



ICC MOOT COURT COMPETITION

RULES OF PROCEDURE

FOR 2024 CHINA NATIONAL ROUND

Chapter 1 General Principles

Article 1 Aim of the Competition

- a. The International Criminal Court Moot Court Competition (hereinafter "ICCMCC" aims to stimulate students to better understand the mission and rules of the International Criminal Court (hereinafter "ICC" by simulating its trials through virtual cases. In addition, it seeks and establishes close links between the ICC and universities by disseminating information about the mission, functions, and jurisprudential developments of the ICC and other institutions that deal with international crimes.
- b. The 2024 **China National Round** will be held at China University of Political Science and Law in Beijing.
- c. The international final round will be held in the Hague, organized by the Organizing Committee in The Hague, The Netherlands.

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- a. International Criminal Court Moot Court Competition
ICCMCC ICC

ICC

ICC

- b. 2024

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Article 2 Organization

The 2024 China National Round is organized by the ICC China Organizing Committee seated at the China University of Political Science and Law (hereinafter "**the ICC China Organizing Committee**"). The official email address of the ICC China Organizing Committee is: ICCMCC24@163.com (hereinafter "ICC Organizing Committee Email Address").

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ICCMCC24@163.com

Article 3 Application of the Rules

- a. These rules are formulated with reference to the rules made by the ICC Organizing Committee in The Hague and are applicable to the ICC China National Round in 2024.
- b. All teams participating in China National Round shall abide by these rules and are presumed to be familiar with the provisions of these rules.
- c. The provisions of these rules shall apply to the entire period of China National Round.
- d. These rules shall be interpreted by the ICC China Organizing Committee. If any clarification of the rules is needed, the teams could contact the ICC China Organizing Committee via the official email address as designated in Article 2.

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- a. 2024 ICCMCC
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Article 4 Schedule of 2024 China National Round

- a. Each team must submit the registration form via e-mail to the ICC China Organizing Committee by 18:00 on December 17, 2023.
- b. Each team could raise Requests for Clarification (regarding the content of the case) via e-mail in

English to the ICC China Organizing Committee by 18:00 on December 24, 2023. The ICC China Organizing Committee will submit the collected Requests for Clarification to the ICC Organizing Committee in The Hague, Netherlands.

c. Each team must submit its Memorials via e-mail to the ICC China Organizing Committee by 18:00 on January 14, 2024.

d. The ICC China Organizing Committee staffs will conduct the formal examination of the Memorials sent by the teams, and the results of the formal examination will be sent to each team by January 28, 2024.

e. The ICC China Organizing Committee will organize Judges to evaluate the Memorials and the results will be sent to the teams by 24:00 on March 3, 2024, and the teams qualified to participate in the oral rounds will be announced.

f. The ICC China Organizing Committee will tentatively organize a draw for the teams qualified to participate in the oral rounds and announce the match ups on March 16, 2024, and the exchange of Memorials on March 17, 2024.

g. The Oral Round will be held offline from March 23, 2024 to March 24, 2024 tentatively.

4 ICCMCC

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Article 5 Eligibility

a. The participants representing each university must be enrolled undergraduate and graduate students of the university. For the sake of fairness, the oralists of each team must be Chinese nationals, and international students may participate in the China National Round as researchers or

coaches. If they are qualified to participate in the international round of the Competition in the Hague, the international students can participate as oralists.

b. Students who are not majoring in law but have the necessary knowledge of law, may also participate. Each team should ensure that its members have the appropriate knowledge to cope with the needs of the moot.

c. Students with formal legal practice experience (including those who are certified as lawyers, but excluding relevant legal professional internships) are not eligible to participate in the moot.

d. In principle, each university may send one team to participate in the China National Round. If different colleges within a university wish to register for the China National Round under the name of their college, their team members should be limited to students of that college and make a guarantee of independent participation, which will be approved by the ICC China Organizing Committee at its discretion to ensure the fairness of the Competition.

e. The students who had participated in this competition in previous years shall not be qualified to participate again.

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Article 6 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 restrictions on eligibility prescribed in Article 5 do not apply to coaches. The amount of team representatives may never exceed seven (7) at any moment in the Competition.

b. Each team must submit the names of its members in writing at the time of registration.

