

# The 42<sup>nd</sup> Telders International Law Moot Court Competition

Review Report

## The Case of the Great Football Match

23 - 25 May 2019, The Hague



Grotius Centre  
for International  
Legal Studies

  
Telders International Law  
Moot Court Competition



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## Preface

### *Preface by the Chairman of the Supervisory Board of the Telders International Law Moot Court Competition*

The Telders International Law Moot Court Competition has been held each year since 1977. This means that 2019 marked the 42<sup>nd</sup> edition of the competition. This year, 37 universities registered for the competition and National Rounds were held in eight countries to determine which teams would proceed to the International Rounds in The Hague. For teams without a National Round it was possible to participate in the International Friendly Rounds, organised this year by the ELTE Law School in Budapest.

The main objective of the Telders Competition 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 such important principles as the rule of law and fair play. The Competition provides an excellent platform for experiencing a close-to-reality court setting. It offers an opportunity for students to enhance their networks and promotes international cooperation and understanding.

The participating teams brought an application against Brolin to the International Court of Justice. Every year in September a football game is held between two neighbouring States, Brolin and Tenovia. In the lead-up to the 2017 game a series of events culminates in Tenovia bringing an application against Brolin in the International Court of Justice. Brolin's football team mascot goes missing and a security guard from Brolin retrieves her from inside Tenovia, assaulting a Tenovian citizen in the process. Ethnic Tenovis, the largest ethnic group in Tenovia, allege that they were excluded from the football game because of their beliefs. Finally, a well-known Tenovian artist is before a domestic court in Brolin in relation to unpaid rent. Tenovia claims that she is their envoy to an international organization in Brolin and is immune from legal process, but the domestic court disagrees. Tenovia alleges that Brolin has violated customary international law by the assault inside Tenovia, its obligations under the CERD by its treatment of ethnic Tenovis and its conventional obligation to recognize the immunity from legal process of Tenovia's envoy in Brolin.

The written memorials which address these issues lead to challenging exchanges of views during the International Semi-Finals which were held at the Grotius Centre for International Legal Studies and the Final Round in the Great Hall of Justice. The Supervisory Board and the Telders Organizing Office wish to express their gratitude to all sponsors for their involvement and support. We are pleased that you were able to join us at the 42<sup>nd</sup> edition of the Telders International Law Moot Court Competition and we look forward to meeting you again in 2020.

Judge Giorgio Gaja

## Professor 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, 42 years 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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## THE CASE OF THE GREAT FOOTBALL MATCH BETWEEN BROLIN AND TENOVIA

written by Rose Cameron

1. Brolin and Tenovia are two States that share a border; Brolin sits to the west of Tenovia. Brolin's capital, Gremont, is the location of the International Commission for Long-distance Athletics and Women's Squash (CLAWS), an international organization devoted to the promotion of women's athletics and squash worldwide. Tenovia and Brolin are member States of CLAWS. Gremont, to the east of Brolin, is approximately 25 kilometres from the only road border-crossing into Tenovia. The border is marked by a large stone arch over the single dirt road running between the States. Wittson is the name of the border region in Tenovia and Jaynia is the name of the border region in Brolin. According to the domestic laws of both States, when a citizen of Brolin seeks to enter Tenovia (and vice-versa), that individual has to apply for an electronic visa via the internet.
2. Tenovia, with a population of about 98,000, has a much smaller population than Brolin, which counts 2.8 million inhabitants. The two main ethnic groups that live in Brolin and Tenovia are the Brolinites and the Tenovis. According to a 2015 census carried out in both States, the proportion of individuals who identify as ethnic Tenovis in Brolin and Tenovia is 6% and 89% respectively.
3. The Tenovis are an ancient culture that clings to traditions stemming back hundreds of years, including strict rules of conduct. One such rule is that when a promise is made by an ethnic Tenovi individual, that promise must be kept or the individual will be dishonoured. In ancient Tenovi writings, making a promise is described as a devout act and compliance with promises is a form of worship.
4. Every year in September, a football game is held between Brolin and Tenovia. The winner proceeds to the regional finals and plays the winner of an annual game between the two other States in the region, Ixap and Mokad. The tournament has been running for fifty-five years and each year thousands of citizens of Tenovia cross the border by car into Brolin to watch the match.



