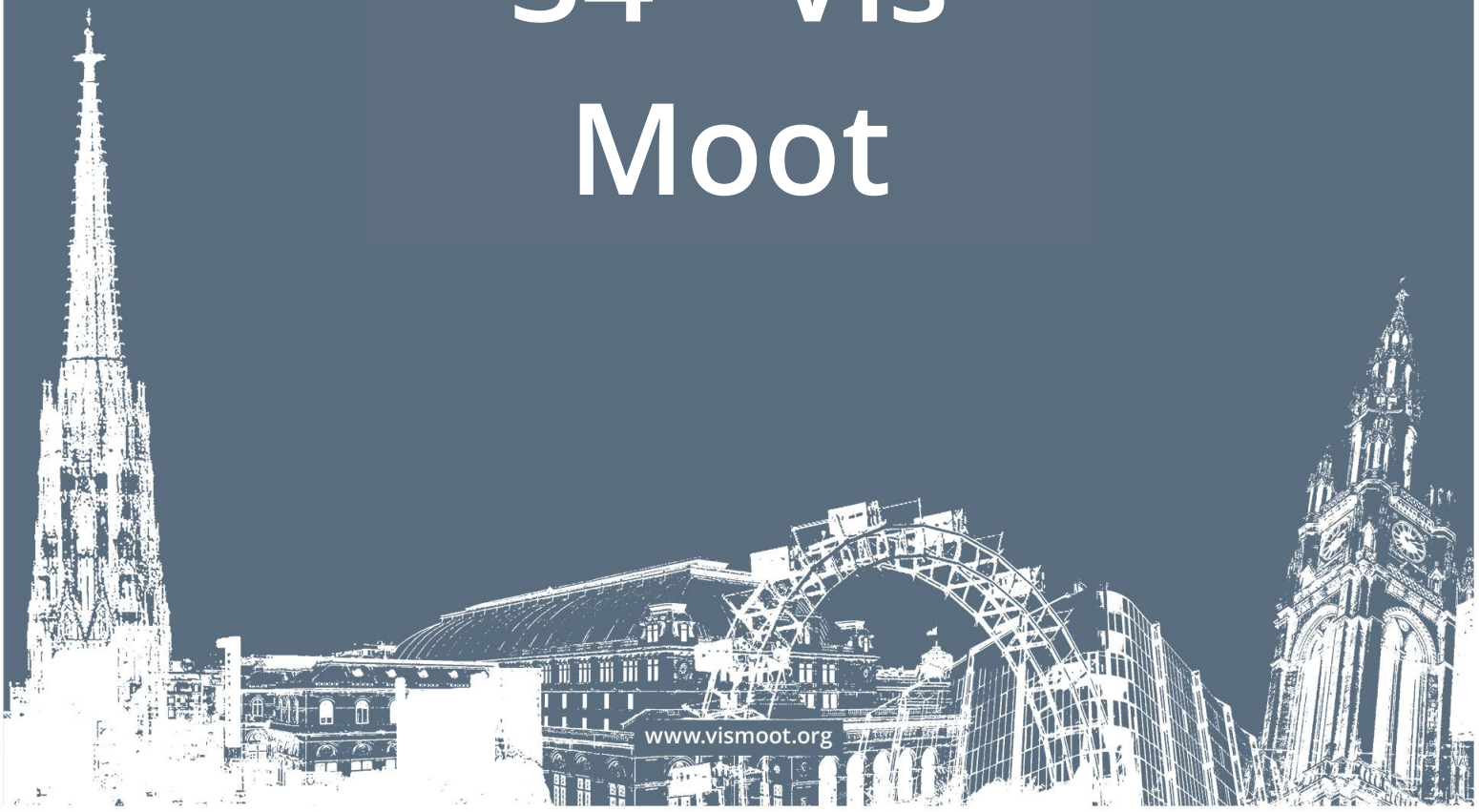
34th ANNUAL WILLEM C. VIS
INTERNATIONAL COMMERCIAL
ARBITRATION MOOT
19–25 MARCH 2027, VIENNA

THE RULES
34th Vis Moot



INTRODUCTION

I. The Willem C. Vis International Commercial Arbitration Moot

1. The Willem C. Vis International Commercial Arbitration Moot (the "Moot") is an annual competition of teams representing law schools throughout the world. In the Thirty Third Annual Moot in 2025-2026, 384 law school teams from 88 jurisdictions participated. Around 2,200 students were members of the teams. The participating teams and their memoranda were judged by around 1,200 lawyers and professors from around the world. These numbers are even larger when accumulated with the Willem C. Vis (East) International Commercial Arbitration Moot, which is a sister moot taking place in Hong Kong each year. In addition, there are numerous pre-moots taking place in various countries.

2. **Goals**. The Moot is intended to stimulate the study of international commercial law, especially the legal texts prepared by the United Nations Commission on International Trade Law (UNCITRAL), and the use of international commercial arbitration to resolve international commercial disputes. The international nature of the Moot is intended to lead participants to interpret the texts of international commercial law in the light of different legal systems and to develop an expertise in advocating a position before an arbitral panel composed of arbitrators from different legal systems. An active social programme at the time of the oral hearings is organised by the Moot Alumni Association (MAA) with the aim of promoting friendships that can last long after the Moot itself is over.

3. The Moot is designed to be an **educational programme** with many facets in the form of a competition. It is not intended to be a competition with incidental educational benefits. The rules and procedures in the Moot should be interpreted in the light of that goal.

II. Organisation of the Willem C. Vis International Commercial Arbitration Moot

4. **Organiser, Co-sponsors, Supporters**. The Moot is organised by the "Association for the Organisation and Promotion of the Willem C. Vis International Commercial Arbitration Moot" ("Association"). The Association has delegated the conduct of the Moot to the appointed Directors.

