

**Report**

**ELSA Moot Court Competition on WTO  
Law**



**2006-2007**

***elsa***

The European Law Students' Association

## PARTNER OF THE EMC<sup>2</sup>



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## FOREWORD

Between the 1<sup>st</sup> and the 6<sup>th</sup> of May 2007 the Fifth Edition of the Final Oral Round of the ELSA Moot Court Competition on WTO Law (EMC<sup>2</sup>) took place in Geneva, Switzerland. For this year's Edition more than 60 teams entered the competition, either through the International Written Round, Regional Rounds or National Rounds. Eighteen teams qualified for the Final Oral Round in Geneva.

This being the Fifth Edition of the EMC<sup>2</sup>, ELSA has gained much experience in organising the event. The Fifth Edition of the EMC<sup>2</sup> was the first year the competition was self-financing. The financial stability of the EMC<sup>2</sup> ensured not only a high academic quality, but also a highly successful event in general. It is also worth mentioning that the EMC<sup>2</sup> was granted financial support from Directorate-General of the European Commission for the Fifth Edition of the competition. As the EMC<sup>2</sup> have been organised for five successive years, this year the International Board of ELSA, the International Organising Committee and others involved in the organising of the event held strategic meetings in order to evaluate and develop the competition for the future. Together with the strategic meetings, this Report is meant to improve the organising process of future EMC<sup>2</sup>. Notwithstanding, we hope that everyone that was involved with the EMC<sup>2</sup> 2006/2007, learnt much from their experience.

We would like to commence by thanking several people who, though being under great time pressure, have relentlessly and voluntarily worked to ensure the academic quality of the Competition. Our thanks go firstly to the EMC<sup>2</sup> 2006/2007 Case author: Dr. Tania Voon, University of Melbourne, Australia. Secondly, the EMC<sup>2</sup> 2006/2007 Case Review Board, which consisted of the following WTO law specialists: *Dr. Werner Zdouc, Director of the WTO Appellate Body Secretariat as well as, Ms. Victoria Donaldson, WTO Appellate Body Secretariat; Dr. Arthur Appleton, Appleton Luff - International Lawyers, Geneva, Switzerland; Dr. Laura Nielsen - Academic Supervisor Europe and Africa, Assistant Professor University of Copenhagen, Denmark; Mrs. Letizia Raschella-Sergi, EMC<sup>2</sup> Academic Supervisor Asia-Pacific Regional Rounds and Associate Lecturer, Institute for International Trade - The University of Adelaide).*

Furthermore, we would like to thank the partners, sponsors and supporters of the EMC<sup>2</sup> Competition for their continued encouragement and involvement:

**The World Trade Institute**  
**Cameron May**  
**O'Connor and Company - European Lawyers**  
**Sidley Austin LLP**  
**White & Case**  
**Baker & McKenzie**  
**WorldTradeLaw.Net**  
**International Chamber of Commerce**  
**European Commission**

And ELSA International's Corporate Partners: **Cambridge ILEC, CMS, Deloitte and Microsoft.**

We would also like to thank the WTO for the use of their facilities for the Grand Final of the Final Oral Round of the EMC<sup>2</sup> and the invaluable technical support they have generously provided for this event.

Halvor Lekven  
Vice President Academic Activities  
ELSA International

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## **1. GENERAL BACKGROUND**

### **A. INTRODUCTION**

The European Law Students' Association, ELSA, is an international, independent, non-political, and non-profit-making organisation comprised and run by law students and young lawyers. Founded in 1981 ELSA is today the world's largest independent law students' association and is present in more than 200 law faculties in 36 countries across Europe with a membership in excess of 30,000 students and young lawyers.

ELSA's main purpose is to contribute to legal education, to foster mutual understanding and to promote social responsibility amongst law students and young lawyers. It does this by providing opportunities for their members to learn about other cultures and legal systems through critical dialogue and scientific co-operation. ELSA has been involved in legal education in Europe for more than 25 years, and Moot Court Competitions for most of this time. However, ELSA considered that it would be more beneficial to develop this experience into an international moot court competition aimed at contributing towards the development of law students worldwide.

ELSA chose WTO Law as the basis for its international moot court competition due to the growth in global trade since the 1990's and the necessity to provide security and stability to those involved in such trade through regulations. The World Trade Organization, which was established in 1995 and based on the old GATT Agreement, aims to create a system for efficiently regulating international trade. Although the WTO as an organisation and its Agreements has created controversies, the present structure and regulations will promote and enhance international trade for years to come.

### **B. STRUCTURE OF THE COMPETITION**

The Case for the Competition was issued on 1<sup>st</sup> September 2006 with teams required to register for participation by the 15<sup>th</sup> of November 2006. Only one team per law faculty or law school was allowed to participate in the Competition.

The EMC<sup>2</sup> consists of two different Selection Rounds where teams can qualify for the Final Oral Round of the EMC<sup>2</sup>, which is held in Geneva; Switzerland. Teams from regions where there was an organised Regional (Oral) Round qualified through this mechanism, whilst teams from regions where there was no Regional (Oral) Round qualified for the Final Oral Round through ELSA's International Written Round. Before entering either a Regional (Oral) Round or the International Written Round, every team had to tender their Written Submissions for both the complainant and respondent parties of the EMC<sup>2</sup> Case. Documents were originally required to be submitted to ELSA International by the 15<sup>th</sup> January 2007.

ELSA National Groups were also given the opportunity to organise National (Oral) Rounds of the EMC<sup>2</sup>. The winning teams from the National Rounds were then allocated to the two ELSA (European) Regional (Oral) Rounds.

The Final Oral Round of the EMC<sup>2</sup> was held at the Hotel Warwick Geneva and at the WTO Centre in Geneva between 1<sup>st</sup> and 6<sup>th</sup> of May 2007. Teams participating in the Final Oral

Round were chosen either through the International Written Round or from the Regional (Oral) Rounds. This year five teams qualified through the International Written Round, whilst another 13 through their respective Regional (Oral) Rounds.

At the Final Oral Round, 18 teams pled against each other in the Preliminary Rounds - once as complainant and once as respondent. The four best teams progressed to the Elimination Rounds (Semi-Finals), where they pled once each. The winners of the two Semi-Finals contested against each other for the title - Winner of the EMC<sup>2</sup> 2006/2007.

## 2. THE SELECTION ROUNDS

The Selection Rounds were organised as follows:

ELSA National (Oral) Rounds were organised by ELSA Hungary, ELSA Norway ELSA United Kingdom and ELSA Ukraine, with one team (the Winners) per National Round qualifying for the ELSA Regional (Oral) Rounds to be held in Hamburg, Germany and Cluj-Napoca, Romania. Due to the amount of teams participating in the National Round organised by ELSA United Kingdom the two best teams from that round progressed to an ELSA Regional Round.

The First ELSA Regional (Oral) Round was organised by the Local Group of ELSA Hamburg and the National Group of ELSA Germany and held in Hamburg, Germany. The Second ELSA Regional (Oral) Round was organised by the Local Group of ELSA Cluj-Napoca and held in Cluj-Napoca, Romania.

The non-ELSA South-East Asia & Pacific Regional (Oral) Round (*Australia, Brunei, New Zealand, Papua New Guinea, Fiji, Samoa, Singapore, Solomon Islands, Malaysia, Indonesia, Cambodia, Thailand, Tonga, Vanuatu, Vietnam and Laos*) was organised by the Institute for International Trade (IIT) -University of Adelaide and held in Adelaide, Australia.

The non-ELSA Asia Regional (Oral) Round (*Bhutan, Hong Kong, India, Japan Macau, Mongolia, Myanmar, Nepal, People's Republic of China, the Philippines, South Korea, and Taiwan*) was organised by National Taiwan University - Asian Centre for WTO and Health Law and Policy (ACWHLP) and held in Taipei, Taiwan.

The non-ELSA Latin American Regional (Oral) Round (*Argentina, Bahamas, Barbados, Belize, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominica, Ecuador, El Salvador, Grenada, Guatemala, Guyana, Haiti, Honduras, Jamaica, México, Nicaragua, Panama, Paraguay, Perú, República Dominicana, Saint Kitts and Nevis, Saint Lucia, Saint Vincent & the Grenadines, Suriname, Trinidad and Tobago, Uruguay, Venezuela, and other Latin-American and Caribbean states Governments of which are WTO members*) was organised by COLADIC-Chile (Chilean Chapter of the Latin American Council of International and Comparative Law) and held in Temuco, Chile.

Finally, the International Written Round, organised by ELSA International, was designed to select teams from WTO Member and Observer States not covered by the Regional (Oral) Rounds.



## A. NATIONAL ROUNDS

Since the first Edition of the EMC<sup>2</sup>, ELSA International has encouraged ELSA Groups to host National Oral Rounds in order to ensure an “ELSA” international participation during the Final Oral Rounds. Consequently, ELSA International allowed several Local and National Groups in ELSA to organise National Oral Rounds as well as the ELSA Regional Rounds. The winning teams from the four National Oral Rounds qualified to participate in the two Regional Rounds held in Europe.

The four National (Oral) Rounds were held in:

- Hungary
- Norway
- United Kingdom
- Ukraine

A short summary of the National (Oral) Rounds follows:

### 1. HUNGARY

*The National Round of the EMC<sup>2</sup> in Hungary took place on the 17<sup>th</sup> of February 2007 in Szeged. It was organized by ELSA Szeged, one of the Local ELSA Groups in Hungary. ELSA Szeged was given the possibility to organize the competition in the most prestigious place, at the assembly hall of Szeged.*

*Almost all the remarkable Law Faculties were represented in the competition. Four teams entered the contest to be the winner team to qualify for the Regional Round and represent our country and ELSA Hungary in Hamburg.*

*The team members were very well-prepared law students, who were able to plead their arguments and make out their case convincingly. The Panel was in the trouble to decide, which team's pleading was suitable to represent Hungary in Hamburg. The Panel consisted of Hungarian international law experts, both professors and practicing lawyers: Dr. Hanák András, attorney at law, Teacher of the University of Budapest; Prof. Dr. Martonyi János, attorney at law, Teacher of the University of Szeged; Dr. Sulyok Tamás, attorney at law.*

*The fundraising of the National Round were very successful. All team members, team coaches, judges and some of the visitors got the meals and accommodation free of charge. The teams got precious presents and remunerations. The Dean from the university where the winner team comes from offered to support them to reduce their travel costs in the Regional Round.*

*ELSA Szeged is very proud to have had the opportunity to organise this National Round.*

### 2. NORWAY

*Norway has three Law Faculties and each of them organise their own moot court competition with different cases each year. The winning team from each local moot court competition is invited to participate in the Norwegian National Round of the ELSA Moot Court Competition, organised by ELSA Norway.*

