



ICRC

**12th Henry Dunant Memorial Moot Court Competition 2021
Bangladesh National Rounds**

Rules and Guidelines

Introduction

1. The International Committee of the Red Cross (ICRC) is a neutral, independent humanitarian organisation, based in Geneva, Switzerland. The ICRC has been conferred a mandate by the international community to protect and assist people affected by armed conflict and other situations of violence.¹ This mandate includes the promotion and development of International Humanitarian Law (IHL), including in times of peace. In the fulfilment of this responsibility, the ICRC is active in disseminating and promoting IHL in academic circles. This includes developing IHL curricula for universities, conducting university teacher training programmes in IHL and organizing events such as the Henry Dunant Memorial Moot Court Competition.

The Moot Court

2. In 2001, ICRC Regional Delegation for South Asia initiated the Henry Dunant Memorial Moot Court Competition, with the aim of promoting better awareness of IHL among law students at universities. This competition is named in memory of Mr. Henry Dunant, the co-founder of the ICRC and the Red Cross and Red Crescent Movement in 1863. The reputation and status of the Henry Dunant Memorial Moot Court Competition has grown steadily since its inception in 2001. The success of the competition prompted the ICRC, in collaboration with its partner organisation for this activity, to expand the Moot Court across South Asia. As a result, in 2005 the Henry Dunant Moot Court Competition was expanded to include a regional competition, drawing teams from countries across South Asia.

The regional Moot Court competition generally follows national competitions that take place in each participating country. Winning teams from each of the respective countries participate in the regional competition, which is held in one of the participating countries approximately one month after the completion of national level competitions. Winners of the regional moot court competition represent South Asia in Asia Pacific Moot Court competition in Hong Kong.

¹ The ICRC's initial mandate is derived from the 1949 Geneva Conventions and their 1977 Additional Protocols. The ICRC's mandate was expanded by the Statutes of the Red Cross and Red Crescent Movement, which were agreed upon by the States Parties to the Geneva Conventions. The Four Geneva Conventions of 1949 are universally ratified.

Objectives

3. The principal objective of the Henry Dunant Memorial Moot Court Competition is to develop an increased awareness and interest in IHL in academic institutions. A further objective is to use IHL to further academic excellence in the student community, and to develop their advocacy skills in an environment of friendly competition.

National Rounds 2021

4. The COVID-19 pandemic has created an uncertainty in conducting the yearly national rounds of the Henry Dunant Memorial Moot Court Competition which is usually conducted with physical participation of teams. As the ongoing travel restrictions hindered the organization of the regional rounds, the ICRC has decided, to conduct the 2021 national rounds in an adapted format through online platform to select one team from Bangladesh that will be eligible to register for the Asia-Pacific Moot Court Competition, jointly organized by the ICRC and Hong Kong Red Cross (HKRC) which is scheduled to take place in March 2022 online.
5. The adapted format of the national rounds consists of two stages – (1) **submission of written memorials** and (2) a **virtual oral hearing of top ranking four teams** selected based on the combined score of their written memorials. During the oral hearing, each team will be given the chance to present their arguments before a panel of judges. Based on the merits of the oral presentation, the judges will announce the winning team.
6. National Rounds 2021 will be exclusively organized by ICRC and the judges will be the Legal Advisers and IHL experts of ICRC.

Administration

7. The 12th Henry Dunant Memorial Moot Court Competition 2021 (“the Competition”) shall be run under the auspices of the International Committee of the Red Cross (ICRC) represented by its Delegation in Bangladesh (“Organizer”).

Timeline

8. The Competition will be held according to the following timeframe:
 - i. 28th October 2021: Call for registration open
 - ii. 7th November 2021: Deadline for registration
 - iii. 05th December 2021: Deadline for submission of memorials
 - iv. 12th December 2021: Top four teams selected for oral hearings
 - v. 13th December: Technical briefing for teams participating in oral round
 - vi. 15th December 2021: Oral hearing and announcement of result

Eligibility

9. All universities, colleges, and institutions imparting legal education in Bangladesh on a regular or evening basis in a program of study that leads to a bachelor's degree in law (LL.B.) or master's in law (LL.M.) are eligible to participate in the Competition. All students enrolled on a full time or evening basis in a program of study leading to or equivalent to a bachelor's degree in law (LL.B.) or master's in law (LL.M.), are eligible to participate. Students who have participated in this Competition on a previous occasion are not eligible to participate again.

Team Composition

10. Each participating university/college/institute shall nominate only one team consisting of three student members – two students as mooters and one student as researcher. It is optional for the teams to be accompanied with a coach from the faculty of the university/college/institute that they represent.

Assistance to Teams

11. All research, writing and editing of written memorials for the Competition must be the exclusive product of the team members. Faculty members, coaches and team advisors of the participating team may only render external assistance to the team. During oral presentation, consultation with coaches shall be strictly prohibited.

Registration

12. Each team shall complete the online registration on or before **7th November 2021, 23:59hrs BD time** through this [registration link](#).

