

## Moot Court

**Course code:** POS 206

**Term and year:** Spring 24

**Day and time:** Monday 14:45

**Instructor:** Ing. Ondřej Neuschl

**Instructor contact:** [ondrej.neuschl@aauni.edu](mailto:ondrej.neuschl@aauni.edu)

**Consultation hours:** to be determined, please arrange in advance

<b>Credits US/ECTS</b>	3/6	<b>Level</b> Intermediate
<b>Length</b>	15 weeks	<b>Pre-requisite</b> none (Legal English recom.)
<b>Contact hours</b>	42 hours	<b>Course type</b> BA

### 1. Course Description

The main objective is to provide IR bachelor's degree students with a theoretical foundation and practical experience in international dispute resolution. An interest in developing writing and oral advocacy skills is required, but the course is taught to accommodate students who may not have a previous background in studying law. To this end, several introductory lectures on International Law and key IL institutions will be provided. Students will work in two teams in a fictitious international dispute, the facts of which will be outlined for students in the "moot court compromis" – this document will form the basis of further student work.

Students will learn and apply methodological and writing skills while preparing written submissions (written memoranda) and oral argumentation skills when preparing pleadings for the final oral moot court session (presentation of oral arguments before a panel of judges). Students will also practice preparing counter-arguments within their team and learn how to operate effectively. The course is ideal for anyone who wants to understand international law better and improve their argumentation and negotiation skills.

### 2. Student Learning Outcomes

Upon completion of this course, students should be able to:

- Be proficient in using relevant research sources in the area of international dispute resolution, including international treaties, law journals and other sources and tools (including electronic research tools such as WestLaw)
- Be able to analyse a case/fact pattern critically, prepare written pleadings and arguments while correctly
- Identifying and respecting the main issues of the case,
  - Be proficient in oral presentation skills in the context of a moot court competition

### 3. Reading Material

#### ***Required Materials***

- The Moot Court Compromis (fact pattern), to be distributed in class. • Spillane, M. (2008). International Moot Court: An Introduction. Pub: International Debate Educations Association.
- Christopher Kee (2006): The Art of Argument: A Guide to Mooting: Cambridge University Press.
- Martin Kopa, Tereza Skarková (2012): Mootology and Mooting Skills. • Various international agreements (Status of International Court of Justice, UNCLOS, Treaty on the Non-Proliferation of Nuclear Weapons, etc.), court judgments (to be given by the lecturer).

### **Recommended Materials**

- Audio-visual Library of International Law:  
<https://legal.un.org/avl/intro/introduction.html?tab=2>
- Hafez and Schjvtet (2003): ILSA guide to the international moot court competition.
- University of Oxford: <https://www.law.ox.ac.uk/content/preparing-moot>

### **4. Teaching methodology**

The course is seminar based and relies heavily on students’ own preparation as it is practical in nature. This course will be divided into two parts. First is a more theoretical part that aims to prepare students for the basic knowledge of International Public Law, which focuses on thematics connected to the Moot Court Case and is conducted as a mix of lectures and students’ presentations. The second part of the course will focus on Moot Court itself and consists of students preparing their memoranda and pleadings. It will first show the students the basics of mooting and lead them through all the necessary parts to prepare for the final session. Final Moot Court that will take place on Session 13 following a debrief which allows the students to evaluate their experience.

### **5. Course Schedule**

<b>Date</b>	<b>Class Agenda</b>
Session 1 Feb 5th	<p><b>Topic:</b> Introduction</p> <p><b>Description:</b> Introduction to the class, moot court basics, introduction of the Case. Preparation of discussion on the topic of the Oxford debate related to Moot Court.</p> <p><b>Reading:</b> n/a</p> <p><b>Assignments/deadlines:</b> Preparation of Oxford of debate/to be presented on Session 2 (10 % of grade)</p>
Session 2 Feb 12th	<p><b>Topic:</b> Oxford Debate</p> <p><b>Description:</b> Oxford Debate on topics introduced in Session 1.</p> <p><b>Reading:</b> 2018 Compact Compromis - “The CASE”</p> <p><b>Assignments/deadlines:</b> n/a</p>

