Review Report

The 39th Edition of the Telders International Law Moot Court Competition *19 - 21 May 2016, The Hague*

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Moot Court Competition

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Preface

The Telders International Law Moot Court Competition is a true student competition. The main objective is to stimulate students' interest and knowledge of international law. It is an exceptional opportunity for the participants in a variety of ways. In taking part, students are educated in legal practice, and important principles, such as the rule of law and fair play. The Competition provides an excellent platform for promising young professionals to personally experience a close to reality court setting.

The first Telders Moot Court Competition was organized in 1977 on the occasion of the 30th anniversary of the Telders International Law Students Debating Society. The Competition has always taken place on the wonderful premises of the Peace Palace, at the heart of international justice. This year, preliminary rounds were staged in England, the Netherlands, Romania, Russia, Turkey and Ukraine.

This year, the students pleaded "The Interception of the Vinous Sea Dispute". The case raised issues relating to different areas of international law, such as freedom of navigation in the sea, non-refoulement of refugees, immunity of State officials, and jurisdiction over cases of torture.

The written memorials which address those issues lead to challenging exchanges of views during the International Semi-Finals which were held at the Grotius Centre for International Legal Studies and the Finals in the Hague Academy building.

The Supervisory Board congratulates the winning teams, and thanks all the talented teams which have taken part in the Competition. The Board would also like to thank all the Judges, members of the National and International Board of Review as well the Judge Assistants who donated their valuable time.

Finally, the Supervisory Board and Telders Organizing Office wish to express their sincere gratitude to all sponsors which have pledged their support to the Telders Competition in many different ways.

Professor B.M. Telders (1903-1945)

The Telders International Law Moot Court Competition is named after Professor Benjamin Marius Telders, who first became a professor of international law at Leiden University in 1931. Telders was extremely interested in why and how law operated. He considered international law to be a unique study and challenge, since it was— and in many respects still is— undefined and interwoven with history and politics. Professor Telders was respected for his sharp mind and frequently had the honour to represent his country, The Netherlands, before the Permanent Court of International Justice, predecessor of the International Court of Justice.

His interests and activities were not, however, limited to international law. Professor Telders was a man who enjoyed life to the full. He spent his time doing various other activities as playing the piano, editing a literary magazine and leading a political party. These other activities complemented his duties as a professor and a lawyer.

His approach to law was a practical one. Problems were meant to be solved, but not in contravention with important legal principles such as the rule of law and civil society. Professor Telders stood and fought for those principles even in the most difficult of times during the Second World War. Even being imprisoned for four and a half years did not break him morally or mentally, but made him more determined. He continued to write about international law, using a small pencil and match sticks. His fellow prisoners had great respect for his ability to put moral guidance and leadership into practice. Professor Telders died in the concentration camp of Bergen-Belsen in April 1945.

Two years later, in 1947, former students of Professor Telders founded the Telders Students Society of International Law (Telders Dispuut) in commemoration of their Professor. The first Telders International Law Moot Court Competition was organised in 1977 on the occasion of the 30th anniversary of the Telders Students Society for International Law.

Now, 39 years later after the first competition, the Telders Moot Court continues to maintain and live up to the legacy of the learned professor of international law.

Supervisory Board and Telders Organizing Office

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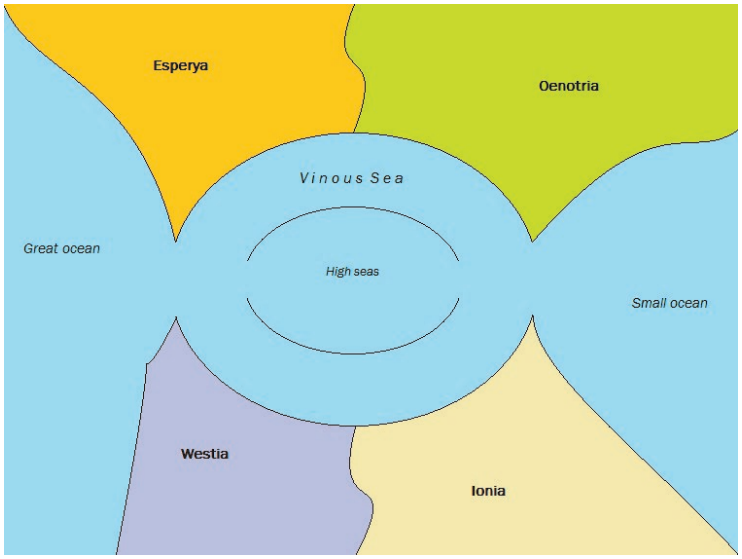
The Interception of the Vinous Sea Dispute

1. The Vinous Sea is a very large expanse of water with no known islands. It has roughly the shape of an ellipse, whose major axis (east-to-west) measures around 1,000 nautical miles, and whose minor axis (north-to-south) measures around 800 nautical miles. To the west, the basin opens to the Great Ocean, while to the east it opens to the Small Ocean. The two landmasses north and south of the Vinous Sea belong to the Northern Continent and to the Southern Continent, respectively. The coastal states, in clockwise direction, are Esperya and Oenotria, in the Northern Continent, and Ionia and Westia, in the Southern Continent.



2. All four of these countries are members of the United Nations and have filed a declaration accepting the jurisdiction of the International Court of Justice under Article 36(2) of the Court's Statute; none of these declarations contains any reservation. They are also parties to the 1951 Refugee Convention (including the 1967 New York Protocol), the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, the 1969 Vienna Convention on the Law of Treaties, the 1984 Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the 2000 United Nations Convention against Transnational Organized Crime and its two Protocols (Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and Protocol against the Smuggling of Migrants by Land, Sea and Air).

3. Esperya, Oenotria, Ionia and Westia are also parties to the UN Convention on the Law of the Sea (UNCLOS) and have each designated the International Court of Justice pursuant to UNCLOS article 287. In 2005, they entered into a series of bilateral agreements to delimit their respective maritime boundaries with each other. In addition, they each proclaimed exclusive economic zones up to 200 nautical miles from their respective coastal baseline, and each state considers itself to be limited to a 200 nautical mile continental shelf entitlement, with no possibility to claim an entitlement to continental shelf beyond that limit. This leaves a very large area of high seas not belonging to any maritime zone of any country in the middle of the Vinous Sea.

