

OFFICIAL RULES**THE 19th MALAYSIAN NATIONAL INTERNATIONAL HUMANITARIAN
LAW (IHL) MOOT COURT COMPETITION**

19 – 20 November 2022

Ahmad Ibrahim Kulliyah of Laws, International Islamic University
Malaysia

Note: As the Competition will be held face to face this year, the Official Rules is significantly different from the 2020 and 2021 editions. PLEASE READ THOROUGHLY. An **online briefing** explaining this year's flow of the competition will be held on **14 October 2022**.

Chapter I: Rules for Registration

Chapter II: Rules for Memorials

Chapter III: General Rules

For correspondences and more information, please contact:

Aisya Abdul Rahman (Ms)

Secretariat of the National IHL Student Competitions 2022

c/o International Committee of the Red Cross (ICRC)

Kuala Lumpur Regional Delegation

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Chapter I**RULES FOR REGISTRATION****1. Eligibility**

- (a) This Competition is open to all accredited public and private higher academic institutions in Malaysia. Each institution may register **up to two (2) teams** for this Competition (*see also Ch I Rule 2*).
- (b) Students participating in this Competition must be **actively enrolled** with their institution in the 2022-2023 academic year and are **not expected to graduate before April 2023**.¹

¹ This requirement of eligibility is included to assure the team/s' eligibility to represent Malaysia in 21st Red Cross International Humanitarian Law Moot that will be conducted by the Hong Kong Red Cross and the ICRC in 2023

- (c) No team shall have any member who has previously reached the final of this Competition, nor participated in the Asia-Pacific Regional IHL Moot Court Competition co-organized by the ICRC and Hong Kong Red Cross.
- (d) Students with professional legal practice qualification are **prohibited** from participating in this Competition.
- (e) Institutions are encouraged to register **diverse teams** comprising different sex, religion, race, ethnicity, age, disability, and academic disciplines.

2. Competition Format

- (a) Each team shall consist of **four** students: **two** of whom are **mooters, one researcher, and one alternate who can be either mooter or researcher in case of emergency**. All four team members must be identified and registered, failing which may amount to disqualification.
- (b) **Preliminary Oral Rounds:** The Secretariat will match teams for the first round according to their memorial scores and assign teams with Prosecution or Defence based on a drawing of lots. All teams will be notified of their matches and roles one week before the Competition. Teams with the top cumulative scores will advance to the knockout advanced rounds.
- (c) **Advanced Oral Rounds:** The team with the higher score wins the match and advances to the next knockout round(s) until the final.

3. Registration Fees

Each participating institution shall pay a registration fee of **RM 200.00 only**, by **15 September 2022**, via online transfer to:

UIAM OPERATING ACCOUNT
Account no. 1407-0000004-71-6
Bank Muamalat Malaysia Berhad

Please indicate the abbreviation of the institution and purpose of the transfer on the reference details column of the online banking transfer form (e.g., 19MC-XXXX).

The registration fee will be forfeited in the event of a withdrawal. The preferred form of payment is by online bank transfer.

Please e-mail a copy of the proof of transfer to **Ms Zanariah Osman** (shahzana@iium.edu.my), Ahmad Ibrahim Kuliyyah of Laws (AIKOL), International Islamic University Malaysia. An official International Islamic University Malaysia receipt will then be sent to you.

In the event of any issues with transfer or acknowledgment of payment, please contact International Islamic University Malaysia: shahzana@iium.edu.my, Office: 03-61964257.

4. Registration Requirements

- (a) Each participating institution shall also provide the Secretariat, with the following information by **15 September 2022** (see Appendix 1):
 - (i) The **name, degree program, and year** of all four students in the team
 - (ii) The **name, designation, email and mobile phone number** of a contact person for the team, who must be a **member of the faculty** of the participating institution.
- (b) Upon registration, the Secretariat shall communicate and correspond with the registered contact person only. Communication with the Secretariat by any other person shall not be entertained.
- (c) Contact person is responsible for conveying the team registration number and all other relevant information and materials to their respective teams.

5. Team Registration Number

Each team will be provided with the team number upon registration. The team registration number is given to protect the anonymity of the teams and to ensure no prejudice or bias is shown in the assessment of the memorials.

