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The European Law Students' Association



COUNCIL OF EUROPE  
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European  
human rights  
**moot court**  
competition

# final report

European Human Rights  
Moot Court Competition

Organised by the European Law Students'  
Association in cooperation with the Council of Europe

sponsors



An Roinn Gnóthaí Eachtracha agus Trádála  
Department of Foreign Affairs and Trade

European  
Human  
Rights  
Association

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COUNCIL OF EUROPE  
Andorra Chairmanship



Permanent Representation  
of the Republic of Poland  
to the OECD

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## 1. Foreword

Dear Reader,

The idea of developing a new competition in the field of Human Rights together with the Council of Europe was born a long time ago. After negotiations and long preparations, in 2011 it was finally decided to start the project “the European Human Rights Moot Court Competition”, organized by ELSA in cooperation with the Council of Europe. Even though ELSA has a long-standing experience with organising Moot Courts, it still took some time to start the competition from scratch. A Case Author, Judges, a timeline and participants had to be found. ELSA started a big promotion campaign among its Network in an early stage. After the registration deadline was closed in October 2012, we could reach the enormous amount of 120 teams from more than 31 countries which was a big success for the competition. After establishing the contact with the European Human Rights Association, many Jury Members could be recruited in order to score and overview around 150 written submissions. I would like to thank the numerous Jury Members for scoring the written submissions and acting as Judges during the oral pleadings.

Finally, in mid-January the best 16 teams were chosen. What made me very proud was the fact that we had 16 teams from 13 different countries, which shows that students all over Europe are eager to put their time and effort into researching in the field of Human Rights.

The Council of Europe was a huge support and outmost help in organising the first edition. Namely Ms Barbara Orkwiszewska, Ms Sophie Lobey and Ms Edith Lejard have been helping me with every little detail and every request. Thank you for all your help!

When organising an event for the first time, usually possible sponsors and supporters are cautious with stepping in. However, the Irish Representation, the Polish Representation and the Andorra Representation to the Council of Europe were still eager to provide us with support in any kind. I would like thank them for their contribution and believe in the competition!

Lastly, I would like to thank my wonderful Organising Committee. Without their sleepless nights and huge support this competition would not have been possible! Thank you!

I have been delighted by the enthusiasm, the nice feedback and nice gestures from the Jury and the teams. It was a pleasure to work together with all of you to strengthen the understanding in human rights and to educate young lawyers in this particular field of law.

Even though the first edition is over now, the preparations for the second edition have already been started! I am happy that I could be part of this unique project and thus, realise the purpose of our association: “A just world in which there is respect for human dignity and cultural diversity.”

Kind regards,



**Corinna Mückenheim**

Vice President for Moot Court Competitions  
ELSA International 2012/2013

## 2. Overview of the competition

The very first edition of the Human Rights Moot Court was launched on the 15<sup>th</sup> of July 2012. The clarification questions from the teams to the case have been launched in September and the team registration was open until October. The competition was twofold – firstly, there is a Europe-wide written phase in which the teams had to send in written submissions for the applicant and the respondent. Out of the written submissions the best 16 teams were chosen by Human Rights experts assessing them. From the 24<sup>th</sup> to the 28<sup>th</sup> of February 2013, those 16 teams were invited to participate in the Final Round taking place at the European Court of Human Rights in Strasbourg, France. The teams had to plead on both sides of the case and the best 4 teams advanced to the Semi-Finals.

The competition was strongly supported by the Council of Europe, namely Ms Barbara Orkwiszewska, Ms Sophie Lobey and Ms Edith Lejard.

The Case, written by Prof. Den Exter from the Erasmus Observatory on Health Law in Rotterdam, the Netherlands, was dealing with the sterilization of HIV infected women after giving birth in the country Orosia. Though being a fictitious case, the core of the case was based on real cases happening all over the world.

The case and all other important documents of the first edition can be found and downloaded on our website [www.humanrightsmootcourt.org](http://www.humanrightsmootcourt.org).

### 3. The Written Rounds

In order to qualify for the Final Round in Strasbourg at the European Court of Human Rights, the teams had to send in Written Submissions for both sides of the case: the applicant and the respondent. The Jury, consisting of Human Rights experts from all over Europe, was assessing those Written Submissions from December to January in order to find the best teams out of the 120 registrations. Each team was assessed by two Jury members. Finally, in the middle of January, the Jury had made their decision and the best 16 teams were chosen.