## Telders Case, continued

5. Historically, Brolin's national police force provided security for the football game. However in 2015, austerity measures meant that Brolin decided to look for a cheaper option. That year Brolin hired a private security company, Falconner, to provide security for the game. In 2015 Brolin's Parliament passed the Falconner security Act (2015), which empowered Falconner's employees to do the following: check tickets on entry to the stadium, provide security within the stadium during the game and control vehicular traffic on Brolin's roads in a fifteen-kilometre radius around the stadium on the night of the game, for one week prior to the game and for two days after the game. The Falconner security Act (2015) also empowered Falconner to use "reasonable force" to complete its tasks. Recruitment of Falconner employees remained a matter entirely for Falconner's management. The Falconner security Act (2015) contained a sunset clause specifying that the law would cease to have effect forty-eight hours after the end of the 2015 football game between Brolin and Tenovia.
6. In 2016 there was internal unrest in a western region of Brolin, called Drizac. Brolin's authorities were so impressed by Falconner's performance at the 2015 game that they hired Falconner to assist its under-staffed police force to quell the unrest in that region. Domestic legislation, the Drizac management Act (2016), was passed authorising Falconner to take "all action necessary" to put an end to the unrest.
7. For the 2017 football game between Brolin and Tenovia, Falconner has again been hired to provide security. Domestic legislation containing identical powers as those contained in the 2015 legislation is enacted in Brolin. The legislation is entitled the Falconner security Act (2017). As in 2015, in 2017 the financial agreement between Falconner and Brolin states that Brolin will pay Falconner a lump sum for its services, adjusted according to the number of employees that the company advises is needed, to a maximum of 500 employees. The government of Brolin will provide Falconner with government-issued uniforms and crowd-control equipment (shields, visors) for each Falconner employee allocated to undertake tasks pursuant to the Falconner security Act (2017), as well as tasers and patrol vehicles with sirens for patrolling the roads around the stadium. All government-issued materials, including the vehicles, are emblazoned with Brolin's emblem, an acorn. The financial agreement also stipulates that all equipment, uniforms and vehicles provided by Brolin to Falconner must be returned to Brolin after the football match. These will then be used by Brolin's police force.



8. Brolin's football team is called the Hunters. Its mascot is a brown Labrador called Coco. When she is not at a football match, Coco is kept on a farm in Jaynia. In mid-August 2017, a few weeks before the big football match between Brolin and Tenovia, Coco bites through the fence surrounding her enclosure and walks over the border into the Wittson region of Tenovia. Later that same day, Julie Starman, a citizen of Tenovia (of the Tenovi ethnicity) is hiking in the woods of Wittson when she finds Coco, looking tired and thirsty. Ms. Starman takes Coco to her holiday house in another part of Wittson.

9. Coco is missing for a few hours before her minders in Brolin realize that she has disappeared. They immediately alert the police in Brolin. Coco's minders see paw prints in the dirt road leading towards Tenovia and they tell the police this.

10. The Prime Minister of Brolin is very upset that Coco is missing, because historically if Brolin loses the football match against Tenovia, the incumbent government of Brolin loses the next election. The day after Coco's disappearance, at the request of Brolin's Prime Minister, a printed media release in relation to Coco's disappearance is issued on the front page of Brolin's national newspaper, with a \$10,000 reward promised to anyone who can bring Coco back to Brolin safely in time for the football match against Tenovia. At the top of the media release is written "Help Brolin! Help find Coco wherever she is!"

11. As well as issuing the media release, the government of Brolin decides to hold information sessions about Coco's disappearance. At the sessions, held at police stations in Brolin, volunteers are sought to help look for Coco. The government specifically appeals to members of the armed forces, police and Falconner employees to attend the sessions, although attendance is not compulsory for anyone. The CEO of Falconner, keen to impress the government in the hope of securing future contracts, urges her employees to attend. At the information sessions, participants are given photos of Coco and a map which includes the location where Coco is usually kept in Jaynia. The map of the area provided to participants encompasses all of Jaynia and some parts of Wittson.



## Telders Case, continued

12. Mr. Zunitte, a security guard at Falconner who is set to work at the football match against Tenovia, attends one of the information sessions. He is going through a costly divorce and is only on a low-paid, temporary contract with Falconner, so he decides he will do everything he can to get Coco back (and win the reward). He has already been issued with a vehicle by Falconner to patrol outside the stadium, as well as the other necessary equipment and uniform. After the information session, he introduces himself as a staff member of Falconner to an off-duty police officer who is leaving the station after a shift. The police officer is an avid football fan and tells Mr. Zunitte that intelligence suggests that Coco is in Tenovia, just across the border in Wittson. The officer tells Mr. Zunitte that he should look for Coco there.

13. Mr. Zunitte dresses in the Brolin-supplied uniform, provided to him by Falconner, and drives straight for the location where Coco is usually kept in Jaynia. He then follows the dirt road across the border into the Wittson region of Tenovia. He is driving the car issued to him by Falconner and in the boot of the car he has the government-supplied taser. He does not apply for a visa to enter Tenovia. Once in Wittson, Mr. Zunitte spots Coco being walked along the dirt road by Julie Starman. He turns on the siren of the patrol car and yells out the window for Ms. Starman to stop walking. She does so. Mr. Zunitte jumps out of the car, points the taser at Ms. Starman and says to her: “I am seizing this dog from you. It was stolen from Brolin”. Desperate to get the reward, Mr. Zunitte uses his taser on Ms. Starman’s arm. She faints and is seriously injured when her head hits the rocky ground. Mr. Zunitte bundles Coco into the back of the car and accidentally drops the taser outside the car. He leaves Ms. Starman, unconscious, on the side of the road. Mr. Zunitte drives back across the border into Brolin and immediately takes Coco to Falconner’s head office where she is collected by Brolin authorities.

