

24TH WILLEM C. VIS INTERNATIONAL COMMERCIAL ARBITRATION MOOT

2016-2017

RADBOD UNIVERSITY NIJMEGEN

The Willem C. Vis International Commercial Arbitration Moot is one of the most prestigious moot competitions in the world. It creates the platform to study international commercial law and to improve your writing and pleading skills, but most importantly it gives you the opportunity to come together as international students.

Radboud's Faculty of Law, presented its students with the opportunity to be part of this amazing experience. Our team, Daniël van Schalkwyk (South Africa), Eva Vermeulen (The Netherlands), Matthijs de Wit (The Netherlands) and Alexandra van Lier (The Netherlands) were delighted and honoured to be chosen to represent Radboud University at the 24th Willem C. Vis International Commercial Arbitration Moot. From the first meeting our team felt a sense of comradery and knew that this experience will be filled with shared laughter and hard work. What laid ahead was an unforgettable journey.

The moot journey consisted of two phases: the writing of memoranda for Claimant and Respondent and the hearing of oral arguments. These phases all worked towards the ultimate destination, which were the finals in Vienna. In October, the problem was published, regarding a contractual dispute between two parties, both active in the aircraft industry. This year, the parties' dispute consisted of a substantive and procedural part and was subject to the CISG, UNIDROIT Principles and the CAM-CCBC Arbitration Rules.

Writing phase

We spent hours in the library, including take away pizza, to find legal arguments to strengthen our client's position. Our coaches, Bas van Zelst (Attorney at Van Doorne), Kim Geurts (Phd-candidate), Andree Lenaerts (Phd-candidate) and Anne Mennens (Phd-candidate) provided us with valuable feedback and support. We held weekly meetings with them and visited our sponsors, *Stibbe* and *Greenberg Traurig*, in Amsterdam, who helped us to improve our English legal writing skills. After CREAC'ing and KISS'ing our memoranda until the main library closed, the writing phase ended by handing in the memorandum for respondent in January.

Pleading phase

With our arguments shaped and carved, we prepared our oral pleadings. One of our very first pleadings was at *Stibbe's* office in Amsterdam. We had a fun pleading session and we were immediately grilled on our weaker arguments, which helped us to improve our arguments further.

Shortly after, we went to our very first Pre-Moot in snowy Amsterdam. Not only did we learn a lot from other teams, but we also got a chance to socialize with teams from all over the world, which we would later meet again in Hanover and Vienna.

In March we attended the Hanover Pre-Moot, together with 27 other teams. This time we had divided the roles, so two of us would only focus on the substantial part of the case and the others would only focus on the procedural part.

At the Pre-Moots, we pleaded against '*Mooties*' from Czech Republic, Denmark, Turkey, Finland and Germany. After the Pre-moot we practised at Nauta Dutilh with the teams from Amsterdam and Rotterdam. Right before we flew to Vienna, we had one of our last pleading sessions at *Stibbe*. It was wonderful to notice how much we had learned since our first pleading sessions.

Vienna

Finally, it was time to go to Vienna! It is true that the Moot takes over the city. With over 300 teams participating, you can never get lost alone. In our museum-ish apartment, we practiced with other teams and grilled each other one last time on our arguments. Overall, the Moot prepared us to be true lawyers. We gained experience in writing memoranda; formulating arguments to substantiate our client's case; and understanding the bases of international commercial law from both a civil and common law perspective. Moreover, it gave us the opportunity to plead and meet law students from six continents. But mostly, it provided with the skills to work together as a team. The Moot was an unforgettable and shared experience.

"When you got to Vienna, you found Mooties everywhere.

They wear all bright and good looking-fancy clothes and nice hair.

And since you hadn't had a date since stars first shone in the night above,

That's when you realize that you're in the Moot for love.

(...)

Yea we're all Vis mooties, baby V-I-S all the way"

- **Prof. Harry Flechtner "The Mootie Blues"**