The following tabula indicates the scores for each team and thus, the ranking. The Overall Score is calculated as follows: scores applicant + scores respondent – penalty points/two Jury members. The highest possible score to reach was 40 points, the lowest 0.

Team Number	Scores Applicant	Scores Respondent	Overall Score
084	37.5	35.25	36.375
057	36.25	33.25	34.75
106	30.25	38.5	34.375
039	34.75	32.5	33.625
033	38.75	27.25	33
118	31.5	33.625	32.375
063	33.75	31.75	32.75

<b>053</b>	25.75	38	31.875
<b>113</b>	28.75	34	31.375
<b>017</b>	28.5	33.5	31
<b>022</b>	27.25	34.25	30.75
<b>115</b>	30.5	30.75	30.625
<b>094</b>	31.5	29.5	30.5
<b>029</b>	29	30.5	29.75
<b>098</b>	24	34.5	29.25
<b>074</b>	28.5	29.75	29.125
<b>024</b>	31.25	25.75	29
<b>004</b>	35	22.75	28.875
<b>047</b>	32.75	25	28.875
<b>051</b>	31.25	25.5	28.375
<b>048</b>	30.25	26.5	28.25

<b>081</b>	23	32.75	27.875
<b>011</b>	31	24	27.5
<b>067</b>	25.75	29	27.375
<b>040</b>	25	29.25	27.125
<b>051</b>	31.25	25.5	27
<b>037</b>	26.25	27.5	26.875
<b>078</b>	33.25	19.75	26.5
<b>058</b>	21.5	31	26.25
<b>071</b>	19.25	32.75	26
<b>068</b>	25.25	26.5	26
<b>079</b>	19.75	31.75	25.75
<b>036</b>	27.25	23.25	25.25
<b>112</b>	30.25	20	25.125
<b>107</b>	26	24.25	25.125



<b>010</b>	28.25	21	24.625
<b>042</b>	29	19.75	24.375
<b>005</b>	27	21.25	24.125
<b>044</b>	33.75	14.5	24.125
<b>019</b>	21.5	24.25	22.875
<b>105</b>	21	24.25	22.625
<b>014</b>	15.25	29.5	22.375
<b>046</b>	13	30.5	21.75
<b>043</b>	23.5	20	21.75
<b>059</b>	25.5	16.5	21
<b>030</b>	31	11	21
<b>015</b>	19	20.5	19.75
<b>101</b>	25.5	11.75	18.625
<b>089</b>	18.75	17.75	18.25

<b>077</b>	16.75	18	17.375
<b>104</b>	19.25	15.5	17.375
<b>006</b>	24	10.75	17.375
<b>097</b>	20	14.5	17.25
<b>096</b>	13.25	20.5	16.875
<b>083</b>	21.75	9.5	15.625
<b>111</b>	9.5	21	15.25
<b>100</b>	16.5	14	15.25
<b>087</b>	17	13.25	15.125
<b>062</b>	10	19	14.5
<b>072</b>	19.5	9.5	14.5
<b>108</b>	16.5	12	14.25
<b>070</b>	16.5	11.25	13.875
<b>088</b>	23.75	4	13.875

<b>050</b>	14.5	12.5	13.5
<b>018</b>	13.5	11.5	12.375
<b>002</b>	12.75	11.5	12.125
<b>119</b>	13	10.25	11.625
<b>114</b>	12	11	11.5
<b>064</b>	12.5	10	11.25
<b>031</b>	12.25	7	9.625
<b>095</b>	11.75	7	9.375
<b>093</b>	10.5	7.5	9
<b>085</b>	11	5.5	8.25
<b>086</b>	5.5	11	8.25
<b>055</b>	11.5	2.5	7
<b>061</b>	3.75	3.5	2.625

## 4. The Final Round

The best 16 teams chosen out of 120 registered teams had the unique opportunity to come to Strasbourg, France, and plead at the European Court of Human Rights from the 24<sup>th</sup> to the 28<sup>th</sup> of February 2013.

On the 25<sup>th</sup> and 26<sup>th</sup> of February, the teams had to plead on both sides in the Preliminary Rounds. In each pleading three Jury Members were present. Out of all the given scores, the best four teams were announced during a boat tour on the river in Strasbourg and invited to participate in the Semi-Finals on the 27<sup>th</sup>. After long deliberations of the Jury, the Finalists, Trinity College Dublin Ireland and University of Essex UK, have been chosen. In front of a Jury consisting of nine Judges, the teams were pleading in the Salle d'Audiences, the biggest hearing room in the Court. During the Award Ceremony on the 27<sup>th</sup>, the winners, runner-up, best orator and best written submission were awarded.