# COURSE SYLLABUS



<p>Session 3 Feb 19th</p>	<p><b>Topic:</b> How does International Law work?  <b>Description:</b> Introduction to Public International Law (IL), sources of IL, actors of IL, jurisdiction, international agreements, and international conflict resolution. Arbitration.  <b>Reading:</b> 2018 Compact Compromis - "The CASE"  <b>Assignments/deadlines:</b> n/a</p>
<p>Session 4 Feb 26th</p>	<p><b>Topic:</b> UN Chart, Vienna Convention on Law of Treaties, UNCLOS, NPT; International Court of Justice  <b>Description:</b> Brief description of abovementioned problematics.  <b>Reading:</b> Vienna Convention on Law Of Treaties, UNCLOS, NPT, Statute of ICJ  <b>Assignments/deadlines:</b> n/a</p>
<p>Session 5 March 4th</p>	<p><b>Topic:</b> Most notable cases in International Law  <b>Description:</b> Presentation of the most notable cases in IL  <b>Reading:</b> Case to be assigned on Session 3</p>

	<p><b>Assignments/deadlines:</b> Powerpoint presentation of selected IL Case March 4th (20 % of final grade)</p>
<p>Session 6 March 11th</p>	<p><b>Topic:</b> Moot Court #1 Basic information on Moot Court  <b>Description:</b> Introduction to the Art of Mooting, description of the idea, roles in Moot. Division in groups, the finalisation of the aims of Moot and the rules to be followed in this class.  <b>Reading:</b> Kee (2006): Chapter 1, 2, 3; Oxford Guide to Mooting (in NEO)  <b>Assignments/deadlines:</b> ABCD Test on the basic facts from previous classes (10 % of final grade)</p>

<p>Session 7 March 18th</p> <p>March 25th</p> <p>April 1st Session 8 April 8th</p> <p>Session 9 April 15th</p> <p>Session 10 April 22nd</p>	<p><b>Topic:</b> Moot Court #2 Writing your first appeal to the Court: How to write advocate language, the difference between standard and advocate language, formalities and citations of legal documents. Where to look for resources?</p> <p><b>Description:</b> During this session, we will go in-depth into writing your first appeal</p> <p><b>Reading:</b> Kee (2006): Chapter 4, 5; Kopa and Skarková (2012): 74 - 100. <b>Assignments/deadlines:</b> First appeal to the Court to be handed in by April 4th at 23:59 in NEO</p> <p><b>Mid-term break</b> <b>Easter Monday</b></p> <p><b>Topic:</b> Moot Court #3 Oral Appeal</p> <p><b>Description:</b> Basics of Oral Appeal, how to prepare Oral Appeal, what to do and not to do.</p> <p><b>Reading:</b> Kee (2006): Chapter 6</p> <p><b>Assignments/deadlines:</b></p> <p><b>Topic:</b> Moot Court #4 Etiquets in front of Court, presentational skills; Skeleton &amp; Bundle</p> <p><b>Description:</b></p> <p><b>Reading:</b> Kee (2006): Chapter 7, 8</p> <p><b>Assignments/deadlines:</b></p> <p><b>Topic:</b> Moot Court #5 Group preparation of Written Appel</p> <p><b>Description:</b> Combining previously prepared written appeals, each group will start to finalise their final Written Appeal</p> <p><b>Reading:</b> n/a</p> <p><b>Assignments/deadlines:</b> Single Assignment: prepare your Oral Appeal, that will be presented in your group in Session 11</p>
<p>Session 11 April 29th</p>	<p><b>Topic:</b> Moot Court #6 Oral Appeal</p> <p><b>Description:</b> Small intergroup Moot Court. The group will decide who will present on the Court during this class. Preparation of the Oral Appeal. <b>Reading:</b> Kopa and Skarková (2012): 54 - 73</p> <p><b>Assignments/deadlines:</b></p>
<p>Session 12 May 6th</p>	<p><b>Topic:</b> Moot Court #7 Preparation of Skeleton &amp; Bundle</p> <p><b>Description:</b> The groups will finalise their Skeletons, Bundles and anything needed.</p> <p><b>Reading:</b> n/a</p> <p><b>Assignments/deadlines:</b> For the group, please send your finished version of Skeletons a Bundles no later than May 10th at 23:59.</p>
<p>Session 13 May 13th</p>	<p><b>Topic:</b> Moot Court #8 Case Concerning the Egart and the Ibra (People’s Democratic Republic of Anduchenca v. Federal Republic of Rukuruku)</p> <p><b>Description:</b> Please arrive dressed appropriately for a Court Sitting, be on time (late arrivals will be penalised). <b>This session is mandatory for all students.</b></p>

