

M E D I A T E G U R U P R E S E N T S



2 N D

VIRTUAL INTERNATIONAL ARBITRATION MOOT

ABOUT ARBITRATION MOOT

MediateGuru aims at promoting ADR mechanisms and nurture a strong ADR culture around the globe. In pursuance of our goal, After the grand success of the 1st International Arbitration Moot 2021 and on request from participants and universities from diverse jurisdictions, MediateGuru is pleased to organise the 2nd International Arbitration Moot 2022. In furtherance of MediateGuru's initial aim to promote ADR practices, this competition will focus on providing a practical exposure to ADR enthusiast law students on Arbitration.

IMPORTANT DATES

- Registration Open: 25th April 2022
- Launch of Arbitration Moot Problem – 1st June 2022
- Registration Closes: 1st October 2022
- Last date to seek clarification – 6th October 2022
- Last date to submit Memorials – 9th October 2022
- Training session for 2nd IAM – 12th October 2022
- Training session for 2nd IAM – 12th October 2022
- Preliminary Round 1 – 13th October 2022
- Preliminary Round 2 – 14th October 2022
- Semi Final – 15th October 2022
- Final – 16th October 2022

Register by Scanning the QR code

or Fill the Google form -

<https://forms.gle/VQGbN8gM53j3T9ok8>

(Refer to below pages for complete detailed registration process)



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SHARMA MEDIATION & ARBITRATION



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WHY SHOULD YOU PARTICIPATE IN ARBITRATION COMPETITION

Arbitration often is less costly than court litigation, primarily due to the compressed schedule for the completion of discovery and trial. Further, Arbitration also allows for speedy adjudication while maintaining confidentiality. The judge is assigned by the court without input from the parties. Thus, arbitration affords the parties the ability to select the decider, whereas court litigation does not.

Arbitration is growing at faster pace in present times and the generation of today must be well equipped with practical exposure of Arbitration and must have understanding of how it works.

THEME

Theme of 2nd International
Arbitration Moot 2022 would
be
“Commercial Arbitration”



*"At all events, arbitration is more rational, just, and
humane than the resort to the sword."
- Richard Cobden*

ELIGIBILITY

To be eligible to sign up, students must be registered as full time or part time law students in the academic year of 2022-2023. Students who graduated in 2022, before the competition but no longer than 6 months prior to the commencement of competition are still eligible to participate.

1. DEFINITIONS OF THIS COMPETITION

In these rules, unless the context otherwise requires:

- 1.1 “Bench” refers to the members duly invited by the organization, to adjudge any of the rounds, Virtually;
- 1.2 “Clarifications” means explanation published by the organization on the moot problem, at any point of time of the competition or a query posed by any competing team within the given deadline;
- 1.3 “Competition” means MediateGuru’s 2nd International Arbitration Moot 2022.
- 1.4 “Governing Council” means the organizing body of the competition appointed for the administration and smooth conduct of the competition, including all other members conferred with powers on ad-hoc basis by the Founding Partners of MediateGuru.
- 1.5 “Organization” means and includes “MediateGuru”
- 1.6 “Memorial Round” refers to the assessment of memorials, submitted by teams, on the predefined criterion, hereinafter mentioned in these rules;
- 1.7 “Moot Problem” means a set of facts published by the organization for competition;
- 1.8 “Oral Round” refers to the oral pleadings made by the teams virtually, either by submission of audio-visuals or video-conferencing before the bench as per the requirements of the rounds for assessment, including time given for rebuttal;
- 1.9 “Team Code” means a unique code assigned by the organization to the applied and registered team;
- 1.10 “Team” means and includes bona fide representatives of any University as well as independent participants from any University, may that be state, central or International or any other department recognized/authorized to impart law degrees, and who have applied and registered for the competition by complying with the procedure prescribed in these present rules;

2. INTERPRETATION:

The Governing Council reserves the right to interpret the rules as it deems fit in order to ensure fairness and equality in the competition. Any such interpretation shall be conclusive and the decision of the Governing Council for the application of the rules shall be final and binding.

2.1 The Governing Council may also amend, modify, change or repeal any rule from the same shall be communicated to the teams in due time. In case of any conflict, the decision of the Governing Council shall be final and binding.

1. TEAM COMPOSITION

1.1 A team shall consist of Minimum two and maximum three members that must include two Speakers and one researcher.

1.2 Any team, intending to change the team composition of the team shall intimate the Governing Council by sending an e-mail at admin@mediateguru.com, the change will be allowed on discretion of the Governing Council.

1.3 Any person, other than three registered team members, is not eligible to join the video-conferencing or the audio-video recording of the oral rounds, and non-compliance is a ground for disqualification.