- c. Each team shall have a leader. For teams with a (Leading) Coach, the (Leading) Coach shall be the team leader. For teams without a Coach, the team leader shall be one of the speakers or researchers.
- d. Any changes in the team composition as it was at registration must be submitted by e-mail to the ICC China Organizing Committee in written form. The ICC China Organizing Committee will consider the requests in accordance with the principle of fairness and the actual circumstances.
- e. Each team should submit the names of speakers and researchers for each role (Defense Counsel, Counsel for the Prosecution and Victims Counsel) to the ICC China Organizing Committee before the Oral Rounds (the time will be notified later). Teams are allowed to change speakers and researchers out of necessity and only if they have explained to the ICC China Organizing Committee and received permission to do so. The roles in the name list are restricted to members in the registration form. The Coaches of each team are not permitted to act as speakers or researchers for either role.
- f. Coaches shall not act as the speakers or researchers in the competition.

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Article 7 Language

The International Criminal Court Moot Court Competition is held in the English language.

Article 8 Amendment of the Rules

- a. These rules will be amended by the ICC China Organizing Committee in consultation with the ICC as appropriate.
- b. The ICC China Organizing Committee reserves the right to amend the Rules when necessary after due consultation with the ICC. Any changes to the Rules will be sent to the team concerned by e-mail.

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- a. ICC
- b. ICC

Chapter 2 Management Rules**Article 9 Team Registration**

- a. Each team must submit the registration form to the ICC China Organizing Committee. The deadline for registration is at 18:00 on 17 December 2023.
- b. The registration deadline is specified in the notice. No later applications will be accepted.

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- a. 2023 12 17 18:00
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Article 10 Registration Fee

No registration fee is required. Teams will be responsible for their own expenses during the competition. But the representative team who participates in the oral stage court competition must pay a fee of 2000 yuan per team, and at that time, China University of Political Science and Law will issue an invoice for the "conference fee".

Article 11 Team Identification

- a. In the interest of fairness and objectivity, each team shall be assigned a team number upon their registration. This number becomes the team's identifier throughout the Competition.
- b. The team number will be sent to each team via e-mail after the closing date of the registration.

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Article 12 Case Publication

- a. The Competition case (hereinafter: "the case" will be made publicly available on the ICCMCC website (<http://icctc.cupl.edu.cn/>).
- b. Each team may request clarifications to the Case by 24 December 2023 at 18:00 to the ICC China Organizing Committee. All requests must be written in English. The ICC China Organizing Committee will submit the clarifications to the Organizing Committee in The Hague, The Netherlands. If a response is received, it will be sent back to the teams in time.
Each team may submit a maximum of ten (10) questions/requests for clarification. Any questions/requests asked after the deadline will not be answered.

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Chapter 3 Memorial

Article 13 Submission of Memorials

- a. Teams must submit their three (3) Memorials for electronic review to the Chinese Committee, prior to 14 January 2024, at 18:00 (6:00 p.m.) China Standard Time. A team will be disqualified from the competition if it does not submit its Memorials in time.
- c. Chinese Committee will organize a formal examination of the Memorials submitted by each team, and the results will be sent back to the teams by 28 January 2024.
- d. The scope and criteria of the formal examination are described in Articles 13, 15, 16, 17, 18, 19, 20 and 21 of the Rules.
- e. 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.
- f. Each team must submit its Memorials in both Microsoft Word and Pdf format. Failure to do so will be sanctioned with two (2) penalty points.

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Article 15 Anonymity in Memorials

- a. The following content must be left out in the Memorials.
 - i. Name of participants.
 - ii. Location of participants and institutions.
 - iii. Nation of teams.
 - iv. Institution name of teams.
- b. Any violation of this article will be sanctioned with ten (10) penalty points, with a maximum of forty (40) penalty points.

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Article 16 Font

- 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. Violations of this article are sanctioned with one (1) penalty point per violation.

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Article 17 Line Spacing

- a. The line spacing for all parts of the Memorial is to be 1.5 lines.
- b. Headings and subheadings of more than one line in length must be single spaced.
- c. Violations of this article will be sanctioned with one (1) penalty point per violation.

