

ALSA INTERNATIONAL MOOT COURT COMPETITION

ALSA INTERNATIONAL MOOT COURT COMPETITION RULES 2022

Seoul, South Korea

30th September – 3rd October 2022

(Updated as of 29 June 2022)

Organized by :

Asian Law Students' Association International

<http://aimcc.alsainternational.org>



Table of Contents

1. Definitions	2
2. Organization of the Competition	3
3. Structure of the Competition	3
4. The Panel	5
5. Participation and Eligibility	5
6. Registration	6
7. Team Identification and Anonymity Rule.....	6
8. The Moot Problem and the Timeline	7
9. Memorials	7
10. Oral Pleadings	9
11. Scoring	10
12. Penalties	11
13. Awards	12
14. Miscellaneous	13

1. Definitions

- 1.1 “**ALSA**” shall refer to the Asian Law Students’ Association.
- 1.2 “**Moot**” shall refer to the annual ALSA International Moot Court Competition.
- 1.3 “**Moot Website**” shall refer to the official website of the Moot (<http://aimcc.alsainternational.org>)
- 1.4 “**Host**” shall refer to the ALSA Local Chapter hosting the International Rounds of the Moot.
- 1.5 “**Organizers**” shall refer to the organizers of the Moot appointed by the ALSA International Board. The Organizers may be contacted through aimcc@alsainternational.org
- 1.6 “**Team**” shall refer to teams participating in the moot.
- 1.7 “**Team Alias**” shall refer to the name assigned to each registered Team by the Organizers, which will serve as their unique identifier.
- 1.8 “**Rules**” shall refer to the Official Rules of the competition and applicable supplements to the Rules published by the Organizers or the Host.
- 1.9 “**Schedule**” shall refer to the official schedule of dates for all events and deadlines in relation to the Moot established each year by the Organizers and the Host.
- 1.10 “**Moot Problem**” shall refer to the official moot problem prepared by the Organizers and released on the Moot Website.
- 1.11 “**Request for Clarifications**” shall refer to an official request to clarify the moot problem submitted by a Team within the time limit stipulated in the Schedule.
- 1.12 “**Memorial**” shall refer to written arguments submitted, on behalf of both the Claimant and the Respondent, according to the official rules of the Moot by each Team.
- 1.13 “**Oral Pleading**” shall refer to a Team member’s individual presentation in an oral round.
- 1.14 “**International Rounds**” shall refer to the oral rounds held virtually via the host country and the Zoom platform.
- 1.15 “**Preliminary Rounds**” shall refer to the oral rounds in the International Round which will determine which teams will advance to the Final Rounds.
- 1.16 “**Hybrid**” shall refer to the method of conducting the Moot both online and offline.
- 1.17 “**Participation Format**” shall refer to way of participation. It shall consist of the “Online” Format and the “Offline” Format.
- 1.18 “**Online**” shall refer to the oral rounds held virtually via the Zoom platform.

- 1.19 **“Offline”** shall refer to the oral rounds held actually in the host country.
- 1.20 **“Final Rounds”** shall refer to the final oral rounds in the International Rounds between the teams with the highest scores from the Preliminary Rounds to determine the winner of the Moot.
- 1.21 **“Registration Fee”** shall refer to the official fee of the competition.

2. Organization of the Competition

- 2.1 ALSA International has the overall responsibility of the organization of the competition.
- 2.2 The Vice President of Academic Activities acting on behalf of ALSA International shall be the head of the organization of the Moot and have the overall responsibility for the competition.
- 2.3 ALSA International shall provide the opportunity for ALSA National Chapters to volunteer to host the Oral Rounds of the Moot.
- 2.4 The Host shall be selected by ALSA International.
- 2.5 ALSA International shall appoint a Director of Moot Court Competition to act as the head of the Organizers and work in collaboration with the Vice President of Academic Activities and the Host to organize the Moot. The Director of Moot Court Competition shall be the Moot Administrator.
- 2.6 All materials prepared by or for the Organizers or the Host, including, without limitation, the Moot Problem, the Bench Memorial, the clarifications, the Rules, and the Schedule, are the exclusive property of ALSA International.

