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Vellore Institute of Technology

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3rd VITSOL NATIONAL MOOT COURT COMPETITION ON INTERNATIONAL LAW 2018



MARCH 9th & 10th, 2018

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ON
INTERNATIONAL LAW**

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INTERNATIONAL COURT OF JUSTICE

**THE CASE CONCERNING USE OF FORCE TO PROTECT POPULATION
FROM ATROCITY CRIMES**

Democratic Republic of Kinrass

v

Democratic Republic of Minrass

JOINTLY NOTIFIED TO THE COURT ON 1st JANUARY 2018

MOOT COMPROMIS

1. Minrass is a democratic republic state having a diverse population following different religion, language, culture and tradition. A recent geological survey confirmed that the western part of Minrass is rich with natural resources such as oil, natural gas and other minerals. In 2015, it's GDP [nominal] stood at US \$76.7 billion and it's GDP [PPP] at \$345.5 billion. The income gap in Minrass is among the widest in the world, as a large proportion of the economy is controlled by a handful of followers of the former military government. Minrass is bordered by Nirlass and Kinrass to its west. Liata and Niata to its East and Cinra to its North and Northeast. The state has a common coast line with the Democratic Republic of Kinrass. Minrass was ruled by the British for over a century beginning of the series of war in 1845. The colonial policies encouraged migrant labors from other countries to settle at Minrass. Besides its original occupant Renjas, many Renjas from other countries entered Minrass a part of these policies in the 17th century. The British also promised Renjas a separate "Renja State", considering its distinct ethnic character, in exchange of support to the Second World War. During the Second World War, Renjas supported the British while nationalist groups of Minrass sided with Japan. After the success in the war Renjas were rewarded with equal opportunity in the government jobs. However, they were not given a separate state.
2. As of 2017, the population of Minrass is around 60 million; the capital is Yingre which is located at the central part of the country. During the colonial occupation many people from the neighboring states had immigrated into Minrass and today there are three main ethnic groups widely spread across the country. These groups are Jorbas, Horbas and Renjas. 95% of them are Buddhists, 3% Muslims, 2% Christians and 1% from other orders. Renjas, predominantly located in the western part of Minrass are Muslims, while Jorbas and Horbas are mostly Buddhists occupying rest of the areas. The official language in Minrass is 'Miru' but Renjas have a separate language and culture. They use 'Iblai', a distinct script that is followed only among the Renjas. The same language with the variations is also spoken in the neighboring country Kinrass.
3. Since independence the state of Minrass was governed by military heads who placed severe restrictions on freedom of speech and movement of Renjas. The democratic movement against the military regimes got suppressed by the government. The flagrant violations of human rights by the military were reported in the international media. The

first mass agitation against Minrass was organized by Renjas when a young college student was attacked and killed by non-Renjas but the government of Minrass brushed aside this incident as personal dispute between two groups and did not take appropriate legal action. The discriminatory policy of the state against Renja Muslims in education and employment continued. Despite violence and discrimination committed against minorities the government remained silent and inactive which lead to severe disappointment and frustration among the Renja youth leading to several mass agitations and protests.

4. The 1974 massacre in western parts of Minrass was a noticeable event wherein Muslims were brutally killed by the state military during mass agitations by Renjas claiming separate nation for Renja Muslims. The authorities saw the minority group as a threat to nationalist identities. They forcefully closed all social and political organizations of Renjas and transferred privately owned Renja businesses to the government, crippling the group financially. Further, the Renjas were subjected to forced labor, arbitrary detention and physical assaults according to the media reports in the west.
5. Due to international pressure in 1985, democratic elections were conducted in Minrass and the newly elected government promised that the demands of Renjas will be considered appropriately. However, the promise remained only a promise with the government taking no further steps to fulfil the same. Meanwhile, the government conducted a joint survey with the assistance of state Priga to study the availability of resources throughout the country. The final report indicated the availability of huge potential of oil and natural gas resources in the western part of Minrass comprising of the districts - Likon, Yiren, Vigen and Wigan, however the report was not made public.
6. The discriminatory policy and violence targeting Renjas became a day-to-day affair in Minrass. In 1986, the government amended the Constitution by which the conditions for citizenship and nationality had been modified, as a result many Renjas lost their citizenship and legal status remained ambiguous as the government only issued certificates of residence and temporary voting rights. This weakened the community further, both morally and economically, as they were denied access to education, employment and to contest in national elections. The violent acts committed against Renjas in Minrass was condemned by United Nations General Assembly and several resolutions were passed between 2000 and 2010. In January 2007, as a significant move, the government passed an order which categorically barred the Renjas with certificate of residence and Renjas were asked to surrender their voting cards. Justifying this policy,

the Home Minister during an interview had stated “*Renjas are illegal immigrants from the neighboring state Kinrass. They are not citizens, hence the government decided to disqualify them from casting votes in Minrass*”

