

INSTITUTE
MOHAMED ALI
for the Research of the Eastern Tradition

5TH INTERNATIONAL ROMAN LAW MOOT COURT COMPETITION

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REPORT



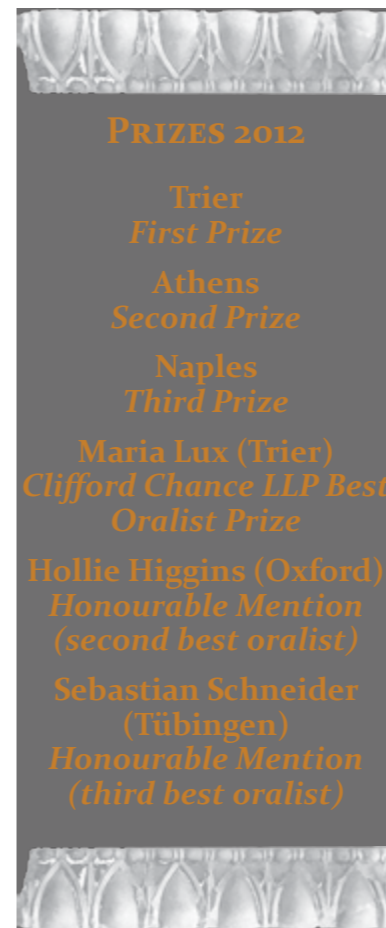
5TH INTERNATIONAL ROMAN LAW MOOT COURT COMPETITION

In memoriam Professors P. Zepos & G. Maridakis

The International Roman Law Moot Court Competition, organised by the Institute Mohamed Ali for the Research of the Eastern Tradition, is held annually at the Imaret of Kavala and the Roman forum of Philippi. The Moot draws together students and professors of Roman law from eight leading universities to debate fundamental concepts of private law as developed by the Roman jurists and applied by modern courts. In 2012, the competition celebrated its fifth edition with a problem focusing on a pan-continental arms trading partnership, some of whose members were struggling with serious financial woes – for reasons ranging from profligate spending at home to the Imperial Army's rejection of poor quality swords to the impact of virulent disease on the fulfilment of orders for trained war horses. The matrix of loans (Euro-bonds?) and securities contrived by and between the partners, together with the involvement of bankers and agents and the diplomatic disclosure and non-disclosure of information provided fertile ground for argument as three partners sought to recover sums said to have been paid on an improper or unlawful basis, and one of them sued to obtain the value of olives harvested on an estate purportedly seized under a hypothec.

If the catchphrase from 2011 was, 'Where is the *datio*?' the refrain for 2012 was, 'What is the difference between a *lex commissaria* and a *pactum commissorium*?' as judges and counsel strove to disentangle a web of imperial constitutions, calculate rates of interest, characterise the contractual relations of the parties and evaluate their motives and good faith.

After the four preliminary rounds of the contest, the two highest-ranked teams in each group did battle in the Semi-Finals, where Athens defeated Oxford and Trier overcame Naples to determine the competitors in the Small and Grand Finals. Both Finals were held in glorious sunshine but agreeably mild April temperatures in the ancient forum at Philippi. This year's 'celebrity' judge, Professor Melchior Wathelet (see *infra*) was put to work presiding at both the Small Final, together with Professor Thomas Rübner and Dr Athina Dimopoulou, and the Grand Final, with Professor Boudewijn Sirks, Professor Carla Masi Doria, Dr Paschalis Paschalidis and Dr Jean Meiring. All those teams in the advanced rounds with the right to choose their side of the case opted to represent the plaintiffs – statistically a wise choice, as



it later became apparent that the defendant side won in only a small minority of moots across this year's competition. The pattern held true for Naples in the Small Final, with Alessandro Mario Amoroso and Raffaella Sotunde achieving victory over the Oxford team of Alexandra Baumgart and Tara Beattie by a margin of three ranking points and six and a half marks.

The result of the Grand Final was not, of course, announced until the Gala Dinner on Saturday evening, so Rebecca Kottmann and Maria Lux of Trier for the plaintiffs and Maria-Ioanna Florou and Vasiliki Antoniadou of Athens for the defendant had an anxious wait before learning which University would be the first in the competition's history to score a second victory – Trier having previously won in 2009 and Athens in 2010. In the event, Trier took first place honours, with Maria Lux also securing the Clifford Chance LLP Best Oralists Prize. Honourable mentions were awarded to the second- and third-placed oralists, Hollie Higgins (Oxford) and Sebastian Schneider (Tübingen).

