

Korean National Rules Supplement for the
Official Rules of the
2017 Philip C. Jessup International Law Moot Court Competition

The Korean National Rules Supplement for the 2017 Philip C. Jessup International Law Moot Court Competition has been promulgated by the Korean National Administrator with the approval of the Executive Director of the International Law Students Association (ILSA) in accordance with Article 1.5 of the Official Rules of the 2017 Philip C. Jessup International Law Moot Court Competition. It is intended to facilitate the conduct of the Korean National Round.

For this purpose, the Official Rules shall be completed and/or modified as follows:

Supplement to OFFICIAL RULE 1.0 – ORGANIZATION OF THE COMPETITION

1.1 Administration

The Korean National Round is administered by the National Administrator for Korea on behalf of the Korean Society of International Law (#510, SK Richeuble, 45, Seosomun-ro, Seodaemun-gu, Seoul, 03741, Korea, Phone: +82 2 752 9605, Fax: +82 2 752 4646, E-Mail: ksil@ksil.or.kr):

Buhm-Suk BAEK

Assistant Professor, College of International Studies, Kyung-Hee University

Address: 1732 Deogyong-daero, Giheung-gu, Yongin-Si, Gyeonggi-do, South Korea 17104

Phone: +82-31-201-2315

E-mail: jessupkorea@gmail.com

1.7 Interpretation of Rules

Notwithstanding the Executive Director's authority to serve as the final arbiter of implementation and interpretation of the Official Rules and of the Korean National Rules Supplement, any question arising as to the implementation and interpretation of the Korean National Rules Supplement shall first be addressed to the National Administrator.

If any Team relies to its detriment on an interpretation by any person other than the Executive Director or National Administrator, such reliance will not prevent a penalty from being imposed later if the Executive Director or National Administrator's interpretation differs.

Supplement to OFFICIAL RULE 2.0 – PARTICIPATION AND ELIGIBILITY

2.1 Institutional/Team Eligibility

With regard to Article 2.1(b) of the Official Rules, each team may include students from one or more of its colleges, departments, faculties, or schools (for example, by allowing students in a graduate-level law school, graduate school of international studies, undergraduate-level law college, international college or division of international studies to compete on the same Team).

2.4 Executive Director's written permission required in certain cases

Any person applying for the written permission from the Executive Director to be a Team Member in accordance with Official Rule 2.4 must notify the Korean National Administrator of the application at the time that it is made and forward correspondence from the Executive Director either approving or declining the application.

2.6 Team Selection Process

Any school or institution seeking to use the current Jessup problem for the purpose of selection must notify the National Administrator of the application for written permission under Article 2.6(a) of the Official Rules at the time that it is made and forward correspondence from the Executive Director either acceding to or declining the application.

2.17 Anonymity of Teams

Any display of books borrowed from the library, clothes (*inter alia* jackets), bags, folders, files, notebooks and any other personal items that may reveal the identity of a team's school or institution to judges shall be considered an inadvertent disclosure of its school subject to disqualification or imposition of a Penalty.

Supplement to OFFICIAL RULE 3.0 – TEAM REGISTRATION

3.6 Changes to Registration Information

Any Team seeking to make any changes to its registered contact and mailing information or to substitute a registered Team Member or Team Advisor must notify the National Administrator of the application for written permission under Article 3.6 of the Official Rules at the time that it is made and forward correspondence from the Executive Director either acceding to or declining the application.

Supplement to OFFICIAL RULE 5.0 – JUDGES AND ELIGIBILITY TO JUDGE

5.3 Team Advisors

Team Advisors, or others directly affiliated with a Team, may not act as judge at the oral or memorial stages of the Korean National Round.

