



GREAT LAKES REGIONAL TRAINING
PROGRAMME IN INTERNATIONAL
HUMANITARIAN LAW AND HUMAN RIGHTS

6th edition of the Great Lakes Moot Court Competition

COMPETITION REGULATIONS

Kigali, 09 - 15 December 2018

COMPETITION REGULATIONS

Preamble

AFFECTED by the inestimable losses that ignorance and violation of the rules of international humanitarian law and human rights have caused the Great Lakes region;

CONCERNED by many sufferings that millions of people continue endure in this region due to situations of armed conflict or recurrent violence;

DETERMINED to create an integrationist dynamic through the establishment of a wide range of intellectual opinions from all the countries of the region, particularly through the organization of joint academic activities;

CONVINCED of the need to strengthen the natural relations of solidarity, to promote the values of respect, tolerance and acceptance for a better living together in the region;

COMMITTED to establish a dynamic of academic reflection and cooperation in the region as well as to strengthen the capacity of the Law Faculties/Schools - the breadth of expertise - in the particular fields of international humanitarian law and human rights,

DECIDED to create academic emulation in the area of International Humanitarian Law and Human Rights by availing to the States of the region legal expertise in international law necessary for their functioning,

We, Initiatives for Peace and Human Rights (iPeace) and Comité pour le Concours Grands Lacs (CCGL) (hereinafter the Organizers), have decided to establish, in 2013, for an indefinite period, the Great Lakes Regional Training Programme in International Humanitarian Law and Human Rights, by ensuring its management and gradual development;

Adopt today the present regulation, the provisions of which follow:

General principles

Article 1

It is established a Regional Moot Court Competition in International Humanitarian Law (IHL) and Human Rights in Emergency and Armed Conflict (DH) as one of the activities of the Great Lakes Regional Training Programme in International Humanitarian Law and Human Rights to be organized each year by Initiatives for Peace and Human Rights (iPeace) in partnership with Comité pour le Concours Grands Lacs (CCGL) with the support of other private or public organizations.

Article 2

The organizers are solely competent for making changes to the content of this Regulation and its annexes.

Article 3

If need be, the organizers are solely responsible to decide any question relating to the Competition. They may discretionarily delegate some of their powers.

Objectives

Article 4

The aim of the Competition is to provide an opportunity for research, discussion and training to students of the universities in the African Great Lakes region and their teachers by being involved in a process of dialogue and peace through the law.

The Great Lakes Region refers to countries that are members of the International Conference for the Great Lakes Region (ICGLR). Organizers may include universities from other non-ICGLR countries based on academic and geostrategic interests in order to achieve the objectives of this program.

Participation of the teams

Article 5

A team consists of two (2) students representing a university or institution of comparable level, preferably one (1) man and one (1) woman.

To qualify as a team both participants must:

- Be from a Faculty/school of Law;

- Be regularly enrolled in a public or private university or a higher education institute;
- Be working towards their first degree in law;
- Have basic knowledge of public international law and international humanitarian law as well as human rights and international criminal law;
- Be between 18 and 28 years of age on the day of participation.

Article 6

The first degree shall be understood as a bachelor's degree in Law or a title deemed equivalent.

Organizers have the power to decide whether a particular degree should be considered as a first degree.

To be a member of a team, the participant must be a regular student enrolled full-time or part-time in one of the categories of institutions provided for in article 5 during the ongoing academic year.

In case of doubt, the organizers may take any action to verify the actual status of the student.

Two faculties/schools of the same University may be allowed to present two different teams on the double condition that they have a distinct name and that they are located on two sites or two different campuses. Otherwise, the University will be required to present only one team.

Are excluded from participation in the competition legal practitioners; members of the judiciary; or persons who have already obtained a first degree in law.

