



HMA HUMBOLDT MOOT ASSOCIATION e.V.



Berlin Premoot 2015 • Guideline for Arbitrators

For updated information please visit our website www.hma-berlin.de

Location

The registration of the Berlin Premoot 2015 can be found in Room E25 at the Law Faculty of the Humboldt Universität, Unter den Linden 9, 10117 Berlin.

The hearings will take place in in the same building, as well as a number of surrounding law firms.

The pairings of the teams and the exact allocation of the rooms will be announced in the week leading up to the moot. The composition of the tribunals will be available at the Premoot.

The hearings start punctually, therefore it is advisable to be at the location 15 minutes in advance.

The Tribunal and the Parties

- The Tribunal consists of three arbitrators overall: two "party-appointed" arbitrators and the presiding arbitrator.
- The arbitrators shall introduce themselves shortly in the beginning
- Each of the two parties is represented by two counsels (team members)

The Proceedings

Beginning

- Introduction of the Tribunal
- Introduction of the counsels
- Discussion of the conduct and structure of the proceedings (Order of issues to be addressed, which party commences on which issue, time allocation, rebuttals)
- The Tribunal can determine the conduct and structure of the hearings on its own or by taking suggestions from the counsels into account
- Allocation of time between counsels and the different issues (see time-frame below)

Time-frame

- One session should last 1 hour to *max.* 1 1/2 hours (please try to keep within this time)
- There should be 15 minutes for each counsel to present her/his submissions. Accordingly each party should have approx. 30 minutes to present its case *including* rebuttal time.
- Time can be added e.g. to compensate for time lost due to long or complicated questions asked by the Tribunal.
- Immediately following the hearing the arbitrators are asked to provide

feedback to the counsels, which will help them to improve their presentation. This should not exceed 5-10 minutes per arbitrator.

Course of proceedings

One possible way to proceed with the argument would be as follows:

A. Procedural Issues

1. Respondent on the Jurisdiction of the Tribunal over Global Minerals as an additional party and the validity of the emergency arbitrator's order
time: 14 min
2. Claimant's answer;
time: 14 min
3. Respondent's rebuttal on the issue;
time: approx. 1 min
4. Claimant's sur-rebuttal on the issues raised in Claimant's rebuttal
time: 1 min

B. Substantive Issues

1. Claimant on the issues relating to
 - a) Respondent's avoidance of 7th July 2014
 - b) Respondent's avoidance of 9th July 2014time: 14 min
2. Respondent's answer;
time: 14 min
3. Claimant's rebuttal on the issue;
time: 1 min
4. Respondent's sur-rebuttal on the issues raised in Claimant's rebuttal time: 1 min

Feedback

At the end of the proceedings the arbitrators shortly comment on the presentation of the counsels. The comments should focus on language, body language, legal arguments, presentation and anything else they think can be improved.

As this is a practice moot please do not be hesitant to make critical comments - it is the purpose of this event to identify weak points in presentation and content in order to prepare the teams for the final rounds in Hong Kong and/or Vienna.

Comments can also be made on the feedback form, which will be forwarded to the students.