



Instruction for preparing Claimant/Defendant Statements

Statements

1. Each participating team must prepare a written Statement for both sides: one for Claimant and one for Defendant.

Format of Statements

2. Statements must be in Microsoft Word format and have a .doc or .docx file extension, must be presented 1,5-spaced throughout (text) with generous margins.
3. The font and size of the text of all parts of the Statements must be in a good sized font. For instance: Times New Roman 12; Garamond 12; Calibri 11, etc. In any case each Statement – for Claimant and for Defendant - should not exceed 12.000 words, including footnotes.
4. Headings and sub-headings throughout the Statements are encouraged and may be in a different font size, underlined and/or highlighted, however, it should be kept functional.
5. Footnotes must be single-spaced, in a good sized font. For example: Times New Roman 10; Garamond 10; Calibri 9, etc.
6. Each Statement must contain the following parts:
 - a) Cover Page.
 - i. Cover Page must expose the following information only:
 - In the top right-hand corner of the page, the country's team name followed by “C” for a Claimant Statement or “D” for a Defendant Statement.
 - The year of the HS MCC.
 - The title of the document (i.e., “Statement for Claimant” or “Statement for Defendant”).
 - b) Table of Contents.
 - c) List of references to legal sources and doctrine.
 - i. Reference style is OSCOLA (see: https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012.pdf).
 - d) Statement of Relevant Facts.

- i. The Statement of Relevant Facts should be limited to facts relevant to the 'Arguments' section in the Statement, and may not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions. Each team will be judged on their ability to conform the facts to their arguments without creating new facts or drawing unreasonable inferences from the Case.
- e) Description of Relevant Legislation.
 - i. This section should contain a description of the legislation that is at discussion in this case.
- f) Questions.
 - i. In this section the legal questions the Court is asked to decide on the context of the Case are to be presented. They must be presented as neutral questions, i.e. teams should not state their position on the questions raised in this section.
 - ii. The questions must be precise, relevant to the facts and each question should ideally not be longer than one sentence. While each legal question might have further sub-questions, teams must state only the main legal questions in this section.
- g) Summary of Arguments.
 - i. A good Summary of Arguments should consist of a substantive summary of the “Arguments” section of the Statement, rather than a simple reproduction of the headings contained in the Arguments section.
- h) Arguments.
 - i. Substantive, affirmative legal argument or legal interpretation of the facts of the Case may only be presented in the ‘Arguments’ section of the Statement. This part contains the legal arguments that will back up submissions. It is the most important part of the Statement.
- i) Pleadings (including Conclusion/Prayer for Relief). Note that you can submit your prayer for relief as a single one, or if deemed necessary in primary, secondary (alternative), etc claims.

National judicial context

7. The case will be pleaded before the national Court of the law-host country. See for the procedural rules the instructions for the oral pleadings.
8. According to the Rules of the HS MCC students are challenged to reflect on and argue the case in light of EU Law, the case law and dogmatic interpretation thereof in the literature. The law of the law-host country is used only as a background to build up the Case and to get access to EU labour law which needs to be interpreted in order to find out how the law of the law-host country is to be applied.
9. Teams should primarily rely on arguments based on:
 - a. EU legislation
 - b. case-law
 - c. relevant academic literature.
10. Case-law arguments should be developed and composed from the following sources: Court of Justice of the European Union, European Court of Human Rights, ILO bodies, The European Committee of Social Rights, Human Rights Committee in relation to the International Covenant on Civil and Political Rights and International Covenant on Economic Social and Cultural Rights.

Submission of Statements

11. Statements must be sent via e-mail to the Case Committee at hs.mcc.cc@hotmail.com and in cc to the chair of the Case Committee at: iroda@drsipka.hu.
12. The Statements must be submitted no later than 18:00 (6:00 p.m.) [Central European Standard Time, GMT+1] on the **1th of May 2017**.
13. Submission must occur in a single e-mail message with both Claimant and Defendant Statements attached as separate files with the following document filenames: country's team name followed by the first letter of the party, C for Claimant and D for Defendant. For example: HungaryC; HungaryD.
14. The submission of the Claimant and Defendant Statements must be in one email with the following information in the subject line: 'Country's team name' C + D.

15. The email should contain no further information.
16. No changes of any kind may be made after submission of Statements to the Law-Host Country contact person.
17. A team that fails to submit both of its Statements - Claimant and Defendant- before the deadline, get penalties (see below) and risks disqualification. It is the responsibility of the teams to ensure that there are no technical problems with the attached files.
18. In case a team missed the deadline of submission, for whatever reason, its further participation is up to the discretionary decision of the Case Committee members that are also jury-judges. This decision cannot be appealed.
19. The team that submitted Statements should instantly receive a confirmation from the Law-Host Country contact person that files are readable and the team was qualified for HS MCC.

Penalties

20. Non-compliance with the requirements of this Instruction will be penalised with a deduction of penalty points.
 - a. Submission after the deadline 5 points per day
 - b. Missing or additional part 2 points per violation
 - c. Incorrect order of sections 2 points (one-time deduction)
 - d. Incorrect spacing 2 points (one-time deduction)
 - e. Missing or unnecessary information on front page 1 point per violation
 - f. Exceeding the word limit of 12,000 words - 2 points deduction for every 100 words over the word limit
 - g. Use of endnotes instead of footnotes 3 points (one-time deduction)

Dissemination and Publication of the written statements

21. The Organising Committee reserves the right to disseminate Statements submitted for the HS MCC among participants and judges of the HS MCC.
22. Submission constitutes consent for such dissemination and publication on the website of the HS MCC for the best and excellent written statement. Unless, a team clearly and uniformly states an objection in writing to the Organising Committee of the HS MCC (per email to:

hs.mcc@hotmail.com) before the first Monday after the finals, at midnight (23.59hrs) [Central European Standard Time, GMT+1] ultimately.

23. Other written statements can be published upon request by the team in clear and uniform writing to the Organising Committee (per email to: hs.mcc@hotmail.com).