7. This policy of Minrass was opposed by Renjas Movement for Democracy (RMD) a youth organization which was legally and politically fighting for right to self-determination of Renjas. The RMD called for peaceful mass agitation against the policy of hatred and discrimination by the government of Minrass. On the same day of announcement of protests, the government arrested RMD leader Mr. Yunki and his arrest led to serious violence between the state and Renjas in which thousands of Renjas were brutally killed, raped and lost their properties. Unable to bear the human rights violations and genocidal attacks, around two lakh refugees left the country on foot by crossing the waters to take shelter in neighboring Kinrass. The state media in Minrass hardly published any news of this violent incident but the media in Kinrass reported this as state-sponsored massacre. The state-unleashed violence on its own minorities was condemned by the neighboring states; however, the government of Minrass outrightly refused the allegations and blamed RMD for instigating the young Renjas to wage a war against Minrass and also hinted that these radical fringe elements were involving in terrorist activities assisted by the government of Kinrass. The UN Security Council condemned all acts of violence against the Renja population as well as all terrorist acts by any party. **(Refer Annex-1)**
8. According to an independent NGO report, due to the discriminatory policies followed by the government and repeated attacks on Renjas, more than eight lakh Renjas, for safety reasons, moved to Kinrass as refugees between February 2007 and December 2017. Initially the Government of Kinrass was sympathetic to the cause of Renjas and generously supported the refugees by providing food, shelter, and medical aid. However, when the influx of refugees started overflowing in an unprecedented magnitude which exerted pressure on the resources of Kinrass, there was a cry by opposition parties that scarce resources of Kinrass should not have been spent on refugees at the cost of its citizens. As a response, the government decided to send back the refugee which was heavily criticized by the United Nations prompting Kinrass to continue with assistance. To ease the refugee pressure in Kinrass, the Governments decided to discuss the issue and the foreign ministers of both states jointly issued a communique, agreeing to mutually defuse the refugee crisis through all possible ways. On the same day, both countries signed an agreement with an understanding of jointly exploring the availability

of oil resources and to construct an oil pipeline between the western part of Minrass and Kinrass. This decision for exploration of resources was seriously objected by Renjas as they felt that their permanent sovereignty over natural resources has been compromised. They complained that the states have deliberately taken a decision of exploration into their native lands without taking them into confidence. The local NGOs also opposed any such activities in the western parts as that would badly affect the ecology of the place and blamed the government of Minrass for using the exploration of resources as a strategy to forcefully acquire the lands of Renjas. However, the diplomatic efforts in gaining contract for oil and gas exploration did not bring any fruit due to the announcement of elections in Kinrass.

9. On August 15, 2017 the election results were announced in Kinrass and the opposition party came into power with absolute majority. The new Prime Minister of Kinrass, Mr. Inkeril conducted a cabinet meeting in which one of the agenda was on defusing refugee crisis. The cabinet unanimously decided to create a climate where Renjas could return home with a definite legal status. In response to this, the Prime Minister of Kinrass called the Prime Minister of Minrass and shared his concerns about the refugee crisis and suggested that Minrass provide safety for the returning refugees to their homeland. The PM of Minrass refused to discuss on refugees and advised Kinrass not to interfere in the domestic matters of Minrass.
10. The stand taken by Minrass led to serious political debates in the United Nations General Assembly. UNGA adopted a resolution on March 2017 without a vote which condemned the inhumane and discriminatory policies undertaken by the government of Minrass against Renjas. The UN human rights chief and other countries categorized the act as ethnic cleansing.
11. The very next day, large scale violence erupted in the state of Minrass when a group of young Renjas opposed the forceful entry of the military forces into their homes under the pretext of regular security checks. The military troops ransacked villages, religious places and pillaged private properties. Young Renja women were brutally raped and killed, men were arrested during late hours and went missing. In response, around 500 members of RMD attacked vehicles and threw petrol bombs into cantonments of the armed forces. However, no casualty was reported as Renjas could not withstand the retaliation by the armed forces. Due to the brutal attacks by the military forces, on the same night more than 3 lakh Renjas moved to the neighboring state Kinrass.

