

# **KSL Moot Court Competitions Rules, 2018**

Prepared by

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## Preamble

“KSL Moot Court Competition Rules” intends to regulate extracurricular moot court competitions in KSL. The guiding principle of the Rules is to foster an environment of fair, balanced and orderly competition among KSL students.

## Definitions

- “ILRSC” means International Law and Relations Study Center of KSL.
- “Moot court competition” means any of the following- extracurricular moot court competitions including KSL intramural moot court competitions, KSL challenger moot court competitions, national moot court competitions, international moot court competitions, national and international arbitration competitions, national and international client counseling competitions, especially under Annex I.
- “KSL intramural moot court competition” means the annual moot court competition wherein KSL students compete for individual placement in the teams of the moot courts enlisted under Annex I.
- “Call for Participation” means the official Call for Participation issued and notified by the ILRSC for organizing a moot court competition in KSL.
- “External moot court competition” means the moot courts not organized by KSL, although challenger rounds may be held for the same within KSL.
- “KSL challenger round” means the internal competition held by KSL to select team members for a specific external moot court competition.
- “External organizers” means the organizers of external moot court competitions.
- “Year” means KSL academic year.

## 1. Extend

- 1.1. The rules herein shall apply to all students, faculties and staffs of KSL.
- 1.2. The rules are complementary, and not in contravention, to other rules formulated by KSL.
- 1.3. Disobedience of the prescribed rules, particularly by students, may invoke actions from the concerned KSL department as it deems appropriate.

## 2. Authority of ILRSC

2.1. ILRSC is responsible for regulating moot court competitions in KSL.

**Clarifications:** Nothing stated in the Rules is meant to be prejudicial to the authority of KSL Clinical Education Department to organize curricular or extracurricular moot court activities, including intramural, intermural or national moot court competitions pertaining to the domestic law of Nepal.

2.2. It has the authority to take decisions to administer rules prescribed hereunder.

2.3. It has the authority to formulate specific rules to conduct moot court competitions under rules 5-7 and Annex-I.

2.4. It has the authority to issue notices regarding moot court competitions under rules 5-7 and Annex-I.

### 3. Eligibility

3.1. A KSL student enrolled in BA-LLB program at KSL at the time of his/her application under rule 4, and who has not been issued a graduation certificate and/or transcript, at such time, is eligible to apply to moot court competitions under Annex I.

3.2. A KSL student enrolled in LLM program at KSL at the time of application in accordance with rule 4, and who has not been issued a graduation certificate and/or transcript, at such time, is eligible to apply to moot court competitions under Annex I.

*Provided that* he/she does not or will not hold a law practitioner's license in Nepalese or other national jurisdictions at the time of registration and during the course of the competition.

*Provided that* the rules of the particular moot court competition do not bar LLM students from participating in the concerned competition.

3.3. KSL students shall participate in no more than two moot court competitions of international or national level, in a year.

*However,* a student may request the ILRSC for an exemption from this rule. Such waiver may only be accorded in exceptional circumstances.

3.4. A student suspended or banned from participating in moot court competitions, as stipulated in rule 14, shall be ineligible to participate in moot court competitions for the period such penalty is in effect.

3.5. When applicable, eligibility shall also depend on rules 5 and 6.

### 4. Application and Registration

4.1. KSL Students **shall first apply with the ILRSC** to participate in any moot court competition under the authority of ILRSC.

**Clarification:** Application for moot courts other than those mentioned in Annex I shall be dismissed by the ILRSC, *unless* it has specifically issued a Call for Participation for a moot court competition not mentioned thereof.

4.2. Application process shall commence through and as mentioned in a Call for Participation.

4.3. ILRSC may only recognize an individual application. Vicarious applications may only be recognized if accompanied by an attested and signed Letter of Consent, in English, by the applicant. Team registration is not allowed.

*Unless,* the Call for Participation expressly allows or encourages team registration.

4.4. ILRSC shall only commence the registration of a team selected as per the procedures under rules 5- 7, with external organizers, after the team has submitted a signed and attested Letter of Undertaking, which shall be emailed to them following their selection as team members.

### 5. KSL Intramural Moot Court Competition

5.1. KSL Intramural Moot Court Competition may take place annually. The *Compromis/* Moot Problem for the Competition shall be disseminated by the ILRSC at least 60 days in advance of the competition.

5.2. Participation shall be optional, but students who do not participate in KSL Intramural Moot Court Competition are barred from participating in any moot court competition, under the authority of ILRSC, that particular year.

*Unless*, exemption is announced by the ILRSC for a particular competition.

5.3. ILRSC has the prerogative to decide on team composition of moot court competition, without any prejudice to the team division stipulated in rules formulated by the external organizer.

5.4. Moot Court Competitions will be allotted to a select number of participants of the KSL Intramural Moot Court Competition, according to their performance-based ranking. Individual preference may be one of the basis for allotment. Once final, the allotment shall be non-negotiable. The List of Allotment shall be issued by the ILRSC.

## **6. Intra-school Moot Court Training Program**

6.1. In the alternative to intramural moot court competition, an intra-school moot court training may be organized, in a particular year, and a suitable selection process may be decided by the ILRSC to compose teams to participate in international moot court competitions.

6.2. If it is decided to compose teams according to this rule, only the participants of the training so conducted shall be eligible to apply to moot court competitions.

