THE LEIDEN SARIN INTERNATIONAL AIR LAW MOOT COURT COMPETITION

THE FIRST 5 YEARS
Dedicated to 2 people: Prof. (Dr.) Pablo Mendes de Leon of Leiden University, whose brainchild it was; and his student, Nitin Sarin, whose passion for aviation and Aviation Law led to the birth of the Leiden-Sarin International Air Law Moot Court Competition, with the hope that it will help light some fires of passion in the hearts of young men and women and attract them to pursue a career in the field of Air Law.

This book is a joint production of the Sarin Memorial Legal Aid Foundation, Chandigarh, India and the International Institute of Air & Space Law, Leiden University, The Netherlands.

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After the announcement of the case on the website and the opening for registration the organisational circus starts with the confirmation and administration of registration of teams, after which the members of the Board of Review for the scoring of the teams’ memorials and the judges for the semi-finals are invited - their contribution and participation are essential for a successful Moot Court, and we are very grateful for the fact that people acting as judges and members of the Board of Review are prepared and willing to sacrifice their time and share their expertise with the Moot Court. In January the teams submit their memorials for scoring by the Board of Review, and by this time it starts to become really busy – all kinds of logistics need to be arranged, the court sessions need to be organized, etcetera.

Over the years we have seen a steady rise in the number of teams participating: in 2010 and 2011 we started with ten teams; in 2012 we had twelve teams; in 2013 fourteen teams participated and in 2014 even eighteen team joined the competition!

It is fantastic to see how the International Air Law Moot Court has already proven itself to be a successful and well-established annual event! We look forward to holding the 10th anniversary of this unique competition which we are delighted to organise in smooth and efficient cooperation with our friends from Chandigarh.

Leiden . 13 May 2014
Prof. Dr. Pablo Mendes de Leon
Leiden University . The Netherlands

As explained elsewhere in the book, we had the privilege of having Nitin Sarin in our batch of students in the academic year 2008-2009. During the break of one of the classes he suggested the possibility of setting up an International Air Law Moot Court. Curiously and interestingly the idea had already been floating around in Leiden for some time as Leiden University organises the Telders Moot and actively participates in a number of prominent moot court competitions.

Hence we were excited to pick up this suggestion as we could rely on the experiences gained by our university. In addition, the prospect of keeping in touch with such a clever and gentle person as Nitin inspired and encouraged us to move on with the Moot Court! As our colleagues in India realise, the organization of an international moot court is a challenging, multifaceted and complex undertaking which from our side is effectively carried out principally by Wouter Oude Alink, the Director of the Air Law Moot Court Bureau, Paula van der Wulp, well known with judges and alumni, and Floortje Helwig who has been helping us very efficiently since 2011. They form a wonderful team performing huge tasks in an amazingly short period of time.

Immediately after closure of the finals we already start preparing the next moot court. In practical terms this means contacting our friends from the Sarin Foundation and the host country about the venue and dates, and inviting an author for drawing up a case, the theme of which needs to be topical and must be underpinned by a balanced approach towards the argument made by the applicant and respondent. Obviously, States must be party to the dispute as we always have had the privilege of holding the finals before a so called ‘International Court of Justice’ which is symbolized by the august presence of His Excellency Gilbert Guillaume, former president and currently adhoc judge with the International Court of Justice. President Guillaume has been sided by the most distinguished representatives from the host country and the international law scene.

With regards to the substance of the cases, so far the teams have had to deal with:

“Strangers and dangers in the air” regarding a claim for damages suffered by nationals of the State of Mayur following an aerial accident in the airspace of the State of Bulbuladesh.(2010, Delhi, India);
“The Gaius Volcano case” addressed the operation of air services under international law involving questions of interception of air services, taxation of passengers and privatisation of air carriers(2011, Dubai, UAE)
“The ORC Airways flight 123 case” regarding closure of airspace and the shooting down of a civilian aircraft(2012, Istanbul, Turkey)
“The OGC’s Cap-and-Trade Regulation 101 case” dealing with the legality of an Emissions Trading Scheme (2013, Abu Dhabi, UAE)
“The State of Magnethica v. the State of Damageman case” concerning payment for overflight rights (2014, Bucharest, Romania)
Being just a ten-year old at the time, I was oblivious to the motivation and purpose for the establishment of 'The Sarin Memorial Legal Foundation' created in the honour and memory of my grandfather, Mr. Harbans Lal Sarin. My childlike inference was that the Foundation reveled in organizing official functions where the views of distinguished personalities were covered by the media. With the passage of time and with some close observance of the activities of various participants, I realized the grandeur of this Foundation and the importance of its objectives.

My five-year BA, LL.B. degree course at the Army Institute of Law, Mohali, Punjab, included various moot-court competitions at inter-college and international levels. Every participant would benefit from the vicarious thrill emanating from the fact that he/she was a practicing advocate with self-prepared briefs, drafted plaints, and affidavits. I too had the good fortune of participating in such moots; the inter-college competitions being my favourite. These moot courts provided healthy competitive environs as one knew one’s opponent and the judges too (in hindsight, quite similar to actual proceedings in Court). A participant would relish the fact that he/she could veer away the opinion of the judges who were otherwise disinclined towards the participant’s point of view and argument.

My five-year long study of law had a spin-off, and that was a passion for an intriguing thing called aviation. My amazement owes its genesis to my first journey in a Boeing 747-200 in the early 1990s which will remain etched in my memory because I relished the sense of excitement at the lightening speed of the aircraft and the beauty of tiny-particle like buildings disappearing underneath. During my ensuing journeys I would remain awake for the most part and pester my ever obliging father about wings, flaps, slats, ailerons, turbulence, etc. My curiosity developed into a passion, and from the parking lot of my Law Institute I would quite frequently focus my camera clicking photographs of the aircraft flying high over Chandigarh on air-route M890.

Gradually as my stint at the Law School was nearing its end, a dilemma started overpowering me; whether I should apply for the coveted LL.M. or be at the ‘bar’ to enable me to choose the subject of specialisation for my higher studies at a later date. Providence answered my question when I came across a post graduate degree course titled the “Advanced Masters in Air and Space Law” offered by Leiden University in the Netherlands. This was a golden opportunity to study ‘aviation law’ a field so close to my heart and to observe one of the most developed and progressive cultures of the world.

My application for admission was duly accepted, and soon I entered a phase of life to which I was totally unaccustomed; a new city, a new country, and a new world. But this proved to be an exceptionally pleasant change. The teaching environs were most friendly; full of discussions lasting for hours together sans boredom and anxiety. Along with this useful learning experience, I wished to internationalize the banner of the Sarin Memorial Legal Foundation. Therefore, I set my heart at something absolutely unusual and beneficial, and I approached Prof. Dr.PMendes de Leon, Director of the International Institute of Air and Space Law, Leiden University and made a proposal about launching an international venture in laws relating to aviation where India too offered immense potential. Listening intently, Dr. Leon readily accepted my proposal and within a few minutes 'the Leiden Sarin International Air Law Moot Court Competition' was born. Ironically, Prof. Leon had also always wanted to start a Moot Competition in Air Law. This was followed by his meeting in Leiden with Mr. M.L.Sarin, Secretary General of the Sarin Memorial Legal Foundation and a new entity came into being.

This small dream prospered, and from Dr. Leon’s office in Leiden emerged the Moot Court Competition in 2010 in Delhi, where ten teams from different countries participated. Now the bond between Leiden and the Sarin Foundation is inseparable, and it will prosper with the advent of various international events in India and abroad.

The initiation, inception, and success of such an extraordinary international venture remind me of the words of one of the wisest men Swami Vivekananda, who wrote:

“ The history of the world is the history of a few men who had faith in themselves; such faith brings out the divinity within. You can achieve anything.”

The successful journey of the Air Law Moot Court from Delhi to Dubai to Istanbul to Abu Dhabi to Bucharest over the last 5 years gives me immense feeling of satisfaction that we have “achieved something”, though the appetite is not satiated.
I had promised my son, Nitin, when he was 13 years old and completely fascinated by my Black Mercedes, that the day he got his law degree, I would buy him one like mine.

It was in 2008 that he graduated from Law School and was enrolled as an Advocate. I reminded him of my promise. His spontaneous response was “Dad, can I spend the money studying for my LL.M. at Leiden University instead”? I was delighted to hear that. Not only did Nitin go on to do his Advanced LL.M. at Leiden, he talked Prof. Pablo Mendes de Leon, Director, International Institute of Air & Space Law, Leiden University, The Netherlands, into signing a Memorandum of Understanding with the Sarin Memorial Legal Aid Foundation to launch the Leiden-Sarin International Air Law Moot Court Competition.

