

THE
JOHN H. JACKSON
MOOT COURT COMPETITION



The European Law Students' Association

RULES

20th Edition



Preface

The World Trade Organization (WTO) is the only global international organisation dealing with the rules of trade between nations. At its heart are the WTO Agreements, negotiated and signed by the majority of the world's trading nations and ratified by their parliaments. The WTO Agreements cover nearly 98 % of all global trade. The goal of the WTO is to develop trade rules in order to help Members' producers of goods and services, exporters, and importers conduct their business in a facilitated way.

The European Law Students' Association (ELSA) is the world's largest independent, non-profit, non-political association run by and for law students and young lawyers. The ELSA Vision is: "A just world in which there is respect for human dignity and cultural diversity." Contributing to legal education and promoting Human Rights awareness are among the central aims of the association. Through various academically focused projects and events, ELSA provides opportunities for law students and young lawyers to apply theory in practice and to learn about other legal systems. The John H. Jackson Moot Court Competition is the annually held international moot court competition in WTO law owned by ELSA.

In view of these goals, ELSA International seeks to combine its role in ongoing action to contribute to Clinical Legal Education globally and the need to support and enhance the development of trade between nations. That is why since 2001, ELSA annually organises the John H. Jackson Moot Court Competition (formerly known as the ELSA Moot Court Competition on WTO Law). This Competition seeks to educate law students from all over the world to develop their legal and oral presentation skills and to educate the new generation of lawyers in the field of international trade law. This event brings together the brightest students from four corners of the world, WTO experts from legal academia, the WTO Secretariat and international trade law practitioners.



The International Board of ELSA has set out the following John H. Jackson Moot Court Competition Rules:

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Abbreviations

“AB” Academic Board

“Africa RR” African Regional Round

“All-America RR” All American
Regional Round “Asia-Pacific RR”

Asian-Pacific Regional Round

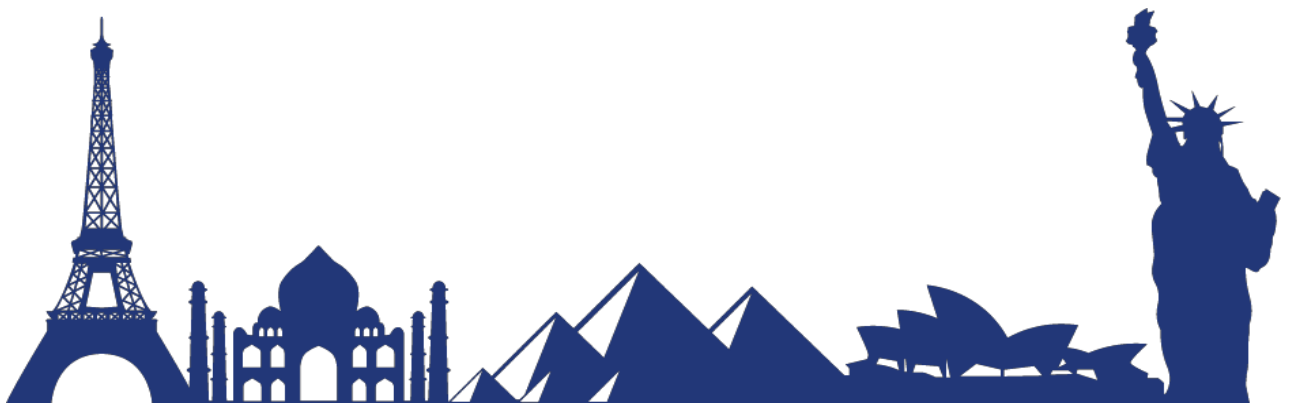
“VRR” Virtual Regional Round

“ELSA” European Law Students’ Association “FOR” Final

Oral Round “OP” Oral Pleading(s)

“VP MCC” Vice President in charge of Moot Court Competitions “WS”
Written Submissions

“WTO” World Trade Organization

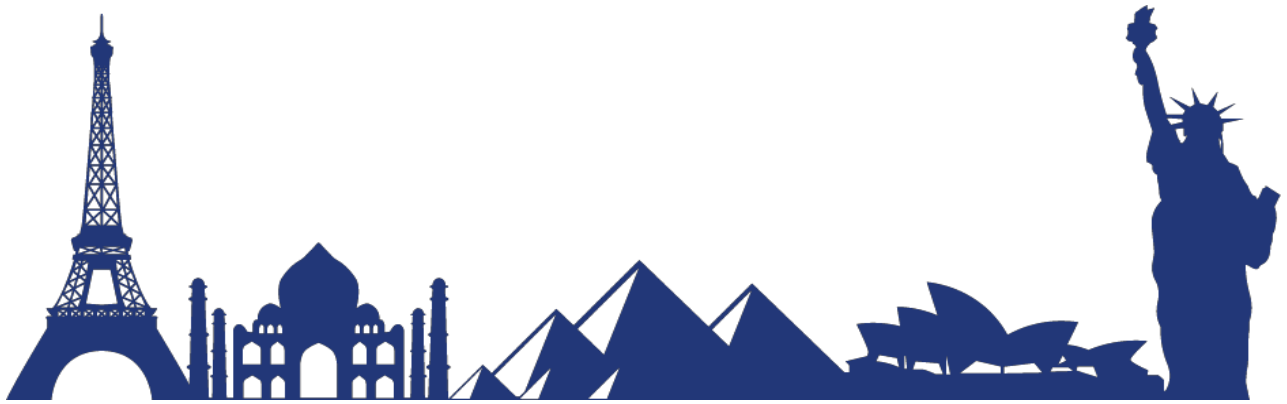


A. Organisation and Structure

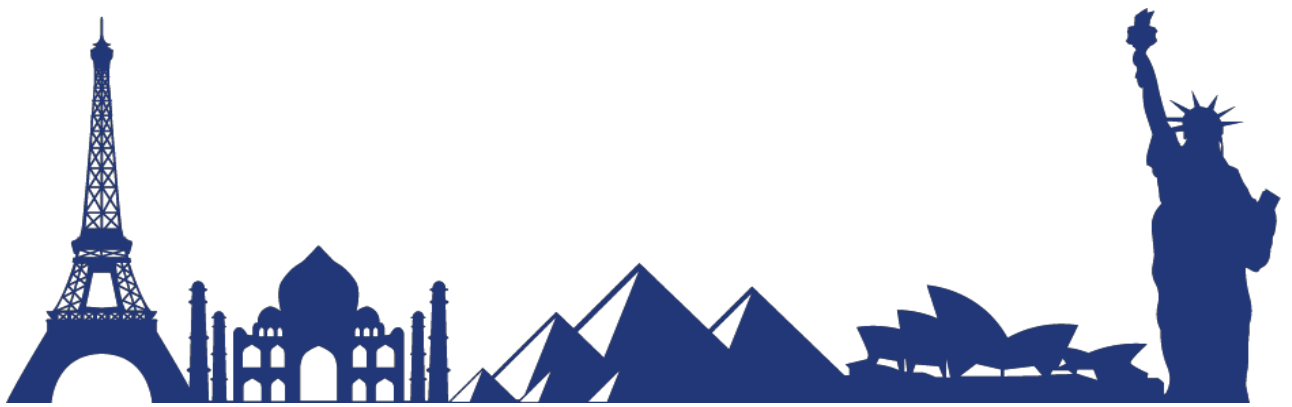
1. Organisation of the competition

- 1.1. The International Board of ELSA has the overall responsibility of the organisation of the competition. The World Trade Organization offers the International Board of ELSA technical and academic support.
- 1.2. The Vice President in charge of Moot Court Competitions (VPMCC), acting on behalf of the International Board of ELSA shall be the Head of the organisation of the John H. Jackson Moot Court Competition and in this role the person responsible overall for the competition.
- 1.3. The VPMCC, acting on behalf of the International Board of ELSA will be overall responsible for organising the Virtual Regional Rounds and ensure their technical and logistical aspects while maintaining academic quality and integrity.
- 1.4. The VPMCC, acting on behalf of the International Board of ELSA will be overall responsible for organising the Final Oral Round in cooperation with an International Organising Committee.
- 1.5. The International Board of ELSA will be responsible for the decision of the organisation in person or virtual of the Final Oral Round of the competition, after consultation of the Academic Board.
- 1.6. An Academic Board appointed by the International Board of ELSA shall be in charge of ensuring the high quality of the competition as well as advising the VPMCC on matters of Rules, Management, and Finances. Their responsibilities include, but are not limited to, the following:

- (1) Academic responsibilities:



- i. Review the responses to the call for Case authors and provide the International Board of ELSA with advice on the selection of the Case author and the topic of the Case of the John H. Jackson Moot Court Competition;



- ii. Provide support to the Case author by reviewing the Case for legal and stylistic improvement; including reviewing the bench memo, score sheet, and clarification responses.
- iii. Select panellists for scoring the written submissions (WS) for the Virtual Regional Round (VRR) and the Final Oral Round (FOR), and for the oral pleadings of the various VRRs and the FOR.
- iv. Manage the distribution of written submissions for judging and the receipt of the scores.

