

MILE 25 & TRAIL+8

Dispute Simulation Exercise

Dispute Simulation Exercise

The WTO Dispute Simulation Exercise is a mandatory course for WTI Masters Program students (MILE and TRAIL+) worth 5 ECTS, that runs during the second semester of the academic year.

The case

In order to expose you to the demands and strains of dispute resolution and to allow you to compare (albeit indirectly) your knowledge and skills with students from around the world, the case problem for the 2024-2025 WTI Dispute Simulation Exercise is the John H Jackson Moot Court case, with certain modifications. Please make sure that you use the version of the case distributed to you by the WTI and not the one that appears on the Jackson Moot Court website.

Teams

You will participate in the WTI Dispute Simulation Exercise as a member of one of four teams. The composition of the teams will be determined by the WTI administration.

Date

26 and 27 May 2025

Location

World Trade Organization, Geneva

Coaches

There will be two dispute simulation coaches assisting students in their preparation for written submissions and oral pleadings. Viktoriia Mykuliak (Associate lawyer at VVGB Advocaten) and Akhil Raina (Associate lawyer at VVGB Advocaten), will serve as team coaches supervising two teams each. Team coaches are expected to spend 10 hours working with each team.

Please note that moot court teams are **not allowed** to work together in any manner.

Written Submissions

Each team shall submit one Written Submission for the Complainant *and* one Written Submission for the Respondent. In your submissions, you should focus on legal arguments.

The Written Submission for the Complainant shall be limited to 20 pages, including the cover page and a one-page Executive Summary. The Written Submission for the Complainant must be filed no later than **Monday, 28 April 2025, 18:00 (CET)**.

Each team will prepare the Written Submission for the Respondent in response to the Written Submission for the Complainant of another team. The Written Submission for the Respondent shall be in the format of bullet points and no longer than 8 pages, including the cover page. The Written Submission for the Respondent must be filed no later than **Monday, 5 May 2025, 18:00 (CET)**.

The Written Submissions shall be formatted as follows:

- A4 size paper
- Font: Verdana
- Font Size: 11
- Margins: 2.54 cm on top, bottom and both sides
- 1.5 interlinear space for the text
- Footnotes: Verdana, font size 8 and used for legal references only

Teams are encouraged to use the official case titles available on the WTO website at: http://www.wto.org/english/tratop_e/dispu_e/citations_e.doc

The filing must be done via email to:

masters.wti@unibe.ch and
pamela.beglinger@unibe.ch

The Written Submissions will be graded by the two coaches.

Preliminary Oral Pleadings

The Oral Pleadings will be held in person at the headquarters of the World Trade Organization. Panels assessing your performance shall be composed of WTI professors, experts from the WTO Secretariat, law firms, and other Geneva-based institutions. The schedule for the team pairings for the preliminary rounds will be distributed by **Friday 9 May 2025**. In the preliminary rounds, each team shall present oral arguments for the Complainant and for the Respondent. Each team member must speak for at least five (5) minutes during the opening statements.

The total time for opening statements of each team is twenty-five (25) minutes. We ask you to focus on the core legal issues that are the subject of this case and avoid repeating what you have already explained in your submission.

Delivery of the opening statements will be followed by a question-and-answer session, the total duration of which will be up to 50 minutes. First, each team will be given an opportunity to ask the other team, through the Panel, a total of no more than two (2) questions. Thereafter, the Panel will pose questions to the teams. Each team member may respond to questions of the Panel. Teams are requested to ensure that their answers to questions are clear and concise. Please avoid repetition and be as brief as possible in your responses.

Following the session dedicated to questions and answers, each team will have five (5) minutes to present its rebuttal or surrebuttal statement, as the case may be. The complainant's rebuttal should address the arguments raised by the respondent in the opening statements and in the answers to the Panel's questions. The respondent's surrebuttal should respond to the complainant's rebuttal statement.

COMPLAINANT	RESPONDENT
25 minutes (opening statement)	
	25 minutes (opening statement)
Asks two questions to Respondent	
	Responds to the two questions
	Asks two questions to Complainant
Responds to the two questions	
Both parties respond to the Panel's questions	
5 minutes (rebuttal/closing statement)	
	5 minutes (surrebuttal/closing statement)

Awards and Recognition

The following awards will be given to the participating teams: (1) the winner; (2) the runner-up; and (3) the best overall written submissions (combined scores of the complainant and respondent written submissions).

In addition, to recognize outstanding individual performances, the following

awards will be given to individual participants: (1) the best orator; and (2) the runner-up best orator.

Final Oral Pleadings

The finalists will be the two teams that score the highest based on their: A) Written Submissions – forty percent (40%); and B) performance in the preliminary rounds – sixty percent (60%).

Each team will receive a score for each round in the preliminary rounds. The scores of the preliminary rounds and the written submissions will be calculated after the preliminary rounds and will be announced. The finalists will draw to determine which team will represent the complainant and which team will represent the respondent. There will be only one pleading session during the final round, i.e. finalists will argue either as Complainant or as Respondent, but not both.

All teams are expected to be present at the final round either as finalists or as observers.

Panel Composition

The Panel composition for the preliminary and final rounds will be communicated to the participants about a week before the pleadings.

Grading

Your participation in the WTI Dispute Settlement Exercise will be evaluated on a 1 - 6 scale and worth of 5 ECTS. Your individual grade will be determined on the basis of your work with the coaches, the grade for your written submission, and your performance during the oral pleadings and the panellists' feedback.

Expected learning outcomes

Upon successful completion of this exercise, students will have developed:

- Knowledge and understanding of the relevant WTO Agreements;
- Advanced problem-solving skills necessary to analyse complex fact scenarios and identify relevant legal issues;
- Ability to locate, analyse, evaluate, and synthesise materials so as to be able to undertake advanced legal research;
- Written and oral advocacy skills;
- Time management skills; and
- Inter-personal and communication skills necessary to effectively participate in group projects.

Please address any requests for further clarifications of the moot court rules to your respective coaches.