



BILOS

Brazilian Institute
for the Law of the Sea

I ITLOS MOOT COURT COMPETITION RULES

Salvador, August 2-4, 2018

In partnership with the Federal University of Bahia

1. GENERAL ASPECTS

The ITLOS Moot Court Competition is an initiative of the Brazilian Institute for the Law of the Sea (BILOS), with the support of the Federal University of Bahia (UFBA).

The first ITLOS Moot Court Competition will take place at UFBA from August 2-4, 2018.

Participation is opened to undergraduate, master's and Phd students in international law and international relations from all universities in Brazil and in the world.

2. HOSTING INSTITUTION

The first edition of the ITLOS Moot Court Competition will be held in Salvador, Bahia, Brazil, at the UFBA Law Faculty, Rua da Paz, s/n - Bairro Graça, Salvador (Bahia), Brazil, Postal Code 40150-140.

Jointly with the Federal University of Pernambuco (UFPE), UFBA is one of the oldest Universities in Brazil, founded in 1808. Both Universities are the outcome of the coming of the Portuguese Royal Family to Brazil that same year.

Currently, UFBA is the hugest University of the Northeast of Brazil, consolidating itself as one of the most celebrated Universities in Brazil. It also has an internationally recognized legal research center.



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3. STRUCTURE OF THE PANELS

In face-to-face rounds, judges will be experts in International Law of the Sea.

4. COMPETITION PROGRAM

The Official Program of the Competition will be announced by the Organizing Committee until July 20, 2018. The schedule of all rounds and parallel events to the Competition will also be indicated on the same day.

5. HYPOTHETICAL CASE

The hypothetical ITLOS Moot Court Case will be made available on the BILOS website from March 2, 2018.

5.1. CLARIFICATION REQUEST

Teams are allowed to send one clarification request containing questions on the hypothetical Case to brunobiscaia@ibdm.org and contato@ibdm.org. The deadline for sending these questions will be April 2, 2018. The answers to these questions will be made available on the BILOS website until April 20, 2018.

6. LANGUAGE

The official language of the Competition will be English. All documents and oral submissions must be presented in such language.



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7. REGISTRATION

Deadline for registration: Entries will be opened on February 24, 2018 and will be closed on June 1, 2018. Please note that the deadline for registration is different from that one for submitting the memorials.

Registration for the Competition will be conditioned to: i) Completion and submission of the registration form, (link for registration: <http://www.ibdmar.org/inscricao-moot-court/>); and ii) Online payment of the registration fee.

Registration is subject to the procedures described above and will only be confirmed after payment.

Registration fee *per team*: R\$ 450.00 (four hundred and fifty *reais*)

Registration fee *per team* (for teams with any member associated to BILOS): R\$ 350.00 (three hundred and fifty *reais*)

8. STAGES OF THE COMPETITION

The Competition will be carried out in two stages: writing and oral.

The documents and presentations made by the team members, both in the written and oral stages, should be original and unpublished.

8.1. WRITTEN STAGE

In the written stage, participants must submit written memorials to the Organizing Committee. All registered teams must send two memorials: one representing the *Applicant* and the other representing the *Respondent*.



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The memorials – one for the *Applicant* and other for the *Respondent* – will be evaluated by experts in International Law of the Sea. At this stage, the Organizing Committee reserves the right to disqualify teams that may not reach a basic knowledgeable standard of 50/100.

All proficient teams in the written stage will automatically qualify for the oral stage.

The memorials should be sent to brunobiscaia@ibdmar.org and contato@ibdmar.org. The e-mail above described should be sent with the *subject* "MEMORIALS – NAME OF THE FACULTY/UNIVERSITY/RESEARCH GROUP".

The deadline for submitting the memorials will begin on April 17, 2018 and will be closed on June 20, 2018. Failure to send the two memorials will result in disqualification of the team.

8.1.1. MEMORIALS FORMATING RULES

Each memorial must be presented as a single document, which should observe the following items:

- Cover;
- Summary;
- Table of Authorities;
- Each memorial must not exceed the total of 12 pages (excluded from this count, cover, summary and table of authorities).

Spacing: 1.5

Margins: Top: 2cm, Bottom: 2cm, Left: 2cm, Left: 2cm

Source: Arial 12

The memorials should not contain any information of the team and of team members.



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8.2. ORAL STAGE

For the oral stage, teams will be invited to participate in the *pre-final* and *final* rounds in Salvador, Bahia, Brazil.

At this stage, participants will be invited to simulate the trial of the ITLOS hypothetical Case.