Chapter II

RULES FOR MEMORIALS

6. Form and Length of Memorials

- (a) Each team shall submit a memorial for both the Prosecutor and the Defendant.
- (b) Each memorial shall be typed with 1½ line-spacing, using **TIMES NEW ROMAN**, font size 12. The **pleading section** of each memorial submitted **shall not exceed 4,000 words (excluding footnotes)**.
- (c) If a team's memorial **exceeds 4,000 words**, the SECRETARIAT shall deduct marks from that team's total memorial score based on the following scale below:
 - 1-5 words in excess - deduction of 1 mark
 - 6-20 words in excess - deduction of 3 marks

- 21-50 words in excess - deduction of 6 marks
 - 51-100 words in excess - deduction of 10 marks
 - 101-150 words in excess - deduction of 20 marks
 - Above 150 word in excess - deduction of 30 marks
- (d) All citations must either be in the body of the text or in the footnotes and should be in an intelligible form.
- (e) Each memorial must have **one** cover sheet (see template in Appendix 2), which must clearly indicate:
- (i) the **team registration number** of the participating institution,
 - (ii) the **word count**, and
 - (iii) that the **memorial** is either for the **Prosecution** or the **Defence**

7. Submission of Memorials

- (a) Each team shall submit their Prosecution and Defence **memorials in PDF by e-mail** to the Secretariat (**ihlmootcourtmalaysia@gmail.com**) by **24 October 2022 (Monday), 4.00pm, GMT +8**.
- (b) Each team shall submit the memorials in **two separate PDF files** format. Each file name must bear the team registration number and role (e.g. 19xxProsecution.pdf / 19xxDefence.pdf).
- (c) In addition, each team shall submit **15 hard copies** of the memorials to the Secretariat by **7 November 2022 (Monday), 4.00 pm, GMT +8** at the delivery address below, failing which will result in deduction of 10 marks from the team's overall memorial score. No hard copies will be accepted if no PDF memorials have been submitted.

Delivery Address: **Aisya Abdul Rahman**

International Committee of the Red Cross (ICRC)
Kuala Lumpur Regional Delegation
Unit 50-11-1, Level 11, Wisma UOA Damansara,
No .50, Jalan Dungun, Damansara Heights,
50490 Kuala Lumpur.

- (d) All hard copies of the memorials must be securely **stapled** (per Appendix 3). The memorials shall **not** be held together by binder, ring binder, rubber bands, lightweight staples, paperclips, pins or other insecure means. **DO NOT INDICATE** in the memorials **the name** or any other means to identify any team members, contact person or their institution, failing which may **result in a deduction of marks** or disqualification.

8. Failure of Submission and Revisions

- (a) **Late submission**: If any team fails to submit within the deadline in Rule 7, the Secretariat shall deduct **5 marks** for each calendar day of delay from the team's total memorial scores.
- (b) **No submission**: Any team failing to submit their memorials to the Secretariat by the given dates will be **disqualified** from the competition.
- (c) **No revision to any memorial is allowed** for any purpose whatsoever upon submission. Both hard and soft copy of the memorial must be identical. However, oral arguments can deviate from the memorials and teams can be asked to provide an explanation for this.

9. Scoring and Award for Memorials

- (a) Memorials for each team will be **anonymously judged and scored by two judges**.
- (b) The total memorial score for each team is the cumulative average score by both judges for both Prosecution and Defence memorials minus any penalty points. The maximum number of points that a judge may award for a Memorial is 100 marks.

10. Pairing of teams and exchange of memorials

- (a) The Secretariat will pair a Prosecution team with a Defence team of different institutions during the preliminary rounds.
- (b) The pairing of the teams will be based on the overall memorial scores.
- (c) Based on the pairing, the Secretariat will email the opposing memorials to the respective teams by **11 November 2022**.
- (d) Teams shall acknowledge receipt of the opposing Memorials in writing within 24 hours of the Secretariat's email.
- (e) Failure of any team to cooperate with the Secretariat in this regard may result in a **deduction of 10 marks** from the Team's total memorial score.