1.4 The Researcher may be permitted to argue as Speaker only in the time bracket of 7 minutes mentioned under Chapter V- Miscellaneous provision, only in case of any unforeseen event. Prior permission of the organizers of competition in such case shall be mandatory.

2. REGISTRATION

2.1 GENERAL

2.1.1. Each team shall register to the competition by filling in their details in the following link. Please note this will be the link for Preliminary Registration - <https://forms.gle/VQGbN8gM53j3T9ok8>

2.1.2. On receipt of the duly filled Preliminary registration form the organization shall respond to the participating team, acknowledging the receipt and mentioning the step to conclude Final Registration. Each team will have 3 days to conclude their Final Registration, after communication of Successful Preliminary Registration.

2.1.3. After successful Final registration, the Governing Council shall respond to each registered team before 1 month of the commencement of the competition, with a unique team code, which shall be used to identify the teams during the competition.

2.2 REGISTRATION FEE:

2.2.1 The registration fee for the competition is

Rs. 3000/- per team (For Indian Participants)

£100/- per team (For United Kingdom Participants)

€100/- per team (For European Union Participants)

\$ 100/- per team (for any other foreign team not mentioned above)

2.2.2 The registration fee for MediateGuru's 2nd International Arbitration Moot 2022 is to be paid through the link or guide which will be provided to you on receipt of successful preliminary registration by the Governing Council.

2.2.3 Any additional charges incurred by the team while making the wire transfer are to be borne by the team.

3. CLARIFICATIONS

3.1. Clarifications can be sought on any part of the moot proposition by 6th October, 2022. These clarifications are to be send via e-mail at admin@mediateguru.com

3.2. It is at the discretion of the Governing Council to decide whether a clarification sought for is valid and to be clarified.

4. ANONYMITY OF TEAM

4.1 While submitting the memorial, the e-mail should have no reference to the name of the organization and should only contain the team code.

5. GOVERNING LAWS

The problem has been referred to an Arbitral Tribunal pursuant to the rules stipulated in the problem. All states involved are parties to the New York convention on the Recognition and Enforcement of Foreign Arbitral Awards.

1. MEMORIAL AND MEMORIAL ROUNDS

1.1 Each team shall research into the domain of moot problem, subject to Rules mentioned in Chapter III, and prepare memorial from both sides, namely, Claimant and respondent as the case maybe.

1.2 FORMAT OF MEMORIAL

1.2.1 The memorials are to be submitted in the format prescribed under Chapter III. Teams are suggested to strictly adhere to the given format in order to avoid deduction of marks in memorial rounds.

1.2.2 The memorials shall contain all of, and only, the following heads, namely-
Cover Page (It shall include the team code of the team on upper right-hand corner, name of the case, parties on behalf of whom written submissions are made, name of the forum approached for dispute resolution and year.

The Cover page of the memorial on behalf of Claimant shall be in BLUE, and respondent shall be in RED).

- Table of Contents
- List of Abbreviations
- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts
- Issues Raised
- Summary of Arguments
- Arguments Advanced
- Prayer

1.3. CITATIONS OF MEMORIALS

All teams shall add footnotes by adhering to Blue Book: A Uniform System of Citation (20th Edition).

1.4. FONT AND SPACING

1.4.1 All written submissions shall be typed on A4 size paper in the following format in Times New Roman (font type), in 12 points (font size), line spacing 1.5, both sides Justified, and headings to be bold in the same font and size. Each page shall have 1-inch margin from each side.

1.4.2 The memorial shall not contain more than 15 pages (excluding cover page, table of content, list of abbreviations and index).

1.5 PLAGIARISM

The governing council reserves the right to disqualify a team, at any stage of the competition, if the memorial or any other part thereof, found to be plagiarized.

2. SUBMISSIONS OF SOFTCOPIES

2.1 Each registered team shall submit a soft copy, both in Microsoft Word format and PDF format (.docx and .pdf) of the memorials from both sides, via email to the Governing Council at admin@mediateguru.com on or before 9th October 2022

2.1.1 The subject of the email should be the following “Memorial Submission TC “XXX” (the team code of the team)”. The name of the file containing the memorial from the claimant/s side should be “CLAIMANT” (as the case maybe). The name of the file containing the respondent/s side should be “RESPONDENT”.

2.1.2 Submissions made after the specified deadline may lead to penalties in the form of deductions of marks in the memorial round.

3. ASSESSMENT OF MEMORIALS

Each side of the memorials shall be assessed by a team of experts on the predetermined criterion, as specified hereunder:

- a. Identification of Issues and Nature of relief sought
- b. Knowledge of fact and Law
- c. Use of Authorities/Precedents
- d. Argumentation and Clarity of Thoughts
- e. Proper Citation and Correct Format
- f. Grammar and Style Presentation
- g. Originality

4. RIGHTS OVER MEMORIALS

4.1 The administrating authority of the competition reserves the rights to disseminate and produce the memorials as and when deemed necessary for the purpose of the competition. Submission of the memorials will constitute the team's consent to do the same. The Governing Council will not take any responsibility for the mistakes found in the final submission of the memorials.

