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### Covid-19 and the 2020/21 International Moots Season

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## COVID-19 and the 2020/21 International Moots Season

by Associate Professor Chen Siyuan

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### Recap of the Season

This is the seventh<sup>1</sup> annual review of Singapore's performance in international moot court competitions.<sup>2</sup> While the previous season already felt the ravaging effects of the pandemic, it was more of the same this season,<sup>3</sup> although this time round, all the major competitions were prepared to go online. So too were our law schools:

Moot edition	Venue	Teams	Singapore results/rank
10 <sup>th</sup> Moot Shanghai (special mediation edition)	Shanghai (online)	~ 5	SMU: <i>Champions</i> NUS: NA
15 <sup>th</sup> LAWASIA Arbitration	Mongolia (online)	~ 20	SMU: <i>Champions</i> NUS: <i>Championship finalist</i>
13 <sup>th</sup> Foreign Direct Investment Arbitration	Seoul (online)	~ 100	SMU: Prelims (International) NUS: QF (International)
2 <sup>nd</sup> Computational Law Moot	Canberra (online)	~ 20	SMU: <i>Championship finalist</i> NUS: NA
2 <sup>nd</sup> IAC Vis Prelim	Nur-Sultan (online)	~ 25	SMU: 7 <sup>th</sup> NUS: DNP
5 <sup>th</sup> AIAC Vis Prelim	Kuala Lumpur (online)	~ 70	SMU: HM NUS: 4 <sup>th</sup>
12 <sup>th</sup> Moscow Vis Prelim	Moscow (online)	~ 60	SMU: 6 <sup>th</sup> NUS: DNP
14 <sup>th</sup> Price Media Law	Beijing and Oxford (online)	~ 120	SMU: <i>Champions</i> (Asia Pacific); QF (International) NUS: 4 <sup>th</sup> (Asia Pacific); Prelims (International)
25 <sup>th</sup> Stetson Environmental Law	Manila and Miami (online)	~80	SMU: <i>Champions</i> (Southeast Asia); QF (International) NUS: 4 <sup>th</sup> (Southeast Asia)
2 <sup>nd</sup> Milan Investment	Milan (online)	~ 20	SMU: <i>Championship finalist</i> NUS: <i>Championship finalist</i>
19 <sup>th</sup> Red Cross International Humanitarian Law Moot	Hong Kong (online)	~ 100	SMU: QF NUS: NA
19 <sup>th</sup> Intellectual Property	Oxford (online)	~ 60	SMU: OF NUS: NA
13 <sup>th</sup> Frankfurt Investment Arbitration Moot	Frankfurt (online)	~ 40	SMU: QF NUS: <i>Champions</i>
5 <sup>th</sup> Fletcher International Insolvency	Chicago (online)	~ 40	SMU: 2 <sup>nd</sup> -runner-up NUS: <i>Champions</i>

Moot edition	Venue	Teams	Singapore results/rank
18 <sup>th</sup> Vis East Commercial Arbitration	Hong Kong (online)	~ 150	SMU: OF NUS: NA
12 <sup>th</sup> Hamburg Vis Prelim	Hamburg (online)	~ 15	SMU: 3x BO NUS: NA
28 <sup>th</sup> Vis Commercial Arbitration	Vienna (online)	~ 400	SMU: <i>Championship finalist</i> NUS: Round of 64
62 <sup>nd</sup> Jessup International Law	Washington DC (online)	~ 550	SMU: OF NUS: <i>Championship finalist</i>
9 <sup>th</sup> PAX Private International Law	Paris (online)	~ 25	SMU: <i>Champions</i> NUS: Prelims
3 <sup>rd</sup> Perera Arbitration	Colombo (online)	~ 20	SMU: <i>Championship finalist</i> NUS: 2 <sup>nd</sup> -runner-up
29 <sup>th</sup> Lachs Space	Beijing (online)	~ 60	SMU: Top 10 NUS: Top 8
12 <sup>th</sup> Sarin Air Law	St Petersburg (online)	~ 40	SMU: 2 <sup>nd</sup> -runner-up NUS: 2 <sup>nd</sup> -runner-up
7 <sup>th</sup> Private Law	Sydney (online)	~ 20	SMU: Prelims NUS: Prelims
7 <sup>th</sup> HSF Competition Law	London (online)	~ 20	SMU: DNP NUS: <i>Championship finalist</i>
14 <sup>th</sup> International Criminal Court	Hague (online)	~ 130	SMU: <i>Champions</i> NUS: <i>Championship finalist</i>
7 <sup>th</sup> Nuremberg International Criminal Law	Nuremberg (online)	~ 80	SMU: 2 <sup>nd</sup> -runner-up NUS: OF
22 <sup>nd</sup> Asia Cup	Tokyo (online)	~ 35	SMU: <i>Champions</i> NUS: NA
13 <sup>th</sup> Mandela World Human Rights	Geneva (online)	~ 40	SMU: NA NUS: Prelims

Headlining this year's achievements would be SMU making its third championship final appearance in six years in the Vis and NUS reaching the championship final of the Jessup after a 17-year hiatus; these remain the two most prestigious and biggest moots in the fields of international commercial arbitration and public international law respectively. In the Vis, SMU won a combined nine Honourable Mentions for Vienna and Hong Kong, though this fell short of the tournament record of 11 it had set in 2019/20. In the Jessup, NUS won Best Oralist in the Preliminary Rounds, while SMU had three speakers rank in the top 10 for Best Oralist in the Advanced Rounds.