Chapter III

GENERAL RULES

11. GENERAL

The 19th Malaysia IHL Moot Court Competition shall be conducted under the auspices of the International Committee of the Red Cross (ICRC) and hosted by the Ahmad Ibrahim Kulliyah of Laws (AIKOL), International Islamic University Malaysia (IIUM).

THE MOOT PROBLEM

12. Facts and Clarification of the Moot Problem

The facts that constitute the subject matter of the moot are provided in the moot problem. No additional facts may be introduced unless they are a logical and necessary extension of the given facts in the moot problem.

Any request(s) for clarification(s) of the moot problem must be brought to the attention of the Secretariat via email by **5 October 2022**. Reply to requests for clarifications will be made on **12 October 2022**.

GUIDELINES ON ASSISTANCE AND PRACTICE SESSIONS

13. Memorials

All research, writing and editing relating to the memorial must be the work of the three (3) students from the team submitting the memorial.

14. Assistance from Staff and Other Advisors

Staff of the participating institutions including coaches, assistants or advisors should restrict their advice to general matters, such as to a discussion of the issues in the moot problem, suggestions as to research sources, and a general commentary in relation to the organization, structure, the flow of arguments, format, presentation and style.

15. Practice Sessions

Each participating institution is permitted and encouraged to arrange its own practice sessions prior to the Moot Court Competition.

16. COMPOSITION OF TEAMS AND ORDER OF THE ORAL HEARING

Each team, *being the prosecuting and defending team respectively*, will consist of **two (2)** oralists comprising of the **Leading Counsel (first oralist)** and the **Junior Counsel (second oralist)**, as designated by the team or the relevant participating institution.

Each team shall speak for **no more than 40 minutes**. The **Leading Counsel (first oralist)** and the **Junior Counsel (second oralist)** for each team will be permitted to speak individually for up to **20 minutes**. Each team shall have maximum 5 minutes of rebuttal and surrebuttal (not within the 40 minutes).

The order of the oral hearing is as follows:

- a) Prosecutor's leading counsel (maximum 20 minutes);
- b) Prosecutor's junior counsel (maximum 20 minutes);
- c) Defendant's leading counsel (maximum 20 minutes);
- d) Defendant's junior counsel (maximum 20 minutes);
- e) Rebuttal (maximum 5 minutes, if any by the Prosecutor's leading counsel or junior counsel);
- f) Surrebuttal (maximum 5 minutes, if any by the Defendant's leading counsel or junior counsel).

Each team must indicate at the beginning of the oral hearing, how long each counsel will speak and how much time it intends to reserve for rebuttal or surrebuttal. However, the maximum time limit reserved for rebuttal and surrebuttal is up to **five (5) minutes** only. Teams may not request extensions of time beyond the 5 minutes permitted for the rebuttal and surrebuttal.

Either the Leading or Junior Counsel may address the court for the rebuttal or surrebuttal. To avoid doubt, the time reserved for rebuttal or surrebuttal is **not included** in the time for each counsel to speak as specified in **Rule 17**.

The court may, at its discretion, extend the time for each counsel, provided that the maximum extension for any counsel **shall not exceed TWO (2) minutes**.

Time shall be kept by a court clerk or timekeeper who will remind each counsel by appropriate means when they have:

- (i) 15 minutes left;
- (ii) 10 minutes left;
- (iii) 5 minutes left;
- (iv) 1 minute left;
- (v) to conclude their address forthwith.

Every courtesy shall be shown to the oralists during the oral hearing. Communication between team members at the counsel table shall be in writing to prevent any disruptions.

Participating teams and spectators shall avoid all unnecessary noise or any form of inappropriate behaviour which will distract the oral hearing in progress. Team members seated at the counsel table shall not be permitted to communicate with the spectators, or with any other external person except the judges.

17. BUNDLE OF AUTHORITIES

All participating teams are **not allowed** to submit any bundle of authorities to the judges. However, all participating teams **are allowed** to use the bundle of authorities or any other relevant documents for their own reference during the oral hearings.

18. FORMAT OF THE MOOT COURT COMPETITION

The format of the Moot Court Competition shall consist of the submission of memorials and the oral rounds. (See RULES FOR MEMORIALS above).