Supplement to OFFICIAL RULE 6.0 – MEMOIRIALS

6.1 Submission of Memorials

Each Team must submit its Applicant and Respondent Memorials to the Korean National Administrator by e-mail (jessupkorea@gmail.com) at the same time as it submits them to the Executive Office via its Team Homepage no later than 17:00 (5:00 p.m.) Eastern Standard Time (EST) (UTC/GST – 5) on 13 January 2017 which is the same as 07:00 (7:00 a.m.) Korea Standard Time (KST) (UTC/GST + 9) on 14 January 2017 in accordance with Article 6.1(b) of the Official Rules.

The official time of submission for the purpose of calculating late penalties at the International Rounds is the time each individual Memorial is uploaded to a Team's Homepage, and the official time of submission for the purpose of calculating late penalties at the Korean National Round is the time each individual Memorial is sent by e-mail to jessupkorea@gmail.com.

6.2 Disqualification Deadline

A Team will be disqualified from the Korean National Round if it does not submit both its Applicant and Respondent Memorials to the Executive Office and the Korean National Administrator by 17:00 (5:00 p.m.) Eastern Standard Time (EST) (UTC/GST – 5) on 27 January 2017, which is the same as 07:00 (7:00 a.m.) Korea Standard Time (KST) (UTC/GST + 9) on 28 January 2017 in accordance with Article 6.2 of the Official Rules.

6.3 Language of the Memorials

Teams may not submit memorials in any language other than English

(a) Memorials must be written in English. Team may write Memorials in Korean with the permission of the Korean National Administrator, who shall take into account the following factors:

(1) At previous Korean National Round, a Team's ranking for the both the Applicant and Respondent Memorials was greater than half of the number of total participating Teams.

(2) A Team has participated less than 3 times in the Korean National Championship in the past 5 years.

(3) Other extenuating circumstances

Judges shall score both English and Korean Memorials equally based on the quality of their contents.

(b) A Team wishing to submit its Memorials in Korean must seek the Korean National Administrator's permission with written documents showing factors above mentioned by the specified date. Without such petition, the Memorials must be written in English.

(c) The Korean National Administrator must announce the condition for permitting Korean Memorial.

(d) A Team shall write all part of their Memorials, including Cover Pages and Annexes, in either English or Korean as the Team has chosen. Exceptions may be made for titles of literatures, proper names, etc. that are not originally in the chosen language.

(e) Besides Official Rule 6.4 to 6.15, Team permitted to write Memorials in Korean must observe the Annex to this Rule.

6.18 Four-Judge Panels at the Korean National Rounds

In the Korean National Round, the Korean National Administrator will use the three-judge panel evaluation method exercising the discretion under Article 6.18 of the Official Rules.

Supplement to OFFICIAL RULE 7.0 – ORAL ROUND PROCEDURES

7.2 Five-Judge Panels for Advanced Rounds of the Korean National Championship

The Korean National Administrator shall employ five-judge panels in the Advanced Rounds including the Final Round of the Korean National Championship. In the extenuating circumstance that the Korean National Administrator cannot acquire sufficient judges for five-judge panels in the Advanced Rounds, she shall employ three-judge panels. The Teams participating in the Korean National Championship will be informed about this.

7.9 Oral Courtroom Communication between Counsel and Judges

A judge shall address an oralist as “Agent” or “Counsel”.

An oralist shall, when addressing the Court as a whole, use the expression “Your Excellencies”. The President of the Court shall be addressed as “Madam President” or “Mister President”. An individual judge of the Court shall be addressed as “Your Excellency”.

7.12 Spectators

A Team shall ensure that Team Advisors or other spectators affiliated with it do not disclose to judges the identity of its school or institution by displaying books borrowed from the library, clothes (inter alia jackets), bags, folders, files, notebooks and any other personal items that may reveal the identity of a team’s school or institution.

7.14 Language of the Oral Rounds

The official language of the Korean National Championship is English. Teams may not present their oral pleadings in any language other than English.

7.15 Audio and Videotaping

All Teams participating in the Korean National Championship will be deemed to have consented to the taping and broadcasting of the Oral Rounds.

