The International Criminal Court (ICC) Moot Competition is the largest moot competition dedicated to international criminal law. Each year, teams from around the world compete in national or regional rounds before advancing to the international round in The Hague.

Tryouts for the International Criminal Court (ICC) moot team will be held virtually on September 21-22, 2021. The team will compete in the Regional Round of the Americas at Pace University in White Plains, New York on March 12-13, 2022, to qualify for a spot in the international round.

To apply for the ICC moot team, please send an expression of interest by September 20 at 9:00 am to co-coach Ashley Geerts at ashleymgeerts@gmail.com. All interested candidates will receive an email to sign up for a specific time slot.

On the day of your tryout, please provide a single PDF file by email containing your cover letter, resume, law school transcript, and a writing sample (2 pages max). Be prepared to discuss your exposure to, and interest in, international criminal law.

The tryout will be based on the below problem.

We look forward to meeting you at the tryouts.

Ashley Geerts & Amanda Ghahremani
Co-Coaches of the uOttawa ICC Moot Team

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2021-22 International Criminal Court Moot Tryout Problem

General Goodrider is a national of Wessos, where he has held the position of Minister of Defence for the past eleven years. He has budgetary and command authority over all agencies and functions of the government relating to national security, armed forces, and police. Goodrider is the second most powerful official in Wessos, with substantial autonomy in his sphere of authority.

Wessos and Eassos are adjacent to one another. They have a strained relationship; the boundary between them is disputed and the Bloody Mountain range, a porous border area, is the site of frequent contraband smuggling from Eassos to Wessos, refugee migration from Wessos to Eassos, and sporadic fights.

In summer 2019, Wessos was hit hard by H5N8 Avian Influenza. While only animals were infected, Goodrider was concerned the virus would jump to humans. He authorized Dr. Rayder to commence a vaccine development program and understood the first step was developing a mutation that could infect humans through airborne transmission. Dr. Rayder requested funding for lab upgrades to reduce the high risk the virus could escape into the Wessos population. Goodrider declined to provide additional funding.

The vaccine program progressed efficiently. However, Dr. Rayder reported to Goodrider in February 2020 that two scientists were ill and, though self-quarantining, had travelled to their homes in the Bloody Mountain range on a crowded bus, potentially exposing dozens. On March 1, the two scientists died from respiratory failure and more scientists were sick. The next day, Goodrider convened an
emergency meeting with the Wessos National Security Council. Leaked meeting minutes show Goodrider deliberated with officials and decided to keep the virus’ accidental leak a secret to avoid panic. Necessary steps were taken to contain the spread, including clean-up of bodies, forced quarantine for sick persons, and a ban on international flights out of Wessos. These measures effectively halted the outbreak’s spread in Wessos.

In April 2020, the World Health Organization (“WHO”) reported that Goodrider’s actions contained the outbreak in Wessos but, during the previous month, Eassos experienced cases of a deadly mutated strain of H5N8 Avian Influenza that infected both animals and humans. By mid-April, 250,000 Eassos residents had died from a mutated version of H5N8 Avian Influenza. Eassos referred the matter to the ICC.

The ICC Prosecutor determined there was a reasonable basis to proceed with an investigation into whether Goodrider was responsible for “other inhumane acts” in Eassos under Article 7(1)(k) of the Rome Statute. The Defendant, Goodrider, argued the allegations do not make out a cognizable “other inhumane act” that constitutes a crime against humanity.

On September 1, 2020, the Pre-Trial Chamber heard submissions on the Confirmation of Charges and objections raised by the Defendant. The Pre-Trial Chamber concluded the WHO Report, emails, and meeting minutes, together with evidence of serious injury to victims in Eassos, constitute sufficient evidence to provide substantial grounds to believe the Defendant ordered the commission of “other inhumane acts” as a crime against humanity under Article 7(1)(k). The Defendant appeals this decision.

Tryout Question

Please prepare a five-minute argument, from the perspective of the Defendant or the ICC Prosecutor, on the following question: Do General Goodrider’s actions, which resulted in the spread of a deadly virus, constitute an “other inhumane act” under Article 7(1)(k) of the Rome Statute?

Here is a link to point you in the right direction: https://www.icc-cpi.int/resource-library/Pages/core-legal-texts.aspx.