

Rules of Procedure

Round of the Americas

ains, New York

13-14, 2021

International Criminal Court Trial Competition

SUBMISSION DEADLINE: February 8, 2021 by 5:00 p.m.

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, if the rules exist and should it potentially impact the competition,

Chapter 1: General Rules

Art. 1 - Object

- a. The present rules ("Rules") govern the International Criminal Court ("ICC") Moot Court Competition 2020 (hereinafter "the Competition") held in the English language, organized by Grotius Centre for International Legal Studies - Leiden University - The Netherlands.

- 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 knowledge. It is each team's responsibility to ensure that its team members have a level of legal knowledge suitable for the Competition.
- d. Students admitted to practice, by having taken and passed the bar exam, are prohibited to participate.

Art. 6 - Team Composition

- a. Each team will be comprised of a maximum of:

Art. 8 - Team Identification

- a. In the interest of fairness and objectivity, each team shall be assigned an anonymous number prior to submission of their memorials.
- b. This number will be emailed to each team by the Organization.
- c. This number becomes the team's identifier throughout the Competition.

Art. 9 - Registration Fee

- a. The Organization will issue an invoice for payment of the registration fee to eligible teams.
- b. Each team must pay their registration fee within thirty (30) days after the date the invoice was issued.
- c. Incomplete payment of registration fee renders that particular registration application invalid.
- d. The Organization reserves the right to accept late payment of registration fees for extraordinary

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 presentation.

- d. 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

Art. 15 - Memorial Format

- a. Each team must submit its Memorial in Microsoft Word and Pdf format.
- b. Each Memorial must be printed on A4 sized paper or standard letter size paper.
- c. Each team must submit its Memorials in size 12 Times New Roman font style.
- d. Each page shall have a margin of at least 2 cm on every side of the text.
- e. Memorials must be continuously page-numbered, excluding the front-cover.
- f. Violations of this article are sanctioned with one (1) penalty point per violation, with a maximum of four (4) penalty points.

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.

Art. 17 - Word Limit

Each Memorial must not exceed 10.000 words (**including footnotes**). Violations of this article are sanctioned by five (5) penalty points per 400 words. The 10.000 words include the statement of facts, issues, summary of arguments, written arguments, submissions and (optional) annexes, and exclude the front cover, title page, table of contents, list of abbreviations and index of authorities.

- a. Each team's Hearing pleadings must demonstrate an outstanding knowledge of the ICC Rules of Procedure and Evidence and case

disability.

- d. Violations of this article are sanctioned by up to fifty (50) points. It is up to the discretion of the Bench Members, taking into account the seriousness and consequences of the violation, how many penalty points will be deducted.

Art. 28 - Raising Obje1j-oo[pooTc 0 -39.3 (t)-30.1 (.)J0 Tc 0 Tw 1h)-11.3 (e)J-de0 Td()Tj-0.006.0 Tc 0 Tv

- Presentation by the Government Counsel: up to 20 minutes
 - Rebuttal by Defense Counsel: up to 10 minutes
 - Rebuttal by Prosecution Counsel: up to 10 minutes
 - Rebuttal by the Government Counsel: up to 10 minutes
- b. Time not used in the main pleading may not extend the time allocated to the rebuttal.
 - c. Questions posed by the Judges are included in the speaking time of the presentation and of the rebuttal, respectively.
 - d. Speakers are not allowed to introduce new issues in their rebuttal. All arguments and issues raised by opposing counsels during both presentation and rebuttal may be discussed during the rebuttal.

Art. 30– Judgment

- a. Bench deliberation: 30 minutes (maximum)
- b. Delivery of judgment by the Bench: 15 minutes

Art. 31 - Bench Composition

- a. Each Bench will be composed of one (1) or two (2) Member(s) and one (1) Presiding Member (appointed by the Organization or by consensus by the Bench Members participating in the Hearing) and shall be assisted by a Bench Clerk. If only two Bench Members score a given hearing, the Organization shall create a third score by averaging the scores of the two Bench Members. The organization may appoint a fourth Bench Member. In the event four (4) Bench Members score a given hearing, the score that is furthest from the average of all four (4) scores, and the score sheet on which it appears, will be disregarded.
- 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

3. Knowledge and use of the facts: twenty (20) points
4. Questions and rebuttal: twenty (20) points
5. Persuasiveness and style of presentation: twenty (20) points

Art. 34 - Penalties for Inappropriate Behavior

- a. Every team should maintain the fullest dignity and decorum, not only in the Courtroom, but during the entire Competition.
- b. Inappropriate behavior or blatant disregard for the procedures may result in the disqualification of penalty points and in extreme cases to the disqualification of the team.

Art. 35 – Scouting

- a. Scouting is forbidden at all times during the Competition.
- b. Scouting is defined as:
 1. When a team or one or more of its members attend a Hearing in which they are not participants;
 2. Instances where students, coaches, or spectators discuss with or pose questions of substantive issues of international (criminal) law to the Bench Members.
- c. Violations of this article will result in disqualification. A team's disqualification is final and irrevocable.

Art. 36 – 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 may only take place upon prior approval from the judges, opposing teams and Organization.
- c. Violations of this article are sanctioned with 50 penalty points.

Chapter 6: The Awards

Art. 36 - Categories of the Awards

- a. The following awards will be given by the ICC after the Final Round:
 1. Winner
 2. First Runner-up
 3. Second Runner-up
 4. Best Oralist
- b. The following awards will be given by the Organization after the Final Rounds:
 1. Best Defense Counsel Memorial
 2. Best Prosecution Counsel Memorial
 3. Best Government Counsel Memorial
- c. Each participating team shall receive a certificate of participation.

Chapter 7: The Organization

Art. 37 – Organization

- a. The Regional Round for the Americas and Caribbean is held in White Plains, New York, in the United States and is organized by Elisabeth Haub School of Law at Pace University (<http://www.pace.edu/school-of-law/ICC>).
- b. The Pre-Rounds, Semi-Final Rounds and the Final Round of the international competition are organized by the Grotius Centre for International Legal Studies – Leiden University (www.iccmoot.com).