

## **General Rules and Guidelines for the WTO Moot Court Competition of 2021**

### **1. PARTICIPANTS**

- 1.1 Any student enrolled in a university (whether law school, or undergraduate/graduate school of any major) may participate in the Moot Court Competition by composing a Team of not more than four persons. Any person who qualifies as a lawyer, as a practicing attorney or a person who has been engaged in the practice of law for more than two years, is not eligible to apply.
- 1.2 Any person who participated in the Moot Court Competition in the previous year(s) and has qualified for the quarter-final or final rounds is not allowed to participate as a Team Member. Also, a graduate student who has completed the fourth semester of his/her Ph.D. coursework at the time of application of this Competition is not allowed to participate as a Team Member.
- 1.3 Students belonging to different institutions may constitute a Team. A Team shall be composed of at least two members but not exceeding four members. A Team Advisor, as provided in Rules 2 below, is not counted as a Team member.

### **2. TEAM ASSISTANCE**

- 2.1 Participants in the Moot Court Competition shall be responsible for all aspects of their preparation for the written submission and oral presentation.
- 2.2 Each Team may have one Team Advisor. Any full-time student enrolled in a university (whether law school, or undergraduate/graduate school), who has completed the fourth semester, may act as a Team advisor.
- 2.3 Participants shall not consult with their Academic Advisor or any other expert, except their Team Advisor, concerning the specific issues or questions in the Moot Court case. The role of the Team Advisor shall be limited to: (i) providing relevant academic materials; (ii) lecturing on WTO law in general; and (iii) advising on technical know-how in preparing the written submission and oral presentation, but not on the substantive contents of the Moot Court case.

### 3. PROCEDURES FOR THE WRITTEN SUBMISSION

- 3.1 A registered Team must prepare and submit the Written Submission containing arguments for both the Complainant and Respondent, and should not exceed twenty-five (25) pages each (excluding cover, table of contents, abbreviations, references and signature pages).
- 3.2. For the Written Submission, the Participants shall follow the following model:
- File: MS Word
  - Font: Times New Roman, 12pt
  - Spacing: Single spacing
  - Margins: Left 2.5cm, Right 2.5cm, Top 2cm, Bottom 2cm, Headings 2cm, Footer 2cm.
- 3.3 The Written Submission must include the following sections:
- a. Cover Page
  - b. List of Abbreviations
  - c. Table of Contents
  - d. Claims and Arguments
    - Identification of the Measures at Issue: The factual case measures which are being referred to either as a complaint that violates a WTO Agreement or as a defense that is justified by a WTO Agreement.
    - Legal Pleadings: Explanation of why the relevant provisions have been violated or not violated.
    - Request for Findings: The parties' specific requests as to what the Panel should suggest to the DSB for appropriate recommendations to bring the questionable measures in to conformity with WTO Law or other findings.
  - e. References
  - f. Signature on a separate page (by all members of a Team) with the following statement:

“Each member of this team declares that he/she has abided by the General Rules and Guidelines in the course of preparing the Written Submission, and is aware that any violation of the Rules and Guidelines shall result in disqualification for participating in the Oral Hearings and receiving any awards.”
- 3.4 Citation and Footnotes should follow the general academic practices. Citations of WTO Panel and Appellate Body decisions can be in abbreviated form, *e.g.*, *AB-Shrimp*, para. 123.
- 3.5 Any violation of the Rules under this paragraph (from 3.1 to 3.4) may result in deduction of points for the evaluation of the Written Submission or disqualification from participation in the Oral Hearings.

#### 4. PROCEDURES FOR THE VIRTUAL ORAL HEARINGS

4.1 A Virtual Oral Hearing ("VOH") is an official round of the 2021 WTO Moot Court Competition ("Competition") and is an emergency measure that the Steering Committee has adopted, after consultation with sponsoring entities, in light of the Covid-19 pandemic, to replace the in-person Oral Hearings and to permit continued participation in the competition of registered teams. The following rules apply specifically to the ability to conduct the oral pleadings in the Competition on a virtual platform.

##### 4.2 Technical requirements:

- 4.2.1 Zoom will be used to conduct the virtual rounds. Zoom can be accessed for an individual meeting via a website from a link to be provided by the Steering Committee. Teams are required to download the software to access Zoom on their computers. Students are also encouraged to practice virtual round before the VOH.
- 4.2.2 Team members are not allowed to join from more than one location, and all the members shall stay in the same place during the whole VOH session.
- 4.2.3 Each team is responsible for finding a suitable location, which is quiet and closed to the public and where the user will have access to a desk and chair, steady and reliable internet, and source of power for up to 6 hours. Locations in open hallways, libraries, cybercafes, coffee shops, etc. are not acceptable. The Steering Committee strongly urges the teams who participate in the VOH to choose a suitable location in advance of the VOH sessions.
- 4.2.4 Teams shall maintain anonymity throughout the whole proceedings. Teams are not allowed to put on display any materials (such as notebooks or pens, etc. containing the university logo) that could identify which university, college or faculty they represent. Teams shall not mention or disclose their affiliation in any way during the VOH sessions either. The breach of the anonymity rule may result in a disqualification from the Competition.
- 4.2.5 The team that is not speaking during the VOH sessions shall mute its microphones and ensure that there is no rustling of papers or extraneous noise during the sessions. The Chair of the Panel will monitor and control this, including stopping the time-clock if it becomes impossible to hear the orator because of noise or other interference. If the Chair needs to stop the session multiple times, unless for technical reasons independent from the team, it will be at the discretion of the Panel whether to disqualify the team responsible for the disruption, or to deduct points.
- 4.2.6 By agreeing to participate in the VOH, both panelists and team members agree to the sharing of their email addresses, mobile telephone numbers with the Steering Committee of the 2021 WTO Moot Court Competition to facilitate the scheduling of and management of the virtual round. The Steering Committee will not use this information for any other purposes.