The following tabula shows the ranking of the teams after the first two preliminary rounds. The scores of the Written Submissions did not count, only the ones obtained during the oral pleadings.

### 4.1 The Preliminary Rounds

In each preliminary pleading 3 Judges assessed the teams and thus, the scores are calculated as follows: scores applicant / 3 + scores respondent / 3 / 2 for the overall scores.

Team	University	Scores Applicant	Scores Respondent	Overall Scores
084	Trinity College Dublin, Ireland	34.08333	35.5	34.79166
118	University of Essex, the UK	31.5	34.4166	32.958333
106	National and Kapodistrian University of Athens, Greece	31.5833	34.25	32.9166

<b>033</b>	Nicolaus Copernicus University Torun, Poland	31.5	31.33	31.4166
<b>074</b>	University of Warsaw, Poland	31.4166	28.5	29.95833
<b>063</b>	University of Nis, Serbia	25.75	33.025	29.3875
<b>017</b>	The Charles University of Prague, Czech Republic	27.66	28.5833	28.125
<b>053</b>	West University of Timisoara, Romania	20.833	33.75	27.29166
<b>098</b>	University of Warwick, the UK	29	22.5	25.75
<b>039</b>	University of Novi Sad, Serbia	22.5	28.5	
<b>029</b>	Université Paris 2 Panthéon- Assass, France	28	19.9166	23.95833
<b>094</b>	University of Helsinki, Finland	26.166	21.4166	23.79166
<b>057</b>	Tartu University, Estonia	28.4166	14.75	21.5833
<b>115</b>	National University of "Kyiv- Mohyla Academy", Ukraine	22.333	18.4166	20.375
<b>113</b>	Fatih University Istanbul, Turkey	25.3375	14.0833	19.7104
<b>022</b>	Tbilisi State University, Georgia	19.33	11.0833	15.20833

#### 4.2 Semi-Final 1

<b>Team</b>	<b>University</b>	<b>Role</b>	<b>Scores</b>
084	Trinity College Dublin, Ireland	Respondent	30.5
106	National and Kapodistrian University Athens,	Applicant	24.25

	Greece		
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#### 4.3 Semi-Final 2

Team	University	Role	Scores
118	University of Essex, the UK	Applicant	35.5
033	Nicolaus Copernicus University Torun, Poland	Respondent	32

#### 4.4 Grand Final

- **Winner** - Team 084 Trinity College Dublin, Ireland
- **Runner-up** - Team 118 University of Essex, the UK

#### 4.5 Individual orator scores

Team	Name	Scores
033	Joanna Kisielinska	23.5
106	Alexandra Ziaka	19.144
033	Konrad Kamil Gortad	18.3916
118	Anne-Katrin Speck	16.8795
118	Doriane Hardy	16.833
084	Rian Derrig	16.755
084	Hannah Hassell	15.398
118	Nadine Nisrin Daroische	15.077
084	Eileen Scollan	15.033
106	Vassiliki Vlontzou	13.0527

118	Ha Le Phan	12.5832
084	Laura Twomey	12.5177
074	Dominka Jedrzejczyk	10.111
053	Alexandra Bioc	9.777
074	Laura Mazur	9.4166
074	Marcin Alberski	8.9027
029	Daria Popescu	8.3611
053	Corin Suta	7.88
029	Isabelle Lemoyene de Forges	7.5
113	Yusuf Mansur Özer	7.2638
115	Hanna Tereshko	6.6805
113	Tugrul Inci	6.4305
063	Milica Todorovic	5.7361
106	Eleni Theodoropoulou	5.625
017	Vladimir Pysk	5.7361
063	Ivana Stankovic	5.375
098	Menaal Safi	5.375
017	Vojtech Bartos	5.0277
039	Sonja Guzina	5
017	Petr Kolban	4.6805
039	Milana Basta	4.611
057	Kadri Reidla	4.5416
063	Milena Stojanovic	4.5416
039	Marija Milojkovic	4.5138
057	Marion Kallakas	4.111
063	Jelena Zivkovic	4.0833

