

**22nd INTERNATIONAL MARITIME LAW ARBITRATION MOOT
JULY 2022**

VIRTUAL RULES

THE COMPETITION IS ORGANISED
BY
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IN 2022, THE COMPETITION WILL BE HOSTED VIRTUALLY BY
YONG PUNG HOW SCHOOL OF LAW, SINGAPORE MANAGEMENT UNIVERSITY

MOOT DIRECTOR
PROF KATE LEWINS

IMLAM CO-ORDINATOR
SHELAN YEN SUIN

MOOT ADMINISTRATOR
CHEN SIYUAN

VIRTUAL RULES (VR)

The VR outline specific requirements for the conduct of the online hearings. The general competition Rules (the General Rules) continue to apply. In the event of an inconsistency, the VR shall prevail.

Teams are expected to behave respectfully and ethically throughout the competition.

1. Procedure for Oral Hearings

Oral hearings will be held over the Zoom platform. All oral hearings will otherwise follow the same structure and requirements as laid out in the General Rules. The host university will undertake the role of Moot Administrator. All scheduled times will be Singapore time (GMT +8).

2. General online hearing requirements

- 2.1. The Zoom invitation link for each moot will be emailed to the Team Contact Person. The email will advise the date, time of the hearing (Singapore time). The Team

Contact Person is responsible for providing this link and information to the rest of the team (including the coach). The Zoom link must not be shared beyond the team.

- 2.2. Team members may join the oral hearing from a single account (ie from the same room) or from separate accounts (ie in separate locations).
 - 2.2.1. If joining from a single account, the zoom account must list the University Name and allocated side of the argument. Eg **MurdochU, R.**
 - 2.2.2. If joining from separate accounts, each speaker must ensure their Zoom account name lists the University name (abbreviated), allocated side of argument (Claimant (C) or Respondent (R)), and speaker's initial and surname (capitalised). Eg **MurdochU, R. Ms L SMITH.**
- 2.3. The team will be responsible for ensuring they are able to connect to the online hearing. This includes ensuring teams have a working microphone, video connection, speaker, a satisfactory internet connection, and devices with sufficiently charged up. Teams should use a desktop or laptop device, with phones and tablets used strictly as a backup. Teams and arbitrators should find a suitably quiet and private location from which to participate.
- 2.4. Unless presenting, or otherwise requested, speakers must ensure their microphone is muted. All speakers are to leave their cameras on at all times unless directed otherwise by the panel.
- 2.5. Whilst a hearing is underway, speakers are prohibited from using any electronic device to undertake research. The team's two speakers may communicate with one another whilst the hearing is underway. The remaining team members may not communicate with the speakers save to give technical assistance with the computer equipment or videoconferencing platform.
- 2.6. Teams are not to use a virtual background, or blur their background, during the competition. Speakers are to sit whilst making their submissions, as is usual for arbitrations.
- 2.7. Arbitrators are to:
 - 2.7.1. Ensure their zoom account includes their name with the surname capitalised and ARB at the end eg CHAN Josie (Arb); Kate LING (Arb).
 - 2.7.2. Join the hearing using the link provided and wait to be allocated to the Hearing Room (the 'breakout' room);
 - 2.7.3. arrange their camera so their face is visible to speakers; and
 - 2.7.4. mute their microphone unless they are asking a question.

3. How teams and arbitrators will join the online hearing

- 3.1. Upon using the link everyone involved in that session will enter a waiting room. The Administrator/timekeeper will arrange for arbitrators to be sent to their Hearing Room (the 'breakout' room) first. The teams will follow.

4. Order of the submissions

4.1. The order of the oral submissions will be EITHER:

A. Claimant 1, Claimant 2, Respondent 1, Respondent 2, rebuttal Claimant (if time reserved).

OR

B. Respondent 1 (on procedural point), Claimant 1, Claimant 2, Respondent 1 (1 minute rebuttal on procedural point, if reserved plus balance of time on other submissions) Respondent 2, rebuttal Claimant (if time reserved).

5. Role of the Chair

5.1. The Chair must strive to ensure that the Moot is fair to both teams.

5.2. The Chair will introduce the Moot.

5.3. The Chair may;

- 5.3.1. mute, disable the camera, or remove any team member, coach, or observer of the Moot, where such action is necessary to avoid disruption;
- 5.3.2. pause the Moot if due to technological reasons either a speaker or a judge has been disconnected from the Moot or is having difficulty in hearing or otherwise communicating;
- 5.3.3. extend time for any speaker beyond the time reserved, while ensuring fairness to both Teams;
- 5.3.4. ask the timekeeper to arrange for the arbitrators to communicate without the teams present;
- 5.3.5. determine whether to take a speaker out of the sequence where it is expedient to do so, or to permit substitution of a speaker (as permitted under this Rule, due to technological difficulties);
- 5.3.6. suspend the Moot, and consult the Moot Director where it may be necessary to abandon a Moot;
- 5.3.7. decide to proceed *ex parte*, if only one team is in attendance;
- 5.3.8. announce the conclusion of the oral submissions and that the judges will retire to deliberate;
- 5.3.9. reconvene the judges and speakers for (limited) feedback;
- 5.3.10. in the General Rounds, and otherwise where instructed to do so by the Moot Director, announce the winner of the Moot and
- 5.3.11. announce the end of the Moot.