*The winners from each Law Faculty met in the National Round of the EMC<sup>2</sup> in Oslo on 15<sup>th</sup> and 16<sup>th</sup> of February 2007. All three teams competed against each other on Thursday 15<sup>th</sup> of February. Whilst on Friday the 16<sup>th</sup> of February the two best teams from the preliminary rounds competed against each other once in the Final.*

*The winning team was decently celebrated at the banquet in a traditional ELSA way. This year ELSA Norway arranged a one-day seminar on WTO Law in conjunction with the Competition. As a result, the National Round was visited by more participants and got more attention from the students.*

### **3. UKRAINE**

*On the 8<sup>th</sup> and 9<sup>th</sup> of February 2007 ELSA Ukraine hosted the first Ukrainian National (Oral) Round of the EMC<sup>2</sup>. The National Round was organised by the Local Group of ELSA Lviv and the pleading rounds took place in the Ivan Franko National University of Lviv.*

*Teams from four law faculties and higher educational institutions were represented in the competition. All participants showed a high level of preparation and ability to argue their position convincingly. The winning team represented both Ukraine and ELSA Ukraine in the ELSA Regional Round held in Hamburg, Germany in March 2007.*

*The Panel consisted of experienced specialists in WTO Law, both lecturers from the higher educational institutions and practicing lawyers from prominent legal companies. All judges received diplomas for judging during the reception after the competition.*

*The participants enjoyed the competition in itself and were celebrated with a fine social programme, including sightseeing in Lviv.*

## **B. REGIONAL ROUNDS**

In accordance with the ELSA International Council Decision (Budva, October 2003), ELSA desires the EMC<sup>2</sup> to become an international moot court competition assisting law students around the globe in becoming professionally skilled and internationally minded. The EMC<sup>2</sup> is open to registered teams from law faculties (or business faculties that include the teaching of law) from WTO Member or Observer States within one of the four non-ELSA Regional Rounds, or to registered teams from law faculties (or business faculties that include the teaching of law) from countries who have National Groups of ELSA within one of the two ELSA Regional Rounds.

Below, you will find brief reports by the Academic Supervisors for the Regional Rounds organised for the EMC<sup>2</sup> 2006/2007.

### **1. THE FIRST ELSA (EUROPEAN) REGIONAL ROUND OF THE EMC<sup>2</sup> 2006/2007**

#### **A) First ELSA (European) Regional Round Organiser**

*The Hamburg Regional Round was held between 15<sup>th</sup> and 19<sup>th</sup> of March 2007 in Hamburg and the event was a real success. Harriet Krause and her Organising Committee (OC) did a fantastic job and all the judges and participants were very impressed. Everything from picking us up at the train station/airport to the venue of the competition was impressive. Harriet, her OC and all other involved deserves a great applause for their efforts – also with getting so many sponsors!!!*

*– Most of us especially appreciated the little notes we got regarding who and when (and which car!) would drive us to the trains station/airport. In sum, it was fantastic – down to the last detail.*

*It was interesting for all of us to have the competition held both at Bucerius Law School and at University of Hamburg (Grand Finale only). Both law schools impressed us a lot with their fantastic buildings and facilities – and it was an honour to have Professor Hilf from Bucerius Law School judging some of the rounds with us. Moreover, the Dean of Bucerius took the time one day to explain the history of the school and stories about Bucerius – which really made all of us feel welcome at the Law School.*

*Finally, the awards ceremony and dinner was really impressive.*

#### **B) Academic Quality of the Event**

##### **i) Panellists**

*The academic quality of the event was excellent. Nearly all the judges had judged before and all were experienced experts in the WTO-field, so the quality was very high. There was a little confusion on who was on the semi-finale panels and the grand finale panel. After discussions with the other academic supervisors and with the Director of the Moot Court, we will most likely change the procedure for next year, so that semi-finale panels and the grand finale panel are planned ahead to avoid these problems.*

*As usual, the judges liked the event – and would like to get invited again. Perhaps the only thing to add is of a more “social” character that some judges was under the impression that we should not*

*mingle with the participants too much. The spirit of the competition is also to provide a forum where students get to interact with the judges. There has never been incident that seemed to give advantages to one team over another in such conversations, and we should guard the competition against such incidents in the future. My personal suggestion is therefore, that at next year's events, the judges and participants should be informed during the welcome-meeting how we expect things to proceed; i.e. that mingling is a part of the competition, but that the case should NOT be addressed and that teams are not allowed to reveal their origin – even after the grand finale session is closed because most of us proceed to Geneva.*

ii) *Time keepers*

*The time keepers did a great job – there is nothing to comment on – good job!*

**C. Participant Teams**

*Ten teams participated in the First ELSA (European) Regional Round. It was a pleasure to meet so many intelligent and wonderful students. All teams were well prepared and the competition is surely a success in promoting the up-and-coming generation of trade lawyers.*

*The level of teams was fantastic; the spirit was great – so congratulations to all of you and thank you for your hard work!*

**D) Awards**

i) *Preliminary Round Rankings*

*Four teams from the First ELSA (European) Regional Round automatically qualified for the Final Oral Round in Geneva. At the conclusion of the Preliminary Rounds the teams were ranked as follows:*

- *1<sup>st</sup> Ranked: Team 003 – Faculty of Law, Robert Schuman University, Strasbourg, France*
- *2<sup>nd</sup> Ranked: Team 020 – St. Petersburg University, Russia*
- *3<sup>rd</sup> Ranked: Team 017 – University of Bucharest, Romania*
- *4<sup>th</sup> Ranked: Team 012 – Vilnius University, Lithuania*

ii) *Elimination Round Teams*

*The following teams were assigned to the following pleading sessions:*

- *Semi-Finalists 1: Team 020 (ranked 2<sup>nd</sup>) vs. Team 012 (ranked 4<sup>th</sup>) – Winner Team 012*
- *Semi-Finalists 2: Team 003 (ranked 1<sup>st</sup>) vs. Team 017 (ranked 3<sup>rd</sup>) – Winner Team 003*
- *Grand Final: Team 003 vs. Team 012*

iii) *Awards*

*The following teams and individuals received awards:*

- *Winner: Team 003*
- *Runner-up: Team 012*
- *Best Orator Preliminary Round: Team 003 Faculty of Law, Robert Schuman University, Strasbourg (Ms. Ferdisha Snagg)*
- *Best Orator of Elimination Round: Team 003 Faculty of Law, Robert Schuman University, Strasbourg (Ms. Ferdisha Snagg)*
- *Best Complainant Written Submission: Team 017 - University of Bucharest, Romania*
- *Best Respondent Written Submission: Team 017 – University of Bucharest, Romania*

- *Best Overall Written Submissions: Team 017 – University of Bucharest, Romania*

*Due to other priorities Team 003 – Faculty of Law, Robert Schuman University, Strasbourg was not able to attend the Final Oral Round in Geneva. The team coming in 5<sup>th</sup> place therefore qualified for the Final Oral Round of the EMC<sup>2</sup>. The team in 5<sup>th</sup> place was Babes-Bolyai University, Romania.*

### **E) Academic Supervisor's Concluding Remarks**

*I really have nothing else to say than CONGRATULATIONS and THANK YOU to the organisers, the teams and the judges – it was nearly perfect – it was an honour to participate and to work with all of you.*

*Sincerely*

*Dr. Laura Nielsen*

*EMC<sup>2</sup> Academic Supervisor Europe and Africa*

*Assistant Professor - International Trade Law*

## **2. THE SECOND ELSA (EUROPEAN) REGIONAL ROUND OF THE EMC<sup>2</sup> 2006/2007**

### **A) Second ELSA (European) Regional Round Organiser**

*The 2<sup>nd</sup> ELSA Regional Round was held during 22<sup>nd</sup> to 26<sup>th</sup> March 2007 in Cluj-Napoca, Romania and the event was a real success. Iulia David and her Organising Committee (OC) did a fantastic job and all the judges and participants were very impressed. Everything from picking us up at the train station/airport to the venue of the competition was impressive. Iulia, her OC and all other involved deserves a great applause for their efforts – also with getting so many sponsors. Having in mind that such an event was taking place for the first time in Romania fundraising for the event was a great success. Together with the Main Sponsor of the Regional Round the OC also had four Partners, 9 Media Partners and 15 Sponsors. Splendid job done!*

*Teams and Judges were amazed by the devotion of the OC and efficiency with which every single request they had was handled. Since the OC didn't have problems with human resources they introduced so called "baby sitter" system, which meant that every team had one member from OC responsible for them as well as Judges. That seemed to work out great and everyone was very pleased.*

*The pleadings and ceremonies were held at the Hotel Belvedere, which was a very convenient logistical decision because all participants and Judges were accommodated in the same hotel. Finally, the awards ceremony and dinner was really impressive.*

### **B) Academic Quality of the Event**

#### **i) Panelists**

*The academic quality of the event was excellent. Nearly all the panelists had judged before and all were experienced experts in the WTO-field, so the quality was very high. There were no problems in allocating Semi Finals and Finals panels, most of the panelists have been judging in Final Oral Round in Geneva in previous years, thus experienced in procedural issues of the moot court as well. For future reference though it is important to mention that after the 5<sup>th</sup> edition of EMC<sup>2</sup> in general Director for EMC<sup>2</sup> and Academic Supervisors decided that composition of ELSA Regional Rounds*

*and most important of FOR are to be agreed upon in advance in order to ensure highest academic quality and avoid any partiality issues.*

*As usual, the judges liked the event – and would like to get invited again. From my experience usually during ELSA Regional Rounds “socializing” issue between panelists and teams pops up. Surprisingly this year in Cluj-Napoca in my opinion we successfully avoided this matter, as everyone seemed to understand and took seriously my instruction upon it. Panelists as well were already experienced on this matter, thus things went smooth.*

ii) Time Keeper(s)

*Regarding Timekeepers in general the job was well done. Nevertheless, in general my remarks would be that we should simplify the timekeeping rules and as well make the instructions for the timekeepers as easy to understand as possible. Judges are not always into the peculiarities and exceptions of timekeeping rules and thus the timekeeper should be very confident and aware of what he/she is doing and how it works according to the Rules. This is sometimes hard to achieve due to the fact that human recourses for timekeepers in ELSA Regional Rounds are usually based on ELSA “freshers” who are somewhat inexperienced in timekeeping.*

**C. Participants**

*7 Teams from Finland, Germany, Norway, The Netherlands, and United Kingdom participated in 2<sup>nd</sup> ELSA Regional Round in Cluj-Napoca.*

*The level of teams was fantastic; the spirit was great – so congratulations to all of you and thank you for your hard work!*

**D) Awards**

i) Preliminary Round Rankings

*Four teams from the Southern Europe Regional Round automatically qualified for the Final Oral Round in Geneva. At the conclusion of the Preliminary Rounds the teams were ranked as follows:*