(2) Rules:

- v. Annually make recommendations on changes in the Rules.
 - vi. Give advisory opinions to the International Board of ELSA in response to questions from participants (teams, coaches, regional round organisers) on interpretation of the existing Rules or requests for waivers of the Rules.
 - vii. Advise and review any guidelines issued by the International Board of ELSA as an interpretation or guidance based on the Rules – such as guidelines for panellists or participants.
- (3) Provide guidance and advice to the VP MCC, upon request, with respect to selection of regional round hosts, logistical arrangements, fee structures and financial aid packages, and fundraising. Receive feedback from sponsors on compliance with contractual and financial transparency obligations.

1.7. The International Board of ELSA has the right to develop and

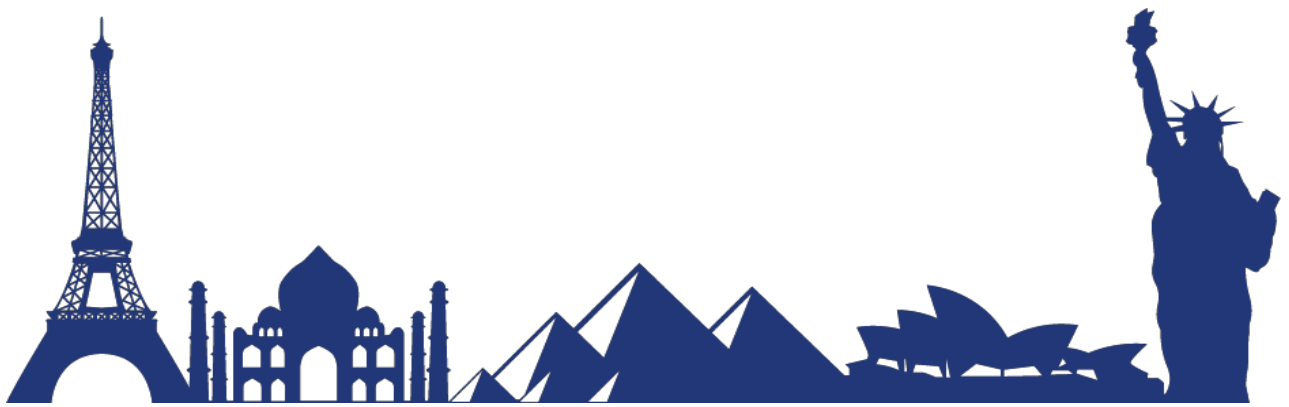


interpret the existing Rules as well as to issue additional Rules and updates which will be applicable immediately. All Rules come into force once they are published on the website.

- 1.8. The International Board of ELSA will define a timeline for the competition which will be binding.



- 1.9. The International Board of ELSA will provide information about the software and the technicalities of the VRRs before the date of publication of the Virtual Regional Rounds Allocation List.
- 1.10. The International Board of ELSA will provide guidelines about the use of the software before the date of publication of the Virtual Regional Rounds Allocation List.
- 1.11. The International Board of ELSA owns the intellectual property rights of all the documents of the competition.



2. Structure of the competition

- 2.1 The competition will be entirely held in the English language.
- 2.2 The competition is divided into three rounds: The Written Round, the Virtual Regional Rounds and the Final Oral Round.
- 2.3 The Virtual Regional Round shall aim at selecting the teams for the Final Oral Round. If the International Board of ELSA decides that it is feasible and safe to hold regional rounds in person, the same rules concerning VRR shall also apply to physical Regional Rounds.
- 2.4 The International Board of ELSA will publish the technicalities and the date of the various Virtual Regional Rounds prior to the registration deadline.
- 2.5 The teams will be allocated to a VRR according to the following list:

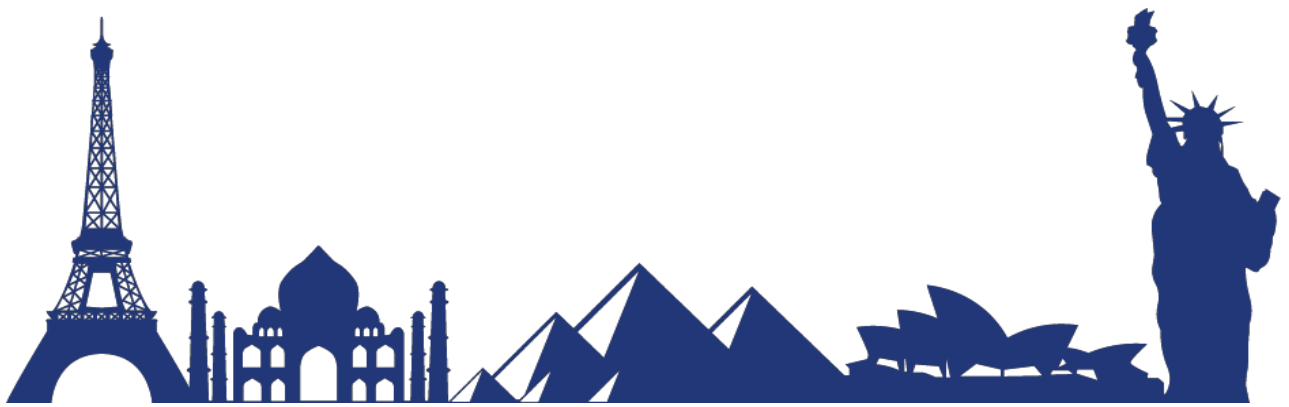
(1) European Regional Rounds

Albania, Andorra, Armenia, Austria, Azerbaijan, Belgium, Belarus, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kazakhstan, Latvia, Lithuania, Liechtenstein, Luxembourg, Malta, Moldova, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Russian Federation, Serbia, Slovak Republic, Slovenia, Spain, Sweden, Switzerland, Turkey, Ukraine, and the United Kingdom.

(2) All-American Regional Round

I. Anglophone America

Antigua and Barbuda, Bahamas, Barbados, Belize, Canada, Dominica, Grenada, Guyana, Haiti, Jamaica, Saint Kitts and



Nevis, Saint Lucia, Saint Vincent & the Grenadines, Trinidad and Tobago and the United States of America.

II. Latin America

Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Suriname, Uruguay and Venezuela.

(3) Asian-Pacific Regional Rounds



I. East Asia and Oceania

Australia, Bhutan, Brunei-Darussalam, Cambodia, Chinese Taipei (Taiwan), Fiji, Hong Kong, Indonesia, Japan, Laos, Macau China, Malaysia, Mongolia, Myanmar, New Zealand, Papua New Guinea, Philippines, People's Republic of China, Republic of (South) Korea, Singapore, Solomon Islands, Thailand, Tonga, Vanuatu and Vietnam.

II. West and South Asia

Afghanistan, Kingdom of Bahrain, Bangladesh, India, Iran, Iraq, Israel, Jordan, Kuwait, Kyrgyz Republic, Lebanese Republic, Maldives, Nepal, Oman, Pakistan, Qatar, Saudi Arabia, Sri Lanka, Syria, Tajikistan, United Arab Emirates, Uzbekistan, and Yemen.