Supplement to OFFICIAL RULE 8.0 – KOREAN NATIONAL CHAMPIONSHIP PROCEDURES

8.0 Team Orientation Session

The Korean National Administrator will hold a Team Orientation Session at least five days prior to the first day of the Korean National Championship. Information regarding the date and venue of the Team Orientation Session will be notified to the registered Teams. All Teams are expected to designate at least one Team member to attend.

8.1 Preliminary Rounds

Each Team participating in the Korean National Championship shall participate in Preliminary Rounds consisting of four Oral Rounds, twice as Applicant and twice as Respondent unless four or fewer Teams participate in the Korean National Championship.

If four or fewer Teams participate, the pairings and pleading option will be as follows.

8.1.1 Pairings and Pleading Option if two Teams participate in the Korean National Championship

If two Teams participate in the Korean National Championship, the two teams will hold a single Preliminary Round before a three-judge panel and then the Final Round before a five-judge panel. Prior to the Preliminary Round, the Team with higher total Memorial raw scores shall have the right to choose which side it will argue (pleading option) for the Preliminary Round and Final Round with the understanding that the Team pleading as Applicant in the Preliminary Round shall plead as Respondent in the Final Round and vice versa. The winner of the Final Round is the Korean National Champion.

Notwithstanding Official Rule 10.10(a), the judges of the Final Round shall complete Oral Scoresheets for the purpose of the ranking of Oralists in accordance with Official Rule 10.12.

The pairing and Memorials of opposing Teams in the Preliminary Round and Final Round will be distributed to Teams in the evening prior to the first day of the Korean National Championship. Teams will not receive information about Memorial scores or rankings.

8.1.2 Pairings and Pleading Option if three Teams participate in the Korean National Championship

If three Teams participate in the Korean National Championship, each Team shall participate in Preliminary Rounds consisting of two Oral Rounds, once as Applicant and the other time as Respondent, based on the rankings of the Teams' total Memorial raw scores before three-judge panels as follows:

- Preliminary Round 1: Teams ranked 1 (Applicant/Respondent) vs. 2 (Respondent/Applicant)

- Preliminary Round 2: Teams ranked 2 (Applicant/Respondent) vs. 3 (Respondent/Applicant)
- Preliminary Round 3: Teams ranked 3 (Applicant/Respondent) vs. 1 (Respondent/Applicant)

Prior to the Preliminary Round, the Team with highest total Memorial raw scores shall have the right to choose which side it will argue (pleading option) for its two Oral Rounds with the understanding that the Team pleading as Applicant in one Round shall plead as Respondent in the other Round. The pleading option in the one remaining Oral Round will be decided under the principle that each Team shall plead as Applicant in one Round and as Respondent in the other Round.

The top two Teams from Preliminary Rounds in accordance with Official Rule 10.8 shall compete against one another in the Final Round before a five-judge panel. The winner of the Final Round is the Korean National Champion.

In the Final Round, the Team that pleaded as Applicant in the Preliminary Round between the two Teams shall plead as Respondent and vice versa.

The pairing and Memorials of opposing Teams in the Preliminary Round will be distributed to Teams in the evening prior to the first day of the Korean National Championship. Teams will not receive information about Memorial scores or rankings. The Memorials of opposing Teams in the Final Round will be distributed to Teams at the very least 15 minutes prior to the Final Round.

8.1.3 Pairings and Pleading Option if four Teams participate in the Korean National Championship

If four Teams participate in the Korean National Championship, each Team shall participate in Preliminary Rounds consisting of three Oral Rounds, at least once as either Applicant or Respondent, based on the rankings of the Teams' total Memorial raw scores before three-judge panels as follows:

- Preliminary Round 1: Teams ranked 1 (Applicant/Respondent) vs. 2 (Respondent/Applicant)
- Preliminary Round 2: Teams ranked 3 (Applicant/Respondent) vs. 4 (Respondent/Applicant)
- Preliminary Round 3: Teams ranked 1 (Applicant/Respondent) vs. 3 (Respondent/Applicant)
- Preliminary Round 4: Teams ranked 4 (Respondent/Applicant) vs. 2 (Applicant/Respondent)
- Preliminary Round 5: Teams ranked 4 (Respondent/Applicant) vs. 1 (Applicant/Respondent)
- Preliminary Round 6: Teams ranked 2 (Applicant/Respondent) vs. 3 (Respondent/Applicant)