6. *Communication with Arbitrators*

- 6.1. Competitors are not permitted to share their screen or present any text or written materials at any stage.
- 6.2. Speakers are not to provide a copy of their submissions, a bundle of authorities or share their screen with the Arbitrators. (Teams participating in the Grand Final will exchange written submissions in accordance with the General Rules, and these will be supplied to the Grand Final Panel.)
- 6.3. Prior to the commencement of the moot, the teams are to post in the chat their order of speakers and the time allocated to each. Unless instructed by the organizers or the arbitrators, teams shall not otherwise use the private message function.
- 6.4. Arbitrators may direct any team and/or coach to mute their microphone and turn off their video.

7. *Recording*

No online hearing may be recorded by any team or observer. Recording includes any visual or audio recording, including photographs. As a condition of taking part, teams agree to notify the IMLAM Co-Ordinator or relevant delegate if they become aware of a recording. The Grand Final may only be recorded by the organisers.

8. *Participants and Observers*

The following people are permitted to join an online hearing:

- 8.1.1. the judges assigned to that Moot;
- 8.1.2. the members of each Team arguing in that Moot;
- 8.1.3. the Team Advisors of each Team arguing in that Moot;
- 8.1.4. a timekeeper;
- 8.1.5. the Moot Director, Moot Coordinator, an Administrator, or any person nominated by them to observe.

The Grand Final will be live streamed for all moot participants to view, subject to technical limitations.

9. *Where a team is absent without notice to the Moot Administrator, the moot is forfeit*

- 9.1. If a team fails to join the hearing 20 minutes after the scheduled start time of the moot, and the team has not communicated with the Administrator:
 - 9.1.1. The absent team will forfeit its round points for the moot.
 - 9.1.2. The arbitrators shall allow the attending team to commence with the hearing to proceed *ex parte*. Arbitrators shall score the individual speakers of the team in attendance. For their round point score the team in attendance shall be awarded the average of their round point scores in the other 3 moots.

10. Technological problems

10.1. *Teams to give notice of technological problems immediately*

Where a team or speaker is experiencing technological problems in joining an online hearing, they must inform the Administrator/Timekeeper immediately using the Zoom chat function. Teams should convey the problem and the reasons (if known) for it. If the team cannot access Zoom then they are to use the messaging service designated by the Administrator.

10.2. *Where one speaker experiences technological difficulties, they may be replaced by a substitute speaker*

Where a speaker is unable to join the hearing, or is experiencing such technological difficulties as makes it impossible for them to commence their oral presentation, the arbitrators may permit another team member to present in their place. The replacement speaker must comply with the speaking time requirements and limits within the General Rules. (For example, there must be two speakers for each team, speaking for an equal time +/- 2 minutes.) Once the substitute has commenced speaking, no further substitute is permitted, and the retired speaker cannot return.

10.3. *Technological problems affecting one team*

If a team communicates that they are affected by a technological problem that prevents them from joining, or a technological problem significantly affects one team during the hearing, the Chair and arbitrators shall have discretion on how to proceed.

This could include allowing up to 15 minutes for the speaker/team to re-join the hearing (perhaps using a different device), or permitting a speaker to proceed with the camera off to preserve bandwidth. If the connection is re-established within 15 minutes, then the moot will resume. If after 15 minutes problems continue to affect one team, then 3 round points will be deducted from that team's score. The remaining speakers from either team can be heard and receive individual scores. The arbitrators are to determine the round points of the opposing team in the usual way.

10.4. *Technological problems affecting an arbitrator*

If technological problems mean that the arbitrator cannot properly participate, then the moot shall proceed with the remaining arbitrator/s. If the Chair is affected, one of the remaining arbitrators is to assume the responsibility of Chair. If the affected arbitrator can rejoin, they may participate in the remainder of the moot but they may only score the speakers if they have heard that speaker's entire submission. If the affected arbitrator cannot score a speaker, that speaker's third score is to be calculated by averaging the score given by the remaining two arbitrators. All arbitrators are to briefly note the technological difficulties on their scoresheet.

10.5. ***Technological problems affecting both teams***

If technological problems are experienced by both teams and/or the presiding arbitrators to the extent that the hearing cannot be continued, then the hearing may be abandoned. If a hearing is unable to commence or continue, the Moot Director and Administrator should be notified as soon as possible. They will then provide further information about how to proceed.

10.6. ***Chair to report***

Where a moot has been significantly affected by technological problems, the Chair will send a brief report to the Moot Director and Administrator as soon as possible after the conclusion of the moot.

10.7. ***Moot Director and Administrator Role***

The Administrator and/or Moot Director may vary any of the Rules and procedure in the best interests of the competition. There is no right of appeal.

11. Penalties

Any breach of the Rules by a team may incur penalties, including a loss of round points, at the discretion of the Moot Director. There is no right of appeal.

The Moot Director acknowledges that these Virtual Rules have been guided by (and in some cases have adopted) the Virtual Rules of other law moots, particularly the Willem C Vis Moot and the Jessup Moot.