



INTERNATIONAL  
NUREMBERG  
PRINCIPLES  
ACADEMY



International Criminal Law  
Research Unit of the FAU

## Nuremberg Moot Court 2019

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## **§ 1 – Objective**

- 1) The Nuremberg Moot Court [hereinafter: NMC] aims to encourage law students to become familiar with international criminal law by arguing a fictitious case before the “International Criminal Court”. At the same time, it promotes the fundamental heritage of the Nuremberg Trials: criminal accountability within armed conflicts in keeping with the spirit of human rights and governed by the principle of fair trial.
- 2) The NMC aims at enabling students to improve their public speaking and practical legal skills. Students will come to understand the practices of the International Criminal Court (ICC) through active participation in the NMC. The NMC seeks to advance knowledge about the ICC’s mandate, functions and jurisprudence.
- 3) The language of the NMC is English.
- 4) The final round of the NMC will take place in the historic Courtroom 600, the original setting of the Nuremberg trials after World War II, thus connecting the past with the present while offering a unique and historic educational experience.

## **§ 2 - Organizers**

The NMC is organized by the International Nuremberg Principles Academy and the International Criminal Law Research Unit of the Friedrich-Alexander University Erlangen-Nuremberg:

Contact addresses:

International Nuremberg Principles  
Academy

Egidienplatz 23  
90403 Nuremberg, Germany

Friedrich-Alexander University Erlangen-  
Nuremberg

International Criminal Law Research Unit  
Schillerstraße 1  
91054 Erlangen, Germany

[registration@nuremberg-moot-court.de](mailto:registration@nuremberg-moot-court.de)

## **§ 3 – Rules**

- 1) The Nuremberg Moot Court 2019 Rules [hereinafter: Rules] regulate the whole NMC from the opening of the registration until the Awards Ceremony.
- 2) The organizers have the authority to interpret and amend the provisions set by the Rules.
- 3) By submitting their application, the team members acknowledge that they have read and accepted these Rules.
- 4) The grading of individual participants and teams by the judges and the decisions of the Benches regarding teams are not subject to complaints and cannot be appealed.
- 5) Teams may complain formally regarding administrative errors (e.g. incorrect calculation of overall results). Any complaint regarding other teams or other circumstances must be

brought to the attention of the organizers immediately. Retroactive complaints will not be heard.

#### § 4 - General provisions

##### a) Timetable

Monday, 3 December 2018	Opening of application phase
Sunday, 17 February 2019	Closing of application phase
Monday, 25 February 2019	Distribution of the Nuremberg Moot Court Case and team number to all admitted teams
Sunday, 21 April 2019	Deadline for submission of written memoranda
Monday, 20 May 2019	Announcement of the results, participating teams and sponsored teams
Wednesday, 24 July 2019	Opening ceremony of the Nuremberg Moot Court 2019
Thursday, 25 July 2019	Preliminary round I
Friday, 26 July 2019	Preliminary round II
Saturday, 27 July 2019	Last 16, quarter-finals, semi-finals, final and Awards Ceremony

##### b) Use of Terms

Team Coordinator	The coach or team member who is responsible for the administrative tasks of the whole team, such as registration, accommodations, visas, correspondence with organizers, etc.
Team Coach	The person who gives general advice to team members and designs the strategy of the pleadings, but may not participate as a team member. This person can be a member of the institution's staff. The presence of the team coach during the oral rounds is not mandatory.
Team	The team consists of a minimum of three and a maximum of five students (plus team coach).
Team Member	The team member is a bachelor's or master's student in law.
Team Number	The anonymous identification number given to each team for the NMC.
Written Memorandum	The written memorandum includes two written submissions: one for the Prosecution and one for the Defense. Each written memorandum must not exceed 14 pages

	including front page, table of contents and footnotes.
Bench	The judges
Official webpage	<a href="http://www.nuremberg-moot.de">www.nuremberg-moot.de</a>
Official Facebook page	<a href="http://www.facebook.com/nurembergmootcourt">www.facebook.com/nurembergmootcourt</a>

## § 5 - Competition

- 1) No application fee or participation fee is required.
- 2) The NMC consists of the application phase, written phase and oral rounds.
- 3) For participation in the written phase, the teams will be selected on the basis of their motivation letters sent to the organizers during the application phase.
- 4) The organizers reserve the right to limit the number of teams that participate at the oral rounds of the NMC. The teams will be selected based on the results of the written memoranda and by geographical proportionality.
- 5) The organizers are offering funding (travel expenses, accommodations and per diem) for three teams (3 Team Members + 1 Coach) from situation countries of the ICC or other conflict or post-conflict countries.