- *1<sup>st</sup> Ranked: Team 032 – London School of Economics and Political Sciences, United Kingdom*
- *2<sup>nd</sup> Ranked Team 029 – Edinburgh University, United Kingdom*
- *3<sup>rd</sup> Ranked Team 023 – Maastricht University, The Netherlands*
- *4<sup>th</sup> Ranked Team 004 – Marburg University, Germany*

ii) Elimination Round Teams

*The following teams were assigned to the following pleading sessions:*

- *Semi-Finalists 1: Team 032 (ranked 1<sup>st</sup>) vs. Team 029 (ranked 2<sup>nd</sup>) – Winner Team 032*
- *Semi-Finalists 2: Team 023 (ranked 3<sup>rd</sup>) vs. Team 004 (ranked 4<sup>th</sup>) – Winner Team 023*
- *Grand Final: Team 023 vs. Team 032*

iii) Awards

*The following teams and individuals received awards:*

- *Winner: Team 023*
- *Runner-up: Team 032*
- *Best Orator: Team 023 (Ms. Elissavet Malathouni)*
- *Best Overall Written Submissions: Team 005 - Martin Luther University Halle, Germany*

### **E) Concluding Remarks**

*A great Thank You goes to the panelists, organisers and participants. It has been successful both academic and organizational wise event.*

*Ms. Giedre Tijusaite  
Director EMC<sup>2</sup>  
ELSA International 2006/2007*

### **3. THE NON-ELSA SOUTH EAST ASIAN & PACIFIC REGIONAL ROUND OF THE EMC<sup>2</sup> 2006/2007**

#### **SEA&P Regional Round Organiser**

*For the third year the Institute for International Trade (IIT) – University of Adelaide were the Regional Round Organiser and former WTO Deputy-Director General and IIT Executive Director, Mr Andrew Stoler was the Regional Round Administrator (RRA). IIT did an outstanding job of organising the competition, which was held from the 14<sup>th</sup> to 17<sup>th</sup> March, in Adelaide, Australia. All official events were held in the prestigious National Wine Centre, commencing with the Official Welcome Reception, which was held in the Pod Bar, where participants had the opportunity to socialise with each other and EMC<sup>2</sup> Panelist.*

#### **B) Academic Quality of the SEA&P RR**

##### **j) Panelists**

*For 2007 a number of the SEA&P ‘Panelist Alumni’ returned to participate in the oral pleading sessions. All the Panelists for the event were qualified WTO lawyers, economists, academics and trade policy specialists. In fact, a number of the Panelist Alumni are also former WTO diplomats or Secretarial staff – securing these individuals was a wonderful achievement by IIT for the EMC<sup>2</sup>. Several of the Panelists had also been involved in the actual WTO cases referred to in the Case of the EMC<sup>2</sup> 2006/2007.*

*The 2006/2007 Case, Clarifications and the Bench Memorandum were authored by former WTO Appellate Body Secretariat Legal Officer and now Senior Lecturer University of Melbourne Law School, Dr Tania Voon. The SEAP RR was fortunate to have Dr Voon judge the two semi finals and the grand final.*

*All Panelists were given one complainant and one respondent Written Submission, so they could gauge the student’s arguments. One randomly selected complainant and respondent Written Submissions were sent to all Panelists for their perusal with a strong warning that participants were likely to have developed their arguments in the two months interim between tendering the documents and presenting oral arguments. At the conclusion of the event all Panelist confirmed that reading these documents had little affect as the students had indeed developed their pleadings in the interim.*

*Our sincere thanks to all our Panelists (see below) for their enthusiasm, dedication and at times, probing questions. Their participation made the SEA&P RR a wonderful experience for the participants and an outstanding academic event:*

- *Mr Scott Gallacher – Minter Ellison (and former NZ trade diplomat)*

- Mr Siva Somasundram – Minter Ellison (and former Singapore trade diplomat)
- Mr Iain Sandford – Minter Ellison (former NZ trade diplomat and WTO Appellate Body Secretariat Legal Officer)
- Dr Tania Voon – University of Melbourne (former WTO Appellate Body Secretariat Legal Officer)
- Emeritus Professor Mary Hiscock – Bond University (Inaugural SEA&P Regional Round Administrator)
- Mr David Morgan – Australian Department of Foreign Affairs (Director Economic Analytical Unit - China FTA Task Force)
- Ms Jessica Wyers – Australian Department of Foreign Affairs (WTO Trade Law Branch: TRIPs Division)
- Mr Paul Schofield – Australian Department of Foreign Affairs (WTO Trade Law Branch)
- Mr Graeme Thomson – Australian Department of Foreign Affairs (Office of Trade Negotiations – Senior Australian Trade Negotiator)
- Mr Hoe Lim – World Trade Organization (Services Division)
- Mr Andrew Stoler – IIT - University of Adelaide (former WTO Deputy Director-General)

ii) Oral Pleading Sessions

All the Preliminary Round pleading sessions were conducted consecutively due to panelist and room availability (rooms were at a premium in Adelaide due to their hosting of the bi-annual Adelaide Festival of Arts and the Fringe Festival). Therefore, 'Panelist Alumni' Mr David Morgan, Mr Siva Somasundram and Mr Graeme Thomson heard all five Preliminary Round sessions, with the chair rotating for each session. The Panelist were extremely mindful of the EMC<sup>2</sup> Rules and managed to keep all oralists and teams on track with their timing. Mr Morgan stressed to the students that Time Management was crucial for the FOR and their future careers; not only from a competition perspective but that it assisted students with refining their pleadings.

iii) Time Keeper(s)

The Panels were assisted with time management by the Academic Supervisor and the EMC<sup>2</sup> Moot Court Director, Ms Giedre Tijusaite (who was reviewing the SEA&P RR) acted as Timekeepers for all the pleadings sessions. In 2007 electronic timers were used and this made it easier to record each oralist's pleading time as well as the overall team pleading time. In addition it provided the Panel Chair with additional information regarding any breaches of the time rules.

iv) Written Submissions

In 2007 the SEA&P RR Written Submissions were judged by the Inaugural SEAP Regional Round Administrator, Emeritus Professor Mary Hiscock and the Asia-Pacific Academic Supervisor, Mrs Letizia Raschella-Sergi. The Academic Supervisor briefed the oral Panelist, during the Panelist Briefing session, in relation to arguments put forward by teams in their Written Submissions, as of the 15<sup>th</sup> January 2007. It was anticipated, and realized, that the teams would progress from their Written Submission pleadings by the time they orally pleaded.

v) Academic Conference

In-keeping with ELSA International's objective to promote education, an academic conference was held in conjunction with the competition. Two highly topical papers were presented by:

- Dr Michelle Sanson (UTS, Sydney) - WTO and Africa; and
- Mr Hoe Lim (WTO Secretariat - Service Division, Geneva) - Multilateralism in the era of regional trade agreements: Where next for the WTO?



*At the conclusion of the Academic Conference, Mr Paul Schofield and Ms Jessica Wyers from the Australian Department of Foreign Affairs and Trade, spoke to the competitors about the graduate recruitment process and encouraged students interested in trade law to apply highlighting their EMC<sup>2</sup> experience.*

### **C) SEA&P RR Participant Teams**

*In 2007 five Australian and two New Zealand universities participated in the SEA&P Regional Round. This was the first year that teams from outside of Australia participated in the regional competition. We received numerous enquires from universities in the South East Asian region to participate but due to lack of trade expertise in these countries many universities expressed that they would be unable to field a team until the 2008 competition – we look forward to a much expanded SEA&P RR competition next year.*

*From an academic and practitioner perspective the quality of the 2007 EMC<sup>2</sup> teams was outstanding. It was obvious that extensive preparation had taken place, especially bearing in mind that there is limited access to WTO law specialists throughout the region and the complicated scope of this year's Case. Furthermore, some of the Panelists also stated that many of the teams had extensively improved their knowledge and understanding of the issues, as well as the procedural aspects and form during the competition. Congratulations to all the SEA&P teams on their performances!*

### **D) SEA&P RR Sponsors and Awards**

*Once again, in 2007 the Asia-Pacific law firm - Minter Ellison - was the SEA&P's major sponsor. Minter's provided three WTO experts to judge: Mr Scott Gallacher, Mr Siva Somasundram and Mr Iain Sandford. In keeping with tradition, Mr Gallacher repeated his 2005 and 2006 role and was the Grand Final Panel Chairperson. Minter's generously paid all expenses for their staff to participate, as well as provided the competition awards.*

*The Australian Department of Foreign Affairs and Trade (DFAT) also generously provided three oral panelist and paid all its staff's expenses. Mr David Morgan, Ms Jessica Wyers and Mr Paul Schofields represented DFAT and judged both the Preliminary and Elimination Rounds.*

*The New Zealand Ministry of Foreign Affairs and Trade were invited to participate as oral panelist. Due to the limited number of trade staff they were unable to send representatives. However Mr Scott Gallacher and Mr Iain Sandford, as former Ministry trade officers de facto represented New Zealand.*

*In 2007, the SEA&P RR continued its relationship with its minor sponsor, Rymill Wines of Coonawarra – one of Australia's premier wine growing regions. Rymill Wine's have since 2001 produced an EMC<sup>2</sup> Cabernet Sauvignon, Merlot and Cabernet France vintage. We were extremely fortunate that Rymill provide us with one bottle for each judge as a gift. In addition, Rymill agreed to sponsor the Final Oral Round.*

*Participants were awarded their trophies and certificates whilst Panelist received thank you gifts of the EMC<sup>2</sup> wine at the official SEA&P RR Presentation Dinner, which was held after the Grand Final on Saturday, 17<sup>th</sup> March at the Stanford Grand Hotel, Glenelg. Participants, panelist and supporters enjoyed themselves into the late hours of the night as the stress of three days of competition ebb with the flow of good Australian wine.*

#### **i) Preliminary Round Rankings**

*At the conclusion of the Preliminary Rounds the top four teams were ranked as follows:*

- 1<sup>st</sup> ranked: Team 039 - University of Melbourne, Australia
- 2<sup>nd</sup> ranked: Team 041 - University of Sydney, Australia
- 3<sup>rd</sup> ranked: Team 042 - Victoria University, Wellington, New Zealand
- 4<sup>th</sup> ranked: Team 040 - University Technology of Sydney, Australia

ii) Elimination Round Teams

The following teams were assigned to the following pleading sessions:

- Semi-Finalists 1: Team 040 (ranked 4<sup>th</sup>) vs. Team 041 (ranked 2<sup>nd</sup>) = Winner Team 041
- Semi-Finalists 2: Team 039 (ranked 1<sup>st</sup>) vs. Team 042 (ranked 3<sup>rd</sup>) = Winner Team 039
- Grand Final: Team 041 vs. Team 039 = Winner Team 039

iii) Awards

The following teams and individuals received trophies and certificates generously donated by Minter Ellison's:

- Winner: Team 039
- Runner-up: Team 041
- Best Orator Preliminary Round: Team 039 (Ms Elizabeth Sheargold)
- 2<sup>nd</sup> Placed Oralists Preliminary Round: Team 039 (Mr David Heaton)
- 3<sup>rd</sup> Placed Oralists Preliminary Round: Team 043 (Mr Phil Whittington)
- Best Orator of Elimination Round: Team 040 (Ms Emma Duignan)
- Best Complainant Written Submission: Team 039
- Best Respondent Written Submission: Team 039
- Best Overall Written Submissions: Team 039

Initially only the winner of the SEA&P RR was to receive automatic qualification to the Final Oral Round in Geneva. The Academic Supervisor announced at the conclusion of the Presentation Dinner that ELSA International had agreed to accept the SEA&P RR Runner-up to also proceed to Geneva. The SEA&P RR was represented by Teams 039 - University of Melbourne and Team 040 - University of Sydney, at the Final Oral Round held in Geneva from 1<sup>st</sup> to 6<sup>th</sup> May 2007.