In other Grand Slams,<sup>4</sup> NUS took home their second Frankfurt Investment Arbitration title, while SMU extended its tournament record for most championships by winning title #4 in the International Criminal Court moot, and successfully defended its regional title in the Price moot as well. The ICC run was particularly notable, as SMU broke the previous tournament record of awards won by a university in a single edition (3) by winning 10: Champions, Best Speaker, Best Government Team, Best Prosecution Team, Best Defence Team, Best Government Memorials, Best Prosecution Memorials, Best Overall Memorials, Best Defence Counsel, and Best Regional Team (Asia). In the process, SMU's Tan Yoong San and Allen Chong Wei Xuan, having also won

Price last season, became only the 4<sup>th</sup> and 5<sup>th</sup> persons in international moots history to win multiple Grand Slams.

We also strengthened our reputation in the fields of international solvency (with NUS winning its first and Singapore's third title in Fletcher), international environmental law (with SMU winning the Stetson regional on its debut), and conflict of laws (with SMU securing its first PAX title after reaching the championship final last season). On the regional level, SMU continued its dominance in LAWASIA, taking home title #5 to extend its tournament record for most championships; in the Asia Cup, SMU reached its 7<sup>th</sup> championship final since debuting in 2010, capturing its 4<sup>th</sup> title in that moot in the process.

These various achievements resulted in a new world record for most championship finals reached by a country in a single international moots season (13), breaking the previous record of 12 set in 2016/17, also by Singapore. The world record of most Grand Slam finals reached by a country in a single international moots season (5) was also equalled; previously, SMU had reached 5 such finals in 2014/15. There was no shortage of best memorial and best oralist prizes this season, with SMU taking home 15 best memorial awards and 34 best oralist awards for instance.

Results this season and the last would no doubt be marked with an asterisk in international moots lore, characterised in parentheses, or even looked at with some skepticism. This is understandable, given the variety of shortcomings that accompany moots that are held virtually. To name just a few: offscreen and onscreen prompting and coaching are impossible to detect or verify; teams that do not have the infrastructure or are limited by governmental restrictions will find it even harder to form a connection with the judges; competitions that typically place a premium on teamwork no longer count it as a criterion; being able to moot from the comfort of home – often seated, even if the live version required standing – is simply not as challenging as being grilled in person; and what often separates the elite from the next tier is withstanding the gaze of hundreds or thousands in the advanced knockout stages, but this is completely not felt at all in online hearings.

Nonetheless, one must always be steps ahead to remain competitive, and in the same way that practitioners had to learn to be adept at online hearings over the past 18 months, students had to adapt to new modes of communication as well – moreover, this season was no longer the first season of online mooting, and other schools were more prepared than before. In SMU, the ante was upped across the board, with a particular focus on creating multiple set-ups with state-of-the-art technology. This was made possible with the great financial support of the Ian R Taylor Memorial Fund and WongPartnership, demonstrating the importance of firms working closely with schools.

As it were, this season being the 10<sup>th</sup> anniversary of SMU's International Moots Programme, a 102-minute documentary was made to commemorate the occasion, giving the students that extra impetus to give their best. The result was a combined 102 podium finishes across all international competitions to mark the conclusion of the 10<sup>th</sup> season, including 37 Grand Slam finishes. While it looks like online moots are here to stay just a little longer, the Singapore teams would be prepared.



*SMU extended its tournament record to 4 championships in the International Criminal Court Moot. The championship final was streamed live from The Hague.*



*SMU reached its third championship final in six years in the Vis moot. This is the world's largest arbitration moot, with more than 500 teams combined taking part in the Hong Kong and Vienna editions.*



*After reaching the championship final on its debut in the PAX conflict of laws moot last year, SMU took the title this year after besting the likes of Oxford and Cologne.*



*Alumni of SMU's International Moots Programme do well in moots even after graduation; for instance, 19 SMU alumni have featured in the championship final of the Essex Court Chambers-SAL Moot since 2013.*

#### Endnotes

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- ↑1 The previous reports can be found in "Covid-19 and the 2019/20 international moots season", *Law Gazette*, October 2020.
- ↑2 Mediation or negotiation competitions are excluded from this recap, though our schools continue to excel. For instance, SMU won the NUJS Mediation 2021 competition and national round of the International Negotiation Competition 2021, while NUS won the international rounds of the postponed INC 2020.
- ↑3 Defined to mirror the window of each moot.

↑4 Grand Slams or Majors are class-leading competitions that attract a substantial number of teams and are perceived to have a particular prestige not just due to scale but the quality of the organisation, participants, and judging. They currently comprise the Jessup, Vis, Vis East, Price, International Criminal Court, and Frankfurt moots: see *The International Moot Court Compendium*: <https://www.internationalmoots.org>.



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A/P Chen Siyuan has been running SMU's International Moots Programme with Eunice Chua and Lionel Leo since founding it in 2010/11. Details and records of the programme are maintained at [https://law.smu.edu.sg/student\\_activities/moots](https://law.smu.edu.sg/student_activities/moots).