   The appointed Directors of the Moot are:

   Prof. Dr. Christopher Kee
   Prof. Dr. Stefan Kröll, LL.M.
   Mag. Patrizia Netal

The institutional members of the association are:

Austrian Arbitration Association
Austrian Federal Economic Chamber
Bucerius Law School
Moot Alumni Association (MAA)
Pace University
Queen Mary (University of London)
United Nations Commission on International Trade Law (Secretary of UNCITRAL)
University of Stockholm
University of Vienna

The Moot is co-sponsored by:

American Arbitration Association (AAA-ICDR)
Arbitration Institute of the Finland Chamber of Commerce (FAI)
Asian European Arbitration Center (ASEAC)
Asian International Arbitration Centre (AIAC)
Australian Centre for International Commercial Arbitration (ACICA)
Bahrain Chamber for Dispute Resolution (BCDR)
Beijing Arbitration Commission (BAC)
Belgian Centre for Arbitration and Mediation (CEPANI)
Center for Arbitration and Mediation, Brazil-Canada (CAM-CCBC)
Centro Internacional e Iberoamericano de Arbitraje
Chambre Arbitrale Internationale de Paris (CAIP)
Chartered Institute of Arbitrators (CIArb)
China International Economic and Trade Arbitration Commission (CIETAC)
Danish Institute of Arbitration (DIA)
Dubai International Arbitration Centre (DIAC)
Forum for International Conciliation and Arbitration (FICA)
German Arbitration Institute (DIS)
Hong Kong International Arbitration Centre (HKIAC)
International Court of Arbitration (ICC)
JAMS
Korean Commercial Arbitration Board (KCAB)
London Court of International Arbitration (LCIA)
Milan Chamber of Arbitration (CAM)
New York International Arbitration Center (NYAC)
Permanent Court of Arbitration (PCA)
Saudi Center for Commercial Arbitration (SCCA)
SCC Arbitration Institute
Singapore International Arbitration Centre (SIAC)
The Cairo Regional Centre for International Commercial Arbitration (CRCICA)
The Swiss Arbitration Centre
Vienna International Arbitral Centre (VIAC)

United Nations Commission on International Trade Law (UNCITRAL)
Moot Alumni Association (MAA)

It also receives support from the Vienna Convention Bureau and several publishers.

5. The Moot consists of the preparation of a memorandum for claimant, a memorandum for respondent and the oral hearings. Teams are expected to participate in all parts of the Moot to receive a certificate of participation.

6. **Venue**. The oral hearings will be held in Vienna, Austria, at the Faculty of Law (Juridicum) of the University of Vienna, at additional faculty buildings of the University of Vienna and

at the offices of nearby law firms. The general rounds will take place on Saturday through Tuesday, 20 – 23 March (Vienna time). The elimination rounds will take place from Tuesday evening to Thursday, 23 to 25 March culminating with the final round on Thursday, 25 March 2027.

7. **Language**. The Moot will be conducted in English.

8. **Willem C. Vis (East) International Commercial Arbitration Moot.** The Vis Moot (East) that takes place in Hong Kong is a sister moot to the Willem C. Vis International Commercial Arbitration Moot. The Vis Moot (East) uses the Vis Moot Problem and the rules are essentially the same as the rules below for the Vis Moot that takes place in Vienna. Nevertheless, they are two separate moots with separate registration, including registration fee, and separate winners. The Hong Kong Moot is not a regional elimination moot for the Vienna Moot. A law school can register for the Hong Kong Moot, the Vienna Vis Moot or both. While students can be on both teams, certain rules govern eligibility to participate in the oral arguments and in the memoranda to be submitted. See paragraphs, 43, 82 and 87, below. Those interested in the Vis Moot (East) should visit its website https://www.cisgmoot.org/.

9. There are a number of Pre-Moots organised by the sponsors of the Vis Moot as well as other organisations to help teams train for the oral hearings. These events are arranged separately by those organisations and are not officially associated with the Vis Moot itself, or the Association. While participation is encouraged in such Pre-Moots, it is not a requirement or condition that any team have participated in a Pre-Moot. Furthermore, teams that do participate in Pre-Moots must ensure that they are fully aware of these Rules and do not contravene them in any way.

PRIVACY AND DATA REGULATION

10. There are strict rules which now govern data privacy within the European Union, and which impact the Moot. Details of these rules, known as the General Data Protection Regulation (GDPR) can be found at

    https://eur-lex.europa.eu/eli/reg/2016/679/oj

    The Moot is an educational event and it is necessary that personal data be collected for the operation of the event. The Association will not disclose any personal data to third parties unless your specific permission has been obtained. If you have concerns or queries about the way your data is being used please contact a Vis Moot Director.

RULES

11. These Rules are the rules for the Thirty Fourth Willem C. Vis International Commercial Arbitration Moot. The rules of the Moot are reviewed annually and are subject to change from Moot to Moot. Reliance on any past rules or practice will not in itself be an acceptable excuse for the failure to comply with the rules of the current Moot.

III. Registration

12. Registration in the Moot is a three-step process consisting of completion of the registration form, payment of the registration fee and submission of the memorandum for claimant. Although registrations will be accepted until 12 November 2026 (23:30 Vienna time), completion of the registration form prior to distribution of the Problem on 2 October 2026 is strongly encouraged to enable communication via the team accounts.

13. Receipt of the registration form will be acknowledged via email to the team contact person(s). The payment of the registration fee will be acknowledged in the team account stating the exact amount received. Receipt of the memorandum for claimant and for respondent will also be acknowledged (team account only).

14. **Registration fee**. The registration fee for the Thirty Fourth Vis Moot is € 800 (eight hundred euro).

The registration fee must be paid by 11 December 2026 in order to participate in the Moot, unless a Director of the Moot has specifically agreed to a later date.
Payment of the registration fee of € 800 can be made by bank transfer according to the following banking details:

Name of bank: Erste Bank der österreichischen Sparkassen AG
Address bank: Graben 21, 1010 Vienna, Austria
Name of account holder: Verein zur Veranstaltung und Förderung des Willem C. Vis Intern. Comm. Arbitration Moot

International routing code (BIC or SWIFT code): GIBAATWWXXX
International account number (IBAN): AT04 2011 1837 3218 1400

The association's postal address is:
Herrengasse 1
1010 Vienna
Austria

Payment can also be made via the PayPal facility in the team account. Paypal charge transactions fees, and these vary from country to country. If paying via Paypal, the payment amount sought has been adjusted to reflect the average transaction fees. However, this is only an estimate. If the transactions fees are higher, teams will be required to pay the difference. If the transaction fees are lower, teams will be entitled to a refund of the difference. A difference in payment can be paid onsite in Vienna in cash.