The Moot competition was launched in India in 2010, my late father Mr. Harbans Lal Sarin’s birth centenary. It's success made me immensely happy but little did I realize that each passing year would raise the standard higher and higher.

Five years down the road, I reminisce with satisfaction how the competition has grown from strength to strength; has contributed to shape young students of law into responsible lawyers in the field of Aviation Law and how the Institute of Air & Space Law and the Sarin Memorial Legal Aid Foundation have been able to fulfill their “Legal Social Responsibility” (to use the words of Chief Justice, A.K. Sikri of the Punjab & Haryana High Court).

After more than 4 decades of active legal practice I find the organization, conduct and success of the Air Law Moot Court to be one of the most satisfying experiences in my professional life. It not only brings the brightest young minds from across the globe together competing against each other; but also brings the best experts in the field of Aviation Law from around the world to judge the competition year after year. Now that 5 editions have been held and their success acclaimed universally, I take this opportunity to thank all the participants; the sponsors; and the judges. A very big thank you to all of them.

On the personal front, the friendships that have been forged between the judges, the organizers and the participating students are invaluable. We have become like a large extended global family, meeting year after year, in different locales, all bound together with a common thread – The Leiden-Sarin Air Law Moot Court! After the serious toil of the day, the partying begins in the evening, wining, dining and dancing the night away……… A reminder that fun & frolic is as important as serious hard work.

With refreshed enthusiasm and zeal, I look forward to the competition of 2015 in Beijing, China, in the month of April, 2015.

Manmohan Lal Sarin
Secretary General
Sarin Memorial Legal Aid Foundation
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A FEW WORDS FROM JUSTICE S.S. NIJJAR, FORMER JUDGE, SUPREME COURT OF INDIA, WHO PRESIDED OVER THE INAUGURATION AND Valedictory OF THREE OF THE FIVE INDIA ROUNDS

I have had the privilege of being associated with the Sarin-Leiden International Air Law Moot Court Competition since its inception. The Sarin Foundation was started by Mr. M.L. Sarin in memory of his father, Mr. H.L. Sarin, a doyen of the Punjab & Haryana High Court. As is normal with all that Mr M.L. Sarin, “Mac,” does, the Moot Competition has been developed into a world class competition.

Over the past five years, it has presented the participants with a proposition which is current and realistic. This is because the theme of each competition is founded on a real-world problem having relevance to the various established and developing facets of Air Law. In 2010, the issue was regarding the responsibility of a country to provide safe air traffic management for aircraft flying over its airspace. Whilst in 2011, the problems caused by the volcano eruption in Iceland, making it unsafe for aircraft to fly over certain airspace were dealt with. In 2012, it was the situation created by shooting of Korean Airline flight by the military aircraft. Again in 2013, a very important issues regarding taxation was the focal point of the moot court. Finally in 2014, the issue mooted was the unilateral raise in over-flight charges by Russia.

Moot court competitions have now become a very important part of legal studies. I am sure that the Sarin-Leiden moot court has benefited many students/participants. I am sure it will grow even more in stature and prestige in the years to come.

I wish the organisers all the best.

S.S. Nijjar
Former Judge,
Supreme Court of India
The final contest of this Moot was held between Leiden University and McGill University, and it was presided over by Mr. Michael Whitaker (Group CEO of Interglobe Aviation) and his companion judges were Dr. Jeifang Huang (Legal Officer of ICAO) and Prof. (Dr) Alexander Von Ziegler. It was indeed a grueling and well contested final, The
First Leiden-Sarin Air Law Moot Court Competition was won by Leiden University and McGill University won the well-deserved second place.

The Sarin Foundation hosted a dinner in the honour of all the participants and in recognition of the services of the visiting judges and also to intimate its plan of holding its next Moot in Dubai in 2011. A memento in the form of specially designed wrist-watches were given to each participant and judge to mark the birth centenary of Mr. H.L. Sarin.

The Winners were as under:

1st Leiden University, Leiden, The Netherlands.
2nd McGill University, Montreal, Canada.
3rd National Law University, New Delhi, India.
4th The Christ University, Bangalore, India.
5th Gujarat National Law University, Gandhinagar, Gujarat, India.

The Best Mooter and the winner of one-year long scholarship in Advanced LL.M was Hardeep Singh of National Law University. The success of this competition can be gauged the best from the following words of Dr. Jeifang Huang to Mr. Mac Sarin of the Sarin Foundation:

"Mr. Sarin before coming to India we had thought of holding the next Moot Competition in China, but on seeing your preparedness and the precision of arrangements of this Moot convinced me that we are not ready for it yet."

The Sarin Foundation thanks everyone who was associated with us in making this event useful and memorable.
from regulation to deregulation, mergers to acquisitions, alliances, leasing and financing of aircraft, aircraft insurance, environmental protection, air safety, security, aircraft hijacking, survival of low cost airlines, competitive issues in aviation sector, etc. Consequently the Hon’ble judge created awareness about the role of lawyers at each stage in the aforesaid matters. Mr. Justice R. Gogoi, in his presidential remarks, appreciated the efforts of the Sarin Foundation and lauded its efforts to spread legal literacy and shaping good lawyers by organising the first ever International Air Law Moot Court Competition in the world.

The Chief Guest for the Valedictory Session, Mr. Justice Markandey Katju of the Supreme Court of India, in his inimitable manner highlighted some drawbacks in the legal education system of our country, and made an appeal to all concerned to take remedial steps so that legal education becomes more realistic and practical for producing capable and dependable lawyers to man the constitutional courts of India effectively.

Prof. Nishtha Jaswal, Chairperson of the Department of Laws, Panjab University, Chandigarh, and Prof. Sangeeta Bhalla, Director, University Institute of Legal Studies, Panjab University, Chandigarh, thanked the Chief Guest, all the Hon’ble Judges, the participants, and others for their co-operation.

Four sitting judges of the Punjab and Haryana High Court, Justice Rajive Bhalla, Justice M.M.S. Bedi, Justice Ajay Tewari and Justice Ritu Bahri, judged the National Rounds, and four teams were selected by them for Dubai. These teams were:

1. National Law University, New Delhi.
2. Nadar University of Law, Hyderabad.
4. The Tamil Nadu Dr. Ambedkar University, Chennai.
THE FINALS IN DUBAI

The hosts of the finals of the Moot Court were, The Government of Dubai, The Dubai Civil Aviation Authority, Dubai Courts, Emirates, Emirates Aviation College, Dubai Duty Free Shop, Department of Tourism and Commerce Marketing of Dubai, Flyairliner.com, The International Institute of Air and Space Law, extended their wholehearted and unremitting support in making it fruitful and memorable. The participating teams were from The Netherlands, Canada, China, Cyprus, UAE, Spain, and four teams from India. Mr. R.M.R.B. Nawinne, General Manager – Legal Affairs (Aviation) under the able and wise guidance of Mr. Mohammad A Ahli, Director General of Dubai Civil Aviation Authority made flawless and consonant arrangements for every team and every participant, and every judge. An impressive inauguration ceremony was held on March 13, 2011.

Judge Gilbert Guillaume, Former President of the International Court of Justice, Judge Dr. Ali Ibrahim El-Imam, The Chief Justice of Cassation Court, Dubai, and Dr. Jiefang Huang of the International Civil Aviation Organization (ICAO) were the adjudicators of the finals of this Moot Court. The final contest was between McGill University, Canada, and Nalsar University of Law, Hyderabad, India. The trophy was awarded to McGill University represented by Mr. Wheeler and Mr. Mithun Pommaiah and the runners-up were Nalsar University of Law represented by Mr. Abhilash Grover and Mr. Abhay Raj Varma.

Mr. Nida Doon of National Law University, Delhi, was declared the best Mooter and was awarded the scholarship for pursuing a One-year Advanced LL.M. in Air & Space Law at Leiden University.

The prize distribution function was held under the presidency of His Highness Sheikh Ahmed Bin Saeed Al Maktoum, the President of DCAA and the Chairman of the Emirates Group, in the imposing hall of the Police Academy. KLM Royal Dutch Airlines and the Dutch Civil Aviation Department were the co-sponsors who sponsored the scholarship too.
It is a great pleasure to send this message at the occasion of the Second International Air & Cyber Law Court Competition being held in Dubai. I am sure the presence and the contribution of visiting Universities in the world and the eminent legal and aviation experts during the event will bring the aviation industry in the region to greater heights.

I congratulate the London University of the Netherlands and the Sarin Memorial Legal Aid Foundation on their efforts in initiating such an event and the Dubai Civil Aviation Authority for its commitment in hosting this event.

