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**From:** Dr. Gentian Zyberi, Norwegian Centre for Human Rights, Faculty of Law, University of Oslo

**To:** **PMR/** Faculty of Law, University of Oslo

**Subject:** **Institutional Support for International Moot Court Competitions**

**Executive summary**

International moot court competitions offer a **unique learning opportunity for law students**.<sup>1</sup> Participating in these competitions allows our students to combine legal research and writing with litigation skills and prepares them for their future career. This also benefits the Law Faculty specifically and the University of Oslo (UiO) more generally, in that it showcases the quality of education at UiO and achieves international exposure and recognition. That **contributes to increasing UiO's international prestige and ranking**.

For these reasons mooting should be institutionally supported by the Faculty of Law. With appropriate supervision and support, participants gain invaluable learning experience and improve professional prospects. UiO's mooting strategy should encompass:

- Consolidating its good tradition and experience accumulated over the last years with Telders and the ELSA Human Rights Moot Court;
- Expanding to cover other competitions of interest to the different departments;<sup>2</sup>
- Providing sustained institutional support from the Faculty to mooting efforts;
- Soliciting funding from law firms and other sources; and
- Integrating skills-oriented teaching into programme curricula.

**In order to ensure continuity, reward those involved (coaches and students), and institutionalize this practice/method of learning we kindly request the PMR/Faculty to consider the following:**

- 1. Provide financial support from the faculty to cover the expenses for participating (varies per moot court);**
- 2. Give 10 ECTS for the students participating in the moot courts;**
- 3. Allocate 90 hours of teaching for academic staff involved in coaching the team.**<sup>3</sup>

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<sup>1</sup> The Faculty has a tradition of being involved in national and regional moot court competitions organized by ELSA (see <http://elsa.no/om-elsa/academic-activities/ta-den-globale-utfordringen/> and <http://elsa.no/om-elsa/academic-activities/den-nasjonale-finalen-i-prosedyrekonkurransen/>), as well as in the Nordic Human Rights competition, organized through law firms (see <http://www.schjodt.no/karriere/student/prosedyrekonkurranser.aspx>).

<sup>2</sup> The PMR should have an overview of all moot courts the Faculty is involved in.

<sup>3</sup> For an idea of the amount of work involved in preparing a moot court team see Annex A.

**Introduction**

The results of UiO moot court teams have been quite good over the years. Thus, in April 2012, the UiO team won the final round of the Telders International Law Moot Court Competition (Telders); in February 2015, the UiO team participating in the ELSA Human Rights Moot court ranked 6<sup>th</sup> among 16 finalist teams; in May 2015, the UiO team participating in the Telders competition ranked 4<sup>th</sup> among 24 teams. UiO should actively seek greater international visibility and prestige by increasing the number of moot court competitions to which it sends its student teams.

Mooting effectively would offer law students an experience rich in its content and useful in its practicality that is comparable to completing an internship successfully. With competent oversight and institutional support, taking part in a moot court competition offers a unique learning opportunity for law students. Indeed, the experience often marks one of the highlights in a student’s law studies. Similarly, and perhaps more than other forms of teaching such as lectures, readings and papers, mooting trains participants to reason, write and argue logically and succinctly in a holistic, engaging and thematically coherent manner. In addition, successful mooting strengthens the international profile of the Law Faculty of the UiO. Mooting should be recognized and supported as a core feature of our law degree programs, instead of only giving it ad hoc support.

**Selection of moot court competitions**

Moot courts for which there is an interest and support from the staff of the UiO Law Faculty:

- *Telders* – largest and most prestigious of its kind for public international law in Europe.
- *Jean Pictet* – largest and most prestigious of its kind for international humanitarian law.
- *European Law Moot Court Competition (ELMC)* – largest and most prestigious moot court competition in the field of European law.
- *ELSA Human Rights Moot Court* – very prestigious moot court competition in the field of human rights organized by ELSA in Strasbourg at the premises of the European Court of Human Rights.

