

The JAPAN NATIONAL RULES SUPPLEMENT
to the OFFICIAL RULES
of
The 2018 PHILIP C. JESSUP INTERNATIONAL LAW
MOOT COURT COMPETITION

PREAMBLE

*Japan International Law Students Association, in coordination with
International Students Law Association,*

*Seeking to educate students and lawyers across Japan about the principles
and significance of international law,*

*Encouraging the development of professional skills in written and oral
advocacy,*

Promoting the social responsibility of law students and lawyers,

Striving to foster international understanding and cooperation,

*Being committed to achieving these goals in an environment of mutual
respect among all of the individuals and teams involved;*

*Calling upon everyone engaged in the Jessup Competition to abide by the
Japan National Rules, the rules of any institution hosting the Japan National Round,
and the laws of Japan,*

Adopts the following Japan National Rules:

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National Rule 1.0 Organization of the Competition

1.1 National Administrator (N.A.)

The N.A. is the agent of the ILSA Executive Director and responsible for planning, arranging and entrusting any stages of the Jessup Japan National Rounds. The N.A. has the right to determine the representative institution to the Jessup International Law Moot Court Competition International Rounds consistent with this Rules Supplement as approved by the Executive Director.

1.2 Japan International Law Student Association (JILSA)

- (a) Under the authorization of the N.A., JILSA arranges and manages the Japan National Rounds.
- (b) The N.A. may choose the following executive students from JILSA.
 - (1) Executive of Rules
 - (2) Judge Coordinator
 - (3) Chief Scorekeeper
 - (4) Bailiff Coordinator
 - (5) Any other necessary counsels
- (c) JILSA Statute stipulates its rules, organization and management of JILSA.

1.3 Team Advisor (T.A.) Council

- (a) T.A. is a consultant of a society, a professor of a seminar or team coach of participating institutions.
- (b) The N.A. may convene the T.A. Council once every year.
- (c) JILSA may convene the T.A. Council once every year.
- (d) Through consensus of the T.A Council, it may choose a N.A. and management members within 10 persons.

1.4 Authority and functions of JILSA

- (a) JILSA shall have careful discussion and advise the N.A. on the following issues.
 - (1) Preliminary Rounds Judges for Oral Hearing
 - (2) Semi-final and Final Rounds Judges for Oral Hearing
 - (3) Judges for Memorials

- (4) National Rules Supplement to Official Rules
 - (5) Venue of National Rounds
 - (6) Making a National Rounds Bench Memorandum
- (b) Each member of JILSA can convene this association.

1.5 Venue

The N.A may decide venue of National Rounds, considering opinions of participating institutions. JILSA may determine venue in more detail.

1.6 Interpretation of Rules

The N.A.'s and the ILSA Executive Director's interpretation of this Rules Supplement is final.

1.7 Responsibility

- (a) Consisting institutions of JILSA must inform JILSA of their representative person's address, including e-mail address, by the specified date separately.
- (b) Mail or e-mail to the representatives constitutes the official documents to their belonging institutions.
- (c) Consisting institutions must inform JILSA of the name of their T.A. by the specified date separately.

National Rule 2.0 Participation and Eligibility

2.1 Participating Institutions

Participating Institutions mean the institutions which made participating registration to National Rounds in that period, among consisting institutions based on JILSA Statute.

2.2 Participation as Joint Team and its Position

Each institution may enter one Team, regardless of the number of colleges, departments, faculties, or schools within that institution, and the Team may include students from one or more of its colleges, departments, faculties, or schools (for example, by allowing a student in an international relations program to compete on the Team with students from its law faculty).

2.3 Council pleading both the Applicant and the Respondent sides in one team

Team wishing a council pleading both the Applicant and the Respondent sides in one team must notify the N.A. by the specified date.

2.4 Participation of one or more team from an institution

An institution may enter more than one team into the Competition as long as they are qualified to do so under Official Rule 2.1 by making appropriate petition to the ILSA Executive Director.

Regarding the Qualifying Competition in 2018, this provision sets its purpose to reconfirm that parallel participation of teams from single institution, one making its Oral Pleadings in English and another in Japanese, is prohibited unless satisfying the condition of this provision.

National Rule 3.0 Team Registration for National Round

3.1 Deadline

Each Team must complete registration no later than the designated date, via e-mail to the designated e-mail address by JILSA (jilsa.rules@gmail.com).