## § 6 – Eligibility

- 1) Any law student at a bachelor’s or master’s level or equivalent from a law school, law faculty or institution with an international law-related degree program is eligible to participate in the NMC as a member of a team.
- 2) Teams may be composed of three to five team members.
- 3) Each team needs to nominate an official team coordinator. The team coordinator is the contact person for the organizers throughout the NMC.
- 4) Each institution is allowed to send only one team.
- 5) The substitution of team members is not permitted after the application deadline as given in the official timetable; however, exceptions may be granted by the organizers in the event of exceptional circumstances.

## § 7 – Application phase

- 1) Teams may apply through their team coordinator by submitting the online application form on the Nuremberg Moot Court official website no later than Sunday, 17 February 2019, 23:59:59 CET.

The application must contain the following information:

- a. Personal information about all team members
- b. Passport details in case the team needs visa to travel to Germany
- c. Information about the team coach
- d. The name of the institution represented by the team
- e. Motivation letter
- f. Information as to whether the team is applying for funding to participate in the NMC

- 2) The motivation letter should include a minimum of 750 and a maximum of 1300 words. If the team applies for funding it can use up to 250 words to explain the reasons why funding is necessary to participate in the NMC.

The motivation letter must include the reasons of applying, the relevance of participation in the NMC for the studies and professional future of the team members and their interest in the field.

## **§ 8 – Written phase**

- 1) A team number will be assigned to each selected team. The team number will be distributed together with the Case of the Nuremberg Moot Court [hereinafter: Case]. The Case and the team number will be sent to each team coordinator by email.
- 2) Each team must submit two memoranda in preparation for the hearings: one for the Prosecution and one for the Defense.
- 3) Each team must research, write, edit, and develop its own legal and factual arguments without any help or advice from anyone outside their team. The team coach may only provide general advice to the team; for example, general instruction in international (criminal) law, general advice on research methods or advice on pleading options and strategies.
- 4) Each team must submit its memorandum in PDF format, printable on A4-sized paper, in Times New Roman 12 point. Each page shall have a margin of 2 cm/ 0.79 inches on either side of the page. The text of the memorandum must have 1.5 line spacing and a maximum of 14 pages, including the front page, table of contents and footnotes. The front page must show solely the team number, the party to the proceeding (Prosecution or Defense), title of the NMC and the year 2019. The pages must be numbered.
- 5) No information identifying the team members, their university or country may appear anywhere in the written memoranda including cover pages.
- 6) The rules of citation and the list of abbreviations available on the official webpage of the NMC must be strictly observed.
- 7) The two memoranda must be submitted electronically no later than Sunday, 21 April 2019, 23:59:59 CET.

## **§ 9 – Grading of written memoranda**

- 1) The maximum score for each written memorandum is 50 points:
  - up to 40 points will be awarded for knowledge of legal principles, knowledge and analysis of the case, logic and legal reasoning,
  - up to 10 points will be awarded for grammar, style and appropriate legal terminology.
- 2) Late submission or plagiarism of written memoranda will be sanctioned with disqualification.
- 3) The organizers may apply a sanction in the event of violation of the provisions under Rule 8 (4) to (7) of up to five penalty points per page.
- 4) Each team will receive an individual review of their written memoranda.

- 5) The results of the written memoranda and the teams that will participate in the oral rounds will be published on the official webpage and official Facebook page.
- 6) Those teams that did not advance to the oral rounds will receive a certificate testifying their participation in the written phase.
- 7) In the event of exceptional circumstances or if it should be impossible for a selected team to attend the NMC, the organizers may contact the team with the next best written results and invite it to participate.

## **§ 9 – Oral rounds**

- 1) The teams that advance to the oral rounds must indicate to the organizers that they will participate in the oral rounds and sign and send in the photo consent form by Friday, 1 June 2019.
- 2) The oral rounds consist of the opening ceremony to be held on Wednesday, 24 July 2019 starting at 17:00 CET and three days of NMC. The preliminary rounds will take place on 25 – 26 July 2019. The last 16, quarter-finals, semi-finals and final will be held on Saturday, 27 July 2019 at the Nuremberg Palace of Justice. The final will take place in the historic Courtroom 600.
- 3) During the opening ceremony, the schedule of the NMC will be announced.
- 4) All team members must be present at the oral presentations, however exceptions may be granted by the organizers in the event of exceptional circumstances.
- 5) Each team will plead twice during the preliminary rounds, once for the Prosecution and once for the Defense.
- 6) In the following rounds (last 16, quarter-finals, semi-finals and final) pleading as either Prosecution or Defense Counsel will be determined by drawing lots.