	<p><b>Reading:</b> revise everything needed for the Moot Court.  <b>Assignments/deadlines:</b> n/a</p>
<p>Session 14 May 20th</p>	<p><b>Topic:</b> Debriefing of the Moot Court, final remarks on the class, final evaluation  <b>Description:</b>  <b>Reading:</b> Kee (2006): Chapter 9  <b>Assignments/deadlines:</b> By May 19th at 23:59, please hand in your peer evaluation forms.</p>

## 6. Course Requirements and Assessment (with estimated workloads)

Assignment	Workload (hours)	Weight in Final Grade	Evaluated Course Specific Learning Outcomes	Evaluated Institutional Learning Outcomes*
Class Participation	42	10 %	Class participation will be graded on active participation in class. E.g., actively participating in discussions, questions, teamwork assignments, etc.	1,2
Oxford Debate	2	10 %	Preparedness of PPT presentation, engagement in discussion, preparedness to answer questions	1, 2, 3
Presentation of Case	5	20 %	Clarity, understanding of the main concepts of the cases, capacity to answer questions.	2
Midterm	5	10 %	Paper-based ABCD test	1, 3
Written	20	20 %	Written skills, clarity. The use of the other cases, the building of your argument.	1, 2, 3
Appeal Moot	76	30 %	Presentation skills, capacity to answer the questions	1, 2, 3

Court			
<b>TOTAL</b>	<b>150</b>	<b>100%</b>	

\*1 = Critical Thinking; 2 = Effective Communication; 3 = Effective and Responsible Action

**7. Detailed description of the assignments**

**Assignment 1: Oxford Debate (10 %)**

During this debate, the class will be divided into two groups for two topics related to the final Moot Court. Every group has 20-25 minutes to discuss a given topic. Using a visual aid (such as a PPTX presentation), you will have 10 minutes to present your points. The second group will then present their arguments. Both groups will then have 10 minutes to answer the arguments of the second group. At the end, questions from the audience will be answered.

**Assessment breakdown**

<b>Assessed area Percentage</b>
Argumentation 50 %
Capacity to answer questions 30 %
Presentational skills 10 %
PPTX presentation 10 %

**Assignment 2: Presentation of Case (20 %)**

Students will be assigned a defining international public law case in pairs and present it to the class. After this presentation, a short discussion will follow. The presentation should be approximately 15 minutes long, followed by 5 minutes of discussion.

**Assessment breakdown**

<b>Assessed area Percentage</b>
Clarity 20 %
Capability to find the main concepts 40 %
Capacity to answer questions 15 %

Presentational skills 15 %
PPTX Presentation 10 %

### **Assignment 3: Midterm**

Midterm will be a paper-based mixed test of 8 ABC questions and 1 open question related to the previous lectures. The duration of the Midterm is 10 minutes.

### **Assignment 4: Written Appeal**

The written appeal will consist of approximately 1500 words and will be done in pairs. This Appeal will be given back to the students with feedback to be included in the final Appeal to be used in the final Moot Court.

#### **Assessment breakdown**

<b>Assessed area Percentage</b>
Clarity 20 %
Building up of your case 40 %
Use of sources of IL 30 %
Written and formal part 10 %

### **Assignment 5: Moot Court**

The final Moot Court in Session 13 will sum up all the semester work of the students. The class will be divided into two groups presenting their cases before a judge. The Case's procedural, formal, and logical structure is crucial for the successful completion of the Moot. Please arrive dressed appropriately for a Court Sitting, and be on time (late arrivals will be penalised). **This session is mandatory for all students.** The Moot Court will not be graded based on the winning or losing team but rather on overall preparedness. Since this assignment is based on teamwork a peer-evaluation form will be distributed.