The Gala Dinner provided an elegant and enjoyable forum in which to congratulate this year's participants and prize-winners on their hard work and achievements, to express our appreciation to the many returning and newly welcomed sponsors who were determined to sustain this invaluable initiative despite adverse prevailing economic conditions and to reflect, with gratitude, on the devotion and consistent efforts of the organisers in establishing and consolidating the Moot over its five-year history.

The post-moot schedule this year incorporated, thanks to the Institute's Michalis Lychounas, specially arranged tours of the Archaeological Museum of Kavala and the Municipal Tobacco Museum of Kavala, as well as a guided walking tour of the town centre, all of which enriched the cultural experience considerably and were much appreciated by all involved.



The fifth IRLM was a great success for all of the reasons that have come to characterise the event – scholarly engagement with Roman law principles that resonate all too audibly in the modern world, polished and persuasive advocacy, the inimitable surroundings of Kavala and Philippi and an atmosphere of genuine friendship and goodwill amongst all sponsors, organisers, judges and participants. The foresight and vision of the two principal architects of the IRLM, Paschalis Paschalidis and Michalis Lychounas, was amply fulfilled in the 2012 competition and we hope that this will again be the case in 2013.



THE STUDENTS



Participants, Judges and Organisers at the ancient Roman Forum of Philippi



"When I first decided to apply for this weird Roman Law Moot Court thing, I didn't know what to expect. Little did I know about Roman law (I had just had my first lecture on the subject) and even less about mooting, as this is not one of Trier's biggest concerns when it comes to extracurricular activities for law students in the earlier years. So when we met the most interesting people from all over Europe, with whom I hope to stay in touch for a long time, enjoyed

the very beautiful town of Kavala and its very Greek hospitality, had a great time finding Kavala's greatest act at *Kavala's Got Talent*, dined in a very classy manner – and, of course, incidentally learned something about mooting and Roman law – I was simply overwhelmed. Thank you, for this great experience!"

– Maria Lux (Trier), Winning Team,
Clifford Chance LLP Best Oralist

"The IRLM was a fantastic way to improve mooting skills in an unusual (and at times very amusing) context but I think one of the greatest features of the moot is really the opportunity it offers to meet students from across Europe. Friendships were formed from the very first evening and, over the few days of the competition, I probably learned as much about student life in different

cities as I did about Roman law! As well as mooting together, we also explored Greece and its history, which added an extra dimension to the law we were applying (and which, as law students, is easy to miss)."

– Hollie Higgins (Oxford),
Honourable Mention (Second
Best Oralist)

"The IRLM is a great chance to improve one's personal skills, – e.g., to appear in court – to meet a lot of kind people from all around Europe and to get an impression of the history and hospitality of Greece. I can highly recommend this competition to all students as it is a unique opportunity to exchange experiences and legal traditions and to get to know Roman law as the common European legal tradition."

– Sebastian Schneider
(Tübingen), Honourable Mention
(Third Best Oralist)

"Participating in the IRLM was an amazing experience. Everyone should relish the opportunity to take part in the Moot: it offers the chance to meet great people and is really helpful in improving skills like speaking in public and answering questions spontaneously. It was great to work in a team and to find new friends from all over Europe."

– Rebecca Kottmann (Trier), Winning Team

"I really appreciated the opportunity to become acquainted with such nice people from different countries, to laugh with them and learn from them and to spend four truly unforgettable days in Greece. Taking part in the Moot was a great experience that strengthened my self-confidence by giving me the chance to give a speech in front of foreign professors, lawyers and a former judge of the European Court of Justice."

– Carina Mäs (Trier)
Winning Team

"The IRLM is the most valuable and vivid experience I have gained as a law student! The Roman law oriented research with my colleagues, the noble rivalry between top European universities and, of course, the meeting of prominent personalities from the legal field characterise this exquisite institution."

– Vasiliki Antoniadou (Athens), Runner-up Team

"I thought the IRLM was a fantastic experience, as it gave me the chance to test my limits, broaden my thinking and improve my mooting skills. It was also a great opportunity to meet students and academics from some of the world's most renowned universities."

– Magda Asteri (Athens)
Runner-up Team

"A great experience dominated by stress, but most importantly self-fulfillment. I truly enjoyed it."

– Thanassis Tassopoulos (Athens), Runner-up Team

"Defending my client in Philippi, a place with such history, was a unique and thrilling experience. I will never forget being congratulated by leading legal academics, not only for being a good law student, but also for being a good lawyer. It is a unique opportunity to learn, make friends, have fun and make your university proud."

