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I. INTRODUCTION

The Handbook is designed to provide all students, coaches, arbitrators, volunteers, sponsors, observers, and supporting organizations with important information related to the 7th AIAC Pre Moot (the “**AIAC Pre-Moot**”) to the Willem C. Vis Vienna and Vis (East) International Commercial Arbitration Moot (the “**Vis Moot**”). This year, the oral rounds will be held physically at the Asian International Arbitration Centre.

Please note that the 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 the left-hand bottom corner of the page. This document (and its subsequent editions) will always be available on the AIAC Pre-Moot webpage: <https://www.aiac.world/Pre-Moot-2023-Pre-Moot-2023>.

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

II. OVERVIEW OF THE AIAC PRE-MOOT

A. A GLIMPSE INTO 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 to experience the atmosphere of a real arbitral proceeding. The first three editions of the Pre-Moot were co-organized 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 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 organized 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 Brickfield 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

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

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 worldwide 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.

The fifth Pre-Moot, which was held virtually from 4th – 7th March 2021, hosted 95 teams from 46 countries and over 220 arbitrators. In keeping with tradition, the curtain-raiser for the AIAC Pre-Moot was the AIAC YPG Conference, titled “*Exploring the New Frontier: The Modern Landscape of International Arbitration*”. The Winner was the University of Miami, School of Law with Dr. Ram Manohar Lohiya National Law University taking 2nd place. The Royal Institute of Colombo and the National University of Singapore placed 3rd and 4th respectively, whilst the International Islamic University Malaysia emerged as the Winner of the Malaysian Final with Brickfields Asia College as the runner-up.

The sixth Pre-Moot was also held virtually from 18th – 20th March 2022, where we welcomed 100 teams from 95 countries and with over 169 arbitrators. The AIAC YPG conference once again served as a prelude for the AIAC Pre-Moot with the title “*Current State of International Trade and Arbitration: Has the Dust Settled?*”. The Winner was the University of Hamburg, and University of New South Wales taking the runner-up. The Winner of the Malaysian final was UOW (M) KDU College, Multimedia University.

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, introduction to volunteer coaches, awards and prizes for the best teams and oralists. The Organising Committee of the 7th 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 9th March 2023;
5. Free exclusive social networking events; and
6. Free Mooting Workshop.

THE MALAYSIAN TEAM

To encourage active engagement and participation among the pool of local university undergraduates, the AIAC introduced the Malaysian Final as part of our annual Pre-Moot event. Since its debut in 2017, it has been carved as an exclusive hallmark of the annual AIAC Pre-Moot. As its name suggests, the Malaysian Final is made available to and is limited to the participation of Malaysian domestic teams comprising teams advanced by local public and private universities. To qualify for the Malaysian Final, the top two domestic teams with the highest cumulative scores of the General Rounds will advance to the Malaysian Final. Should a Malaysian team secure a spot in the Top 16, this Malaysian team will stand a chance to advance to the Quarter-Finals, Semi-Finals, and the Final, to be ultimately crowned the winner of the 7th AIAC Pre-Moot. However, should the Malaysian team be unsuccessful in advancing to the Semi-Final, they will still be eligible to participate in the Malaysian Final. Reflecting the same features of the Pre-Moot Final, equivalent prizes are also offered to the Malaysian Final *viz*, the winner, runner-up, and best oralist. Vide this platform, the AIAC strives to foster and promote better understanding of the study and practice of the international arbitration amongst local undergraduates.

C. ORGANISING COMMITTEE OF THE AIAC PRE-MOOT

The Organising Committee of the 7th AIAC Pre-Moot consists of the following members:

SHU LING, *Senior Case Counsel, AIAC*

Shu Ling is a Senior Case Counsel at the AIAC. She obtained her LLB from Cardiff University, UK, and went on to obtain her Certificate in Legal Practice. She was admitted to the Malaysian Bar in 2017. She is also accredited as the RICS Evaluative Mediator by the RICS on June 2021. At the AIAC, Shu Ling is involved in the administration of arbitration and adjudication cases. She has also assisted in moot training, which will help the teams participate in international moot competitions. She was also highly involved in the AIAC Diversity Week since 2019 and had written in Kluwer Arbitration Blog about the importance of diversity in arbitration. Apart from that, she was also involved in various Belt & Road projects run by law firms and institutions in China. Shu Ling is experienced in civil litigation within the construction industry and managing large client portfolios. She has also handled employment matters as well as other tort-related matters. She is also experienced in refugee case management through work done with Tenaganita Sdn Bhd.

GRETCHEN SIOW, *Case Counsel, AIAC*

Gretchen Siow is presently a Case Counsel at the Asian International Arbitration Centre (AIAC). He graduated with an LL.B (Hons) from the National University of Malaysia (UKM) and had recently obtained his LL.M (Dist) from the University of Malaya. Gretchen's main areas of interests include ADR, Public International Law, and International Humanitarian Law. As a case counsel, Gretchen manages the administration of international and domestic arbitration, adjudication, and mediation proceedings. Apart from case management, Gretchen is passionate in running various AIAC projects ranging from the conferences and knowledge dissemination workshops.

SHARIFAH SHAZUWIN, Case Counsel, AIAC

Her first exposure to moots was the Novice Arbitration Mooting Competition in her first year of law school. Her Team won the Malaysian rounds for the first instalment of the Pre-Moot. She was also the first part-time intern at the AIAC to co-organise the second and the third Pre-Moot while studying for a second degree in Shariah law. Then, she completed her pupillage at Messrs Mohanadass Partnership and was admitted as an Advocate and Solicitor to the High Court of Malaya in 2020. Currently, she is a Case Counsel at the AIAC, the Secretary General of the AIAC YPG, an AIAC ADR Journal Editorial Team Member, and assisting the Deputy Director of the AIAC in the development of Islamic arbitration.

