



IBDMAR

Instituto Brasileiro
de Direito do Mar

2019 ITLOS MOOT COURT COMPETITION

In partnership with the *Dom Helder* Law School

PROCEDURAL CLARIFICATION REQUEST

Due to a Procedural Clarification Request made by the *Escola de Guerra Naval (EGN)* Team, the Organization of the 2019 ITLOS MOOT COURT COMPETITION reserved itself the right to answer to this Procedural Clarification Request in its own *ratio*.

Procedural Clarifications are to be provided in the following sequence:

First clarification

On the First Day of our Competition, 26th November 2019 (Tuesday), each Team will compete for 2 (two) times, once as *Applicant* and once as *Respondent*. Each of these disputes will be with different Teams.

On the Second Day of our Competition, 27th November 2019 (Wednesday), only two (2) Teams will compete during the ITLOS Moot Court Competition Finals, according to ITLOS Moot Court Rules.

* The exact Schedule of the Sessions and the sequence of disputes between Teams will be specified and disclosed by November 4, 2019. It should be noted, as soon as the Teams are already organized to participate to our Competition, that disputes will be held only in the afternoon from 1.30 pm to 6.30 pm.

Second clarification

Teams will have exclusively 35 minutes for the Main Argument. Plus 5 minutes for the *Applicant* Reply, if the Team so wishes and express it, and 5 more minutes for the Respondent *Rejoinder*.

As a courtesy to the Judges, Teams should announce at the beginning of their oral argument whether they intend to reserve time for its *reply* or *rejoinder* and how much time they intend to reserve. The time of each *reply/rejoinder* shall not exceed 5 minutes.

Third clarification

In no case may the Main Argument should exceed 35 minutes. If the Applicant wishes to waive its *Reply*, it should indicate at the beginning of its oral exposition.

Fourth clarification

According to the 8.2. ITLOS Moot Court Competition Rules, the 10-minutes delay refers only to the Team's entry into the Round's venue and is not applicable to the Team's speaking time. The time and other information of the Sessions will be announced until November 4, 2019.

Fifth clarification

Judges may ask additional questions and will be encouraged to do so. The time of completion of the questions and their answers will be computed in the overall exposure time of the Teams, without suspension or freezing time, being continuous.

Sixth clarification

The question whether the Teams are obliged (or not) to conclude their oral submissions by reading the party's requests will be under Judges' Evaluation.

Seventh clarification

Continued rotation of Oralists is not allowed during Teams' Oral Submissions. One of the Oralists starts and finishes their arguments, and then the other Oralist starts and finishes their arguments. The order of Oralists must be predetermined internally by each Team.

Eighth clarification

Oralists are encouraged to make use of written notes as oral support.

Ninth clarification

Under no circumstances, in accordance to the interpretation and application of Rules 13 and 15 by the ITLOS Moot Court Competition Organization, shall communication be permitted between *Coaches* and *Oralists* during the Team's Oral Submissions. Such understanding follows the procedures performed in the main international competitions of International Courts and Tribunals.