Irrespective of the payment method chosen, all transfer fees must be paid by the transferor. Any amount less than €800 credited to the account has to be paid prior to the start of the oral hearings. The transfer must also indicate the name of the university for which the registration fee has been paid in order for the account of the participating university to be credited.

15. The registration fee of a team whose registration is withdrawn prior to 10 December 2026, i.e. the day the memorandum for claimant is due, will be refunded in full, less any bank charges incurred.

16. A team that submits its memorandum for claimant will be paired with two other teams for the exchange of memoranda, as described in the part entitled "Memoranda" below, and will be scheduled to meet those two teams in two of the oral arguments, as described in the part entitled "Oral Hearings" below. Withdrawal after submission of the memorandum for claimant affects adversely at least the two teams paired for the exchange of memoranda and two of the oral arguments. Therefore, teams that have submitted the memorandum for claimant are expected to participate in the entire Moot, including the oral arguments. Failure to participate in the oral hearings without a valid reason (as determined by the Directors) may result in the exclusion of the institution from the competition. The registration fee will not be refunded nor will unpaid fees be waived for teams withdrawing after submission of the memorandum for claimant.

17. **Registration form.** The registration form includes space for the name and address of one team contact person. All communications concerning the Moot will be posted in the team

account and sent by e-mail to the nominated contact person. It is that person's responsibility to distribute all relevant material to the team. There is the opportunity to include a second email address for contact purposes. Teams are responsible for ensuring that the contact person information contained in the team account is kept up to date.

The nominated contact person is also confirming in completing the registration form that they have the authority of the university or other higher educational institution to register a team on behalf of the university or institution.

18. The invoice address given at the point of team registration is the address that will be used for the Registration Fee invoice. It is **NOT** possible to later change the address due to tax reasons once the invoice has been issued, and so it is very important that this is considered as the correct invoice address prior to registration.

19. **Refusal or Cancellation of Registration.** The Association reserves the right to refuse or cancel the registration of any team, and such refusal or cancellation is in the absolute discretion of the Vis Moot Directors deciding jointly. When exercising their discretion, the Vis Moot Directors will have regard to, but are not limited to, the past conduct of teams from that institution (for example any unjustified last-minute cancellations, any past violations of any rules of the competition, or promptness of the payment of the registration fee).

20. Communications between the team and the Vis Moot Administration other than through the Team account are at the risk of the team.

IV. The Problem

21. **Subject Matter.** The Problem in the Thirty Fourth (2026-2027) Vis Moot involves a controversy arising out of an international sale of goods subject to the United Nations Convention on Contracts for the International Sale of Goods (CISG).

22. **Dispute Settlement.** The controversy is before an arbitral tribunal pursuant to the AAA-ICDR International Dispute Resolution Procedures ("ICDR Rules"). The parties have agreed that the arbitration will be held in Vindobona, Danubia. Danubia has enacted the UNCITRAL Model Law on International Commercial Arbitration (Model Law) with the 2006 amendments. Danubia, Equatoriana, Mediterraneo and Oceania, the four states that are, or may be, involved are party to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention).

23. **The Arbitration.** By the time the Thirty Fourth Moot begins, the claimant has filed its request for arbitration, the respondent has filed its answer to the request for arbitration and the arbitral tribunal has been appointed. The Problem will consist of the statements of claim and defense with their exhibits, any orders of the arbitral tribunal issued prior to the date on which the Problem is distributed, and the clarifications described below. The Moot involves writing memoranda and oral arguments in support of the positions of the claimant and respondent.

24. **Distribution.** The Problem will be distributed on Friday, 2 October 2026, by posting on the Moot's Website. The URL for the Moot is www.vismoot.org.

25. **Facts.** The facts in the dispute that is the subject matter of the Moot are given in the Problem. Facts alleged in the statement of claim and statement of defense including the exhibits to those statements, as well as in the clarifications, are taken to be correct unless there is a contradiction between them. No additional facts may be introduced into the

Moot unless they are a logical and necessary extension of the given facts or are publicly available true facts. By way of example:

a. The subject matter of the dispute in the Fourth Moot was men's suits. It was legitimate to assume that the suits were made of cloth. It was not legitimate to assume that they were, or should have been, made of pure wool. If a team intended to base an argument on the material out of which the suits were made, the team should have requested a clarification of the Problem. By way of an additional example, a team may wish to base an argument on the apparent intention or state of mind of a person who sent a communication of some sort. It would rarely be possible on the basis of that which is given in the Problem to state as a fact that the person had a particular intention or state of mind. However, it would be legitimate to suggest that on the basis of the facts given the Arbitral Tribunal could (or even should) conclude that the desired intention or state of mind was present;

b. The subject matter of the dispute in the Twelfth Moot was cocoa beans. The real, and extreme, price movements of cocoa beans during the period in question were given and were relevant to the dispute. Since the price movements in the Moot Problem were real, the reasons for those price movements were also real and were publicly available. It was permissible to refer to those reasons in the memoranda, if they were considered to be relevant. It would also have been permissible to refer to any such facts in oral argument, but only if they had been referred to in the memorandum of either party to that argument or if they were so well known that they should have been known to the other party as a result of reasonable research.

26. Statements of fact alleged by a team that do not qualify under paragraph 25 are not true. Therefore, basing an argument on any such alleged facts will be considered to be in breach of the rules of the Moot and to be professionally unethical. Arbitrators will enforce this rule strictly in both the memorandum and oral arguments and will evaluate the team's efforts accordingly.

