

Official Rules of Asia Cup 2019

8 April 2019

Asia Cup 2019 Organizing Committee

Chapter I General Rules

Article 1 Purpose

The International Law Moot Court Competition, “Asia Cup 2019”, is co-hosted by the Japanese Society of International Law and the Ministry of Foreign Affairs of Japan and administered by the Asia Cup 2019 Organizing Committee. The purpose of Asia Cup 2019 is to raise awareness regarding international law and the rule of law among students in Asia through academic exchange. It is hoped that Asia Cup 2019 will foster friendship among Asian students.

Article 2 Structure

Asia Cup 2019 consists of written pleadings (Memorials) and oral pleadings (Oral Rounds).

Article 3 Official Language and Venue

- (1) The official language of Asia Cup 2019 is English.
- (2) Asia Cup 2019 is held in Tokyo, Japan.

Article 4 Competition Problem and Supplementation

- (1) The Organizing Committee publishes the Competition Problem of Asia Cup 2019.
- (2) The Organizing Committee may publish supplementation if it is deemed necessary.

Article 5 Detailed Regulations

The Organizing Committee may add detailed regulations if they are deemed necessary.

Article 6 Interpretation of Rules

The Organizing Committee shall serve as final arbiter of implementation and interpretation of these Rules and regulations.

CHAPTER II PARTICIPATION AND ELIGIBILITY

Article 7 Team Eligibility and Composition

(1) Each school in Asia may enter one team. A school may petition the Organizing Committee, in writing, to allow the participation of multiple teams from the school. Additional teams may be allowed if the teams represent different colleges, faculties, branches, departments, or campuses of the same school and will be participating independently of each other.

(2) A team may be composed of two to four team members who shall be the only individuals contributing to the work product of the team in Asia Cup 2019. Conducting research for a team's written and/or oral arguments, writing any part of a team's Memorial, and presenting any of a team's oral arguments are examples of activities that contribute to a team's work product.

(3) Team members may be chosen by any method within the school.

Article 8 Team Member Eligibility

(1) A team member must be officially enrolled as an undergraduate student in a university or equivalent program.

(2) A student enrolled in a graduate degree program in the field of international law, an undergraduate student who has previously graduated from a university with a law degree, and an individual who has worked as a legal professional may not be a team member.

CHAPTER III TEAM REGISTRATION

Article 9 Registration

(1) Every team must register with the Organizing Committee online at <http://www.asiacup.sakura.ne.jp> by the deadline in the Official Schedule.

(2) Every student who contributes to the work product of the team must be registered as a team member.

Article 10 Team Number

Once a team has completed registration, the Organizing Committee will assign the team a team number.

Article 11 Changes of Team Members

Once team members are registered, teams may not make changes, whether additions or substitutions, of team members, without permission from the Organizing Committee. Any request to make a change must be submitted to the Organizing Committee with an explanation of the reason for the requested change.

CHAPTER IV MEMORIAL

Article 12 Submission of Memorial

- (1) Each team shall submit a Memorial for Applicant to the Organizing Committee online at <http://www.asiacup.sakura.ne.jp> by the deadline in the Official Schedule.
- (2) Unless otherwise agreed in advance and in writing by the Organizing Committee, a team will be disqualified from Asia Cup 2019 if it does not submit its Applicant Memorial by the deadline.

Article 13 Memorial Formatting

- (1) File Type: An Applicant Memorial must be in Microsoft Word format.
- (2) Paper Size/Margins: The Memorial must be typed in black on white international standard A4 paper (21 x 29.75 centimeters), with margins of not less than 1 inch or 2.6 centimeters on all four sides.
- (3) Font, Font Size and Line Spacing: The font and size of the text of the Memorial, excluding the Cover Page and page numbers but including footnotes, must be in either Times New Roman 12-point or Courier 10-point. The line spacing for the Memorial must be double-spaced, with the exception of footnotes.

Article 14 Memorial Content

- (1) The Memorial must consist of the following parts and be saved in a single file.
 - (i) Cover Page, which must include a statement indicating that what follows is the Memorial for Asia Cup 2019 and the team number in the upper right-hand corner;
 - (ii) Table of Contents;
 - (iii) Summary of Pleadings, which must not exceed 2 pages;
 - (iv) Pleadings, which must not exceed 10 pages, including footnotes; and
 - (v) Conclusion/Prayer for Relief
- (2) Parts not enumerated in paragraph 1 should not be contained.

Article 15 Anonymity in Memorial

Names of team members, and the country or school name of the team, may not appear on or within the Memorial, even by implication.

CHAPTER V TEAMS PARTICIPATING IN ORAL ROUNDS

Article 16 Qualifying Teams

(1) The Organizing Committee will select teams participating in the Oral Rounds of Asia Cup 2019 on the basis of the preliminary Memorial examination. In principle, one team from each Asian country other than Japan and one or two teams from Japan may participate in the Oral Rounds.

