



2nd PGCL SAARC International Moot Court Competition 2022

In the loving memory of Late Dr. L.R Dwivedi

RULES FOR THE 2ND PGCL SAARC INTERNATIONAL MOOT COURT COMPETITION, 2022

1. ADMINISTRATION AND GENERAL RULES

The name of the Competition is the '2nd PGCL SAARC International Moot Court Competition, 2022' ("**the Competition**").

1.1 IMPLEMENTATION AND INTERPRETATION OF RULES

Rules and Procedures contained in this document shall be applicable to all participating teams. In relation to the practice and procedure of the Competition, the final interpretation in case of any conflict lies with the Moot Court Society ("**MCS**"). The decision of the MCS shall be final and binding.

1.2 ELIGIBILITY

- 1.2.1 The Competition is open to all students, enrolled bona-fide on a regular basis pursuing their bachelor's degree in law (LLB, BCL, JD or equivalent) from any university, college and / or institution imparting legal education.
- 1.2.2 The first 24 teams shall be allowed to participate on a first-come-first-serve basis.
- 1.2.3 Considering the limit in the number of teams, each University / College are permitted to be represented by **TWO TEAMS**.

1.3 TEAM COMPOSITION

- 1.3.1. Each participating team shall comprise of **three** members only. The three member team composition is mandatory. In the team, 2 members will be designated as the Speakers and 1 member shall be the Researcher.
- 1.3.2. In each of the oral rounds, two members of the team will be the Oralists.
- 1.3.3. Only those participants registered as Oralists in the registration form, shall be allowed to speak.



1.3.4. Once registered, a team will not be permitted to vary the composition of the team in any manner. Changes, if any, may only be made with the express permission of the Organizing Committee.

1.3.5. Any changes with respect to the contact details shall be notified to the Organizing Committee with immediate effect.

1.4 ASSISTANCE TO THE TEAMS

The research, drafting and editing for the Competition shall be undertaken by the team members in exclusivity. However, teams are allowed to be accompanied by 1 coach. The coach shall be permitted to attend their team's rounds. They shall also receive a certificate of recognition at the conclusion of the Competition.

The coach can be a faculty member or an experienced mooter or a research scholar.

2. OFFICIAL LANGUAGE

The official working language of the Competition shall be English only.

3. REGISTRATION

3.1. Each institution must, first, provisionally register itself for the Competition by filling the following google form: <https://forms.gle/UzutZg7FLGKthzRz9>

3.2. Only upon the confirmation of the provisional registration by the Organizing Committee, each team shall register for the Competition by filling “**ADDENDUM A**” also referred to as the **Affidavit**.

3.3. The participating teams needs to scan the Affidavit after filling it and mail it to saarc.pgcl@gmail.com, along with the transcription receipt or the screenshot of the payment made.

4. FEES

Each participating team participating in the Competition must pay a registration fee by cheque / wire transfer / or credit card by **20th December 2021**.

If paying by cheque, it should be payable to “SVKM’s PRAVIN GANDHI COLLEGE OF LAW” and mailed to: geeta.kubsad@pgcl.ac.in and cc to: saarc.pgcl@gmail.com

2nd PGCL SAARC International Moot Court Competition, 2022

Attn: Professor Geeta Kubsad

SVKM’s Pravin Gandhi College of Law, Mumbai

8th Floor, Mithibai College Campus, Bhakti Vedanta Swami Marg,

Vile Parle West, Mumbai, Maharashtra – 400056

For wire transfer or credit card information, please email Professor Geeta Kubsad, Pravin Gandhi College of Law, at geeta.kubsad@pgcl.ac.in and cc to: saarc.pgcl@gmail.com

The amount for each participating team as per their region is clearly mentioned in the Brochure attached along with the mail.