27. **Clarifications.** Requests for clarification of the Problem must be submitted via the team account prior to **23:30** hours (**Vienna time**) on Friday, 6 November 2026. Requests for clarification should be limited to matters that would appear to have legal significance in the context of the Problem. A request for clarification **must include** a short explanation of the expected significance of the clarification. Any request that does not contain such an explanation may be ignored. Details of how to submit clarifications will be provided to teams in the Team accounts.

28. As the case is written by the Vis Moot Directors, only they issue clarifications. Thus, to facilitate the process, any team participating in both the Vis Moot and the Vis (East) Moot competitions should only submit clarifications to the Vis Moot via their team account.

29. Clarifications issued by the Vis Moot Directors in the form of a Procedural Order from the Arbitral Tribunal will be distributed to all registered teams through the team accounts within a week to ten days and will be posted on the Moot website. Teams are responsible for making sure that they have received the clarifications even if they were not registered as yet. Clarifications issued in the name of the Arbitral Tribunal become part of the Problem.

30. **Copyright.** All problems and materials created as part of the Vis Moot competition are copyrighted and any re-use requires permission of the Vis Moot Directors. Permission for educational use will not be unreasonably withheld. Authorship must always be attributed. Commercial use is prohibited.

V. Teams

31. **Composition.** Teams may come either from a law school or from another higher educational institution that includes law as part of its program of study. Each participating law school or other institution may only enter one team. A team is composed of two or more students registered at the institution. Students may be registered either for a first degree or for an advanced degree (including PhDs) and need not be from the country in which the institution is located. There is no maximum limit on the number of students who may be members of the team.

32. No student who has been licensed to practice law is eligible to participate except with permission of a Vis Moot Director. Students at bar preparation institutions who are simultaneously working in a law office must request a determination as to their eligibility to participate in the Moot. In order to request eligibility, a full CV needs to be sent to admin@vismoot.org. Eligibility to participate in the Moot is determined as of 10 December 2026.

33. Teams may include former participants. An individual student who has participated as an oralist in an argument in any elimination round hearing in a previous in person Moot, whether in Vienna or Hong Kong, cannot be an oralist in this Moot; although they can be a member of the team. For the avoidance of any ambiguity, elimination round hearings are the rounds of 64, 32, etc. If a team qualifies for a Round of 64 or later and does not participate, all members of the team are disqualified from participation in any future Moot in Vienna or Hong Kong. Although a student may be a member of both the team that participates in Hong Kong and the team that participates in Vienna, no student may argue orally in both Moots in the same year.

34. **List of team members**. The list of team members must be finalised at the time the memorandum for claimant is submitted. The names are to be submitted as directed in the team accounts. Members of the team may be dropped but not added without special permission. **Any changes in the composition of the team must be specifically communicated to the Moot Administration until 28 February 2027 at the latest.**

35. **Certificates of participation.** Certificates for participating team members will be prepared from the team lists submitted. The certificates of participation will show the names of the team members exactly as they have been submitted. It is therefore incumbent on teams to ensure that names are spelt and presented correctly.

36. Certificates for participating team members and awards will be available for download as PDF document after the oral hearings. The certificates have to be downloaded by 30 June 2027. All team accounts will be reset after this date and documents will no longer be available.

37. **Coaches Letters of Recognition.** Letters of Recognition for participating team coaches will be prepared from the names of coaches submitted in the team accounts. The Letters of Recognition will show the names of the coaches exactly as they have been submitted. It is therefore incumbent on teams to ensure that names and titles are spelt and presented correctly. Letters of Recognition will be available for download in the team accounts.

38. **Participation.** All members of the team may participate in preparation of the memoranda for claimant and respondent.

39. In each of the oral hearings two members of the team will present the argument. Other members of the team may not aid them during the argument in any way. Different members of the team may participate in the different hearings. Therefore, between two and eight members may participate in the oral hearings. However, to be eligible for the

Martin Domke Award for best individual oralist, a participant must have argued at least once for the claimant and once for the respondent. The average score per argument will be calculated and the award will be determined on that basis.

WRITTEN MEMORANDA

VI. Memoranda

40. Each team must submit a memorandum in support of the claimant's position to the Vis Moot Administration by **23:30 hours (Vienna time)** on **Thursday (evening), 10 December 2026**. The memorandum is submitted through the Moot website. Please be aware that during the document upload process a time stamp will be added to your submission. The time stamp clearly identifies submissions made after the deadline. Submissions made after the deadline are not eligible for inclusion in the memoranda competition. Each claimant memorandum will be made available to one of the other teams through the website as soon as possible after the submission date (approx. between 7 to 10 days after the submission). Submission of the memorandum for claimant is an integral part of the registration procedure. Therefore, teams that fail to submit the memorandum by **23:30 hours (Vienna time)**, on **10 December 2026**, will be considered not to have completed registration for the Moot and will not be able to compete.

    In exceptional cases it may be necessary for the memoranda submission facility to be reopened. This should **not** be understood as an extension to the submission deadline. Memoranda are timestamped upon submission, and those submissions received after the deadline **will not be eligible** for participation in the claimant memoranda competition.

41. Each team will prepare a memorandum in support of the respondent's position in response to the memorandum in support of the claimant's position that was made available to it. The Moot administration will determine which team's memorandum for claimant will be made available to which other team. The memorandum for respondent must be submitted by **23:30 hours (Vienna time)** on **Thursday (evening), 21 January 2027**. Teams that fail to submit the memorandum for respondent by that time will be considered to have withdrawn from the Moot at that time.

    In exceptional cases it may be necessary for the memoranda submission facility to be reopened. This should **not** be understood as an extension to the submission deadline. Memoranda are timestamped upon submission, and those submissions received after the deadline **will not be eligible** for participation in the respondent memoranda competition.

42. It is absolutely essential that the memorandum for respondent be responsive to all the arguments made in the memorandum for claimant as the jury judging the memoranda will be evaluating it based to a large degree on how well it refutes the arguments raised by claimant. However, as the memorandum for claimant to which a memorandum for respondent is to be prepared may not have made all of the arguments that the team preparing the memorandum for respondent believes should have been made, it should also address such issues, indicating that the specific argument was not explicitly raised by the Claimant [e.g., "although not raised by this Claimant, a claimant might have argued/contended/asserted …."] In doing so, care should be taken to present a coherent argument for the respondent and not a series of possibly disjointed responses to the claimant's argument.