Prior to the Preliminary Round, the Team with highest total Memorial raw scores shall have the right to choose which side it will argue (pleading option) for its three Oral Rounds with the understanding that it must plead as either Applicant or Respondent in at least one of its three Oral Rounds. The, the team with the second-highest total Memorial raw scores shall have the right to choose which side it will argue (pleading option) in its two Oral Rounds against the Teams with the third-highest and fourth-highest Memorial raw scores with the understanding that it must plead as either Applicant or Respondent in at least one of its three Oral Rounds. The pleading option in the one remaining Oral Round between the Teams with the third-highest and fourth-highest Memorial raw scores will be decided under the principle that each Team must plead as either Applicant or Respondent in at least one of its three Oral Rounds.

The top two Teams from Preliminary Rounds in accordance with Official Rule 10.8 shall compete against one another in the Final Round before a five-judge panel. The winner of the Final Round is the Korean National Champion.

In the Final Round, the Team that pleaded as Applicant in the Preliminary Round between the two Teams shall plead as Respondent and vice versa.

The pairing and Memorials of opposing Teams in the Preliminary Round will be distributed to Teams in the evening prior to the first day of the Korean National Championship. Teams will not receive information about Memorial scores or rankings. The Memorials of opposing Teams in the Final Round will be distributed to Teams at the very least 15 minutes prior to the Final Round.

8.2 Pairings

For the purpose of pairings in the Preliminary Rounds, Teams shall be placed in groups of five Teams (“Groups”). Each Team shall compete against each of the four Teams in its Group once, competing twice as Applicant and twice as Respondent. The Korean National Administrator shall assign Teams into Groups in accordance with the “power-seeding” principle, based on the rankings of the Teams’ total Memorial raw scores so as to evenly distribute higher and lower seeded Teams among the Groups.

For the purpose of pairings only, penalties shall not be taken into consideration.

By way of illustration, if twenty teams participate in the Korean National Championship, they shall be divided into Groups as follows:

- Group 1: Teams ranked 1, 5, 9, 13, 17
- Group 2: Teams ranked 2, 6, 10, 14, 18
- Group 3: Teams ranked 3, 7, 11, 15, 19
- Group 4: Teams ranked 4, 8, 12, 16, 20

In the event that the number of Teams competing in the Preliminary Rounds is not evenly divisible by five, the Korean National Administrator shall assign the remaining Teams to Groups from Group 1, 2, 3 and so on.

By way of illustration, if twenty-three teams participate in the Korean National Championship, they shall be divided into Groups as follows:

- Group 1: Teams ranked 1, 5, 9, 13, 17, 21
- Group 2: Teams ranked 2, 6, 10, 14, 18, 22
- Group 3: Teams ranked 3, 7, 11, 15, 19, 23
- Group 4: Teams ranked 4, 8, 12, 16, 20

Akin to Official Rule 9.3(c) for International Pairing Procedures, the Korean National Administrator may subsequently modify the pairings to account for absent Teams or other unforeseeable contingencies. In such case, the Korean National Administrator will notify the affected Teams and deliver their opponents’ Memorials as soon as reasonably possible, but at the very least fifteen minutes prior to the start of the newly paired round.

