The 37th Edition of the Telders International Law Moot Court Competition

Review Report

23-25 April 2014, The Hague
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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 in the wonderful premises of the Peace Palace, at the heart of international justice. This year, preliminary rounds were staged in Ireland, England, The Netherlands, Romania, Czech Republic, Ukraine, and Switzerland. There were also universities who participated for the first time. These included the teams from Örebro University (Sweden), Masaryk University (Czech Republic), the European School of Law in Nova Gorica (Slovenia), The Graduate Institute of International and Development Studies (Switzerland), The Honourable Society of the Inner Temple (England), and Bocconi University (Italy).

At the 37th edition of the Telders Moot Court Competition, the students pleaded The Roundsian Rescue Dispute, a highly interesting case written by Ms. Kate Gibson, in which issues of immunity and the Court’s jurisdiction were the main themes. The written memorials that addressed these issues led to challenging exchanges of views both during the International Semi-Finals and finally before the Court in the Peace Palace.

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

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 International Board of Review as well the Judge Assistants who donated their valuable time. They made the Telders Competition 2014 a most enjoyable event!
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Ms. Lieneke Louman

Ms. Ioana Moraru

Ms. Theresa Lumbama
LEGACY OF PROFESSOR DR. 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, 37 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.
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*Charles University in Prague*

Team coaches:  Mr. Martin Faix  
Ms. Veronika Bilková

Team members:  Mr. Daniel Kinkor  
Mr. Daniel Askari  
Ms. Barbora Belvončíková  
Ms. Barbora Klimešová

England

*University of Reading*

Team coaches:  Dr. James Green  
Mr. Damian Gonzalez Salzberg

Team members:  Mr. Ighedosa Bernard Ehigiamusor  
Ms. Lilian Saw  
Mr. Yap Han Lun  
Mr. James Foan

*University College London*

Team coaches:  Mr. Sam Bright  
Mr. Jiajun Toh  
Ms. I-Ju Chen

Team members:  Mr. Joel Wallace  
Ms. Victoria Barlow  
Ms. Elizabeth Fisher  
Ms. Diem Ho

Ireland

*University College Dublin*

Team coach:  Ms. Jane McGowan BL

Team members:  Ms. Lynn Rietdorf  
Ms. Sarah Taffé-Maguire  
Mr. Pierre Marc  
Ms. Heather Coyne

*The Honorable Society of King’s Inns*

Team coach:  Mr. Tomas Keys

Team members:  Mr. Fergus O’Higgins  
Alex Layden  
Mr. Hugh McDowell  
Mr. John Lynch

The Netherlands

*University of Groningen*

Team coach:  Dr. Panos Merkouris

Team members:  Mr. Christian Hörter  
Ms. Mari Pilviö  
Ms. Soraya Redondo Mezmizi  
Mr. Tim Ole Wachsmuth

*Utrecht University*

Team coach:  Dr. Otto Spijkers

Team members:  Mr. Nathan Adams  
Ms. Martina Filippiova  
Ms. Nora Al Haider  
Ms. Ana-Sofia Valderas

Romania

*“Lucian Blaga” University of Sibiu*

Team coach:  Ms. Laura-Maria Crăciunean

Team members:  Ms. Violeta Bunici  
Ms. Ecaterina Codreanu  
Ms. Louis Christiana Mondea  
Mr. Teodor Stancu

*University of Bucharest*

Team coach:  Mr. Radu Mihai Serbanescu

Team members:  Ms. Maria-Alexandra Dinu  
Ms. Raluca- Ioana Lungu  
Mr. Mihail-Andreas Mitoseriu  
Mr. George-Cristian Pruteanu

Switzerland

*University of St. Gallen*

Team coach:  Ms. Isabelle Maurer

Team members:  Ms. Anita Rohner  
Ms. Antonina Litvinenko  
Ms. Angela von Büren  
Ms. Fabienne Pfister
**Ukraine**

*Kyiv International University*

Team coach: Mr. Mark Prykhodko

Team members: Ms. Liudmyla Moskalenko
              Mr. Suren Petrosyan
              Ms. Yana Levchuk

*National University “Odessa Law Academy”*

Team coaches: Mr. Dmytro Koval
              Ms. Viktoriia Pysmenna

Team members: Ms. Natalia Bogachenko
              Mr. Eduard Kuzmin
              Mr. Igor Kyryliuk
              Ms. Anastasiia Murzanovska