12. Thereupon the matter was placed before the UN Security Council by Kinrass calling for an urgent need to protect the rights and personal safety of Renjas. The UN Security Council adopted a resolution imposing further economic sanctions upon Minrass that led to severe economic losses to the state of Minrass. **(Refer Annex-2)**
13. Despite economic sanctions Minrass refused to discuss on the refugee issue and firmly opposed any idea of accepting their return. This adamant attitude and non-cooperation forced the Security Council to convene another urgent meeting for considering further sanction. In that meeting a resolution was adopted under Chapter VII of the UN Charter for protecting the rights of the refugees including their return to homeland by all possible means. **(Refer Annex-3)**
14. In the meantime, RMD called for a referendum in the western districts asking for a separate Renja state. 97% of the population supported the independence for 'Renja State'. The RMD party was unanimously invited to form the government. Mr. Yunki was elected as the Prime Minister and other cabinet members were also nominated from RMD. In a public assembly RMD declared an independent "Renja State". After the swearing-in ceremony Mr. Yunki spoke to the PM of Kinrass thanking him for providing shelter to the Renjas during the refugee crisis and also called upon all Renjas to return back to the new State. Since then around three lakh Renjas returned back to their native state. Kinrass was the first state to recognize that new Renja state. It was alleged that arms and ammunitions were procured by Renja refugees in Kinrass for RMD and smuggled them to Renja state. The PM of Kinrass invited Mr. Yunki to visit his country; both the leaders shared their interest on strengthening the bilateral relationship between Kinrass and Renja State. They also discussed to establish Oil Refineries in the Renja state jointly and promised to provide all support to the new state.
15. The PM of Minrass condemned the unilateral decision of the Renjas forming a new state and declared their action as illegal. In addition to this, military forces of Minrass were deployed into the newly declared Renja State. The back flow of refugees to their homeland was affected due to the attack from Minrass side. Mr. Yunki approached Kinrass for a logistic support for the safe return of refugees and subsequently armed forces from Kinrass were sent to the Renja State to ensure the safe return of refugees backed with UNSC resolution.
16. This action of Kinrass was strongly condemned by Minrass as a violation of state sovereignty and the established norms of international law. The government of Minrass made a statement that the Kinrass troops occupying the western parts must leave the

territory failing which Kinrass will have to face severe consequences. The government of Kinrass announced its position that its action was in accordance with the UN Charter and has not violated the sovereignty of any state; rather has fulfilled the obligation of a civilized state.

17. Kinrass and Minrass alerted the armed forces to get ready for the conflict. Since the situation was escalating, the neighboring state Nirlass being a friendly country to both sides sent its envoy to Kinrass and Minrass to find an amicable solution. Both the states after series of discussion decided to refer the matter to the International Court of Justice. Accordingly, Minrass and Kinrass entered into the special agreement on January 1, 2018 and submitted the same to the International Court of Justice in accordance with Article 40(1) of the statute of the Court.

Accordingly,

Minrass as Applicant requests the Court to adjudge and declare that

1. Kinrass has violated the territorial integrity and political independence of Minrass violating International Law and the UN charter
2. Kinrass is liable for supporting and harboring terrorist elements against Minrass
3. Kinrass is liable to compensate the people of Minrass for the loss of life and property.

Kinrass as Respondent requests the Court to adjudge and declare that

1. Kinrass has not violated the territorial integrity and political independence of Minrass and it has acted within International Law and UN charter.
2. Kinrass has not supported or harbored terrorist elements against Minrass
3. Kinrass is not liable to compensate the people of Minrass for the loss of life and property.

Minrass and Kinrass are both members of United Nations. Both the countries are signatories to United Nations Charter, 4 Geneva Conventions of 1949 and other Human Rights instruments.