(4) African Regional Round

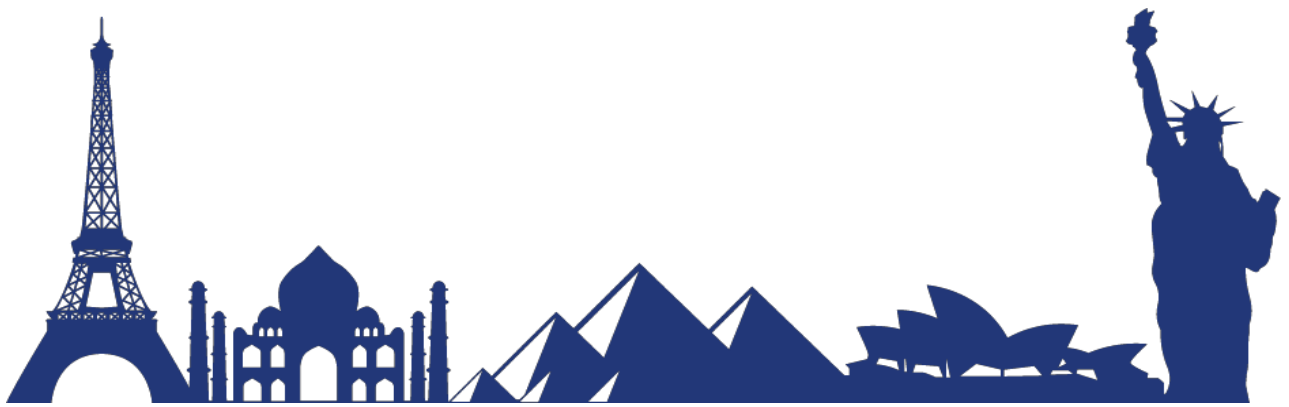
Algeria, Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Central African Republic, Cape Verde, Chad, Comoros, Democratic Republic of Congo, Republic of the Congo, Côte d'Ivoire, Djibouti, Egypt, Equatorial Guinea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea Bissau, Kenya, Lesotho, Liberia, Libya, Madagascar, Malawi, Mali, Mauritania, Mauritius, Morocco, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tomé Príncipe, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Swaziland, Tanzania, Togo, Tunisia, Uganda, Zambia, and Zimbabwe.

- 2.6 The International Board of ELSA will determine the number of teams qualifying for the FOR from each VRR. However, from the VRRs, at least the winning team and runner-up will progress. The International Board of ELSA reserves the right to select the team with the highest score to qualify to the FOR, in a case of an uneven



number of teams qualifying to the FOR.

- 2.7 The Virtual Regional Rounds shall have at least three stages: Preliminary Rounds, Semi-Finals and the Grand Final. The Final Oral Round shall also include a Quarter Final. The International Board of ELSA reserves the right to add additional elimination rounds, based on the number of teams in the round.



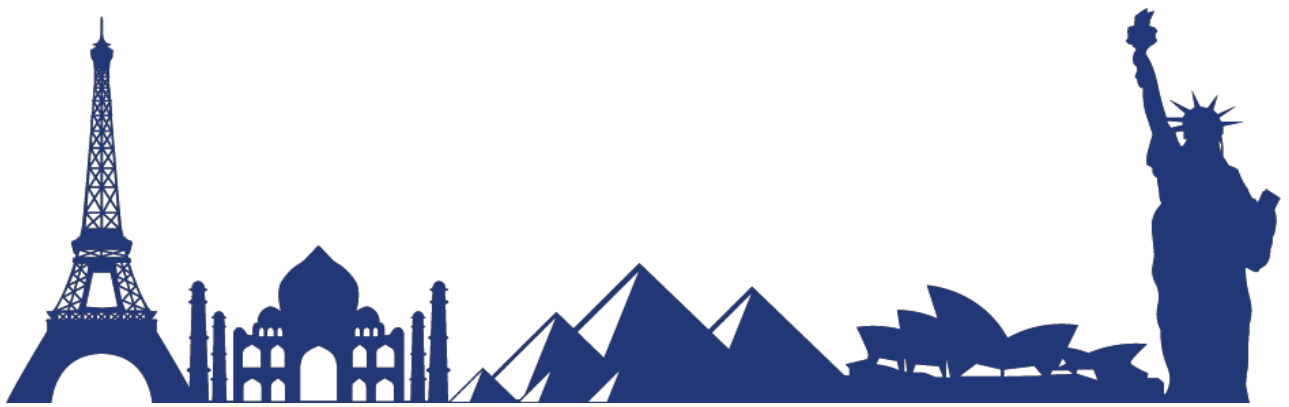
2.8 The Quarter Final Rounds will be held as follows:

- (1) The teams ranked as the eight (8) best teams out of the Preliminary Rounds will qualify for the Quarter Finals.
- (2) The match-up of the teams in the Quarter Finals will be based on their rankings by Overall Score. The team with the highest (1st) Overall Score will plead against the Team with the eighth (8th), second (2nd) place team against seventh (7th) place, third (3rd) place against sixth (6th) place, and fourth (4th) place against fifth (5th).
- (3) The four (4) winning teams of the Quarter Finals will qualify for the Semi-Final Rounds.

2.9 The Semi-Final Round will be held as follows:

- (1) The four best teams either from the Preliminary Round or the Quarter Final Round will qualify for the Semi-Final Rounds.
- (2) In Semi-Final #1 the Team with the highest (1st) Overall Score will plead against the Team with the fourth (4th) highest Overall Score.
- (3) In Semi-Final #2 the Team with the second (2nd) Overall score will plead against the Team with the third (3rd) highest Overall score.

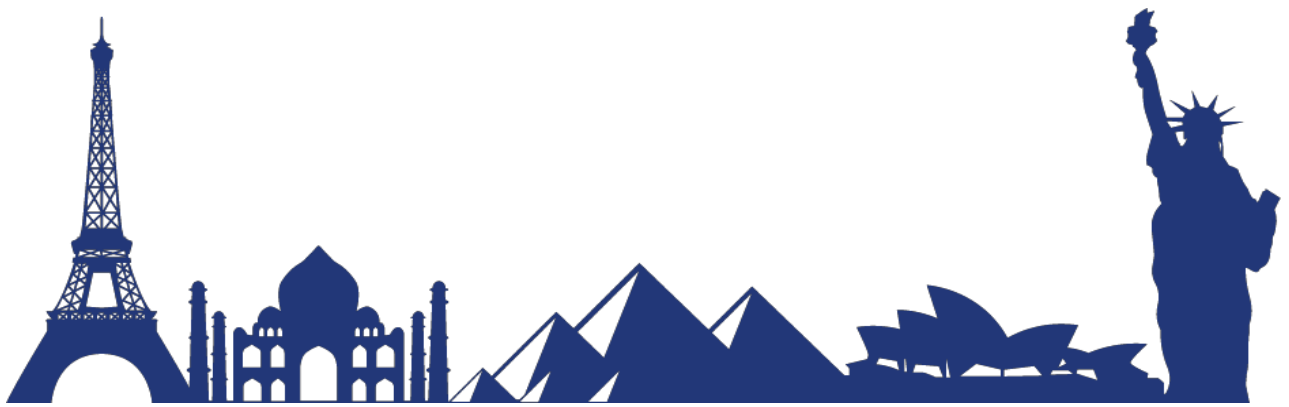
The winning teams of each Semi-Final Round will advance to the Grand Final.



