

Rules of Procedure

Round of the Americas

Elisabeth Haub School of Law at Pace University

White Plains, New York

March 16-17, 2019

International Criminal Court Trial Competition

Please note: These rules apply to the Round of the Americas held at Elisabeth Haub School of Law at Pace University. They are for the most part identical to those for the International Final rounds held in the Hague. While we endeavor to synchronize our rules with those for the International Finals, there may on occasion be slight variations between the two. For the purposes of the Round of the Americas, Elisabeth Haub School of Law at Pace University and its organizers shall be the final arbiters of th

Art. 2 Subject

- a. All teams participating in the Competition are presumed to have knowledge of and shall be subject to these Rules.

Art. 3 - Interpretation of the Rules

- a. The Organization has the authority to interpret and amend the provisions contained in the Rules.
- b. The Organization reserves the right to make changes at any time before the commencement of the Preliminary Round or when necessary. Any changes made will be communicated to the participating teams.

Art. 4 - Aim of the Competition

The Competition aims to encourage university students to improve their knowledge of international criminal law in practice and in particular of the ICC, its mandate and its jurisprudence, by simulating its proceedings through arguing a hypothetical case. The Competition seeks to enhance the knowledge about the Rome Statute, especially within countries that have yet to ratify it. In addition, the Competition provides participants with the opportunity to become familiar with the Hague based International institutions.

Art. 5 Participation

- a. Each country may be represented by a maximum of three (3) teams. In case twelve (12) or more universities (but less than twenty-four (24) universities) from the same country register for the Competition, three (3) teams may represent their country at the International Round of the Competition. If less than twelve (12) universities of the same country register, a maximum of two (2) teams may represent their country at the International Rounds of the Competition.
- b. Only actively enrolled students in Bachelors, Masters, JD, and LLM Programs are eligible to participate. Exchange students may participate on behalf of their host university.
- c. Non-law students may be considered eligible, provided that they have the requisite legal

- 2. Two (2) researchers;
- 3. Two (2) coaches: one leading coach and one assistant coach;
- b. The coach is responsible for giving academic and scientific instructions to his/her team and represents both the university as well as the team before the Organization. Article 5 restrictions shall not apply to the leading and assistant coaches.
- c. Each team must submit in writing their team composition at the time of registration. Each university will be responsible for the selection of the team members and the designation of their coach(es).
- d. The maximum number of team representatives for each team cannot exceed seven (7). A team may be comprised of no fewer than three (3) speakers without an explicit waiver received upon written request of the Organizers.
- e. Any other changes in team composition must also be submitted in writing before **February 8, 2019**. Any request for changes in team composition after this timeframe shall be rejected. However, the Organization reserves the right to allow team composition changes after this deadline in consideration of exceptional circumstances or in the interests and fairness of the Competition.

Chapter 2: Administrative Provisions

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- b.

- d. The Organization reserves the right to accept late payment of registration fees for extraordinary circumstances.
- e. The registration fee will not be refunded under any circumstances.

Chapter 3: Competition Structure

Art. 10 Structure

- a. The Americas Round of the Competition shall have two (2) consecutive phases, each independently graded: a written round (Memorials) and an oral round (Hearings).
- b. Each team shall address the Case in the roles of the Defense Counsel, Counsel for the Prosecution, and Counsel for the Government (Government Counsel), and shall submit one Memorial per role.
- c. -
members in the roles of Defense Counsel, Prosecution Counsel, and Government Counsel.
- d. The memorials and oral pleadings shall reflect a deep knowledge of the ICC rules and case law, as well as of International Criminal Law in general.
- e. The Memorials and Hearings shall reflect a deep knowledge of the ICC rules and case law, as well as of International Criminal Law in general.

Art. 11 - Semi-Final Round

- a. The written and oral rounds are independently assessed. The sum of the scores obtained in both stages after the deduction of any penalty points will qualify the nine (9) best teams for the Semi-Final Round. This number may change based upon the number of schools registered to compete. The number of teams advancing to the Semi-Finals will be announced prior to the commencement of the Preliminary Rounds.
- b. The Semi-Final Round will consist only of an oral phase. The teams are free to choose which of their three (3) speakers will present at the Semi-Final Round. They are not bound by the role the speakers presented in the Pre-Rounds.
- c. Subject to the exception set forth in Art. 12(a), the results of the written Memorials will not be taken into account in assessing the final scores of the Semi-Final Round.

