

HANDBOOK



ASIAN INTERNATIONAL ARBITRATION CENTRE

5TH AIAC [VIRTUAL] PRE-MOOT

FOR THE WILLEM C. VIS INTERNATIONAL COMMERCIAL ARBITRATION MOOT

5TH - 7TH MARCH 2021


AIAC YPG Virtual Conference (3rd March 2021)





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I. INTRODUCTION

The Handbook is designed to provide all students, coaches, arbitrators, volunteers, sponsors, observers and supporting organisations with important information related to the 5th AIAC [Virtual] Pre-Moot (the “**AIAC Pre-Moot**”) to the Willem C. Vis Vienna and Vis (East) International Commercial Arbitration Moot (the “**Vis Moot**”).

Please note that this Handbook may be updated from time to time. When referencing the Handbook, please note its latest version and the date of publication. The version and publication date may be found at right-hand bottom corner of the cover page. This document (and its subsequent editions) will always be available on the AIAC Pre-Moot webpage: <https://bit.ly/aiacpre moot2021>.

For any questions and/or comments, please contact the Organising Committee at pre-moot@aiac.world.

II. OVERVIEW OF THE AIAC PRE-MOOT

A. A GLIMPSE ON THE AIAC PRE-MOOT

The AIAC Pre-Moot is an annual training opportunity for students that will be competing in the Vis Moot and students generally interested in international commercial arbitration.

The AIAC Pre-Moot echoes the goal of the Vis Moot since it is designed to stimulate the study of international commercial law and the use of arbitration to resolve international commercial disputes. Furthermore, in light of Malaysia's further development as an arbitration-friendly jurisdiction and growth of international arbitration caseload, it is important to encourage local and international students to study international arbitration.

The AIAC Pre-Moot is a unique initiative which helps talented students from all over the world experience the atmosphere of a real arbitral proceeding. The first three editions of the Pre-Moot were co-organised by the AIAC and the ICC International Court of Arbitration. The very first edition of the Pre-Moot lasted for three days (17th – 19th March 2017) and featured a broad array of hearings, educational and social events, as well as the very first Gala Dinner celebrating the diversity of cultures. More than 150 students (36 teams from 15 different countries) and 116 arbitrators participated in the first edition of

the Pre-Moot. The Champion of the international final was National Law University in Delhi, India. The winner for the Malaysian final was International Islamic University Malaysia.¹

The second Pre-Moot also lasted for three days (2nd – 4th March 2018) and featured the First Asian Conference for Students and Young Practitioners, jointly organised by the AIAC Young Practitioners' Group (the “**AIAC YPG**”) and the ICC Young Arbitrators' Forum (the “**ICC YAF**”). The First Asian Conference for Students and Young Practitioners (1st – 2nd March 2018) allowed outstanding students and experienced arbitrators to share their practical and academic experience, as well as to exchange their ideas. During the second Pre-Moot, the AIAC welcomed over 60 teams, with close to 300 participants, 177 hearings and 160 arbitrators from 21 countries, making it not only the largest Pre-Moot for the Vis Moot in Asia but one of the largest internationally. The Champion of the international final was Gujarat National Law University, India. The winner of the Malaysian final was Brickfields Asia College, Malaysia.

The third Pre-Moot was held on 22nd – 24th March 2019 and opened with the conference titled “The Anatomy of International Arbitration: Procedure, Substance and Enforcement” jointly organised by the AIAC YPG and ICC YAF. The third edition of the Pre-Moot has proved itself to be the biggest pre-moot to the Vis Moot internationally: the AIAC welcomed 90 teams with close to 380 participants from 21 countries and 180 hearings with over 200 arbitrators. The Champion of the international final was National Law Institute (Bhopal). The winner of Malaysian final was International Islamic University Malaysia.