43. A law school that participates in both the Vis Moot and Vis (East) Moot is encouraged to submit separate memoranda to the two Moots. However, if the same memoranda (with different covers) are submitted to both Moots, they can be entered into the competition for best memorandum in only one of them. Therefore, when submitting the memorandum for the claimant, all law schools that participate in both the Vis Moot and the Vis (East) Moot must indicate to the administrators of both Moots (for the Vis Moot via the facility in the team account) whether the same or separate memoranda have been submitted. If the same memorandum has been submitted to both Moots, the message must indicate in which competition the memorandum should be considered for the award for best memorandum. Since the memorandum for respondent must be responsive to the memorandum for claimant sent to the team, the memoranda for respondent in the two Moots are unlikely to be the same.

VII. Formatting of Memoranda

44. The formatting provisions listed in paragraphs 45, 46, 47, 50, and 51 are required to be followed. No memorandum that violates these provisions will be considered for award or honorable mention.

45. Paragraphs must be numbered and references to statements in either one's own memorandum or, in the case of the memorandum for respondent, to statements in the opponent's memorandum for claimant must be to the paragraph number.

46. The memoranda are intended to be of practical use to the arbitrators in deciding the dispute. They are not intended to be scholarly dissertations on the relevant law. Therefore, citations in the memorandum should be limited to those that advance the argument being made. The List of Authorities must reference to each paragraph in the memorandum where the case or doctrinal authority is cited. The use of "passim" in place of specific paragraph numbers is not sufficient.

47. Citations must be in the text of the memorandum and not in footnotes or endnotes. Citations in the text should be in a shortened form. The full citation should be given in a List of Authorities.

48. The List of Authorities should be in a form that is intelligible to all who will read the memorandum. That includes the members of the other teams, the arbitrators in the oral hearings and the members of the jury who will judge the written phase of the Moot. Most of the readers of the memorandum will be from other countries. Account should be taken that the style of citation of judicial decisions or articles in legal journals that is common in one country may not be intelligible to participants in the Moot (or in an arbitration) from other countries. Therefore, deviation from the standard style of citation in your country may be appropriate and desirable.

49. Care should be taken in the use of legal doctrines and terminology (including Latin maxims) common in some legal systems that are not found in the CISG, Model Law, New York Convention or the relevant arbitration rules and that may not be known to teams or arbitrators from other legal systems. Similarly, care should be taken to write in a formal English style that would be appropriate for submission to a court or arbitral tribunal. In particular, slang or contractions (aren't, didn't) should not be used. This tends to be a mistake made by non-anglophone teams that may have been taught not to be too formal when using English.

50. Memoranda may be no longer than thirty-five (35) 8½ x 11 inch or A4 typed pages, including any statement of facts, argument or discussion and any conclusion. Cover pages, tables of contents, indices, lists of authorities or other material that does not consist of facts, argument, discussion or conclusions may be in addition.

51. No type style smaller than 12 point may be used, including in quotations or other non-argument parts of the memorandum. The memorandum should be typed at 1½ line-spacing. All margins must be at least one inch or 2.5 cm.

52. The name of the team and whether the memorandum is for the claimant or for the respondent must appear prominently on the outside cover page so that it can easily be read without opening the memorandum.

VIII. Submission of Memoranda

53. The memorandum must be submitted in searchable PDF-form as a single computer file so that the memorandum can be printed complete with cover page. Care should be taken that the PDF file does not exceed one megabyte, as these may not be accepted by the upload facility in the team account. This is **not** an excuse for late submission.

In addition, at the same time the memorandum for claimant is sent, the names of the members of the team with e-mail addresses must be finalised in the Team account.

54. **Place for Submission of Memoranda.** The memoranda are to be submitted via the Team account.

The dates on which memoranda are due in Vienna are as follows:
Memorandum for claimant:
Thursday, 10 December 2026, before 23:30 (Vienna time)
Memorandum for respondent:
Thursday, 21 January 2027, before 23:30 (Vienna time)

Successful submission of the memoranda will be acknowledged in the team account.

55. **Memorandum Revision**. The uploaded memorandum can be resubmitted as many times as a team likes prior to the submission deadline. However, the version submitted at the time of the submission deadline will be the version officially submitted. The officially submitted version may not be revised, including for missing pages, typographical or grammatical errors or for problems caused by faulty computer software. Sufficient time should be left prior to the submission deadline to verify the text to be submitted.

56. A team will have access through the Team's account on the Moot website to the memorandum for claimant of another team, to which a memorandum for respondent must be prepared. The memorandum will be available within a week, or as soon after as is possible. All teams will be notified when the memorandum of their opponent is available.

57. As soon as possible after the memoranda for respondent have been submitted, the memorandum for respondent prepared in reply to the memorandum for claimant as well as the memoranda of the other teams against which a team will compete in the oral arguments will be made available.

58. Teams that enter the elimination rounds will NOT be furnished with the memoranda of the teams against which they are to argue in those rounds.

59. **Copyright.** Memoranda once submitted (in physical and digital form) shall be the property of the Vis Moot Association. By submitting the Memoranda, Team members grant the Vis Moot Association a non-exclusive licence of the copyright in the Memoranda. The authors

acknowledge and consent to the Association using the memoranda for, amongst other purposes, research issues relating to the substance and activities of the Moot. Where this is done, the Vis Moot Association confirms the memoranda will be used in an anonymised fashion unless prior approval is obtained.

60. **Exchange of memoranda.** Teams may exchange memoranda after the memorandum for respondent has been submitted, but not prior to that time.

IX. Scoring of Memoranda

61. A jury will score the memoranda on the basis of the quality of the analysis, persuasiveness of argument, thoroughness of research, clarity of the writing and adherence to the elements of style set out above. The jury will take into account whether arguments are based on facts not found in the Problem or clarifications that are not logical and necessary extensions of the given facts. When judging the memorandum for respondent, account will be taken whether it is responsive to the arguments raised by the claimant.