B. Organisers and Participants

1. The Panel

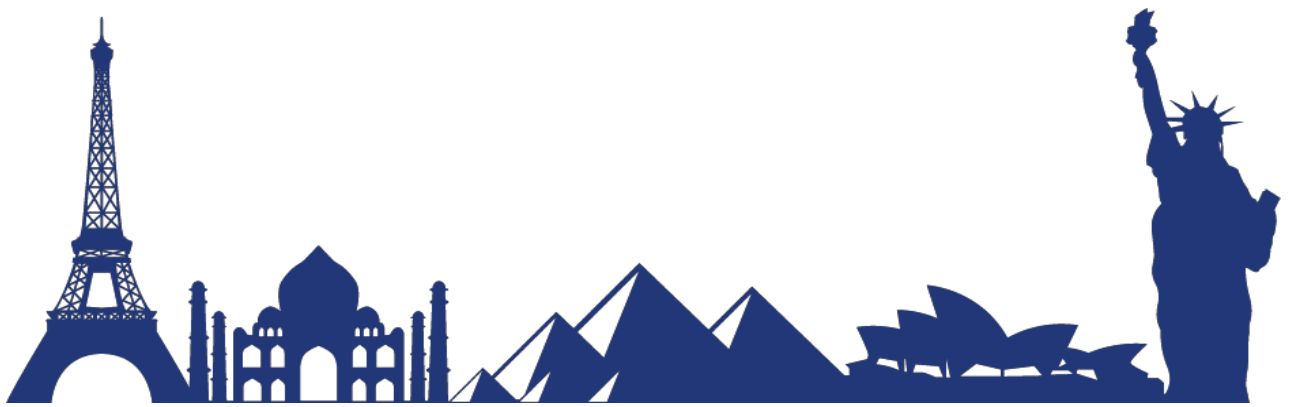
- 1.1. The Competition relies on international trade law experts appointed by the International Board of ELSA upon selection by the Academic Board to score the written submissions and the oral pleadings. These individuals are referred to as panellists.
- 1.2. In selecting panellists, for both the written submissions and oral pleadings the International Board of ELSA and the Academic Board will bear in mind the desire to have diversity based on gender, race, and national origin. In composing panels for the oral pleadings, the International Board of ELSA will work to ensure a diverse panel composition.
- 1.3. Panellists will examine and score the WS according to certain scoring and marking guidelines. The scores of the panellists will be averaged to determine the total score for the WS.
- 1.4. For the Oral Pleadings, the panel shall always have an odd number of persons sitting on it as follows:
 - (1) Preliminary Rounds three (3) panellists
 - (2) Quarter Final Rounds three (3) panellists
 - (3) Semi-Finals
 - i. Virtual Regional Round: three (3) or five (5) panellists
 - ii. Final Oral Round: five (5) to seven (7) panellists
 - (4) Grand Final
 - iii. Virtual Regional Round: five (5) to seven (7) panellists
 - iv. Final Oral Round: seven (7) to (9) panellists.
- 1.5. The panel shall pose questions to the teams at any time during the



pleading.

1.6. Panellists' obligations:

- (1) The panellists shall not provide support or advice of any kind to any participating team or any coach before, during or after the Competition



commences, and shall disclose the existence of a conflict of interest with any of the teams. Teams receiving support or advice from a panellist will be disqualified.

(2) Panellists must keep the contents of the bench memorandum strictly confidential and not share any aspects of it in any form with teams and coaches throughout the Competition.

(3) Panellists shall not score a written submission if it has become apparent to them which team they are scoring. If a team has identified itself in its written submission or a panellist knows the team number of a particular team, they shall inform the International Board of ELSA immediately and cease to score the submission.

(4) Panellists shall not participate in an oral pleading where it is considered they have a conflict of interest. This may mean that a panellist will not be permitted to judge a specific VRR or at the FOR, if the team that gave rise to the conflict is competing.

1.7. A “Conflict of Interest” means an affiliation which would, in the eyes of a reasonable observer, create an inference that the affiliated panellist would be unable to be impartial as to the conduct or result of a VRR or at the FOR. Affiliation means a personal or professional relationship between a panellist and a school, coach, or Team member that is participating in the Competition in which the panellist is participating.

1.8. Conflict of Interest DOES NOT arise when:

(1) the panellist knows one or both coaches, either because of professional or personal affiliation, prior participation in moot court Competitions, or other reasons;

(2) the panellist is an alumnus of one of the schools participating



in the VRR or at the FOR;

- (3) the panellist is an employee of one of the schools participating in the VRR or at the FOR where such employment is sufficiently remote from the activities of the Team as to dispel any reasonable suspicion of partiality;
- (4) the panellist is from the same country as a team that he/she is scoring.



2. Timekeepers

2.1 Timekeepers are responsible for recording the time allocations notified by the Teams, and any extensions awarded by the panel Chair. Timekeepers will notify the time remaining for every individual orator, including extension times, both to the panel and to the two Teams.

3. Team Composition

3.1 To take part in the Competition, a team must be composed of law students attending a university or law faculty located in a Member State of ELSA or a current or acceding Members or observers to the WTO. If the university has a campus in another country, the team representing the university is allowed to enter as well. If a university has more than one law faculties, each faculty may be represented by a team.

3.2 There shall only be one (1) team per university or law faculty, because the team will be representing it. If different independent universities are located in the same city, each may send a separate team. However, all team members must be from the same university or law faculty. If more than one team per university or law faculty will register, the university or law faculty shall select the participating team. Under exceptional circumstances, and prior authorisation by the International Board of ELSA and the Academic Board, a national team might be composed of members from two different universities of the same country.

3.3 Only students from a university or law faculty awarding a law degree, not a doctoral program, are allowed to participate.

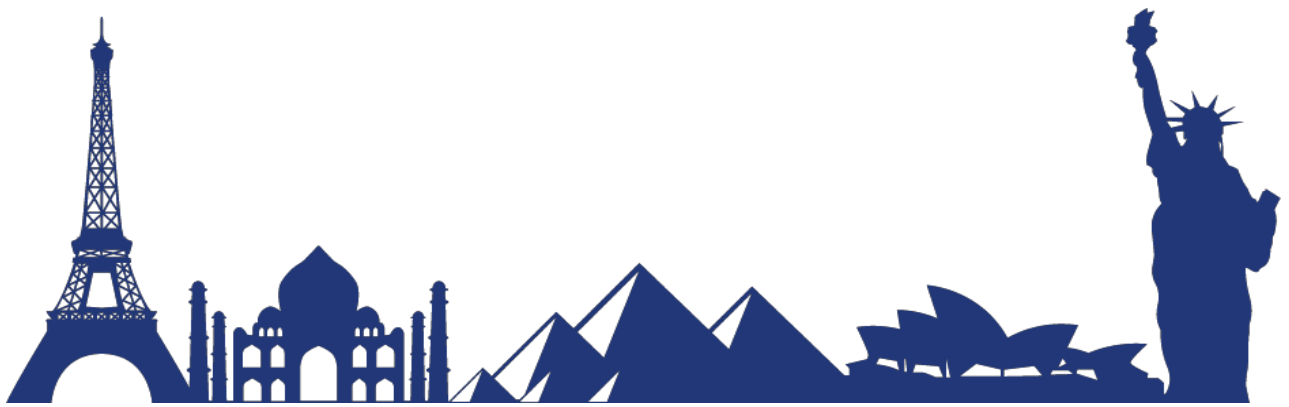
3.4 Each Team is allowed to register only two (2) coaches. Two teams cannot share a coach.

3.5 The team shall consist of 2 to 4 law students. Students being on



exchange in another country are eligible to participate as part of their foreign university.

- 3.6 The teams shall submit their team composition via the registration form.
- 3.7 Although the students must do all the research for the written submissions themselves; without assistance from anyone who is not a student member of the team; faculty, advisors, and coaches may help identify the issues, comment on the persuasiveness of the arguments the students have made in drafts and, when necessary, suggest other arguments the students might consider employing, as well as assist in linguistic matters. However, the final



product must be the students', not the coaches'. Teams not obeying this rule will be disqualified.

3.8 Registered Team Members from one Team are permitted to engage in practice moots amongst themselves and within their own institutions. Any assistance given in this phase shall also be limited to a general discussion of the issues, linguistic help and training in presentation skills.

3.9 The following students will be excluded or disqualified:

- (1) The student is involved in the current organisation of the John H. Jackson Moot Court Competition;
- (2) The student has previously participated in the John H. Jackson Moot Court Competition, unless the team was kept from participating because of external circumstances, such as force majeure or visa issues, or the student was a member of a registered team which withdrew or was disqualified from a previous edition with the exception of teams and team members which were caught cheating;
- (3) The student was a member of a registered team and the team withdraws or was disqualified;
- (4) The student is not enrolled in a law degree in the university;
- (5) Students who have been/are engaged in the practice of law. The practice of law implies a significant amount of professional activity in functions such as judge, law professor or teacher, advocate lawyer, attorney, barrister, solicitor, notary, bailiff, or corporate legal officer. Practice of law entails activities such as pleadings before domestic or international courts, arbitral tribunals or other dispute resolution institutions, including those with a mediation or conciliation function.