**E) SEA&P RR Special Mention**

A special mention must be made in relation to the Inaugural SEA&P Regional Round Administrator, Emeritus Professor Mary Hiscock who was scheduled to judge the oral round, but was unable to attend due to illness. We thank Professor Hiscock for herculean efforts in marking the Written Submissions during this period.

**F) Academic Supervisor's concluding Remarks**

Once again the SEA&P Regional Round was a truly successful event with a record number of seven teams participating. We anticipated that this number will increase in 2008 due to the fact that the University of Melbourne were the eventual Winners of the Final Oral Round. Sincerest congratulations to Mr Andrew Stoler and Ms Marie Gutsche, for the professionally organised event and making the participants, sponsors and panelist welcome. I look forward to working with again IIT in 2008.

Sincerely

Mrs. Letizia Raschella-Sergi

EMC<sup>2</sup> Asia-Pacific Academic Supervisor

Associate Lecturer International Trade Law and Policy

#### **4. THE NON-ELSA ASIA REGIONAL ROUND OF THE EMC<sup>2</sup> 2006/2007**

##### **A) ASIA Regional Round Organiser**

*For the second year, National Taiwan University's Asian Centre for WTO and International Health Law and Policy (ACWH) was appointed the Regional Round Organiser (RRO) and Professor Chang-Fa Lo Dean, College of Law (NTU) was appointed as Regional Round Administrators (RRA). Professor Lo was once again able to attract a number of WTO experts to participate in this highly professionally organised competition. The ASIA Regional Round was held from 7<sup>th</sup> to 10<sup>th</sup> March, in Taipei, Taiwan at the GIS Convention Centre.*

##### **B) Academic Quality of the ASIA RR**

###### **i) Panelists**

*The individuals chosen to judge the ASIA Regional Round were all qualified WTO practitioners and academics. Professor McRae and Ms Liang have also been involved in many actual WTO dispute settlement cases – their experience was evident in their questioning when they pushed participants to think outside the legal realm and reflect on policy issues. A number of the Panelists stated that they had thoroughly enjoyed the experience of judging and especially assisting young law students from their region to develop their analytical and advocacy skills. Similar to other regional rounds, many of the 'Panelist Alumni' took part in the 2007 Asia Regional Round.*

*The 2006/2007 Case, Clarifications and the Bench Memorandum were authored by former WTO Appellate Body Secretariat Legal Officer and now Senior Lecturer University of Melbourne Law School, Dr Tania Voon. The ASIA RR was fortunate to have Dr Voon judge the two semi finals and the grand final.*

*Some Panelists indicated that they would like to read the participants' Written Submissions. A randomly selected complainant and respondent Written Submission were sent to all Panelists. All commented that the participants had indeed developed their pleadings since tendering their documents.*

*Our sincere thanks to all our Panelists (see below) for their enthusiasm, dedication and at times, highly complex questions. Their participation made the inaugural ASIA Regional Round a wonderful experience for the participants and an event which is likely to attract many teams for the region in the future:*

- *Professor Donald McRae – University of Ottawa (Chairman of the International Law Commission and regular WTO and NAFTA Panelist)*
- *Ms Margaret Liang – Special Consultant WTO Issues and former Deputy Permanent Representative to the WTO and UN – Singapore Ministry of Foreign Affairs & Trade*
- *Dr Tania Voon – University of Melbourne (former WTO Appellate Body Secretariat Legal Officer)*
- *Mr "Jack" Chen-Huan Hsiao – Deputy Director Multilateral Trade Affairs, Bureau of Foreign Trade, Ministry of Economic Affairs, Taiwan*
- *Mr David Evans– New Zealand Ministry of Foreign Affairs (Commerce and Industry Office, Taipei)*
- *Associate Professor Shin-yi Peng – National Tsing Hua University (Associate ACWH)*

- Mr Stephen Y. Tan – Partner, Baker & McKenzie Law Firm, Taiwan
- Mr Chun-Yih Cheng – Partner – Formosa Transnational Attorneys at Law, Taiwan
- Mr Chi-His Chao – Assistant Professor National Taiwan University College of Law and Senior International Law Counsellor - Chien Yeh Law Offices
- Mr Pi-jan Wu – Adjunct Associate Professor Soochow University School of Law and Senior International Economic Law Counsel LCS & Partners
- Ms Christine Yu – Associate Partner, Tsar & Tsai Law Firm, Taiwan

ii) Oral Pleading Sessions

The Preliminary Round pleading sessions were conducted concurrently over two days. All Chairpersons were extremely mindful of the EMC<sup>2</sup> Rules and only permitted oralists to run over time if they were answering the Panel's questions. Participants were reminded of the importance of time management, paced oral submissions and the fact that for all participants in the Asia Regional Round that English was not their first language (for either participants and most of the judges) – hence articulation of arguments was crucial.

iii) Time Keeper(s)

The Panels were assisted with time management by the Academic Supervisor and members of the Asia RR Secretariat who acted as Timekeeper for all the pleadings sessions. Timers were utilised and this made it easier to record each oralists' pleading time as well as the overall team pleading time. In addition, it provided the Panel Chair with additional information regarding any breaches of the time rules.

iv) Written Submissions

For the second year, Associate Professor Shin-yi Peng and the Asia-Pacific Academic Supervisor judged all the Written Submissions. Mrs Raschella-Sergi also briefed the other panelist, during the Panelist's Briefing session, in relation to arguments put forward by teams in their Written Submissions, as of the 15<sup>th</sup> January 2007. It was anticipated, and realized, that the teams would progress from their Written Submission pleadings by the time they orally pleaded in Taipei.

v) Academic Conference

In-keeping with ELSA International's objective to promote education, a one day academic conference was held on Sunday, 11<sup>th</sup> March. Professor Lo invited the entire EMC<sup>2</sup> panelists to participate as well as students to participate. ACWH subsidised competitors' accommodation in order for them to attend the vent. A number of highly topical papers were presented:

- Profesor Donald McRae: *The Effectiveness of WTO Dispute Settlement*
- Dr Rania Voon: *Appellate Body Report on US Measures Relating to Zeroing and Sunset Reviews*
- Professor Tsai-yu Lin: *Remedies for Prohibited Export Subsidies under Article 4 of the SCM Agreement: Some Observations from a Dispute Settlement Procedural Sense*
- Mrs Letizia Raschella-Sergi: *WTO Moot Court and Legal Education*
- Mr David Evans: *The DSU: Notes from a Small Island*
- Associate Professor Sin-yi Peng: *How Much Time Is Reasonable? The Arbitral Decisions under Article 21.3© of the DSU*
- Professor Pei-kan Yang: *Some Reflections on monetary compensation as an alternative remedy in the WTO dispute Settlement.*
- Mr Sameer Jain: *Distributive Justice Under WTO Regime: A Changing Paradigm*

- Ms I-che Hsieh: *The Regulatory Mode of Trade and Environment in NAFTA: An Inspiration to Taiwan*
- Mr Feng-jen Tsai: *The impact of globalization on patent law policy – focus on public health issue*
- Mr Yung-huei Chang: *The interface between TRIPs, CBD and IP{TGR on biodiversity issues.*

### C) ASIA RR Participating Teams

Eight teams from Taiwan, Japan, India and Hong Kong registered for the Asia RR.. With experienced WTO dispute settlement panelist such as Professor Donald McRae and Ms Margaret Liang and Case Author, Dr Tania Voon, the students were often pushed to their limits of WTO knowledge, they displayed superior advocacy skills and sought not to appease the Panel without losing too much “diplomatic” ground – a skill definitely required in the WTO arena.

Congratulations to all the ASIA RR teams on their performance at the competition!

### D) ASIA RR Sponsors and Awards

Professor Chang-Fa Lo is to be congratulated for engaging and securing all the major trade law firms in to sponsor the Asia RR. Such sponsorship ensured that quality judges would participate as well as providing beautiful trophies and certificates for all the participants, judges and winners.

Participants were awarded their trophies and certificates whilst judges received thank you certificates at the official ASIA RR Presentation Dinner - which was held after the Grand Final on Saturday 10<sup>th</sup> March at the luxurious Shangri-la Far Eastern Plaza Hotel – a truly magnificent venue for an auspicious occasion.