62. The memoranda for claimant and for respondent will each be judged in two rounds. In the first round the members of the jury will each receive the same number of memoranda. They will be asked to rank them in order of merit. In recent years each memorandum has been submitted to approximately four readers. The readers are encouraged to provide constructive feedback to the teams however they are not obliged to do so. On the basis of the results from the first round of judging, approximately the top 20 percent of the memoranda will be selected for submission to a separate jury for determination of the winners of the awards for best memorandum in each category.

63. **Plagiarism.** Any memorandum that includes text from any source, whether the source was in hard copy or on the web, must set out that text in quotation marks and give the citation to the source. Failure to give a proper citation constitutes plagiarism. Plagiarism is a serious matter. Teams have withdrawn from the competition because of allegations of plagiarism in the past. Any memorandum that violates this rule will automatically not be considered for any award.

ORAL HEARINGS

64. **Venue.** The oral hearings will be held primarily at the Faculty of Law (Juridicum) of the University of Vienna, Schottenbastei 10-16, A-1010 Vienna, and at additional faculty buildings of the University of Vienna, as well as at offices of nearby law firms.

65. **General Rounds.** Each team will argue four times in the general rounds, twice as claimant and twice as respondent.

66. The general rounds will be scheduled so that, in principle, each team will argue once per day, Saturday through Tuesday. If it is not possible to schedule in this manner, a team may be scheduled to argue twice on the same day with no argument on one of the three other days of the general rounds. In recent years, there have been instances where it was necessary to schedule a team to argue twice in two days. The published times of oral hearings will be Vienna time.

67. **Duration of Oral Presentation.** The oral presentation of each team is, in principle, thirty (30) minutes. The team should allocate equitably the time available to the two individual advocates. However, the arbitral tribunal may exceed the time limits stated so long as neither team is allowed more than forty- five (45) minutes to present its argument,

including the time necessary to answer the questions of the tribunal. It will be the responsibility of the tribunal to ensure that the teams are treated fairly.

68. **Arguments.** Teams are not restricted to the arguments in their written memoranda. Claimants and respondents in their first hearing should expect to rely on the arguments given in their written memoranda or to be prepared to justify why that position has been abandoned. In subsequent hearings arbitrators may be less demanding on this issue as it is expected that teams will improve their arguments during the Moot.

69. **Questions by Arbitrators.** The arbitrators are requested to act during the oral hearings the way they would in a real arbitration taking into account that this is an educational exercise. There are significant differences in style dependent both on individual personalities and on perceptions of the role of an arbitrator (or judge) in oral argument. Some arbitrators, or arbitral tribunals, may interrupt a presentation with persistent or even aggressive questioning. Other arbitrators, or arbitral tribunals, may listen to an entire argument without asking any questions. Therefore, teams should be prepared for both styles of oral presentation.

70. **Order of presentation.** Some arbitral tribunals will ask one team to present its argument on all of the issues before the other team is permitted to present its argument. Other panels of arbitrators will ask both teams to argue one issue first before they both argue in respect of a second issue. Normally the party who has raised the issue will argue first. Therefore, normally the claimant would argue first, if it is to present its arguments on all of the issues before the respondent is permitted to argue. However, if the respondent has raised an objection to the jurisdiction of the Arbitral Tribunal or other such defense, the panel would normally ask it to present its arguments on that issue before the claimant responds to it.

71. The arbitrators will decide whether rebuttal arguments will be permitted. Whether or not rebuttal will be allowed can be expected to change from one argument to the next.

72. **Devices.** Teams are permitted to have electronic and digital devices with them during the oral hearings for the sole purpose of looking up and accessing materials. However, if a team intends to use such any device that is capable of sending or receiving communication, the team must at the beginning of the oral hearing confirm and assure the Tribunal that the device will not be used for communication during the hearing and that Rule [87] is understood. Team members may use devices to look up and access material during the hearing, whether that material is stored on the device or obtained via an internet connection. Team members are explicitly prohibited from employing the device for any other purpose during the oral hearing – that includes the usage of an AI-enhanced tool or chat bot for, *inter alia,* translation, consultation or coaching. Teams are expressly prohibited from using a camera (including smart glasses), or any device to record any part of the Moot except in accordance with Rule 90. All devices must be set to silence at the commencement of the hearing.

73. **Exhibits**. No exhibits may be used during the oral arguments that do not come directly from the Problem. Exhibits that are designed to clarify time sequences or other such matters may be used, but only if the arbitrators and the opposing team are in agreement. Where a team believes the opposing team is using an exhibit not complying with the previous sentence, it must raise an objection with the tribunal. The tribunal is empowered to determine whether the exhibit complies with the requirements of this paragraph. Objections must be raised during the course of the actual hearing, thereafter a team cannot raise any such objections. For technical reasons the exhibits may not consist of overhead or Power Point projections or require the use of a stand.

74. **Scoring.** Each arbitrator will score each of the orators on a scale of 50 to 100. The scores of the two orators will be added to constitute the team score for that argument. Therefore,

each team could score a maximum of 200 points per arbitrator per argument, or a theoretical maximum of 2,400 points for the four arguments. Arbitrators will score the oral arguments without knowledge of the results of earlier arguments. Some arbitrators will have participated in evaluating the memoranda of teams whose oral arguments they later hear. Although they will be aware of their own evaluation of the memoranda, they will be without knowledge of the evaluations given by other arbitrators.

The individual score given to an orator by an arbitrator is entirely within the discretion of that arbitrator. There is no requirement that the arbitral tribunal agree on scores. *However, the arbitral tribunals may, and are strongly encouraged to, discuss scoring at the end of a hearing and prior to submitting the scores to the Vis Moot Administration.*

As part of the Vis Moot Administration's measures to ensure consistency of scoring, any significant differences in the score of any individual member of the arbitral panel will be drawn to the attention of that arbitrator and the presiding arbitrator. The presiding arbitrator will be asked to advise whether the panel conferred with each other as referred to in the paragraph above. The arbitrator whose score varies significantly will be invited to confirm or amend the score given. The score will always remain at the discretion of the individual arbitrator. A significant difference is defined as a variance of 15 points.