#### **Assessment breakdown**

<b>Assessed area Percentage</b>
Skeleton & Bundle 20 %
Oral presentation 50 %
Answers to the questions posed by the Judge 10 %
Formal attitude, language, ... 10 %

Peer-evaluation form 10 %
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### ***Assignment 6: Class Participation***

Class participation is divided into two parts. The first is the physical attendance in the class. Second is the active participation in the class. Active participation means debating on topics, asking questions, being active during teamwork exercises...

Session 13 (Moot Court) is mandatory for all students. Not attending this class with no acceptable excuse (e.g. doctor's note) will result in a 0 % mark in Class Participation.

## **8. General Requirements and School Policies**

### ***General requirements***

All coursework is governed by AAU's academic rules. Students are expected to be familiar with the academic rules in the Academic Codex and Student Handbook and to maintain the highest standards of honesty and academic integrity in their work.

### ***Electronic communication and submission***

The university and instructors shall only use students' university email address for communication, with additional communication via NEO LMS or Microsoft Teams. Students sending e-mail to an instructor shall clearly state the course code and the topic in the subject heading, for example, "COM101-1 Mid-term Exam. Question". All electronic submissions are through NEO LMS. No substantial pieces of writing (especially take-home exams and essays) can be submitted outside of NEO LMS.

### ***Attendance***

Attendance, i.e., presence in class in real-time, at AAU courses is default mandatory; however, it is not graded as such. (Grades may be impacted by missed assignments or lack of participation.) Still, students must attend at least two thirds of classes to complete the course. If they do not meet this condition and most of their absences are excused, they will be administratively withdrawn from the course. If they do not meet this condition and most of their absences are not excused, they will receive a grade of "FW" (Failure to Withdraw). Students may also be marked absent if they miss a significant part of a class (for example by arriving late or leaving early).

### ***Absence excuse and make-up options***

Should a student be absent from classes for relevant reasons (illness, serious family matters), and the student wishes to request that the absence be excused, the student should submit an Absence Excuse Request Form supplemented with documents providing reasons for the absence to the Dean of Students within one week of the absence. Each student may excuse up to two sick days per term without any supporting documentation; however, an Absence Excuse Request Form must still be submitted for these instances. If possible, it is recommended the instructor be informed of the absence in advance. Should a student be absent during the add/drop period due to a change in registration this will be an excused absence if s/he submits an Absence Excuse Request Form along with the finalized



add/drop form.

Students whose absence has been excused by the Dean of Students are entitled to make up assignments and exams provided their nature allows. Assignments missed due to unexcused absences which cannot be made up, may result in a decreased or failing grade as specified in the syllabus.

Students are responsible for contacting their instructor within one week of the date the absence was excused to arrange for make-up options.

**Late work:** No late submissions will be accepted – please follow the deadlines.

### ***Electronic devices***

Electronic devices (e.g. phones, tablets, laptops) may be used only for class-related activities (taking notes, looking up related information, etc.). Any other use will result in the student being marked absent and/or being expelled from the class. No electronic devices may be used during tests or exams unless required by the exam format and the instructor.

**Eating** is not allowed during classes.

### ***Cheating and disruptive behavior***

If a student engages in disruptive conduct unsuitable for a classroom environment, the instructor may require the student to withdraw from the room for the duration of the class and shall report the behavior to the student's Dean.

Students engaging in behavior which is suggestive of cheating will, at a minimum, be warned. In the case of continued misconduct, the student will fail the exam or assignment and be expelled from the exam or class.

