INTERNATIONAL AIR LAW MOOT COURT COMPETITION

INSTITUTE OF AIR AND SPACE LAW AEROHELP

THE RULES OF PROCEDURE

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1. General Provisions

1.1. About the Competition

The International Air Law Moot Court Competition (the "Competition") is an annual competition of teams representing universities throughout the world.
The Competition is an educational program which is intended to promote and stimulate among the students the study and practical application of International Air Law.

1.2. Organization and Administration

The Competition is an initiative of the Institute of Air and Space Law AEROHELP, St Petersburg, Russian Federation (the "Organizing Team").
Other parties may join the organization of the Competition, subject to the consent of the Organizing Team.

The Organizing Team is responsible for the organization and administration of the Competition. The Organizing Team may designate one or more executives (the "Executive") for the purposes of performing the functions of the Organizing Team.

1.3. Structure and Organization

The Competition is divided into two stages:

1) Preparation and submission of Memorials for Applicant and Respondent; and
2) Oral Hearings which includes presentation of oral arguments.
   Oral Hearings are consist of Preliminary Rounds, Semi-final Rounds and Final Round.

The Organizing Team may authorize National Rounds for the purposes of qualifying for the Competition in accordance with para 1.4 of the Rules.

The Competition is held in accordance with the Time Schedule announced by the Organizing Team.

1.4. National Rounds

The National Rounds shall be held in case more than three (3) teams from one (1) country register to participate in the Competition.

Upon expiration of the registration deadline the Organizing Team shall notify the teams concerned on the necessity to appoint a National Committee (the "National Committee") which shall be responsible for the organization and administration of the National Rounds.

The teams concerned shall inform the Organizing Team on the constitution and composition of the National Committee in accordance with the deadlines indicated by the Organizing Team.

The Organizing Team approves the constitution and composition of the National Committee and provides it with all necessary documents and information.

National Rounds shall be conducted in accordance with the Rules of the National Rounds adopted by the National Committee and agreed with the Organizing Team. These Rules apply mutatis mutandis to the National Rounds in case the Rules of the National Rounds are not adopted or when questions or issues arise that have not been explicitly addressed by the Rules of the National Rounds.
In case the question or issue arise that have not been addressed by the Rules the National Committee shall resolve this question or issue as it considers appropriate upon consultation with the Organizing Team. In all cases, the National Committee shall act fairly and impartially.

1.5. Venue

The Oral Hearings are held at venues determined by the Organizing Team in advance.

1.6. Language

The Competition, including National Rounds, shall be conducted in English. Each Memorial shall be written in English.

1.7. Copyright

All materials prepared by or for the Organizing Team, including but not limited to, the case, clarifications, procedural orders, the Rules, etc. are the exclusive property of the Organizing Team and cannot be used for any purpose other than organization, administration of the Competition and/or participation in the Competition.

All Memorials once submitted during the Competition shall be the property of the Organizing Team and may be copyrighted as such.

The Organizing Team reserves all the rights to the audio and videorecording of any Oral Hearing or part of the Oral Hearing, subject to the privacy rights of the participants.

1.8. Personal Data Protection

Considering the purposes of the Competition it is necessary that personal data will be collected and processed for the operation of the Competition and all events in connection with the Competition. By registering for participation in the Competition the participants give a consent on collection, processing and/or transfer of Personal Data

necessary for the operation of the Competition and all events in connection with the Competition.

Please address your questions about the way your data is being used and processed to the Organizing Team.

2. Participation and Eligibility

2.1. Eligibility

The Competition is open to students enrolled in a Bachelor of Laws or Master of Laws program or equivalent program at law school, university or from another higher educational institution (the "University").
Members of one team shall be the students of one University.
Each University may only be represented by one team.
The selection process of the team members shall be conducted in a manner the University considers appropriate.

The total number of teams permitted to compete in the Preliminary Rounds shall not exceed twenty-four (24) teams.

In case the number of registered teams for Preliminary Rounds is more than twenty-four (24) teams, the Organizing Team shall decide on capping the number of participating teams based on the following rules:

- A place in the Preliminary Rounds shall be reserved for a team representing the host University, or in case the host University is not represented by a team, to one (1) team from another University in the host country.
- Reduction of the number of the teams from one country from three (3) to two (2) based on the National Rounds selection;
- Geographical representation.