H.H. Sheikh Ahmed bin Saeed Al Maktoum, President, GCAA and Chairman, Emirates Group
Members of the Sarin Foundation

Bottom: Organizers of Dubai and Istanbul meet with Nitin and Mac
Relaxing on a Desert Safari after the Finals

Photo: Kismet Nakai
Mr. Justice M.M. Kumar, the then Acting Chief Justice of the Punjab & Haryana High Court shared with the participants his own experiences at the Bar when he was a lawyer and how Moot Courts help a lawyer in asserting his point of view clearly and authoritatively. Prof. Geeta Joshi, Principal of the Army Institute of Law, Mohali, was not only instrumental in making foolproof arrangements but was also gracious to impart encouragement and sound legal advice to all the participants.

The four teams selected to represent India in the International Moot were:

1. National Law University, Delhi.
2. Dr. Manohar Lal Lohia National Law University, Lucknow.
3. Nalsar University of Law, Hyderabad.

The India Rounds were partially sponsored by Supreme Court Cases online and Universal Law Publishing Co Pvt. Ltd.
THE FINALS IN ISTANBUL

The hypothetical case pertained to the points concerning the shooting down of a civilian aircraft flying over the restricted air space by two military aircraft of the concerned country. Unusual issues involved in this matter brought out the ingenuity and originality of the participating students.

Meticulous arrangements were made by the hosts for the judges and the participants. The judges were housed at the Crown Plaza Hotel. The actual competition was held in the historic setting of Istanbul University established in 1453. Istanbul University, Turkish Airlines, and M/s Donald Bunker & Associates were the co-sponsors.

12 teams from 8 different countries participated in this meet. The teams came from Canada, China (3), Italy, Turkey, Indonesia, India (4), and The Netherlands.

The team from Dr. Ram Manohar Lohia National Law University, Lucknow, comprising Ms. Ishta Pant and Ms. Veena Kamath won the trophy, and the runners-up were The Leiden University School of Air & Space Law. The winning team comprised of two members and did not have any coach as their university could not afford to send them. The one-year long scholarship for the Advanced LL.M. course in Air & Space Law was won by Ms. Ruchika Rao of Nalsar, Hyderabad.

The most prominent feature of the 3rd Leiden-Sarin International Air Law Moot Court Competition was that 18 persons including its President, Chief Justice (Rtd.) Mr. S. S. Sodhi, represented the Sarin Foundation.
The finals in the 15th century building of Istanbul University
Ms. Nida Doon, the winner of the Best Mooter award two years earlier in Dubai, and Mr. Hardeep Singh, the winner of the prestigious scholarship to the Advanced LL.M. course at Leiden University in 2010, were immensely helpful in organizing and conducting the 2013 India Rounds. Ms. Doon was an active member of the Sarin Foundation team that visited Abu Dhabi for making arrangements for the finals of the Moot in Abu Dhabi.

The Chief Justice of India highlighted the preeminent role of Moots in shaping prospective lawyers to the right pitch of competence in the legal field. He further made us aware of the usefulness of the five-year long course in LL.B instead of the three-year course earlier available to graduates of our universities. He created some more awareness about team work in the legal profession among the participants by saying, "Mooting is not just about good spoken skills, but it is also about the performance of an entire team representing the institution." By this he meant that ‘briefs’ prepared show research done and data collected by that team. He cautioned us that society looks up to a lawyer as an officer of the court who can be trusted for guidance and succor and who is heard and given due consideration by various temples of justice, our Courts. He also holds a special status in Society. Thus, a lawyer should shoulder his responsibilities accordingly, and undertake social work and impart legal-aid services earnestly to the best of his abilities. He heartily congratulated the Sarin Memorial Legal-Aid Foundation, Leiden University and the Army Institute of Law for holding the 4th International Law Moot Court Competition for the benefit of our dutiful, toiling, and aspiring students of law.

The Hon’ble Chief Justice, Mr. Justice Sikri, of the Punjab & Haryana High Court lauded the efforts of Mr. M.L.Sarin, and the Sarin Memorial Legal-Aid Foundation of providing avenues to budding youngsters by organising Air Law Moot Courts. He paid an apt tribute to both by saying, “We often talk of Corporate Social Responsibility (CSR), similarly in my opinion holding these Moot Courts is a perfect example of L.S.R. (Legal Social Responsibility). He commended the Sarin Memorial Legal Foundation for its generosity and commitment in all its activities, especially in grooming students of law into responsible citizens and successful lawyers.

The teams selected to represent India at the Finals were:

1. Dr. Ram Manohar Lohia National Law University, Lucknow.
2. The Army Institute of Law, Mohali.
3. The National Law University, Delhi.
4. The National Law University, Jodhpur.
5. Indraprasath University, Delhi.

The successful completion of the India Rounds was widely acclaimed by the media, both print and electronic.
Invitees arriving at the Army Institute of Law

Chief Justice of India inspecting the Guard of Honour

Members of Sarin Memorial Legal Aid Foundation

Chief Justice of India signing the banner

The Fourth Leiden - Sarin International Moost Court Competition
THE FINALS IN ABU DHABI

During the finals, our sponsor-cum-hosts, Etihad Airways, made exceedingly luxurious arrangements for all the judges, organisers, and participants at the Westin Golf Resorts, Abu Dhabi. They took pains to highlight the importance of our function by placing banners about the Moot Court Competition at many places around the Abu Dhabi airport to welcome participants and judges. The preliminary rounds and the semi-finals were conducted at the Etihad Training Academy. Fourteen teams — from China (2), Pakistan, Indonesia, Canada, Russia, the Netherlands, Sri Lanka, and India (5) — took part in it. The judges for the finals were:

1. Judge Gilbert Guillaume from the International Court of Justice.
2. Judge Dr. Wolf Muller Rostin.

The Chinese team from the China University of Political Sciences & Law, Beijing, was declared the winner, and the second position was claimed by the McGill University, Canada.

At the closing ceremony, Mr. Kevin Knight, Chief Planning and Strategy, Etihad Airways, Khaled Al Mehairbi, Sr. Vice President of the Government Aero Political Affairs and Mr. Fatti Atti, the Head of the Government & Aero Political Affairs, kindly consented to be present for encouraging all of us.

Ms. Nida Doon and Mr. Vikrant Pachanand of the Sarin Foundation and Wouter Oude Alink & Floortje Helwig of Leiden University lent unremitting help in the smooth conduct of the Finals.

This highly successful and memorable Moot became more memorable for Mr. M.L.Sarin as he was blessed with a lovely, adorable granddaughter when he was in Abu Dhabi. Cute little Mihika came to this enchanting world to delight the entire Sarin family on International Women’s Day i.e. 8th March, 2013 in San Francisco, USA.
बकीलों को समाज की सहायता करनी चाहिए: गोगोई

राजन गोगोई जज, उपराष्ट्रीय न्यायपालिका के अध्यक्ष के रूप में भड़का हैं। उन्होंने दिनांक 12 मई 2013 को जनसत्तार के जरिए बकीलों की समस्या को समाधान मिले के लिए सामाजिक सहयोग की आवश्यकता को दर्शाया है। उन्होंने कहा कि बकीलों के सामने हमें एक अहम दायित्व है जोकि समाज की सहायता करने के लिए है। उन्होंने बताया कि यह समस्या नहीं होती है केवल पुरुषों के लक्ष्य में, बल्कि यह सब कुछ है कि समाज में समानता के लिए हमें कितना पीछे हैं। उन्होंने कहा कि बकीलों के सामने हमें एक बड़ी गुरुत्वाकर्षक समस्या है जिसे हमें हल करने के लिए अत्यंत प्रभावी सामाजिक सहयोग की आवश्यकता है।
At the time of delivering the inaugural address, Mr. Justice Nijjar became nostalgic when he recollected Mr. Hrabans Lal Sarin's humility and generosity in relation to his own association with this ‘stalwart of the legal profession’. He said: “Sarin Memorial Legal Foundation was set up in 1995 to extend a helping hand to the needy. The Foundation was also to provide a Forum for young lawyers for improving their skills in advocacy. Mr. H.L. Sarin, apart from his eminence in the court room, was known to render help to deserving juniors at the Bar to train them for the future. He was respected as a lawyer as well as a family man. It gives me great pleasure to acknowledge that the Foundation is continuing with the ideals epitomised by Mr. H. L. Sarin.”