5. COMPENDIUMS (OPTIONAL)

5.1 The teams are required to send their compendium (optional), along with their memorials on admin@mediateguru.com

5.2 The compendium shall not exceed 5 pages, wherein, if the teams are referring to any books then the material of the book shall be quoted in following format “Name of the book/Author/Page number/Paragraph”, and if the teams are referring to any website, only link of the website shall be quoted.

1. DRESS CODE

1.1 The participants shall adhere to the following dress code while in the courtrooms:

- a. Ladies: White shirt and black trousers or skirt along with a black blazer.
- b. Gentlemen: White shirt, black trousers, a black tie, a black blazer and black shoes.

2. STRUCTURE OF THE COMPETITION

2.1 GENERAL:

2.1.1 The formal commencement of the competition shall be on 12th October, 2021.

2.1.2 The competition shall have, one training session, two Preliminary Rounds, one Semi Final Round and the Final Round which will be followed by the valedictory ceremony (subjected to further availabilities of speakers).

3. ROUNDS PRELIMINARY, SEMI FINAL & FINAL

As per Rule 2.1.2, Chapter IV the Preliminary Rounds, Semi-final and Final round shall be held.

1. PRELIMINARY ROUNDS

- a. The Preliminary Rounds will be Knock-out round. The top 4 teams, with the highest total scores in these rounds shall qualify for the semi-final rounds.
- b. The Claimants shall be allotted a total of 20 minutes to speak. The Respondent shall be allotted 20 minutes for arguments.

Any extension of time beyond the specified period shall not be allowed.

- c. The division of time between the speakers is the discretion of the team members, subject to a maximum of 12 minutes for one speaker.
- d. Before the commencement of the round, each team shall indicate to the Moderator or Session Supervisor as to how they wish to allocate their time by writing the same in chat box.
- e. A team shall be credited with a win, if it's total marks in the respective session are higher than those of its opponent teams.

- f. In the case of a tie, the total marks of memorial and the preliminary rounds will be considered. The team with the higher score will advance to the Semi Finals.
- g. Kindly refer to Chapter V for more related rules.

II. SEMI-FINALS

- a. The Semi-Finals will be a knock-out round. The top 2 teams, with the highest total scores in these rounds shall qualify for the Final round.
- b. Each team shall get a total of 30 minutes to present their case. This time will include the time for 'rebuttal' and 'Surrebuttal'. Any extension of time beyond the specified period shall be subject to the discretion of the judges. The division of time between the speakers is the discretion of the team members, subject to a maximum of 18 minutes for one speaker.
- c. Before the commencement of the round, each team shall indicate to the Moderator or Session Supervisor as to how they wish to allocate their time by writing the same in chat box.
- d. Kindly refer to Chapter V for more related rules.

III. FINALS

- a. The Final round will be held just after the Semi-Finals. A team will be credited with a win in the Final round if the total marks are higher than those of its opponent team.
- b. Each team shall get a total of 30 minutes to present their case. This time will include the time for 'rebuttal' and 'Surrebuttal'.
- c. The division of time between the speakers is the discretion of the team members, subject to a maximum of 18 minutes for one speaker.
- d. Before the commencement of the round, each team shall indicate to the Moderator or Session Supervisor as to how they wish to allocate their time by writing the same in chatbox.
- e. Kindly refer to Chapter V for more related rules.

IV. ASSESSMENT CRITERION FOR ORAL PLEADINGS:

Team performance of the Speakers shall be judged in all rounds on the basis of following criterion:

- a. Knowledge of the Facts and Laws
- b. Application of Laws to the Fact and Interpretation
- c. Argumentative Skills and Response to Questions
- d. Clarity of Thoughts and Expression
- e. Skills of advocacy and Court Mannerisms

3. PENALTIES OF THE COMPETITION

3.1. Scouting: No member of any team or any other person will be permitted to witness the arguments, or enter the live video conferencing in which that team is not one of the participating teams whilst that team is a part of the competition or the person is not part of any of the participating team. If this rule is violated, the Governing Council shall take strict actions, which may include but may not be limited to, the expulsion of the said team from the competition.

3.2. Copyright: The copyright with regard to the memorials submitted for the participation in the Competition is assigned by participants and shall also vest completely and fully with the Organizers. The participants shall certify the originality of the memorials and the materials used and shall be responsible for any claim or dispute arising out of further use and exhibition of these materials. The Organizers shall have the right to publicly display, distribute either electronically or otherwise and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for accuracy, completeness or adequacy of the information contained in these materials.