4. The area of high seas within the Vinous Sea is rather dangerous to cross because of unpredictable currents and shallow waters due to three submerged volcanoes. Indeed, tradition has it that the name "Vinous" (wine-like) derives from the darker, almost purple colour of the sea during the many underwater lava eruptions. As a result, since time immemorial vessels of any nationality have usually navigated parallel to the coasts of the four countries, rather than through the high seas area. Sea currents are such that vessels going east towards the Small Ocean usually travel parallel to Esperya and Oenotria's coast, and vessels going west towards the Great Ocean usually travel parallel to Ionia and Westia's coast.

5. Despite the three submerged volcanoes at its core, the Vinous Sea has been an important outlet for commerce and cultural exchanges for many centuries. Throughout history, the balance of wealth and power shifted many times between the Northern and Southern Continents, so that populations and capital constantly moved across the four countries. In particular, a large number of Oenotrian and Esperyan citizens identify as ethnic Westian and trace their heritage back more than 200 years.

6. Since the end of the Transcontinental War in 1945, Esperya and Oenotria have had a rather stagnating economy. However, while Esperya has weathered the most recent economic crisis relatively well, Oenotria's economy has almost completely collapsed. The last ten years saw the average income drop by fifty per cent, and major collective infrastructure such as roads and energy fall into disrepair or cease to function altogether. In the same period, income inequality increased markedly. On the lookout for possible targets, populist politicians and complacent media led public opinion to believe that those citizens self-identifying as the Westian minority were responsible. As a matter of fact, while part of the ruling elite of Oenotria was indeed comprised of very wealthy families of Westian descent, the vast majority of Oenotrians of Westian descent were just as poor as the rest of the country. In recent times, many Oenotrians of all descents have fled the country in search of better economic fortune elsewhere, including the Southern Continent.

7. In contrast, Westia and Ionia have benefited from consistently high economic growth since 1945. Together with twenty other Southern countries, they established the Southern Continent Union (SCU), a single market area where goods and labour can freely circulate. Internal border controls have been abolished and citizens are free to take up residence anywhere in the SCU. By contrast, entry from outside the SCU has been progressively more heavily regulated at the regional level, and both Westia and Ionia have put in place very restrictive immigration laws directed at non-SCU citizens implementing binding SCU framework measures. These measures are backed by the Southern Continental population, which has been induced by the media to believe that non-SCU citizens are a danger to their economic prosperity. Ionia, in particular, has deployed its navy in many operations forcing back to their territorial waters of origin all boats of migrants arriving from the Northern Continent.

Facts underlying the dispute

8. On 20 April 2015, at the apex of a media campaign of more than 12 months, an editorial appeared in the main newspaper in Oenotria expressing the view that the "Westian rats have fed on us for too long now" and that it was time for "real Oenotrians to fight back and get rid of this pest, sending them back to their rich homeland instead of squatting our homes". The article invited Oenotrians to contribute money to a fund aimed at the establishment of a group of "volunteers" to "expropriate, in the name of the people" all the assets of "rich Westians among us", and "occupy their gold-lined villas and skyline-view apartments".

9. The appeal, which soon became viral on social media, collected the equivalent of more than 50,000 US dollars on its first day. In subsequent months, the self-styled Oenotrian Redistribution Group (ORG) seized the movable and immovable property of more than 10,000 Oenotrian citizens of Westian descent.

10. The government of Oenotria never made any public comment, nor did any of its enforcement agencies initiate any type of criminal or other proceedings against ORG members.

11. On 13 June 2015, Ms Rosa Amarigi, a wealthy Oenotrian industry magnate, set sail in her very large private yacht, the "MSY Plutarchus", with a group of 84 Oenotrians of Westian descent wishing to seek asylum in the Southern Continent. The asylum seekers claimed to have been deprived of all their property by ORG members. The yacht, regularly registered, flied the flag of Oenotria. Ms Amarigi was not herself of Westian descent, nor did she intend to seek asylum. She acted purely out of her philanthropic ideals, and received no payment or other monetary gain of any kind. Because the vessel wished to avoid Ionian navy vessels on immigration patrol,

12. After a few days at sea, on 30 June 2015, the MSY Plutarchus was still in international waters, at a point 225 nautical miles from the nearest Westian port and 220 nautical miles from the nearest Ionian port. At 5 pm, it was intercepted by a Ionian Navy cruiser, the "INS Ionic", which demanded to board the vessel under UNCLOS Article 110(1)(a). After ascertaining that the yacht was not engaged in piracy, the Captain of the INS Ionic, Mr Aristodemus Clark, nonetheless took the view that Ionian immigration law must be applied and forced the yacht to return to Oenotrian waters, not permitting it to continue on its journey to the Southern Continent. While she was assertively invoking the right of her ship to continue sailing towards the Southern Continent and affirming the intention of her passengers to seek asylum there, Ms Amarigi was kept in a locked room by Mr Clark for 24 hours, who threatened to keep her for much longer until she complied with his order. During such detention, Ms Amarigi was punched once very hard by Mr Clark, and suffered a serious injury therefrom. All these events occurred on-board the MSY Plutarchus. At no point was any MSY Plutarchus crew on-board the Ionian Navy Cruiser. After Ms Amarigi was freed, the MSY Plutarchus was escorted by the Ionian Cruiser to Oenotrian waters. Ms Amarigi was in command of the MSY Plutarchus.

13. The 84 Oenotrian citizens of Westian descent were not given an opportunity to formally apply for refugee status on board the MSY Plutarchus. On their return to Oenotria, they were first verbally abused by a group of ORG members and then left to their own devices. Many of them were seen wandering, homeless, in the capital's streets for weeks, until most of them made their way, on foot, to the nearest Esperyan town. Ms Amarigi filed a report to the Oenotrian police concerning the detention and punching incident, which received great media attention. Three days later, Mr Clark sent an open letter to Ms Amarigi, also published by major newspapers, expressing his full regret for the "incident" which was "unworthy of his rank and professional values" and which he attributed to "the heat". He was subjected to a short disciplinary proceeding in Ionia, after which he received a three-month suspension from his duties. These proceedings were not criminal in nature.