3. Structure of the Competition

- 3.1 The competition shall be entirely held in English.
- 3.2 The Moot shall consist of two rounds: the Written Memorial Submission and the Oral Rounds.
- 3.3 The following teams shall qualify to participate in the Oral Rounds:
 - 3.3.1 Thirty-two (32) teams that submit the Memorial shall qualify to compete in the Oral Rounds at the host country. Each country shall not have more than five (5) teams selected to compete in the Oral Rounds.
 - 3.3.2 In the event that the registered teams represent less than thirty-two (32) teams, the remaining teams shall qualify to participate.

3.4 The Oral Rounds shall consist of the Preliminary Rounds, the Quarter-Final Round, the Semi-Final Round and the Final Round.

3.5 The Oral round shall be conducted as follows:

3.5.1 The Preliminary Rounds

3.5.1.1 The thirty-two (32) teams will be divided into four (4) groups of eight (8) examination-rooms. Each Team will perform two (2) matches both as the Claimant and the Respondent.

3.5.1.2 The Team with the highest score of each group will proceed to the Quarter-Final Round.

3.5.1.3 In the event that two teams have the same total score, the Team with the higher score in Memorial Round shall proceed to the Quarter-Final Round.

3.5.2 The Quarter-Final Round

3.5.2.1 In the Quarter-Final Round, each Team will perform one (1) match. A total of four (4) matches will be conducted.

3.5.2.2 A lot shall determine which Team will perform as the Claimant and which as the Respondent.

3.5.2.3 In the event that two teams have the same total score and Team Oral Score, the Team with the higher Team Memorial Score shall proceed to the Semi-Final Round.

3.5.3 The Semi-Final Round

3.5.3.1 In the Semi-Final Round, each Team will perform one (1) match. A total of two (2) matches will be conducted.

3.5.3.2 A lot shall determine which Team will perform as the Claimant and which as the Respondent.

3.5.3.3 The winner from each match will proceed to the Final Round.

3.5.3.4 In the event that two teams have the same total score and Team Oral Score, the Team with the higher Team Memorial Score shall proceed to the Final Round.

3.5.4 The Final Round

3.5.4.1 In the Final Round, a lot shall determine which Team will perform as the Claimant and which as the Respondent.

3.5.4.2 The winner shall be determined from the Final Round score only.

3.5.4.3 In the event that both teams receive the same Final Round

score, Team with higher Memorial Round score shall be the winner.

- 3.6 In Oral Pleading, teams that have the same Participation Format will compete against each other if possible. (ex) Online-Online , Offline- Offline).
- 3.7 Rule 3.6 is limited to The Preliminary Rounds and The Quarter-Final Round.
- 3.8 After starting of The Oral Round, if only one (1) member of the team can perform Offline due to exceptional circumstances, change of the Participation Format to Online must be permitted by the Organizers.

4. The Panel

- 4.1 The panel shall consist of either one (1) or three (3) Investment Settlement Dispute experts appointed by ALSA International in collaboration with the Host depending on the availability of the experts. These individuals shall be referred to as panelists. In Final Round, there are five (5) panelists in total.
- 4.2 Panelists shall be impartial.
- 4.3 Panelists shall score the Oral Pleadings in accordance with the marking guidelines provided by the Organizers.
- 4.4 Panelists may ask questions at any time during the Oral Pleadings.
- 4.5 The panelist may, at their discretion, extend the time for each oralist, provided that the maximum extension for any oralist shall not exceed five (5) minutes.