*Ostroh Academy National University*

Team coach: Ms. Tetiana Rodoman

Team members: Ms. Valeriia Tatarchuk
              Ms. Iryna Brovdi
              Ms. Anastasiia Lavrinchuk
              Ms. Anastasiia Zubenko
GMW Advocaten wishes all participants a challenging experience!
PARTICIPATING TEAMS OF THE SEMI-FINALS

Belarus

*International University “MITSO”*

Team coach: Mr. Andrei Kozik

Team members: Ms. Hanna Hryshchanka
Ms. Kseniya Viasekskaya
Ms. Ilona Erokhina

Bulgaria

*Sofia University “St. Kliment Ohridski”*

Team coach: Mr. Valeri Valeriev Petkov

Team members: Ms. Tsvetelina van Benthem
Ms. Kris Spartanska
Ms. Milena Angelova
Mr. Toni Ganev

Czech Republic

*Masaryk University*

Team coaches: Ms. Kateřina Uhlířová
Ms. Linda Janků

Team members: Ms. Kateřina Studecká
Ms. Petra Lehotská
Mr. Petr Suchánek
Ms. Tereza Doležalová

Denmark

*University of Southern Denmark*

Team coaches: Ms. Ulrike Barten
Mr. Bugge Daniel

Team members: Mr. Hajro Husić
Ms. Vicki Bek Jacobsen
Mr. Niklas Bak
Mr. Rune Bekke

England

*The Honourable Society of the Inner Temple*

Team coach: Mr. Sajid Suleman

Team members: Mr. Gus Baker
Ms. Hannah Gibbs
Mr. David Green
Ms. Natasha Jackson

Estonia

*University of Tartu*

Team coaches: Ms. Katre Luhamaa
Ms. Maarja Pild

Team members: Ms. Mari Alavere
Mr. Karl Erik Esko
Ms. Sille Rästas
Mr. Andrei Svištš

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Team coaches: Mr. Ukri Soirila
Mr. Tero Kivinen

Team members: Ms. Alina Böling
Mr. Lars Lindeman
Ms. Alice Neffe
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Team members: Ms. Maria della Porta Rodiani
Ms. Olivia Samantha Valerie Flasch

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Mr. Caolán Doyle
Mr. Shane O’Neill

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Ms. Laura Mastrocicco
Mr. Piero Gregori

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Team members: Ms. Elina Dindendorfa
Ms. Ieva Ernesteone
Mr. Janis Sarans

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Universidade Nova de Lisboa

Team coach: Mr. José Maria Morais Alexandre
Team members: Ms. Diana Beatriz Campos
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Mr. Tiago Ribeiro Alves
Mr. António Assis Teixeira

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West University Timișoara

Team coach: Ms. Sorina Doroga
Team members: Ms. Astrid Bolea
Ms. Roxana Jinaru
Mr. Vlad Macovei
Mr. Paul Suta
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University of Dundee
Team coach: Ms. E. Kirk
Team members: Ms. Carlotta Bruessel
Mr. Kevin James Burns
Ms. Sanjana Swaroop
Ms. Aislinn Logan

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University of Novi Sad, Faculty of Law
Team coaches: Mr. Nemanja Galić
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Team members: Mr. Predrag Spasić
Mr. Dimitrije Đukić
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Ms. Aleksandra Andrejević
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Mr. Mohammad Tahir Khorasanee

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Team coaches: Ms. Nita Shala
Mr. Aravind Ganesh
Team members: Mr. Caspar Plomp
Ms. Catherine Imbeck
Mr. Douglas Pivnichny
Ms. Anina Dalbert
The Telders Organizing Office would like to express its gratitude to the following organisations for sponsoring the teams of:

