

THE TELDERS INTERNATIONAL LAW MOOT COURT COMPETITION, 1977–2009

The first Telders Competition was organized in 1977 on the occasion of the thirtieth anniversary of the founding of the Telders International Law Students Debating Society. Due to its success the Competition has been held annually ever since at the Peace Palace in The Hague. Nowadays it is considered to be the most prestigious and important international moot court in Europe. Teams from over forty European universities compete in national rounds, with the successful teams participating in the international rounds held in April in The Hague.

The main objective of the Competition is to stimulate students to excel in international law. Participating students are educated in legal practice and principles such as the rule of law, civil society, and fair play. It is a unique opportunity for the students to enhance personal skills and to encourage teamwork and European integration.

In the Telders International Law Moot Court Competition student teams are presented with a fictitious case between two states. This dispute is put before the United Nations' principal legal organ, the International Court of Justice (ICJ). Each student team has to represent the states in a substantial manner both in writing and through oral pleadings before moot courts. These memorials and pleadings are judged by legal experts including judges from the International Court of Justice and the Iran–United States Claims Tribunal. The active involvement of such highly qualified professionals ensures the high standard of the Competition.

Professor Dr Benjamin Telders, after whom the Competition is famously named, became a professor extraordinarius of international law at Leiden University in 1931 at the age of 28. He was respected for his sharp mind and had the honour to represent the Netherlands frequently, including before the Permanent Court of International Justice. During the Second World War, Professor Telders stood up for his belief in the rule of law and civil society. Even four and a half years' imprisonment did not break him morally or mentally, but made him more determined. He continued to write about international law, using a small pencil and matchsticks. Professor Telders died in the Bergen-Belsen concentration camp, nine days before its liberation in April 1945.

Throughout its existence the Telders Competition has enjoyed the support of several prominent members of the ICJ and the international legal world. Former chairs of the Supervisory Board of the Competition include the late Judge C.-A. Fleischhauer, Judge Stephen M. Schwebel (ICJ), and Judge Gilbert Guillaume (former

president, ICJ). The current chair is Judge Bengt Broms (Iran–United States Claims Tribunal).

The 32nd round of the Competition will be held at the Peace Palace, The Hague, on 16–18 April 2009. The Telders Organizing Office at the Grotius Centre for International Legal Studies (Campus The Hague/Leiden University) is responsible for its organization.

If you require any additional information please visit our website at www.grotiuscentre.org (click on ‘Telders Moot Court’).

The Telders International Law Moot Court Case 2009: *The Mare Liberum Case (Rosmarus v. Urusus)**

This case concerns a claim for damages by the State of Rosmarus following an accidental explosion and leak at an offshore oil rig operated by the State of Urusus and the seizure of an Urusus-flagged fishing vessel by the State of Rosmarus. It involves issues of public international law, including the law of the sea, the law of treaties, and international environmental law.

1. Urusus and Rosmarus are neighbouring coastal States, facing the Grotius Sea (refer to the attached map). The sea incorporates large tracts of ice, which stretch to the North Pole. Until recently, the sea was frozen for most of the year, making it largely non-navigable. However, with the onset of climate change, a greater amount of this ice is melting and for a longer period of time each year, making parts of the Grotius Sea navigable for several months each year.
2. The Grotius Sea is also home to several valuable fish stocks, including certain species of cod and pollack. Throughout the year, with changes in the temperature and salinity of the seawater and access to nutrients, and in line with their own breeding habits, these stocks migrate. The stocks move in both a longitudinal and latitudinal direction, including from the territorial waters of Urusus and Rosmarus to the waters beyond. Historically, there was heavy commercial fishing of these stocks by both States in the very southern part of the Grotius Sea only because of the difficulty of navigating the ice in the rest of the Grotius Sea.
3. In 1962, Urusus and Rosmarus concluded a Treaty of Friendship and Cooperation in Fishing Matters. Article 1 provides that the States ‘decide to found the relations between their two countries on equality, mutual respect and peace’; Article 2 declares the objective of fostering co-operation in promoting the development of each State’s fishing and industrial activities. Under this bilateral treaty, the two States agreed to share data on fish catches, as well as data on stock populations. They also agreed that the use of certain trawl nets and other fishing

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