At the conclusion of the Preliminary Rounds the top four teams were ranked as follows:

- 1<sup>st</sup> ranked: Team 052 – The West Bengal University of Juridical Sciences, India
- 2<sup>nd</sup> ranked: Team 055 – National Chiao Tung University, Taiwan
- 3<sup>rd</sup> ranked: Team 048 – University of Hong Kong, Hong Kong
- 4<sup>th</sup> ranked: Team 050 – GNLU University, India

#### iii) Elimination Round Teams

The following teams were assigned to the following pleading sessions:

- Semi-Finalists 1: Team 050 (ranked 4<sup>th</sup>) vs. Team 055 (ranked 2<sup>nd</sup>) = Winner Team 050
- Semi-Finalists 2: Team 048 (ranked 1<sup>st</sup>) vs. Team 052 (ranked 3<sup>rd</sup>) = Winner Team 048
- Grand Final: Team 050 vs. Team 048 = Winner Team 048

#### iii) Awards

The following teams and individuals received trophies and certificates generously donated by all the sponsors of the ASIA RR:

- Winner: Team 048
- Runner-up: Team 050
- Best Orator Preliminary Round: Team 048 (Mr Suen Sze Yick)
- 2<sup>nd</sup> Placed Oralists Preliminary Round: Team 055 (Ms Yen-yu Lin)
- 3<sup>rd</sup> Placed Oralists Preliminary Round: Team 052 (Mr Mutaza Ali. A Somjee)
- Best Orator of Elimination Round: Team 048 (Ms Sabrina Ho)
- Best Complainant Written Submission: Team 049
- Best Respondent Written Submission: Team 049

- *Best Overall Written Submissions: Team 049*

### **E) Academic Supervisor's concluding Remarks**

*The second Asia RR was a highly successful event, Professor Chang-fa Lo and his 2007 Regional Round Co-dominator, Ms Rou-yun Tu are to be sincerely congratulated for the professional organization of the moot court competition.*

*All participants were provided with a folder pack containing the event information and welcome gifts. Participants, panelist and sponsors were attended to with efficiency, courtesy and professionalism*

*ACWH arranged for professional designers to brand the event and produced various promotional material including; event programmes, acrylic document case; banners, posters, event name tags; place table tags as well as wonderful participation certificates. It is suggested that the EMC<sup>2</sup> follows ACWH's lead and instigate a brand marketing campaign to raise the profile of the competition and the marketability to employers of all participants.*

*The organization of this the ASIA RR has continues to push the standard of the EMC<sup>2</sup> for all Regional Round Organisers – my sincerest congratulations to Professor Lo on an outstanding event and very much look forward to working with him and his new team in 2008!*

*Sincerely*

*Mrs. Letizia Raschella-Sergi*

*EMC<sup>2</sup> Asia-Pacific Academic Supervisor*

*Associate Lecturer International Trade Law and Policy*

## **5. THE NON-ELSA LATIN AMERICAN REGIONAL ROUND OF THE EMC<sup>2</sup> 2006/2007**

### **A) Latin America Regional Round Organiser**

*In 2007 the Latin America Regional Round (LARR) was held in Temuco, IX Region of Chile and was hosted by COLADIC-Chile and Universidad Autonoma section in Temuco. The organisation of the event left a lot to be desired; however the academic quality improved from the previous years. The Organising Committee (OC) headed by Sergio Ehijos Mardones, President of COLADIC-Chile, did not have enough time to prepare a perfect event; however with better management it would have been possible to deliver a better event. In this case the OC was assembled at the last minute – end of February though a set of names was communicated to the Academic Supervisor in November hence creating the impression that enough hands were dedicated to the project. Unfortunately, COLADIC-Chile did not live up to their reputation and potential as organisers of internationally known seminars, conferences and congresses.*

*The OC should be congratulated on involving their host academic institution to such an extensive level. The authorities of Universidad Autonoma were involved, aware and present at the event not only adding prestige to it, but also allowing for a display of the University's support for one of ELSA's main goals pursued through the EMC<sup>2</sup> – the promotion of the WTO Law into the curricular of the law schools around the world.*

*Social programme events were unplanned and disorganised; some of them did not take place. Programme was being changed constantly as most of the pre-set goals could not be fulfilled due to last*

*minute planning and execution. Poor management also resulted in a undue financial burden on the hosting university, COLADIC-Chile and the teams.*

*The press coverage of the event was unprecedented. Hopefully it raised awareness of important trade topics among the public of the region and, maybe, even nationally. However, it is advisable that in the future organisers dedicate more time to the quality of the organisation of the event itself since primary beneficiaries of the Competition – the teams – were disappointed with the service and had a good reason to be. ELSA and COLADIC support each other in a united goal to contribute to legal education with innovative programmes and projects which offer additional value to ones legal education. Hence EMC<sup>2</sup> like any other ELSA project aims at highest possible academic quality.*

## **B) Academic Quality of the LARR**

### **i) Panellists**

*Though some panellists required guidance as to the moot court procedure there was a substantial improvement from previous years. The panellists were prepared and supplied the standard required by a Regional Round of this size.*

*This year panellists from Argentina joined the experts from Chile hence duly reflecting and complementing the diversity of the Latin American Regional Round teams. The number of panellists was sufficient though some of them joined the panel of a very short notice. Naturally, OC's delays in answers when coordinating the list of panellists (January through February) made the management of the entire Competition more cumbersome. However, the regional panel improved substantially from the previous years.*

*The most sincere gratitude in this respect has to be expressed towards Mr Mathias Francke from the Chilean Mission to the WTO who recommended a number of panellists for the written and oral pleadings' panels. Some of these persons though being unable to commit for 2007 expressed the desire to join the Regional Pool of Panellists hence providing the LARR with a possibility of more efficient planning (budgeting, funding, panel composition etc.) and a prospect of year-by-year improving academic quality.*

### **ii) Timekeepers**

*At the last moment Juan Andrés Torrecilla from COLADIC-Argentina joined the OC and compensated for the organiser's lack of knowledge of the Moot Court organisation. Hence timekeeping and sore-tracking for the LARR was fulfilled under strict adherence to the Rules.*

## **C) Participating Teams**

*In 2007, three teams participated in the Latin America Regional Round I was very impressed with the level of the preparation of the teams from Colombia. It was amazing bearing in mind limited access to WTO Law specialists throughout the region (with exception of one or two states) and the complicated scope of this year's Case. Congratulation to all the teams!*

*In the future LARR organisers will be encouraged and helped to seek increased participation through maintaining direct contact with the universities most likely to send a team, through maintaining an English language website and through other means and measures. ELSA and the Academic Supervisor realise that the region is very sensitive to the issue of costs. However bearing in mind the*

*number of countries the Competition is open to, the increasing importance of multilateral free trade system and evermore interesting hurdles sprung by the bilateral and regional trade agreements, it should be possible to interest more universities in fetching the opportunity to prepare the next generation of qualified trade experts.*

**D) Awards**

*i) Preliminary Round Rankings*

*Only the winner of the Latin America Regional Round automatically qualified for the Final Oral Round in Geneva. At the conclusion of the Preliminary Rounds the teams were ranked as follows:*

- *1<sup>st</sup> ranked: Team 064 – Pontifica Universidad Javeriana, Bogota, Columbia*
- *2<sup>nd</sup> ranked: Team 046 – Universidad del Rosario, Bogota, Colombia*
- *3<sup>rd</sup> ranked: Team 045 - Faculdade de Direito / Universidade Federal de Minas Gerais (UFMG), Brazil*

*ii) Elimination Round Teams*

*The teams were assigned to the pleading session as follows:*

- *Grand Final: Team 064 vs. Team 046*

*iii) Awards*

*The following teams and individuals received awards:*

- *Winner: Team 064*
- *Runner-up: Team 046*
- *Best Orator Preliminary Rounds: Team 064 (Ms Maria Catalina Carmona)*
- *2<sup>nd</sup> Best Orator Preliminary Rounds: Team 064 (Ms Carolina Deik)*
- *3<sup>rd</sup> Best Orator Preliminary Rounds: Team 045 (Mr Gabriel Faria Bernardes)*
- *Best Orator of Elimination Round: Team 031 (Ms Maria Catalina Carmona)*
- *Best Complainant Written Submission: Team 046*
- *Best Respondent Written Submission: Team 046*
- *Best Overall Written Submissions: Team 046*

**E) Academic Supervisor's Concluding Remarks**

*As Academic Supervisor I learned a lot through this event. My observations will be conveyed onto ELSA, the IOC and COLADCI for future improvement of the event. The Competition is gaining speed and quality with each year. The teams are becoming more demanding of quality in academic, organisational and supervision spheres. This by itself will serve as a drive along with Academic Supervisors closer concentration on academic matters while leaving the International Organising Committee to closer watch the organizational developments, ensure uniformity of the Regional Round throughout the World.*

*Sincerely,  
Ms. Ieva Zebryte  
EMC<sup>2</sup> Academic Supervisor for the Americas*



## **C. INTERNATIONAL WRITTEN ROUND**

### **A) International Written Round Organiser**

Finally, the International Written Round, organised by ELSA International, was designed to select teams from WTO Member and Observer States not covered by either the National or Regional (Oral) Rounds. Two judges were selected by the International Organising Committee (IOC) from the international pool of WTO expert judges, to mark each registered team's tendered Written Submissions.

### **B) Academic Quality of the International Written Round**

The quality of the documents was equivalent to teams entering via the oral selection rounds. Teams who entered the EMC<sup>2</sup> competition via this mechanism did not have the benefit of orally testing their legal pleadings in front of a panel until the Final Oral Round in Geneva. Notwithstanding this perceived disadvantage, at the conclusion of the Preliminary Rounds in Geneva, one of the teams entering the Elimination Rounds in the Final Oral Round came from the International Written Round.

Congratulations to all the teams who participated in the competition through the International Written Round!

### **C) IWR Participant Teams**

For 2007 nine teams registered for the International Written Round. Five teams were selected to proceed to the FOR based on the ranking of the Written Submissions. Three teams hailed from the USA, one from Canada and for the first time in the EMC<sup>2</sup>'s history a team from Georgia participated in the FOR.

### **D) IWR Awards**

#### **i) Written Submissions Rankings**

The five highest ranked teams of the International Written Round automatically qualified for the Final Oral Round in Geneva. The following teams were ranked by the Written Submissions judges:

- 1<sup>st</sup> Ranked: Team 047 – Valparaiso University School of Law, USA
- 2<sup>nd</sup> Ranked: Team 056 – McGill University, Canada
- 3<sup>rd</sup> Ranked: Team 059 – Duke University School of Law, USA
- 4<sup>th</sup> Ranked: Team 061 – Georgetown University, USA
- 5<sup>th</sup> Ranked: Team 058 – Ivane Javakhishvili Tbilisi State University, Georgia

#### **ii) Awards**

#### **Overall Best Written Submissions of the International Written Round:**

- Team 047 – Valparaiso University School of Law, USA

#### **Best Complainant Written Submission - International Written Round:**

- Team 056 – McGill University, Canada

#### **Best Respondent Written Submission - International Written Round:**

- Team 061 – Georgetown University, USA

### **E) Concluding Remarks**

*A concern expressed by teams participating in the FOR via International Written Round selection is that they were disadvantaged by not attending an oral selection round prior to Geneva. The reason for such concern is that the Written Submissions are tendered in mid January with the FOR held in early May. Teams participating in oral selection rounds gain an advantage in that their legal pleadings are tested via panellist questions. Such questioning enables teams to refine their arguments before competing in Geneva.*

*As a consequence of the above mentioned concern as well as the ELSA International Council Decision (Budva, October 2003) the International Written Round will continue to be scaled down with new oral selection rounds being established in various regions. It is intended that in 2008 teams from the USA and Canada will be directed to new non-ELSA regional (oral) round competitions (details of the rounds will be released in September 2007 on the website of the EMC<sup>2</sup>). If such rounds do not eventuate then the fall-back position of the International Written Round will be utilised.*

*Sincerely,  
Mr. Halvor Lekven  
Vice President Academic Activities  
ELSA International*

### 3. PARTICIPANTS OF THE FINAL ORAL ROUND

The teams are presented in the order they ranked after the Preliminary Rounds (corresponding team codes issued to the teams at registration are placed in the brackets).