**Belarus**
International University “MITSO”

**Bulgaria**
Sofia University “St. Kliment Ohridski”
International Moot Court Competitions Association (Sofia, Bulgaria)

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

Prof. Dr. Yücel Acer, Istanbul University
Mr. Aleksandar Arandjelovic, University of Novi Sad
Ms. Ana Barbulescu, University of Bucharest
Mr. Kiryl A. Berezovski, International University MITSO
Mr. Martin Browne, nominated by Bangor University
Dr. Richard Caddell, Swansea University
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Ms. Cecilie Hellestveit, LL.M., Senior Advisor, International Law and Policy Institute (ILPI)
Assoc. Prof. Cemalettin Karadas, Istanbul University
Ms. Esther Kentin, Amsterdam International Law Clinic
Mr. Erki Kodar, University of Tartu
Mr. Vaios Koutroulis, Université Libre de Bruxelles
Mr. Dusan Kovacevic, University of Novi Sad
Mr. Jan Kratochvil, Czech Constitutional Court
Dr. Peter van Krieken, Koninklijke Nederlandse Vereniging voor Internationaal Recht
Mr. Kenneth Manusama, VU University Amsterdam
Prof. Dr. Thilo Marauhn, University of Giessen
Prof. Paola Mariani, nominated by Università L. Bocconi
Prof. Makane M. Mbengue, Associate Professor of International Law, University of Geneva
Dr. Kasey McCall-Smith, University of Edinburgh
Mr. Simon O’Connor, Senior Legal Adviser, Norwegian Red Cross
Mr. Reinis Odins, nominated by University of Latvia

Prof. Dr. Francisco Pereira Coutinho, nominated by Universidade Nova de Lisboa

Dr. Ernest Petrič, Constitutional Court of Slovenia

Dr. Ilias Plakokefalos, University of Amsterdam

Dr. Bernadetter Rainey, Cardiff Law School

Mr. Willem van Reenen, Utrecht University

Ms. Greta Lucero Ríos Télles Sill, Advanced LL.M. in International Dispute Settlement (IHEID)

Prof. C.G. Roelofsen, Utrecht University

Prof. Giorgio Sacerdoti, nominated by Università L. Bocconi

Mr. Alexander Sarros, nominated by The Hague University of Applied Sciences

Dr. Per Sevastik, nominated by Öbrero University

Mr. Oleg Temnikov, Sofia University

Ms. Sophio Tsakadze, Ivane Javakhishvili Tbilisi State University

Ms. Tamar Tomashvili, Ivane Javakhishvili Tbilisi State University

Ms. Diya Uberoi, Graduate Institute of International and Development Studies

Mr. Taras Varava, nominated by Kyiv–Mohyla Academy

Mr. Dejan Valentinčič, European Faculty of Law in Nova Gorica

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

Mr. Rihards Veinbergs, nominated by The University of Latvia

Ms. Katsiaryna Volhina, nominated by International University ‘MITSO’

Mr. Kristian Wohlström, University of Helsinki, Faculty of Law
JUDGES OF THE 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.

Dr. Philipp Ambach, International Criminal Court
Ms. Peta-Louise Bagott, Defence Intern International Criminal Tribunal for Former Yugoslavia
Ms. Alexandra Baciu, Intern, International Criminal Tribunal for Former Yugoslavia
Mr. Jan Bangert, Böckli Bodmer & Partner
Mr. Markus P. Beham, Doctoral Fellow University of Vienna
Mr. E.E. van Bemmelen van Gent, Bynkershoek Institute/The Hague University of Applied Sciences
Ms. Shubhangi Bhadada, Intern, International Criminal Tribunal for Former Yugoslavia
Ms. Anja Blank, Researcher, University of Helsinki
Major Rieneke Buisman, Legal Advisor Ministry of Defence, Royal Netherlands Airforce
Dr. Vincent Correia, Senior Lecturer Université Paris-Sud
Ms. Elena Deliran, Meyer Advocaten en Belastingadviseurs
Mr. R. Dhalganjansing, Attorney at Law, Law Firm MrDrs R. Dhalganjansing
Mr. M.K. Eshragh, Legal Counsel, Iran-US Claims Tribunal
Prof. Steven Freeland, University of Western Sydney
Mr. Luca Ferro, Grotius Centre for International Legal Studies
Mr. Neil Fishman, International Trade Centre
Ms. Yvette Foliant, Legal Advisor, Royal Netherlands Army
Ms. Catherine H. Gibson, Legal Adviser, Iran-U.S. Claims Tribunal
Mr. Matthew Gillett, The International Criminal Tribunal for the Former Yugoslavia
Mr. Arthur de Groot, GMW Advocaten B.V. The Hague
Ms. Catherine Harwood, PhD Candidate, Grotius Centre for International Legal Studies
Ms. Esther Hauser, Bezirksgericht Zürich (District Court of Zürich)
Prof. Dr. Maria del Angel Iglesias, UNIR, International University
Ms. Lisa-Marie Komp, Attorney at Law, GMW Advocaten B.V. The Hague
Mr. Werner R. Kranenburg, Counselor-at-Law
Prof. Pētur Dam Leifsson, Faculty of Law, University of Iceland
Prof. Liesbeth Lijnzaad, Dutch Ministry of Foreign Affairs, Maastricht University
Ms. Molly Martin, Intern, International Criminal Tribunal for the Former Yugoslavia