He further stressed the necessity of respecting and acknowledging the services of one’s benefactors and well-wishers even after achieving acclaim and status. He told us that though he was a judge of the highest Court of the land, i.e. the Supreme Court of India, but he remains beholden to Mr Justice (Rtd.) Kuldip Singh, Supreme Court of India, and Mr. H.L.Sarin whose unremitting guidance helped him, a first-generation lawyer, to rise to the zenith of judicial hierarchy. He further averred that without the help of these two gentlemen and scholars he may not have been as successful as he was.

Dr. Tejinder Kaur, the Principal of the Army Law School, and Dr. Bajirao Rajwade, lent help and support in making fool-proof arrangement for conducting this Moot Court. The following five teams were selected for the finals:

1. National Law School of India University, Bangalore.
2. NALSAR, Hyderabad.
3. Dr. Ram Manohar Lohia National Law University, Lucknow.
5. Hidayatullah National Law University, Raipur

One of the participants in the Moot Court expressed her thanks vide the following email:-

“Sir, I was a participant from Team -6 in the 5th Leiden-Sarin International Air-Law Moot Court Competition. For the first time I realized that my team was judged on merit in a fair and impartial manner. The judges were able to discover the caliber inherent in our research and, of course, they tried to discover the clarity of our understanding of the concept, which was the best part, and also Sir, the accommodation facilities that were provided were good beyond our expectations. Thanks a lot for providing us such an excellent opportunity to us for proving our professional skills.”

All the participants were hosted at the Judicial Academy in Chandigarh.
THE FINALS IN BUCHAREST, ROMANIA

Eighteen teams from eleven countries participated in the finals for winning the coveted trophy, and they were:

1. Canada 2. China (4 teams) 3. Ethiopia
4. Indonesia 5. Nepal 6. The Netherlands
10. Sri Lanka 11. India (5 teams)

42 experts in aviation law from all over the world helped in judging the Moot Court that was held at Nicolae Titulescu University, Bucharest. The judges for the finals were:

1. Judge Gilbert Guillaume
2. Judge Catalin Radu, and
3. Judge Paul Csiszar

The coveted trophy was won by the Leiden University and the Runners-up team was The China University of Political Science & Law, Beijing, China. Ms. Medhavi Singh of the National Law University, Delhi, was declared the best Oralist.

Ms. Sorana Pop made most diligent efforts for the smooth conduct of these finals matching with the imposing building of National Military Circle.

The next Moot Court Competition is scheduled to be held in Beijing, China, in 2015.
Dear All,

It is with great pleasure that I accept the invitation from my friends of the Leiden-Sarin International Air Law Moot Court Competition to give a brief presentation on the success of the Moot Court and its relevant contribution to the international air law community.

Since its establishment in 2010 the Leiden-Sarin International Air Law Moot Court Competition has been an academically enriching opportunity for air law students from all over the world. It has encouraged the development of the international air law culture in order to reach the highest academic level of preparation thanks to the many highly esteemed professors, lawyers and jurists who have enthusiastically agreed to be part of the Moot Court team.

From my personal experience, the International Air Moot Court has always been a unique opportunity for participants’ professional growth, especially in the light of the many interactions reached and established between students coming from very different academic background and studies.

The goal of the International Air Law Moot Court is to foster the study of international air law in the resolution of international disputes by through its application to a concrete problem of a client, and to train the law leaders of tomorrow in methods of dispute resolution.

In these five years, I have seen the International Air Law Moot Court grow and reach great success thanks to the many useful tools it gives to its students to deal with cases presented, and thanks to the effective organizational means at their disposal. I am particularly pleased to see that it has become a valid forum for exchanging ideas and commenting on the many sources of international air law which are at the centre of today’s academic and political debate.

I am confident that the Leiden-Sarin International Air Law Moot Court Competition will continue to keep pace with the high academic and professional standards already set in order to forge future active members in the international air law community of tomorrow.

Yours Sincerely,
Professor Anna Masutti
SUBJECT: Experiences with the Leiden-Sarin International Air Law Moot Court

What a privilege to have been participating judge already during the first Moot in New Delhi, where I had the honor to even sit as judge in the finals.

Whenever possible, I have attended every Leiden-Sarin International Air Law Moot Court since over the years and where I could not, was due to very urgent matters.

These Moot Courts are always a highlight in my yearly agenda. I am honored to have witnessed how an extremely attractive concept has been very well put into practice and become more and more successful and prominent.

For me, one of the secrets of this success is the excellent mix of generations within the Moot, which is very inspiring and fruitful to all participants.

The relationship within the judges has, even in the short time of cooperation, always been very friendly and many have become true friends, for which I am very thankful. And how nice it is to see any judges or students of earlier Moot-teams again! This is the best sign that the ship of the Leiden Sarin Moot is sailing in a bright future.

These different aspects - as well as the spotless organization that has to be mentioned - make this event very unique and outstanding.

I am already looking forward to serving as a judge in the Leiden-Sarin International Air Law Moot Court again, hopefully for a long time in the future!

Professor Dr. Alexander von Ziegler
COMMEMORATING 5 YEARS OF HIGH FLYING MOOTING  
Fredrik Kämpfe

Sometimes it feels so good to be wrong; let me tell you why. 26 November 2009 introduced something new to me; that was the day that Ms Axelle Cartier, then working in the IIASL office, sent me the official invitation to participate as a judge to the semi-finals of an International Air Law Moot Court to be held in Delhi, India from 3-6 March 2010. Having participated in legal moot courts as participant, coach, panel member for memorials, panel member for best oralist, and eventually as judge, I consider myself a bit of a moot-court veteran and had started to feel a bit complacent about moot-courts. So my first thought after Axelle’s kind invitation was “Just another moot court”. Fortunately I soon came to understand how wrong I was. And the reason I was wrong was not because of the content air law - which although fascinating and ‘sexy’, is only law - but because of the people involved in the process. You see, that invitation was the result of the great efforts of Mr. Nitin Sarin and Professor Mendes de Leon to start a process of knowledge building and sharing across continents, borders and generations in the area of international air law; a process which would bring together the highest level of air law professionals with the best legal students in the world under the umbrella of a moot court organisation, thereby furthering the interest and development of air law and policy, but more importantly, bringing people together.

The first competition was a total success and showed a very high quality of the participating teams. Our Indian hosts organised the event in an impeccable way which left nothing to coincidence or luck; a very high standard was set for the future. I remember discussing with co-judges at that time about the need for a competition of this kind and was happy to learn that we were all of the same opinion: this competition is needed and important to the future. I remember discussing with co-judges at that time about the need for a competition of this kind and was happy to learn that we were all of the same opinion: this competition is needed and important to the future. Istanbul hosted the competition in 2012 and we received a very warm welcome by the students and faculty of law. Placed in the historically important part of the historically important city, the faculty of law provided an excellent venue for the event. Taking place in the legendary crossroads between the East and the West, I believe the competition grew further in the hearts and minds of everyone involved and gained more recognition among professional aviation organisations. Needless to say, our Istanbul hosts showed us fantastic hospitality and great sense of organisation, paving the way for a very successful and appreciated moot court.

New friends were made in 2013 as we met in grand style at the top-class golf resort/hotel Westin Abu Dhabi Golf Resort. The framing of the competition was simply fantastic and I personally especially enjoyed the nomination by the students as “best judge” in the competition (although I’m still trying to figure out why I was nominated). The academic quality of the competition reached new levels this year as the case dealt with emissions trading and thus blended in international environmental legal (and policy) aspects with legal principles of air law. But the complexity didn’t scare the students from making excellent oral presentations and when I, just after the finals, tee’d off the first hole together with co-judges Ms. Wouters and Mr. Maysokolua, I realised I was part of something very great, important and affectionate: the Sarin family, under the warm and heartfelt governance of Mac, together with the fantastic Leiden management team, under the great inspirational leader Pablo, have been able to create something great for all of us, students and judges, something which adds great value to our lives, both professionally and personally, something which stands strong in legal academic science and education, but which at the same time provides a framework for life-long relations, friendship, laughter and smiles. In a world which not at all is only filled with good things and where it is all too easy to alienate instead of unite, the Leiden-Sarin competition provides that important glue between people, cultures and countries which shows that co-existence and mutual respect is not only possible but even comes naturally if only the right situation and atmosphere is created.

Istanbul hosted the competition in 2012 and we received a very warm welcome by the students and faculty of law. Placed in the historically important part of the historically important city, the faculty of law provided an excellent venue for the event. Taking place in the legendary crossroads between the East and the West, I believe the competition grew further in the hearts and minds of everyone involved and gained more recognition among professional aviation organisations. Needless to say, our Istanbul hosts showed us fantastic hospitality and great sense of organisation, paving the way for a very successful and appreciated moot court.