- (6) One, but not the sole indication of activities relevant for this rule is that the activity at issue is normally undertaken only by admitted legal practitioners, even if it can technically also be performed by non- admitted legal practitioners.
- (7) Student employment during holiday periods or as part of the academic programme that is typically undertaken by law students (such as



internships of duration in law firms and other legal institutions or legal assistance clinics run by law schools or volunteer work) shall normally not be regarded as having been or engaging in the practice of law. However, teams should consult the International Board of ELSA representative in case of any doubts, particularly in cases of professional activities outside of holiday periods, to avoid subsequent disqualification.

3.10 A student who would be excluded or disqualified because of any of the criteria above, is not subject to such exclusion or disqualification if the situation arises after the commencement of Rounds.

3.11 Students or team coaches/administrators may apply for an exemption from the aforementioned rules by email to the International Board of ELSA and the Academic Board before the stated registration deadline. Team Members, and Team Coaches are prohibited from engaging in communication with a panellist or individual members of the Academic Board on such requests.



C. The Competition

1. The Case and the Timeline

- 1.1. The International Board of ELSA upon recommendation of the Academic Board will appoint one or multiple international trade law experts to be the Case author(s). The Case will reflect one or more international trade law issues. The case authors must maintain his/her independence and impartiality and not engage in any conduct giving rise to a conflict of interest.
- 1.2. The Case will be posted on the website according to the timeline. The same Case shall be used throughout the entire Competition
- 1.3. The International Board of ELSA will issue a binding timeline of the Competition in accordance with these Rules. The timeline will be published on the website.
- 1.4. Teams may submit a maximum of five (5) clarification questions to the Case author within the indicated clarifications deadline.



2. Registration

- 2.2 Teams must fill in a team registration form and have to pay the registration fee before the beginning of actual pleading rounds in order to be fully registered to the Competition. The International Board of ELSA will provide the teams with a confirmation of their registration.
- 2.3 After submitting the registration form, the International Board of ELSA will issue a team number. All communication must be made with this team number. The name of the university shall not be mentioned.
- 2.4 Once the team has filled in the registration form, the team composition shall not be changed after the registration deadline. However, the International Board of ELSA may consider such a change in exceptional circumstances upon detailed request. The team composition does not include the Team Coach(es) who are subject to different rules.
- 2.5 Contact details may be provided to the John H. Jackson Moot Court Competition Sponsors. Registered team members can expect to receive communications from the John H. Jackson Moot Court Competition Sponsors, regarding their career opportunities. Contact details of registered teams will be treated according to the Privacy Policy. The International Board of ELSA undertakes to handle all information provided to it under the applicable rules of the European Union (i.e., GDPR). Teams may consult the privacy policy set forth on the registration form in terms of who their data may be shared with and for what purpose.



3. Anonymity Rule

- 3.1 During the competition, the registered teams and their coaches shall not disclose to the panellists (not including other teams, coaches or self-marketing on social media platforms) any details or information regarding their universities, law faculties or countries of origin. They are only allowed to reveal to the panellists their team numbers.
- 3.2 For breaches of the Anonymity Rule that occur in or outside of the Oral Pleading Session, the International Board of ELSA will impose a penalty ranging from the reduction of points from the team's Overall Score to disqualifying the team, as appropriate to the circumstances.

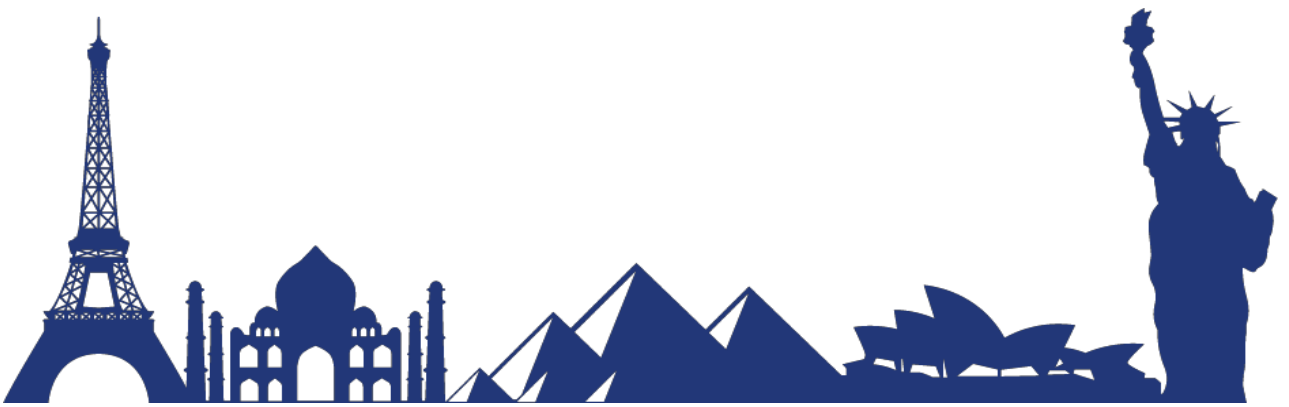
4. Fees

- 4.1 The registered teams must pay a competition fee which consists of the registration and the participation fee. The competition fee must be paid to the International Board of ELSA. The teams must bear the costs for any bank transfers.
- 4.2 Each team completing the full registration will have to pay a non-refundable registration fee for the admission to enter the Competition. The registration fee is 250 Euros for one team.
- 4.3 The teams taking part in the FOR will have to pay a participation fee for each team member. This fee covers: items such as the social program, and administration costs. The amount of the fee will be announced on the website of the John H. Jackson Moot Court Competition. The teams also bear the cost of any bank transfer fees. Cancellations must be in writing to the International Board of ELSA and it is at the discretion of the International Board of ELSA whether to refund these fees.
- 4.4 Team coaches will have to pay the participation fee. Only two (2)

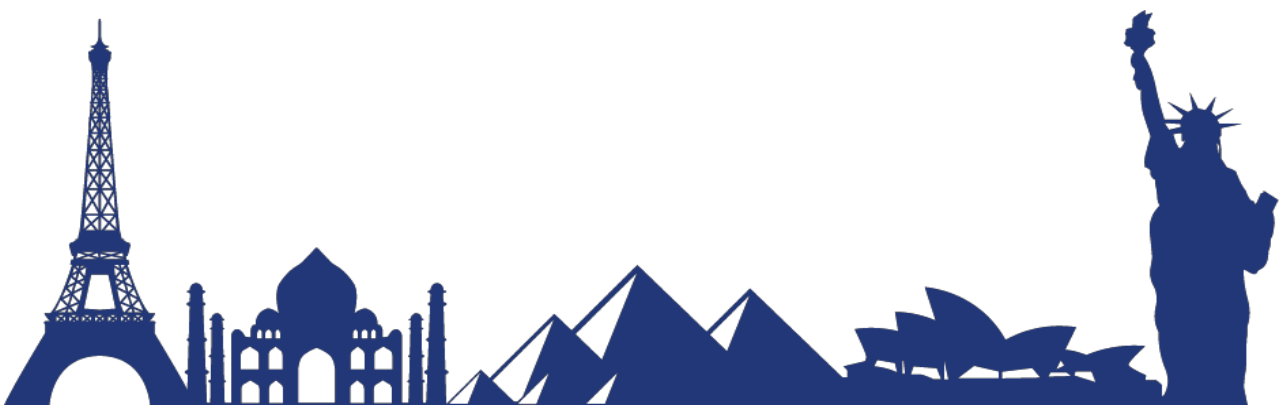


coaches can attend the Virtual Regional Rounds and the Final Oral Round with their team.

- 4.5 This participation fee will be paid only in case of an in-person Final Oral Round.