3.2 Team Registration

- (a) In addition to the registration required by Official Rule 3.1, each Team shall complete the registration process via e-mail to the designated e-mail address by JILSA and remit the registration fee for Japan National Round. Once teams paid the fee, teams cannot demand refund.
- (b) JILSA determinates sum of additional registration fee at 35,000 yen.
- (c) Teams which have outstanding debt for fee under Official Rule 3.1 are not eligible to compete in Japan National Round.

3.3 Team Number

When distribution of official team numbers by the ILSA Executive Office, under Official Rule 3.5, is later than the deadline of memorials submission at the Japan National Round, for the purpose of Japan National Round, JILSA may assign the Team a 3-digt Team Number identifying each Team during the National Round.

National Rule 4.0 Judges

4.1 Designation of Judges

- (a) Under the authorization of the N.A., Judge Coordinator shall select persons who serve as Judges for Memorials and Oral round for Japan National Round in line with Official Rule 5.2 and the following provisions.

4.1.1. Team Advisor

If appropriately, a T.A. gets eligibility to judge of Oral Round, except for such as round that the Team they advise competes any round in which a team the T.A.'s team has competed or will compete against in another Oral Round.

4.1.2. Prior Viewing of Teams

Notwithstanding Official Rule 5.5(a), in the Advanced Rounds, the N.A. may permit judges to

view one or more Teams which they have previously judged, if such viewing serves the best interests of the Competition.

4.2 Announcement of Judges

(a) JILSA shall not disclose the names of Judges for Memorials and Preliminary Rounds until the date of the Competition.

(b) JILSA shall disclose the names of Judges for Semi-Final and Final Rounds at the same time of announcement of Team advancing Semi-Final and Final Rounds.

(c) JILSA may commission to act as Judges for Semi-Final and Final Round in advance. In that situation, JILSA may disclose the name of Judges before the Competition date. If appropriately, neither Official Rule 5.3 nor 5.5 apply.

4.3 Duties on Participating Institutions

If Team noticed violation of Official Rule 5.3 and 5.5, the Team must notify JILSA immediately.

4.4 Bench Memorandum

Judges must keep the contents of Bench Memorandum strictly confidential from Teams, except for JILSA. Members of JILSA, who got to know the contents of Bench Memorandum, must not take part in writing Memorials or practice Round of their schools.

National Rule 5.0 Clarification

If ILSA failed to publish Clarification under Official Rule 2.16 by the date JILSA specified, during Japan National Round, the Clarification are not applied.

National Rule 6.0 Memorial

6.1 Submission

(a) Each Team shall send the following copies of their Memorials by the date JILSA specified.

(i) 10 hard copies of both the Applicant and the Respondent Memorials, via speed postal service

(ii) Data of both the Applicant and the Respondent Memorials, via e-mail to the designated e-mail address by JILSA

(b) Besides above mentioned, Each Team shall send a CD-R or CD-RW which contains the same copies of Memorial, together with 20 hard copies.

(c) If JILSA confirmed a fact that Team failed to submit Memorials under (a) (1) and (1), JILSA shall notify the Team of late arriving or failing to arrive of Memorials.

(d) Time of arrival of e-mail is used to apply penalties.

6.1.1 Appeal against Failing to Arrive of Hard Copies of Memorials

(a) Hard copies of Memorials are assumed to be submitted on postmark date.

(b) Team, wishing to complain a notice of late arriving or failing to arrive, shall submit record of postal service by the designated date.

6.1.2 Appeal against Failing to Arrive of E-mails

(a) If Team received a notice of late arriving or failing to arrive, Team, which has submitted CD-R or CD-RW pursuant to 6.1(b) of this Rule, may submit evidence showing the Team has sent e-mail before or on the designated date.

(b) Team, except for above mentioned, does not have a right to plea.

6.1.3 Identification of Memorials

All electronic and hard copies submitted to JILSA must be identical.

6.2 Format

Pursuant to Official Rule 6.4(b), all pages of the electronic Memorial date must be letter size, 8.5 x 11 inches (21.6 x 27.9 cm), with equal margins of at least on inch (2.54 cm) on all four sides. Besides that, hard copies of the Memorials must be printed in A4 size paper and submitted to JILSA.

6.3 Languages

Memorials must be written in English.