Students are not allowed to participate more than once for the same University in the Competition.

2.2. Team Composition

Each team shall be composed of no less than two (2) and not more than three (3) members.

Substitution of team members after the registration of the team is not allowed unless such substitution is justified by serious circumstances. Any changes in the composition of the team must be specifically communicated to and agreed with the Organizing Team.

All research, writing, editing may only be conducted by team members. Each team may have an adviser(s) (the "Adviser") who can be a staff member of the University or an

external adviser designated by the participating University as well as a team may receive an outside assistance. Meanwhile, any assistance shall be limited to identification and general discussion of the issues, suggestions on research sources, comments on arguments, persuasiveness of arguments, organization and structure, and practice for the Oral Hearings.

Each team member shall confirm the originality of the submitted Memorials as it is their own work by signing a Declaration of Authenticity (see Attachment A). The Declaration shall be submitted separately at the moment of submitting each Memorial; however, the Declaration shall not be attached to the Memorials.

2.3. Registration

Each team shall register via the link provided on the website of the Institute of Air and Space Law AEROHELP (https://aerohelp.com/en/mootcourt) prior to the registration deadline according to the Time Schedule.
Additional registration may be required by a National Committee for the purposes of National Rounds.

The registration and further communication with the Organizing Team may only be conducted by team members. There are not allowed for Advisers to communicate with the Organizing Team during the entire Competition process.

The Organizing Team assigns each team a registration number (team number).

2.4. Registration Fee

The team registration fee is RUB 10 000 (the "Registration Fee"). The Registration Fee shall be paid within ten (10) calendar days of the date of invoice. Non-payment or late payment of the Registration Fee may be the basis for exclusion of the team from the Competition.
The Registration Fee is to be refunded in case a team is excluded from participation due to the limit of twenty-four (24) teams in accordance with para 2.1. of the Rules.

The Registration Fee is not refunded in case of cancellation by the team, refusal of the team to participate in the Competition or any other similar reasons.

Each team shall bear their own costs to and from the destination hosting the Competition.

3. Case

3.1. Case

The Case is drafted each year by a duly qualified person(s) invited by the Organizing Team.

The author(s) of the Case is not involved with the substantive preparation of the Competition and/or with any of the participating teams.

The Organizing Team posts the Case on the website of the Institute of Air and Space Law AEROHELP.

3.2. Requests for Clarifications

Each team shall have an opportunity to request clarifications of the Case once with a maximum of five (5) questions. The requests on clarifications shall be sent to the Organizing Team within the deadlines indicated in the Time Schedule.

All clarification responses are prepared by the Organizing Team together with the author(s) of the Case and are published on the website of the Institute of Air and Space Law AEROHELP in accordance with the Time Schedule.

The Organizing Team and the author(s) of the Case may in their full discretion provide for clarifications only on significant matters of the Case.

4. Memorials

4.1. Content and Requirements

Each team shall prepare an Applicant's Memorial and a Respondent's Memorial.

Each Memorial shall contain the following sections, in the following order:
a) Table of Contents
b) List of Abbreviations
c) List of Sources (treaties, cases, doctrine, etc.);
d) Statement of Facts;
e) Issues;
f) Summary of Arguments;
g) Jurisdiction of the Court (or other body vested with adjudicatory power);
h) Arguments; and
i) Submissions.

Sections “Arguments” (Section h) and “Submissions” (Section i) together, including footnotes, shall not exceed twenty-five (25) pages.

The Memorial may also include Annexes which shall not exceed five (5) pages.

Any argument with respect to jurisdiction or admissibility in case if it is addressed in the Case in section “Relief Sought” shall be included in Section “Arguments” (Section h) of the Memorials.

Each Memorial shall comply with the following requirements:

- shall be typed on A4 size paper;
- font for the Memorials: Times New Roman, size 12;
- margin – 2.5 cm on each side, at the top and at the bottom;
- Sections d - i and Annexes – with interline 2 (double-spaced).

Sections "Argument" (Section h) and "Submissions" (Section i) together shall be numbered consecutively in Arabic numbers (1 - 25).
All the other sections of the Memorial shall be numbered consecutively in small Roman numbers (i - ii ... xi ...).
The number of the page shall be placed in the middle at the top.