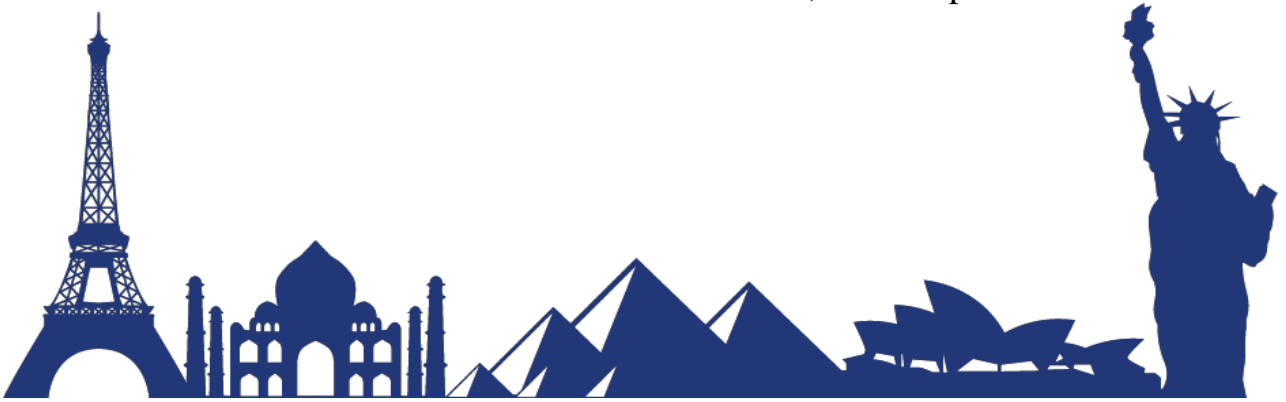


- 4.6 The teams can apply for financial help to the International board of ELSA that will cover the totality or half of the 250 euros of the registration fee.
- 4.7 To apply for this help, the teams need to communicate to the international board of ELSA when registering:
 - (1) A letter explaining the reason for their application to the help;
 - (2) A recommendation letter attesting of their academic value;
 - (3) A curriculum vitae for each of the participants.
- 4.8 The date of the application period will be stated in the timeline of the competition.
- 4.9 The International Board of ELSA will promote the diversity of teams to which this help will be granted, considering the geographical location of the teams.



5. The Written Submissions

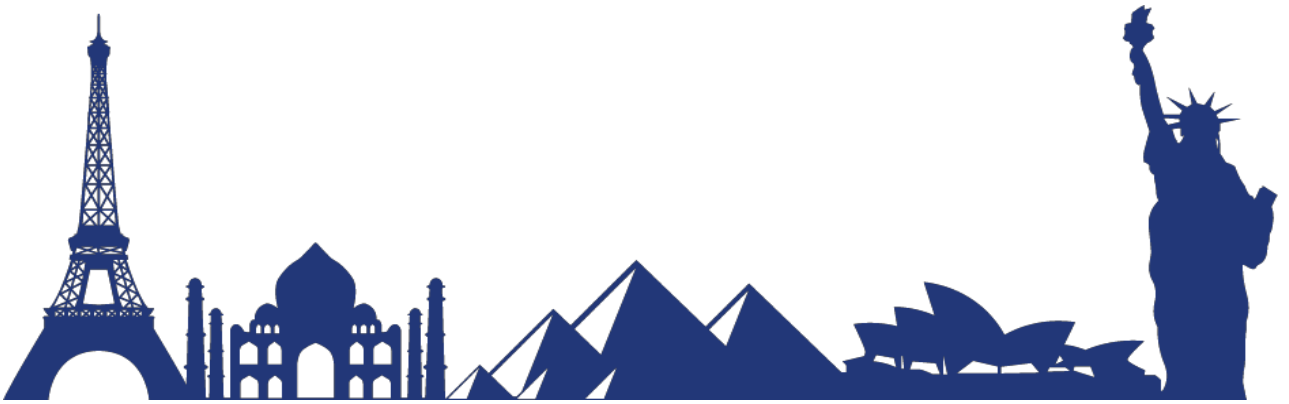
- 5.1 Registered teams must send one Written Submission (WS) for the Complainant and one Written Submission for the Respondent (two separate Written Submissions in total). Guidelines for WS can be found on the John H. Jackson Moot Court Competition website.
- 5.2 The WS must be submitted as electronic copies only in WORD document format. The 'protect document' function may be used. The title of this electronic document shall include the party and team number. (e.g. JHJMCC_Team014_ComplainantWS_20162017.doc)
- 5.3 If a team does not send in their WS within the deadline, penalty points will be given. If they are not sent in maximum three (3) days after the deadline, the team will be disqualified.
- 5.4 Any modification of the WS after submitting them to the International Board of ELSA is not permitted.
- 5.5 The International Board of ELSA will own the copyright on the WS after it is submitted.
- 5.6 The WS shall be written under the following instructions:
 - (1) A4 size paper
 - (2) Font: Times New Roman
 - (3) Font Size: 12
 - (4) Kerning is not permitted
 - (5) Margins of 2.54 cm on top, bottom and both sides
 - (6) 1.5 interlinear space for the text
- 5.7 Footnotes shall be in Times New Roman, font 10 point and used



for legal references only. They shall not contain any additional substantive parts of the pleadings.

5.8 The WS shall contain the following:

(1) General Part;



- (2) A cover page (with the given team number, the name of the Case and type of document);
- (3) A table of contents;
- (4) A list of references;
- (5) A list of abbreviation;
- (6) Substantive Part;
 - i. A summary;
 - ii. A statement of facts (brief description);
 - iii. Identification of the measures at issue;
 - iv. Legal Pleadings (detailed explanation);
 - v. Request for Findings (specific request what the panel should find).

5.9 Each Submission shall not exceed 35 pages, not including the cover page. The following lengths of each part must be obeyed:

- (1) Table of Contents, List of References and List of Abbreviations - maximum ten (10) pages;
- (2) Statement of Facts – one (1) page;
- (3) Summary - two (2) pages;
- (4) Identification of the Measures at Issue and Legal Pleadings – maximum twenty
- (5) (20) pages;
- (6) Request for Findings – two (2) pages.

5.10 The Academic Board and the International Board of ELSA will oversee the scoring of the WS by the selected panellists. Each of



the WS shall be assessed at least once for all the Teams, and a second time for the Teams taking part in the Final Oral Round.



5.11 The WS will be scored on the following criteria:

- (1) Analysis of the legal issues, 60%;
- (2) Argumentation and writing style, 40%.

5.12 The maximum score is 50 points per WS.

5.13 40 % of the total scores of both WS will be used for the team ranking in the preliminary rounds.

5.14 The penalty system can be found in Section 7.

5.15 The scores of the Virtual Regional Rounds and the FOR are in the sole possession of the International Board of ELSA. The final scores will be published after the FOR has been concluded.

6. The Oral Pleadings

6.1 Each team shall present their oral pleadings (OP) for the Complainant and the Respondent. The pleadings shall be held in sitting. The scope of the OP of a team does not depend on the scope of the WS.

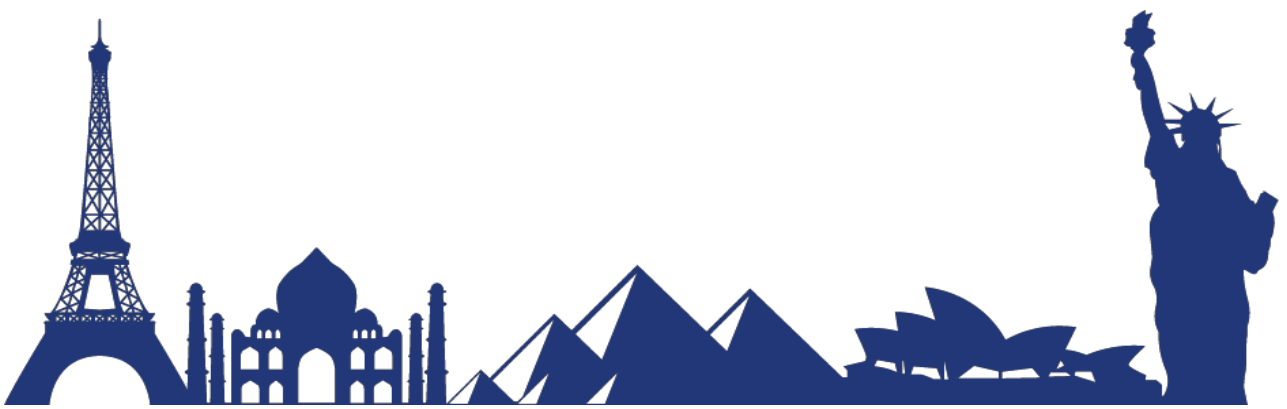
6.2 The VPMCC shall establish the pairings for the Preliminary Rounds by a random draw. The VPMCC may modify this random draw to ensure geographic and competitive diversity and balance.