ACCOUNT DETAILS

NAME OF ACCOUNT – SVKM’S PRAVIN GANDHI COLLEGE OF LAW

NAME OF BANK – HDFC BANK

ACCOUNT NUMBER – 03210330000171

BRANCH – JVPD SCHEME, M-56

TYPE OF ACCOUNT – CURRENT ACCOUNT

IFSC CODE – HDFC0000321

5. ORAL PLEADINGS AND PROCEDURES

The moot proposition for all the rounds shall be the same. In respect to the issues, they shall be framed by the drafters of the moot proposition. The teams will be arguing from both the sides, throughout the competition. The Memorial marks shall be included for qualification to the Quarter Final and Semi Final rounds. The Semi Final and Final rounds shall be judged solely by the performance of the teams during the oral pleadings.

5.1. PRELIMINARY ROUNDS

- 5.1.1. In the preliminary rounds, each of the 24 teams shall be arguing from both the sides, once as the Prosecution and once as the Defendant.
- 5.1.2. The teams that shall be arguing against each other and the side to be argued by the teams shall be determined through the process of Draw of Lots, prior to the commencement of the Preliminary rounds.
- 5.1.3 Both the speakers of the team shall make the oral submissions during each of the preliminary rounds. The oral submissions shall be equally divided among the speakers.
- 5.1.4. The time allotted for presenting the oral submissions shall be 10 + 2 minutes for each speaker from the Prosecution side and 10 + 2 minutes for each speaker from the Defendant side. Time shall be paused when a question has been posed by the bench to the speakers. However, time taken to respond to the questions shall be counted in the time allotted to the speakers.
- 5.1.5. There shall be time allotted for rebuttal and surrebuttal. Each team shall be allowed 3 minutes for rebuttal and surrebuttal respectively.
- 5.1.6 The teams shall be required to sincerely adhere to the prescribed time limits.
- 5.1.7 . Any extension of time shall solely rely on the discretion of the bench.

5.2. QUARTER FINAL ROUNDS

- 5.2.1. The top 8 teams from the preliminary rounds shall qualify for the Quarter Final rounds. Selection shall be based on the marks received by the teams during the oral rounds, in addition to the marks awarded to the Memorials of the team. The cumulative score will determine the selection for the Quarter Final rounds.
- 5.2.2. Each of the top 8 teams shall be arguing from both the sides, once as the Prosecution and once as the Defendant.
- 5.2.3 The teams that shall be arguing against each other and the side to be argued by the teams shall be determined through the process of Draw of Lots, prior to the commencement of the Quarter Final rounds.



- 5.2.4 Both the speakers of the team shall make the oral submissions during each of the Quarter Final rounds.
- 5.2.5. There shall be a gap after the first round of arguments. Post the gap, the teams shall plead from the counter side and will henceforth be arguing against a new team.
- 5.2.6. Each team shall be allotted a total of 30 minutes to present their oral submissions. There shall be an intimation at the end of 12 minutes followed by a final intimation at the end of the allotted 15 minutes for each speaker. Time shall be paused when a question has been posed by the bench to the speakers. However, time taken to respond to the questions shall be counted in the time allotted to the speakers.
- 5.2.7. There shall be time allotted for rebuttal and surrebuttal. Each team shall be allowed 3 minutes for rebuttal and surrebuttal respectively.
- 5.2.8. The teams shall be required to sincerely adhere to the prescribed time limits.
- 5.2.9. Any extension of time shall solely rely on the discretion of the bench.

5.3. SEMI FINAL ROUNDS

- 5.3.1. The top 4 teams from the Quarter Final rounds shall qualify for the Semi Final rounds. Selection shall be based on the marks received by the teams during the Quarter Final rounds, in addition to the marks awarded to the Memorials of the team. The cumulative score will determine the selection for the Semi Final Rounds.
- 5.3.2. Each of the top 4 teams shall be arguing from both the sides, once as the Prosecution and once as the Defendant.
- 5.3.3. The teams that shall be arguing against each other and the side to be argued by the teams shall be determined through a the process of Draw of Lots, prior to the commencement of the Semi Final rounds.
- 5.3.4. Both the speakers of the team shall make the oral submissions during each of the Semi Final rounds.
- 5.3.5. There shall be a gap after the first round of arguments. Post the gap, the teams shall plead from the counter side and will henceforth be arguing against a new team.