The fourth Pre-Moot, which was organised solely by the AIAC, saw a registration of over 100 teams and 200 arbitrators. However, due to the COVID-19 pandemic and world-wide travel restrictions, it was decided to cancel the in-person oral rounds of the 4th Pre-Moot and organise virtual practice rounds instead. In addition to organising the virtual practice rounds, the Organising Committee also announced the winners of the Best Memoranda and Outlines for the 4th AIAC Pre-Moot who received book prizes.

¹ Pictures, videos, and previous winners of the Pre-Moot are available on the AIAC's [website](#).

B. UNIQUE FEATURES OF THE AIAC PRE-MOOT

From the very first edition of the Pre-Moot, it had multiple distinctive features: no registration fee and free attendance of all social events, sponsorship to cover the students' accommodation costs in Kuala Lumpur, introduction to volunteer coaches and potential team sponsors, awards and prizes for the best teams and oralists. The Organising Committee of the 5th AIAC Pre-Moot aims to provide the same major benefits to the participants of the virtual rounds:

1. No registration fee;
2. Introduction to volunteer coaches;
3. Awards and prizes for the best teams and oralists;
4. Free passes to the AIAC YPG Conference on 3rd March 2020;
5. Free exclusive social virtual networking events;
6. Free Mooting Workshop.

C. ORGANISING COMMITTEE OF THE AIAC PRE-MOOT

The Organising Committee of the 5th AIAC [Virtual] Pre-Moot consists of the following members:

TATIANA POLEVSHCHIKOVA, *Deputy Head of Legal, AIAC*

Tatiana is involved in the administration of international and domestic arbitrations, adjudications, mediations and domain name disputes. She also works on various projects relating to alternative dispute resolution policies, revision of the AIAC Arbitration Rules and AIAC Fast Track Arbitration Rules, as well as co-chairing the Young Practitioners' Group under the auspices of AIAC. Tatiana is actively involved in knowledge dissemination and is one of the organisers of the annual Pre-Moot for the Willem C. Vis International Commercial Arbitration Moot. Before joining AIAC, Tatiana practiced for three years in Russia and obtained an LLM degree as a Fulbright Scholar in the US.

ALBERTUS ALDIO PRIMADI, *Senior International Case Counsel, AIAC*

In 2018, Aldio became the first Indonesian Counsel at the AIAC. Aldio is one of the few AIAC's Counsel who assists in a wide range of dispute resolution services: administered (international and domestic under the AIAC Arbitration Rules and AIAC Fast Track Arbi-

tration Rules) and ad hoc arbitration matters, adjudication matters under the Construction Industry Payment and Adjudication Act 2012, domain name dispute resolution cases under the Uniform Domain Name Dispute Resolution Policy. In 2019, Aldio was appointed as a Secretary General of the AIAC Young Practitioners' Group. Before joining the AIAC, he obtained his Bachelor of Law from Universitas Gadjah Mada, Indonesia and interned at the China International Economic and Trade Arbitration Commission (CIETAC), Hong Kong. Aldio's passion for arbitration is portrayed by his numerous international arbitration moot competition appearances: Vis East Moot (Hong Kong) 2013; FDI Malibu 2014; IMLAM Melbourne 2015; Vis Moot (Vienna) 2016; and IMLAM Singapore 2017. He was then trusted as the 2017 National Administrator for the Indonesian National Rounds of Philip C. Jessup International Moot Court Competition.

CHELSEA POLLARD, *International Case Counsel, AIAC*

Chelsea Pollard, International Case Counsel at the AIAC and member of the California State Bar (December 2018), graduated Cum Laude and Order of the Coif from Loyola Law School, Los Angeles. During her time at Loyola Law School, she competed in the 2nd AIAC Pre-Moot, during which she ranked 11th out of 257 oralists, and the 15th Vis East (Hong Kong), where her team received an honourable mention for Claimant's Memorandum. At the AIAC, she manages arbitration, including fast track arbitration, and adjudication cases and liaises with counsels and arbitrators to ensure procedural efficiency and provide assistance. This experience has allowed her the opportunity to assist with decisions on challenges to arbitrators, consolidations, and other various requests. She also has experience as a tribunal secretary. She is a member of the AIAC Standard Form of Building Contracts Team as well as on the organising committee for Asia ADR Week and spearheaded the launch of both the AIAC Technology Expert Committee and ADR Online: An AIAC Webinar Series. She was appointed as the AIAC representative for the AIAC Young Practitioner's Group's Commercial Arbitration Committee as well as Social Media Co-Chair of the American Bar Association's Women in Dispute Resolution Committee and elected as Co-Chair of the American Society of International Law's New Professionals Interest Group. Chelsea was selected as an Ambassador for Arbitrator Intelligence and is also a member of ArbitralWomen, Young ICCA, and SVAMC YP.