Appendix 2 to these Rules sets out key elements of the arbitrator guidance that will be provided to arbitrators at the oral hearings. Save for the difference in the scale to be used the criteria described in Appendix 2 are the same that have been traditionally given to arbitrators in past Moots.

75. **First Elimination Round.** After the general rounds, the scores of each team for its oral presentation in the four arguments will be totalled. The sixty-four teams that have obtained the highest composite scores will meet in the first round. If there is a tie for 64th place, the decision as to which team will enter the elimination rounds will be determined by lot. The teams will be paired so that the first and sixty-fourth, second and sixty- third, etc. will argue against one another. Ranking of a team in the General Rounds will not be divulged until after the close of the Moot and then only to the team concerned.

76. **Second Elimination Round.** The winners of the first elimination round will meet in the Round of 32.

77. **Third Elimination Round.** (Round of 16) The winners of the Second Elimination Round will meet in the Round of 16.

78. **Quarter-Final Round.** The eight winners of the Round of 16 will meet in the Quarter-Final Round.

79. **Semi-Final Round.** The four winners of the Quarter-final Round will meet in the Semi-Final Round.

80. **Final Round.** The two winners of the Semi-final Round will meet in the Final Round Thursday afternoon, 25 March 2027.

81. **Determination as to which team is claimant and which is respondent.** If the two teams in any of the elimination rounds, including the final round, argued against one another in the general rounds, they will argue for the opposite party in the elimination round. If they did not argue against one another in the general rounds, in the first elimination round the determination as to which team will be claimant and which will be respondent will be determined by lot. In the following rounds, when one of the two teams in the preceding round was claimant and the other was respondent, they will argue for the opposite party for which they argued in that preceding round. If both teams argued for the claimant or

both argued for the respondent in the preceding round, the decision as to which team will be claimant and which will be respondent will be determined by lot.

82. **Winning Team.** The winning team of the oral phase of the Moot is the team that wins the final round and is the recipient of the Eric E. Bergsten Award.

ASSISTANCE

83. **Written Memoranda.** Although the students should do all the research and writing of the memoranda themselves - without assistance from anyone who is not a student member of the team - faculty advisors, coaches and others may help identify the issues, comment on the persuasiveness of the arguments the students have made in the drafts and, when necessary, suggest other arguments the students might consider employing. However, the final product must be that of the students - not their advisors. A statement by the person whose name appears on the registration form stating that no person other than a student team member has participated in the writing of the memorandum must be submitted via the team account at the time the memorandum is submitted.

84. **Allowed use of Artificial Intelligence (AI).** Acknowledging the widespread prevalence and practical significance of AI, the Vis Moot adopts a principles-based approach to its regulation. AI can be used in Moot activities to support, but not subsitute, a student's own reasoning, ensuring that critical thinking remains the primary basis for demonstrating knowledge, judgment, advocacy and creativity. It follows that there are contexts and purposes for which AI can be used within the Moot, *inter alia*, the following:
    a) Using AI-enhanced tools for team-internal administrative tasks,
    b) Using AI-enhanced research tools to find relevant sources (for example search engines, library catalogues),
    c) Using AI-enhanced translation tools, to translate and understand legal sources,
    d) Using AI-enhanced translation tools to aid an English translation of text within the submitted memorandum (it should be noted that whilst not prohibited the use of English translation tools is strongly discouraged for education purposes),
    e) Using AI-enhanced tools as a tutor,
    f) Using AI to generate high-level briefings on relevant factual and legal topics which are not submitted as part of the memorandum but solely used for the team's own understanding,
    g) Using AI-enhanced proof-reading tools.

85. **Prohibited use of AI.** Applying the Vis Moot's principles-based approach, there are contexts and purposes of using AI that substitute a student's own critical thinking. It follows that the the following are **expressly prohibited** and would be acts in contravention of these rules:
    a) Use of AI-enhanced tools to synthesize or summarize sources,
    b) Use of AI tools to reformulate or rewrite text that is submitted in a memorandum,
    c) Submit text in the memorandum that has been generated by an AI-tool other than as contemplated in d) above – even if the AI-generated text has been altered, corrected and amended by the team members.
    d) To submit any documents issued by the Vis Moot Association to an AI-tool, or to employ an AI-tool that has been intentionally trained on the Vis Moot Problem in order to write and submit a memorandum.

86. **AI Disclosure.** Every team is required to submit the "Academic Integrity and Artificial Intelligence Disclosure Statement". The AI Statement is attached to these Rules as Appendix 3. All questions outlined in the AI Statement must be completed during the

memoranda (claimant and respondent) upload process in the upload facility in the team account. All statements on the use of AI must be made truthfully. Failure to comply with this rule may result in disqualification of the team.

87. **Oral Hearings.** There is no restriction on the amount of coaching that a team may receive in preparation for the oral hearings. It is expected and encouraged that teams will have practice arguments, whether against other members of the team or against other teams that will participate in the Moot. Many Pre-Moot events are scheduled throughout the world. Teams are encouraged to participate in one or more of them, if they find it feasible to do so. The only restriction is upon knowledge of the pairings of the teams that no team should have a practice argument against a team it is scheduled to meet in either the Vienna or Hong Kong Moot, or attend any arguments of these teams prior to the general rounds.

88. In each oral hearing two members of the team will present the argument. No communication with other members of the team who may be present at the hearing is permitted.

89. One purpose of the Moot is to develop the art of advocacy in international commercial arbitration proceedings. Observance of the performance of other participants is one way to develop that art. Therefore, attendance of team members at the arguments of other teams is permitted, except that **no team, or friends or relatives of members of a team, is permitted to attend arguments of other teams against which it is scheduled to argue at a later time in the general rounds.** This rule extends to the viewing of arguments in practice arguments (including pre-Moots if the team schedule has already been sent to teams), but it does not apply to arguments between the same teams in both Hong Kong and Vienna, since the conflict arises out of scheduling by the two Moots. Violation of this rule will disqualify a team from participation in the elimination rounds. This rule will be applied even if attendance at an argument was inadvertent. See also paragraph 60 on exchange of memoranda.