The teams' memorials will be made available to the judges in each round. However, in the oral stage, teams will not be bound to their memorials. The memorials will not be taken into account in the teams' score in the oral stage.

A draw at the beginning of the Competition will define the order of teams' presentations.

During the oral rounds, teams will have access to the opponent teams' memorial.

In oral rounds, the team representing the *Applicant* will be the first to present its arguments.

Each team will have 35 minutes to argue. At the beginning of the session, if the *Applicant* indicates that it will *reply*, an extra time up to 5 minutes will be added to its 40 minutes, which are exclusively for its *reply*.

Respondent shall only be entitled to the *rejoinder* if the Applicant expresses an interest to *reply*. In this case, an extra time up to 5 minutes may be added to Respondent's team.

Oralists should indicate at the beginning of their presentations how many minutes they wish for the *reply* and for the *rejoinder*. The time of each *reply/rejoinder* shall not exceed 5 minutes.



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The content of the *reply/rejoinder* shall be directed to bringing out the issues that still divide the Parties.

Teams' delays longer than 10 minutes will not be tolerated. The reorganization of the rounds and possible penalties are subject to the discretion of the Organizing Committee, based on the analysis of each factual situation.

Teams' members are not allowed to leave the courtroom during the oral round except for medical reasons and *force majeure* cases.

At the oral stage, only oralists can argue. The communication between oralists with other members of the team, such as *coaches* and *observers*, will result in penalties.

8.2.1. FINAL ROUND

The best two teams of the oral rounds will be ranked for the final round of the Competition.

9. OFFICIAL WEBSITE

Official documentation and other practical information will be made available on the official BILOS website: <http://www.ibdmar.org/moot-court/>.

10. TEAMS

The teams will consist of two oralist members, *coach/coaches* and occasional *observers*.

The official appointment of the members, *coach/coaches* and the observers, somehow academically linked to the appointing institution, will be at the discretion of each University, Faculty or Research Group responsible for the appointment.



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10.1. TEAM MEMBERS

The two oralist members of each team may be graduating students, masters or Phd students in Law and International Relations or other courses possibly related to the International Law of the Sea, duly nominated by the Faculty or Research Group linked to the University.

10.2. OBSERVERS

Teams may optionally take up to seven observers for the Competition following the same conditions of admissibility such as those stipulated for team members.

10.3. COACHES

The teams can count on the *coaches'* assistance, both in the written and oral stages.

11. APPOINTMENT OF THE TEAM MEMBERS

The appointment of team members by Colleges, Research Groups and Universities should be based on a democratic and transparent process, based on a method approved by the institution and its representatives.

The admission of more than one team by College, Research Group or University is not forbidden.

For practical reasons, teams that will not be able to travel to Salvador on the date of the Competition will be disqualified.



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12. ESPIONAGE

Under no circumstances will be allowed for a team to attend the opposing teams' rounds. If such a rule is violated, penalties such as disqualification may be imposed on the offending team.

No records will be permitted during the oral rounds, unless these occur with the permission of the table of judges.

Such rules do not apply to the final round.

All oral rounds will be open to the general public, except for the members, observers, and *coaches* of other participating teams.

13. COMMUNICATION DURING ROUNDS

Any type of communication, oral or written, is forbidden between team members and other spectators of the round, which includes observers and *coaches*.

14. AWARDS

The Awards for best memorials, oralists and teams will take place at the closing ceremony of the event.

15. INTERPRETATION OF THE RULES

The rules of the Competition will be interpreted by the Organizing Committee always in the best interest of the event.



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16. TEAM CONFIDENTIALITY

At the beginning of the Competition, each team will receive a code number that will be used for its identification. It is forbidden to identify the team by means of the name of the University or by the country, state or city of origin.

17. PENALTIES

Penalties will be imposed by the Organizing Committee, which will analyze each case in its particularities, measuring possible violations. Penalties will not be imposed to the teams, but individually to their members.

The Organizing Committee will impose the penalties based on the *fair play* and the spirit of the Competition.

18. CONTACT

Contact with the Organizers can be made by the following email addresses: brunobiscaia@ibdmar.org and contato@ibdmar.org. Additional contacts must be made through the following address:

Instituto Brasileiro de Direito do Mar (IBDMAR)

Av. Tancredo Neves, n. 620, Caminho das Árvores Condomínio

Mundo Plaza, Torre Empresarial 19º andar, sala 1924,

CEP 41.820-020, Salvador - BA – Brasil

BRAZILIAN INSTITUTE FOR THE LAW OF THE SEA (BILOS)

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