14. Ms. Starman is found the same day, still unconscious, by hikers. She is taken to hospital in Tenovia. When she regains consciousness after several hours, doctors tell her that she has numerous fractures to her jaw and skull. From her hospital bed, Ms. Starman makes a report to Tenovian police and is able to describe her assailant as a man wearing a uniform with an acorn on it.

15. The assault on Ms. Starman – an outspoken advocate for the rights of the ethnic Tenovi diaspora worldwide – quickly makes headlines in Tenovia. Tenovia’s police search the area of Wittson where Ms. Starman was assaulted and find a taser emblazoned with Brolin’s emblem, as well as tyre marks heading back towards Brolin. The Tenovian police also observe paw prints in the dirt road.



16. Back in Brolin, Mr. Zunitte is congratulated on a special live program on national television for bringing back Coco and paid the \$10,000 reward. He is called a “national hero” by Brolin’s Minister for Sports, who gives him a State medal, usually reserved for service in Brolin’s emergency services. During the broadcast Mr. Zunitte reveals that he was in the Wittson region of Tenovia when he found Coco. The broadcast is swiftly brought to the attention of Tenovia’s authorities which are now certain that Mr. Zunitte is connected to the assault of Ms. Starman.

17. On the same day as the broadcast, Tenovia’s Ambassador to Brolin calls an urgent meeting with Brolin’s Minister of Foreign Affairs to demand the extradition of Mr. Zunitte for questioning in relation to the assault of Ms. Starman. Brolin’s Minister of Foreign Affairs is told that Ms. Starman identified Brolin insignia on the uniform of her assailant. Brolin’s Minister of Foreign Affairs responds that Brolin will do everything in its power to apprehend Mr. Zunitte.

18. On the evening of the broadcast, there is a party held at Gremont’s town hall, hosted by Brolin’s Minister of Sports, in honour of the Hunters. Mr. Zunitte is invited and attends the party for two hours. Straight after leaving the party, Mr. Zunitte drives across the border into Ixap in his personal car, fearful of repercussions of his assault on Ms. Starman, and does not return.

19. The day after the broadcast, Brolin’s Prime Minister holds a meeting with her advisers in relation to Mr. Zunitte. They decide that their priority must be the football match which is approaching. If Brolin loses the match, morale in the country will be at an all-time low. The economy of Brolin has been in free-fall for the last few months. Brolin’s Prime Minister decides that she will determine what to do exactly with Mr. Zunitte after the football match.

20. Meanwhile, there is uproar in Tenovia about Ms. Starman’s assault, especially once news reports link a man from Brolin to the assault. There are rallies in Tenovia in the weeks ahead of the football match calling for “revenge” against Brolin, primarily amongst the ethnic Tenovi community. Because of this, Brolin’s Minister of Sports is particularly concerned about violence initiated by citizens of Tenovia at the football match. Every year footballers are injured when objects are thrown onto the pitch by spectators. She fears this year might be worse and wants to ensure the safety of footballers as well as the enjoyment of all spectators.



## Telders Case, continued

21. The Minister of Sports for Brolin decides to make use of the tradition according to which ethnic Tenovis adhere to all promises that they make by having each person who attends the football match between Brolin and Tenovia sign a declaration in front of security guards at the entrance of the stadium that they will be of good behaviour during the match. On 4 September 2017 Brolin's Minister of Sports sends a copy of the declaration to her counter-part in Tenovia. This is so that Tenovia's Minister of Sports can publicise the new security requirement with prospective attendees at the football game. Tenovia's Minister of Sports responds the next day with a Note to Brolin's Minister of Sports which includes the following:

I confirm receipt of your Note dated 4 September 2017. However, I have to inform you that a large proportion of the population of Tenovia is made up of ethnic Tenovis who are not traditionally permitted on Thursdays, under any circumstances, to make promises to a stranger. Thursday is the day of worship for Tenovis. Promises may only be made to God on that day, as a demonstration of loyalty to one's faith. I note that the football match between our nations is scheduled for Thursday 7 September 2017. Therefore I request that Brolin not proceed with the procedure proposed in your Note.

22. Brolin does not respond to the Note.

23. Finally the day of the football match between Brolin and Tenovia arrives. Brolin institutes its plan of asking every spectator to sign the declaration at the entrance to the stadium. About half the ethnic Tenovis (of all nationalities) who attend the stadium break with tradition and sign the declaration; they are then permitted to enter the stadium. The other half of ethnic Tenovis who arrive at the stadium are unwilling to break with tradition to sign the declaration and Falconner employees do not permit them to enter the stadium. These attendees have to watch the match on giant screens assembled by Brolin outside the stadium in a designated area. The football match goes ahead peacefully and Tenovia wins the game 4-2. However, in the days after the game there is outcry in the ethnic Tenovi community in both Brolin and Tenovia about the obligation to sign the declaration at the entrance of the stadium. They accuse Brolin's government of being discriminatory against ethnic Tenovis.

