

# **General Rules and Guidelines for the Asian WTO Moot Court Competition (2017)**

## **1. Participants**

- 1.1 An undergraduate or graduate student at the time of registration, currently enrolled at university or college (regardless of major) in the Asia-Pacific region, may participate in this moot competition as a Team member. 1) A practicing attorney at the time of registration; 2) a person who has engaged in the practice of law for more than two years in any jurisdiction after having graduated from any type of law degree program; or 3) any former member of a Team who participated in the previous year(s)' competition and has qualified to the Quarter-Final Rounds or upper standings is NOT allowed to participate as a Team Member.
- 1.2 A graduate student who has finished the fourth semester of his/her Ph.D. coursework at the time of application to 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 six members. A Team Advisor 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 solely responsible for all aspects of their preparation, written documents and oral presentation.
- 2.2 Each Team may have one Team Advisor. Any full-time student enrolled in a university (whether college, law school or graduate school), who has finished 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 given Moot Court case. However, the role of the Team Advisor should be limited to (i) providing relevant academic materials; (ii) lecturing on WTO law in general; and (iii) advising on technical knowhow in preparing submissions and oral presentation, not substantive contents of the Moot Court case.

### 3. Procedures for the Written Submission

3.1 A registered Team must prepare and submit the Written Submissions for both Complainant and Respondent, not to exceed twenty-five (25) pages each (excluding cover, table of contents, abbreviations, references and signature pages).

3.2. For the Written Submissions, the Participants shall follow the model template in terms of font, spacing, margins and other formatting which is available on the official webpage ( <http://aplaw.snu.ac.kr> ).

3.3 The Written Submission must include the following sections:

- a. Cover Page
- b. List of Abbreviations
- c. Table of Content
- 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 those 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 she/he has abided by the General Rules and Guidelines in the course of preparing this submission and is aware that any violation of such Rules and Guidelines shall result in disqualification for participating in the Oral Pleadings and any awards.”

3.4 Citation and footnotes should follow the general academic practices. Citations of WTO Panel/Appellate Body Decisions can be in an abbreviated form, e.g., *AB- Shrimp*, ¶ 123.

3.5 Any violation of these Rules under this paragraph may result in deduction of points for the submission evaluation or disqualification for participating in the Oral Pleadings.

#### **4. Procedures for Oral Pleading Sessions**

- 4.1 The Oral Pleading Session shall consist of Rounds where Teams are paired and plead their arguments in front of the Panel. If there are 16 Teams or less who have submitted the Submissions, all the Teams may be invited and given opportunities to participate in the Oral Pleading Sessions. Should more than 16 Teams have submitted, the Steering Committee shall have discretion to decide on the number of Teams invited to the Oral Pleading Sessions.
- 4.2 More than one member of a Team will be encouraged to orally plead or answer the Panel's questions. How many members of a Team actually make oral presentations and/or answer the Panel's questions will be taken into account in the process of the overall evaluation.
- 4.3 For the Preliminary Round, which consists of two sub-rounds, each team will perform both roles of Complainant and Respondent in turn in each sub-round. Each of the Preliminary Round lasts for sixty (60) minutes. At the outset, each Team will be invited to make an Oral Presentation for fifteen (15) minutes each. During the Oral Presentation, neither the Panel nor the opposing party can make an interruption. Power-Point presentation facilities cannot be used at the venue. Following Oral Presentations, each party will be given five (5) minutes each for rebutting the opposing party's Oral Presentation. Then, both parties shall answer the Panel's questions for the next fourteen (14) minutes. Each party is not allowed to directly ask questions to the opposing party. Lastly, each party will be allowed to make the Concluding Remark for three (3) minutes each.
- 4.4 Subsequent Rounds will be conducted in the following format: For the Quarter-Final Round, the role as Complainant or Respondent will be decided by random selection or lottery. For the Semi-Final Rounds and the Final Round, the winner in the immediate preceding Round who played Complainant, in principle, shall compete as the Respondent in the immediate following round, and *vice versa*. In case where the opposing parties played the same role in their respective preceding rounds, the role as Complainant or Respondent will be decided by random selection or lottery. The duration of each Subsequent Round is seventy (70) minutes. At the outset, each Team shall be invited to make an Oral Presentation for fifteen (15) minutes each. During the Oral Presentation, neither the Panel nor the opposing party can make an interruption. Power-Point presentation facilities cannot be used at the venue. Following Oral Presentations, each party will be given five (5) minutes each

for rebutting the opposing party's Oral Presentation. Then, both parties shall answer the Panel's questions for the next twenty-four (24) minutes. Each party is not allowed to ask questions directly to the opposing party. Lastly, each party will be allowed to make the Concluding Remark for three (3) minutes each.

4.5 The winner in each Round shall be determined by the Panel on the basis of the overall evaluation of Oral Pleadings only. No score sheets or specific reasons for the decision shall be disclosed to the Teams after each session.

4.6 The Written Submissions shall not be exchanged between the opposing Teams.

4.7 Only the Final Round and Semi-Final Rounds will be held open to the general public.

## **5. Awards**

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

- a. Award (with grant) for the Final Round Winner
- b. Award (with grant) for the Final Round Runner-up
- c. Two Awards for Semi-Finalists.

5.2 There shall be Awards for the Best Orator per each session from the Semi-Final Rounds. A Best Orator in a Semi-Final Round can be selected as the Best Orator for the Final Round. In such case, only the Award for the Best Orator in the Final Round shall be granted to that person, and the second-best orator in the Semi-Final Round shall receive the Award for the Best Orator for that Semi-Final Round.

5.3 There will be three Awards for the Best Written Submission: Excellent Written Submission as the Claimant, Excellent Written Submission as the Respondent, and the Best Written Submission of the Competition.

5.4 In order to receive Certificate of Participation, all the registered Team Members are required to attend the Final Round session and the closing ceremony where all the Awards and Certificates of Participation are granted.

*\* 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.*