14. When Esperya signed and ratified the 1984 UN Convention against Torture, it passed a domestic law establishing its prescriptive jurisdiction for all violent crimes committed by any public official of any country, against anyone, anywhere in the world. During his suspension from service, Mr Clark (perhaps unwisely) decided to spend some time with his family in Salanca, an Esperyan seaside resort town a few miles from the Oenotrian border. On 20 July 2015, he was arrested by Esperyan authorities for the episode on board the MSY Plutarchus. He remains in prison today, awaiting trial. Ionia was notified of the arrest through diplomatic channels, and it did not react.

Dispute

15. Neither the Oenotrian government nor the Westian government manifested any political interest in pursuing a claim against Ionia for the events of 30 June 2015. For his part, the Prime Minister of Oenotria made a declaration stating that it "thanked the Ionian government for their cooperation in stopping the farce set up by a number of rich Oenotrian lads pretending they are refugees while enjoying a cruise on a luxury yacht". In Westia, the Minister of the Interior affirmed on national TV that "Ionia is our trade partner in the Southern Continent Union and we thank it for its cooperation in protecting our common SCU border. Westia would not have the resources to accept the unregulated entry into its territory of economic migrants from the North, regardless of their descent. We are more concerned about the welfare of middle-class Westian citizens of any ethnicity, rather than the fate of rich Oenotrians claiming to be Westian or South Continental simply because their great-great grandmother once crossed the Vinous Sea from here in search of adventure".

16. On 1 October 2015, the Esperyan government, under political pressure from its own citizens of Westian descent, filed a claim against Ionia before the International Court of Justice requesting that the Court adjudge and declare:

- that Ionia breached freedom of navigation under Article 87 of the UNCLOS;
- that Ionia breached Article 33 of the 1951 Refugee Convention.

17. Ionia does not contest the jurisdiction of the Court. It does, however, question the admissibility of the claim. It requests the Court to adjudge and declare:

- that Esperya has no interest in relation to the facts alleged and thus lacks standing to bring a claim under either instrument relied upon;
- in any event, that the claim under UNCLOS cannot proceed in the absence of Oenotria, the flag state;
- in the alternative, that both of Esperya's claims should be rejected on the merits.

18. Furthermore, Ionia makes a counter-claim, and requests the Court to adjudge and declare:

- that the arrest and detention by Esperya of Ionia's captain, Mr Clark, is in breach of international law rules on immunity;

- that the domestic law of Esperya extending its criminal jurisdiction to this case is contrary to international law, notwithstanding the Convention against Torture.

19. Esperya does not contest the admissibility of the counter-claim, but requests the Court to dismiss it.

20. No facts subsequent to 1 October 2015 (the crystallization of the dispute) are relevant to the dispute.

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Team Reports

Review Report by the National University of "Kyiv-Mohyla Academy", Winner of the Final Round, The Max Huber Award for the Best Overall Score and The Carnegie Foundation Award for the Best Memorial on Behalf of the Applicant & the Respondent

Maksym Dvorovyi

It appeared that I was the last member elected to the team – and the latest to catch on board to the guys, who have already prepared for several months and were an established team which already mooted together. Although this was not the first mooting experience of mine, I was nervous. But we managed to cope with this – and yes, team chemistry matters most. Teammates are both your best friends and your bitter enemies – as they drive you by criticizing your actions as harsh as possible.

After the Nationals I understood that we are quite a nice team – but not that much as it appeared. Maybe this was a bit arrogant, but after the Rounds in the Hague we aimed at the top-10. After hearing teams from 10 to 5 on the Leiden reception we started thinking in despair: "OK, once again, not this time" and almost automatically applauded to the others. But then we were announced as the finalists – and if you ever wanted to see how despair turns to craziness and joy in a second, that was the perfect opportunity!

The most nervous was the night before the finals. You need to find everything, check everything twice, find the right points to appeal and stick with the pressure – this was the first major mooting final for our university. However, in the Palace of Peace the nerves calmed down. It was just you, your opponents, your argument and the judges. Simple as that. You either win or lose, all or nothing. Luckily, it was all for us in a serious battle. But yes, I haven't understood what we did yet. Even in two month time. And I don't think I will in the nearest future. Probably, too much was put in this. But it was worth it!

Oleh Dykyi

To start with, participation in Telders was my second experience after Central and Eastern European moot court competition in 2015. I took it for serious, since I understood the collective responsibility of efforts taken by our team for achieving successful results.

For those who strive to win moot court, they have, strictly speaking, to put "all in". On the contrary, if you don't experience sleepless nights, stressful deadlines, harsh comments from your coach, you won't be a winner even for yourself.

What a real and successful mooter has to do is to look on the case at hand from the different standpoints, e.g. social, economic, political and historic and act as an officer defending one's State's interests on international arena. What is more, for those who do any moot court, I would highly recommend not only to brilliantly know the legal rules that endorse the position of your client, but rather to understand the rationales standing behind every point.

As judges hear same arguments after a number of pleadings, you should be able to demonstrate diversity in your own speech. In this regard, your work is not only about filling different sources in your own memorial and, thus, to demonstrate how smart you are. Usually, the authors of case are waiting for those who submit written pleadings to demonstrate their ability to draft very unique arguments, distinct even from their own outlook, and not proposed by any person for deciding it.

All in all, moot court is not about everyday situation, but about creation of precedents, changing international legal order and international relations. Saying this, you should be very dedicated to your problem and seek various solutions for resolving disputes in a peaceful way. Finally, I do not take our achievement for granted. Winning Telders for me is not still the result, but rather a starting point and motivation to do better.

Olha Kotlyarska

I don't think that any one of us upon being chosen to Telders team could fully comprehend what we were getting into. At least I couldn't. For after the case was out, the whole world and life started revolving around it. You become totally obsessed with the issues, and every person you meet risks listening about the problem over and over again. Taking into account the acuteness of the issues raised even apart from writing memo or doing research you still ended up reading about relevant topics in the news and etc.

Sleepless nights and unfinished homework for university stop matter as you get so much more instead: a team of people who have their inside jokes and a common goal. And this is one of the greatest benefits you get.