24. To try to ease tension between Brolin and Tenovia, the Prime Minister of Brolin decides to have a mural painted on the stadium commemorating the historical bonds of friendship between Brolin and Tenovia. On 15 September 2017 a firm based in Brolin, Paintgood, is hired to do the work. The deadline is 29 October 2017. Paintgood's director, Ms. Desmond, receives full payment in advance for completion of the mural.



25. Ms. Desmond is a well-known artist of Tenovian nationality, of the Tenovi ethnicity, and is the official portrait artist for the Tenovian royal family. Ms. Desmond is also the daughter of the current Tenovian Minister for Women, who over the last decade has been a leading philanthropist in Tenovia.

26. Unfortunately, Ms. Desmond gambles away all the money that Brolin had prepaid her to organize for sub-contractors to assist her to paint the mural. In order to finish the mural in time, Ms. Desmond uses her personal savings to pay the sub-contractors and falls behind on the mortgage repayments for her home in Gremont, where she has lived for many years. The mural is completed by 29 October 2017, but the mortgagee forecloses on Ms. Desmond's home and she moves into rented accommodation in Gremont on 15 December 2017.

27. By mid-January 2018, Ms. Desmond has fallen behind in her rent. She receives multiple letters of demand from her landlord's solicitors in relation to the unpaid rent throughout February, March and April 2018. Unfamiliar with legal processes, Ms. Desmond makes numerous calls to her mother in Tenovia, asking for advice in relation to the letters of demand.

28. On 11 May 2018, Ms. Desmond's landlord initiates proceedings against her in the appropriate domestic court in Brolin claiming \$18,500, made up of rental arrears for the months of January to May 2018, interest and legal costs. Ms. Desmond is summonsed to the domestic court on 1 June 2018. She does not appear but claims, through counsel, that she is immune from the proceedings in the domestic court because she is the national envoy of Tenovia accredited to CLAWS. Her counsel directs the judge in the domestic court to Article 9 of the Convention on the Privileges and Immunities of the International Commission for Long-distance Athletics and Women's Squash (CLAWS Convention), to which Brolin and Tenovia are Parties. It reads as follows:

#### Article 9

(1) Representatives of Members of the Organization shall enjoy in the territory of the host State the privileges and immunities normally enjoyed by diplomatic agents pursuant to Articles 30 and 31 of the Vienna Convention on Diplomatic Relations (1961). Such privileges and immunities are subject to Article 38 of the Vienna Convention on Diplomatic Relations.

(2) Every person entitled to privileges and immunities shall enjoy them from the moment he or she enters the territory of the host State to take up his or her post or, if already in the host State's territory, from the moment when notification of his or her appointment by the Government of the Member has been received by the host State.



## Telders Case, continued

29. Article 1 of the CLAWS Convention defines “Organization” as the International Commission for Long-distance Athletics and Women’s Squash. The proceedings in the domestic court are adjourned.

30. In response to enquiries by Brolin, on 11 June 2018 Tenovia sends a Note Verbale to Brolin which includes the following paragraphs:

Brolin and Tenovia have always had a peaceful relationship. However, Tenovia cannot idly stand by and watch as Brolin embarks on a path of systematic persecution of ethnic Tenovis within, and outside, its borders. One only has to recall the assault on Ms. Starman by a police officer from Brolin and the discriminatory measures against Tenovis at the great football match between our States. The initiation of civil proceedings in Brolin’s courts against Ms. Desmond is just another example of a system which discriminates against ethnic Tenovis. Tenovia will not tolerate the abrogation of the immunity to which our national envoy to the International Commission for Long-distance Athletics and Women’s Squash (CLAWS) is entitled. Tenovia will continue to protect each and every ethnic Tenovi.

Ms. Desmond was appointed as Tenovia’s Permanent representative to CLAWS in Gremont on 2 March 2018.

Notification was sent to the Ministry of Foreign Affairs of Brolin on that day. No response was received from Brolin.

Ms. Desmond is the sole representative for Tenovia at CLAWS. Tenovia is a small country and is therefore restrained in the selection of appropriate envoys to CLAWS.

31. On the return date of Ms. Desmond’s case on 3 July 2018, the Note Verbale of 11 June 2018 is tendered in the domestic court of Brolin. A letter to the domestic court from Brolin’s Ministry of Foreign Affairs confirms that notification of Ms. Desmond’s appointment was received by Brolin on 2 March 2018 and that Brolin did not respond to the notification. On behalf of Ms. Desmond, the domestic court hears evidence that her rental property, including its large garden, has been used regularly for official functions as part of Ms. Desmond’s position at CLAWS. Ms. Desmond’s landlord argues that Ms. Desmond was only appointed to CLAWS to defeat the claim for rental arrears and because Ms. Desmond is well connected in Tenovia. The court also hears evidence on behalf of the landlord that Ms. Desmond has no expertise in women’s sports and that she has never set foot inside CLAWS’ offices since her appointment.