* The relevant portions of the UNSC resolutions are attached as Annexures.

ANNEXURE – 1

RESOLUTION XXXX (2010)

Adopted by the Security Council at its XXXX meeting, on June 2010

The Security Council,

Bearing in mind the purposes and principles of the Charter of the United Nations, and the primary responsibility of the Security Council for the maintenance of international peace and security,

Recalling its resolutions XXXX (2007) of 31 March, XXXX (2008) of 23 September 2008

Regretting that there has not been full compliance with the requirements of these resolutions,

Condemning all acts of violence against the Renja population as well as all terrorist acts by any party,

Recalling the statement made by the Secretary-General on 9 April 2000, expressing concern at the humanitarian tragedy taking place in Minrass.

....

Requests the Secretary-General to continue to provide his good offices and to pursue his discussions relating to Minrass, involving all relevant stakeholders and including the concerns addressed in herein, and in this regard to appoint a special envoy on Minrass and to offer assistance to the Government of Minrass;

Decides to remain seized of the matter, inter alia, on the basis of the reports of the Secretary-General, the fact-finding mission and the Special Rapporteur of the Human Rights Council and the special envoy on Minrass.

ANNEXURE – 2

Resolution XXXX (2017)

Adopted by the Security Council at its XXXX meeting, on Oct 2017

Recalling its resolution XXXX (2017) of Sep 2017,

Deploing the failure of the Minrass authorities to comply with resolution XXXX (2017) Security Council,

Expressing grave concern at the situation in the Minrass and condemning the violence and use of force against civilians,

Deploing the gross and systematic violation of human rights, including the repression of peaceful demonstrators, expressing deep concern at the deaths of civilians, and rejecting unequivocally the incitement to hostility and violence against the civilian population made from the highest level of the Minrass government,

Considering that the widespread and systematic attacks currently taking place in the Minrass against the civilian population may amount to crimes against humanity,

Expressing concern at the plight of refugees forced to flee the violence in the Minrass,

Recalling the Minrass authorities responsibility to protect its population,

....

....

Asset freeze

Decides that the asset freeze imposed in resolution XXXX (2010) shall apply to all funds, other financial assets and economic resources which are on their territories, which are owned or controlled, directly or indirectly, by the Minrass authorities, as designated by the Committee, or by individuals or entities acting on their behalf or at their direction, or by entities owned or controlled by them, as designated by the Committee, and *decides further* that all States shall ensure that any funds, financial assets or economic resources are prevented from being made available by their nationals or by any individuals or entities within their territories, to or for the benefit of the Minrass authorities, as designated by the Committee, or individuals or entities acting on their behalf or at their direction, or entities owned or controlled by them, as designated by the Committee, and directs the Committee to designate such Minrass authorities, individuals or entities within 30 days of the date of the adoption of this resolution and as appropriate thereafter.

ANNEXURE – 3

Resolution (2017)

Adopted by the Security Council at its XXXX meeting, on Nov 2017

The Security Council,

Recalling its resolution XXXX (2017) of Oct 2017,

Deploring the failure of the Minrass authorities to comply with resolution XXXX (2017),

Expressing grave concern at the deteriorating situation, the escalation of violence, and the heavy civilian casualties,

Reiterating the responsibility of the Minrass authorities to protect the Renja population and *reaffirming* that parties to armed conflicts bear the primary responsibility to take all feasible steps to ensure the protection of civilians,

Condemning the gross and systematic violation of human rights, including arbitrary detentions, enforced disappearances, torture and summary executions,

Reiterating that the widespread and systematic attacks currently taking place in Minrass against the civilian population may amount to crimes against humanity,

Expressing its determination to ensure the protection of civilians and civilian populated areas and the rapid and unimpeded passage of humanitarian assistance and the safety of humanitarian personnel,

Recalling the condemnation by the regional organizations and NGO's and the serious violations of human rights and international humanitarian law that have been and are being committed in the Minrass.

Determining that the situation in the Minrass continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Demands* the immediate establishment of a cease-fire and a complete end to violence and all attacks against, and abuses of, civilians;
2. *Stresses* the need to intensify efforts to find a solution to the crisis which responds to the legitimate demands of the Renja people.