1. Team 039 University of Melbourne, Australia
2. Team 048 Hong Kong University, China
3. Team 041 University of Sydney, Australia
4. Team 061 Georgetown University, USA
5. Team 017 University of Bucharest, Romania
6. Team 023 University of Maastricht, The Netherlands
7. Team 029 University of Edinburgh, United Kingdom
8. Team 012 Vilnius University, Lithuania
9. Team 032 London School of Economics and Political Sciences,  
United Kingdom
10. Team 064 Javeriana University, Colombia
11. Team 059 Duke University School of Law, USA
12. Team 050 Gujarat National Law University, India
13. Team 004 Marburg University, Germany
14. Team 058 Ivane Javakhishvili Tbilisi State University, Georgia
15. Team 056 McGill University, Canada
16. Team 020 St. Petersburg University, Russia
17. Team 047 Valparaiso University School of Law, USA
18. Team 018 Babes-Bolyai University, Romania

## 4. AWARDS

### **Winner EMC<sup>2</sup> 2006/2007 – World Trade Institute Award**

- *Team 039 – University of Melbourne, Australia*

### **Runner-up EMC<sup>2</sup> 2006/2007 – Professor Claus-Dieter Ehlerman Award**

- *Team 048 – Hong Kong University, Hong Kong*

### **Other Semi-Finalists:**

- *Team 041 – University of Sydney, Australia*
- *Team 061 – Georgetown University, USA*

### **Best Orator of the Preliminary Rounds – Cameron May Award:**

- *Ms. Angeliki Mavridou - Team 023 - University of Maastricht, The Netherlands*

### **Best Orator of the Elimination Rounds - O'Connor and Company Award:**

- *Ms. Elisabeth Sheargold - Team 039 - Melbourne University*

### **Overall Best Written Submissions of the International Written Round – Sidley Austin Award:**

- *Team 047 – Valparaiso University School of Law, USA*

### **Best Complainant Written Submission of the International Written Round – White & Case Award:**

- *Team 056 – McGill University, Canada*

### **Best Respondent Written Submission of the International Written Round – Baker & McKenzie Award:**

- *Team 061 – Georgetown University, USA*

### **Overall Best Written Submissions - Final Oral Round - WTO Award:**

- *Team 039 – University of Melbourne, Australia*

### **Best Complainant Written Submission - Final Oral Round – Professor Gabrielle Marceau Award:**

- *Team 039 – University of Melbourne, Australia*

### **Best Respondent Written Submission - Final Oral Round – Valerie Hughes Award:**

- *Team 039 – University of Melbourne, Australia*

## A. RANKING OF THE 18 PARTICIPATING TEAMS AFTER THE PRELIMINARY ROUNDS

Ranking	"Round of Origin"	Team Code	WS Score**	WS Score Final (WS Score multiplied by 0,3)	Oral Score	Final Oral Score (Oral Score multiplied by 0,7)	Total Score
1	SEA&PRR	039	180,13	54,04	167,00	116,90	170,94
2	ARR	048	155,25	46,58	169,67	118,77	165,34
3	SEA&PRR	041	166,13	49,48	162,66	113,86	163,70
4	IWR	061	143,75	43,13	169,67	118,77	161,89
5	1 <sup>st</sup> ERR	017	163,00	48,90	160,00	112,00	160,90
6	2 <sup>nd</sup> ERR	023	131,25	39,38	169,33	106,169	158,033
7	2 <sup>nd</sup> ERR	029	136,25	40,88	166,67	116,67	157,54
8	1 <sup>st</sup> ERR	012	147,00	44,10	157,67	110,37	154,47
9	2 <sup>nd</sup> ERR	032	138,00	41,40	158,67	111,07	152,47
10	LARR	064	135,26	40,58	152,67	106,87	147,45
11	IWR	059	145,00	43,50	146,67	102,67	146,17
12	ARR	050	138,25	41,48	148,00	103,60	145,08
13	2 <sup>nd</sup> ERR	004	128,75	38,63	150,33	105,23	143,86
14	IWR	058	141,25	42,38	142,66	99,86	142,24
15	IWR	056	146,13	43,48	139,66	97,76	141,60
16	1 <sup>st</sup> ERR	020	142,75	42,83	138,33	96,83	139,66
17	IWR	047	148,75	44,63	131,67	92,17	136,79
18	1 <sup>st</sup> ERR	018	128,50	38,55	132,33	92,63	131,18

\* Abbreviations indicating the ELSA and non-ELSA Regional Rounds:

- 1<sup>st</sup> ERR = ELSA (European) Regional Round organised in Hamburg, Germany
- 2<sup>nd</sup> ERR = ELSA (European) Regional Round organised in Cluj-Napoca, Romania
- SEA&PRR = South East Asia & Pacific Regional Round organised in Adelaide, Australia
- ARR = Asian Regional Round organised in Taipei, Taiwan
- LRR = Latin American Regional Round organised in Temuco, Chile
- IWR = International Written Round

\*\*WS = Total Score of both the Complainant and Respondent Written Submissions submitted to ELSA International.

According to the Rules of the EMC<sup>2</sup>, the four highest ranking Teams (marked in yellow) qualified for the Elimination Rounds (Semi-Finals).

Each member of the Panel could assign a maximum score of 100 points: 0-50 being poor, 51-64 being average, 65-84 being good, and 85-100 being excellent. The scores given by each of the Panellists would then be added together and divided by 3. Therefore, the maximum score for each oral argument any Team presented was 100 points. Each Team pleaded twice in the Preliminary Rounds – once as Complainant and once as Respondent. Therefore, the ranking was determined by adding up the points of the two sessions. Total of 200 points could have been received by one Team throughout the Preliminary Rounds.

**B. DETAILED SCORES OF THE PRELIMINARY ROUNDS**

Session #*	Team code		Total	
	Complainant	Respondent	Complainant	Respondent
1A	048	047	78,00	63,00
1B	056	029	74,33	80,00
1C	023	018	85,33	64,33
1D	041	059	80,33	74,00
1E	039	032	82,00	74,00
2A	020	004	77,33	72,00
2B	064	050	71,67	76,33
2C	058	017	74,33	81,33
2D	012	061	75,00	79,00
3A	004	012	78,33	82,67
3B	061	020	90,67	61,00
3C	017	064	78,67	81,00
3D	050	058	71,67	68,33
4A	029	041	86,67	82,33
4B	032	056	84,67	65,33
4C	018	048	68,00	91,67
4D	047	023	68,67	84,00
4E	059	039	72,67	85,00

\* Sessions with four highest ranking teams are marked in yellow.

### C. BEST ORATORS OF THE PRELIMINARY ROUNDS RANKING

Ranking	Name	Team Code	Points (out of 100)
1	Angeliki Mavridou	023	89,17
2	Tobias Bednarz	029	86,00
3	Alexander Kobakhidze	029	85,83
4	Hemangini Dadval	050	84,00
5	Catalina Carmona	064	82,83
6	Goanta Elena Catalina	017	81,33
7	Vyte Danileviciute	012	81,17
8	Carolina Deik	064	80,00
9	Filip Ancuta	018	79,00
10	Elissavet Malathouni	023	79,00
11	Raducanu Adina Toana	017	78,50
12	Roger Piernekamper	004	77,67
13	Claudia Esperanza	032	76,33
14	Vipul Jjain	050	75,83
15	Fernando Fernandez	029	75,67
16	Jason Cross	059	75,50
17	Ricardo Peraze-Tello	032	75,00
18	Miguel Castro	064	74,83
19	Carla DePriest	059	73,17
20	Mariam Gotsiridze	058	72,83
21	Darius Pinkevicius	012	72,17
22	Jakob Weberstaedt	020	71,67
23	Lili Sidamonidze	058	71,50
24	Reid Hooper	047	69,67
25	Paul Clark	056	69,33
26	Denis Strukov	020	68,83
27	Martin Malkus	004	68,50
28	Pop Bianca	018	68,17
29	Karan Sachdev	050	68,00
30	Andreas Zenner	004	65,50
31	Kevin Gilmartin	047	65,33
32	Gytis Malinauskas	012	64,50
33	Natia Lapiashvili	058	63,50
34	Mante Molepo	056	63,00
35	Tirca Ioana	018	62,50

\*Please note: to qualify for the Best Orator of the Preliminary Round Awards, an orator had to plead twice during the Preliminary Rounds - once as Complainant and once as Respondent. The scores were drawn up as an average of 6 scores (3 judges per 2 Panels of the Preliminary Rounds).

A total of 35 out of 62 speakers pleaded twice throughout the Preliminary Rounds. Hence their ranking is presented above.

Individual performance of the Teams members was assessed based on the same general criteria as the performance of the Teams' oral pleadings. The Panellists were guided by factors such as: competence, inclusion of all relevant facts, structure and logic of the argument, soundness of the argument presented, response to questions by The Panels, time management, role of Team members etc. Each member of The Panel could assign a maximum score of 100 points: 0-50 being poor, 51-64 being average, 65-84 being good, and 85-100 being excellent per Team member for an individual performance.



#### D. RESULTS OF THE INTERNATIONAL WRITTEN ROUND AND THE OVERALL BEST MEMORIAL RESULTS

Team Code	Penalties		Interim Memorial Score		Memorial Score
	Compl.	Resp.	Compl.	Resp.	Total
039 SEA&P	0	0	88,88	91,25	180,13
041 SEA&P	1	1	77,13	89,00	166,13
017 1 <sup>st</sup> ERR	1	0	79,50	83,50	163,00
048 ARR	3	3	78,13	77,12	155,25
047 IWR	1	1	75,75	73,00	148,75
012 1 <sup>st</sup> ERR	1	2	73,00	74,00	147,00
056 IWR	1	2	73,00	73,13	146,13
059 IWR	0	1	71,50	73,50	145,00
061 IWR	1	0	70,75	73,00	143,75
020 ERR	1	0	72,25	70,50	142,75
058 IWR	0	0	70,62	70,63	141,25
050 ARR	1	1	70,63	67,62	138,25
032 2 <sup>nd</sup> ERR	0	0	77,00	61,00	138,00
029 2 <sup>nd</sup> ERR	2	1	70,12	66,13	136,25
064 LARR	0	0	64,88	70,38	135,26
023 2 <sup>nd</sup> ERR	1	1	65,00	66,25	131,25
004 2 <sup>nd</sup> ERR	2	2	63,37	65,38	128,75
018 1 <sup>st</sup> ERR	1	2	68,30	60,20	128,50

Each Written Submission was reviewed by two judges individually and independently.

Each Written Submission judge could assign a maximum score of 20 points: 0-50 being poor, 51-64 being average, 65-84 being good, and 85-100 being excellent. Therefore, the maximum score for each Written Memorial could be 40 points, and for both Memorials – 80 points.