32. Ultimately, the domestic court accepts the veracity of all the evidence before it. However the domestic court judge determines that Ms. Desmond cannot benefit from immunity in relation to the landlord's claim for rent, and furthermore that her appointment to CLAWS was an abuse of privileges and immunities. Ms. Desmond is ordered to pay the landlord \$18,500. There is no possibility of appeal in the Brolin domestic court system.

33. Ms. Desmond does not comply with the domestic court's order. On 3 August 2018, she receives a letter from Brolin's authorities stating that if she does not comply with the court's order by the end of August 2018 she will be subject to seizure and sale of her private property to the value of \$18,500.

34. On 28 August 2018, Tenovia institutes proceedings against Brolin before the International Court of Justice in respect of alleged violations of international law by Brolin. Tenovia requests the Court to adjudge and declare that:

- a) Brolin violated customary international law by the assault on Ms. Starman in Tenovian territory and by failing to apprehend Mr. Zunitte;
- b) Brolin violated its obligations under the International Convention on the Elimination of All Forms of Racial Discrimination (CERD) by its insistence that attendees at the great football game sign a declaration before being permitted to enter the stadium;
- c) Brolin violated, and continues to violate, its obligations towards Tenovia under Article 9 of the CLAWS Convention in relation to Ms. Desmond, Tenovia's national envoy accredited to CLAWS, by failing to recognize her immunity from all forms of legal process in Brolin.

35. Both Parties have made declarations under Article 36(2) of the Statute of the International Court of Justice, accepting the Court's jurisdiction. No question of jurisdiction or admissibility is raised by either Party.

36. Brolin and Tenovia have both ratified the CERD, the Vienna Convention on Diplomatic Relations (VCDR), the CLAWS Convention and the Vienna Convention on the Law of Treaties (VCLT) without any reservation.



## Review Reports

*Review Report by ELTE Law School, Hungary, Winner of the Final Round and The Award for the Best Oral Argumentation for the Respondent*

The Telders International Law Moot Court Competition changed our lives in more than one way. Firstly, as second year law students, we had no previous experience in or knowledge of international law. However, during the course of a few months, we were invested in it more than we would have ever imagined. We learnt to think critically and to not get dragged down by the idea of a single solution to a case. Secondly, we made new, important relationships with students and coaches all across Europe. We sincerely think that these acquaintances further our curiosity regarding the workings of international law and different systems of law and will be relevant later on in life.

Having organized the Friendly Round of the competition, we got a glimpse into what the actual competition would look like and how to manage the stressful situations for the first time. This was an important and somewhat risky step to take, but we got richer with a meaningful experience that prepared us for the real trial. The friends we made during this round stayed with us throughout the entirety of the competition which made the hardships easier for all of us.

The Final Round was something we had been imagining in our heads for months prior, and to take part in that scenario will forever be a crucial point in both our careers and our cherished memories. We are grateful for ELTE Law School and our teachers and coaches who gave us the motivation and the knowledge we needed to push through the tournament.

We cannot thank enough Leiden University and the TOO for organizing the Telders every year. We firmly believe that the competition is of immense importance for promoting high level of scholarship among law students, a very friendly environment for networking and last but not least the idea of rule of law in international relations.



*Review Report by Leiden University, The Netherlands, Finalist Team and Winner of the Max Huber Award for Best Overall Score, the Carnegie Foundation Award for Best Memorial on Behalf of the Respondent and the Award for the Best Oral Argumentation for the Applicant.*

This year, Leiden University's team for the 42nd Telders International Moot Court Competition comprised of Ms. Melina Antoniadis, Ms. Saskia Wolters, Mr. Matthew Herbert, and Mr. Jack Sproson. Pleading over the course of three days, we were able to surpass all of our prior expectations, ranking as both best applicant and respondent oralists in the semi-finals and, as runner-up finalists, going on to win the Max Huber Award for Highest Overall Score, the Carnegie Award for Best Respondent Memorial, and the award for Best Oral Argument on Behalf of the Applicant.

It goes without saying that achieving such results required dedication and hard work in good measure. For much of the year, numerous late nights were spent researching, writing and forensically proof reading in order to submit the best possible set of memorials. Later, countless hours were also spent pleading in front of our coaching team in an attempt to hone our oral argument.

Given that there was little to no prior mooted experience within the team, the learning curve in this regard was a steep one and it is a credit to our coaches - Ms. Ine Van Damme and Ms. Veronica Hassler Benn - that we were able to perform as we did. Indeed, especially in our early attempts to put together a convincing argument, the halls of Leiden University rang with countless interruptions to our pleadings, and it is only through facing the inevitable questions that followed that we were able to develop our knowledge of the relevant law, and the capacity to think on our feet to apply that law to the facts at hand. We are indebted to them both for the time and effort that they put in to the team despite their own busy schedules. Thanks must also go to the Telders Organising Office, whose hard work throughout the year resulted in a great competition which afforded all those lucky enough to compete an experience that I'm sure they will never forget. Participating in Telders this year took a lot of time and effort - perhaps more than any of us had anticipated.