D. SPONSORS AND SUPPORTING ORGANISATIONS²

The current sponsors and supporting organisations can be found on the AIAC's Pre-Moot webpage at <https://bit.ly/aiacpre moot2021>. If you are interested in sponsoring or supporting the Pre-Moot, please reach out to the Organising Committee at pre-moot@aiac.world.

E. SCHEDULE OF THE AIAC PRE-MOOT³

Wednesday, 3rd March 2021

Time MYT (UTC +8)	Agenda
09:00 – 16:45	AIAC YPG Conference
17:00 – 17:10	Closing Ceremony of the AIAC YPG Conference

(* Further details will be available on the AIAC Pre-Moot webpage soon)

Thursday, 4th March 2021

Time MYT (UTC +8)	Agenda
TBC	Arbitrators' Briefing
TBC	Virtual Social Events
TBC	Virtual Welcoming Reception

(*Further details will be available on the AIAC Pre-Moot webpage soon)

Friday, 5th March 2021

Time MYT (UTC +8)	Agenda
08:00 – 09:30	General Rounds 1
10:00 – 11:30	General Rounds 2
11:30 – 14:00	Lunch and Friday Prayers
14:00 – 15:30	General Rounds 3
16:00 – 17:30	General Rounds 4

² To be updated soon

³ To be updated at the beginning of February 2020. Subject to changes

Saturday, 6th March 2021

Time MYT (UTC +8)	Agenda
08:30 – 10:00	General Rounds 5
10:30 – 12:00	General Rounds 6
12:00 – 13:30	Lunch
13:30 – 15:00	General Rounds 7
15:30 – 17:00	General Rounds 8
17:30	Announcement: Top 16

Sunday, 7th March 2021

Time MYT (UTC +8)	Agenda
08:00 – 09:30	Top 16 Rounds
09:30 – 10:00	Announcement: Quarter-Final Rounds
10:00 – 11:30	Quarter-Final Rounds
11:30 – 12:00	Announcement: Semi-Final Rounds & Malaysian Final
12:00 – 13:00	Lunch Break
13:00 – 14.30	Top Semi-Final Rounds Malaysian Final
14:30 – 15:00	Announcement: Final Round & 3 rd Place
15:00 – 17:00	Final Round 3 rd Place Round
19:00	Award Ceremony

F. AWARDS AND PRIZES

Academic Awards
Champion
Runner-Up
3 rd Place
4 th Place
Winner of the Malaysian Final
Runner-Up of the Malaysian Final
Best Oralist of the International Final
Best Oralist for the Malaysian Final
Best Oralist of the Elimination Rounds
Best Oralist of the Preliminary Rounds
Runner-Up for the Best Oralist of the Preliminary Rounds
3 rd Best Speaker of the Preliminary Rounds
4 th Best Speaker of the Preliminary Rounds
5 th Best Speaker of the Preliminary Rounds
6 th Best Speaker of the Preliminary Rounds
Best Memorandum on behalf of the Claimant
Honourable Mention for Best Memorandum on behalf of the Claimant
Best Memorandum on behalf of the Respondent
Honourable Mention for Best Memorandum on behalf of the Respondent
Best Outline on behalf of the Claimant
Honourable Mention for Best Outline on behalf of the Claimant
Best Outline on behalf of the Respondent
Honourable Mention for Best Outline on behalf of the Respondent

