

General Rules and Guidelines for the WTO Moot Court Competition of 2020

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 Oral Hearings

4.1 The Oral Pleading Session shall consist of Rounds where Teams are paired and plead their arguments in front of the Panel. All the teams who have submitted their Submissions by the due date will be invited to participate in the Oral Pleading Sessions. At the first Round, if there are 16 Teams or less, each invited Team will be given opportunities to orally plead both as Claimant and Respondent. Should more than 16 Teams have submitted, the Steering Committee will have discretion to decide on the number of Teams invited to the Oral Pleading Session. From the second Round to the final Round, the competition will be conducted in a tournament format.

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 First Round, the role as Complainant or Respondent will be decided by random selection or lottery. The duration of the First Round is 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 The Second to the Final Rounds ("Subsequent Rounds") will be conducted in the following format: The winner in the immediate preceding Round who layed 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 Which Team prevails in the First Round shall be determined by the Panel on the basis of the overall evaluation of the quality of Written Submissions and Oral Pleadings. The winners in the Subsequent Rounds 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 will 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 by the Minister of Trade, Industry and Energy (with cash prize) for the Final Round Winner (first place winner)
- b. Award by the President of the Korean Society of International Economic Law (with cash prize) for the Final Round Runner-up (second place winner)
- c. Awards by the Chair of the 2020 WTO Moot Court Competition (with cash prize) for Semi-Finalists (third and fourth place winners).

5.2 There will be Awards for the Best Orator per each session.

5.3 There will be one Award for the Best Written Submission.

5.4 In order to receive a 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 will be 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.*