## Review Reports

That said, it is also undeniable that it has made us better students, better lawyers, and given us life experiences that we would otherwise not have had the privilege to enjoy. In September 2018, the Leiden team first sat in a meeting room as relative strangers and in May 2019, we had the honour of walking out of the International Court of Justice as team mates and firm friends. We would recommend it to anyone who has the chance to participate.

*Review Report by Dimitrije Đukić, Winner of the Best Judge Award*

My passion for “mooting” was once again confirmed this year. As the curtains rolled on yet another Telders International Law Moot Court Competition, for the 42nd time, I felt honored and privileged for being able to participate as a judge in such a Competition. Although this was my 3rd year as a judge, my experiences with the Telders Moot go way back. Before being a judge, I was on the other side of the Leiden University court-room where I participated as a competitor and later as a coach for the Serbian team. Therefore, I can safely say that I saw and experienced Telders Competition from every possible angle (well... maybe not from every possible angle, since the organizing part of the Telders Moot is done by wonderful and very capable Ms. Mette Leons and her associates, so my perspective would be unnecessary) and ultimately became a part of the Telders community.

This year's Case raised different issues of Public International Law, such as: attribution of acts of private individuals to the State, exercising elements of governmental authority, conducts directed or controlled by States, ultra vires acts, breaches of international obligations that are part of a customary international law, violations of obligations under the International Convention on the Elimination of All Forms of Racial Dis-crimination, issues relating to immunity arising from fictional Convention and many more.

As a judge, I enjoy evaluating and testing student's knowledge of the International Law and use of the facts of the case, their ability to select the right arguments and to present them in a very limited time frame, as well as to answer some tricky questions raised by the judges (alright a lot of tricky questions). As a professional I always set the bar as high as possible, and this year, I must say, I was not disappointed!



Despite differences in approaches, students performed well and managed to deal with all the difficult issues and since I was also once a competitor in this Moot Court, I know how hard it is to present your arguments and simultaneously answer various questions in such a short period of time. As far as I'm concerned, everybody who managed to understand the difficult legal issues and to construct their arguments revolving around those issues achieved the goal of Telders Moot Court Competition. It's not just a phrase, indeed everyone who came to the Hague is a winner in my book, and the years will prove that to be true, as we will probably see some familiar faces in reputable international institutions and law firms in the future.

In the final round Leiden University faced ELTE Law School from Hungary. Even though many people may not know this fact, I had the privilege to be one of the judges who judged that very same round, but prior to the finals.

Namely, in the first round of the Competition, I judged Applicant team no. 7 vs. Respondent team no. 16, whom I later found to be Leiden and ELTE Law School, so I use this opportunity to once again congratulate both teams for entering the finals.

As an international Competition, Telders gathers both students and judges from different countries, cultures and legal systems. That is why it is very important that there are social events besides the formal one, where students, their coaches and judges can get to know each other and exchange various thoughts and contacts while having a few refreshing beverages along the way. Telders International Law Moot Competition indeed has those events and should be very proud of them, but it should also always try to make them even better! This year, and in previous years I met a lot of wonderful people and had a chance to reunite with my good friends, who are exceptional international lawyers, and whom I hope to see again in the future at this Competition. That is why I hope that I would be able to participate as a judge at the Telders International Law Moot for many years to come... if Organizers accept me, of course.









Discover the World at Leiden University



## Participating Teams

### **Bulgaria**

*Sofia University "St. Kliment Ohridski"*

Team coaches: Ms. Kameliya Aleksandrova Andonova  
Ms. Zlatina Ilinova Gadzheva

Team members: Ms. Vyara Tsvetelinova Hristova  
Mr. Miroslav Lazarov Yonov  
Ms. Dayana Emilova Zasheva  
Ms. Donika Nikolaeva Stavreva

### **Czech Republic**

*Palacky University Olomouc*

Team coaches: Mr. Ondřej Svaček  
Mr. Fodé Traoré

Team members: Mr. Vojtěch Bill  
Ms. Alena Vaňková  
Mr. Hazhar Jamali  
Ms. Tatyana Karhu

### **Denmark**

*University of Southern Denmark*

Team coaches: Dr. Ulrike Fleth-Barten  
Mr. Kristian Roloff Clausen  
Mr. Troels Falk Brøns-Poulsen

Team members: Mr. Martin Boisen  
Mr. Danny Johansen  
Mr. Elocho Swedi

### **England**

*The Honorable Society of the Inner Temple*

Team coach: Ms. Monica Oluwole

Team members: Ms. Ruby Jamieson  
Ms. Anastasia O'Brien  
Ms. Liberty Crawford

### **Estonia**

*University of Tartu*

Team coaches: Ms. Hanna Esko  
Ms. Gerda Raag

Team members: Ms. Maarja Tambet  
Mr. Jaanus Sildam  
Ms. Liis Võsa  
Mr. Markus Malm

### **Finland**

*University of Helsinki*

Team coaches: Mr. Ukri Soirila  
Ms. Outi Penttilä

Team members: Ms. Esther Osalenlen Adu  
Ms. Kaisa Hautala  
Ms. Jenni Saukkola  
Ms. Anniina Vazvan