(2) In the preliminary Memorial examination, the evaluation criteria provided in Article 34 will be utilized.

(3) The Organizing Committee will inform all teams of the outcome of the preliminary Memorial examination, but no information about the score or ranking in this examination will be given.

Article 17 Team Registration for Oral Rounds

Each member of the teams qualified for the Oral Rounds must submit an official document which certifies that he/she meets the requirements provided in Article 8, by the deadline in the Official Schedule.

Article 18 Observers

(1) Persons other than those registered in accordance with Article 9 are regarded as observers, subject to an approval by the Organizing Committee.

(2) Observers may not act as an oralist at the Oral Rounds.

Article 19 Financial Support

(1) The Organizing Committee may offer financial support for participating in the Oral Rounds.

(2) In order to receive the financial support for travel expenses, a team must apply by the deadline in the Official Schedule.

CHAPTER VI ORAL ROUND PROCEDURES

Article 20 Summary of Oral Pleadings

Each team participating in the Oral Rounds must submit to the Organizing Committee a Summary of Oral Pleadings both for Applicant and Respondent by the deadline which will be announced by the Organizing Committee.

Article 21 General Procedures

Each Oral Round consists of 60 minutes of oral pleadings. Applicant and Respondent are each allotted 30 minutes. Oral presentations must be made by two members from each team. Prior to the beginning of the Oral Round, each team must indicate to the bailiff how it wishes to allocate 30 minutes among (a) its first oralist, (b) its second oralist, and (c) rebuttal (for Applicant) or sur-rebuttal (for Respondent). The team may not allocate more than 20 minutes, including rebuttal or sur-rebuttal, to either oralist. Any team member may act as an oralist.

Article 22 Extension of Time at Judges' Discretion

Judges may, at their discretion, extend total team oral argument time beyond the 30-minute allocation, and oralists asked by the judges to expand upon arguments may, in this instance, exceed the 20-minute individual limit.

Article 23 Three Judge Panels

In each Oral Round, the Organizing Committee in principle employ three judges whenever possible, and may employ more than three judges in the Semifinal Rounds and the Final Round. In extenuating circumstances, the Organizing Committee may authorize panels of two judges.

Article 24 Oral Rounds

The order of the pleadings in each Oral Round is:

Applicant 1 → Applicant 2 → Respondent 1 → Respondent 2 → Rebuttal (Applicant 1 or 2) → Sur-rebuttal (Respondent 1 or 2).

Article 25 Rebuttal and Sur-rebuttal

Each team may reserve up to five minutes for rebuttal or sur-rebuttal. Only one of the two oralists participating in the Oral Round may deliver the rebuttal or sur-rebuttal, but the team need not

indicate in advance which of the pleading team members will do so. Teams may waive their rebuttal or sur-rebuttal.

Article 26 Scope of Pleadings

(1) Oral pleadings at each Oral Round should in principle be made on the basis of Memorials and Summaries of Oral Pleadings of both teams. The scope of Applicant's rebuttal is limited to responding to Respondent's primary oral pleadings, and the scope of Respondent's sur-rebuttal is limited to responding to Applicant's rebuttal. If Applicant waives rebuttal, Respondent's sur-rebuttal is automatically waived as well.

(2) Oral judges may take any non-compliance with this principle into account in evaluating an oralist's performance.

Article 27 Communication and Electronic Devices in Courtrooms

(1) Communication at the counsel table shall be limited to written communication among team members seated at the counsel table.

(2) During an Oral Round, oralists may not operate, for any purpose, mobile phones, laptop computers, or any other computing or electronic devices.

Article 28 Timekeeping Devices in Courtrooms

The official time of the match shall be indicated by the bailiff or the timekeeper. No one other than the bailiff or the timekeeper may display timecards or otherwise signal to the oralist how much time is left.

CHAPTER VII COMPETITION PROCEDURES

Article 29 Preliminary Rounds

Each team participating in the Oral Rounds shall participate in Preliminary Rounds consisting of two Oral Rounds, once as Applicant and once as Respondent.

Article 30 Pairing

(1) The pairing of teams for Preliminary Rounds shall be done by a random draw. The Organizing Committee will distribute to each team the Memorials and Summaries of Oral Pleadings of opposing teams on or prior to the first day of Asia Cup 2019.

(2) The Organizing Committee may modify the pairing to account for absent teams or other unforeseeable contingencies. If teams must be newly paired, they must be provided the Memorial and Summary of Oral Pleadings of their new opposing team as soon as reasonably possible.

Article 31 Preliminary Round Rankings

(1) Teams shall be ranked by Total Asia Cup Scores provided in Article 36, paragraph 4, from highest to lowest.