The copyright with regard to the audio-visual files, conferencing, submitted for the participation in the Competition is assigned by participants and shall also vest completely and fully with the Organizers, which will be further posted on the social media platforms for clarity and purposes.

4. AWARDS/PRIZES

The Competition will involve the following award categories:

- **Best Team**
- **Runner Up Team**
- **Best Speaker**
- **Best Memorial**
- **Rank Certificate for teams ranking between 3rd to 10th.**

Further detailed incentives under these award criteria's to be launched before the commencement of the competition

Note:

- a. E-Certificates for participation will be sent through email within 1 month of the declaration of result**
- b. Separate E- Certificates will be provided to the Semi-Finalists, Runners-up and Winners.**

1) MISCELLANEOUS PROVISIONS

1.1 No team shall indulge in any act of misconduct during audio-visual recording or virtual conferencing, undermining the credibility of judges or that of the competition. Any act to the contrary may lead to immediate disqualification from the competition without scope of an appeal.

1.2 No team shall try to disclose or ask the Judges of their identities, if the team is found violating this rule, strict actions will be taken by the Governing Council

1.3 All the teams shall be bound to follow the code of conduct and the rules laid down by Governing Council

1.4 Any behavior of indiscipline with the Governing Council or any other staff member or student volunteer shall be dealt with strictly and may lead to immediate disqualification from the competition without scope of an appeal.

1.5 No team shall ask for feedback immediately on completion of any round. However, at the end of all the rounds the participants may talk to the judges, with minimum inconvenience caused to them.

1.6 Any attempt to approach the framer of the moot problem or the panel of judges of the competition, prior to the competition shall be dealt with strictly and may lead to immediate disqualification from the competition without scope of an appeal.

1.7 The organizing committee reserves the right to amend, modify or repeal any of the rules if so required and as they deem appropriate. Participating teams shall receive adequate notice of any/all such amendments or modifications to the rules.

1.8 If anything, not covered by rules the decision of organizing committee will be binding.

1.9 Participants shall be readily available with their Laptops or PC

1.10 During the live rounds, the microphones of all the persons not speaking shall be on mute, any kind of disturbance created by the team members, or the team member of opponent team if found, then the team making the disturbance shall be warned, continuance of disturbance may lead to disqualification from the competition on the discretion of Judges.

1.11 No team is allowed to use mobile phones during any of the oral rounds, for the purposes of research, phone call, texting, or any other purposes.

1,12 The organizer shall not be responsible for any loss of connectivity or slow internet connection during the competition, the participants are requested to have sound internet connections and working laptop/pc.

1.13 The platform will be informed beforehand; therefore, the teams must have knowledge of using the platform. Also, all the queries regarding anything related to use of app, or any other issues related to the platform being used shall be notified.

1.14 The Participant(s) shall at all times during the rounds must have their cameras on, if in case of connectivity issues, a frame of 7 minutes will be provided to re- join. In case the problem persists, the Participant(s) will lose their chance, or will be subjected to disqualification. Therefore, it is advisable to check the working of Camera and Internet connectivity beforehand.

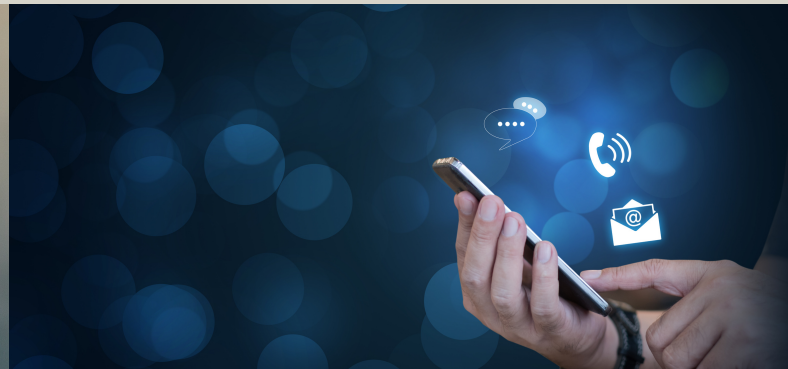
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ABOUT MEDIATEGURU

In the era of emerging legal disputes due to high population which within its purview has different demographics, not all people can afford the high cost of going to court to seek justice or wait for years to get justice at the constant burden to monetary terms and time. Here we come to assist you.

We intent to bridge the gap between the classes in a community and the mediators, provide a linkage between the same with an aim to provide social awareness.

Apart from this, we organise various conferences, webinars, landmark Mediation, Negotiations and Arbitration competitions.



CONTACT US

In case of any query please contact:

Kindly refer to below mentioned (in this order):

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Write to us at admin@mediateguru.com

or reach out to us on our Social Media Handles



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