Winning the national rounds in Ukraine was thrilling enough, and the chance of participation in the international rounds was quite a reward itself. Upon the arrival to the Hague the nervousness was eased by the welcoming reception and by meeting friendly teams from all around Europe. For me, the best part was the rounds. This is probably the moment every mooter appreciates the most: the moment when everything else ceases to exist, and there is just you, and the judges, and the issue. Or just you, your teammates, the opponents, and the judges. Certainly, somewhere deep inside you are still nervous, but it doesn't matter anymore, as you have reached your destination – you are able to argue the issue that you have become so passionate about.

Even the team grows to be one united body, as when you listen to your teammates plead, you live through every word, through every question, and every answer. You have heard this before, and now you are just thinking through their every answer in your head. What is more, knowing that you are presenting the case to the panel of distinguished judges, people, who have worked with this law for quite some time, adds so much more to this moment.

Oleksandr Plachynta

Participation in Telders was my second attempt to do an international moot court competition. So it was for my teammates. For sure, it enhanced our chances greatly. Here, I would like to outline several issues I deem valuable to win a moot court, in particular Telders.

The first issue deals with responsiveness, or the ability to address opponent's arguments. If one puts forward arguments which are not linked to position of an opposite party, that means he/she is not prepared for a round, and a game itself does not look great. So, get ready to work with opponents' memos as thoroughly as possible.

Second issue deals with the ability to distinguish sources of international law as regards their legal value. Unfortunately, this issue is underestimated by many teams. So, before going into substance of opponent's argument, try to show weakness of its legal ground. By doing so, you can convince judges that the argument is not worth being considered by them.

Lastly, I believe that team performance depends greatly on team chemistry. If you do strive for victory, make sure your teammates feel the same. Also, as teamwork takes most of the time, spend it having fun rather than bickering with the team. So, until registration for a moot is over, think twice about the people with whom you will spend a next mooting season.

Review Report by the Sofia University "St. Kliment Ohridski", Finalist Team

Taking part in the 39th edition of the Telders International Law Moot Court Competition was undoubtedly an unforgettable, once-in-a-lifetime experience. We will cherish our memories of it for many years to come.

Looking back on the early days of our preparation for the international rounds, we were all extremely enthusiastic and pleased to have been selected to represent the Sofia University "St. Kliment Ohridski" at such a prestigious international competition. It is safe to say, though, that we did not quite know what exactly we had taken up. It was not until a few weeks before the final deadline for submitting our written memorials that we started realizing what a great responsibility we had assumed.

At the cost of sleep deprivation, drinking unhealthy amounts of coffee and occasionally getting scolded (well, at least some of us) by our extremely devoted coaches for failing to meet some of the "internal" deadlines they had attentively scheduled for us to follow, we managed to hand in our memorials just in time. And we were quite happy with the upshot. We were physically exhausted after months of hard work, but it was totally worth it. Not only had we acquired in-depth knowledge of various spheres of public international law (many of which we would have never even acquainted ourselves with, had it not been for this competition), but we had also struck up some great new friendships, ones that are bound to last.

What followed next was the second stage of our preparation – learning to plead before the bench, something we had never done before. After two weeks of practice, we already knew that we would not merely be reciting our written memorials until we had to fly to The Hague. On the contrary, we kept scrutinizing the facts of the case and researching every little detail. Naturally, our presentations kept evolving until the very end. This was very much facilitated by our coaches and other former moot court participants whom they often invited to our pleading sessions as judges. They would bombard us with questions in order to test our creativity and ability to think on the spot. This was very useful and allowed us to interact with many other intelligent young people.

After almost a year of preparation, the time had come – The Hague and the Leiden University were awaiting us. During the flight, we were both anxious and extremely excited about what was coming ahead. The moment all doubt disappeared was the first glace we took at the breathtaking Peace Palace before the Reception. That was the place where we realized why we were there and what was our purpose.

Next came the beginning of the competition. An amazing moment for all of us. The first day started out with a lot of worrying. One thing is for sure – no one from the team had breakfast that first day. On our way to the "courtrooms" we felt nervous but ready. The two matches went amazing. The Applicants faced a well-prepared team – the whole dual was neck in neck. The Respondents showed everyone why our country is on the mooting map. Both worked hard and did not crack under the pressure.

Our second day was equally trying. The Applicants faced an even harder opponent in the face of Belarus, which was represented by extremely prepared oralists. The judges were equally inquisitive and both teams were bombarded with questions. In the end, a great rebuttal on our part won us the match (at least we believe so). Our Respondents faced the team coming from Portugal, which believed to posses a feeling what was right and good, however the law and the moral were again on our side. We can safely say that after the second day we were exhausted – one of our Applicants even fell asleep in the bus to Leiden. None of us could even expect what would happen next.

What followed was the surprising announcement of the results in the Leiden City Hall. As the Mayor of Leiden started the nerve-racking countdown of the ten best teams, we grew more and more anxious as the ranking kept going up. We worried that we had fallen from the top ten – a spot, which Sofia University has traditionally reached in this competition. To our surprise, however, our team was mentioned last for another reason – for the first time ever our university was going to be a finalist.

After a few hours of happy disbelief and frantic phone calls to the people rooting for us back at home, we returned to our hotel to do some additional research on the other team's memorial. After a very stressful night, in the morning we headed to the Peace Palace for our last pleading on the case we had been working on for almost a year. In the final, we faced the excellent team of Ukraine in the Great Hall of the International Court of Justice. We had the amazing opportunity to plead in front of the actual judges of the Court. It was a wonderful experience that all of us will remember and cherish.

The biggest achievement was standing before the Judges, who not only settle the law but also create history with their judgments in this very Court. But the proudest moment which still brings tears to our eyes was hearing the name of our country and our university as Finalists. It would not have been possible without our incredible coaches. Therefore, we would like say a heartfelt thank you to Meglena Antonova and Snejina Kancheva for their impressive dedication, unfailing patience and endless encouragements.

Review Report by Leiden University, Winner of the Best Oral Argument Award for Applicant and Respondent, and the Award for Best Oralist

It's pretty safe to say that every member of our team was deeply honored when we received the news that we were chosen to represent our University at the Telders Moot of 2016. Moot Court is an important component of the Public International Law LLM of Leiden University, and the fact that Leiden hosts the Telders competition gave our team an additional boost to try to perform really well at the competition.