6.3 Each team is granted a total forty-five (45) minutes, during which time they present their main oral pleading and address the questions asked by the panel. The Team Appearance is not included in this time and shall be done at the beginning of each pleading session by teams following the instructions of the panel chair. In addition, each team is granted five (5) minutes to present their rebuttal/sur-rebuttal. Besides the Team Appearance, Team members can only speak once per oral pleading and indicate its duration in the time allocation sheet. This restriction does not apply



to the Team Appearance and the rebuttal/sur-rebuttal.

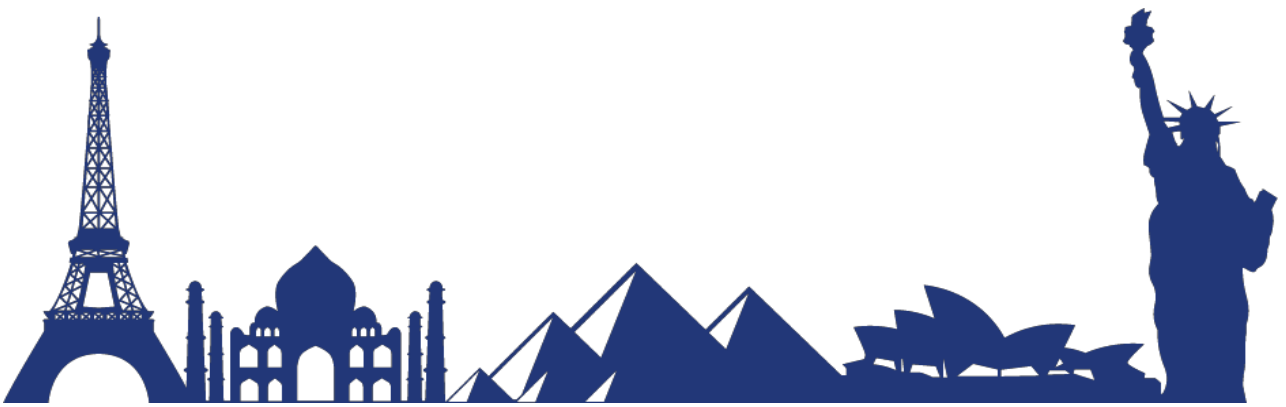
- 6.4 Prior to the beginning of their pleadings, each Team must indicate to the timekeepers how it wishes to allocate its forty-five (45) minutes of main pleading time among its orators. In addition, the Complainant Team must indicate how it wishes to allocate its five (5) minutes of rebuttal and the Respondent Team must indicate how it wishes to allocate its five (5) minutes of sur-rebuttal. Only one person can present the rebuttal/sur-rebuttal.



- 6.5 A Team may not allocate more than twenty-five (25) minutes of their main pleading time to any orator. Time allocated for, but not used by one orator, may not be used by another orator during their pleading, or in the rebuttal or sur-rebuttal.
- 6.6 A Complainant orator may ask for an extension at the end of his/her pleading time. The panel Chair will decide whether to award an extension, in consultation with the other panellists. A maximum of two (2) minutes may be awarded to any given orator. The Respondent Team has a right to ask for an extension time equal to that asked by the Complainant Team. This time, however, is NOT automatically awarded to the Respondent Team but only upon request at the end of a Respondent orator's allocated time. This extension time can be freely divided between the Respondent orators, without the 2 minutes per person restriction. However, each orator can ask for extension only once. If all the extended time is used up, Respondent orators are not entitled to any other extensions.
- 6.7 No extensions are permitted during rebuttal or sur-rebuttal.
- 6.8 A minimum of two (2) and a maximum of three (3) team members shall present the main oral pleading. Each Orator must at least speak seven (7) minutes during the main OP. Each Orator must present oral pleadings for the Complainant and the Respondent in the Preliminary Rounds, to be eligible for the Best Orator's award.
- 6.9 The team captain shall introduce all the team members and the nominated Orators within the Team Appearance. This time is not included in the main oral pleading time. However, the Team Appearance should not exceed more than 3 minutes.
- 6.10 Only the nominated Orators may answer questions from the panel during the main oral pleading. This needs to be done during the allocated speaking time.



- 6.11 Each Team shall be given a maximum of five (5) minutes to present its rebuttal or sur-rebuttal, including the time to address the panel's questions.
- 6.12 Only one team member, nominated during the team appearance, shall present the rebuttal or sur-rebuttal and answer the panels' questions. The scope of the Complainant's rebuttal is limited to the issues raised in the Respondent's



main oral pleadings and Respondent's sur-rebuttal is limited to the issues raised in the Complainant's rebuttal.

6.13 The order of the presentations during the OP can be found in the guidelines for the OP on the website. The teams are free to address the issues raised in the Case in any order.

6.14 The teams will be ranked according to the total score of their OP (60 %) and their WS (40 %) in the Preliminary Rounds. In case of a tie in the ranking, the team with the higher WS score will advance to the elimination rounds (Quarter Finals or Semi-Finals as applicable). In case of a tie in an elimination round, the team that was ranked higher by a majority of the panellists will advance.

6.15 The role of the teams in the Preliminary Rounds and in the Elimination Rounds will be determined randomly. If the teams have pleaded against each other before, they will plead for the opposite party.

6.16 The scores of the OP will be made on the following criteria:

- (1) Legal Analysis – 60%
- (2) Argumentation and Style – 40%

6.17 The maximum score is 50 points divided accordingly:

- (1) Legal Analysis – 1-6 poor, 7-12 fair, 13-18 good, 19-24 very good, 25- 30 excellent).
- (2) Argumentation and Style – 1-4 poor, 5-8 fair, 9-12 good, 13-16 very good, 17-20 excellent.

6.18 During the preliminary rounds and the Quarter Finals, only the panel and other panellists, the timekeepers, the teams, the team coaches, the organisers and the International Board of ELSA are allowed to be present in the pleading rooms. The Semi-Finals and

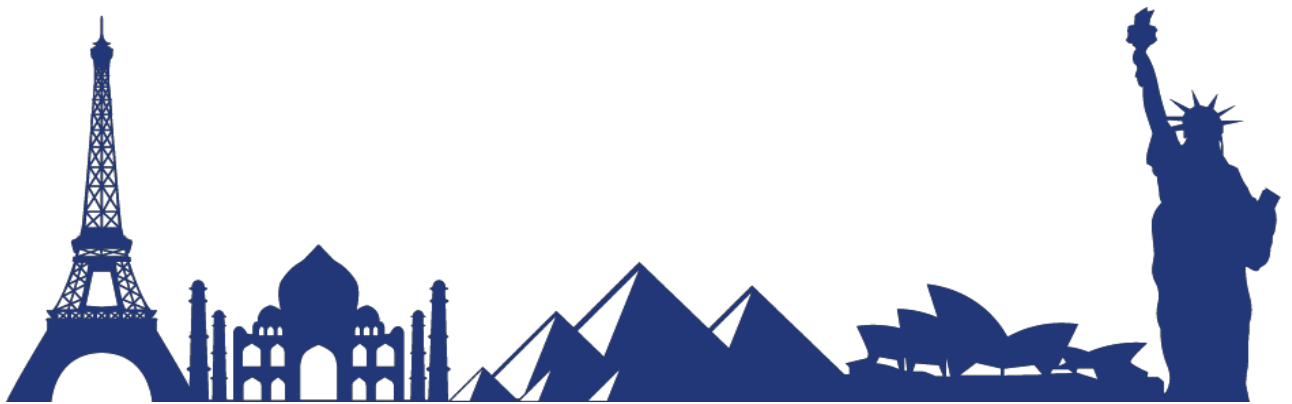


the Grand Finals are open to the public.

6.19 Teams shall not present any visual aids or presentations or documents, treaties, other legislation, amicus curia briefs, hand-outs to the other teams and the panel.