Depending on the number of teams participating, the Oral Rounds of the Moot Court Competition may be structured as follows:

Preliminary Rounds

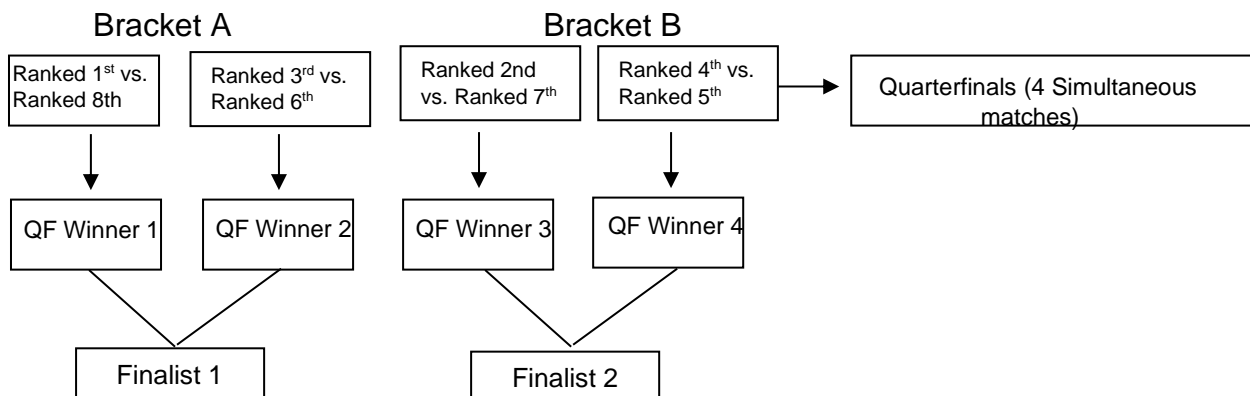
There will be **two (2)** preliminary oral rounds. Each team pleads once as Prosecutor and once as Defendant in every preliminary round

Quarter-Final Round

The top eight (8) teams of the preliminary rounds, based on their aggregate scores in the oral arguments and their Memorials, shall advance to the quarterfinal round.

Two (2) brackets (Bracket A and B) will be created. The pairings for the quarterfinal round shall be determined based on their rankings after the preliminary rounds as indicated in **Figure 1** below:

Figure 1



The sides (Prosecution and Defense) will be determined by a coin toss. The winner of the coin toss shall be given the opportunity to choose their side.

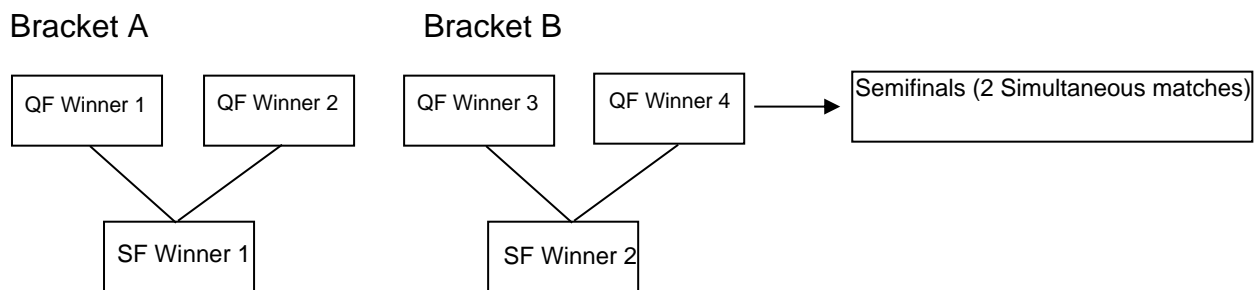
The four (4) winners of the quarterfinal round shall advance to the semifinal round.

Exchange of memorials to its opposing team will be after the determination of role played and pairing.