5. Participation and Eligibility

5.1 Team Composition

- 5.1.1 The Moot is open to the following individuals:
 - 5.1.1.1 Any student-member who is either (i) currently or (ii) has been within six months of the deadline for memorial submission enrolled in a course of study leading to a law qualification (e.g., LLB, LLM, M.iur, JD, diploma in professional practice or equivalent)
 - 5.1.1.2 Any current ALSA members and Alsa alumni
- 5.1.2 Each team shall consist of a minimum of three (3) and a maximum of five (5) team members except coaches.
- 5.1.3 Substitutions of Team Members must be permitted by the Organizers. The

request for a permission must be submitted to aimcc@alsainternational.org with an explanation of the reason for the requested change. Substitution of Team Members will be granted only in exceptional circumstances upon the discretion of the Organizers.

5.1.4 Team members may be enrolled in different universities upon the discretion of the Director/Organizers.

5.2 Coach

5.2.1 Each Team may have two (2) Team coaches. A Team coach may only assist in general discussions concerning the case, linguistic matters or presentational skills. Coaches may not provide substantial advice. The Team coach is not allowed to actively take part in the oral pleadings. However, he or she may attend them. Teams not complying with this rule shall be disqualified.

5.2.2 The Team shall not consult matters regarding the Moot with other persons aside from their Team coach.

5.2.3 Team coaches may not also be Panelists.

5.2.4 Team members and Team coaches are prohibited from engaging in communication with the Panelists on issues concerning the Moot Problem before the end of the Final Oral Round.

5.3 Responsibility

5.3.1 Team members are responsible for their own travel to the host country and any related expenses.

6. Registration

6.1 Teams shall complete the registration form provided by the Organizers through the Official Website: <http://aimcc.alsainternational.org/>.

6.2 Once the Team has completed the registration form, the Team composition may not be changed after the registration deadline. However, discretion is available upon request of the Team.

6.3 At the time of registration, teams shall select an official point of contact from the participating Team who will be responsible for all official correspondence between the Team and the Organizers.

6.4 Teams shall compile every team members' resume into one file and upload it in the Registration form. Subsequently, these resume will be submitted to our partners for their reference.

6.5 Teams can select Participation Format either online or offline in the registration form.

Changing the option can only be allowed within the application period.

- 6.6 All the team members shall participate in the same format.
- 6.7 Registration fees will be announced on the Moot Website.

7. Team Identification and Anonymity Rule

- 7.1 After registration, participating teams will be provided with a Team Alias, which will serve as their unique identifier. All communication must be made in reference to this Team Alias.
- 7.2 According to the Anonymity Rule, any details or information regarding the universities or countries of origin of the registered teams shall not be disclosed to the Panelists in any way. They may only disclose their Team Alias.
- 7.3 For breaches of the Anonymity Rule that occur during or outside of the Oral Pleading Session, penalties shall be imposed at the discretion of the Organizers.

8. The Moot Problem and the Timeline

- 8.1 The Moot Case shall involve issue of the dispute based on the Investment Settlement Dispute.
- 8.2 The dispute involves a set of theoretical and practical procedural and substantive legal issues. Any existing or fictitious legal provisions may be used.
- 8.3 The dispute itself and the names of all the parties mentioned therein are fictitious. Any resemblance to an actual dispute or persons living or dead is purely coincidental.
- 8.4 The Moot Case will be announced at the appointed date and the same problem will be used throughout the Moot at the Moot Website.
- 8.5 Teams may submit clarification questions to the case within the indicated clarifications deadline through contact provided in the Moot Website.

9. Memorials

- 9.1 Teams must submit two memorials, one (1) memorial on behalf of the Claimant and one (1) memorial on behalf of the Respondent. The memorial on behalf of the Respondent should hypothetically be responding to the team's own Claimant case.
- 9.2 The memorial for the Claimant shall be submitted to the Organizer on September 3, 2022.