After Delhi, the competition went to Dubai in 2011 where all participants were treated as sheiks by the fantastic organisers. We all remember the interesting cultural show and dinner, the garden-dancing-party and the desert safari with dinner under the stars. The competition was again a success and we saw wider participation and greater interest from both judges and universities as a result. We also saw a strong quality growth from countries where mooting is not a common feature in legal education and from regions where English is not so widely spoken. This provided important stepping stones towards reaching out further and to receive teams from more countries making the competition truly “world-wide!”
Finally, and very recently, now that the moot court has successfully held its 5th anniversary in Bucharest under the wonderful, effective yet silk-smooth coordination by Ms Sorana Pop and Team Aviation Solution, I had again a chance to discuss the importance and future of the moot court with some co-judges (some new-entries, some old-timer’s). The response showed unanimous and strong support to continue the competition and to make sure that we will not only celebrate a 10th anniversary in 2019 but, looking even further, aim for a fantastic golden anniversary in 2059! At the 10th anniversary, if I can and have the organisers kind permission, I will make sure I will join the celebration and hope to greet those fantastic students and judges who have participated in the moot court competitions throughout the years. Together we have all achieved something great and we are all part of the Leiden-Sarin International Air Law Moot Court Competition Family! I wish the Sarin Legal Aid Foundation and the IIAASL success in their future cooperation with many high flying moot courts to come.

Fredrik Kämpfe
Köln, May 2014

Year after year, German universities - and other universities around the globe - churn out too many lawyers. This makes it very difficult for young graduates to find attractive job opportunities. Competition is stiff, and the nod goes to those who stand out, who have something special to offer. Even though a lawyer’s strongest weapon besides his or her brain is the capability to think on one’s feet and convincingly argue or rebut an opinion in the courtroom, most universities put surprisingly little emphasis on training that capability. The Sarin Memorial Legal Aid Foundation and the Institute of Air & Space Law at Leiden University are therefore to be lauded for deciding more than five years ago to offer students an opportunity to hone these crucial skills.

And an increasing number of students have seized this opportunity and excelled! As a judge at four of the five Aviation Moot Court competitions to date, I have had the privilege and joy of observing (and judging) teams of highly motivated law students from around the world and have marveled at how diligently they have prepared their cases and how impressively they have been able to argue and defend their positions. And when interrupted in their train of thought they have even managed to find answers to the not always easily comprehensible questions posed by the judges!

Students and judges alike thus have every reason to thank the founders of the Aviation Moot Court for their foresight, great enthusiasm and unflagging commitment to making such a special opportunity possible. It should not be forgotten, however, that a smooth background organization on two continents is instrumental for such success: A case must be put together, one that is not too easy but also not too demanding (in the interests of both the students and the judges), keeping in mind the different levels of legal training and experience of the participating students; hosts must be solicited and venues prepared; judges must be recruited and allocated – and new ones found when the originally designated judges cancel at the very last minute. But all these efforts pay off in the end, culminating in an event that is an unforgettable experience not only for the students competing but also for the judges evaluating and admiring them.

After a mere five years, the Aviation Moot Court has already become a tradition, one I hope will be carried on for years to come for the benefit of students, judges and the field of aviation law. As a judge, I certainly feel very privileged and grateful to be part of this annual event.
Dear Sirs,

Leiden University and the Sarin Memorial Legal Aid Foundation should be considered unique institutions in promoting the study and advancement in international air law for the organisation they started with the first international air law moot court in Delhi some 5 years ago. With their aim and implementation of these air law moot courts they are the only institutions in the world that have granted young students the possibility of researching such interesting area of the law.

Although moot courts are common in certain countries the idea of a specific international air law moot court have provided students of all over the world, the possibility to participate in a specific area that requires a great deal of research and excellence to be able to participate.

The following international air law moot courts organised by Leiden University and the Sarin Memorial Aid Foundation following the one in New Delhi in Istanbul, Dubai, Abu Dabi and Bucharest, showed that the idea matured and that the competitor teams have increased the level of research and study.

Furthermore, it was noticeable the increasing level in the knowledge of the English language on the part of the groups that participated from countries where English is not their mother language. The students from those countries improved enormously the possibility of expressing in English which of course required to them a more exhausting need to learn.

The cases under discussion were always very well chosen and they provided to the students the need to deserve a deep investigation and research. Nevertheless the topics elected for each of the occasions were not easy to resolve nor to prepare. The members of the teams had to work very hard to prepare as plaintiffs and defendants in each of the cases.

No doubt that a good number of participants were after being a member of a team obtained scholarships or work in the best institutions in the world dedicated to air law.

One of the matters that we - the judges - enjoyed more is to learn from the competitors the views the teams have of the cases because it is easy to see the role that their cultures play in their view of the cases. Although most of the participants come from countries where common law is the root of their judicial system some others may come from countries where their law is based in Roman, French and German roots.

It is an honor for me to participate as a judge in these courts.

But it is important to highlight the role that Leiden University and the Sarin Memorial Legal Aid Foundation are playing in the advancement of air law and the possibility they are providing to students all over the world, to improve their careers and then helping their home countries with their knowledge of air law and air policy obtained in the preparation to participate in these moot courts. The actions of these institutions have to be applauded and praised.

Elizabeth Mireya Freidenburg
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Buenos Aires, June 27, 2014

Judge Ms. Elizabeth Freidenberg announcing the finalists
IMPRESSION AND EXPERIENCES ON MOOTING

Prof. Ranbir Singh*

Institutions have gained an impressive reputation through the commendable participation of its students in international and national moot court competitions, research and advocacy programs, debates, seminars and conferences etc. Among these activities, mooting plays a pivotal role in offering students the chance to develop their understanding of unsettled areas of law and hone their skills of research, advocacy and persuasion. Participation in moot court competitions also equips students with abilities which are indispensable for any lawyer, such as teamwork, preparedness and coherent style of presentation. Therefore, the experience of mooting can benefit students irrespective of the career paths they choose for themselves.

The moot court competition is unique in the sense that it offers students an opportunity to engage in cutting edge regulation research enabling them to understand policy debates in the context of the regulatory framework. We must always encourage our students to discuss contemporary issues in University.

Institutions like NLU, Delhi aims to impart legal education in a manner in which the students who graduate, do so with an ability to strengthen the rule of law and contribute positively to society.

Mooting is a very important part of learning the law and I have always believed that what you learn outside the classroom is as important as what you learn inside. Mooting allows students to test their understanding of the law requiring them to take two contradictory stances on the interpretation of the law. The spontaneity and involvement of students from other Universities makes for an exciting and competitive environment.

Few exercises can provide the practical experience and encourage a growth in the confidence of the law student in the way that participation in mooting can. In short, mooting goes far to bridge the gap in a system of legal education which, for the most part, places greater emphasis on the written argument.

Exercises gives practical experience leading to encouragement and portion of confidence amongst the students who are involved in mooting. It also grinds the students and minimizes the gaps between what is taught in a school and what is expected in practice as a lawyer.

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* Prof. Ranbir Singh, Vice-Chancellor, National Law University, Delhi & EXCO Member SAARCLAW

Mooting In the words of Glanville Williams:

“...much stress has been laid by educationalists on literacy and numeracy, but we hear little about the importance of being articulate. Footballers practice passing and shooting, singers and clowns practice assiduously. Why is it supposed that speaking comes naturally and needs no effort or concentration? Fluency and clear enunciation are particularly important for the lawyer, when our forensic practice is largely oral.”

Exposure to national and international moot court competitions around the world makes students understand the importance of extra-classroom activities in sharpening their legal acumen. One thing every Mooter must remember – beyond the sky there are no limits!

To each participant I would like to encourage by these great words “I’m not in competition with anybody but myself. My goal is to beat my last performance”. I am reminded of the quote from Muhammad Ali when he said ‘Champions aren’t made in the gyms. Champions are made from something they have deep inside them - a desire, a dream, a vision’. I congratulate Mr. M.L. Sarin, Secretary General, Sarin Memorial Legal Aid Foundation, who have been very successfully organizing this Moot for the last 5 years. Because of the quality of the Moot and organizational skills this Moot has acquired great reputation over the years.

I extend my best of wishes for further growth in the Moot and motivation under the able leadership of Mr. M.L. Sarin.

And I wish all of you ‘Best of Luck’

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I have been associated with the Sarin Memorial Legal Aid Foundation for over 12 years and the Sarin Leiden International Moot Court competition ever since its inception. I have seen the competition grow and gain global respect and popularity.