Semi-Final Round

The winners of the quarterfinal round shall compete in the semifinal round according to their brackets as indicated in **Figure 2** below:

Figure 2



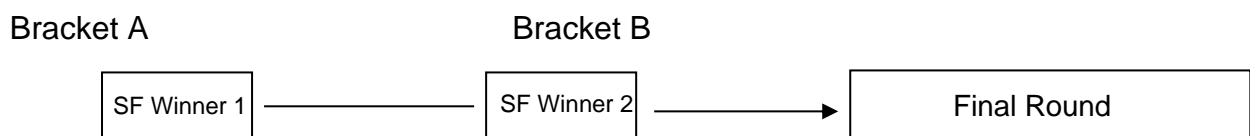
The sides (Prosecution and Defense) will be determined by a coin toss. The winner of the coin toss shall be given the opportunity to choose their side.

Exchange of memorials to its opposing team will be after the determination of role played and pairing.

Final Round

The two (2) winners of the semifinal round shall compete against one another in the final round as indicated in **Figure 3** below.

Figure 3



If the number of participating teams are inadequate, there will be no advanced rounds and all teams will make their oral pleadings in every general round. The number of general rounds will be determined based on the number of participating teams.

The team which will argue as Prosecution or Defense shall be determined by a coin toss. The winner of the coin toss shall be given the opportunity to choose their side.

Exchange of memorials to its opposing team will be after the determination of role played and pairing.

19. SCORING

- (a) Scoring shall consist of **two (2)** parts:
 - (i) the scoring of the **memorials**, and
 - (ii) the scoring of the **oral rounds**
- (b) The **scoring of the memorials** shall be assessed by a panel of **two (2)** memorial judges.
- (c) The maximum score for each memorial shall be 100. The memorial judges will be given copies of the memorials with the cover sheet indicating only the **participating team's individual moot number**.
- (d) The memorial score for each team is the **average score** of the **two (2)** memorial judges' scores.
- (e) The **scoring of the oral rounds** shall be assessed based on the following:

Preliminary Rounds

For the Preliminary Rounds, the oral hearing scores shall be assessed by a panel of at least **two (2)** judges and preferably **three (3)**.

The maximum score for each oralist shall be **100 points**. The score for each mooter shall be the average of the scores (out of 100 points) awarded by the judges assessing their oral presentations. The maximum score for each team shall be 200 points in each Preliminary Round.

The team having higher score against its opposing team in that Preliminary Round shall be considered as the winning team in that round. In the event of a tie, the winning team will be determined based on the teams' overall memorial scores and further evaluation by the judges and the Secretariat, following which the decision shall be final.

The eight (8) teams eligible to enter Quarter-Final Round will be in order of priority. The highest priority will be given to those team who win two successive pleadings in the preliminary rounds.

If they are several teams who win two successive pleadings, the teams with highest scores will proceed to the next round. If there are not enough teams with two successive wins, teams with a single win shall be given a chance to go through, depending on their score.

Quarter-Final Round

For the Quarter-Final Round, the oral hearing scores shall be assessed by a panel of at least **two (2)** judges and preferably **three (3)**.

The maximum score for each oralist shall be **100 points**. The score for each mooter shall be the average of the scores (out of 100 points) awarded by the judges assessing their oral presentations. The maximum score for each team shall be 200 points in Quarter-Final Round.

The team having higher score against its opposing team in that Quarter-Final Round shall be considered as the winning team in that round.

The winning from the respective Quarter-Final Round shall then advance to the Semi-Final Round.

Semi-Final Round

For the Semi-Final Round, the oral hearing scores shall be assessed by a panel of at least **two (2)** judges and preferably **three (3)**.

The maximum score for each oralist shall be **100 points**. The score for each mooter shall be the average of the scores (out of 100 points) awarded by the judges assessing their oral presentations. The maximum score for each team shall be 200 points in Quarter-Final Round.

The team having higher score against its opposing team in that Semi-Final Round shall be considered as the winning team in that round.

The winning from the respective Semi-Final Round shall then advance to the Final Round.

Final Round

For the Final Round, the oral hearing scores shall be assessed by a panel of at least **three (3)** judges and preferably **five (5)**.

The maximum score for each oralist shall be **100 points**. The score for each mooter shall be the average of the scores (out of 100 points) awarded by the judges assessing their oral presentations. The maximum score for each team shall be 200 points in Quarter-Final Round.

The team having higher score against its opposing team in that Final Round shall be considered as the winning team in that round.

If the number of participating teams are inadequate, the team with the highest cumulative scores after all general rounds will be the winner.