Ms. Angela Marinos, Senior Counsel Department of Justice Canada

Dr. Tanja Masson-Zwaan, International Institute of Air & Space Law, Leiden University

Prof. dr. Pablo Mendes de Leon, International Institute of Air & Space Law, Leiden University

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

Ms. Zahra Mousavi, The Hague University of Applied Sciences

Ms. Julie Oettinger, Aviation Law and Policy consultant

Ms. Claire Onillon, Intern, International Criminal Tribunal for the Former Yugoslavia

Dr. Hossein Piran, Iran-United States Claims Tribunal

Mr. Relja Radović, Advanced LL.M. Public International Law

Ms. Cassie Rex, Fellow, Trial Chamber International Criminal Tribunal for the Former Yugoslavia

Dr. Olivier Ribbelink, T.M.C. Asser Institute

Prof. Dr. Cornelis Roelofsen, University of Utrecht

Ms. Magdalena Rząca, PhD Candidate Cardinal Stefan Wyszynski University, Associate in APT & RIGTH Attorneys-at-Law

Mr. Daniel J. Russell, Legal Consultant

Mr. Pubudu Sachithanandan, International Criminal Court

Mr. Johan Statius Muller, Independent Legal Counsel

Mr. Marc Steiner, Federal Administrative Court, Switzerland

Ms. Christa Stünzi, PhD candidate, University of Bern

Ms. Anna Trocka, PhD Candidate and Lecturer at Cardinal Stefan Wyszynski University in Warsaw, Managing Partner in APT&RIGTH Attorneys-at-Law

Mr. Manuel Ventura, Special Tribunal for Lebanon / The Peace and Justice Initiative

Mr. Piet Willems, The Hague University of Applied Sciences

Mr. William Worster, The Hague University of Applied Sciences

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

Mr. Ruben Zandvliet, Meijers PhD-Fellow, Leiden University

JUDGES OF THE FINAL ROUND

H.E. Judge Joan E. Donoghue (President) International Court of Justice

H.E. Judge Giorgio Gaja International Court of Justice

H.E. Judge Christopher J.R. Dugard International Court of Justice (ad hoc)
The following Law Students acted as Time Keepers and Judge Assistants during the court sessions of the international Semi-Finals:

Ms. Alice Decramer, Leiden University
Mr. Theo Deligiannakis, Leiden University
Ms. Ozel Ece Demiralp, The Hague University of Applied Sciences
Mr. János György Drienyovszki, Leiden University
Ms. Georgiana Fitzjohn, The Hague University of Applied Sciences
Ms. Rima Karapetyan, Leiden University
Mr. Abubakar Koroma, Leiden University
Mr. Lauri Kriisa, Leiden University
Ms. Sandra Merens, Leiden University
Ms. Tara Nasrollahi, Leiden University
Ms. Isidora Parga, Leiden University
Ms. Franziska Pfadt, Leiden University
Ms. Larissa Postma, The Hague University of Applied Sciences
Ms. Katharina Quint, The Hague University of Applied Sciences
Ms. Jamila Sallali, The Hague University of Applied Sciences
Ms. Yasmeen Zuaiter, Leiden University
Our adventure began in October 2013 when we found out that we had been selected to represent The Hague University of Applied Sciences in the Telders International Law Moot Court Competition, one of the most prestigious international law moot courts in the world.

To our surprise, our team was to be composed of only the two of us: Maria della Porta Rodiani and Olivia Flasch, fourth year and third year student in the LL.B. programme in International and European Law.

As soon as we received the news, we began preparing for the National Pre-selection Round that would take place the following March. We were to compete against the University of Utrecht and the University of Groningen, and only one team could proceed to the International Rounds.

After two intense moot court sessions that March, the Organizing Committee announced that we had won over the other two Dutch universities with a margin of forty points. We were ecstatic. It was the first time that The Hague University had passed through the National Round.

After a week of celebrations, we were ready to continue our journey to the International Rounds. Six weeks of intensive practice followed. Finally, the time had come for the International Rounds. We faced four teams in two days of highly tense and adrenaline-filled moot court sessions.

As a team of two we had to represent both parties in the dispute. While being challenging at times, this duet set-up landed us a place in the Final Round. On the 25th of April 2014, we competed against the Estonian team in the Grand Hall of the International Court of Justice before three actual judges of the Court. The room was silent as both parties presented their arguments, and reacted to the intriguing questions posed by the judges. Upon conclusion of the harangues, the judges retreated to deliberate. When they returned, they announced that we had won the 37th edition of the Telders International Law Moot Court Competition.