While reading the case for the first time, you have no idea that this fictional case about migrants and piracy and its accompanying legal problems will at some point during the competition become more real than a lot of things in your actual life. After some general research and studying, each and every one of us became fully submerged into the subject matter of our separate legal positions. A big advantage of joining Telders is that whichever part you work on, whether it is procedural or substantive, the knowledge you gain from the competition will help you with your (exams at) regular LLM courses.

It's not all roses though: the research, though extremely rewarding when you find a perfect source, argument or strategy, is hard and often dull work. The last weeks before submitting the memorial were particularly demanding. I remember very well how our coach had reserved a room at the law faculty for an entire week of last-minute research and the finalizing of our memorials. After living on takeout and barely seeing sunlight for a week, we managed to submit our memorials just minutes before the deadline, thereby almost giving our coach heart failure. Sorry for that!

During the oral practice sessions we were very often put down by our guest judges. This treatment wasn't always fun and at times it completely broke our confidence, but it made us work harder and I think in the end it attributed significantly to our success at the oral rounds. The sessions have shown us the power of a well formulated argument delivered in a convincing manner. When you have an impossible argument to make, you will see that after weeks of perfecting your formulation and picking the right words, judges are far more willing to accept your rubbish argument than the judges would be in the beginning.

At the competition itself the best thing you can do is to try not to be stressed out. At that point, there is not much you can do anymore and the oral rounds, the lunches and dinners are a lot of fun! I recall our coach saying: "As lawyers in Public International Law, how often do we get to have sushi and ice-cream for lunch?!"

We were really happy with our performances at the oral rounds and we knew that we had done quite well. However, at the announcement ceremony, it turned out that we had just missed the grand final on a couple of points. We were really disappointed that we would not get the chance to plead in the Great Hall of Justice, but the plus side was that we could fully enjoy both the BBQ and the after party, which were really awesome. At the awards ceremony, we were shocked to find out that our team had won three awards! Best Oral Argumentation for the Applicant and for the Respondent, as well as the award for Best Oralist. What made it extra cool was that we could share the feeling of victory with our entire team. Alongside of the actual awards, we took away improved skillsets in legal research, writing, public speaking and we made a lot of really good friends in the process.

All this wouldn't have been possible without certain people. We would therefore like to thank the TOO for organizing this awesome competition. Our coaches Daniëlla Dam de Jong and Alla Ershova have taught us so much and were indispensable for the success of the team. We also want to thank everyone who either guest-judged at our practice sessions or contributed in any other way. Thank you!

Toine Rombouts & Shima Abbady

PEACE PALACE
PALAIS DE LA PAIX

PEACE PALACE
PALAIS DE LA PAIX
JUSTICE

Participating Teams

Austria
Salzburg Universität
Team coach: Ms. Anne-Carlijn Prickartz
Team members: Mr. Simon Burger
Ms. Jorien van de Meerssche
Ms. Julia Schauer

Belarus
Belarusian State University
Team coaches: Ms. Natallia Karkanitsa
Ms. Hanna Taliaronak
Team members: Ms. Margarita Zmachinskaya
Ms. Darya Bohdan
Mr. Aleksei Ivanov
Ms. Alexandra Boguslawskaja

Bulgaria
Sofia University "St. Kliment Ohridski"
Team coach: Ms. Meglena Antonova
Team members: Ms. Anna-Mariya Spasova
Ms. Silvana Tonkova
Mr. Kristian Kalchev
Mr. Valeri Blagoev

Denmark
University of Southern Denmark
Team coaches: Dr. Ulrike Barten
Ms. Emma Hadrovic
Team members: Ms. Laura Rosa Linde
Ms. Julie Abildgaard Poulsen
Mr. Thomas Arvid Gadeberg Bentsen
Mr. Tony Duc Tai Nguyen

England
The Honourable Society of Inner Temple
Team coaches: Mr. Sam Way
Mr. Josh Crow
Team members: Mr. Harry Gillow
Ms. Sabrina Goodchild
Ms. Grace Boorer
Mr. Adam Squibbs

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Team coaches: Ms. Ann Tarkin
Mr. Kristjan Nõmmik
Team members: Ms. Anni Haas
Ms. Heli Hirsik
Ms. Getter Paberits
Ms. Nele Teelahk

Participating Teams, *continued*

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Team coaches: Mr. Ukri Soirila
Ms. Laura Kirvesniemi
Team members: Mr. Juho Aalto
Ms. Jasmin Lestelin
Mr. Lauri Pajunoja
Ms. Maria Tantarimäki

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Ms. Amélie Girard
Team members: Ms. Nancy Hiag
Mr. Gonzague Dupas
Ms. Elodie Toujas
Ms. Zaira Matiatou

Germany
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Team members: Ms. Zerrin Karadag
Ms. Salma Mahdad
Mr. Arvid Weber
Mr. Jonathan Badstieber

Greece
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Team coaches: Dr. Efthymios Papastavridis
Ms. Charikleia Aroni
Team members: Ms. Aikaterini Strataridaki
Ms. Foto Pappa
Ms. Stavroula Kremmydiotou
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Ireland
The Law Society of Ireland
Team coach: Ms. Eva Massa
Team members: Ms. Aideen O'Mahony
Ms. Aoife Mc Nicholl
Mr. Filip Kwilinski
Mr. Stephen Kirwan

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Bocconi University (Milan)
Team coaches: Ms. Mariapaola Ruggiero
Mr. Davide Zecca
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Mr. Giacomo Famigli
Mr. Guido Oggionni

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Team coach: Mr. Māris Lejnieks
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Mr. Ingus Meimers
Mr. Toms Vilnis
Ms. Kristiāna Viļuma

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Ms. Alla Ershova
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Ms. Helena de Kat
Mr. Toine Rombouts
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Team coach: Dr. Panos Merkouris
Team members: Ms. Mirjam Mulderij
Mr. Allan Mukuki
Mr. Nikoloz Melkadze

Norway
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Ms. Ragnhild Moritz-Olsen
Mr. Chimenem Wodi
Mr. Gustavo Andrés Gómez

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Ms. Anna Berger
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Team members: Ms. Sandra-Bianca Baci
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Ms. Elena Zubareva
Ms. Elvira Moroz
Ms. Elena Pavlova

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Ms. Niamh Murray-Sheridan
Ms. Kasia Thomson