Non-Academic Awards
Spirit of the 5 th AIAC [Virtual] Pre-Moot
Social Media Diva
The Early Bird Team

III. RULES OF THE AIAC PRE-MOOT

The Vis Moot Rules (accessible [here](#)) apply to the AIAC Pre-Moot as modified by provisions of this section. The AIAC Pre-Moot Rules are supplementary to the Vis Moot Rules. In the event of any ambiguity or apparent contradiction between the AIAC Pre-Moot Rules and the Vis Moot Rules, these Rules shall prevail for the purpose of the conduct of AIAC Pre-Moot.

A. REGISTRATION

1. TEAMS

- (i) Participation in the AIAC Pre-Moot is free of charge.
- (ii) Participation in the 28th Vis Moot and/or 18th Vis (East) Moot is not a requirement to be eligible to register for the AIAC Pre-Moot.
- (iii) Each academic institution can only delegate one team to participate in the AIAC Pre-Moot, and all teams must be affiliated with academic institutions.
- (iv) Each registered team must have a minimum of two students, but there is no limitation on the maximum number of students in each team.
- (v) To register a team, please complete the online registration form accessible on the AIAC Pre-Moot webpage: <https://bit.ly/aiacpremoot2021>. Upon approval of registration by the Organising Committee, the principal contact person will receive a confirmation email. All registration forms are editable until the registration deadline.
- (vi) The deadline for the team registration is **Saturday, 30th January 2021, 23:59 MYT (UTC +8)**.
- (vii) Pursuant to Rule 85 of the 28th Vis Moot Rules, all participating teams are required to disclose their team pairings to the Organising Committee of the AIAC Pre-Moot as soon as the Vis Moot and Vis (East) Moot pairings are released to avoid any conflicts of interest. The participating teams must raise any potential conflict of interest by no later than **Saturday, 13th February 2021, 23:59 MYT (UTC +8)**. The Organising Committee of the AIAC Pre-Moot is not responsible for any breach of the Vis Moot or Vis (East) Moot Rules by the teams participating in the AIAC Pre-Moot.

2. ARBITRATORS

- (i) To register as an arbitrator, please complete the online registration form accessible on the AIAC Pre-Moot webpage: <https://bit.ly/aiacpremoot2021>. Upon submission of the

registration form, the applicant will receive an email confirming receipt of the registration form by the Organising Committee. Please note this automatically generated email does **not** amount to a confirmation of an arbitrator by the Organising Committee. A separate email (i.e. either confirming that the application is successful or specifying the criteria which has not been met) will be sent to all applicants upon review of applications by the Organising Committee.

(ii) A successful applicant must satisfy the following criteria to be confirmed as an arbitrator:

(a) Experience in international and/or domestic arbitration (arbitrator, counsel, tribunal secretary, expert witness, etc.). Applicants with experience in other forms of ADR are subject to approval by the Organising Committee;

(b) Completed law degree. Students enrolled at JD or LLB programs, or other equivalent law degree programs, may not participate as arbitrators. Students enrolled at LLM, PhD or other post-graduate degree programs, as well as fresh law graduates pursuing their bar course, pupillage or other relevant pre-qualification programmes, may be considered by the Organising Committee on a case-by-case basis; and

(c) Preference will be given to applicants with experience in arbitration moot competitions.

B. MEMORANDA AND OUTLINES

1. Teams participating in the AIAC Pre-Moot may submit either Memoranda or Outlines. All academic institutions participating in the Vis Moot and/or the Vis (East) Moot must submit Memoranda. Academic institutions that are only participating in the AIAC Pre-Moot may submit Outlines instead of Memoranda.

2. To be eligible for the Best Memorandum or Best Outline Awards, the interested team must timely submit their Memoranda or Outlines, respectively. The Organising Committee will not grant any extensions of time. Non-submission of Memoranda and Outlines does not affect the team's eligibility to compete in the oral pleadings.