## France

*Université Catholique de Lille*

Team coach: Ms. Marthe Riché  
Mr. Davide Zecca  
Team members: Ms. Dorine Nauleau  
Ms. Amandine Desmont  
Ms. Éline Gérard  
Mr. Théo Antunes

## Georgia I

*Ilia State University*

Team coach: Ms. Tinatin Goletiani  
Team members: Ms. Mariami Nozadze  
Ms. Ani Mukhigulashvili  
Ms. Mariam Orjonia

## Georgia II

*Ivane Javakhishvili Tbilisi State University*

Team coach: Ms. Nana Kruashvili  
Team members: Mr. Giorgi Tavartkiladze  
Ms. Mariam Asatiani  
Ms. Iza Samushia  
Ms. Nana Vekua

## Germany

*University of Cologne*

Team coach: Ms. Laura Hughes-Gerber  
Team members: Ms. Jasmina Benschmidt  
Mr. Eugen Esman  
Ms. Hannah Köbberling  
Ms. Amparo Sanz Segui

## Greece

*Demokritus University of Thrace*

Team coaches: Dr. Harikleia Aroni  
Ms. Chatzopoulou Despoina  
Ms. Aikaterini Koinaki  
Team members: Ms. Ermioni Pappa  
Mr. Konstantinos Avgitidis  
Mr. Ioannis Bamnios

## Hungary

*ELTE Law School*

Team coach: Ms. Barbara Bazanth  
Ms. Clio Mordivoglia  
Team members: Mr. Balázs Schultz  
Mr. Dávid Máté  
Ms. Dóra Balogh  
Ms. Franciska Tóth

## Participating Teams, continued

### **Ireland**

*Law Society of Ireland*

Team coach: Dr. Rachael Hession  
Team members: Ms. Doireann Nic Mhathúna  
Mr. Conor Califf  
Ms. Nonhlanhla Banda  
Mr. Conall Ennis

### **Leiden**

*Leiden University*

Team coaches: Ms. Ine Van Damme  
Ms. Verônica Hassler Benn  
Team members: Ms. Melina Antoniadis  
Ms. Saskia Wolters  
Mr. Matthew Herbert  
Mr. Jack Sproson

### **The Netherlands**

*The Hague University of Applied Sciences*

Team coach: Mr. Paul Garlick  
Team members: Ms. Fabienne Ufert  
Ms. Eden Shosanya  
Ms. Francesca Niamh Lavè  
Ms. Nasra Omar

### **Norway**

*University of Oslo*

Team coaches: Mr. Jørgen Sørgard Skjold  
Mr. Johann Ruben Leiss  
Team members: Ms. Ellen Bennin Brataas  
Ms. Margarita Stefanova Avramtcheva  
Mr. Mathias Antione Yves Gautier  
Mr. Frederik Andreas Stenstadvold

### **Romania**

*University of Bucharest*

Team coaches: Mr. Viorel Chiricioiu  
Ms. Elena Lazăr  
Team members: Ms. Alexandra-Ioana Badea  
Mr. Mihai Bădescu  
Ms. Renata-Adelina Ionescu  
Ms. Adina-Maria Radu

### **Scotland**

*University of Dundee*

Team coaches: Mr. Samuel White  
Ms. Charlotte White  
Mr. Conor Keir  
Team members: Mr. Asa Jordan  
Mr. Daniel Breerton  
Mr. David Durie  
Ms. Evana Ferguson

## **Spain**

*Universidad Internacional de La Rioja*

Team coach: Ms. Laura María Abia Losada  
Team members: Mr. Yegor Varela Álvarez  
Mr. Eduardo Merinas Higuera  
Mr. Ricardo Rodríguez Cobos

## **Ukraine**

*National University of Kyiv-Mohyla Academy*

Team coaches: Ms. Mariana Antonovych  
Ms. Mariia Stolbova  
Team members: Mr. Maksym Vishchyk  
Mr. Volodymyr Hryshko  
Ms. Tetiana Avdieieva

## **Switzerland**

*Graduate Institute of International and Development Studies*

Team coaches: Ms. Hiruni Alwishewa  
Ms. Giulia Raimondo  
Team members: Mr. Aref Shams  
Ms. Merle Jasper  
Mr. Daniel Ricardo Quiroga Villamarin  
Mr. Carlos Antonio Cruz Carrillo

## **Turkey**

*Maltepe University*

Team coach: Mr. Yıldıray Sak  
Team members: Ms. Özge Canatan  
Ms. Selen Gül Karakaş  
Mr. İlker Kagan Koç  
Mr. Barış Çelik

# Acknowledgements



Grotius Centre  
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Legal Studies