Moots are an indispensable part and an invaluable training aid in the academic career of anyone who aspires to be a litigator. Moot courts test law students on their ability to analyse complex issues; but more importantly their ability to think on their feet. I have been a judge in the international semi-final rounds of this moot court for many years now. Over the years, it has been most interesting to contrast the written submissions of some teams with their presentations. It was not unusual to find that a team which had an outstanding written memorial was unable to deal with questions asked by the judges.

For me the “moot experience” has not just been confined to the performance of the student advocates. I have found the performance of the other judges to be equally fascinating. As a litigator myself, I find the different judging style of judges from different jurisdictions and from different professions riveting. The moot has judges from the Civil as well as from Common Law backgrounds; judges who are career bureaucrats, distinguished judges and lawyers and even academicians. Student advocates rotate between rounds and appear before courts with varying composition and this makes for a rich experience.

In the last moot court competition, I had a most interesting experience. A young advocate for one of the parties made a submission which was premised on an incorrect understanding of a particular judicial precedent. I had to deduct points for the incorrect legal analysis of course; but I had no choice but to award very high marks for the manner in which the argument was presented. The advocate was eloquent, logical and extremely plausible. If the essence of advocacy is to be persuasive, she was clearly on the winning track. It is particularly heartening to see younger student advocates from smaller law schools – law schools which do not offer specialized training in international law or aviation law – make valiant efforts. At the end of each round of the competition, I have always come away with the distinct feeling that each and every student advocate, and every judge has been a winner. I look forward to each annual event eagerly – to meet old friends, to make new ones and to learn from the student advocates.

Harpreet Giani
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My association with the Leiden, Sarin Foundation and the Leiden Sarin International Air Law Moot Court Competition goes back to the year 2009, way before Leiden Sarin International Air Law Moot Court Competition first Leiden Sarin International Air Law Moot Court Competition. Having just returned from another reputed Moot Court Competition, I was a little apprehensive about taking part, fearing that I may not be able to do justice to the competition. However when I learnt that the problem was one based on International Air Law, I jumped at the opportunity. Having harboured dreams of piloting my own commercial jet across the world before taking the plunge into Law, I thought this was the closest I was ever going to come to working on Aviation and Law together.

The Leiden Sarin International Air Law Moot Court Competition turned out to be the most enriching and wonderful experience of my life in Law School. Apart from getting exposed to a new field of law, the experience was so much more about the culture, the country and the people I met. Leiden Sarin Air Law Moot Court Competition turned out to be a life changing experience for me and on a personal level defined the direction of my legal career. I can proudly say that the bond that I share with the Sarin Memorial Legal Aid Foundation and the Leiden Sarin International Air Law Moot Court Competition shall always remain extra special, as I was the first scholarship winner. The support that I received from the Sarin Memorial Legal Aid Foundation was amazing. Ever since, everyone at Sarin Memorial Foundation has been available whenever I have needed any help and most importantly Mr. Mac Sarin himself who has been a source of inspiration. Anything I say about the Moot Court Competition can never be complete without the mention of Mr. Nitin Sarin who has been a friend and a guide through this process and has always been available for any and all of my queries.

There are a lot of Moot Court Competitions organised across the world, but there are very few which can change and mould the direction of your careers and even fewer that make you part of a family that meets once a year to rejoice, celebrate and promote talent, relationships and law. It is heartening to know that the Leiden Sarin International Air Law Moot Court Competition has completed 5 successful years and is heading towards being one of the biggest competitions organised across the world. Here’s wishing everyone the best of luck. I am surely lucky to have been a small part of this venture.

Thanks,

Hardeep Singh

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As far as I can remember, during my years at law school, moot court competitions provided the much needed exhilaration in academics compared to the onslaught of droning lectures each day. Moots are not only avenues for creative learning but provide an excellent platform for interactions and networking. Having scrambled halfway through the fourth year of law school, the opportunity to participate in what I would later recall as the best mooting experience couldn’t have been better. The Leiden-Sarin Air Law Moot Court Competition was held at Dubai in the year 2011 and it was hard to believe that this was only its second year since inception.

To begin with, the problem grappled with complex issues of User Charges and Clean Air Taxes along with Cabotage rights, which gave the moot a unique dimension. Teams from all around the globe had mastered the law on aviation and Dubai proved to be the ideal ground for a heated contest. As days progressed, I realized that the high point of the moot was the opportunity to present arguments before Judge Gilbert Guillaume, in the final rounds. An extremely humbling experience as I reckon till date was the one hour of arguments, before the former President of the ICJ. Having hardly recovered from the jitters of the morning, the organizers had a little more than a treat lined up for all the participants. The participants were invited to meet the members of the royal family of UAE before being taken to a thrilling Desert Safari, which was later followed by a Bedouin experience complete with the bonfire and local delicacies.

The organizers left no stone unturned to make it the most enriching mooting experience for the participants. It was a delight to share similar experiences with teams from other parts of the world and add to that the event was attended by almost all luminaries in the field of aviation law. Two years later, when I attended law school for the second time at UC Berkeley for my masters, I was pleasantly surprised to find a former participant sit next to me in class. Interestingly, it was the moot experience that formed the basis of a staunch friendship. Leiden-Sarin definitely provided a holistic mooting experience, one that ensured serious competition with a dash of panache.

Regards,

Abhilaksh Grover

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It was in March 2011 that I set out to represent India at the World rounds of the 2nd Leiden Sarin International Air Law Moot Court Competition. The thought itself seemed very daunting even though my team had qualified for the World rounds with the first position at the Nationals Rounds of India. That was because even though we competed against teams comprising of students’ senior to us, at the Nationals, we would be competing against students who were studying law at the post graduate level. Even though my team didn’t make it to the finals, it was a proud moment to watch an Indian team giving a post graduate team tough competition at the last level of the Competition.

It was the same day that I was announced as the Best Mooter at the Competition, held in Dubai. I was stunned to say the least. Having been congratulated and most importantly applauded by a group of my peers, seniors and mentors gave me the unique sense of confidence mixed with humility, which to date is the corner stone of my personality. Moments like these really do shape a person.

Being the best mooter that year meant that I would also be awarded a scholarship to pursue an LLM. in Advanced Studies in Air and Space Law from the world renowned Leiden University, under the guidance of Prof. Dr. Pablo Mendes de Leon and Prof. Dr. Tanja Masson-Zwaan who are the leading authorities in the field of Air and Space Law, respectively. What was equally exciting was that there are very few faculties that teach both Air and Space Law as an integrated course in the world. Honestly, the whole journey has been very overwhelming for me, as a young law student from India, but rewarding nonetheless.

When I first visited Leiden, I was only 21 years old, the youngest in my class and still doing my bachelors (the Institute had made a provision to allow me to pursue my course credits and classes pre-enrollment). Ever since then, there has been no looking back. It’s a value added course because the course as its taught in Leiden embodies the most practical sense of learning and applying the law, be it, public law, litigation related or corporate law. For me, I just had to pick an area and I was given the best possible exposure both in civil law and common law jurisprudence. It’s literally like putting several comparative law courses in one bucket.

Back in 2011, I was only a first time mooter and a second year Bachelors in Law student with little exposure to the legal fraternity. Leiden Sarin has literally been my window to the sky. It has made me and continues to make me an enriched professional, who is aware of and is incentivized to cover the miles ahead. Leiden University and Sarin Memorial Legal Aid Foundation have chosen to pick brilliance and incentivize it in order to create new boundaries of and horizons for excellence. I am forever grateful and eager to be a part of this great endeavor.

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The national rounds were held in January 2012. We were a team of 3 friends of which 2 of us were mooting for the first time. The national rounds were predictably as difficult (if not more) than the international rounds as the Indian teams came with superlative research and preparation for the moot court. Hours spent in the University library at NALSAR and at the International Society of International Law, Delhi while our classmates had a relatively laid back final year paid off when we became one of the teams selected to represent India at the International rounds in Turkey.

The following days were spent preparing for Turkey. Our logistical concerns were laid to rest when we realized that Ms Freidenberg, one of our senior judges was thoroughly unimpressed by our oral rounds but as she was leaving after the awards ceremony, she said to me, “I must congratulate you, I told everyone-this is the young lady who must get it.” I don’t have words to fully express how the feedback from the judges inspired me to make the most of my scholarship.