3. *Notes* the decisions of the Secretary-General to send his Special Envoy to Kinrass with the aim of facilitating dialogue to lead to the political reforms necessary to find a peaceful and sustainable solution;
4. *Demands* that the Minrass authorities comply with their obligations under international law, including international humanitarian law, human rights and refugee law and take all measures to protect civilians and meet their basic needs, and to ensure the rapid and unimpeded passage of humanitarian assistance.
5. *Authorizes* Member States and relevant international organizations to establish with an object of the international security presence in Minrass with all necessary measures:
 - a. *Facilitating* a political process designed to determine “Renja State”;
 - b. *Supporting* the reconstruction of key infrastructure and other economic reconstruction;
 - c. *Maintaining* civil law and order, including establishing local police forces and meanwhile through the deployment of international police personnel to serve in Minrass;
 - d. *Protecting* and promoting human rights;
 - e. *Assuring* the safe and unimpeded return of all refugees and displaced persons to their homes in Minrass;

....

....

ANNEXURE – 4



- Districts of Likon, Yiren, Vigen and Wigan

RULES OF THE COMPETITION

1. THEME AND DATE

The 3rd VITSOL National Moot Court Competition on International Law shall be held from March 9, 2018 to March 10, 2018.

2. LANGUAGE

The Competition shall be conducted in English language only.

3. ELIGIBILITY

The Competition is open for students pursuing three or five-year LL.B Degree Course from any recognized College/University/Law School subject to the fulfilment of registration formalities.

4. TEAM COMPOSITION

- 4.1. Each Team shall consist of a minimum of two members and a maximum of three members.
- 4.2. Every Team shall consist of two speakers and a maximum of one researcher.

5. REGISTRATION

- 5.1. Teams from each Participating Institution are requested to fill the Registration Form and Travel Details at <https://goo.gl/forms/aMtPmTCxb0GLCgnh1> in order to confirm their participation.
- 5.2. Teams will be registered upon receipt of Original DD (Rs. 2500/-) in favor of “VIT University, Chennai”.
- 5.3. Teams which are registered according to Rule 5.2 will be provided with a Team Code, which will be intimated to the official E-mail ID.
- 5.4. The details provided in the registration form shall be final for the purposes of certificates and awards.

6. MEMORIAL EVALUATION AND QUALIFICATION

- 6.1. The Team must send a Soft Copy of their memorial for evaluation to chennai.vitsolmcs@vit.ac.in.

- 6.2. Late submission shall attract a penalty of one point per side (Applicant and Respondent) for every 12-hour delay.
- 6.3. Memorial submitted as per Rules 6.1 and 6.2 will be considered for evaluation.

7. ORAL ROUNDS

- 7.1. The student counsels shall not state their names during Oral rounds, and must use their Team Code assigned to the Team.
- 7.2. There shall be two preliminary rounds, a quarter final round, a semi-final round and a final round. If the number of Teams participating is less than twelve, there shall be no quarter final round.
- 7.3. During the Oral Rounds:
- 7.3.1. Each Round will take place for a total of ninety (90) minutes. Applicant/s and Respondent/s are each allotted forty-five (45) minutes.
 - 7.3.2. The Team may not allocate more than twenty-five (25) minutes, including rebuttal or surrebuttal, to either Oralist.
 - 7.3.3. Time allocated but not used by one Oralist may not be used by another Oralist, or in rebuttal or surrebuttal.
 - 7.3.4. Judges may, at their discretion, extend total Team argument beyond the forty-five (45) minute allocation.
 - 7.3.5. Each Team may reserve up to ten (10) minutes for rebuttal or surrebuttal.
 - 7.3.6. The arguments should be confined to the issues presented in the memorial.
 - 7.3.7. The Researcher needs to be present with the Oralists during the oral arguments.
 - 7.3.8. The Researcher is not allowed to pass notes to the Speaker during the Rounds. Maximum scores for the Oral Rounds shall be 100 points per speaker.
 - 7.3.9. The Oral Rounds shall be judged on the following criteria:
 - i. Knowledge of Law: 20 points
 - ii. Application of Law to Facts: 20 points
 - iii. Ingenuity and ability to answer questions: 20 points
 - iv. Style, Poise, Courtesy and Demeanor: 20 points
 - v. Time Management: 10 points
 - vi. Organization: 10 points