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Article 18 Word Li

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Article 20 Front Cover Requirements

a. The front cover (page) must contain the following information:

i. Team number.

ii. Role (Defense Counsel, Counsel for the Prosecution, and Victims Counsel).

iii. Title of the Competition (IBA ICC Moot Court Competition in the English language). iv. Year. (2024)

v. Total word count.

b. The front cover (page) must be colour coded accordingly:

i. Red for Defense Counsel.

ii. Green for Counsel for the Prosecution.

iii. Blue for Victims Counsel.

c. Violations of this article will be sanctioned with one (1) penalty point per violation.

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Article 21 Footnotes

a. Footnotes must be in Times New Roman font style, size 10 font.

b. Footnotes of more than one line in length must be single spaced.

c. Spacing between each footnote shall be single spaced.

d. Consistency in the reference to sources throughout the Memorial is required. A referred-to document should be easy to find using the footnote.

e. All the sources included in the index of authorities, must be included in the footnotes as well. f. Footnotes should be in a uniform format.

g. Abbreviations of sources within footnotes are allowed. The abbreviation must be announced in the index of authorities.

h. 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.

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Article 22 Scoring Structure Memorials

- a. The total score is 100 points.
- b. The scoring factors to be considered, without regard to their order of importance, shall include, but not limited to:
 - i. Proper and articulate organization and analysis.
 - ii. Knowledge of the facts and mastery of law.
 - iii. Citation of authoritative source.
 - iv. Persuasiveness, evidence of original thought, rationality of logic and reasoning.
 - v. Grammar, style and expression.

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Article 23 Plagiarism

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

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Article 24 Publication of Oral Round Provisions

The Oral Round Provisions will be released before December 24, 2023. After the announcement, the ICC China Organizing Committee will supplement and modify them appropriately and inform the teams in time.

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Article 25 Announcement of the Oral Round Finalists

The ICC China Organizing Committee will select a certain number of qualified teams to participate in the Oral Round based on the scores of each team's memorials. The relevant criteria will be announced before December 24, 2023.

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Article 26 Content

- a. Each team's oral pleadings should reflect speakers' profound understanding of ICC's rules of procedures and evidence as well as other principles of international criminal law.
- b. Each hearing shall take up to two (2) hours (including adjournments). Each team shall present its familiarity with ICC's rules of procedures.

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- a. ICC
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Article 27 Speakers

- a. Each team will have three (3) individual speakers. Every individual speaker of a team will represent Counsel for the Defendant, Counsel for the Office of the Prosecutor, and Victims Counsel. Each team has the right to decide who will participate in any rebuttal. Each speaker shall have the opportunity to address, and any speaker for the prosecution, defense, and victim respectively shall not change their role. The researcher shall not participate in preliminary presentation or rebuttal.
- b. Only two (2) members of each team, two (2) speakers, or one (1) speaker and one (1) researcher, are allowed to be present before the Bench.
- c. It is strictly forbidden to read memorials word by word in each hearing.

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Article 28 Scope of Pleadings

- a. Speakers are not allowed to introduce new issues in their presentation and rebuttal. However, they can explain the arguments in their memorials and response to all arguments and issues raised by the opposite teams.
- b. If any speaker puts forward new issues in the pleadings but not in the memorials, other speakers in other team can refer the situation to the Presiding Judge and support it with relevant content in the memorial.

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Article 29 Speaking Time

Each speaker shall present strictly in accordance with the time limits below, allocate time reasonably for each argument and reserve time for possible questions posed by the Bench Members.

- a. Presentation by Counsel for the Defendant: up to 20 minutes
- b. Presentation by Counsel for the Office of the Prosecutor: up to 20 minutes
- c. Presentation by Counsel for the Victims: up to 20 minutes.
- d. Questions posed by the Bench Members are included in the speaking time of the presentation.

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Article 30 Rebuttal

- a. Rebuttal by Counsel for the Defendant: up to 10 minutes.
- b. Rebuttal by Counsel for the Office of the Prosecutor: up to 10 minutes.
- c. Rebuttal by Counsel for the Victim: up to 10 minutes.
- d. Questions posed by the Judges are included in the speaking time of the rebuttal.
- e. Speakers are not allowed to introduce new issues in their rebuttal.
- f. All arguments and issues raised by opposite counsels during both presentation and rebuttal may be discussed during the rebuttal.