No student is allowed to participate twice in this Competition

Coaching

Article 7

Each team is accompanied by a lecturer (professor, lecturer, assistant lecturer, etc.) whose research focus area is international humanitarian law, international human rights law, public international law or international criminal law). If there is no accompanying person, the organizers may decide to disqualify the team.

The accompaniment, coaching or assistance that a lecturer provides to a team of students shall be limited to general discussions of the problems raised in the case, suggestions regarding available sources for research, and the methods to reach conclusions.

It is forbidden, under penalty of disqualification of the team, any support from the coach interfering in the final product, which must essentially be the original work of the students.

Registration to the competition

Article 8

A registration form must be filled in by a competent person from the applying university with the details of the 3 members (2 students and the coach) representing a university or higher education institution.

This form must be sent to the Edition Coordinator on the date indicated by the latter at the following e-mail address: concours.grandslacs@gmail.com

Participating universities and their respective teams shall have no recourse against the organizers in connection with the selection process, the organization of the Competition, its conduct and the interpretation and application of the Rules.

Any change in the team's composition must be announced as early as possible by sending a new registration form to the Coordinator. No modification of the composition of the team shall be permitted after the time to be specified by the Coordinator.

Article 9

Any request for derogation from Article 5 of these Regulations shall be addressed to the Coordinator as soon as possible and in any case on the date that shall be indicated by the latter.

The request for exemption contains a letter explaining why a derogation is requested and the reasons why it should be taken into consideration by the organizers. It is sent to the Coordinator for the edition at: concours.grandslacs@gmail.com

Competition proceedings

Article 10

At the beginning of the competition, each team receives a code that serves as its identifier throughout the competition in order to keep anonymity on the teams. The identity of a team participating in a specific session will not be revealed to the judges of the session in question before it is held.

In order to promote impartiality, each litigant receives a personal identification code that he / she will use throughout the oral argument.

Before the start of each hearing, each litigant must provide the judges with his or her personal identification code for transcription on the evaluation form. This will facilitate the designation of the best litigant.

Unless otherwise decided by the chairman of the jury, no participant shall be obliged to disclose either the name of their university or their country of origin.

Article 11

The Competition focuses on the practice of international humanitarian law (IHL), human rights (HR) and international criminal law. Other factors are also taken into account. The evaluation of the teams includes:

a) Mainly: knowledge of IHL and HR, ability to use this knowledge (conceptualize and analyze available information to detect critical elements directly related to how IHL/HR can be used);

(b) Knowledge of public international law;

(c) Understanding the simulation, including the ability to position themselves in a fictitious scenario; the ability to distinguish between important and irrelevant details, to identify strategic issues, opportunities and risks; the ability to understand the complexity of events and the role assigned to the various stages of the simulation; understanding the various political dynamics while remaining focused on IHL mainly and HR alternatively; the use of data without inventing or discussing facts' details, etc. ;

d) Teamwork (respect for teammates, balance in participation, complementarity, cooperation, mutual support and reciprocal strengthening of participation);

e) Commitment (vis-à-vis the Competition, the simulation and, as appropriate in the simulation, with regard to the spirit of IHL);

(f) Ability to argue (conviction in the presentation of arguments, creative and innovative use of the law, appropriate combination of rational analysis with emotion and passion);

(g) Oral communication skills (including inter alia strength of belief, articulation, logic, ability to transmit emotions when appropriate in simulation, ability to communicate with people from other cultures, ability to translate ideas and complex questions in easy-to-understand concepts).

Article 12

The first two or three days of the competition shall be devoted to the Advisory Panel and to the Elimination Rounds during which the participating

students are called upon to use their imagination and creativity through role-playing which may lead them to incarnate in turn the role of IHL/HR Expert, Prosecutor or Counsel of the defense.

The order of passage during the Elimination Rounds is determined by the Coordination. The time of preparation and passage before the various juries is communicated to the participants at the time of the Competition.

The final of the Competition is open to the public. It is held on the last day and opposes the two best teams in terms of the cumulative points in the evaluation of the Memorials, Advisory Panel as well as the Oral Pleading.