## **§ 10 – Pleading**

- 1) The total speaking time is 25 minutes.
- 2) The pleading sides may use an extra 5 minutes for rebuttal and rejoinder.
- 3) The Prosecution always takes the floor first.
- 4) At the beginning of the hearing, the team must indicate to the bench how it wishes to allocate its pleading time in order to ensure each team member's participation.
- 5) It is within the discretion of the team to decide which team member shall present the rebuttal/rejoinder.
- 6) The speakers or other team members may not raise objections.

## **§ 11 – Team participation**

- 1) Each team member must be assigned to plead for either the Prosecution or the Defense. The same team member may not plead for both sides. Depending on the number of team members, different constellations are possible, but it must be assured by each team that all team members take the floor during each round.

## **§ 12 – Communication**

- 1) The team coach may not sit with his or her team and may not give advice during the pleading.
- 2) The team members are allowed to use technical appliances, such as laptops, watches, iPads.
- 3) Team members are allowed to communicate with each other in writing in order to support the speaker, as long as they do not disturb the speaker.

## **§ 13 – Appearance**

- 1) In the event of late appearance, it is within the discretion of the bench to decide on penalty points.
- 2) If there are exceptional circumstances the organizers may reschedule the hearing.

## **§ 14 – Hearings**

- 1) The hearings are open to the public, including to members of other teams.
- 2) Selected hearings may be live-streamed and/or recorded.

## **§ 15 - Bench**

- 1) During the preliminary rounds, the bench is composed of one or two judges and one Presiding Judge.
- 2) The bench follows its Rules and Procedures in accordance with accepted judicial practice.
- 3) Judges will assess knowledge of the facts of the case, legal principles, reasoning, reference to the jurisprudence of International Courts and Tribunals (including the Nuremberg Trials) and analysis of the legal issue as well as the overall presentation.
- 4) The bench scores the hearing by single evaluation. The bench will inform the teams immediately after deliberation on the result of the round and the best and the second best speakers.

## **§ 16 – Grading of oral rounds**

- 1) The maximum score that can be obtained during the preliminary round is 20 points:
  - up to 15 points will be awarded by the bench for knowledge of the facts of the case, legal principles, reasoning, reference to the jurisprudence of International Courts and Tribunals (including the Nuremberg Trials) and analysis of the legal issue.
  - up to 5 points will be awarded for overall presentation.
- 2) Final scores for the last 16 depend on the number of participating teams. In order to reach the last 16 the scores of the teams will be calculated as follows:
  - [2 wins] preliminary round I points + preliminary round II points = score
  - [1 win] preliminary round I points + preliminary round II points = score
  - [0 wins] preliminary round I points + preliminary round II points = score

For example:

- 1st place Team Alpha = [2 wins] 17 (PR I) + 15 (PR II) = 2 wins + 32 points
- 2nd place Team Beta = [2 wins] 17 (PR I) + 10 (PR II) = 2 wins + 27 points
- 3rd place Team Gamma = [1 win] 16 (PR I) + 15 (PR II) = 1 win + 31 points

- 3) The results of the preliminary rounds will be announced on Friday, 26 July 2019 in the evening and published on the official webpage and official Facebook page.
- 4) The best teams will proceed to the last 16. Priority will be given to those teams who win two successive pleadings in the preliminary rounds. If there are several teams who win two successive pleadings, the teams with the highest scores will proceed to the next round. If there are not enough teams with two successive wins, teams with a single win shall be given a chance to go through, depending on their score.
- 5) If there is a tie in scores at this stage, the organizers will consider the results of the written memoranda.
- 6) Only the winning teams in the quarter-finals and semi-finals go through to the next round of the competition.

#### **§ 17 – Best speaker**

- 1) During each round, the best speakers of each team will receive two points; the second-best speaker will receive one point. These points are not added to the points awarded to the teams.
- 2) The speaker with the highest total scores at the end of the competition will be acknowledged as “Best Overall Speaker”.

#### **§ 18 – Penalty points and behavior**

- 1) Every team shall maintain the utmost dignity and decorum in the courtroom and during the entire NMC.
- 2) It is within the discretion of the organizers and the Bench to decide on penalty points in the event of any violation of the rules or inappropriate behavior.
- 3) Inappropriate behavior may result in disqualification of the team.

#### **§ 19 – Awards**

The following awards will be given by organizers after the final round:

1. First Place
2. Second Place
3. Best Overall Speaker
4. Second-Best Overall Speaker
5. Best Memorandum – Prosecution
6. Best Memorandum – Defense

Each team member will receive a certificate of participation for the written and oral phases.