The decision of the judges shall be **FINAL**.

20. AWARDS

Winning Team

The team with the best oral hearing scores in the **FINAL ROUND** will be declared as the winning team.

The winning team shall be awarded with the ICRC challenge trophy and will represent Malaysia in the **2023 Asia-Pacific Regional International Humanitarian Law Moot Court Competition**.

Best Mooter

The top two counsels with the highest individual total oral scores in the preliminary oral hearings of the Moot Court Competition shall be adjudged the **Best Speaker** and shall be awarded a certificate.

Best Memorial

The memorial for both Prosecution and Defence with the highest score out of 100 shall be adjudged the **Best Memorial** and the teams that submitted the memorial shall be awarded a certificate.

21. INTERPRETATION OF THE OFFICIAL RULES

The Secretariat shall have absolute discretion to resolve and decide on any questions or issues regarding the interpretation and application of the official rules.

22. VIDEO RECORDING & PHOTOGRAPHY

By entering the Competition, a team consents to be the subject of official video recording and photography that may be conducted by the ICRC or IIUM.

23. USE OF ELECTRONIC DEVICES

The use of electronic device such as mobile telephone, laptop, tablet, smart watch, or any other device that in its nature exercises more than one function during the submission in the oral round is strictly prohibited. The use of the said electronic device(s) will result in the deduction of scores (maximum 10 marks) from the said oral round and the judge(s) reserves the rights to deduct the marks without notifying the team. Such deduction will be reflected in the scoresheet.

24. SPECTATORS

All participants and spectators alike are to refrain from the usage of mobile phones during the Mooting rounds. Photography/Videography by third parties will only be

allowed upon express permission from the ICRC (the Secretariat or a nominated representative).

25. JUDGES

The Secretariat reserves the right to select and appoint judges for the memorial marking and oral rounds. Judges are carefully selected on professional basis, taking into consideration his/her experience as well as good knowledge and understanding of international humanitarian law.

26. COMPLAINTS

- (a) Complaints can only be made upon the basis of the official rules of the Competition, as stated in this document as well as the Registration and Memorial Rules.
- (b) Complaints must come directly from the participating team or official coach of the team.
- (c) All complaints shall be directed solely to the Secretariat. The Secretariat will, as a neutral intermediary, decide on the substance of the claim and the appropriate action. The Secretariat's decision is final.

Timeline

For ease of reference the timeline of the Competition are as follows:

Date	Activity
1 September 2022	Release of the Moot Problem
15 September 2022	Deadline of Registration
19 September 2022	Deadline for Questions and Clarifications
5 October 2022	Extended Deadline for Registration & Request for Clarifications
12 October 2022	Reply to request for clarifications
24 October 2022	Deadline for Submission of Memorials (soft copy)
7 November 2022	Deadline of Submission of Memorials (hardcopy)
11 November 2022	Notification of oral rounds pairings
17 November 2022	Briefing for Judges (online)

19 November 2022	IHL National Moot Court Competition – Preliminary Rounds
20 November 2022	IHL National Moot Court Competition – Advanced Rounds

Appendix 1 – Registration Form

Name of University⁽⁴⁾		Click or tap here to enter text.		
Faculty/School/Department (formal name in full)⁽⁴⁾		Click or tap here to enter text.		
Website of Faculty/School/Department (if any)		Click or tap here to enter text.		
Contact Person	Name	Click or tap here to enter text.	Post Title	Click or tap here to enter text.
	Phone No.	Click or tap here to enter text.	Email (2)	Click or tap here to enter text.
	Serving Institute & Corresponding Address	Click or tap here to enter text.		

Full Name	Title/Status	Gender		Past Experience with IHL Moot	Food Restriction
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Please send to (by email): Secretariat (ihlmootcourtmalaysia@gmail.com) by **15 September 2022**.

Appendix 2 – Cover Sheet

The 19th Malaysian National IHL Moot Court Competition (2022)

[TEAM NUMBER e.g., 19xx]

MEMORIAL FOR [PROSECUTION/DEFENDANT]

Word count: [xxxx]

Appendix 3 – Binding instruction

Correct



Incorrect