The judges were guided by factors such as: argumentation and correct legal analysis, clarity of argument, complete and correct recognition and weighting of issues, correct application of the relevant rules and legal principles, presentation and style, persuasiveness, structure, logic, thoroughness, eloquence, reasoning, grammar, spelling and style.

## 5. APPRECIATION

### A. ADVISORY BOARD AND JUDGES' POOL OF THE ELSA MOOT COURT COMPETITION ON WTO LAW

In order to ensure the high quality of the event the following persons agreed to advise and support ELSA with the organisation of the ELSA Moot Court Competition (EMC<sup>2</sup>) on WTO Law.

Regardless of their past and present positions and status, these individuals are helping the EMC<sup>2</sup> to reach its full potential. They consult with the IOC, promote the Competition commissioning their own reputation, and overall supporting the EMC<sup>2</sup> however they can. ELSA and the IOC are extremely humbled by such devotion and attention to the Competition.

<i>Name</i>	<i>Involvement with the EMC<sup>2</sup></i>
<b>Ms. Kerry Allbeury</b> WTO Legal Affairs Division (Switzerland)	Preliminary Rounds of FOR 2006
<b>Mr. Stefan Amarasinha</b> Directorate-General for Trade, European Commission (Belgium)	Preliminary Rounds of FOR 2005, 2006, 2007; ELSA Regional Rounds 2007
<b>Dr. Arthur Appleton</b> Appleton Luff (Switzerland)	Preliminary Rounds and Semi Finals Panel of FOR 2003, 2004, 2005, 2006 and 2007; Advisory and Case Review Board of 2004, 2005, 2006 and 2007; ELSA Regional Rounds 2007
<b>Ms. Vassiliki Avgoustidi</b> Gide Loyrette Nouel (Belgium)	Preliminary Rounds of FOR 2006
<b>Prof. Luiz Olavo Baptista</b> WTO Appellate Body Member (2001 to present) (Brazil)	Advisor
<b>Mr. Pablo Bentes</b> WTO Appellate Body Secretariat (Switzerland)	Preliminary Rounds of FOR 2007
<b>Mr. Johannes Bernabe</b> International Centre for Trade and Sustainable Development (Switzerland)	Preliminary Rounds of FOR 2007
<b>Mr. Georg Berrisch</b> Covington & Burling (Belgium)	Preliminary Rounds of FOR 2003 and 2004
<b>Dr. Jan Bohanes</b> Sidley Austin LLP (Switzerland)	Preliminary Rounds of FOR 2003, 2004, 2005, 2006 and 2007; ELSA Regional Rounds 2007
<b>Prof. Peter Van Den Bossche</b> University of Maastricht (The Netherlands)	Advisor
<b>Prof. Jacques Bourgeois</b> WilmerHale (Belgium)	Grand Final Panels of FOR 2003, 2004 and 2006 (Chairman)
<b>Dr. Marco Bronckers</b> WilmerHale (Belgium)	Advisor
<b>Mr. Matt Busheri</b> University of Hong Kong (Hong Kong)	Preliminary Rounds of FOR 2006
<b>Mr. Jorge Castro</b> WTO Legal Affairs Division (Switzerland)	Preliminary Rounds of FOR 2004, 2005 and 2007; Case Review Board 2007
<b>Prof. Thomas Cottier</b> Managing Director World Trade Institute University of Berne (Switzerland)	Grand Final Panel of FOR 2003, 2004, 2005 (Chairman) and 2006

<b>Dr. Bugge Daniel</b> University of Southern Denmark-Odense (Denmark)	ELSA Regional Rounds 2007
<b>Ms. Victoria Donaldson</b> WTO Appellate Body Secretariat (Switzerland)	Preliminary Rounds of FOR 2004, 2005 and 2006; Advisory and Case Review Board 2006 and 2007
<b>Prof. Piet Eeckhout</b> King's College London (United Kingdom)	Advisor
<b>Prof. Claus-Dieter Ehlermann</b> WilmerHale (Belgium) WTO Appellate Body Member (1995-2001)	Grand Final Panel of FOR 2003 (Chairman) and 2004 (Chairman)
<b>Mr. Lothar Ehring</b> Directorate-General for Trade, European Commission (Belgium)	Preliminary Rounds of FOR 2003, 2004, 2005 and 2007; ELSA Regional Rounds 2007
<b>Prof. Frank Emmert</b> Indiana University School of Law (USA)	Grand Final Panel of FOR 2003; Case Drafter 2003; Advisor
<b>Prof. John Erauw</b> Private International Law Institute, University of Ghent (Belgium)	Advisor
<b>Prof. Mary Footer</b> University of Nottingham School of Law (United Kingdom)	Preliminary Rounds and Semi Finals Panel of FOR 2003, 2004, 2005 and 2007; Grand Final Panel 2007
<b>Mr. Todd Friedbacher</b> Sidley Austin LLP (Switzerland)	Grand Final Panel of FOR 2007
<b>Dr. David A. Gantz</b> University of Arizona, Roger College of Law (USA)	Grand Final Panel 2006; Case Drafter 2006
<b>Ms. Pettina Gappah</b> Advisory Centre on the WTO Law (Switzerland)	Preliminary Rounds of FOR 2006
<b>Mr. Folkert Graafsma</b> Vermulst Waer & Verhaeghe (Belgium)	Advisor
<b>Prof. Heinz Hauser</b> University of St. Gallen (Switzerland)	Preliminary Rounds of FOR 2003 and 2004
<b>Prof. Meinhard Hilf</b> Bucerius Law School Hamburg (Germany)	ELSA Regional Rounds 2007
<b>Prof. Robert Howse</b> Michigan University (USA)	Semi Finals Panel of FOR 2003; Case Drafter 2005
<b>Ms. Valerie Hughes</b> Gowling Lafleur Henderson LLP (Canada) Director of the WTO Appellate Body Secretariat (1999-2005)	Grand Final Panel of FOR 2003 and 2005; Case Review Board 2004, 2005 and 2006
<b>Ms. Hannah Irfan</b> WTO Legal Affairs Division (Switzerland)	Preliminary Rounds of FOR 2007
<b>Mr. Alejandro Jara</b> Deputy-Director General of the WTO (Switzerland)	Grand Final Panel of FOR 2006
<b>Mr. Payman Jassim</b> White & Case (Switzerland)	Preliminary Rounds of FOR 2006
<b>Ms. Aegyung Jung</b> WTO Legal Affairs Division (Switzerland)	Advisor
<b>Mr. Sufian Jusuh</b> World Trade Institute, University of Berne (Switzerland)	Preliminary Rounds of FOR 2007
<b>Prof. Christine Kaufmann</b> University of Zurich (Switzerland)	Preliminary Rounds of FOR 2003, 2004 and 2005
<b>Ms. Eugenia Constanza Laurenza</b> O'Connor and Company - European Lawyers	Grand Final Panel of FOR 2007

(Belgium)	
<b>Prof. Margaret Liang</b> WTO Consultant to the Singapore Ministry of Foreign Affairs (Singapore)	Preliminary Rounds and Semi Finals Panel of FOR 2006; Preliminary Rounds and Grand Final Panels ASIA RR 2006
<b>Prof. Chang-fa Lo</b> Executive Director, Asian Centre for WTO & Health Law & Policy - National Taiwan University (Taiwan)	Joint Regional Round Administrator (ASIA RR); Advisor
<b>Dr. David Luff</b> TradeCom Programme for ACP Countries AppletonLuff (Belgium)	Preliminary Rounds of FOR 2006 and 2007; Semi Finals Panel of FOR 2006; ELSA Regional Rounds 2007
<b>Prof. Gabrielle Marceau</b> WTO Secretariat - Counsellor for Director General's Division (Switzerland)	Grand Final Panel of FOR 2005 and 2007; Semi Finals Panel of FOR 2003, 2004 and 2005; Advisory and Case Review Board 2004 and 2005
<b>Mr. Philip Marsden</b> The British Institute of International and Comparative Law (United Kingdom)	Preliminary Rounds of FOR 2003
<b>Dr. James H. Mathis</b> International Law Department of Amsterdam University (The Netherlands)	Grand Final Panel of FOR2004; Case Drafter 2004; ELSA Regional Rounds 2007
<b>Prof. Mitsuo Matsushita</b> Tokyo University (Japan) WTO Appellate Body Member (1995-2000)	Joint Regional Round Administrator (ASIA RR); Preliminary Rounds and Grand Final Panel ASIA RR 2006; Advisor
<b>Ms. Teisha Mattison</b> WTO Secretariat Technical Cooperation Division (Switzerland)	Preliminary Rounds of FOR 2006
<b>Prof. Petros Mavroidis</b> University of Neuchatel (Switzerland)	Preliminary Rounds of FOR 2003
<b>Ms. Nathalie McNelis</b> WilmerHale (Belgium)	Advisor; ELSA Regional Rounds 2007
<b>Mr. Niall Meagher</b> Senior Counsel at the Advisory Centre on WTO Law (Switzerland)	Grand Final Panel of FOR 2005 and Semi Finals Panel of FOR 2006
<b>Mr. Andrew Mitchell</b> University of Melbourne (Australia)	Preliminary Rounds of FOR 2005; Preliminary, Semi Finals Panel SEA&P RR 2006
<b>Prof. Elisabetta Montagutti</b> Legal Service, European Commission (Belgium)	Grand Final Panel of FOR 2003 and 2004
<b>Dr. Laura Nielsen</b> University of Copenhagen (Denmark)	Academic Supervisor for Europe and Africa 2006 and 2007; Preliminary Rounds Panel of FOR 2004, 2005, 2006 and 2007; Semi Finals Panel of FOR 2006 and 2007; Grand Final Panel of FOR 2006; Case Drafter 2006; Case Review Board member
<b>Mr. Hunter Nottage</b> Advisory Centre on the WTO Law (Switzerland)	Preliminary Rounds of FOR 2003, 2004, 2005, 2006 and 2007
<b>Mr. Bernard O'Connor</b> O'Connor and Company - European Lawyers (Belgium)	Grand Final Panel of FOR 2006
<b>Mr. Stefan Ohlhoff</b> WilmerHale (Germany)	ELSA Regional Rounds 2007
<b>Ms. Barbara Oliveira</b> WTO Secretariat Technical Cooperation Division (Switzerland)	Preliminary Rounds of FOR 2006
<b>Mr. Serge Pannatier</b> Baker & McKenzie Geneva (Switzerland)	Grand Final Panel of FOR 2007