- 9.3 The memorial for the Respondent shall be submitted to the Organizer on September 10, 2022.
- 9.4 A memorial shall be contained in a single file. The electronic copies shall be submitted as a **PDF file and a Microsoft Word for Windows file**. Memorials for Claimant and Respondent shall be submitted in one (1) email to aimcc@alsainternational.org.
- 9.5 The memorials described shall be named : **“Memorials For Claimant/ Respondent – Team Alias”**.
- 9.6 Equipment or software failure or any other technical errors may not be considered as an excuse for improper formatting or late submission of memorials.
- 9.7 No Team may revise, substitute, add to, delete from, or in any other manner alter its memorials once submitted. If the Team is found to commit any of the aforementioned acts, deductions shall be imposed. The number of score deducted is left to the Organizing Committee’s discretion.
- 9.8 The memorial shall comply with the following format:
- 9.8.1 Body text shall be in Times New Roman, size 12 with a 1.5 line spacing;
- 9.8.2 Footnotes shall be in Times New Roman, size 10 with a single line;
- 9.8.3 Each page shall have a margin as follow: top (2 cm), right (2 cm), left (3 cm), bottom (2 cm).
- 9.9 Each memorial shall include the following elements:
- 9.9.1 Cover page;
- 9.9.2 Table of Contents;
- 9.9.3 List of Authorities;
- 9.9.4 List of Abbreviations;
- 9.9.5 Summary of Facts;
- 9.9.6 Summary of Arguments;
- 9.9.7 Arguments.
- 9.9.8 Request for Relief
- 9.10 The cover page must contain the following information:
- 9.10.1 The Team competition alias in the top right corner;
- 9.10.2 The name of the administering proceeding center;
- 9.10.3 The name of the parties.
- 9.11 The title of the document, i.e Memorial for Claimant or Respondent as the case may

be.

- 9.12 It **must not** contain anything identifying the Team's origins (University name, logo, URL, city, country, etc.).
- 9.13 List of authorities shall contain authorities cited.
- 9.14 Footnotes must be cited using the Oxford Standard for Citation of Legal Authorities (OSCOLA 4th edition). No facts or arguments shall be included in the footnotes.
- 9.15 The footnotes may contain a short form of citation (if introduced in the List of authorities).
- 9.16 **Each memorial shall not exceed 8,000 words in length, including all elements listed below with their respective footnotes:**
- 9.16.1 Summary of Facts**
- 9.16.2 Summary of Arguments**
- 9.16.3 Arguments**
- 9.16.4 Request for Relief**
- 9.17 The memorial shall be drafted in formal English. The usage of Latin maxims and foreign terms (e.g Kompetenz – Kompetenz) is allowed in so far they are widely accepted and known.
- 9.18 Excessive quotations shall be avoided. A quotation of more than one and a half lines in length shall be block quote and single spaced.
- 9.19 The pages of the statement facts and arguments together shall be numbered 9 consecutively in Arabic numerals (1,2...) in the middle at the top. All other parts of the memorial shall be paged numbered consecutively in small roman numbers(i,ii,..), each page shall be numbered in the middle at the bottom.
- 9.20 The paragraph of the statement of facts and arguments parts shall be numbered consecutively the Arabic numerals.
- 9.21 Participants shall include the word count on the last page of the memorial.
- 9.22 Failure to submit within the deadline, participants shall incur penalties prescribed in **Rule 12.**

10. Oral Pleadings

- 10.1 Each Team shall present their oral arguments for the Claimant and the Respondent. The pleadings shall be held in a sitting arrangement.
- 10.2 The content of the main pleadings of the Claimant shall not be entirely different from that of the Claimant's Memorial. New submissions (those not made in the main pleadings) may not be argued in the rebuttal or sur-rebuttal.