*Unless*, a student is unable to attend the training for an extenuating reason, and he/she submits a Letter for Waiver to the ILRSC, detailing the reasons for such inability. ILRSC reserves the prerogative not to grant a waiver.

## **7. KSL Challenger Rounds**

7.1. If, for extenuating reasons, KSL Intramural Moot Court Competition or Intraschool Training Program are not held in a particular year, team members for Annex I moot court competitions shall be selected through Challenger Rounds.

7.2. Call for Participation, in accordance with this rule, shall be issued by the ILRSC within a reasonable time considering the deadlines of the respective competition.

## **8. Induction Training**

8.1. ILRSC may conduct induction training for any moot court competition under Annex I, in order to familiarize a team with the basic legal concepts imbibed in the respective Moot Problem.

8.2. The induction training may be given by KSL faculties, or external resource person, as per the capability of the ILRSC at that particular time.

## **9. Memorial Writing and Submission**

9.1. Team members composed in accordance with rules (5), (6) and (7) shall produce memorial(s), pursuant to specific moot court competition rule, with due regard to standards of professional ethics expected by KSL. Default by the team member(s) will induce a review by the ILRSC, which may result in penalties recommended by the concerned department of KSL, and in serious default, may result in immediate disqualification of the team member(s), even if no action is taken by the external organizers.

**Clarification:** ILRSC has the final authority in deciding what amounts to breach of professional ethics with respect to moot court competitions under its authority.

9.2. Team members shall submit the memorial(s) to the ILRSC, at least 48 hours in advance of the competition submission deadline, and shall not submit the memorial(s) directly to the external organizers, unless permitted by the ILRSC.

## 10. Demo rounds

10.1. Team member for every moot court organized pursuant to rules (6) and (7) shall, without fail, appear in at least one demo round in front of a panel of judges appointed by the ILRSC.

10.2. The demo round(s) shall take place within a reasonable time of the commencement of the pleading phase of the respective moot court competition.

## 11. Financial Assistance

11.1. ILRSC, in coordination with the concerned departments of KSL, shall endeavor to provide financial assistance to team members of moot court competitions enlisted under Annex I.

**Clarification:** This rule is not promissory. Financial assistance may depend on factors such as resource limitations and expectation-performance evaluation of the team-members.

11.2. In addition to this rule, Team(s) who receive financial assistance from KSL shall assist the ILRSC in at least one subsequent moot court related endeavor in KSL.

## 12. Post-Competition Responsibilities of the team members

12.1. Every team must provide copies of relevant certificates to the ILRSC. Every team must also hand over performance assessment reports and awards, if any, to the ILRSC.

12.2. Each team member must submit a detailed moot court experience report in a manner prescribed by the ILRSC.

## 13. Leave and Examination

14.1. Team of an international moot court competition shall be provided a leave not exceeding 15 days, including travel and duration of the pleading round of the competition.

14.2. Team of a national moot court competition or participants in an intramural competition shall be provided a leave for the precise duration of the pleading round of the competition.

**Clarification:** Participations of a Challenger Round shall not be granted a leave, save exemption from lectures taking place during the selection process.

14.3. Teams participating in international or national competitions, specifically in a pleading round, may be exempted from internal examinations, provided that they appear in such exams later when and as instructed by the concerned department of KSL.

## 14. Penalty:

In case of misdemeanor in any phase of moot court competition under the authority of the ILRSC, the ILRSC may recommend the Principal of KSL to take appropriate action against the student(s). In exceptional circumstances, the ILRSC may recommend for his/her suspension for a specified period, or his/her permanent ban from participating in moot court competitions in KSL.

**15. Interpretation**

English shall be the authoritative language of interpretations for rules hereof, as well as all the official documents issued by the ILRSC.

**16. Redress**

Students, including applicants or team members shall approach the ILRSC for redress in any moot court competition related matter, provided that it is legitimate and reasonable. ILRSC shall address such matters either directly, or if required, be the facilitator between students or team members and the concerned department of KSL.

**16. Amendment**

ILRSC may amend any of the above rules when and as it deems necessary, and shall issue notice of such amendment.

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## Annex I

### List of Moot Court Competitions

Extracurricular Moot Court Competitions as classified below, in a descending order, are **indicative** of their priority, based on allocation of financial, logistical, time and human resources. The List may be revised when and as required.

1. Philip C. Jessup International Law Moot Court Competition
2. Henry Dunant Memorial Moot Court Competition \*
3. Stetson International Environmental Law Moot Court Competition
4. William C. Vis International Commercial Arbitration Moot Competition\*\*
5. Jean-Pictet (IHL) Competition
6. Manfred Lachs Space Moot Court Competition
7. Asia Cup International Law Moot Court Competition
8. Oxford International Media Law Moot Court Competition
9. LAWASIA International Moot Competition
10. DM Harish Memorial Government Law College International Moot Court Competition
11. Dr. Prof. NR Madhava Menon SAARC Moot Competition
12. Paras Diwan Memorial International Energy Law Moot
13. Brown Mosten International Client Consultation Competition
14. ICC Moot Court Competition

\* Participation in this competition is also an opportunity to advance to the Red Cross International Humanitarian Law Moot Court Competition.

\*\* Option may be provided to participate in either the East or the Vienna Competition.