I was completely floored by the experience. I left the following September to spend a whole year at the foremost University in the Netherlands and one of the most prestigious Air and Space Law courses in the world. My masters was defined by the truly international nature of our small batch and the sheer stature of our lecturers. From prominent members of International Organizations like the NATO, Eurocontrol and Permanent Court of Arbitration to senior executives from top international aircraft leasing and financing firms, we had the opportunity to benefit from the practical experiences of renowned industry veterans. The programme really does give a new meaning to the phrase “standing on the shoulders of giants”. Living in a town as idyllic as Leiden and being a part of a programme that offered such a unique blend of practical and academic instruction was an extraordinary experience. Our field trips to the Peace Palace, KLM Headquarters, European Space Agency facilities (amongst others) added unexpected dimensions to the course. Our class of

The moot court was held in the heart of the Old City and I was personally overwhelmed since this was my first international trip and a city like Istanbul can floor even the most seasoned traveller. I could wax eloquent about Istanbul and its cobbled streets and abundant heritage but at that point, we did not have time for that as all our energy was focussed on one thing, the moot court.

The dinner at the Dutch Consulate on our first evening was by far the most memorable non-competitive events in the moot court. We met for the first time our competitors, the organizers, judges and officials from various countries. Interacting with several learned members of the Indian and international legal fraternity was an unexpected bonus. We had the honour of meeting Chief Justice Sodhi, President of Sarin Memorial Legal Aid Foundation, whose anecdotes and guidance will stay with us as future lawyers. We also met several members of the extended Sarin family whose warmth, affection and encouragement made us feel at home in a foreign land.

The Moot Court itself was held at the Law Faculty of the University of Istanbul—a building that could hold its own with the monuments that surrounded it. We sat in awe and wonder in grand rooms that dripped with opulence and history as the Chancellor of the University invited us to take a journey on the Bosporus and become a part of the perennial exchange of ideas and cultures like millions who had visited this ancient city before us.

Our competitors were fierce and well prepared. The arguments that we had hoped would be original had been discovered and thrashed by other bright minds from across the world and we had to be convincing and original in our oral arguments if we wanted to bring back laurels to our country and our University.

Our judges were erudite and formidable inside the court room and equally amicable and accessible outside. Arguing in four rounds taught us more than the countless articles and books we read in our weeks of preparation. The distance between participants and judges that is characteristic of Indian moot courts was missing and we were humbled by how friendly and enthusiastic our judges were.

We spent the evening before the finals on the Bosporus—but the leisurely boat ride was not enough to put the participants’ fraught nerves at rest. The tension and anticipation evident on the dinner tables could have put a Hitchcock movie to shame. The appointed hour came and unfortunately, our team did not make it to the finals. It was nonetheless heartening to see an Indian team qualify and we had to be content with securing 4th position overall and we distracted ourselves with plans for our following days in Turkey.

The next morning held an amazing surprise for me. I was chosen as Best Mooter for the event and had won the coveted scholarship for an Advanced Masters in Air and Space Law at Leiden University. What made this achievement unique and humbling was the affection and pride I received from the judges. I had been convinced that Ms Freidenberg, one of our senior judges was thoroughly unimpressed by our oral rounds but as she was leaving after the awards ceremony, she said to me, “I must congratulate you, I told everyone-this is the young lady who must get it.” I don’t have words to fully express how the feedback from the judges inspired me to make the most of my scholarship.
I am Veena Kamath from 3rd year of B.A. LL.B. (Hons.) and my team-mate is Ishita Pant from 5th Year (studying at the Dr. Ram Manohar Lohia National Law University, Lucknow, India). We worked for three months for the national rounds of the 3rd Sarin-Leiden International Air Law Moot Competition held at Army Law Institute, Mohali, on 28th January 2012. We came second at the national rounds and qualified to represent our University and Country at the International rounds, at Istanbul from March 16-18, 2012.

This was the first time I was representing my University at the international level and competing with teams from different countries. We started our preparation for our next rounds with zest and zeal, keeping in mind all the guidelines that the judges of our national rounds had given us. We didn't have any coach from our college, but my dad, a practicing attorney in Bangalore, was there as our coach throughout our competition from Mohali to Istanbul.

Throughout the one and a half month that we got for preparing for the International rounds, we read more on our issues/arguments and tried to make them as refined as possible and had mock trials. The mock trials helped us a lot, not only bettering our speaking skills but also our court manners.

After rehearsing and practicing enough, we finally started our journey to Istanbul! On the first day of our competition on 15th March 2012, we had a dinner at the Embassy of Netherlands where we met all the participating teams from India and other countries. All the teams were well prepared and extremely kind towards the others, without treating anyone as competitors! After the dinner we headed back to our rooms, to get a good night's sleep and do the last minute preparation.

On 16th March, we faced two teams from China, comprising of three members and a coach. They had good legal acumen and were well prepared. It was a good competition and we had to fight out our case. We fared well in both the rounds and matched our own expectations. On 17th March, in our first round we faced Leiden! They were a three member team along with a well-read coach. The sight of their team along with their coach and the piles of books on their table, gave us shivers! We just wanted to give our best shot against Leiden, as beating the World’s best team was next to impossible! The round went very well and our opponents and the judges were impressed with our performance, and thus we got what we aimed for! Our last round was against a team from Cyprus. This team too was a three member team along with a coach. This round too, like the other, went very well.

On 17th evening, all the teams along with the organizers and the judges went on the Bosphorous Cruise, followed by dinner. While we were sitting with the other teams, sharing our experience of our rounds, the results were announced. To our surprise, we stood 2nd on Applicant side, 1st on the Respondent Side and 1st Best Team.
overall! We couldn’t believe when we were told that we made it to the finals, against Leiden. All the twelve judges, who judged us, were extremely happy for us and all of them who were present for the dinner gathered around us, congratulated and wished us good luck for the rounds the next morning. After the dinner, we headed back to our room. Neither could we study nor could we sleep! We were just amazed at us getting into the finals! When there were five hours for our rounds to begin, we started rehearsing our arguments. We were quite nervous as we were to be judged by the former President of the International Court of Justice and two others highly proficient in International Air Law.

When we reached the Court hall at 10:00 AM on 18th morning, our jitteriness and nervousness disappeared and a sense of patriotism developed! Chief Justice S.S. Sodhi, the organizers and other Indians who were present there, came to us and wished us the best of luck and encouraged us to get the trophy back to India. After all the encouragement and best wishes that we received, the shivers never came back to us, when we saw our opponents with their coach and their pile of books! Our rounds went extremely well, we diligently answered all the questions asked by the learned judges. Twice our opponents asked for extension of time, but we finished our arguments well within the allotted time! Once we were done with our arguments and we went back to our seat, a sense of satisfaction and joy ran through our minds! We were extremely happy that our rounds went well and didn’t expect any result in our favor. The judges went to the deliberation room to decide the winner. In the meantime, all those who were there for the finals, came to us and personally congratulated us for doing well and they were sure that we would win! Soon thereafter, the judges returned with the result.

The judges said “We have unanimously decided in favour of the Respondents which is Team Code 8!” which was our team! This time, again the feeling of patriotism ran through us, on having made our Country and our University proud! Our joy knew no bounds, when we got a standing ovation from the audience for more than 20 seconds! We were given the beautiful trophy by the Ex-President of the ICJ and we held it high for our University and our Country, India! At the national rounds, we were told by Mr. Mac Sarin of Sarin Foundation, that we should bring the trophy back to India, and we just did that!

The Moot has been a truly worth-treasuring experience, right from Mohali to Istanbul!

We will always cherish this experience!

Veena Kamath.

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It was the moot case in the Leiden Sarin International Air Law Moot Competition that attracted me to participate in the competition. The forth competition problem was based on European Emission Trading System (ETS), under which airlines arrive at or depart from the EU must purchase carbon permits if their emission cap is exceeded. However, According to the International Air Transport Association many countries, including the US, Russia and China, had voiced strong opposition. Resentment over ETS may even lead to trade retaliation from major countries, so I decided to seek international law rules to solve the difficult problem.

I began my research with An Introduction to Air Law and also consulted old editions to understand some points at issue in a historical context. I found the footnotes are especially pertinent to seek the particular principles or points of law which are the grounds of submissions. So I first put down against each issue the name of each statute, article, judicial decision and book to which I was being referred and then continue researching all the authorities that I had found. Inevitably, there are gaps in the research, rules as the area on which the moot problem is based are uncertain. Controversial as rules are, they are the very captivation, otherwise we would not be mooting it. Perhaps what we can do is to support what we should claim the law to be and apply it to the facts in favor of our clients.

For example, when it comes to the “non-discrimination” principle enshrined in Article 11 of Chicago Convention, we need to elaborate the basic requirement of non-discrimination, which is to treat similar situations similarly and different ones differently. But when people discussed the criterion of “similarity”, answers vary from case to case. To support my arguments, I referred to WTO disputes which have detailed discussion on “likeness” and picked up those factors in favor of my client. As for me, the process of interdisciplinary research was of great interest and very challenging.