- 10.3 Each oral match consists of 80 minutes of oral pleadings. Claimant and Respondent are each allotted 40 minutes, including not more than 5 minutes thereof each for any rebuttal or sur-rebuttal. Each Team shall inform the Host of the tribunal how it wishes to allot this between the two oral advocates and any rebuttal (or sur-rebuttal). The time allotted includes the time needed to answer any questions from the panel. The Panel shall ensure that the Teams are treated fairly.
- 10.4 A Team shall allocate at least 15 minutes to each Oralist.
- 10.5 Only students registered as Oralists for the Team may act as oral advocates in accordance with the information provided in the Team's submitted Oralist Registration Form. Exceptions may be made to this rule in certain circumstances upon the Team's notification to the Organizers and subject to the Organizers' discretion.
- 10.6 No more than two Team members may plead during one Oral Round. Other Team members may be present during Oral Rounds in which their Team is pleading, and must attend as observers and refrain from communicating with Oralists.
- 10.7 The Organizers shall supply the Teams with the Schedule of the Oral Rounds at least one week before the starting date of the competition.
- 10.8 The Team may watch other Oral Pleadings if they are not participating in one in their current time. The presence of team members at a pleading session of which the opposing team that they will compete in a future Oral Round is participating in is prohibited.
- 10.9 The presence of Team Coaches or other spectators affiliated with the Team is permitted in the room during an Oral Round in which the Team is competing. Teams are responsible for ensuring that their spectators do not engage in any disruptive behavior, and shall ensure that spectators do not disclose to panelists the identity of their institution or country.
- 10.10 During an Oral Round, the Oralists may only communicate with the team member at the counsel's table, the Tribunal, opposing counsel, and or the organizer.
- 10.11 Unnecessary noise, outbursts, or other inappropriate behavior that distracts from the argument in progress are prohibited among Teams and Team- affiliated spectators.
- 10.12 Team members pleading in a given Oral Round may exchange written notes or assist each other in finding the necessary documents. No other communications shall be allowed.
- 10.13 Team shall prepare technical device available for zoom platform in case of competing against Online team.
- 10.14 To facilitate the conduct of online proceedings, two (2) members pleading the Oral Round from Each Team shall appear together on the proceedings interface within the same device, unless otherwise permitted by the Organizing Committee.

- 10.15 Team must always identify themselves online as follow: **“Team Alias - Claimant/Respondent – Name”**.
- 10.16 To prevent behind-the scenes coaching or communication, Team Coach and/or observers may attend the online proceedings and identify themselves as follow: **“Team Alias – Coach/Observer – Name”**.
- 10.17 **All cameras must be activated during the session. In the failure of doing so, the affiliated team will be disqualified. All microphones shall be muted when the team member is not pleading, and activated when it is their time to plead.**
- 10.18 To minimize the risk of delay and disruption due to technical issues, Team must test their equipment in advance and be available on Zoom at least 30 minutes before the scheduled commencement of proceedings.
- 10.19 In any event, the Host reserves the right to mute or disconnect any person for unreasonably causing disruption during any online proceeding.
- 10.20 In case a Team fails to appear for a scheduled Oral Round or facing technical issues during the Oral Round, the Arbitral Tribunal after notifying the Organizers and waiting for 15 minutes shall conduct the Oral Round ex parte. The attending Team may present its arguments and shall be scored as if the absent Team were present.
- 10.21 The Team that fails to appear at the scheduled Oral Round forfeits all score for the round.
- 10.22 If all Oralists are infected with COVID-19, or unable to participate by severe personal issue so that any of the Team member is unable to participate the Oral Round, the Team forfeits all score for the round.
- 10.23 No videotaping or videotaping of oral pleadings is permitted. The Organizers reserves all rights to the audiotaping and videotaping, or any other form of audio or visual reproduction, of any Oral Round or part thereof. All Teams participating in the Final Round will be deemed to have consented to the taping and broadcasting of the Final Round.

11. Scoring

- 11.1 The teams will be ranked according to the total score of their Oral Rounds (60%) and their memorial (40%).
- 11.2 Memorials shall be scored according to the following criteria:
- 11.2.1 Structure and Grammar: Ability to present facts straightforwardly, extract submission for discussion, and use consistent logic and correct grammar;
- 11.2.2 Legal Norms: Depth of knowledge and understanding of applicable international law;
- 11.2.3 Evidence: Ability to use evidence and make appropriate reference to it;
- 11.2.4 Thoroughness: Thoroughness and clarity of research and arguments.