The role played by each team in the final (applicant/prosecutor or defendant) is determined by drawing lots the evening of the last day before the final, following the announcement of the two finalist teams.

Article 13

Each team receives a kind of transcript showing the marks obtained by it through all the stages of the Competition for a purely informative purpose after the two finalists are known.

No appeal shall be admitted against the marks awarded by the judges, except in the case of gross errors of transcription. To be taken into account, the claimant must demonstrate that the correction of such errors is likely to propel it into the first two teams in terms of cumulative points.

Exceptionally, a team may have access to the evaluation sheets filled out by the judges during the Advisory Panel and/or Elimination Rounds. The coordination has the discretion to assess the merits of such a request after consulting with the pedagogical team and the judges concerned.

Reading materials

Article 14

The general framework of the practical case is sent to the teams within a reasonable time to enable them to sufficiently prepare their arguments. Additional factual and/or legal information is provided to participants in a timely manner.

Teams shall receive, in a timely manner, through their e-mail addresses, a kit of IHL training materials mainly, and as appropriate, additional documentation on HR. It is assumed that students will broaden their knowledge of general international law themselves.

Competition Prizes

Article 15

At the end of the Elimination Rounds, the Coordination announces the two finalists who shall compete in the final. The jury awards the "Competition Prize" to the best team after the deliberations.

The first team receives a trophy and, if necessary, some publications on IHL and Human Rights.

The second team also receives a trophy and, where appropriate, publications of IHL and Human Rights.

Every participant shall receive a certificate of participation.

It may be instituted as many prizes as may be necessary.

Logistical aspects

Article 16

Subject to availability of funds, the organizers shall cover the cost of transportation from the country of origin to the competition site, accommodation, and meals throughout the duration of the competition.

Transportation is provided by the most affordable means, preferably by road and by public transport.

Universities from countries/cities from which it is not easy to travel by road can benefit from air support. It is the sole discretion of the organizers to decide which cities are eligible for air travel.

Participants shall bear expenses related to their personal needs such as – but not limited to -laundry, telephone, and drinks.

Article 17

It is the responsibility of the participants admitted to the competition to subscribe health, accident and/or complete repatriation insurance. Under no circumstances shall the organizers bear any costs related to illness, accident or repatriation of a participant.

Participants suffering from chronic diseases are advised to travel with enough medication to cover their entire stay during the Competition.

Article 18

Each participant is required to have an international travel document (passport or any other comparable travel document) valid for travel to the place indicated for the Competition.

The organizers will not be responsible for any inconvenience caused by the denial by competent authorities to a participant to cross the border on the grounds that s/he did not have the required travel document. It is the responsibility of each participant to ensure, with the authorized services in their home country, that they have all the documents required to travel.

To enter certain countries, it is necessary to have a certain vaccination card. It is the responsibility of the participant to be vaccinated and to obtain the said card.

The organizers shall not bear any costs related to the disembarkation or refusal by the competent authorities to a participant to continue their journey to the place of the Competition due to a failure to comply with the instructions given in the preceding paragraphs.

Subject to availability of funds, the organizers shall reimburse the visa fees of participants who must obtain a visa to enter the territory of the country where the Competition is held. The receipts issued for this purpose by the competent authorities shall be proof of the amount to be reimbursed.

Assignment of rights related to image

Article 19

Each participant authorizes the organizers and their partners to take, reproduce or distribute the photographs and videos taken during the entire duration of the program.

This assignment authorizes the organizers to use, reuse, publish, edit, copy, reproduce, adapt, modify these images by any technical process.

These images may be reproduced or used with other materials, including but not limited to texts, data, information or slogans, other images, photographs, drawings, illustrations, animations, graphics, video or audio segments of any nature, by any means, methods or techniques currently known or to be devised.