- 7.4. Only the Oral Communications described in Rule 7.3 are permitted. In particular, no written communication or exhibits may be presented or delivered by any Team member to any Judge or Court Officer during the oral rounds
- 7.5. Oral Courtroom Communication and Activity at the Counsel Table – Communication at the Counsel Table between Team Members may only be in writing to prevent disruption. Team and Team-affiliated spectators shall avoid all unnecessary noise, outbursts, or other inappropriate behavior which distracts the Court from the arguments in progress. Any such incident, if reported by the presiding Judges, shall lead to disqualification.
- 7.6. Written Courtroom Communication – Written Communication during the Oral Rounds shall be limited to the Team members sitting at the counsel table. No other written communication may take place between any combination of the following parties: judges, the oralist, Team Members sitting at the counsel table, or spectators (including Team Members sitting in the audience). Violation of the Rule will lead to disqualification.

8. PRELIMINARY ROUNDS AND QUARTER FINAL ROUNDS

- 8.1. Lots will be drawn during the orientation after the Inauguration Ceremony. The Exchange of Memorial will take place in the same evening.
- 8.2. There will be two preliminary oral rounds per Team.
- 8.3. No two Teams shall face each other more than once in the Preliminary Rounds.
- 8.4. All efforts will be made to ensure that no Team faces the same Bench more than once.
- 8.5. The Quarter Final Rounds shall be based on ranks obtained in the Preliminary Round. The Top 8 Teams which have the highest aggregate Memorial Scores and Preliminary Oral Rounds scores shall qualify for the Quarter Final Rounds.
- 8.6. In case of tie, in the Preliminary Oral Round the highest Oral Round score will be the determinant factor to resolve the tie.
- 8.7. The Top 4 Teams which have the highest Quarterfinal Oral Round score will qualify for the Semi-Finals. Memorial Scores will not be included while calculating the Quarter Final scores except in case of Tie.

9. SEMI-FINAL AND FINAL

- 9.1. The Semi- Final shall be knock-out rounds.
- 9.2. Memorial Scores will not be added to the scores of Semi-Final and Final Rounds.

10. SCORING AND RESULTS

- 10.1. Each Judge will score each Memorial on a scale of fifty (50) points.
- 10.2. Each Judge will score each Oralist on a scale of hundred (100) points.
- 10.3. The Results will be announced after each Round.
- 10.4. The Result of the Final Round shall be announced at the Valedictory ceremony.

11. MEMORIALS

The following guidelines must be strictly followed for the memorials. Non-compliance will entail penalties as provided below:

- 11.1. Teams have to prepare Memorial for both sides.
- 11.2. All soft copies must be entailed in .PDF (Portable Document Format) only. Any other file extension will entail a penalty of 2 points. Attachments should be titled as <Team Code> <A> for Applicant side and as <Team Code> <R> for Respondent side. E.g., 30A and 30R. The soft copies of the memorials must be emailed to chennai.vitsolmcs@vit.ac.in. Each Team must ensure that the subject of the email reads “Memorial Submission by Team Code_____”.
- 11.3. The Teams are required to submit 5 hard copies of the memorial for each side on or before the last day. Delay would entail a penalty of 2 points per day.
- 11.4. Teams must not disclose the identity of their College/University anywhere in the Memorial. Team Code assigned to each Team shall be mentioned at the top right corner of the cover page of the memorial.
- 11.5. The Team shall not mention anywhere, their identity including the institution name other than the Registration Form. Non-compliance with this Rule will entail penalties which may extend to disqualification.
- 11.6. The content of the Hard Copies must be the same as that of soft copies. Non-compliance with this Rule will entail penalties which may extend to disqualification.
- 11.7. The memorials have to be submitted on A4 size paper, printed on only one side, and must contain the following sections:
 - i. Cover Page;
 - ii. Table of Contents;
 - iii. Index of Authorities;
 - iv. Statement of Jurisdiction;

- v. Statement of Facts;
- vi. Statement of Issues;
- vii. Summary of Arguments;
- viii. Arguments Advanced; and
- ix. Prayer

Non-compliance with this Rule with respect to sections (i) to (vii) and (ix) will result in a penalty of 1 point per missing section. Non-compliance of the Rule with respect to section (viii) will result in the Memorial not being considered for evaluation at all.