- 5.3.6. Each team shall be allotted a total of 30 minutes to present their oral submissions. There shall be an intimation at the end of 12 minutes followed by a final intimation at the end of the allotted 15 minutes for each speaker. Time shall be paused when a question has been posed by the bench to the speakers. However, time taken to respond to the questions shall be counted in the time allotted to the speakers.
- 5.3.7. There shall be time allotted for rebuttal and surrebuttal. Each team shall be allowed 3 minutes for rebuttal and surrebuttal respectively.
- 5.3.8. The teams shall be required to sincerely adhere to the prescribed time limits. Any extension of time shall solely rely on the discretion of the bench.
- 5.3.9 The written Memorial marks shall not be taken into consideration during the marking of the Semi Final rounds. The marks obtained by the team during their oral submissions will be taken into account only.

5.4. **FINAL ROUNDS**

- 5.4.1. The top 2 teams from the Semi Final rounds shall be moving towards the final round of the Competition.
- 5.4.2. The sides to be argued by the teams shall be determined by the process of Draw of Lots, prior to the commencement of the Final rounds.
- 5.4.3. The finalists shall be arguing from both the sides, once as the Prosecution and once as the Defendant.
- 5.4.4. Both the speakers of the team shall make the oral submissions during each of the Semi Final rounds.
- 5.4.5. There shall be a gap after the first round of arguments. Post the gap, the teams shall plead from the counter side and will be arguing for one last time.
- 5.4.6. Each team shall be permitted to speak for a total of 40 minutes during the final round. There shall be an intimation at the end of 17 minutes for each speaker followed by a final intimation at the end of the allotted 20 minutes for each speaker.
- 5.4.7. There shall be time allotted for rebuttal and surrebuttal. Each team shall be allowed 3 minutes for rebuttal and surrebuttal respectively.

5.4.8. The teams shall be required to sincerely adhere to the prescribed time limits. Any extension of time shall solely rely on the complete discretion of the bench.

5.4.9. The final round shall not include the written Memorial marks. It shall be determined solely on the basis of the oral submissions.

5.5. CRITERIA FOR ASSESSMENT OF ORAL SUBMISSIONS

5.5.1. The oral rounds shall be judged by industry professionals having rich experience in the respective fields of Public International Law and International Criminal Law.

5.5.2. The criteria for assessment of each speaker shall include, but are not limited to, the following, and shall be out of a maximum of 100 marks:

- Knowledge and use of facts
- Application of law to facts
- Application of authorities and citations
- Skill of advocacy and persuasion
- Language and style
- Time management
- Court room etiquettes
- Application of legal issues and legal analysis

6. WRITTEN MEMORIALS

6.1. MEMORIAL SUBMISSION

6.1.1. Each team shall prepare and submit both, the Memorial and the Counter Memorial.

6.1.2. The medium of the memorial shall be in English language only.

6.1.3. Each team shall submit the soft copy of the memorials. The memorials must be sent as an email attachment in both Word Format and PDF Format at saarc.pgcl@gmail.com

6.1.4. The hypothetical facts on which the moot proposition is based, has been drafted by professionals who are well versed in the field of International Criminal law. No team shall contact the drafters of the moot proposition

for any clarification / assistance, under any circumstances. **Failure to abide by this rule shall result in immediate disqualification.**

6.2. FORMAT

- 6.2.1. The memorial or the counter memorial shall be limited to 35 pages strictly.
The pleadings advanced shall be limited to 25 pages only.
- 6.2.2. The memorials must be typed and submitted on standard A4 size paper only.
- 6.2.3. The texts of all parts of each memorial (excluding the footnotes) should be Times New Roman, font size 12.
- 6.2.4. The text of all parts of each memorial must have 1.5 line spacing, with 1 inch margin on both sides.
- 6.2.5. The text of footnotes and headings may be single-spaced. The font size of the footnotes must be 2 points less than that of the text font. The text of the footnotes must have 1.0 line spacing.
- 6.2.6. The memorials shall be marked by the Unique Team Code (“UTC”) only, which shall be allotted to each team, pursuant to the final registration. The content of the memorials shall not contain any mark disclosing the team’s institutional affiliation or identity of any member of the team.
- 6.2.7. The Table of Contents, Index of Authorities, Statement of Jurisdiction, Statement of Facts, Statement of Issues, Summary of Pleadings, and Prayer for Relief are not included in the 25 pages, that is solely for the Pleadings Advanced.