6.4 Binding

Memorials must be securely fastened by at least two staples along the left side of the Memorial so that the stapling will hold throughout the Competition. Team should use the kind of staples, which can fasten Memorials completely. JILSA may fasten Memorials again, if it is necessary to prevent missing pages, wounding by staples and so on.

National Rule 7.0 Oral Rounds

7.1 Registration of Counsels

For the purpose of the Japan National Round, each Team shall notify the name whose make oral pleadings at courtroom by the specified date.

7.2 Of Counsel

The person acting as counsel must be one of the Team Members registered.

7.3 Oral Pleading by Other Person Already Notified

Any request to make a change on the role in the Team notified pursuant to 7.1, must be submitted to JILSA before opening of Oral Pleading at courtroom.

7.4 Scouting

At the Preliminary Rounds, Team Members or persons directly affiliated with any Team may only attend Rounds the Team or Team, against whom they would not compete at the Preliminary Rounds. Such attendance will permit taking of memos during the round, as an exception to Official Rule 7.13(b). Without permission of entering courtroom by JILSA, no one can enter courtroom.

7.5 Failure in Appearance of Opposing Team

If a Team appears late over 5 minutes at each Round, Team would lose their time for Oral Pleadings by that time. If such Team does not appear over 30 minutes, it is treated under Official Rule 7.6.

7.6 Supervision by the N.A.

If unforeseeable accidents happen, it depends on the N.A. decision.

7.7 Audio and Videotaping

The N.A. and JILSA may take photograph and video-shooting at courtroom unless any Team explicitly refuses. The N.A. and JILSA have the copyrights on the photograph, video and so on.

7.8 The language used in Oral Pleadings

In oral Pleadings, each Team may use English or Japanese. The choice shall be notified before the deadline of participation and shall not be changed. Both the Applicant and the Respondent from one Team shall use the same language in all matches it may attend. The Judges should use the same language as the Oralists in given matches.

7.9 Timekeeping in the Courtroom

The official time of the Round is the time indicted by the Timekeeper. Timekeeper indicates how much time left by the timecard JILSA distributes.

National Rule 8.0 Qualifying Tournament Pairing Procedures

8.1 Different Rounds depend on the language used

A Team making its Oral Pleadings in English shall compete against another Team making its Oral Pleadings in English. A Team making its Oral Pleadings in Japanese shall compete against another Team making its Oral Pleadings in Japanese. Hence, the Advanced Rounds is divided into a round held in English and that in Japanese. If a round does not entertain enough Teams to the extent

that it is difficult to pair appropriate tournament, the N.A. may take measures in his/her discretion in the best interests of the Competition.

8.2 Advance to the International Rounds

The higher ranked team(s) in the Round held in English will advance to the International Rounds.

8.3 Duty to Return the Memorials of Opposing Team

Each Team must return the Memorials of Opposing Team to bailiff immediately after the conclusion of each round. Any violation of this clause constitutes the penalty under 10.3(j) of this Rule. Where it is impossible to return the Memorials, the N.A. shall determine whether or not the penalty applies.

8.4 Pleading Option

At the Semi-Final or Final Rounds, the Team with pleading option 10 minutes to select which side it wishes to plead. If the Team with pleading option failed to select, then the opposing Team has 10 minutes to select a side. Should both Teams fail to select, then the higher-ranked Team will argue the Applicant and the lower-ranked Team will argue the Respondent.

8.5 Conclusion of the Japan National Round

Determination of National Champion is the conclusion of the Japan National Round.

National Rule 9.0 Competition Scoring

9.1 Semifinal Rounds Procedures

At the Semi-Final Round, if any, judges shall determine only the winner at that Round.

9.2 Ranking

- (a) Ranking of the Applicant Memorials and the Respondent Memorials are announced separately regardless of whether each Team use English or Japanese in given matches.
- (b) Ranking of the Oralists is announced separately between the Applicant and the Respondent, and between those who made their Oral Pleadings in English and Japanese.

9.3 Reporting of Results

JILSA shall send the Reporting of Results, under Official Rule 10.14, to the Teams immediately after the conclusion of the Japan National Round. However, JILSA shall notify the Total accumulated Win-Loss records at the Preliminary Rounds to the Team at the reception after the Final Round.

9.4 Advance to the Hardy C. Dillard Award

The higher ranked team among the Total Memorial Scores shall be entered to compete for the Hardy C. Dillard Award regardless of the language the Team used in the Oral Pleadings.