SABRINA SHARIN, Case Counsel, AIAC

Sabrina's first moot exposure was the First AIAC Pre-Moot. During the same first year of her law school, Sabrina and her team emerged as the Champion (Best Oral Team) for the Foreign Direct Investment (FDI) Arbitration Moot Competition 2017 at the Asia Pacific Regional Round in Seoul, South Korea. Sabrina and her team further competed in the FDI Arbitration Moot Competition at the Global Round in Boston, United States of America the following year. After obtaining her LLB from Universiti Teknologi MARA (UiTM), she is currently pursuing her Master's Degree in Commercial Law at Universiti Malaya. She completed her pupillage at Gan Partnership and was admitted as an Advocate and Solicitor to the High Court of Malaya in 2021. Sabrina further practiced as a criminal lawyer before joining AIAC as a case counsel. Currently, she is the Director of ADNDRC Ltd., Chair of ADNDRC Ltd. Panel Selection Committee, and Deputy Secretary General of the AIAC YPG.

SANJEV SHARMA, Case Counsel, AIAC

No stranger to the mooting community, Sanjev has participated in and arbitrated various moots, including the Novice Arbitration Mooting Competition and AIAC Pre-Moot among others. When he is not submitting before an arbitral tribunal or presiding on the tribunal itself, Sanjev coaches teams participating in moots across the country. Sanjev obtained his Bachelor of Laws with Honours from Multimedia University in 2021. He then commenced pupillage at Messrs Kumar Partnership (formerly known as Sri

Ram & Co.) focusing on complex commercial litigation and appeals. He has since re-joined the AIAC as a Case Counsel where his portfolio comprises adjudication and arbitration matters involving some of Malaysia's largest construction projects. Sanjev also heads the AIAC Academy and sits on the steering committee of the AIAC YPG.

KHO YII TING, Case Counsel, AIAC

Yii Ting read law in the Faculty of Law, Universiti Malaya and she has recently graduated in 2022. She kicked started her career journey in the practice of Alternative Dispute Resolution as an intern at the AIAC, actively assisting the Case Counsels in a wide array of arbitration and adjudication matters. Aligned with her interests in research and writings, she has been constantly engaged in the legal and academic publications ever since she embarked on her legal journey back in law school. Yii Ting most recent publication revolves a critical analysis of the newly introduced pre-trial disclosure framework in the Malaysia's Criminal Procedure Code entitled '*Pre-trial Disclosure: Preserving the Right to Fair Trial?*'. Similarly, during her internship days, she has been diligently involved and assisted the Case Counsels in the research and writings of the AIAC Arbitration Rules 2021 Unplugged. Yii Ting is now a Case Counsel at the AIAC.

D. SPONSORS AND SUPPORTING ORGANISATIONS

The current sponsors and supporting organisations can be found on the AIAC's Pre-Moot webpage at <https://www.aiac.world/Pre-Moot-2023-Pre-Moot-2023>. If you are interested in sponsoring or supporting the Pre-Moot, please reach out to the Organising Committee at pre-moot@aiac.world.

E. 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 Final
Best Oralist for the Malaysian Final
Best Oralist of the Elimination Rounds
Best Oralist of the General Rounds
Runner-Up for the Best Oralist of the General Rounds
3 rd Best Speaker of the General 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

Non-Academic Awards
Spirit of the 7 th AIAC 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

Registration does not confirm participation in the 7th AIAC Pre-Moot.

(i) Participation in the AIAC Pre-Moot is free of charge.

(ii) Considerations for confirming registration:

(a) The Organising Committee will favour teams who meet the following:

1. are the only team from their respective country/state;
2. first registered team from respective countries;
3. currently participating in fewer/no other pre-moots; or
4. currently not participating in the 30th Vis Moot and/or 20th Vis (East) Moot.

(b) Participation in the 30th Vis Moot and/or 20th Vis (East) Moot is not a requirement for eligibility in the AIAC Pre-Moot.

(c) Each academic institution can only delegate one team to participate in the AIAC Pre-Moot, and all teams must be affiliated with academic institutions.

(d) Each registered team must have a minimum of two students, but there is no limitation on the maximum number of students in each team.

(iii) To register a team, please complete the online registration form accessible on the AIAC Pre-Moot webpage: <https://www.aiac.world/Pre-Moot-2023-Registration-and->

Submissions. 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.

(iv) The deadline for the team registration is **Friday, 2nd December 2022, 23:59 MYT (UTC +8)**.

(v) Pursuant to Rule 54 of the 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 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://www.aiac.world/Pre-Moot-2023-Pre-Moot-2023>. 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

1. To be eligible for the Best Memorandum Awards, the interested team must timely submit their Memoranda. The Organising Committee will not grant any extensions of time. Non-submission of Memoranda does not affect the team's eligibility to compete in the oral pleadings.
2. 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. Thus, Respondent's Memorandum is to be responsive to a hypothetical Claimant's Memorandum.
3. The Memoranda are to be submitted on the AIAC Pre-Moot webpage: <https://www.aiac.world/Pre-Moot-2023-Registration-and-Submissions> by no later than **23:59 MYT (UTC +8)** on the following dates:

Memorandum on behalf of the Claimant: Friday, **9th December 2022**

Memorandum on behalf of the Respondent: Monday, **16th January 2023**

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.