6.3. DESCRIPTION

The memorial shall consist of the following parts:

- Table of Contents
- Index of Authorities (including the corresponding page numbers)
- Statement of Jurisdiction
- Statement of Facts
- Summary of Pleadings
- Pleadings Advanced
- Prayer for Relief



6.4. CRITERIA FOR ASSESSMENT

6.4.1. The memorials shall be evaluated by a person / group of persons having sound knowledge of Public International Law and International Criminal Law.

6.4.2. The criteria for assessment shall include, but are not limited to, the following, and shall be out of a maximum of 100 marks:

- Legal substance
- Appreciation of facts and law
- Appropriate use of authorities and citations (the extensive research)
- Analysis of the issues
- Clarity, organization and style of drafting
- Language and grammar

6.4.3. Late submission of memorials shall attract a penalty of **-5** marks being deducted on every consecutive day from the total marks allocated.

7. CLARIFICATIONS TO THE MOOT PROPOSITION

7.1. The last date for submitting clarifications to the Case Record is December 28, 2021 (11:59 PM IST). All such requests must be mailed at saarc.pgcl@gmail.com

7.2. The request for clarifications should be clear and related to the facts of the case and not related to the substantive arguments.

8. JUDGES

8.1. JUDGES

8.1.1. Distinguished professionals well versed in the subject of International law, in general, and Public International law, in particular, shall be chairing the Rounds. The Judges shall be well aware of the procedure of a Moot Court Competition and the Rules.

8.1.2. Judges shall be from amongst the following categories:

- Academicians,
- Serving or Retired Judges of the International Court of Justice,
- Serving or Retired Judges of the Supreme Court or the High Court, or

- Senior Advocates of the Supreme Court or the High Court,
- Legal advisers to the Government / Armed forces
- Diplomats, amongst others.

8.1.3. The Judges presiding over the Preliminary rounds / Quarter Final rounds shall not be judging the advanced rounds. However, only under exceptional circumstances, which shall be determined by the Organizing Committee, a Judge from a Preliminary round / Quarter Final round shall be judging at an advanced round. If this happens, he / she will not judge the team he / she had judged during the Preliminary rounds / Quarter Final rounds.

8.1.4. The Final rounds of the Competition shall be judged by a fresh bench of judges.

8.1.5. Under no circumstances, any faculty advisers, team coaches or any other persons directly or indirectly affiliated with a team shall act as judge at any round during the Competition. The Organizing Committee shall not act as judges in any of the rounds of the competition. Students of the host college shall not serve as judges.

8.1.6. The Bench Memorandum shall be handed to the Judges for the purposes of briefing them on the legal issues and the facts of the matter addressed in the moot court competition. The contents of the Bench Memorandum shall be strictly confidential.

8.2. WRITTEN MEMORIALS AND ORAL SUBMISSIONS

8.2.1. All the written memorials and every oral submission shall have a minimum score.

8.2.2 Judges are sincerely requested to follow the time limit as closely as possible. Interventions from the Judges are permitted at any stage during the oral submissions, however the interventions must be relevant to the issues and be kept to a minimum, so as not to disrupt the oral submission of the participants.

8.3. FEEDBACK BY JUDGES

Judges in each round of the competition are highly requested and encouraged to provide a direct feedback to the teams with respect to the team's performance. However, in providing such feedback, Judges are requested to take into



consideration the time limitations along with the schedule of the competition in exclusivity.