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Ms. Branislava Aradjan
Mr. Milos Radosavljevic
Ms. Jelena Stula

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Ms. Johanna Kastensson
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Turkey
Maltepe University
Team coaches: Prof. Dr. Yusuf Aksar
Dr. Hakan Şahin
Team members: Ms. Seden Anlar
Ms. Sena Karaduman
Ms. Christina Laura Schmid
Ms. Ipek Senoglu

Ukraine
National University of "Kyiv-Mohyla Academy"
Team coach: Mr. Taras Varava
Team members: Mr. Oleh Dykyi
Ms. Olha Kotlyarska
Mr. Oleksandr Plachynta
Mr. Maksym Dvorovyi

Participating Teams National Rounds

England

BPP Law School

University of Reading

University of Sheffield

The Netherlands

The Hague University of Applied Sciences

Romania

"Lucian Blaga" University of Sibiu

University of Bucharest, Faculty of Law

Russia

MGIMO University

Turkey

Istanbul University

Ukraine

Taras Shevchenko National University of Kyiv

Yaroslav Mudriy National Law University

National University "Odessa Law Academy'

Team Sponsors

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Estonia
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University of Tartu School of Law

Finland
Finnish Lawyers' Association
Finnish Bar Association
Roschier Attorneys Ltd

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Kölner Gymnasial – und Stiftungsfonds
United Nations Association of Germany
North Rhine-Westphalian Branch
CMS Hasche Sigle
Görg Rechtsanwälte
Rechtsanwalt Dr. Johannes Dilling

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Matheson
Beauchamps Solicitors
Kod Lyons Solicitors

Netherlands—University of Groningen
Faculty of Law, University of Groningen

Romania
Schoenherr - Romanian Branch

Russia
Kutafin Moscow State Law University

Ukraine
Advice Group (http://www.advice-group.com/en)

Acknowledgements

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Den Haag

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Confederazione Svizzera
Confederaziun svizra

Kölner Gymnasial- und Stiftungsfonds

Universiteit Leiden
The Netherlands

Stichting Mr. S.J. Visserfonds

Van Vollenhoven Foundation

Leiden Law School

International Board of Review

The International Board of Review (IBOR) was composed of a panel of international experts trained in (international) law. The task of the IBOR is to assess the written memorials of the participating teams.

Ms. Anna Andersson, PhD Candidate, Norwegian Centre for Human Rights (UiO)

Dr. Myroslava Antonovych, Head of the Centre for International Human Rights, Associate Professor, International Law Department, Faculty of Law, National University of Kyiv-Mohyla Academy

Prof. Halil Rahman Basaran, Associate Professor, Maltepe University

Mr. Ricardo Bastos, Ministry of Foreign Affairs of Portugal

Mr. Markus Beham, University of Vienna

Ms. Catherine Blanchard, Research Assistant, Netherlands Institute for the Law of the Sea

Mr. Lucian Bojin, Partner in Valentin & Asociatii Law Firm

Mr. Leonardo Borlini, Assistant Professor, Department of Legal Studies, Bocconi University

Dr. Ulrike Brandl, Public Law, Public International Law and European Union Law, University of Salzburg

Ms. Maria Beatriz Brito, nominated by Universidade Nova De Lisboa

Mr. Nelson F. Coelho, Doctoral Researcher, Utrecht University

Ms. Katja Creutz, Senior Research Fellow, Finish Institute of International Affairs

Ms. Elina Dindendorfa, nominated by the University of Latvia

Ms. Niamh Diskin, Liaison Officer to International Institutions, Irish Department of Foreign Affairs

Ms. Elizabeth Fitzgerald, Freelance Solicitor, Technology and Commercial Law, Fumbally Exchange

Dr. Dieter Fleck, Former Director International Agreements & Policy, German Ministry of Defence; Member of the Advisory Board, Amsterdam Center of International Law

Mr. Nemanja Galić, nominated by the University of Novi Sad

Mr. Dimitar Gochev, nominated by Sofia University St. Kliment Ohridski

International Board of Review, *continued*

Prof. Frederik Harhoff, Professor in International Law, University of Southern Denmark

Mr. James Harrison, Senior Lecturer, University of Edinburgh

Mr. Nobuo Hayashi, International Law and Policy Institute (ILPI)

Mr. Maksim Holub, nominated by the International University of MITSO

Mr. Arron N. Honniball, PhD Candidate, UNIJURIS Project, Netherlands Institute for the Law of the Sea

Prof. Dr. Maria del Angel Iglesias, Professor Director, UNIR Universidad Internacional de La Rioja

Mr. Nikolay Ilchev, Sofia University

Ms. Maria Issaeva, Managing Partner, Threefold Legal Advisors

Ms. Katie Johnston, Legal Advisor, Organisation for Economic Co-operation and Development

Mr. David Kendal, Senior Advisor, Danish Ministry of Foreign Affairs

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Ms. Carola Lingaas, PhD Fellow, University of Oslo

Prof. Göran Lysén, Professor Emeritus in Public International Law

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Ms. Catherine Newcombe, Attorney, US Department of Justice

Mr. Vasili Pavlov, Assistant Secretary General, International Law & Arbitration Association

Ms. Kseniya Pavlovich, nominated by Belarusian State University

Mr. Jan Primec, advanced LL.M. in Public International Law, University of Amsterdam

Ms. Adina Portaru, Legal Counsel, ADF International

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Ms. Ilia Maria Siatitsa, nominated by the Democritus University of Thrace

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Mr. Predrag Spasić, nominated by the University of Novi Sad

Dr. Otto Spijkers, Assistant Professor Public International Law, Utrecht University

Prof. Yoshifumi Tanaka, Professor, University of Copenhagen

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Mr. Konstantinos Tromvoukis, nominated by the Democritus University of Thrace

Ms. Amina Tsatiashvili, BPP University Law School

Ms. Andrea Varga, PhD candidate/Research Associate, Leiden University/University of Cambridge

Dr. René Värk, Associate Professor of International Law, University of Tartu

Prof. Dr. Erika de Wet, Käte Hamburger Kolleg "Recht als Kultur", Internationales Kolleg für Geisteswissenschaftliche Forschung

Mr. Christopher Whomersley, retired legal advisor to the UK Foreign and Commonwealth Office

Mr. Kristian Wohlström, University of Helsinki, Faculty of Law

Prof. Dr. Gudrun Zagel, Professor, Universität Bundeswehr München – Institut für Öffentliches Recht und Völkerrecht

Judge Kühn

Judges Semi-Finals

The Judges who participated in the International Semi-Finals are highly qualified and well-trained professionals and academics of international Law. The Judges work for various international courts and tribunals, international organisations, law firms and academic institutions.