(2) If two or more teams are tied after application of paragraph 1 of the present Article, and the outcome of determination does not affect (a) any team's entry into the Semifinal Rounds, or (b) the paring of any teams in the Semifinal Rounds, the teams shall be ranked equally. If, however, further determination is necessary to determine advancement or pairings, the Organizing Committee shall break the tie according to the following methods, starting with the first and working down only if the prior method does not break the tie:

- (i) the team with the higher Total Oral Score wins;
- (ii) the team with the higher Respondent Oral Score wins; or
- (iii) the Organizing Committee determines a method to break the tie, taking into account the interests of the teams and Asia Cup 2019 as a whole.

Article 32 Semifinal Rounds

(1) The Semifinal Rounds consist of two pairings of the four highest-ranked teams in accordance with Article 31.

(2) The parings in the Semifinal Rounds shall be determined as follows: the first-ranked team versus the fourth-ranked team; and the second-ranked team versus the third-ranked team.

(3) In each Semifinal Round, the higher-ranking team shall have the pleading option, or the right to choose which side it will argue.

Article 33 Final Rounds

(1) The two winning teams from the Semifinal Rounds advance to the Final Round of Asia Cup 2019.

(2) The pleading option for the Final Round shall be determined by drawing lots or any other means the Organizing Committee chooses.

CHAPTER VIII Competition Scoring

Article 34 Scoring of Memorials

Each judge will score each Memorial on a scale of 50 to 100 points. A Memorial judge may utilize the following evaluation criteria.

- (i) Knowledge of facts and law
- (ii) Proper and articulate analysis
- (iii) Extent and use of research
- (iv) Clarity and organization
- (v) Style, formatting, grammar, and citation of sources

Article 35 Scoring of Preliminary Rounds

Each judge will score each oralist on a scale of 50 to 100 points. An Oral judge may utilize the following evaluation criteria.

- (i) Knowledge of the law
- (ii) Questions and answers
- (iii) Knowledge of the facts
- (iv) Style, pose and demeanor
- (v) Organization and time management

Article 36 Scores

The calculation of scores shall be subject to the deduction of Penalties under Chapter IX.

(1) Each team's Total Memorial Score is the sum of the three Memorial judges' scores. This score shall be used to determine the Best Memorial Award.

(2) Each oralist's Individual Oral Score is the sum of the scores of the three Oral judges for the oralist. This score shall be used to determine the Best Oralist Awards

(3) Each team's Total Oral Score is the sum of the scores of the three Oral judges for each of its four oralists.

(i) Each team's Applicant Oral Score is the sum of the scores of the three Oral judges for each of its two oralists arguing Applicant.

(ii) Each team's Respondent Oral Score is the sum of the scores of the three Oral judges for each of its two oralists arguing Respondent.

(4) Each team's Total Asia Cup Score is the sum of the team's Total Memorial Score and the team's

Total Oral Score.

Article 37 Two-Judge Panels

If only two judges score a given Memorial or a given Oral Round, the Organizing Committee shall create a third score by averaging the scores of the two judges.

Article 38 Scoring Procedures for Semifinal and Final Rounds

Judges of the Semifinal and Final Rounds shall make an independent review of the oral arguments. The decision regarding the winner of the Round shall be by majority vote of the judges. No ties are allowed.

CHAPTER IX PENALTIES

Article 39 Memorial Penalties

- (1) Memorial Penalties shall be deducted from each judge's score on a team's Memorial.
- (2) Penalties shall be assessed for violations of the Rules concerning Memorial as follows.
 - (i) Failure to include all parts of Memorial (Article 14): 5 points for each part
 - (ii) Excessive length of Summary of Pleadings (Article 14(1)(iii)): 5 points per page
 - (iii) Excessive length of Pleadings (Article 14(1)(iv)): 5 points per page
 - (iv) Violation of anonymity in Memorial (Article 15): disqualification or up to 10 points

Article 40 Oral Round Penalties

- (1) Oral Round Penalties shall be deducted from each judge's score for each oralist.
- (2) Penalties shall be assessed for violations of the Rules concerning Oral Rounds as follows.
 - (i) Tardiness in submitting a Summary of Oral Pleadings (Article 20): 5 points per day
 - (ii) Improper communication in courtrooms (Article 27): up to 10 points
- (3) In addition, the Organizing Committee may assess up to 10-point penalties for other violations of the letter or spirit of the Rules.
- (4) If a team believes that an infraction of the Rules has occurred during an Oral Round, the team may notify the bailiff or the Organizing Committee within five minutes of the conclusion of that Oral Round.

CHAPTER X AWARDS

Article 41 The Asia Cup Championship Award

The Asia Cup Championship Award is presented to the team that wins the Final Round of Asia Cup 2019.

Article 42 The Best Memorial Award

The Best Memorial Award is presented to the team with the highest Total Memorial Score.

Article 43 The Best Oralist Awards

- (1) The Best Applicant Oralist Award is presented to the oralist with the highest Individual Oral Score among the oralists arguing Applicant.
- (2) The Best Respondent Oralist Award is presented to the oralist with the highest Individual Oral Score among the oralists arguing Respondent.