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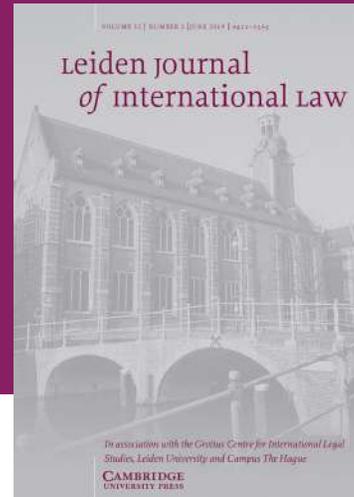
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## **Germany**

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## **Netherlands**

Erasmus University College

## **Poland**

University of Wrocław

## **Romania**

West University of Timișoara

## **Ukraine**

Ivan Franko National University of Lviv, Law Faculty

National University “Odessa Law Academy”

Taras Shevchenko National University of Kyiv (Law Faculty)

Yaroslav Mudryi National Law University

Kyiv International University

# Friendly Rounds 2019

During the Friendly, all teams were very satisfied with the rounds as well as the social programs. We had 18 judges from Hungary and Austria judging the preliminary rounds where each team had two rounds as applicant and two rounds as respondent. Based on the preliminary results, the teams from France and Hungary advanced to the final round presided by Dr. Zsófia Deli, Associate at DLA Piper Hungary, and former participant and coach of past ELTE Telders teams, and further judged by Mr. Fritz Kainz and Mr. Christopher Wakley, two colleagues from the University of Vienna.

The winner of the Friendly was Lille Catholic University from France, and the best oralist of the final round was Ms. Dorine Nauleau from the Lille Catholic University.

During the Friendly, the teams had a dinner organized at BorLaBor restaurant in the heart of Budapest, where they spent the evening getting to know each other - and also Hungarian cuisine. On Friday, after the final round there was an award ceremony with a reception. Here the winning team and the best oralist received their awards from the final bench. Afterwards, in the evening, we organized a cruise trip on the river Danube where teams spent the evening socializing while cruising on the river with an evening panorama of the river bank.

## Teams:

Bulgaria  
Sofia University

Finland  
University of Helsinki

Hungary  
Eötvös Loránd University

Denmark  
University of Southern Denmark

France  
Lille Catholic University

Scotland  
University of Dundee

Spain  
International University of La Rioja



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### **Czech Republic**

Law Faculty of Palacky University in Olomouc

### **Denmark**

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The Honourable Society of the Inner Temple

### **Finland**

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University of Helsinki Faculty of Law

### **Georgia I**

Ilia State University

### **Germany**

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### **Hungary**

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Eötvös Loránd University Talent Support Council

Ministry of Justice, Hungary

Eötvös Loránd University Faculty of Law Student’s Union

(ELTE ÁJK HÖK)

### **Ireland**

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Mason Hayes and Curran

Flynn O’Driscoll

Gleeson McGrath Baldwin

### **Norway**

The University of Oslo

### **Romania**

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The Embassy of Romania to the Kingdom of the Netherlands

### **Scotland**

The Faculty of Advocates

The Clark Foundation for Legal Education

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### **Turkey**

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Prof. Yoshifumi Tanaka, University of Copenhagen  
Ms. Sophio Tsakadze, Council of Europe  
Mr. Onisime Tskhomelidze, International Committee of the Red Cross  
Dr. René Värk, University of Tartu  
Ms. Kseniya Viaselskaya, Belarus Red Cross Society  
Prof. Gentian Zyberi, Norwegian Centre for Human Rights



## Judges Semi-Finals

*The Judges who participate 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.*

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Ms. Anja Blank, University of Helsinki

Ms. Florentine de Boer, Ministry of Defense

Ms. Beata Bolyova, NATO

Ms. Rose Cameron, International Court of Justice

Ms. Axelle Cartier, Joint Aviation Authorities - Training Organisation

Prof. Pétur Dam Leifsson, University of Iceland & Reykjavik District Court

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Mr. Karim Eshragh, Legal Advisor

Ms. Nina Franco, Omron Management Center Europe

Ms. Leyla Gayibova, University of Amsterdam

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Ms. Vivian van der Kuil, AKD Transport and Energy  
Ms. Beatrice Walton, International Court of Justice  
Prof. Mia Wouters, GDS Advocaten & University of Ghent



## Winners and Awards

### *The Winner of the Final Round*

ELTE Law School, Hungary

### *The Finalist Team Award*

Leiden University, the Netherlands

### *The Max Huber Award for Best Overall Score*

Leiden University, the Netherlands

### *The Carnegie Foundation Award for Best Memorial on Behalf of the Applicant*

The University of Cologne, Germany

### *The Carnegie Foundation Award for Best Memorial on Behalf of the Respondent*

Leiden University, the Netherlands

### *The Award for the Best Oral Argumentation for the Applicant*

Leiden University, the Netherlands

### *The Award for the Best Oral Argumentation for the Respondent*

ELTE Law School, Hungary

### *The Best Oralist Award*

Ms. Franciska Tóth, ELTE Law School, Hungary

### *The Runner-Up Best Oralist Award*

Mr. David Durie, University of Dundee, Scotland

### *The Best Judge Award*

Mr. Dimitrije Đukić



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Leiden Law School, Leiden University  
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