Ms. Maryam Ansari, Assistant to Arbitrators, Iran-United States Claims Tribunal

Ms. Jamilla Abdulle, The African Foundation for International Law

Mr. Jan Bangert, Partner, Böckli Bühler Partners

Ms. Nadia Banteka, Lecturer in Law, University of Pennsylvania Law School, Columbia Law School, The Hague University of Applied Sciences

Mr. N. F. Barthel, Lawyer-partner, Hoens & Souren Keereweer Advocaten

Mr. E.E. van Bemmelen van Gent, Lecturer and Researcher, Utrecht University & The Hague University

Ms. Antonella Bini, Researcher in International Law

Ms. Catherine Blanchard, Research Assistant, Netherlands Institute for the Law of the Sea

Ms. Anja Blank, Researcher, University of Helsinki

Dr. Andrea Carcano, Adjunct Professor, Faculty of Law, University of Milano-Bicocca

Mr. Nelson F. Coelho, Doctoral Researcher, Utrecht University

Prof. Dr. Vincent Correia, Professor, Université de Poitiers

Ms. Elena Deliran, Lawyer

Mr. Ranesh Dhalganjansing, Lawyer, Law Firm Dhalganjansing

Ms. Niamh Diskin, Liaison Officer to International Institutions, Irish Department of Foreign Affairs

Mr. Franke Eleveld, PhD Candidate, Grotius Centre for International Legal Studies

Mr. M.K. Eshragh, Legal Expert

Mr Fernando Fiallos, Consul/PhD Researcher, Embassy of the Republic of Ecuador/Leiden University

Major Yvette Foliant, Legal Advisor, Dutch Royal Armed Forces

Mr. Paul Garlick, The Hague University of Applied Sciences

Judges Semi-Finals, *continued*

Prof. Richard Gaskins, Brandeis University

Ms. Catherine H. Gibson, Associate, Covington & Burling LLP

Ms. Catherine Harwood, PhD Researcher, Grotius Centre for International Legal Studies

Mr. Arron N. Honniball, PhD Candidate, Utrecht University

Ms. Laura Hughes, Doctoral Candidate/Research Assistant, University of Cologne

Prof. Dr. Maria del Angel Iglesias, Professor Director, UNIR Universidad Internacional de La Rioja

Ms. Marion Kappeyne van de Coppello, Ambassador, Ministry of Foreign Affairs

Ms. Lisa-Marie Komp, Attorney at law, GMW Advocaten

Dr. iur. Werner Miguel Kühn, Senior Officer, European Free Trade Association Surveillance Authority

Mr. Frans Lambert, Attorney at law, GMW Advocaten

Mr. Thomas Leclerc, PhD Candidate, International Institute of Air & Space Law, Leiden University

Prof. Pétur Dam Leifsson, Supervisor for Public International Law, University of Iceland

Prof. Liesbeth Lijnzaad, Ministry of Foreign Affairs, Maastricht University

Ms. Maria Manolescu, Case Manager, International Criminal Court

Ms. Molly Martin, International Criminal Tribunal for the former Yugoslavia

Dr. Martha Mejía-Kaiser, Co-Chair Manfred Lachs Space Law Moot Court Committee, IISL

Prof. Dr. Pablo Mendes de Leon, Professor of Air and Space Law, Leiden University

Mr. Francesco Messineo, Legal Officer Codification Division, United Nations

Ms. Marialejandra Moreno, Adv. LL.M. Public International Law – International Criminal Law

Ms. Zahra Mousavi, The Hague University of Applied Sciences

Mr. Saamir Nizam, Maclay Murray & Spens LLP

Ms. Fraukje Panis, Attorney at Law, Holland Van Gijzen Advocaten en Notarissen LLP

Dr. Hossein Piran, Senior Legal Advisor, Iran-United States Claims Tribunal

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Prof. C. Roelofsen, Professor Emeritus, Utrecht University

Ms. Hilde Roskam, Research and Teaching Assistant, Grotius Centre for International Legal Studies

Mr. Daniel Russell, Legal Consultant

Mr. Alexandros Sarris, Lecturer, Leiden University College

Mr. Birgitta Smits, Mediator, Result ADR

Mr. Marc Steiner, Judge, Swiss Federal Administrative Court

Ms. Merinda Stewart, PhD Candidate, International Institute of Air and Space Law, Leiden University

Ms. Christa Stünzi, Research and Teaching Assistant, PhD candidate Institute for Public Law, University of Bern

Ms. Pem Tshering, Assistant Legal Counsel, Permanent Court of Arbitration

Ms. Patricia Uribe Granados, PhD Candidate, Grotius Centre for International Legal Studies

Dr. Giuseppe-Matteo Vaccaro-Incisa, Assistant Professor of International Law, Grande École IESEG School of Management

Mr. Taco van der Valk, Member of the Executive Council, Comité Maritime International

Ms. Andrea Varga, PhD candidate/Research Associate, Leiden University/University of Cambridge

Mr. Ernst-Jan van de Velde, Lawyer, Hoens & Souren Keereweer Advocaten

Mr. Manuel Ventura, Director at The Peace and Justice Initiative, Fellow at the Special Tribunal for Lebanon

Mr. Piet Willems, Lecturer, The Hague University of Applied Sciences

Mr. Glen Wolter, International Criminal Tribunal for the former Yugoslavia

Mr. William Worster, The Hague University of Applied Sciences

Prof. Mia Wouters, Professor University of Ghent, off Counsel LVP Law

Winners and Awards

The Winner of the Final Round
National University of "Kyiv-Mohyla Academy"
The Finalist Team Award
Sofia University "St. Kliment Ohridski"
The Max Huber Award for Best Overall Score
National University of "Kyiv-Mohyla Academy"