Contact Person

13. The coach of each team shall normally act as the contact person. However, each team may designate one of its team members as its contact person. Each contact person will be sent:
 - i. The individual moot number assigned to the team;
 - ii. Practical information relating to the Competition; and
 - iii. Any other relevant organizational materials.

The contact person of each team is responsible for distributing the foregoing information and materials to each team member.

Official Language

14. The official working language of the Competition is English.

Implementation and Interpretation of Rules

15. Regarding Moot Court practice and procedures, the final decision on the interpretation and implementation of rules lies with the organizer i.e. the ICRC.

The Moot Problem

16. The moot problem will be published together with the 'call for registration' and will be available in the website.

Clarifications

17. No requests for clarification shall be entertained on the moot problem.

The Memorials

18. Each participating team shall submit two memorials for the Prosecution and the Defence respectively in English containing the main arguments for their case.

19. Each memorial shall be prepared according to the following specifications:

- Memorials shall be not more than 15 typed pages on standard A4 size paper.
- The cover page, table of contents, index of authorities and case title are not included in the 15 typed pages limit.
- Each memorial (including body of the text, citations and footnotes) shall be typed with 1 ½ line-spacing, with one-inch margin on both sides, using 'Times New Roman' font in size 12. Citations must be in footnotes and using a proper legal citation standard.
- Quotations of sources outside of the memorial of fifty (50) words or more in any part of the memorial shall be block quoted and must be single-spaced.

20. Each Memorial shall consist of the following parts:

- Cover page containing (a) the title of the case (b) Team's individual moot number supplied to the contact person, and (c) whether the memorial is for the Prosecution or the Defence
- Table of Contents
- Index of Authorities
- Statement of Jurisdiction (optional)
- Summary of Pleadings
- Pleadings including the Prayer for Relief.

Submission of Memorials

21. Each team shall submit both of its Prosecution and Defence memorials in electronic format in both Microsoft Word and pdf forms via a single e-mail to mansari@icrc.org by **5th December 2021, 23:59hrs BD time**. No other data format will be accepted. Submission of hard copy is not required.

22. In the event that any team fails to submit its memorials on time, the Organizer shall deduct 10 marks for each calendar day from each of the team's memorial score out of 50.

Assessment of Memorials

23. The maximum score for each memorial shall be 50 points assessed based on the following criteria:

- Knowledge of law and facts 15 marks
- Proper and articulate analysis 15 marks
- Extent of research 10 marks
- Clarity and organization 05 marks
- Style, grammar and citation 05 marks

The written memorials shall be evaluated by ICRC Legal Advisers and IHL expert(s).

Virtual Oral hearings

24. The oral hearings will be held remotely and NOT as hearings in-person. The oral hearings will be held by using an online platform. Technical details for the virtual hearing will be announced and communicated with relevant teams at a date prior to the hearings.

Semi-Final Round

25. Teams should prepare to argue for both sides (Prosecution and Defence) and the Organizer will determine the role to be played by each of the four teams (Prosecution or Defence) by means of a random draw conducted openly before the Semi-Final Round. Each team will be permitted to speak for a total of 40 minutes during the Semi-Final round. This includes time spent in answering judges' questions and time for rebuttal. The first mooter and the second mooter for each team shall each speak individually for a minimum of 15 minutes. The winning teams of Semi-Final Rounds shall be decided by the panel of judges before which they plead respectively.

Final Round

26. The two (2) winning teams of each pair of opposing teams of the Semi-final Round shall enter the Final Round. The Organizer will determine the role to be played by the two (2) teams (Prosecution or Defence) by means of a random draw conducted openly before the Final Round. Each team will be permitted to speak for a total of 40 minutes during the Final round. This includes time spent in answering judges' questions and time for rebuttal. The first mooter and the second mooter for each team shall each speak individually for a minimum of 15 minutes. The winning team of the Final Round shall be decided by the panel of judges before which they plead.

Proceedings during the virtual hearings

27. The assessment of the teams during the oral hearings shall be based upon their performance in oral presentation. The marks of their written memorials shall not be taken into consideration. The oral presentation will be assessed out of a maximum of 50 marks, set out as follows:

- Advocacy (Arguments, knowledge of law, expression and articulation) 25 marks
- Clarity and Composure (conciseness, question answer, time) 15 marks
- General impression and court manner 10 Marks

28. Each team shall indicate at the beginning of its oral argument, how long each mooter will speak and how much time it intends to reserve for rebuttal or surrebuttal out of the total allocated time.

29. The order of the oral hearings shall be:

- i. Prosecution's first mooter;
- ii. Prosecution' second mooter;
- iii. Defence first mooter;
- iv. Defence second mooter;
- v. Rebuttal, if any (Prosecution's first or second mooter);
- vi. Sur-rebuttal, if any (Defence's first or second mooter).

Questions

Any questions, queries or feedback concerning the organization or conduct of the National Rounds 2021 should be addressed directly to the ICRC at mansari@icrc.org.