8.3 Quarterfinal Rounds

If 16 or more Teams are participating in the Korean National Championship, the Korean National Administrator shall hold Quarterfinal Rounds consisting of four Oral Rounds among the eight highest-ranking Teams from Preliminary Rounds in accordance with Official Rule 10.8. In such Quarterfinal Rounds, the pairings shall be determined by “power-seeding” as follows:

- Quarterfinal Round 1: Teams ranked 1 vs. 8
- Quarterfinal Round 2: Teams ranked 2 vs. 7
- Quarterfinal Round 3: Teams ranked 3 vs. 6
- Quarterfinal Round 4: Teams ranked 4 vs. 5

8.4 Semifinal Rounds

(a) If Quarterfinal Rounds have been held, the winning Team in each of the four Quarterfinal Rounds shall advance to the Semifinal Rounds. In Semifinal Rounds, the pairings shall be determined by “power-seeding” using the rankings from the Preliminary Rounds in accordance with Official Rule 10.8 among the competing Teams in the Semifinal Rounds as follows:

- Semifinal Round 1: Teams ranked 1 vs. 4
- Semifinal Round 2: Teams ranked 2 vs. 3

(b) If five to fifteen Teams are participating in the Korean National Championship, the Korean National Administrator shall hold Semifinal Rounds consisting of two matches among the four highest-ranking Teams from Preliminary Rounds in accordance with Official Rule 10.8. In such Semifinal Rounds, the pairings shall be determined by “power-seeding” as follows:

- Semifinal Round 1: Teams ranked 1 vs. 4
- Semifinal Round 2: Teams ranked 2 vs. 3

8.5 Korean National Championship Round

The winning Team in each of the two Semifinal Rounds shall advance to the Korean National Championship Round. The winner of this Round is the Korean National Champion.

8.6 Pleading Option

In the Quarterfinal and Semifinal Rounds, the higher-ranking Team from the Preliminary Rounds in accordance with Official Rule 10.8 shall have the pleading option.

In the Final Round, a designated Team Member of the higher-ranking Team from the Preliminary Rounds in

accordance with Official Rule 10.8 will call the toss, and the Administrator will toss the coin. If the Team Member correctly calls the toss, then her Team will have the pleading option. If she does not correctly call the toss, then the opposing Team will have the pleading option.

Supplement to OFFICIAL RULE 9.0 – INTERNATIONAL PAIRING PROCEDURES

9.1 Representation

If two teams participating in the Korean National Championship are permitted to participate in the International Rounds in accordance with Official Rule 1.2(b), the two Finalist Teams shall represent Korea.

If more than two teams participating in the Korean National Championship are permitted to participate in the International Rounds in accordance with Official Rule 1.2(b), the higher-ranking Teams from the Preliminary Rounds in accordance with Official Rule 10.8 among the two Semifinalist Teams, the higher-ranking Teams from the Preliminary Rounds in accordance with Official Rule 10.8 among the four Quarterfinalist Teams, and higher-ranking Teams from the Preliminary Rounds in accordance with Official Rule 10.8 among the remaining Teams will be given the opportunity to represent Korea in that order.

Supplement to OFFICIAL RULE 10.0 – COMPETITION SCORING

10.12 Ranking of Oralists

If two, three or four Teams participate in the Korean National Championship, an oralist that argued in only one Preliminary Round shall be eligible for ranking.

Supplement to OFFICIAL RULE 12.0 – AWARDS

12.6 Other Awards

The Korean National Administrator may make arrangement for appropriate recognition of the following:

- Korean National Champion Team
- First Runner-up Team/Second Place Team
- Second Runner-up Team/Third Place Team
- Third Runner-up Team/Fourth Place Team
- Other Teams that advance to the Advanced Rounds
- Best Oralist Award
- First Runner-up to the Best Oralist/Second Place Oralist Award
- Second Runner-up to the Best Oralist/Third Place Oralist Award
- Third Runner-up to the Best Oralist/Fourth Place Oralist Award

- Best Memorial Award
- First Runner-up to the Best Memorial/Second Place Memorial Award
- Second Runner-up to the Best Memorial/Third Place Memorial Award
- KSIL Special Award

The Korean National Administrator may provide for other awards or honorable mentions such as the highest-ranked teams in the Preliminary Rounds or best oralist in the Final Round as she may from time to time see fit.