### 4.3 Participating in the Round:

- 4.3.1 Teams invited to the VOH must provide the Steering Committee with an email address(es) of the user(s). The Steering Committee will then send teams the following relevant information at least 48 hours before the scheduled pleadings:
- a. The number of the team they are competing against;
  - b. The date and time of the pleading sessions. Teams are encouraged to log in an hour before the start of the pleading to confirm smooth access; and
  - c. The Zoom link to access the videoconference.
- 4.3.2 The VOH shall consist of two Semi-Final Rounds where four Teams are paired and given opportunities to plead their arguments in front of three Panel members, and a Final Round where the winners from the two Semi-Final Rounds compete each other in front of five Panel members. Each Semi-Final Round will be held concurrently in the morning of August 20, 2021, and the Final Round will be held in the afternoon of the day.
- 4.3.3 For the Semi-Final Rounds, the side they are pleading will be decided in advance based on the evaluation results of the Written Submission, and announced when the Steering Committee provides information specified in Article 2.1 of this Amendment. For the Final Round, the winner in the Semi-Final Round who played the Complainant shall compete as the Respondent, and *vice versa*, in principle. However, in case where the opposing teams in the Final Round played the same role in their respective Semi-Final Rounds, the role as Complainant or Respondent shall be decided by lottery.
- 4.3.4 The only users that should be on the Zoom videoconference are the team members (including registered Team Advisors), the panelists, and the timekeeper.
- 4.3.5 At the beginning of each session, the Chair of the Panel will read out the following text and ask each team whether they affirm that they will comply:
- "Do you, the students of team Number ##, solemnly promise that you will abide by the General Rules and Guidelines for the 2021 WTO Moot Court Competition and the rules for the virtual oral pleading and that you will not communicate with or accept assistance from in any way your Team Advisor or other individuals during the oral pleading?"
- Each student from the participating teams must affirm that they will. The Chair of the Panel will then remind that:
- "Failure to comply with the rules or to accept help from outside sources, including Team Advisors, can result in the disqualification from the Competition."
- 4.3.6 Team Advisors may not pass notes to team members or communicate with them in any way during the pleading. All persons present in the room or the videoconference must be identified to the Panel at the start of the pleading. Once the pleading has started, no one should enter the room where the team is

or the VOH is in session who was not present at the beginning of the session. If someone leaves the room or videoconference during the pleading, they must seek permission from the Chair of the Panel, and may not return to the room or videoconference after they leave. The Panel has the discretion to disqualify a team for violation of this rule.

- 4.3.7 Time will be measured by a time keeper allocated for each round. The time keeper will inform the Panel and Team members of the remaining time, i.e. three minutes and one minute before the end of time allowed for each Team. With respect to the time management, the time keeper's guidance shall be followed in each round.
- 4.3.8 Students or Team Advisors may not record the videoconference.
- 4.3.9 Upon the completion of pleading, panelists will exit the videoconference for a maximum of 15 minutes to discuss the competition result. They will then return to the VOH to provide feedback. Panelists will not reveal the scores to the teams. Once the feedback is complete, teams may leave the VOH sessions.
- 4.3.10 The Steering Committee will contact team leaders via e-mail or Kakaotalk messages to announce the result of each round. Teams participating in the VOH shall thus ensure that they are available for, at least, 2 hours on the day scheduled for Semi-Final Rounds and another four hours for the Final Round. Any change in the schedules or important announcement will be conveyed to teams (via team leaders) promptly.

#### 4.4 General:

- 4.4.1 By agreeing to participate in the VOH, the teams and panelists acknowledge that the Steering Committee has full and final discretion in managing the VOH to ensure its technical and logistical success while maintaining academic quality and integrity.
- 4.4.2 The VOH is an emergency measure and the Steering Committee cannot be responsible for failure for pleadings to be completed because of technical difficulties – such as equipment, software, or internet failure. The Steering Committee will take best available measures to resolve or mitigate any issues that may arise. The Steering Committee cannot warrant that it will be able to resolve every failure to complete a pleading to a team's satisfaction.
- 4.4.3 Teams are reminded that these amendments are to ensure the logistical possibility to run a virtual round in an emergency situation, and the General Rules and Guidelines for the 2021 WTO Moot Court Competition remain in force.
- 4.4.4 The Steering Committee will continue to monitor the evolving situation with respect to the Covid-19 and update participants as soon as possible, if there are any changes to the Virtual Oral Round.

## 5. AWARDS

5.1 The best four (4) Teams shall be granted the following Awards

- 5.1.1 Award by the Minister of Trade, Industry and Energy (with the prize of scholarship ) for the Final Round Winner (first place winner)
- 5.1.2 Award by the President of the Korean Society of International Economic Law (with the prize of scholarship) for the Final Round Runner-up (second place winner)
- 5.1.3 Awards by the Chair of the 2020 WTO Moot Court Competition (with the prize of scholarship) for Semi-Finalists (third and fourth place winners).

5.2 Among the teams who are not invited to the VOH, three teams (the fifth, sixth and seventh placed teams) will be granted Commendation Awards based on the evaluation of the Written Submissions.

5.3 There will be three Awards for the Best Orator:

- Award for *the Best Orator* (1)
- Award for *the Second-Best Orator* (2)

5.4 There will be two Awards for the Written Submission:

- Award for *the Best Written Submission* (1)
- Award for *the Second-Best Written Submission* (1)

*\* These rules and guidelines may be subject to change in light of further development in due course. In such case, the revised rules and guidelines will be immediately notified to the registered Teams.*