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Article 31 Bench Composition

- a. Each Bench will be composed of one (1) or two (2) Judges and one (1) Presiding Judge (appointed by the ICC China Organizing Committee or by consensus by the Judges participating in the Hearing) and shall be assisted by a Bench Clerk. If only two Judges score a given Hearing, the ICC China Organizing Committee shall create a third score by averaging the scores of the two Judges. 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. The Bench Members shall possess the knowledge and expertise in international (criminal) law.
- b. Any member of participating teams cannot be appointed as a Bench Member.
- c. Judges for the hearings can be different from the Bench evaluating the Memorials. All the Bench Members shall read the case and other explanatory documents provided by the case writer(s).
- d. 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.
- e. 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

f. The Bench will follow its own Rules of Procedure within the framework of accepted norms of judicial practice, and ~~has~~ ^{will} regard to questions of doubt or dispute in the procedure or facts. A decision of the Presiding Member of the Bench ~~shall~~ ^{will} be final.

h. Objections to the composition of the ~~tribunal~~^{arbitral} by the participating team based on a conflict of interest or prior relationship, etc. shall be communicated to the clerk ~~prior to~~^{prior to the} commencement of the trial. Objections shall be made public.

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- iv. facilitating the sessions' development;
- v. timekeeping.

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Article 33 Scoring

Scores are rewarded for the overall performance of the team during the presentation and rebuttal by the Bench Members.

- a. The total score is 100.
- b. Points are allocated as follows:
 - i. Organization, structure and analysis: max 20 points.
 - ii. Knowledge and use of rules and principles of law and the facts: max 20 points.
 - iii. Citation of authoritative literature: max 20 points.
 - iv. Persuasiveness, originality, logic and reason: max 20 points.
 - v. Performance: max 20 points.
- c. Score sheets will be emailed to each team upon the cessation of the Competition.

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Article 34 Penalties for Inappropriate Behaviour

- a. The participating coaches and members should maintain the fullest dignity and decorum and respect the Bench Members as well as the Organizers, not only in the Courtroom, but during the entire Competition.
- b. Inappropriate behaviour, blatant disregard for the procedures or disrespect to the Bench Members, the Organizers and other personnel may result in deduction of penalty points and in extreme cases to the disqualification of the team.
- c. The disposition of other inappropriate behaviour will be specified further in oral round provisions.

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Article 35 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 as per Article 41 (a) ROP may only take place upon prior approval from the judges and the Organization.
- c. Violations of this article are sanctioned with 50 penalty points.

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Article 36 Scouting

- a. Scouting is forbidden at all times during the Competition.
- b. Scouting is defined as:

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Article 36 Violations of the Rules

Violations of this article will result in disqualification. A team's disqualification is final and irrevocable.

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Article 37 Quarter-final Round and Final Round

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Article 38 Categories of the Awards

According to each team's scoring in memorials and oral rounds, the following awards will be given by the ICC China Organizing Committee:

a. Memorial Awards

Best Memorial Awards--the teams with top five total scores in the written round.

b. Speaker Awards

Best Oralist--the speaker with the highest total score awarded in the oral round of the Final Round.

Best Prosecution Counsel Speaker--the prosecution counsel speaker with the highest total score awarded in the oral round of the Preliminary Round.

Best Defense Counsel Speaker--the defense counsel speaker with the highest total score awarded in the oral round of the Preliminary Round.

Best Victims Counsel Speaker--the victims counsel speaker with the highest total score awarded in the oral round of the Preliminary Round.

c. Comprehensive Awards

Winner Team--the team with the highest score awarded in the Final Round.

First Runner-up Team--the team with the second highest score awarded in the Final Round

Second Runner-up Team--the team with the third highest score awarded in the Final Round

The Comprehensive Awards are given in accordance with each team's overall scores in the Preliminary Round and memorials. The number of awards will be determined by the Chinese ICC Committee based on the participation and the principles of ensuring the competition quality and encouraging more participation.

d. Other awards determined by the ICC China Organizing Committee.

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Article 39 Certificates

Upon completion of the entire program, each participating coach and member shall receive a certificate of participation.

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Chapter 5 Final Provisions

Article 40 Communications with the ICC China Organizing Committee

Each team can contact **the ICC China Organizing Committee** through official e-mail, which will respond to every team's compliant and advice.

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Article 41 Notification of Scores

Each team's scores in hearings and memorials will be notified in writing after the competition.

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