– Maria-Ioanna Florou (Athens), Runner-up Team



Thanassis Tassopoulos, Maria-Ioanna Florou, Magda Asteri and Vasiliki Antoniadou (Athens)

PARTICIPANTS 2012

Athens

Maria-Ioanna Florou
Magda Asteri
Vasiliki Antoniadou
Thanassis Tassopoulos

Oxford

Hollie Higgins
Fatima Zafar
Tara Beattie
Alexandra Baumgart

Liège

Joanne Albert
Florence Guiot
Benjamin Legros
Romain Oger

Tübingen

Ibrahim Altun
Matthias Lüdeking
Sophia Schick
Sebastian Schneider

Cambridge

Julius Handler
Naomi Fenwick
Saffiya Haddad
Olivia Motte

Trier

Maria Lux
Carina Mäs
Christina Nickel
Rebecca Kottmann

Naples

Alessandro Mario Amoroso
Eduardo Fernandes
Maria Foti
Raffaella Sotunde

Vienna

Isolde Klinger
Johanna Karaffa
Ines Cerveny
Livia Holender

THE INSTITUTE AND SPONSORS



Michalis Lychounas, Director of the Institute Mohamed Ali

2012 marked the 5th International Roman Law Moot Court Competition (IRLM), which was organised in Kavala and Philippi, Greece, under the auspices of the Institute Mohamed Ali for the Research of the Eastern Tradition. Since 2008, more than 140 students have participated in this unique competition, which brings together academics and students from eight outstanding European universities.

Thanks to the generosity of its sponsors, the Institute Mohamed Ali for the Research of the Eastern Tradition has been particularly pleased to have been able to offer access to the participants in the IRLM to two unique locations, the Imaret of Kavala and the Roman forum of Philippi.

Founded in the early nineteenth century, the Imaret of Kavala originally functioned as a charity foundation that provided food and education. For five years, this unique example of nineteenth century Islamic architecture has housed the preliminary rounds of the IRLM and given all IRLM participants an opportunity to discover the diversity of cultures that have marked the history of Europe. Even more importantly, for five consecutive years the Greek Ministry of Culture has allowed us to host the final rounds of the IRLM in the Roman forum of Philippi, a location which marks a turning point in Roman history. In 42 BC Octavian and Marc Antony defeated the forces of Brutus and Cassius at Philippi. The defeat of the Republican forces opened the way for the transition from the Republic to the Empire. The ruins of the Roman forum and the nearby basilicas offer an ideal setting for the IRLM final rounds.

SPONSORS 2012

Karatzas & Partners
Zepos-Yiannopoulos
Potamitis-Vekris
Clifford Chance LLP
Koimtzidis-Paparallis-
Kogkalidis Law Firm
Alex Dino Foundation
European Investment
Bank



TABLE OF INCOME AND EXPENDITURE (€)

| INCOME | |
|-----------------------------|--------|
| Participation Fees | 4,400 |
| Committed Greek sponsorship | 14,000 |
| International sponsorship | 7,200 |
| Total: | 25,600 |

| EXPENDITURE | |
|----------------------------------|--------|
| Accommodation: | 9,590 |
| Food and beverages: | 10,930 |
| Sound system and video coverage: | 450 |
| Transport costs: | 1,750 |
| Printing & digitisation costs: | 1,000 |
| Administrative and sundries | 625 |
| Total: | 24,345 |

the archaeological sites of Philippi, Avdira and Amphipolis, the lagoon of Porto Lagos and the vineyards of Vivlia Chora and Lazarides.

The Institute Mohamed Ali for the Research of the Eastern Tradition hopes to continue to welcome the IRLM at its birthplace for many more years to come. In this respect, we are tremendously grateful to our sponsors, without whose support the development and continuation of this competition over the last five years would simply not have been possible.

THE JUDGES



To the academy of Professors from the competing Universities, this year's Moot welcomed Melchior Wathelet, Professor of European Law at the Université de Liège and the Université catholique de Louvain and Judge of the European Court of Justice 1995-2003. The IRLM was also pleased to welcome back practitioners Konstantinos Andreopoulos and Jean Meiring together with competition founder Paschalis Paschalidis and Mooting Coordinator David Julius Kästle, whose considerable efforts in this role were, once again, very much appreciated.





Institute Mohamed Ali for the Research of the Eastern Tradition
Mohamed Ali's Residence
Panagia District, Kavala, 651 10 Greece

+30 251 062 0151
info@mohamed-ali.org

www.mohamed-ali.org