Art. 12- Final Round

- a. The winner of each Semi-Final round will proceed to the Final Round. Should there be less than nine (9) teams advancing to the Semi-Finals and only two Semi-Final matchups, the third team to advance will be selected from the two Semi-Final runner ups
-Final Round score and 50%
inary Round oral and written
phase.

b.

- e. Violations of this article are sanctioned with one (1) penalty point per violation, with a maximum of four (4) penalty points. More than one violation of the same item of this Article should be considered as one violation in total.

Art. 16 Spacing

- a. The text of the Memorial must be 1.5 spaced.
- b. Headings and subheadings of more than one line in length must be single spaced.
- c. Violations of this article are sanctioned with one (1) penalty point per violation, with a maximum of four (4) penalty points.
- d. More than one violation of the same item of this Article should be considered as one violation in total.

Art. 17 - Word Limit

Each Memorial must not exceed 10,000 words (**including footnotes**). Violations of this article

12. Back cover.

b. Violations of this article

- g. Violations of this article are sanctioned with two (1) penalty point per violation, with a maximum of six (6) penalty points. More than one violation of the same item of this Article should be considered as one violation in total.

Art. 21 - Scoring Structure Memorials

- a. Scores are awarded out of a maximum of 100 points.
- b. Scores are awarded for:
 - 1. Organization, structure, and analysis of the issues: 20 points
 - 2. Use of facts and legal principles: 20 points
 - 3. Use of authorities and citations: 20 points
 - 4. Persuasiveness, ingenuity, logic, and reasoning: 20 points
 - 5. Grammar, style, and clarity: 20 points

Art. 22 - Late Delivery Memorials

Late delivery of memorials is sanctioned with twenty (20) penalty points.

Art. 23 - Plagiarism

disqualification is final and irrevocable.

Chapter 5: Oral Round Provisions

Art. 24 Content

- a. Rules of Procedure and Evidence and case law, as well as the applicable international criminal law principles.
- b. The Hearings will have a maximum length of two (2) hours per session and shall reflect familiarity with ICC proceedings.

Art. 30 -

- b. An Assistant coach of a participating team can under no circumstance be appointed as a Bench Member.
- c. Bench Members for hearings can be different from the Bench evaluating the memorials. All Bench Members must read the case, as well as other explanatory documents. Though not compulsory, bench members may wear a judicial robe.
- d. Bench Members are not permitted to give their individual opinion outside the deliberation room regarding the quality of the presentation and results of the participating teams. Furthermore, Bench Members are not allowed to give the participating teams any feedback on the details of the case.
- e. During the oral rounds, the Bench shall ensure the respect for the Rules of Procedure and will assess the quality of the arguments. The Bench members are encouraged to intervene with appropriate questions during the oral pleading to further assess the knowledge and the preparation of the oralists.
- f. The Bench will follow its own Rules of Procedure within the framework of accepted norms of judicial practice, and with regard to questions of doubt or dispute in the procedure or facts. A decision of the Presiding Member of the Bench shall be final.
- g. The Bench Members shall mark the oral arguments in accordance with the scoring criteria provided for in these Rules.
- h. Team objections to a jury panel due to conflict of interest or prior relationship must be disclosed and communicated to the Bench Clerk/Bailiff prior to the commencement of the Hearing.

Art. 34 - Role of the Bench Clerk

- a. The Bench Clerk is nominated by the Organization.
- b. The Bench Clerk is responsible for:
 - 1. The collection of the score sheets and their delivery to the Organization;
 - 2. Briefing and advising the bench members on the Rules of Procedure contained herein;
 - 3. Keeping order during the Hearing;
 - 4.
 - 5. Timekeeping.

Art. 35 - Scores Hearings

- a. Scores are rewarded out of a maximum of 100 points for the Presentation and 100 points for the Rebuttal. 70% of the total score is based on the score the team received for its initial presentation, and 30% of the total score is based on the score the team received for the rebuttal.
- b. Scores for the initial presentation are allocated as follows:
 1. Organization, structure, and analysis of the issues: twenty (20) points
 2. Use of facts and legal principles: twenty (20) points
 3. Use of authorities and citations: twenty (20) points
 4. Persuasiveness, ingenuity, logic, and reasoning: twenty (20) points
 5. Presentation: twenty (20) points
- c. When scoring the rebuttal, the criteria mentioned in this Article under section (b) should be considered, but not rewarded separately.
- d. Score sheets will be emailed to each team upon the cessation of the Competition.

Art. 36 - Penalties for Inappropriate Behavior

- a.

