team members.
27. The registration fee must be paid by bank transfer to:
Recipient: United Nations Students Association Barcelona
Concept: ICJMCC “Name Surnames”
Bank: Triodos Bank
IBAN: ES03 1491 0001 2021 6642 9528
28. The bank receipt of the transfer shall be sent to these e-mail addresses: tresoreria@unsabarcelona.org and secretaria@unsabarcelona.org.

CANCELLATION

29. Teams may withdraw their application until the allocation of the case.
30. Those who do not take part in the Competition without previously withdrawing their application shall not participate in the next activity or event organised by ELSA Barcelona-UPF or UNSA Barcelona.
31. The deposit will not be returned in case of cancellation.

THE CASE

32. The Competition will simulate a procedure before the International Court of Justice. The case will involve several disputes of international public law or related areas, such as international criminal law, international human rights law, international humanitarian law, international environmental law and others.
33. The cases shall be published on the Competition’s website, whose RL can be found in the ELSA webpage: <http://www.elsabarcelona-upf.org/>
34. The facts taken into account to base the pleadings are those written and the further explanations or clarifications. All facts are proven, with the exception of those that might enhance the legal debate. The arguments shall be based on legal rules and case law. No additional facts shall be included, with the exception of those inferred from the proven facts.
35. Each team shall send up to five (5) questions aiming at clarifying the facts or solving doubts. These shall be answered by the OC at least five days prior to the Preliminary Round. The OC has the right not to answer to irrelevant, irrational or direct case-solving questions.
36. The answers shall be published on the website and notified by e-mail to the Participants. In addition, they shall become part of the Case Facts.

ORAL ROUND

37. The Competition shall take place at the Universitat Pompeu Fabra. The OC has the right to modify the dates, schedules and the site, if circumstances so require.
38. The Competition Procedure shall be as described in the “Oral Rounds Rules of Procedure”.
39. The Oral Round includes three rounds:
 - a. Preliminary rounds, consisting of oral pleadings with 8 teams.
 - b. Semi-final, consisting of oral pleadings with 4 teams.
 - c. Final, consisting of oral pleadings with 2 teams.
40. In each Round, teams will act as Applicant or Respondent.
41. Semi-final rules:
 - a. The best four teams of the Preliminary Rounds shall advance to the Semi-Final.

- b. The pairings in Semi-Final Rounds shall be determined by use of “power-seeding”: the highest ranked team (1st) will face the lowest ranked one (4th) in Semi-Final 1, whereas the second and third highest ranked teams shall face each other in Semi-Final 2. The rankings which will be the base of the pairing will be ones of the Preliminary Rounds.
 - c. The winning teams shall advance to the Final, where they will face each other.
 - d. Under no circumstances will participants of Semi-Final 2 attend Semi-Final 1 or communicate with its participants. Therefore, scouting is prohibited.
- 42.** All rounds shall have the same case.
- 43.** All rounds should be open to the public if the circumstances allow such possibility.
- 44.** Electronic devices shall be turned off or silenced during the pleadings. The public is allowed to use them without disturbing the oralists and the judges. Team members may use them to gather by themselves new information to defend their position. They shall be, however, penalised if they are found messaging people outside the room.
- 45.** The Judges and the OC may ask someone to leave the room if they prevent the correct functioning of the Competition.

COMPETITION SCORING

- 46.** Each Judge will score each Team on a scale of 50 to 100.
- 47.** The evaluation of teams’ performances shall be discretionary according to the rules established in the “Oral Rounds Rules of Procedure”

AWARDS

- 48.** At the end of the Oral Round, awards will be presented to:
- a. The Team that wins the Competition.
 - b. The highest ranked oralist.

INTERPRETATION OF THE RULES

- 49.** The OC shall serve as final arbiter of interpretation of these Rules and other decisions concerning the Competition. Should there be any interpretational doubts, these will be sent to secretaria@unsabarcelona.org, with copy to mootcourt.barcelonaupf@es.elsa.org.
- 50.** Decisions clarifying the rules will be issued within the following five days of the question’s sending, unless it requires an immediate answer, which will be issue within the following days. These decisions are final and without appeal.