Authorization is given for all media: paper, fabrics, wood, plastic, computer, electronic, magnetic, digital, laser, optical and in general for all modes of diffusion including social networks (Twitter, Facebook, ...).

Authorization is given for all areas of operation: advertising, promotion, manufacturing, packaging, distribution, production, without this list being restrictive.

This transfer of rights is granted without charge for an unlimited period throughout the world, without prejudice to the preservation of the reputation and privacy of the transferor. On the other hand, no commercial exploitation of images will be made.

Anyone can, by mail, request the removal of their photos from the Program's database at concours.grandslacs@gmail.com. Such request shall take effect six (6) months after its receipt and twelve months after the end of the edition in which the applicant participated.

Final provisions

Article 20

This Regulation shall apply. The organizers reserve the right to modify some of its aspects according to the realities that may occur on the ground and the evaluation that will have been made by them.

Article 21

The schedules accompanying these Regulations form an integral part of its provisions.

Done at Kigali this 25th day of August 2018

Organizers

Initiatives for Peace and Human Rights (iPeace)

And

Comité pour le Concours Grands Lacs (CCGL)

ANNEX I: INSTRUCTIONS RELATED TO MEMORIALS

1.1. General presentation

Each memorial (applicant/defendant) must consist of the following documents:

- Two cover pages. On the first page, the identity of the participating team, including the name of the university of origin, the surnames and first names of the students, the surname and forename of the coach and the position supported (applicant or defendant). While the second page should remain blank with the only word "code". On this page will be transcribed the code that will serve as identification to the team throughout the Competition.
- A summary highlighting the key arguments. This summary shall not exceed one page (450 words)
- The actual memorial shall not exceed ten (10) pages (4,500 words) footnotes included, if any.
- The format of the text should meet the following criteria:
 - Line spacing: 1.5
 - Form: typed
 - Police: Times New Roman
 - Font size: 12
 - Margins: Height: 2 cm; Bottom: 2 cm; Right: 2 cm and Left: 2 cm.

Note: The organizers are particularly strict about meeting the criteria for the general presentation of memorials. Any team that does not respect these criteria is subject to penalties during the evaluation of memorials. On the number of pages in particular, the evaluator will not take into consideration any page after the tenth.

1.2. Submission of memorials

A copy of memorials supporting each position (an applicant's memorial and a defense memorial) must be sent to the Competition Coordinator no later than **20th November 2018 at 21:59 (GMT)**. Memorials must be sent as attachments (in PDF **and** WORD) to an email at the following address: concours.grandslacs@gmail.com

Any team that does not submit its memorials to the organizers before the deadline of 20 November 2018 shall be subject to sanction. The organizers determine the nature of this sanction, which could include refusal to take the memorials into account up to disqualification.

The organizers are not able to provide participants with the use of computers or photocopying machines during the competition. Each team shall bring two copies of its memorials as sent for its own use.

1.3. Evaluation of memorials

The submissions shall be assessed before the Competition by a panel of independent experts appointed by the organizers.

1.4. Use of adverse team’s memorials

As regards the phases of the preliminary rounds, no team shall have the right to consult beforehand or to be made aware of the content of the other teams' briefs before it is made available to them by the Coordination.

ANNEX II: INSTRUCTIONS FOR JUDGES

The allocation of marks during the Preliminary Rounds

Article 1

Each judge, individually and independently, shall evaluate each team standing in front of him/her, in accordance with the instructions given below.

A score of 100 shall be awarded in accordance with the evaluation criteria contained in article 3 (Oral presentation).

The judge shall assess each participant according to the criteria established on the evaluation grid. The total score obtained by the participants is the team's performance.

Memorials

Article 2

Memorials are evaluated by independent experts before or during the competition. These experts are not necessarily members of the sitting panels during the Advisory Panel and/or Elimination Rounds.

The judges shall receive parties' memorials at the beginning of the Elimination Rounds. They shall read the briefs before the meetings.