90. **Recording of arguments.** Recording of arguments is permitted if done with the prior agreement of the other team and the arbitrators. Recording must be done in such a way as not to disturb the argument.

AWARDS

91. The awards given in the Moot are:

- **Pieter Sanders Award** for Best Written Memorandum for Claimant.
- **Werner Melis Award** for Best Written Memorandum for Respondent.
- **Martin Domke Award** for Best Individual Oralist.
  This award for the general rounds will be won by the individual advocate with the highest average score during these rounds. To be eligible for this award a participant must have argued at least once for the Claimant and once for the Respondent.
- **Eric E. Bergsten Award** for Best Team Orals.
  This award will be made to the winning team in the final round of the oral hearings.
- **Michael L. Sher Award** for the Spirit of the Willem C. Vis Moot
  This award will be determined by the Vis Moot Directors upon suggestions from teams and arbitrators.

92. **Achievement Certificates**. Certificates will be prepared for all members of teams that win an award or honorable mention in one of the three team categories as well as for those who receive an award or honorable mention for best individual oralist. The certificates of

participation will show the names of the team members **exactly** as they have been submitted. It is therefore incumbent on Teams to ensure that names are spelt and presented correctly. The Achievement Certificates as well as the regular participation certificates will be made available for download in the team accounts.

INTERPRETATION OF THE RULES

93. **Requests.** For interpretation of these rules, requests may be addressed to the Directors of the Moot. All interpretations, as well as any waivers, consents, or other decisions are at the discretion of the Directors in their conduct of the Moot.

CONTACT DETAILS

94. All communications regarding the Moot should be sent by email to the Vis Moot Directors (admin@vismoot.org in cc):

Directors of the Moot

Prof. Dr. Christopher Kee
christopher.kee@vismoot.org

Prof. Dr. Stefan Kröll, LL.M.
stefan.kroell@vismoot.org

Mag. Patrizia Netal
patrizia.netal@vismoot.org

If contacting all Directors simultaneously please ensure that this **is done in a single email** rather than writing to each of them individually.

APPENDIX 1

ADDENDUM FOR THE THIRTY-THIRD WILLEM C VIS INTERNATIONAL COMMERCIAL ARBITRATION MOOT

Participants are advised to familiarize themselves with all the rules as they have now been published.

Attention is drawn in particular to rules:

- 62 Scoring of memoranda
- 72 (Devices)

VIS MOOT DIRECTORS

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Mag. Patrizia Netal
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PRESIDENT OF THE ASSOCIATION

Assoc. Prof. Dr. Patricia Shaughnessy

APPENDIX 2

Arriving at a score in the oral hearings

Each arbitrator is expected to make an individual decision as to the score to be awarded. Naturally, the scores may differ between the arbitrators depending on their individual preferences. Nevertheless, a widely divergent score, whether higher or lower than the others, raises questions as to the criteria used by the arbitrator in question. As such arbitrators are encouraged to confer with a view to having scores that are within the same band (50-59 = needed improvement); (60-69 = satisfactory); (70-79 = good); (80-90 = very good); (91-100 = excellent) or otherwise generally within 15 marks.

Criteria to be regarded in the evaluation of the oralists are:

1) Organization and Preparation

   - Does counsel introduce himself or herself and co-counsel, state whom he or she is representing, introduce the issues and relevant facts clearly, have a strong opening, present the arguments in an effective sequence, and present a persuasive and generalized conclusion?

   - Is counsel clearly prepared and familiar with the authorities on which his or her arguments rely? If rebuttal is used, is it used effectively?

2) Knowledge of the facts and the law

   - Does counsel know the facts and the relevant law thoroughly? Is counsel able to relate the facts to the law so as to make a strong case for his or her client?

   - Does counsel present arguments which are legally tenable?

3) Presentation

   - Is counsel's presentation appropriately paced, free of mannerisms and loud enough?

   - Does counsel use inflection to avoid monotone delivery, make eye contact with the arbitrators and balance due deference with a forceful and professional argument? Is counsel poised and tactful under pressure? Most importantly, is counsel's presentation convincing and persuasive, regardless of the merits of the case?

4) Handling Questions

   - Does counsel answer questions directly and use the opportunity to turn the question to his or her client's advantage?

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APPENDIX 3

Academic Integrity and Artificial Intelligence Disclosure Statement

UNIVERSITY:

COUNTRY:

ACADEMIC INTEGRITY	YES	UNSURE	NO
We confirm that this memorandum does not include text from any source, whether the source was in hard copy or online available, which has not been properly distinguished by quotation marks or citation.			

USE OF AI			
We have used AI-enhanced tools for **team-internal administrative tasks**.			
We have used A-Ienhanced **search engines** or library catalgoues for researching sources and (factual or legal) information on the Moot Problem.			
We have used AI enhanced **translation tools** to translate sources relevant for our work on the Moot Problem.			
We have used AI enhanced **translation tools** to translate parts of the text submitted in this Memorandum into English from any other language.			
We have used AI to **generate high-level briefings on relevant factual and legal topics** which are not submitted as part of the memorandum but have been solely used to advance our own understanding.			
We have used AI-enhanced tools as a tutor to guide and support our preparation and learning.			
We have used AI-enhanced **proof-reading** tools.			
We have used AI-enhanced tools to **synthesize or summarize sources.**			
We have used **AI-enhanced tools to reformulate or rewrite text that is submitted.**			
We have used AI tools to **generate statements that are now included in the memo**. Please tick yes even if you have altered or amended the text generated by AI before submission.			
We have **submitted documents issued by the Vis Moot Association to an AI-tool.**			

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PRESIDENT OF THE ASSOCIATION

Assoc. Prof. Dr. Patricia Shaughnessy

We have **used an AI tool that has been trained on Vis Moot documents** to generate text that is part of our Memorandum			
Other (please specify):			

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