It was thanks to our extensive preparation, determination, and dedication of our coaches that we were able to show such confidence in the courtroom and achieve these unprecedented results. The Telders experience has marked a significant moment in our intellectual development and future endeavours, one that we will never forget.

Maria della Porta Rodiani & Olivia Flasch
The Finalist Team Award and Winner of the Carnegie Foundation Award for Best Memorial for the Applicant

Telders – at first none of us really knew what we were getting ourselves into. We had heard horror stories of sleepless nights and failed tests but the mentality was: “We are doing this, and we’re going all-in!” As most of us, we got off to a rocky start, some of the legal problems seemed impossibly biased and moments of despair and anger went hand in hand with trying to understand what we are up against. Suddenly, it all changed: solutions to problems started popping into our minds and before we knew it, the Roundsian Rescue Dispute was all we could speak of when we saw each other in hallways or meeting rooms. The three keywords that helped achieve what seemed impossible at first were research, research and… Oh, right, research!

By January, being the self-learned experts we surely were, it was time to practise the speeches. “Now comes the fun part!” we thought, feeling invincible, as we had managed to send our written memorials to the Hague after polishing them for 30 hours straight, through days and nights. Turns out we were horrible at speaking at first. Kind of weird that expressing your thoughts clearly can be so difficult, after all, we've all been babbling since we were 2. Maybe it was because all we had done for the past month was silently typing on our computers. Alas, hard work paid off again, soon we were able to speak without confusing Roundsia and Achtagonia and everything was going smoothly. Well, at least as smooth as very fine sandpaper.

“The Hague, we made it! So much to see, so much to do,” we thought, until a stern voice from our coach Maarja reminded us we were there to compete. Starting a revolution did not work so we silently accepted our fate. In the semi-finals, we were up against heavy competition, some nice, and well, some not so nice judges. We managed not to shake too much during our speeches and not spill water all over ourselves, so the judges apparently seemed impressed by the things we were very confidently speaking about but actually were not so sure of. And here comes the number one parental advice for the competitors of years to come – Whatever you say or do, be confident, but remember, confidence does not equal arrogance.

Whoa! What? Really? The FINAL!? Wait, we are from Estonia, right? When we had double-checked our nationalities on our ID-cards, we started to realize what had just happened. What an utter shock, we cannot properly attend Thursday’s party because of the final the next day. But seriously now, we were ecstatic and shaking with disbelief when we were declared the finalists. Tears were shed, moms were called.

There really isn’t much to say about the final, you had to be there to experience the Court room, the dignified aura of the ICJ judges and the almost electric tension in the air. In the end, it was the most powerful, yet humbling feeling any of us had ever felt. We have to give it to the winners - you were excellent!

In conclusion, participating in the Telders Moot Court Competition is undoubtedly the most time-consuming, most stressful, most angering, yet the best thing that has happened to any of us. Looking back, we would do it again in a heartbeat.
AWARDS AND WINNERS OF THE TELDERS COMPETITION 2014

Winner of the Final Round
THE HAGUE UNIVERSITY OF APPLIED SCIENCES

Finalist Team
THE UNIVERSITY OF TARTU

The Max Huber Award for Best Overall Score
THE HAGUE UNIVERSITY OF APPLIED SCIENCES

The Carnegie Foundation Award for Best Memorial for the Applicant
THE UNIVERSITY OF TARTU

The Carnegie Foundation Award for Best Memorial for the Respondent
THE EUROPEAN SCHOOL OF LAW IN NOVA GORICA

The Award for the Best Oral Argumentation for the Applicant
THE LAW SOCIETY OF IRELAND

The Award for the Best Oral Argumentation for the Respondent
THE HAGUE UNIVERSITY OF APPLIED SCIENCES

The Best Oralist Award
MR. SHANE O’NEILL, THE LAW SOCIETY OF IRELAND

The Runner-Up Best Oralist Award
MS. OLIVIA FLASCH, THE HAGUE UNIVERSITY OF APPLIED SCIENCES

The Telders Award for Outstanding Team Effort
THE UNIVERSITY OF DUNDEE

Best Judge Award
MR. MARC STEINER
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The 37th Edition of the Telders International Law Moot Court Competition would not have been possible without the kind support and assistance of the following sponsors:

Van Vollenhoven Foundation
Leiden Law School
Leids Universiteits Fonds