Other relevant moot courts which could gradually be included, depending on resources and interest, are:

Specialisation	Name of Competition	Venue
Human Rights	ELSA European Human Rights Moot Court Competition <sup>4</sup> (EHRL)	Strasbourg (France)
Public International Law	<ul style="list-style-type: none"> <li>• Telders Moot Court</li> <li>• Philip C. Jessup International Law Moot Court Competition<sup>5</sup> (“Jessup”)</li> </ul>	The Hague  Washington, D.C. (US)

<sup>4</sup> See <http://www.elsa.org/mootcourt/humanrights.html>.

International Criminal Law and International Humanitarian Law	<ul style="list-style-type: none"> <li>• ICC Trial Competition<sup>6</sup></li> <li>• Jean Pictet<sup>7</sup></li> </ul>	The Hague (the Netherlands)  Varies
International Trade, Investment and Commercial Law	<ul style="list-style-type: none"> <li>• Willem C. Vis International Commercial Arbitration Moot<sup>8</sup> (“Vis”)</li> </ul>	Vienna (Austria)
	<ul style="list-style-type: none"> <li>• Foreign Direct Investment International Arbitration Moot (FDI)<sup>9</sup></li> </ul>	Varies ( <i>TBC</i> )

### **Financial costs**

The total costs for participating in a moot court range between 50,000 NOK to 150,000 NOK (if travelling overseas, e.g. Jessup). The Faculty of Law could choose to allocate funds to participate in a maximum of three moot court competitions per year.

- **Funding and other support**

Securing funding, especially for covering the participation fees and travel expenses, should be a priority in the moot court strategy. Potential sponsors include the Norwegian Foreign Ministry for various international law moots including Telders, Jessup and the ICC Moot Court; the Norwegian Chamber of Commerce, possibly for trade law and/or commercial law moots; private law firms for various moots; and the Norwegian Red Cross, Amnesty International Norway, Norwegian Helsinki Committee and Nobel- and Nansen-related institutions for human rights and/or humanitarian law moots as the Jean Pictet Concours.

### **Institutional support**

This initiative has the support of academic staff at the Norwegian Centre for Human Rights, the Department of Public International Law, and the Department of Private Law.

- **For students**

In order for moot court participation not to suffer from the costs of haphazardness and ad hoc-ism it is important for the students to get **10 ECTS credits** for participating in the competition. The amount of independent and supervised work which students have to put into this would easily satisfy the requirements of a course at the UiO.

- **For academic staff/coaches**

Academic staff involved in coaching UiO student teams uses a considerable amount of time both in administrative matters and in supervision. As Annex A below shows, coaches have to select the team and then coach it with regard to both writing skills and advocacy skills over a

<sup>5</sup> See <http://www.ilsa.org/jessuphome>.

<sup>6</sup> See <http://www.icc-trialcompetition.org/cms>.

<sup>7</sup> See [http://www.concourspictet.org/index\\_en.htm](http://www.concourspictet.org/index_en.htm).

<sup>8</sup> See <http://www.cisg.law.pace.edu/vis.html>.

<sup>9</sup> See <http://www.fdimoot.org>.

period of several months. For that reason it is suggested that **90 hours of teaching** is a reasonable amount of time which needs to be allocated for this purpose.

**Conclusion**

The merits of mootings as an experiential form of learning highly appreciated by the students and its potential to raise the visibility of UiO and its international profile need to be given the necessary attention and institutional support.

