

## Start-up Moot Court (B001681)

**Course size** *(nominal values; actual values may depend on programme)*

**Credits 6.0**

**Study time 180 h**

**Course offerings and teaching methods in academic year 2023-2024**

A (Year)

Dutch, English

Gent

group work

independent work

seminar

peer teaching

**Lecturers in academic year 2023-2024**

Desmet, Ellen

RE22

lecturer-in-charge

**Offered in the following programmes in 2023-2024**

[Master of Laws in Laws](#)

**crdts**

**offering**

6

A

[Exchange Programme in Law](#)

6

A

**Teaching languages**

English, Dutch

**Keywords**

This year, the module will only be offered on migration law

**Position of the course**

This course covers moot courts in different areas of law.

In the current academic year only the module related to migration law is offered, in preparation for participation in the **International Migration and Refugee Law Moot Court Competition**.

This subject offers students the opportunity to deepen their knowledge in the field of asylum and migration law. Moreover, they will sharpen their analytical, writing, presentation and pleading skills. The moot court consists of a written round and an oral round. A particularly challenging feature of this moot court competition is that the case evolves throughout the competition, with new elements being added in the semi-finals and finals. The competition is open to teams from all over the world, and therefore focuses on the international legal frameworks of migration law.

This course unit builds on the following master courses: 'European and international migration law and policy', 'Migration law', and 'Legal clinic: human rights and migration law'

**Contents**

- Identify the legal issues in the given (fictitious) case, from the perspective of international migration law and human rights
- Analyse these legal issues, based on a thorough study of applicable international law, as well as relevant case law and legal doctrine
- Research and apply country of origin information to the case
- Draft written pleadings, one for the applicant and one for the defendant
- Participate in intensive pleading practice sessions, in preparation for possible participation in the oral round.
- Plead the case in the oral round. If the team is not selected for the oral round, an additional fictitious pleading session is organised within the faculty, e.g., in the presence of the students of the 'European and international migration law and policy' course unit

**Initial competences**

- Basic knowledge of (international) migration law
- Basic knowledge of human rights
- Good oral and written language skills in English

- Willingness to cooperate with fellow students

### Final competences

- 1 Having thorough knowledge and understanding of the importance and operation of (international) migration law
- 2 Ability to analyse a complex legal case related to migration law
- 3 Ability to find and to analyse critically and apply legal and other relevant sources to concrete cases
- 4 Organising and conducting research independently and in teams
- 5 Reflecting in a nuanced and critical way on current challenges and evolutions within (international) migration law
- 6 Collaborate with team members with the aim of developing common, original sound legal positions
- 7 Presenting convincingly a legally sound position in writing in an international context
- 8 Presenting persuasively a legally sound position orally in an international context
- 9 Being able to adopt a diversity-sensitive stance in discussions around asylum and migration (law)

### Conditions for credit contract

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

### Conditions for exam contract

This course unit cannot be taken via an exam contract

### Teaching methods

Group work, Seminar, Independent work, Peer teaching

### Extra information on the teaching methods

Students study independently the issues of (international) migration law relevant to the case study. Each of the students is responsible for the content of one or more legal questions from the case study, after which the different students provide constructive feedback on each other's work. The students work together to integrate the written and oral pleadings into one well-structured written pleadings of high quality.

The moot court competition in the 2023-2024 academic year is organised by the University of Antwerp. Participation in the moot court is free of charge. In principle, students are responsible for any transport costs

### Learning materials and price

The learning material consists of the information provided by the organising university, supplemented by cases from previous editions of the moot court competition. Students can draw on all available resources in the faculty and university library

### References

- Chetail, V. (2019). *International Migration Law*. Oxford: Oxford University Press.
- Chetail, V., & Bauloz, C. (Eds.). (2014). *Research Handbook on International Law and Migration*. Cheltenham, UK; Northampton, USA: Edward Elgar Publishing.
- Costello, C., Foster, M. and McAdam, J. (2021). *The Oxford Handbook of International Refugee Law*. Oxford University Press.
- de Haas, H., Natter, K., & Vezzoli, S. (2016). Growing Restrictiveness or Changing Selection? The Nature and Evolution of Migration Policies. *International Migration Review*, 1-44. doi: 10.1111/imre.12288.
- Dembour, M.-B. (2015). *When Humans become Migrants. Study of the European Court of Human Rights with an Inter-American Counterpoint*. Oxford: Oxford University Press.
- Hathaway, J. C., & Foster, M. (2014). *The Law of Refugee Status*. Cambridge: Cambridge University Press.
- Hathaway, J.C. (2021). *The Rights of Refugees under International Law*. Cambridge: Cambridge University Press.
- Vermeulen, G. & Desmet, E. (2023). *Essential texts on European and international asylum and migration law*. Oud-Turnhout: Gompel&Svacina.

### Course content-related study coaching

The lecturer and moot court coaches will provide intensive coaching, through the provision of pleading exercises and other relevant guidance.

### Assessment moments

continuous assessment

**Examination methods in case of periodic assessment during the first examination period**

**Examination methods in case of periodic assessment during the second examination period**

**Examination methods in case of permanent assessment**

Skills test, Participation, Assignment

**Possibilities of retake in case of permanent assessment**

examination during the second examination period is possible in modified form

**Extra information on the examination methods**

Evaluation is based on three elements:

- 1 The written skills and performance (quality and structure of the written pleadings and other possible assignments)
- 2 The oral skills and performance (quality and structure of the oral pleadings, body language, use of voice, general attitude)
- 3 Process evaluation (general participation, motivation and learning attitude; ability to work independently and teamwork; punctuality; communication skills; adopting a constructive attitude; strengthen team spirit)

The evaluation is individual.

**Calculation of the examination mark**

- Written pleadings: 50%
- Oral pleadings: 30%
- Process evaluation/general participation: 20%