National Rule 10.0 Penalties

10.1 General Procedures

Penalties under Official Rule 11.0 and embodied below are strictly applied. However the Penalties on the Disqualification Deadline, Violation of anonymity in Memorial and Plagiarism, under Official Rule 11.1(e), are exempted from application at the Japan National Round.

10.2 Memorial Penalties

- (a) Executive of Rules shall conduct examination on alleged Memorial Penalties. And then, the N.A. may impose the Memorial Penalties.
- (b) Except for the penalties on 6.2 of this Rule, should the contents of date copy of the Memorial be inconsistent with that of hard copy, the penalty imposition shall be based on the date copy.
- (c) JILSA shall notify the result of the penalty imposition the Team, with the reasons, prior to the end of the first day of the Japan National round.
- (d) Pursuant to Official Rule 11.1(d), Team may appeal any penalty imposed.
- (e) JILSA shall make a provisional notice on the penalty imposition 3 days before the Japan National Round. Duration of the appeal under Official Rule 11.1(b) shall begin with the acceptance of official notice on the penalty imposition on the previous day or the first day of the Japan National Round.
- (f) More than 1 week before the Deadline of Memorial Submission, Executive of Rules must send the written document on the criterion to the penalty imposition to Team.

10.3 Oral Round Penalty

- (a) The N.A. may delegate Executive of Rules to impose the Oral Round Penalty.
- (b) Executive of Rules shall conduct the examination on the alleged Oral Round Penalty.
- (c) Bailiff shall assist the examination, where Executive of Rules requested.
- (d) Only the Team and the Judges may notify an infraction of the relevant rules.
- (e) Team wishing to appeal an infraction of the relevant rules may notify Executive of Rules in writing within 15 minutes of the conclusion of that Round.
- (f) Team imposed the Oral Round Penalty may appeal. However, Team must appeal within 15 minutes of the notice.
- (g) Where the Team or the Judges appeals any violation of the relevant rules, Executive of

Rules may conduct the examination on that alleged infraction of the relevant rules. Executive of Rules shall report the result of that examination to the N.A.

- (h) The notice of the decision on Oral Round Penalty imposed, with that reasons, shall be notified immediately to the Team affected and the Judges.
- (i) Pursuant to Official Rule 11.8, the N.A. may assess 2, 3, or 6 points Discretionary Penalties, corresponding to the degree of the violation in the judgment of the N.A.
- (j) Violation of 8.3 of this Rule shall constitute 15 points penalty.

National Rule 11.0 Awards

11.1 Awards

At the Reception after the Japan National Round, JILSA shall announce the names whose get the following awards.

- (1) Japan Champion / The Minister of Foreign Affairs Cup (English)
- (2) First Runner-up Team (English)
- (3) Second Runner-up Team (English)
- (4) Champion Team (Japanese)
- (5) First Runner-up Team (Japanese)
- (6) Second Runner-up Team (Japanese)
- (7) Best Oralist Award / The Tsutsui Wakamizu Cup (Overall the Competition)
- (8) Best Oralist Award (Applicant/Respondent in English)
- (9) First Runner-up to Best Oralist Award (Applicant/Respondent in English)
- (10) Second Runner-up to Best Oralist Award (Applicant/Respondent in English)
- (11) Best Oralist Award (Applicant/Respondent in Japanese)
- (12) First Runner-up to Best Oralist Award (Applicant/Respondent in Japanese)
- (13) Second Runner-up to Best Oralist Award (Applicant/Respondent in Japanese)
- (14) Best Memorial Award (Applicant/Respondent)
- (15) First Runner-up to Best Memorial Award (Applicant/Respondent)
- (16) Second Runner-up to Best Memorial Award (Applicant/Respondent)
- (17) JILSA Special Award

11.2 Announcement of Ranking

JILSA has discretion on the announcement of the any other ranking.

National Rule 12.0 Revision of Japan National Rules Supplement to Official Rule

- (a) Revision of this Rule requires the decision by the N.A. However, where JILSA consider that decision inappropriate, JILSA shall report on that matter to the T.A. Councils. The

decision by the N.A. shall be removed when the T.A. Councils also consider the decision inappropriate.

- (b) JILSA and Constituting Institutions may request the N.A. to revise this Rule.
- (c) The N.A. shall notify its decision on the revision to JILSA within 1 month. And then, JILSA must notify the revision to each Representative of Constituting Institutions within 1 month.