The Carnegie Foundation Award for the Best Memorial on Behalf of the Applicant
West University of Timişoara
National University of "Kyiv-Mohyla Academy"
(ex aequo)
The Carnegie Foundation Award for the Best Memorial on Behalf of the Respondent
National University of "Kyiv-Mohyla Academy"

The Award for the Best Oral Argumentation for the Applicant
Leiden University
The Award for the Best Oral Argumentation for the Respondent
Leiden University

The Best Oralist Award
Ms. Shima Abbady, Leiden University
The Runner-Up Best Oralist Award
Mr. Allan Mukuki, University of Groningen

The Best Judge Award
Mr. Marc Steiner
The Telders Award for Outstanding Team Effort
Kutafin Moscow State Law University

Results

Final Scores A

Memorials

COUNTRY	FINAL SCORE A (M)	RANKING A (M)
Romania	140	1
Ukraine	140	1
Bulgaria	137	2
Austria	133	3
Estonia	132	4
Latvia	132	4
Greece	130,5	5
Sweden	130	6
Leiden	130	6
Netherlands	126	7
Ireland	126	7
Belarus	125,3	8
Italy	125	9
Scotland	124	10
Finland	123	11
Denmark	122	12
Serbia	121,2	13
Russia	121	14
Germany	120	15
France	119	16
England	114	17
Norway	112	18
Poland	109	19
Portugal	105	20
Turkey	97	21

Final Scores A

Oral

COUNTRY	FINAL SCORE A (O)	RANKING A (O)
Leiden	143	1
Sweden	142,5	2
Greece	142,5	2
France	141	3
Netherlands	139,5	4
Scotland	139	5
Ukraine	138	6
Bulgaria	136,5	7
Latvia	135	8
Serbia	133,5	9
Italy	132,5	10
Estonia	132	11
Romania	130,5	12
Austria	130,5	12
Finland	129,5	13
England	129	14
Norway	129	14
Belarus	128	15
Ireland	127,5	16
Turkey	126,5	17
Denmark	119,5	18
Germany	119	19
Portugal	116,5	20
Russia	117,5	21
Poland	112,5	22

Final Scores A

Total

COUNTRY	TOTAL SCORE A (M+O)	RANKING A (M+O)
Ukraine	278	1
Bulgaria	273,5	2
Leiden	273	3
Greece	273	3
Sweden	272,5	4
Romania	270,5	5
Latvia	267	6
Netherlands	265,5	7
Estonia	264	8
Austria	263,5	9
Scotland	263	10
France	260	11
Italy	257,5	12
Serbia	254,7	13
Ireland	253,5	14
Belarus	253,3	15
Finland	252,5	16
England	243	17
Denmark	241,5	18
Norway	241	19
Germany	239	20
Russia	238,5	21
Turkey	223,5	22
Portugal	223,5	22
Poland	221,5	23

Results, *continued*

Final Scores B

Memorials

COUNTRY	FINAL SCORE B (M)	RANKING B (M)
Ukraine	139	1
Austria	137	2
Denmark	132	3
Greece	132	3
Bulgaria	130	4
Serbia	130	4
Leiden	129	5
Belarus	128	6
France	127	7
Netherlands	126	8
Sweden	126	8
Germany	123	9
Latvia	123	9
England	119	10
Romania	118	11
Finland	116	12
Italy	116	12
Estonia	115	13
Russia	115	13
Scotland	113	14
Turkey	112	15
Ireland	111	16
Norway	99	17
Portugal	98	18
Poland	92	19

Final Scores B

Oral

COUNTRY	FINAL SCORE B (O)	RANKING B (O)
Leiden	146	1
Sweden	140	2
Ukraine	130,25	3
Scotland	136,5	4
Netherlands	136	5
Romania	134	6
Finland	133,5	7
Latvia	133,5	7
Greece	133,5	7
Italy	131,5	8
Austria	131	9
France	131	9
Belarus	130	10
England	129	11
Denmark	128,5	12
Russia	126	13
Serbia	124,5	14
Bulgaria	124	15
Estonia	121	16
Ireland	120,5	17
Norway	119	18
Portugal	117	19
Germany	115	20
Turkey	114,5	21
Poland	108,5	22

Final Scores B

Total

COUNTRY	TOTAL SCORE B (M+O)	RANKING B (M+O)
Ukraine	270,25	1
Leiden	275	2
Austria	268	3
Greece	265,5	4
Sweden	266	5
Netherlands	261	6
Denmark	260,5	7
France	258	8
Belarus	258	8
Latvia	256,5	9
Serbia	254,5	10
Bulgaria	254	11
Romania	252	12
Scotland	249,5	13
Finland	249,5	13
England	248	14
Italy	247,5	15
Russia	241	16
Germany	238	17
Estonia	236	18
Ireland	231,5	19
Turkey	226,5	20
Norway	218	21
Portugal	215	22
Poland	200,5	23

Final Scores A+B

COUNTRY	Total Score A (M+O)	Total Score B (M+O)	Total Overall Score A+ B (M+O)	OVERALL RANKING	Country Nr
Ukraine	278	278,25	556,25	1	16
Leiden	273	275	548	2	15
Greece	273	265,5	538,5	3	27
Sweden	272,5	265	537,5	4	10
Austria	263,5	268	531,5	5	17
Bulgaria	273,5	254	527,5	6	11
Netherlands	265,5	261	526,5	7	3
Latvia	267	256,5	523,5	8	23
Romania	270,5	252	522,5	9	2
France	260	258	518	10	19
Scotland	263	249,5	512,5	11	1
Belarus	253,3	258	511,3	12	22
Serbia	254,7	254,5	509,2	13	20
Italy	257,5	247,5	505	14	21
Finland	252,5	249,5	502	15	12
Denmark	241,5	258,5	500	16	4
Estonia	264	236	500	16	5
England	243	248	491	17	9
Ireland	253,5	231,5	485	18	18
Russia	238,5	241	479,5	19	6
Germany	239	238	477	20	7
Norway	241	218	459	21	14
Turkey	223,5	226,5	450	22	8
Portugal	223,5	215	438,5	23	25
Poland	221,5	200,5	422	24	26

Universiteit Leiden
The Netherlands

Telders International Law
Moot Court Competition

Grotius Centre
for International
Legal Studies

Telders Organizing Office

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