<b>Prof. Joost Pauwelyn</b> Duke University School of Law (USA)	Advisor
<b>Mrs. Maria J. Pereyra-Friedrichsen</b> WTO Legal Affairs Division (Switzerland)	Preliminary Rounds of FOR 2004 and 2005; Advisory and Case Review Board 2005 and 2006
<b>Dr. Christian Pitschas</b> WTI Advisors (Switzerland)	Preliminary Rounds of FOR 2004, 2005 and 2006
<b>Mrs. Letizia Raschella-Sergi</b> Institute for International Trade - University of Adelaide (Australia)	Academic Supervisor for Asia-Pacific 2004, 2005, 2006 and 2007; Preliminary Rounds of FOR 2003, 2004, 2005, 2006 and 2007; Advisory and Case Review Board 2003, 2004, 2005, 2006 and 2007
<b>Dr. Roberto Rios-Herran</b> Richardson Rios Olechowski International Lawyers (Poland)	Preliminary Rounds of FOR 2005, 2006 and 2007; ELSA Regional Rounds 2007
<b>Ms. Edna Ramirez Robles</b> DEA European Law - Geneva (Switzerland)	Preliminary Rounds of FOR 2006 and 2007; ELSA Regional Rounds 2007
<b>Prof. Giorgio Sacerdoti</b> WTO Appellate Body Member (2001 to present) (Italy)	Grand Final Panel of FOR 2004
<b>Mr. Iain Sandford</b> Minter Ellison (Australia) WTO Appellate Body Secretariat (2003-2005)	Advisory and Case Review Board 2005 and 2006; Semi Final and Grand Final Panels SEA&P RR 2006
<b>Mr. Hannes Schloemann</b> Director of WTI Advisors (Switzerland)	Semi Finals Panel of FOR 2005; Grand Final Panel of FOR 2005; Preliminary Rounds of FOR 2003, 2004, 2005 and 2006
<b>Dr. Soren Schonberg</b> Directorate-General for Trade, European Commission (Belgium)	Preliminary Rounds of FOR 2005; ELSA Regional Rounds 2007
<b>Ms. Julia S. Selivanova</b>	Preliminary Rounds of FOR 2005, 2006 and 2007
<b>Mr. Andreas Sennekamp</b> WTO Appellate Body Secretariat (Switzerland)	Preliminary Rounds of FOR 2007; ELSA Regional Rounds 2007
<b>Mr. Arthur Steinmann</b> Taylor Wessing (Germany)	ELSA Regional Rounds 2007
<b>Mr. Andrew Stoler</b> Executive Director, Institute for International Trade - University of Adelaide (Australia) WTO Deputy-Director General (1999-2001)	Regional Round Administrator (SEA&P RR) 2005, 2006 and 2007; Grand Final Panel SEA&P RR 2005, 2006 and 2007; Advisor
<b>Prof. Christian Tietje</b> University of Halle (Germany)	Preliminary Rounds of FOR 2003, 2004, 2005 and 2006
<b>Mr. Raul Torres</b> WTO Secretariat Rules Division (Switzerland)	Preliminary Rounds of FOR 2005 and 2006
<b>Prof. Joel Trachtman</b> Tufts University (USA)	Grand Final Panel of FOR 2005; Advisor
<b>Mr. Arun Venkataraman</b> WTO Appellate Body Secretariat (Switzerland)	Preliminary Rounds of FOR 2004
<b>Ms. Tania Voon</b> University of Melbourne (Australia) WTO Appellate Body Secretariat (2004-2005)	Preliminary Rounds of FOR 2004 and 2005; Preliminary Rounds, Semi Finals and Grand Final Panels SEA&P RR 2006; Case Drafter 2007
<b>Mrs Jayashree Watal</b> WTO Intellectual Property Division (Switzerland)	Grand Final Panel of FOR 2007
<b>Mr. Jasper Wauters</b> White & Case Geneva (Switzerland)	Preliminary Rounds of FOR 2007
<b>Prof. Rolf Weber</b> Zurich University (Switzerland)	Preliminary Rounds of FOR 2005

<b>Prof. Jan Wouters</b> Katholieke Universiteit Leuven (Belgium)	Preliminary Rounds of FOR 2005
<b>Ms. Ruta Zarnauskaite</b> Directorate-General for Trade, European Commission (Belgium)	Preliminary Rounds of FOR 2006 and 2007; ELSA Regional Rounds 2007
<b>Dr. Werner Zdouc</b> Director of the WTO Appellate Body Secretariat (Switzerland)	Grand Final Panel of FOR 2006 and 2007

Many of the above EMC<sup>2</sup> judges served on the Panels of the International Written Round (2003, 2004, 2005 and 2006) and undertook the tedious work of assessing and grading the Written Submissions of the EMC<sup>2</sup> teams. Their vast contribution to the quality and day-to-day operations of the Competition is immensely appreciated by the IOC and surely, by the participants.

## **B. SPONSORS OF THE EMC<sup>2</sup> 2006/2007**

### **EMC<sup>2</sup> Partner**

#### **World Trade Institute**

The World Trade Institute (WTI) is a centre of advanced studies and a forum for interdisciplinary research and teaching in international trade law and economics, fostering interaction between students and professionals, and allowing researchers and practitioners to pool their expertise.

WTI has supported the EMC<sup>2</sup> 2006/2007 by giving a monetary contribution as well as providing WTI summer courses as prizes to the EMC<sup>2</sup> Winning team members.

### **EMC<sup>2</sup> Publishing Partner**

#### **Cameron May**

Cameron May is a publishing company specialising in International Trade, Criminal and Environmental Law. Founded in 1992, Cameron May is considered by experts in the field to be the leading publisher of material on the legal implications of the World Trade Organisation. They have a particular expertise in the nexus between trade and environment.

They are the publishers of the journals: International Trade Law Reports, China Trade Law and Practice, International Criminal Law Reports all of which are leaders in their fields.

Cameron May has supported the EMC<sup>2</sup> 2006/2007 by giving a monetary contribution as well as by donating books as prizes for the participants of the competition. Cameron May is the Publishing Partner of the EMC<sup>2</sup> for 2006/2007 and for 2007/2008.

### **EMC<sup>2</sup> Sponsors**

#### **O'Connor and Company - European Lawyers**

O'Connor and Company - European Lawyers is one of the few independent law firms specialising in EC and International Trade Law in Brussels. The areas of practice of the firm are competition and trade with an important emphasis on regulatory law and litigation.

O'Connor and Company has supported the EMC<sup>2</sup> 2006/2007 by providing a monetary contribution and judges for the competition.

#### **Sidley Austin LLP**

With over 1,600 lawyers and 15 offices in Europe, North America and Asia, Sidley Austin LLP is one of the world's largest law firms. Sidley combines practical experience, in-depth knowledge and a commitment to the highest quality to provide a broad range of legal services to meet the needs of their clients.

Sidley Austin LLP has supported the EMC<sup>2</sup> 2006/2007 by providing a monetary contribution and judges for the competition.

### **White & Case LLP**

White & Case is a global law firm with over 2,000 lawyers working in a unique network of offices in 23 countries across Europe, the Middle East, Africa, Asia and the Americas. International practice is the foundation of their firm, and their clients include public and privately held commercial businesses and financial institutions, governments and state-owned entities, industry and trade associations and NGOs.

White & Case has supported the EMC<sup>2</sup> 2006/2007 by providing a monetary contribution and judges for the competition.

### **Baker & McKenzie**

Baker & McKenzie is one of the world's largest law firms with more than 3,500 lawyers and 70 offices in 38 countries worldwide. Baker & McKenzie has been helping companies thrive in international commerce for more than half a century. Nearly 200 lawyers in its Global International/Commercial Practice Group make sure Baker & McKenzie's knowledge is current and the skills relevant, reliable and deep.

Baker & McKenzie supported the EMC<sup>2</sup> 2006/2007 by providing a monetary contribution and judges for the competition.

### **The European Commission**

The Directorate-General for Trade, European Commission, supported the EMC<sup>2</sup> 2006/2007 by providing the competition with a monetary contribution in form of a project-related grant.

### **EMC<sup>2</sup> Supporters**

#### **WorldTradeLaw.net**

WorldTradeLaw.net is a web site devoted to the law of the World Trade Organization and international economic law generally. The web site offers the "Dispute Settlement Commentary" service covering WTO dispute settlement, which provides a comprehensive legal research tool for WTO Panel and Appellate Body Reports and WTO Arbitrations.

WorldTradeLaw.net offered participants in the EMC<sup>2</sup> 2006/2007 discounts for using their website and online portal.

#### **The International Chamber of Commerce - Paris**

The ICC (International Chamber of Commerce) is the voice of world business championing the global economy as a force for economic growth, job creation and prosperity. ICC is the world's only truly global business organisation and its activities cover a broad spectrum, from arbitration and dispute resolution to making the case for open trade and the market economy system, business self-regulation, fighting corruption or combating commercial crime.

The International Chamber of Commerce in Paris contributed to the EMC<sup>2</sup> 2006/2007 by offering an internship to the best Orator of the Elimination Round in the Final Oral Round.



### **C. ACADEMIC SUPERVISORS FOR THE EMC<sup>2</sup> 2006/2007**

We would also like to thank our Academic Supervisors for all the help they have provided us during the year we worked on the Organising of the EMC<sup>2</sup>. Without their help, we would not have managed to conduct this wonderful event:

*Ms. Ieva Zebryte - EMC<sup>2</sup> - Academic Supervisor for the Americas*

*Mrs. Letizia Raschella-Sergi - EMC<sup>2</sup> Academic Supervisor for Asia-Pacific*

*Dr. Laura Nielsen - EMC<sup>2</sup> Academic Supervisor for Europe and Africa*

### **D. MEMBERS OF THE INTERNATIONAL ORGANISING COMMITTEE**

Last of all, a word of thanks should be given to all those ELSA Members who helped organise the event and turn the EMC<sup>2</sup> into a point of pride for the whole network:

*Mr. Halvor Lekven (Norway)*

*Ms. Loreta Pivoriunaite (Lithuania)*

*Ms. Andrea Claudia Raffl (Austria)*

*Mr. Christopher Carlson (Sweden)*

*Ms. Esra Ersoy (Turkey)*

*Ms. Tina Eszlari (Germany)*

*Dr. Nils Fjelkegård (Sweden)*

*Ms. Giedre Tijusaite (Lithuania)*

*Ms. Christina Paul (Germany)*

*Ms. Merle Eckhard (Germany)*

*Ms. Lina Vilcinskaite (Lithuania)*

*Ms. Maria Moguilnaia (Russia)*

*Ms. Iulia David (Romania)*

*Mr. Claudius Krucker (Switzerland)*

*Mr. Sergey Golubok (Russia)*

*Ms. Astrid Sollie Skårdalsmo (Norway)*

*Mr. Matthias Stauffacher (Switzerland)*

*Mr. Daniel Azzopardi (Malta)*

*Ms. Lavinia Micallef (Malta)*