9. MODE OF CONDUCT

- 9.1. The Competition shall be conducted on an audio-visual communication platform of Microsoft Teams. Change in the audio-visual communication platform shall be intimated to the participants, if any.
- 9.2. Each participating team shall be intimated via an email to a virtual meeting prior to each round. The link for the same shall be provided accordingly.
- 9.3. A demonstration on the conduct of sessions shall be provided to the participating teams prior to the commencement of the Competition.
- 9.4. Each participant is sincerely requested to find a suitable location, that is quiet and closed to the public and which has access to a steady and reliable internet connection along with a steady source of power. It is also recommended to choose a location that has good lighting and acoustics.
- 9.5. In case of a connection error that leads to one speaker of the team getting disconnected, the Court Room Officer shall wait for 2 minutes for the connection to be stable or else the researcher of the team shall be obliged to complete the oral submissions of the concerned speaker.

10. RECOGNITION AND AWARDS

Recognition and awards for the Competition, shall be as follows:

- The Winners of the 2nd PGCL SAARC IMCC, 2022 shall be awarded with a cash prize followed by a trophy for the entire team along with 3 individual trophies, and certificates.
- The Runners up team shall be awarded with a cash prize followed by a trophy for the entire team along with 3 individual trophies, and certificates.
- There shall be a Best Advocate Female and Best Advocate Male prize respectively. Each of them shall be awarded with a cash prize along with a trophy and a certificate.
- There shall be a Best Spirit of the Competition prize. The team shall be awarded with a cash prize along with a trophy and a certificate.



- Each participant of the Competition shall be presented with a certificate of participation.
- The coaches shall also be presented with a Letter of Appreciation.

11. ANONYMITY

In light of the spirit of the Competition and to ensure a smooth functioning of the rounds, and to avoid any perception of biasness during the Competition, the Organizing Committee shall be maintaining anonymity of each participating college / university / institute's names throughout the Competition, with the exception being the Valedictory Ceremony.

To ensure this, the Organizing Committee shall be allocating a Unique Team Code (“UTC”) to each participating team in the Competition. This code shall be used by the participating teams for any and all kind of communication purposes.

12. MISCELLANEOUS

12.1. THE MOOT PROPOSITION

The moot proposition of the Competition may be used by the participating law schools in their intra-school competitions *only* with the prior permission of the Organizing Committee.

12.2. PROFESSIONALISM

The participating teams are expected to conduct themselves ethically and with the highest degree of professionalism during the round(s) and during the overall conduct of the Competition.

12.3. The participating teams are expected to carry out their own research and refer to their own reference materials for the drafting of the memorial as well as for the oral round of the Competition. Electronic gadgets such as laptops, iPads, tablets, etc., if used during the oral rounds must be solely for the purpose of reference materials saved on the same. There shall be no right granted to participating teams to access WIFI / internet to source information for answers to respond to the queries posed by the bench.

12.4. Scouting is prohibited during all the rounds of the Competition.

12.5. The Organizing Committee reserves the right, at its sole discretion, to take appropriate and stern action for the conduct of unethical, unprofessional and wrongful conduct during the entire period of the Competition.

12.6. The Organizing Committee reserves the right to amend, modify or repeal any of the rules in case a need arises for the same. If such a scenario takes place, the participating teams shall receive adequate intimation of any and all such amendments or modification to the Rules.



ADDENDUM A

AFFIDAVIT

We the participating team, each and every member have read the Rules of the 2nd PGCL SAARC International Moot Court Competition, 2022. Our submitted memorial was drafted in accordance with the Competition Rules and our oral submissions shall be as per the procedure mentioned. We have not received any unauthorized assistance.

Please print each team member's name as you would want to the name to appear on the certificates that shall be sent from our end.

1. School/ College / University – _____
2. Team Members (Please specify the Speaker(s) and Researcher)
 - I. _____
 - II. _____
 - III. _____
3. Coach (if any) (Details of the coach along with email address and occupation)
 - I. _____

4. Signatures of the team members (Please attach a picture of your signature)
 - I. _____
 - II. _____
 - III. _____
5. Date – _____
6. Authorization letter / Seal of the Head of the Institution / Professor In-charge