- 11.8. The Memorials must be printed in Times New Roman font, font size 12 with 1.5-line spacing. All paragraphs must be justified aligned. The footnotes must be in Times New Roman font, font size 10 with single line spacing. The arguments advanced should not exceed 15 pages. The memorial as a whole should not exceed 30 pages including the cover page. The memorials should have a margin measuring one inch on all sides of each page. The numbering should be on the bottom and center of each page. The Applicant memorial cover page shall be printed on blue color A4 size paper, and the Respondent memorial on red color A4 size paper. A uniform style of citation according to Bluebook 19th Edition should be followed throughout the memorial.

Non-compliance would result in a penalty of maximum of 10 points.

- 11.9. The maximum scores for the memorial shall be 100 points. The memorials shall be evaluated on the following criteria:
- i. Knowledge of Law and Facts; 25 points
 - ii. Proper and Articulate Analysis: 25 points
 - iii. Extent and use of Research: 20 points
 - iv. Clarity and Organization: 20 points
 - v. Grammar and Style: 10 points

- 11.10. Memorial Scores shall be added to the Oral Score only in the Preliminary Rounds. In case of tie, the Oral Scores will be taken to determine the higher placed team.

12. JUDGES AND ELIGIBILITY TO JUDGE

- 12.1. The Chairman will determine the eligibility of persons to serve as Judges.

- 12.2. Unless expressly permitted or approved by the Chairman, Team Advisors, or others directly affiliated with a Team, may not act as Judges in any Round until the Team they advise has been eliminated from the Competition.
- 12.3. Affiliations which Do Not Constitute Conflict of Interest – The difference between a mere Affiliation and a Conflict of Interest is the reasonable inference of partiality. Absent additional facts.

13. ANONYMITY OF TEAMS

- 13.1. Judges should not attempt to ascertain the school of any Team during a competition. However, in circumstances where the judge believes his or her evaluation of a particular Memorial would be affected by knowledge of whether or not the primary language used by the Team Members in their legal studies is English, the judge may request VITSOL MCS Convener to reveal this information.

14. ORAL ROUND CONFLICTS OF INTEREST

- 14.1. For the purpose of this Rule, the following **definitions** shall apply:
- 14.1.1. With respect to a given Oral Round, an “Affiliation” means a personal or professional between a judge and a school, coach, or Team member that is participating in the competition in which the judge is participating.
- 14.1.2. With respect to a given Oral Round, a “Conflict of Interest” means an Affiliation which would, in the eyes of a reasonable observer, create an inference that the affiliated judge would be unable to be impartial as to the conduct or result of the Oral Round.
- 14.2. Prohibition and Mitigation of Conflict of Interest. The Convener should avoid placing a judge into an Oral Round in which he or she has a Conflict of Interest. In the event the Convener is unable to avoid a Conflict of Interest, the Convener should take responsible steps to mitigate the effects of the conflict on the Oral Round.
- Such steps might include:
- 14.2.1. Obtaining a waiver from both Teams in the Oral Round
- 14.2.2. Informing the other members of the panel of the judge’s affiliation
- 14.2.3. Adding to the panel a judge with a proportional Affiliation with the opposing Team, and

14.2.4. Assigning a neutral official to observe the Oral Round and the subsequent deliberations to determine whether the Conflict of Interest affected the outcome of the Oral Round.

14.3. Waiver by Consent of Both Teams- Any Conflict of Interest shall be cured by the express oral or written waiver, either before or after the Oral Round, of both Teams. In this event, neither Team may later file an appeal or other complaint on the basis of Conflict of Interest.

In Addition:

14.3.1. If a Team is aware of an Affiliation before the commencement of an Oral Round and fails to report it, before the Oral Round begins, it shall be deemed to have waived the Conflict of Interest.

14.3.2. If a Team becomes aware of an Affiliation after the completion of an Oral Round and fails to report before the completion of the Tournament, it shall be deemed to have waived the Conflict of Interest.

14.4. Prophylactic Avoidance of Conflicts- It is the duty of a judge to report any Affiliations at the time he or she registers to judge or, subsequently, directly to the Convener in advance of the Competition. The Convener shall investigate any alleged Affiliation (whether self-reported by a judge or otherwise) and shall determine whether such Affiliation constitutes a Conflict of Interest.