3. In line with Rule 50 of the Vis Moot Rules, Outlines may not be longer than twelve (12) 8½ x 11 inch or A4 typed pages, including any statement of facts, argument or discussion and conclusion. The arguments contained in the Outlines shall not exceed the twelve (12) page limit. The page limit excludes cover pages, table of contents, index, list

of authorities or other material that does not consist of facts, arguments, discussions and/or conclusions.

4. In line with Rule 51 of the Vis Moot Rules, no font smaller than 12 point may be used, including quotations or other nonargument parts of the Outline. The Outline should be typed at 1½ line spacing. All margins must be at least one inch or 2.5 cm.

5. In the Vis Moot, the participants exchange their Memoranda for the purpose of writing a Memorandum on behalf of the Respondent. In the AIAC Pre-Moot, there will be no exchange of Memoranda and/or Outlines. Thus, Respondent's Memorandum or Outline is to be responsive to a hypothetical Claimant's Memorandum or Outline.

6. The Memoranda and Outlines are to be submitted on the AIAC Pre-Moot webpage: <https://bit.ly/aiacpre moot2021> by no later than **23:59 MYT (UTC +8)** on the following dates:

Memorandum or Outline on behalf of the Claimant: Saturday, 12th December 2020;

Memorandum or Outline on behalf of the Respondent: Saturday, 25th January 2021.

C. DISCLAIMERS

1. By participating in the AIAC Pre-Moot, arbitrators, team members and coaches agree to disclose their personal information specified in the registration form to the Organising Committee of the AIAC Pre-Moot, members of the arbitral tribunal and the opposing team. This information is necessary for scheduling and technical purposes. All personal information will be stored by the Organising Committee of the Pre-Moot and will not be shared with anyone except for the AIAC's employees and volunteers involved in the organisation of the AIAC Pre-Moot.

2. The Organising Committee has the right to set, amend and/or revise these Rules and/or release any supplemental or amending regulations. The interpretation of the AIAC Pre-Moot Rules is within the sole discretion of the Organising Committee.

3. By agreeing to participate in AIAC Pre-Moot, all teams and arbitrator acknowledge that the Organising Committee have full and final discretion in managing the AIAC Pre-Moot. All questions about the AIAC Pre-Moot Rules should be directed to the Organising Committee at pre-moot@aiac.world. Any decision made by the Organising Committee is final and binding.

D. VIRTUAL HEARING PROTOCOL

The Organising Committee will release the Virtual Hearing Protocol in one of the subsequent versions of the Handbook.

IV. DATES AND DEADLINES

DATE	AGENDA
9th October 2020	[Vis Moot]: Distribution of the Problem (click here)
30th October 2020	[Vis Moot]: Deadline for Requests for Clarification
27th November 2020	[Vis Moot]: Closing date for Submission of Team Registration Form
11th December 2020	[Vis Moot]: Memorandum for Claimant due
12th December 2020	[AIAC Pre-Moot]: Memorandum/Outline for Claimant due
15th January 2021	[Vis Moot]: Payment of Registration Fee due
29th January 2021	[Vis Moot]: Memorandum for Respondent due
30th January 2021	[AIAC Pre-Moot]: Memorandum/Outline for Respondent due
30th January 2021	[AIAC Pre-Moot]: Closing date for Submission of Team Registration Form
3rd March 2021	[AIAC Pre-Moot]: AIAC YPG Conference
4th March 2021	[AIAC Pre-Moot]: Arbitrator's Briefing and Virtual Social Events
5th March 2021	[AIAC Pre-Moot]: Day 1 (General Rounds)
6th March 2021	[AIAC Pre-Moot]: Day 2 (General Rounds)
7th March 2021	[AIAC Pre-Moot]: Day 3 (Semi-Final, Finals, Award Ceremony)
14th March 2021 – 21st March 2021	Willem C. Vis (East) International Commercial Arbitration Moot (Hong Kong)
26th March 2021 – 1st April 2021	Willem C. Vis International Commercial Arbitration Moot (Vienna)



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