Footnotes shall be placed at the bottom of the page and throughout the Memorial shall be numbered consecutively in Arabic numbers.
Footnotes and quotations shall not be reduced in size. Footnotes and quotations of more than one line in length may be typed single-spaced. The double spacing shall be kept between separate footnotes.

The listing of the sources in the List of Sources (Section (c)) and in the footnotes shall be complete and uniform throughout the document. All cited sources shall be included in the List of Sources. Sources that are not cited shall not be listed in the List of Sources (Section c).

The cover of the Memorial shall correspond to the example indicated in the Attachment B to the Rules. The cover of the Applicant's Memorial shall be green and the cover of the Respondent's Memorial shall be red.

The Memorials shall only refer to the team number and letter "A" for Applicant or letter "B" for Respondent and shall not contain any references either direct or indirect on the University the team is representing.

Plagiarism is strictly prohibited. Any memorial which violates this rule will be removed from the Competition and a team may not be considered for any award.

All quotations shall be properly marked as such and full attribution made to the author(s) thereof.

All sections of the Memorial shall be folded in accordance with para 4.1 of the Rules and stapled or placed in a folder.

4.2. Submission of Memorials

The Memorials shall be submitted to the Organizing Team as separate electronic (soft) copies via email in pdf format. The deadline for mailing of the Memorials shall be indicated in the Time Schedule.

It is not allowed to add, revise, substitute, correct or in any other manner change the text of the Memorials after their submission.

The Organizing Team shall distribute the Memorials to the opposing teams and judges.

4.3. Scoring of Memorials

The Memorials shall be reviewed and scored by the judges chosen by the Organizing Team.

The judges score the Memorials based on the quality of the analysis of the issues discussed in the Case, use of authorities and extent of research, persuasiveness of the arguments, logic, reasoning and clarity of the arguments, writing, grammar and style as well as compliance with the requirements specified in para 4.1. above.

Each Memorial shall be reviewed and scored by at least three (3) judges.

The Organizing Team provides for the judges with the official scoring sheets.
Score bands:

- Excellent – 45-50
- Good – 40-44
- Average – 35-39
- Poor – 30-34

The final score for each Memorial shall be a sum of scores awarded by each judge.

5. Oral Hearings

5.1. General Procedure

The Oral Hearings consist of Preliminary Rounds, Semi-final Rounds and Final Round. The Oral Hearings take place at the Venue as defined in accordance with para 1.5 of the Rules.

Team members are not allowed to wear and/or carry any items which may indicate the identity of their university and/or country.

Each participating team presents in English oral arguments for Applicant and for Respondent. The team may also present arguments which are not stated in its Memorials.

Only two (2) oral advocates from each team may plead during the Oral Hearing, each of them is supposed to have a speech. Other team member(s) may be present during the Oral Hearing.

Members of the team are not allowed to attend the Oral Hearing(s) of other team(s) which will be the opponent(s) of this team.

All Oral Hearings may be open to the public.
The Organizing Team has a right to audio-video record the Oral Hearing(s) or any part of it.

By participating in the Oral Hearings, team members and judges consent to the use of their audio-video recordings as well as their images for the educational and promotional purposes of the Competition.

5.2. Composition of the Panel

The Panel consists of three (3) judges. In case of shortage of judges, the Organizing Team may assign two (2) or one (1) judge.

The judge(s) are not involved with the substantive preparation of the team participating in this Oral Hearing.

The Organizing Team or the judges by unanimous decision appoint one of the judges as a President of the Panel.
The President of the Panel has the final say on the procedural issues of the Oral Hearing, including amount of extra time to be given in accordance with para 5.3 of the Rules.

5.3. Oral Arguments

Per each Oral Hearing each team shall be allowed a total of forty (40) minutes to present its oral argument, including the time needed to answer any questions posed by the Panel and the time for rebuttal and surrebuttal.
Each team may allocate up to five (5) minutes for rebuttal and up to five (5) minutes for surrebuttal.
A team shall allocate at least fifteen (15) minutes to each oralist.

A team may be granted an extension of the maximum five (5) minutes pleading time at the sole discretion of the Panel.

It is not allowed to use any exhibits without prior authorization of the Organizing Team.