- 11.3 The Oral Pleadings of each oralist shall be scored according to the following criteria:
- 11.3.1 Inclusion of relevant facts: Ability to identify issues and extract relevant details from the moot problem to formulate arguments;
 - 11.3.2 Knowledge of legal norms: Depth of knowledge and understanding of applicable international law;
 - 11.3.3 Structure and logic of arguments: the ability to present facts straightforwardly, extract points for discussion, and use consistent logic and grammar;
 - 11.3.4 Response: Ability to respond appropriately to Panelists and to rebut opponents' claims;
 - 11.3.5 Presentation: ability to present claims in a persuasive manner.

12. Penalties

- 12.1 Memorials exceeding the maximum length shall result in a penalty of one (1) score per 10 words
- 12.2 Failure to use A4 electronic page shall result in a penalty of one (1) score.
- 12.3 Failure to use the correct font shall result in a penalty of one (1) score.
- 12.4 Failure to use correct font size shall result in a penalty of one (1) score.
- 12.5 Any displays of any indication of a Team's university or country of origin shall result in a penalty of 1 score per indication.
- 12.6 Failure to use the name of the Moot Problem shall result in a penalty of two (2) score.
- 12.7 Failure to include all required elements in the cover page shall result in a penalty of one (1) score.
- 12.8 Failure to use the correct page margins shall result in a penalty of one (1) score.
- 12.9 Failure to correctly identify the party submitting the memorial shall result in a penalty of one (1) score.
- 12.10 Failure to use correct page numbering in the statement facts and arguments shall result in a penalty of one (1) score.
- 12.11 Failure to use correct page numbering in other parts of the memorial shall result in a penalty of one (1) score.
- 12.12 Failure to meet the formal requirements of the footnotes shall result in a penalty of one (1) score per infraction.
- 12.13 Any pleadings included in the footnotes shall result in a penalty of one (1) score per infraction.
- 12.14 A delay of one (1) day in submitting the memorials shall result in a penalty of ten (10)

score.

- 12.15 A delay of two (2) days in submitting the memorials shall result in a penalty of fifteen (15) score.
- 12.16 A delay of three (3) days in submitting the memorials shall result in a penalty of twenty (20) score.
- 12.17 A delay of four (4) days or more in submitting the memorials shall result in Team disqualification.

13. Awards

- 13.1 Winning Team in the Final Oral Round shall be the Winner of the Moot.
- 13.2 First Runner-up Award.
- 13.3 Second Runner- up Award.
- 13.4 Participant with the highest average score at the conclusion of the Preliminary Rounds shall be adjudged the Best Advocate. Correspondingly, the next nine (9) participants with the highest average score at the conclusion of the Preliminary Round shall be honorably mentioned.
- 13.5 Team with the highest Memorial Round score for its Claimant Memorial shall be awarded the Best Claimant Memorial. Correspondingly, teams with the next two highest Memorial Round score shall be honorably mentioned.
- 13.6 Team with the highest score for its Respondent Memorial shall be awarded the Best Respondent Memorial. Correspondingly, teams with the next two highest Memorial Round shall be honorably mentioned.
- 13.7 The Team with the highest score resulting from their Memorials and Preliminary Oral rounds score shall be awarded the Overall Best Team Award.

14. Miscellaneous

- 14.1 All requests regarding the organization and administration of the Moot shall be directed to the Organizer through published contact info on the Moot Website. No Team shall seek direct communication with any member of the institution of Panelists.
- 14.2 All requests for the interpretation of the present Rules shall be forwarded to the Organizer. The Organizer shall also annually review and amend the Rules as necessary to correspond to actual circumstances.
- 14.3 Any Team submitting the Registration Form agrees to be bound by the Rules.
- 14.4 Any decision of the Host or the Organizers in connection with the organization, execution, competition and administration of the Moot is final and not subject to appeal.
- 14.5 The Rules shall take effect on 21st, April 2022.

14.6 The Organizers reserve the right to add detailed regulations at any time if they are deemed necessary.