14.5. Reporting Obligation of Teams- If a Team believes that an Affiliation exists which may form the basis of a Conflict of Interest, it shall promptly inform the Convener. The Convener shall take appropriate steps to investigate and, if he or she determines that a Conflict of Interest exists, to eliminate or mitigate such Conflict of Interest. The Team's failure to timely inform the Convener will constitute a waiver under Rule 14.3.

15. SCOUTING

15.1. No member of any Team will be permitted to hear the arguments in any Court Room in which that Team is not one of the contesting teams is whilst that Team is still in the Competition. Scouting by any Team in any manner shall result in instant disqualification.

16. AWARDS AND PRIZES

- 16.1. Winning Team Award: A trophy and a cash prize
- 16.2. Runners-up Team Award: A trophy and a cash prize
- 16.3. Best Memorial: A trophy and a cash prize
- 16.4. Best Speaker: A trophy and a surprise prize
- 16.5. Certificates will be provided to the Team with the Second-Best Memorial, Second Best Speaker.
- 16.6. In addition to the above, a Certificate of Participation will be awarded to all the participations.

17. DECISION OF THE JUDGES SHALL BE FINAL

18. ACCOMMODATION, FOOD AND TRANSPORTATION

- 18.1. Transportation would be provided for the Teams from the Railway Station or Airport upon arrival. Multiple pickups for a single team will not be entertained. The Teams however, must make their own arrangements during departure.
- 18.2. All Teams would be assisted by an Usher, who shall be the single point of contact for the Team with regard the Moot Court Competition. The Usher will also intimate the Team on the accommodation provided to them. Food will be provided free of cost.
- 18.3. Accommodation will be provided only on the days of the competition.
- 18.4. Food will be provided only on the days of the competition.

19. CLARIFICATION REGARDING THE MOOT PROPOSITION

- 19.1. All queries relating to clarifications regarding the Moot Proposition should be sent to chennai.vitsolmcs@vit.ac.in.

20. AUDIO AND VIDEOTAPING

- 20.1. Audio and Videotaping of the Court Room proceedings is strictly prohibited. Violation will entail a penalty of disqualification.

21. COMPUTERS, MOBILE PHONES, AND OTHER ELECTRONIC DEVICES IN COURTROOMS

- 21.1. During an Oral Round, Oralists at the podium and participants seated at the counsel table may not operate, for any purpose, mobile phones, laptops, PDAs, or

any other electronic devices, particularly those with internet connectivity, or have instant messaging capabilities. All such devices, including mobile phones, must be turned off and removed from sight as Judges enter the room, and must remain switched off and out of sight until the conclusion of the Oral Round. A Team that violates this Rule forfeits up to up to thirty Oral Round Points.

22. CONTACT

22.1. In case of any queries or clarification regarding the Moot Court Competition, contact:

- i) Vedhavel - +91-94443 06908
- ii) Varsha S Pillai - +91-94959 64764
- iii) Adyasree Prakriti Sivakumar - +91-80562 40731

22.2. E-Mail ID: chennai.vitsolmcs@vit.ac.in. Mails would be replied within 24 hours of receipt.

22.3. Queries Regarding Propositions should only be sent to the E-Mail Address of the Moot Court Society. Phone calls will not be entertained.

Address:

Dean, VIT School of Law,
VIT Chennai Campus, VIT University,
Vandalur-Kelambakkam Road,
Chennai – 600127.

3rd VITSOL NATIONAL MOOT COURT COMPETITION ON
INTERNATIONAL LAW 2018

IMPORTANT DATES

S. No.	PARTICULARS	DATE	TIME [in Indian Standard Time (IST)]
1.	Registration Form and Travel Details https://goo.gl/forms/aMtPmTCxb0GLCgnh1	16 th February 2018	2359 hours (11:59 PM)
2.	Hard Copy of Demand Draft	21 st February 2018	-
3.	Moot Proposition clarification	on or before 23 rd February 2018	-
3.	Soft Copy of Memorials	on or before 4 th March 2018	2359 hours (11:59 PM)
4.	Hard Copy of Memorials	on or before 7 th March 2018	1600 hours (04:00 PM)
5.	Competition	9 th and 10 th March 2018	-