Submissions shall account for 40% of the final mark.

Oral presentation

Article 3

The oral presentation will be in two phases: Advisory Panel and Oral Pleading phase.

For each team, the Advisory Panel is to go through a panel of experts to answer specific questions relating to the application of the rules of IHL and human rights and the fictitious case. It is also intended to measure the participants' understanding of the indicative documentation made available to them by the pedagogical team.

The mark of the Advisory Panel shall account for 25% of the final mark.

During the oral pleadings, the judges shall evaluate the talents of the litigant and the oral presentation in general of each team which will plead before them during a specific session. In assessing the oral presentation, the judges will consider the following aspects - each litigant in his or her specific position:

- (a) Knowledge of facts; and correct and clearly stated analysis of the issues;
- (b) Knowledge of the various international (and, where appropriate, African) sources;
- (c) Reactivity (spirit of distribution)
- (d) General knowledge of the substance and procedure in international law;
- (e) Clarity and concision;
- (f) Ingenuity (the ability to argue by analogy with aspects directly related to international law);
- (g) Organization skills;
- (h) Force of persuasion;
- (i) Knowledge of legal principles that are directly related to the facts.

The oral pleading will count for 35% of the final mark.

Total points

Article 4

The average of the team shall be calculated by the Coordination by summing up the points for memorials, Advisory panel and Oral pleadings).

The first two teams in terms of the cumulative points (memorials, advisory panel and oral pleadings) shall face each other in the final stage where only oral performances will be taken into account when deciding on the winner of the edition.

Juries

Article 5

Each jury is chaired by a Guest Expert. The President shall maintain order in the courtroom, to ensure that the competition rules are respected.

Before the opening of each pleading, the President of the Jury shall ask each participant to identify himself/herself through his/her personal identification code and to tell the position they are submitting for (applicant or defense).

The president shall ensure that each member of the jury faithfully transcribes the codes thus given on the scorecard according to the position defended by each of the litigants before the beginning of the hearing.

Each session of hearing lasts 60 minutes evenly distributed between the two pleading parties. The intervention of all members of the jury should not take

a total of more than 10 minutes within the 60 minutes allocated to each hearing session.

At the end of pleading, each member of the jury independently evaluates each team and each pleader by filling in the form provided to this end.

The President of the Jury shall collect the correction sheets of each judge and transmits them under sealed cover to the Coordinator or to any other person designated by the latter.

Article 6

In evaluating the oral presentation of any team, experts should bear in mind that most participants will argue in a language that is not their mother tongue. The ease of speaking in French or English should therefore not determine the number of marks to be awarded.

Article 7

Since a team does not choose the position for which it pleads in a particular session, the award of points should not take into account the merits of the case but only the legal analysis and the ability of the participants to persuade the audience.

Article 8

The judges shall ask participants questions at any point in the proceedings without overlooking the importance of allowing the participants "to make their case".

Comments from judges shall be limited as much as possible. The main purpose of the oral proceedings is to allow judges to ask relevant questions in order to probe the knowledge and competence of the litigants.

The chairman of a specific panel shall ensure that the judges do not unduly interfere with the proper conduct of the proceedings and that they do not interfere unduly with the participants' arguments.

Article 9

No oral or written communication shall take place between judges and participants, or persons directly associated with them, before a case is taken for deliberation.

Judges shall be responsible for enforcing the competition rules during the proceedings. Any infringement of the rules shall be noted, agreed upon and

submitted to the organization through the Competition Coordinator, preferably accompanied by a proposal of the measures to be taken to make a decision.

Article 10

The judges are asked to write brief comments on the performance of each team that pleads before them.

Allocation of marks during the final

Article 11

During the final, the judges will award an overall score out of 100 which will only take into account the oral presentation of the members of each team. The criteria for the evaluation of the oral presentation during the preliminary rounds remain in force.

-END-