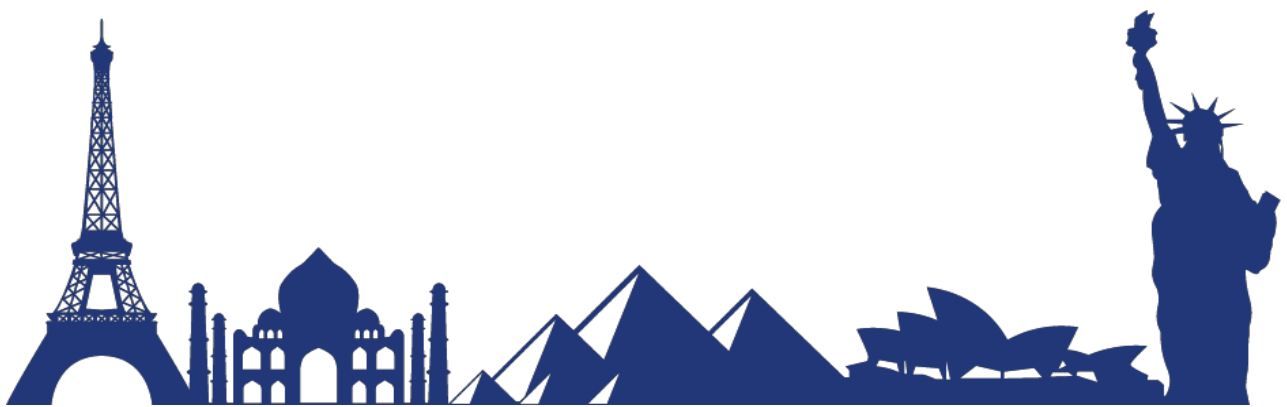


6.20 Teams may use one (1) device for the inquiry of information only. One (1) additional device may be used for timekeeping. Notes on the laptops, during the OP are prohibited. The panel has the right to issue penalty points in case of disturbance due to the use of additional device.

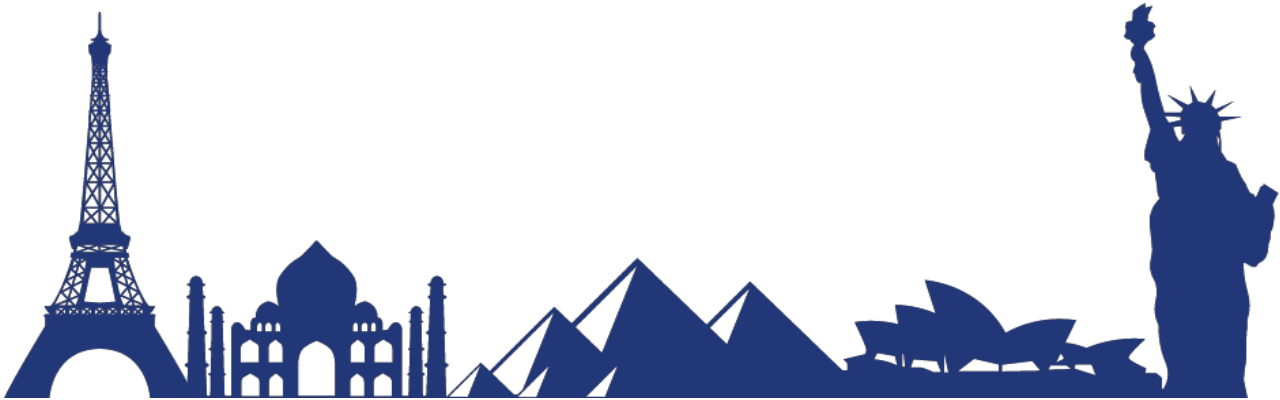


7. Penalty System

Action	Penalty Points
Exceeds the maximum length of Table of Contents, List of References and list of abbreviations	0,5 per page
Exceeds the maximum length of Statement of Facts	0,5 per page
Exceeds the maximum length of Summary	0,5 per page
Exceeds the maximum length of Identification of WTO Measures at Issue and Legal Pleadings	0,5 per page
Exceeds the maximum length of Request for Findings	0,5 per page
Failure to use A4 electronic page	0,5
Failure to use correct Font	0,5
Failure to use correct Font size	0,5



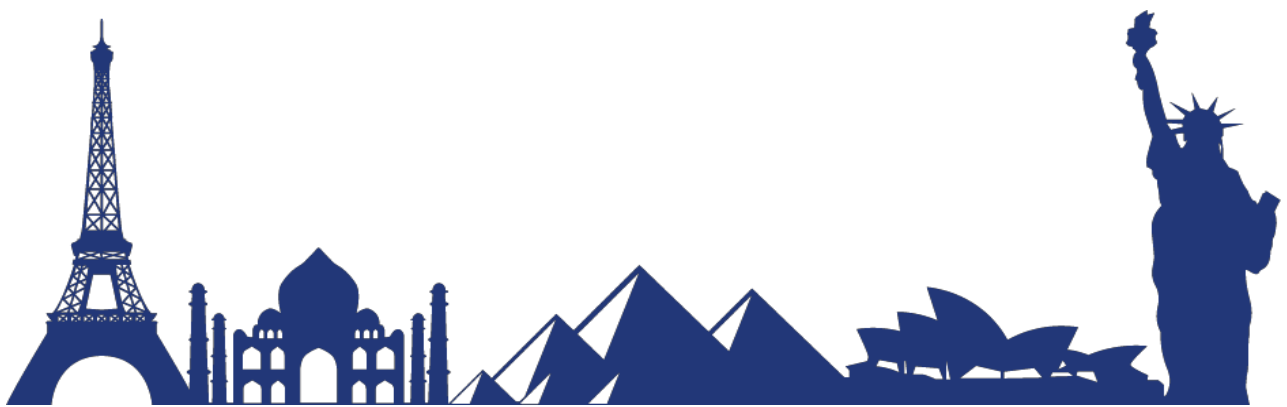
Applied “kerning” to the document	0,5
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Failure to use correct Inter-liner Spacing in main text	0,5
Failure to use correct Page margin	0,5
Failure to use team Number or Team identifies itself by name	1,5
Failure to use the name of the Case	0,5
Failure to use correct front cover as per Appendix B	0,5
Failure to correctly identify the document of the party (e.g. Complainant WS)	0,5
Failure to use correct Page Numbering in the General Section	0,5
Failure to use correct Page Numbering in the Substantive Section	0,5
Failure to meet the Form requirements of the footnotes	0,5 per infraction
Includes pleadings in the footnotes	0,5 per infraction



Electronic copy of Written Submissions dispatched in wrong format. Additionally, team will be asked to send their WS in the right format.	1,5 per WS
One (1) day delay in dispatch of documents	0,5
Two (2) days delay in dispatch of documents	1,5
Three (3) days delay in dispatch of documents	2,5
More than three (3) days delay in dispatch of documents	Team Disqualified



8. Awards

8.1 The following awards will be given to the participating teams at every VRRs and the FOR. Only the teams qualified for the FOR are eligible for the awards given during it. Additional awards may be added throughout the Competitions duration.

- (1) The Winner.
- (2) The Runner-up.
- (3) The Best Overall Written Submissions (combined scores of the Complainant and Respondent WS as well as the penalty points).
- (4) The Best Complainant's Written Submission – The Gabrielle Marceau Award.
- (5) The Best Respondent's Written Submission – The Valerie Hughes Award.
- (6) The Best Orator of the Preliminary Rounds (each Orator must present oral pleadings for the Complainant and the Respondent to be entitled for the prize).
- (7) Best Orator of the Quarter-Finals.
- (8) The Best Orator of the Semi-Finals.
- (9) The Best Orator of the Grand Final of the FOR– The Werner Zdouc Award.



D. Appendixes

The Appendixes are an addition to the official Rules and thus, binding.

Appendix A – Competition Timeline

Appendix B – Written Submission

Cover Example **Appendix C** –

Guidelines for Written Submissions

Appendix D – Guidelines for Oral

Pleadings **Appendix E** – Privacy Policy

Mathieu Verhelst



Vice President in charge of Moot Court

Competitions International Board of ELSA

2021/2022