## Annex A

<b>Typical Seasonal Timetable of a Moot Court Competition</b> (drawn from Telders; may vary somewhat from competition to competition)				
	Competition schedule	Team schedule	Supervision schedule	Administrative schedule
July			<ul style="list-style-type: none"> <li>- Planning team &amp; supervision schedule</li> <li>- Preparing memorial writing phase</li> </ul>	<ul style="list-style-type: none"> <li>- Fund-raising</li> <li>- Negotiating academic accreditation</li> <li>- Budgeting</li> </ul>
Aug.			<ul style="list-style-type: none"> <li>- Forming team of supervisors</li> <li>- Promoting competition</li> </ul>	<ul style="list-style-type: none"> <li>- Preparing promotion material</li> </ul>
Sept.		<ul style="list-style-type: none"> <li>- Team formed</li> <li>- Preparatory workshops</li> </ul>	<ul style="list-style-type: none"> <li>- Selecting team members</li> <li>- Running preparatory workshops</li> </ul>	
Oct.	<ul style="list-style-type: none"> <li>- Case announced</li> </ul>	<ul style="list-style-type: none"> <li>- Case analysis</li> <li>- Memorial research &amp; writing</li> </ul>	<ul style="list-style-type: none"> <li>- Analysing &amp; discussing case</li> <li>- Running research, review &amp; discussion sessions (issues 1 &amp; 2)</li> <li>- Recruiting judges &amp; bailiffs for oral pleading practice</li> </ul>	
Nov.	<ul style="list-style-type: none"> <li>- Application due</li> </ul>	<ul style="list-style-type: none"> <li>- First (pre-clarification) draft memorials due</li> </ul>	<ul style="list-style-type: none"> <li>- Running research, review &amp; discussion sessions (issue 3)</li> <li>- Creating oral pleading practice timetables</li> </ul>	<ul style="list-style-type: none"> <li>- Preparing application &amp; registration material</li> <li>- Regular contact with competition organisers begins</li> </ul>
Dec.	<ul style="list-style-type: none"> <li>- Registration details due</li> <li>- Request for case clarifications due</li> <li>- Case clarifications issued</li> <li>- Participation fee invoice sent</li> </ul>	<ul style="list-style-type: none"> <li>- Detailed feedback received, discussed &amp; incorporated</li> <li>- Clarifications incorporated</li> <li>- Second (post-clarification) draft memorials due</li> </ul>	<ul style="list-style-type: none"> <li>- Providing detailed feedback on first draft memorials</li> </ul>	
Jan.	<ul style="list-style-type: none"> <li>- Memorials due</li> <li>- Memorial reviewer nominations due</li> </ul>	<ul style="list-style-type: none"> <li>- Detailed feedback received, discussed &amp; incorporated</li> </ul>	<ul style="list-style-type: none"> <li>- Providing detailed feedback on second draft memorials</li> </ul>	<ul style="list-style-type: none"> <li>- Preparing memorial submission</li> <li>- Preparing</li> </ul>

		<ul style="list-style-type: none"> <li>- Final adjustments &amp; formatting</li> <li>- Final memorials prepared &amp; submitted</li> <li>- Oral pleading practice sessions</li> </ul>	<ul style="list-style-type: none"> <li>- Running oral pleading practice sessions</li> </ul>	nomination material
Feb.		<ul style="list-style-type: none"> <li>- Oral pleading practice sessions</li> </ul>	<ul style="list-style-type: none"> <li>- Running oral pleading practice sessions</li> </ul>	<ul style="list-style-type: none"> <li>- Arranging competition travels</li> </ul>
Mar.	<ul style="list-style-type: none"> <li>- National pre-selection rounds (not in Norway so far)</li> <li>- Participation fee due</li> <li>- Opponent memorials sent</li> </ul>	<ul style="list-style-type: none"> <li>- Oral pleading practice sessions</li> <li>- Opponent memorials analysed &amp; discussed</li> </ul>	<ul style="list-style-type: none"> <li>- Running oral pleading practice sessions</li> <li>- Analysing &amp; discussing opponent memorials</li> </ul>	<ul style="list-style-type: none"> <li>- Preparing participation fee payment</li> </ul>
Apr.	<ul style="list-style-type: none"> <li>- Semi-final rounds</li> <li>- Final round</li> </ul>	<ul style="list-style-type: none"> <li>- Oral pleading practice sessions</li> <li>- Dress rehearsals</li> <li>- Travel to/from competition venue</li> </ul>	<ul style="list-style-type: none"> <li>- Running oral pleading practice sessions</li> <li>- Organising dress rehearsals</li> <li>- Accompanying team to/from competition venue</li> </ul>	<ul style="list-style-type: none"> <li>- Publicity</li> </ul>
May				
June		<ul style="list-style-type: none"> <li>- Debriefing</li> </ul>	<ul style="list-style-type: none"> <li>- Preparing debriefing</li> <li>- Summarising debriefing</li> </ul>	