### ***Plagiarism***

Plagiarism obscures the authorship of a work or the degree of its originality. Students are expected to create and submit works of which they are the author. Plagiarism can apply to all works of authorship – verbal, audiovisual, visual, computer programs, etc. Examples are:

- **Verbatim plagiarism:** verbatim use of another's work or part of it without proper acknowledgement of the source and designation as a verbatim quotation, ●
- **Paraphrasing plagiarism:** paraphrasing someone else's work or part of it without proper acknowledgement of the source,
- **Data plagiarism:** use of other people's data without proper acknowledgement of the source,
- **False quotation:** publishing a text that is not a verbatim quotation as a verbatim quotation,
- **Fictitious citation:** quoting, paraphrasing, or referring to an incorrect or a non-existent work,
- **Inaccurate citation:** citing sources in such a way that they cannot be found and verified,
- **Ghostwriting:** commissioning work from others and passing it off as one's own, ●
- **Patchwriting:** using someone else's work or works (albeit with proper acknowledgement of sources and proper attribution) to such an extent that the output contains almost no original contribution,
- **Self-plagiarism:** unacknowledged reuse of one's own work (or part of it) that has been produced or submitted as part of another course of study or that has been published in the past,
- **Collaborative plagiarism:** delivering the result of collective collaboration as one's own individual output.

At minimum, plagiarism will result in a failing grade for the assignment and shall be reported to the student’s Dean. A mitigating circumstance may be the case of novice students, and the benefit of the doubt may be given if it is reasonable to assume that the small-scale plagiarism was the result of ignorance rather than intent. An aggravating circumstance in plagiarism is an act intended to make the plagiarism more difficult to detect. Such conduct includes, for example, the additional modification of individual words or phrases, the creation of typos, the use of machine translation tools or the creation of synonymous text, etc. The Dean may initiate a disciplinary procedure pursuant to the Academic Codex. Intentional or repeated plagiarism always entail disciplinary hearing and may result in expulsion from AAU.

***Use of Artificial Intelligence and Academic Tutoring Center***

The use of artificial intelligence tools to search sources, to process, analyze and summarize data, and to provide suggestions or feedback in order to improve content, structure, or style, defined here as AI-assisted writing, is not in itself plagiarism. However, it is plagiarism if, as a result, it obscures the authorship of the work produced or the degree of its originality (see the examples above).

AAU acknowledges prudent and honest use of AI-assisted writing, that is, the use of AI for orientation, consultation, and practice is allowed. For some courses and assignments, however, the use of AI is counterproductive to learning outcomes; therefore, the course syllabus may prohibit AI assistance.

A work (text, image, video, sound, code, etc.) generated by artificial intelligence based on a mass of existing data, defined here as AI-generated work, is not considered a work of authorship. Therefore, if an AI-generated work (e.g. text) is part of the author’s work, it must be marked as AI-generated. Otherwise, it obscures the authorship and/or the degree of originality, and thus constitutes plagiarism. Unless explicitly permitted by the instructor, submission of AI-generated work is prohibited.

If unsure about technical aspects of writing, and to improve their academic writing, students are encouraged to consult with the tutors of the AAU Academic Tutoring Center. For more information and/or to book a tutor, please contact the ATC at:

<http://atc.simplybook.me/sheduler/manage/event/1/>.

***Course accessibility and inclusion***

Students with disabilities should contact the Dean of Students to discuss reasonable accommodations. Academic accommodations are not retroactive.

Students who will be absent from course activities due to religious holidays may seek reasonable accommodations by contacting the Dean of Students in writing within the first two weeks of the term. All requests must include specific dates for which the student requests accommodations.

**9. Grading Scale**

Letter Grade	Percentage *	Description
A	95–100	<b>Excellent performance.</b> The student has shown originality and displayed an exceptional grasp of the material and a deep analytical understanding of the subject.
A–	90–94	

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B+	87-89	<b>Good performance.</b> The student has mastered the material, understands the subject well and has shown some originality of thought and/or considerable effort.
B	83-86	
B-	80-82	
C+	77-79	<b>Fair performance.</b> The student has acquired an acceptable understanding of the material and essential subject matter of the course, but has not succeeded in translating this understanding into consistently creative or original work.
C	73-76	
C-	70-72	
D+	65-69	<b>Poor.</b> The student has shown some understanding of the material and subject matter covered during the course. The student's work, however, has not shown enough effort or understanding to allow for a passing grade in School Required Courses. It does qualify as a passing mark for the General College Courses and Electives.
D	60-64	
F	0-59	<b>Fail.</b> The student has not succeeded in mastering the subject matter covered in the course.

\* Decimals should be rounded to the nearest whole number.