094	Jenni Hiltunen	4.0138
039	Luka Bosnjak	3.861
115	Tetiana Levkovets	3.638
115	Iuliia Anosova	2.9194
022	Giga Gigashvili	2.861
057	Andres Namm	2.527
022	Mariam Bakradze	2.361
057	Helina Aab	2.2638
022	Saba Pipia	2.1388

#### *4.6 Best written submission and best orator*

- **Best Written Submission** – Trinity College Dublin, Ireland
- **Best Orator** – Joanna Kisielinska, Torun University, Poland



## 5. The Jury

The Jury of the Final Round consisted of experts in the field of Human Rights from various areas. I would like to thank the Jury for their passion, enthusiasm, time and mostly for sharing their experience and knowledge!

- Nina Vajic – former Judge at the European Court of Human Rights
- Hans-Christian Krüger – former Deputy Secretary General of the Council of Europe
- Johannes Silvis – Judge at the European Court of Human Rights
- Andrew Drzemczewski – Head of the Legal Affairs and Human Rights Department of the Council of Europe
- Stephan Rutkovski – Deputy Permanent Representative of Austria
- Victoria Prais – Scottish Human Rights Institute
- Elisabeth Lambert – Abdelgawad Lawyer, University of Strasbourg
- Nicol Hlavacikova – Lawyer, European Court of Human Rights
- Urszula Gacek – Ambassador of the Polish Representation to the Council of Europe
- Mamuka Jgenti – Ambassador of the Permanent Representation of Georgia to the Council of Europe
- Carl-Henrik Ehrenkrona – Ambassador of the Permanent Representation of Sweden to the Council of Europe
- Andreu Jordi – Deputy Permanent Representative of Andorra to the Council of Europe
- Simon Palmer – European Human Rights Association
- Lucja Miara – European Human Rights Association
- Ana-Maria Telbis – European Human Rights Association
- Stefan Sirbu – European Human Rights Association
- Rimante Tamulyte – European Human Rights Association
- Ulrike Grieshofer – European Human Rights Association
- Katarzyna Sekowska – oznan Human Rights Centre Kozłowska
- Dr Aleksandra Mezykowska – Government Co-Agent of Poland before the European Court of Human Rights, Ministry of Foreign Affairs of Poland

- Paul Harvey – Lawyer, European Court of Human Rights
- Michelle Lafferty – Lawyer, European Court of Human Rights
- Tatyana Sveshnikova – Lawyer, European Court of Human Rights
- Kristaps Tamuzs – Lawyer, European Court of Human Rights
- Pamela McCormick – Lawyer, European Court of Human Rights

We also would like to thank the Members of the Jury who could not attend the Final Round but who was scoring the enormous amount of written submissions:

- Zuzana Vargova – European Human Rights Association
- Slavica Chubric – European Human Rights Association
- Irina Chepaykina – European Human Rights Association
- Dominika Bychawska – European Human Rights Association
- Zuzana Kovalova – European Human Rights Association
- Dagmara Albrecht – European Human Rights Association
- Tomasz Kodrzycki – European Human Rights Association
- Magdalena Gilberg – European Human Rights Association
- Matylda Pogorzelska – European Human Rights Association
- Natalia Kobylarz – European Human Rights Association
- Aleksandra Ivankovic Tamamovic – European Human Rights Association
- Leto Cariolou – European Human Rights Association
- Gayane Nuridzhanyan – European Human Rights Association
- Ms Justyna Chrzanowska – Government Agent of Poland before the European Court of Human Rights, Ministry of Foreign Affairs Poland
- Kate Jones – Deputy Permanent Representative of the United Kingdom to the Council of Europe
- Prof. Philip Leach – Professor of Human Rights at the London Metropolitan University, UK
- Peter Wille – Permanent Representative of Norway to the Council of Europe
- Prof. Susan Millns – Professor of Law at the University of Sussex, UK

## 6. The Organising Committee

Without the hard work of the Organising Committee before and during the competition itself, the Moot Court Competition would not have taken place. I would like say a big thank you to the following Members of ELSA and the International Board:

- Bartosz Balewski
- Anette Aav
- Alpo Olavi Lahtinen
- Vasco Silva
- Dena Dervanovic
- Federica Toscano
- Anders Liljeberg
- Nevin Alija
- Daniel Patino
- Dainis Pudelis
- Paula Kuurne
- Farzaneh Shakeri