Each of the judges may interrupt the oralist during the pleading to ask a question.

During an Oral Hearing, the oralist cannot communicate with other people except for the other team member at the counsel's table, the Panel, the Secretary and opposing counsel.

Use of any electronic devices is prohibited except for the purposes of keeping the time, taking notes, outlining the arguments or providing information in support of the pleadings.

5.4. Scoring

Each Oral Hearing shall be reviewed and scored by a Panel composed in accordance with para 5.2 of the Rules.

The Organizing Team provides for the judges with the official individual scoring sheets.
Score bands:

- Excellent – 45-50
- Good – 40-44
- Average – 35-39
- Poor – 30-34

The final score for each Oral Hearing shall be a sum of scores awarded by each judge.

The judges score the Oral Hearings based on the knowledge of legal rules, doctrine and cases as well as knowledge of facts of the case; time-keeping, competence, logic, clarity and structure of presentation.

5.5. Preliminary Rounds

Each participating team presents oral arguments in at least four (4) Preliminary Rounds twice for each side.
All participating teams will plead as Applicant and as Respondent an equal number of times.
Preliminary Rounds are conducted in accordance with schedule of the rounds set by the Organizing Team. Each participating team is listed on the schedule of the rounds with a team number and letter "A" for Applicant or letter "B" for Respondent.

5.6. Semi-final Rounds

Four teams with the highest score resulting from the sum of the scores from the Preliminary Rounds shall be admitted to the Semi-final Rounds.

If there are more than four (4) teams with the same highest total score as defined above, the team with the highest score resulting from the sum of the scores for the both Memorials shall be ranked highest. In case the final scores are also identical, the semi-finalist teams shall be determined by lot organized by the Organizing Team.

Each semi-finalist team presents oral arguments in one (1) Semi-final Round, the opposite side for the Round shall be determined by lot organized by the Organizing Team among other semi-finalist teams.

The decision as to which team pleads Applicant or Respondent is determined by lot organized by the Organizing Team.

5.7. Final Round

Two teams with the highest score resulting from the sum of the scores from the each Semi-final Round shall be admitted to the Final Round.

The decision as to which team pleads Applicant or Respondent is determined by lot organized by the Organizing Team.

6. Awards

6.1. Best Oralist

The Best Oralist shall be awarded to a team member with the highest score resulting from the sum of the scores from the Preliminary Rounds.

Only a team member arguing two Oral Hearings for the Applicant and two Oral Hearings for the Respondent may be considered for the award.

6.2. Best Memorial for Applicant

The Best Memorial for Applicant shall be awarded to the Memorial for Applicant with the highest final score defined in accordance with para 4.3 of the Rules.

In case there are two (2) or more Memorials for Applicant with the equal highest final score the Organizing Team shall organize an additional round of reviewing and scoring these Memorials by at least two (2) judges.

6.3. Best Memorial for Respondent

The Best Memorial for Respondent shall be awarded to the Memorial for Respondent with the highest final score defined in accordance with para 4.3 of the Rules.

In case there are two (2) or more Memorials for Respondent with the equal highest final score the Organizing Team shall organize an additional round of reviewing and scoring these Memorials by at least two (2) judges.

6.4. Winner

The Winner shall be the team with the highest score resulting from the sum of the scores from the Final Round and the Memorial scores.

7. Final Provisions

7.1. Interpretation of the Rules

Interpretation of the Rules, waiver, consent, or other decision in connection with the Rules shall be at the discretion of the Organizing Team. Please address requests for interpretation of these Rules to the Organizing Team.

ATTACHMENT A

Declaration of Authenticity

By submitting this Memorial we hereby declare that this Memorial is the members' own unaided work and has been completed in accordance with the International Air Law Moot Court Competition Rules of Procedure.

Team number:

[Name Signature Student Date and Place]

[Name Signature Student Date and Place]

[Name Signature Student Date and Place]

ATTACHMENT B

INTERNATIONAL AIR LAW MOOT COURT COMPETITION

INSTITUTE OF AIR AND SPACE LAW AEROHELP

CASE OF [NAME]

MEMORIAL FOR [APPLICANT / RESPONDENT]

ON BEHALF OF STATE [A / B]

TEAM NUMBER: [*number and letter "A" for Applicant or letter "B" for Respondent*]

[year]