

**HYPOTHETICAL CASE**  
**SIR DAWDA KAIRABA JAWARA MOOT COURT COMPETITION 2020**  
**BEFORE THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS**  
**BETWEEN**  
**MOVEMENT FOR THE ADVANCEMENT OF KUTOROS (MAK)**  
**AND**  
**THE DEMOCRATIC REPUBLIC OF ZAMANDA**

**1. General**

Teams of students will argue a hypothetical case before benches of lawyers and human rights experts as if they were before the African Court on Human and Peoples' Rights.

**2. Host**

The final rounds of the Sir Dawda Kairaba Jawara Human Rights Moot Court Competition (the Competition) will be held as part of the NHRC activities on the 10 December 2020 in celebration of International Human Rights Day.

**3. Composition of panels of judges**

The judges in the preliminary rounds of the Competition are panels consisting of legal practitioners and academics who will be selected by the NHRC. In the Semi-final, the judges are human rights experts from different institutions. In the final round, the judges are recognised experts in international law and human rights.

**4. Problem to be argued**

The hypothetical case (the problem) to be argued will be available to all participants.

**5. Registration**

Each registered team will be designated a number, which each team should use throughout the competition to identify itself.

Eight teams will be selected from the memorials submitted by each team. The top memorials will be selected from all the applications.

**6. Rounds**

There will be preliminary rounds, argued before panels of human rights experts, a semi-final round, and a final round.

**7. Preliminary rounds**

Opponent teams in the preliminary rounds are determined by ballot. In the preliminary rounds, a team argues the problem once either as applicants or respondent.

## 8. Semi-final round

Four teams will compete in the semifinals. Lots will be drawn to pair the opposing teams during the semi-final round, and to determine who will argue the case for the applicant or respondent.

## 9. Eligibility

The applicants must be in their second year or above at the Faculty of Law.

## 10. Assistance

Assistance rendered to a team in the preparation of its case, including from faculty members, must be limited to a general discussion of issues, suggestions as to research sources and decision-making.

## 11. Selection of Team

A team will be composed of two (2) student members only, preferably of different sexes and/or genders.

## 12. Memorials

Each team must prepare separate memorials (heads of argument or written pleadings) in support of the case of the Applicants and the Respondent.

## 13. Memorial general format

Each memorial must be composed of the following:

- a) A standard cover page;
- b) Each memorial must begin with jurisdiction and admissibility;
- c) Each issue must be argued separate; and
- d) Prayers.
- e) Memorial should not exceed 2000 words including footnotes, if these are used;
- f) It is not necessary to include a table of contents, which will, if included in the memorial, form part of the overall 2000-word count;
- g) Spacing: Double-spaced;
- h) Format: Memorials should be submitted in Microsoft Word, not PDF;
- i) Font type: Arial; and
- j) Font size: 12

NB: Failure to meet these requirements may lead to disqualification.

## 14. Submission of memorials

One (1) copy of the memorials for each side (one for the Applicant and one for the Respondent) should be submitted, to reach the organisers on or before 20 October 2020.

Memorials should be sent as attachments to an email message, to the following addresses: [sbah@utg.edu.gm](mailto:sbah@utg.edu.gm); [abdouazizsaho@gmail.com](mailto:abdouazizsaho@gmail.com); [njieb@gm-nhrc.org](mailto:njieb@gm-nhrc.org)

15. Memorial marking: Memorials will be marked by an independent expert in the start of the preliminary rounds of the Competition.

16. Best memorial: The teams with the best memorials in the preliminary rounds will be announced at the end of the Competition during the prize-giving ceremony.

#### 17. Oral Pleadings/ Submissions

##### General procedure

The order of pleadings will be: Applicant team, Respondent team, rebuttal by Applicant team.

All team members must act as oralists during the preliminary rounds and semi-final and during the final round.

No team will plead for longer than 25 minutes (including rebuttal) during the preliminary and semi-final rounds, and 35 minutes in the final round.

One oralist may not use more than 15 minutes during preliminary rounds and the semi-final, and 20 minutes during the final round.

Rebuttal may not exceed 5 minutes. Only one member of the team appearing as applicant has the opportunity for rebuttal. Time for rebuttal must be reserved in advance.

#### 18. Ex parte proceedings

Where a team fails to appear for a scheduled round, after waiting for ten minutes, the Judges may allow the round to proceed ex parte.

In an ex parte proceeding, the attending team presents its oral pleading, which is scored by the judges. In such a case, the team that fails to arrive for the scheduled round will forfeit all of the round's points.

#### 19. Scope of pleadings/submissions

The scope of a team's oral pleading is not limited to the scope of its memorial. However, the scope of the Applicant's rebuttal is limited to the scope of the Respondent's oral pleadings.

#### 20. Oral and written communication

No oral or written communication may take place between team tables and any spectator during a round.

#### 21. Absence from the courtroom

No team member will be allowed to leave the courtroom for the duration of the proceedings of a specific case in which he, she or they are taking part.

#### 22. Best oralists

The names of at least the top two oralists in each of the preliminary rounds, based on the points indicated for oral arguments on the score sheets, will be announced at the end of the Competition during the prize-giving ceremony.

#### 23. Preliminary rounds

In the preliminary rounds, teams will be scored based on their oral pleadings.

#### 24. Semi-final and final round

In the semi-final and final round, teams will be scored exclusively on their oral pleadings.

#### 25. Clarification Of The Problem

Participants may submit written requests for clarification of points in the problem which are manifestly unclear and which must be clarified in order for the participants to develop their pleadings.