I need to thank Wang Xiao, my Chinese alumna from 2012 Leiden Air & Space Law Adv. LL.M Program. Xiao helped me to find the way to Kamerlingh Onnes Building, the godsend to a Mooter. I am also indebted to Free University, Amsterdam, where I studied as an exchange student and prepared for the moot court in 2012. By virtue of academic resources of VU library, Peace Palace library and Leiden Law library, I could find relevant references and share with my teammates in China.
From the competition, I gained valuable experience and training in written and oral advocacy as well as networking. It gave me confidence to speak in front of judges. The legal research, analysis, writing and oral skills during the competition made me more marketable to legal employers. After adding the experience into my resume, I got an internship offer from Clifford Chance LLP.

One year later, I was involved in the fifth Moot Court Competition again as an IBOR (International Board of Review) member. The scoring process reminded me of my preparation for the competition a year before. Knowing that participants had put in a great deal of energy and time on air law study, I read those two assigned memorials very carefully. Indeed, they benefited me a lot to know any new development of rules and doctrines from participants’ analysis. In retrospect, my two year involvement in the Moot Court Competition i.e. submission and scoring, are like two sides of a coin, bringing interesting analysis patterns to me from two perspectives.

After playing both roles of Mooter and scorer, legal research has become part of my life. My moot court experience motivated me to pursue advanced degree in Leiden University. Unlike their peers in the Netherlands, Chinese students do not have access to the most up-to-date academic resources. However, the Leiden Sarin Moot Court Competition provides students from China invaluable chances to know and understand International Air Law.

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In August of 2014 I came to Leiden University to study for a Master’s degree (LL.M) in Air and Space Law at the International Institute of Air and Space Law (IIASL). At that time the Leiden team members of a different moot court competition were deep in preparation for the final which was to be held in China. Luckily enough the team were still in Leiden and many of us had the chance to speak to them and find out more about mooting and what we were letting ourselves in for. The consensus, as I recall, was that a moot court was a lot of hard work but that ultimately it was well worth it and we were strongly encouraged to participate. After submitting a letter of motivation and attending an interview I was lucky enough to be selected to represent Leiden University.

Professor Vincent Correia of Université Paris-Sud was to be the coach of the team and gave generously of his time to travel from Paris, where he works and lives, to help us in our preparations. We did lose some time on finding our feet because we experimented with different working arrangements so come the Christmas break we were a bit behind schedule. Christmas itself seemed to pass me by in a flash, it was a grind of research and writing but I found it one of the most satisfying parts of the whole process. Back in Leiden after Christmas and along came the final couple of weeks before the deadline for submitting the memorials; these two weeks were hectic, stressful and yet surprisingly invigorating. Long days spent reading and rereading drafts were followed by long nights of editing and cutting down on the length of the documents by condensing arguments to meet the word limit. The deadline finally arrived and we felt a great sense of accomplishment in what we had achieved.

Preparing for the oral pleadings was without doubt easier and more fun than drafting the memorials. Having said that, cutting down the memorials even further so as to fit into the time allowed for pleadings was excruciating; it felt like we were jettisoning treasures we had spent so long collecting just for the sake of shaving a few seconds off our pleadings. Learning the memorials by heart was the easy bit, learning to deal with interruptions and questions was far more challenging but also far more engaging. We threw everything we could think of at each other, stupid questions, unfair questions, funny questions, and so on. What always helped me was to imagine what one of my professors might think or what questions he might ask; we used one professor in particular as an imaginary sounding board to bounce our ideas off and to measure our performance. In truth, without having ever participated in any of our preparations, this professor was a major
especially Mr Manmohan L. Sarin and Mr Nitin Sarin, as well as of course Prof. Dr Pablo Mende de Leon and Leiden University for giving me the opportunity to take part in this life-changing experience.

David Cluxton BCL LLM
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I was determined to participate in the Leiden-Sarin International Air Law Moot Court Competition even before I was accepted to Leiden University’s Air and Space Law Advanced LL.M. as part of the IIASL. I was aware of what was laying ahead of me, as I had previously participated in another international moot court competition. At that time, I was in my final year of study at the University of Bucharest, and what seemed a great effort then, was to be strongly challenged. The International Air Law Moot Court Competition has been raising the standards with each edition and it has not disappointed its participants in terms of the topicality and complexity of the compromis, nor in the expertise of its judges. For me, the experience of being part of this competition was enriching on many levels. It was not solely the academic issue that needed to be tackled that made my participation memorable, but mostly the fact that I had the chance to compete alongside and against intelligent and hard working people, that together with our dedicated coach, pushed me beyond my limits, so as to achieve our common goal.

If you have yet to decide whether to embark on this journey or not, here is some insight on what you will gain from taking up such a challenge. Taking part in such an activity will indeed prove to be demanding, but equally gratifying, as at the end of it all you will realize that you have either acquired or perfected a practical and essential set of skills. When participating in an international moot court competition, which involves a significant amount of effort and time dedicated to it, you will find yourself torn between your academic and personal plans. Therefore, one of the first things you learn is how to organize your time effectively so as to deliver the results you are aiming for. A second skill which you will greatly put into practice will be researching. This comes as no surprise as the information you will uncover from hard law and soft law sources will set the foundation of your future arguments. The next step would be to use this raw information and creatively transform it into what will become the main arguments of your memorials. It is noteworthy that the deeper you dig, the more you change your perspective on the issue. Every person has a different approach on how they tackle their argumentation for the parties involved; some have to wholeheartedly support one side, whereas others consider that keeping a balance between both the applicant and the respondent will help them produce better counterarguments. Yet, irrespective of your style, are you are planning to deliver your own ideas against another equally prepared team and in front of a panel of highly experienced judges that will be present to evaluate your arguments. The points for the pleadings weigh just as much. That is why your pleading should be equally clear and structured, and your delivery similarly persuasive. Some are naturally gifted in terms of public speaking, but it is not a sine qua non condition. It all comes down to proper guidance and practice. That is why you need to trust your coach and find a format that makes you feel comfortable in front of the judges. It might sound intimidating, but when you will be in charge of your speech, you will actually grow to enjoy the experience. Once you get into your role, the challenge of thinking on your feet and defending something you worked hard for will surely help you win the judges over. So do not forget to have fun doing it! You will also discover that no matter how much you try to anticipate the questions from the judges or your opponent’s counterarguments, there will always be something you have not thought of, and that is the fun and exciting side of the competition, and the best opportunity to prove to yourself that you can rise up to the challenge. Keep in mind that most of the time, the questions posed to you by the judges will not be aimed at confusing you, but at helping you continue your line of reasoning. In the end, regardless of the outcome, the fact that you managed to defend your own ideas against another equally prepared team and in front of a panel of highly experienced judges in the field of aviation law, will make all the effort worthwhile.

Last but not least, preparing for this competition implies team work. The few months dedicated to this moot court will be spent closely collaborating with your team members and coach, confronting ideas and putting arguments together. Although it is likely that each one of you will have a distinct way of working, you should embrace it, and see how your individual skills could complement each other. And, of course, have fun doing it! Yes, taking up this challenge will not be easy, but will definitely be rewarding! You will have the chance to travel, meet like-minded students from all around the world, connect with air law experts that could open doors to a future career and create long lasting bonds with your team members and coach. So if you are looking for an experience that will give you the chance to show off your passion and knowledge of aviation law in an international environment, participating in the Leiden Sarin International Air Law Moot should not be missed.

Diana Galeriu
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Although belonging to a renowned family of agriculturists, Mr. Sarin was not affiliated to anyone in the legal fraternity. So he faced roadblocks in getting briefs for pursuing his vocation. However, luck favoured selfless and inspirational people, and he had the good fortune of being associated with a learned barrister, Mr. Tek Chand, later Justice Tek Chand, who had returned to India a few years earlier after completing his legal studies in England. Mr. Sarin's sincerity and tenacity of purpose created instant congeniality between him and Justice Tek Chand. During the course of his spotless legal career he had the good fortune of getting Mr. Mohammed Monir's patronage. Mr. Monir, another eminent jurist who became a judge of the Lahore High Court and then the Chief Justice of Pakistan's Supreme Court, became Mr. Sarin's friend and mentor. Appreciating Mr. Sarin's legal acumen, Mr. Monir asked him to revise the commentary titled 'A Treatise on the Evidence Act.' Mr. Sarin did so with his earnest efforts, and the book became a favourite of every member of the legal fraternity throughout undivided India. The indispensability of this book resulted in the sale of the first two editions in two years. The second edition was sold almost instantaneously from the bookshelves themselves as lawyers had become aware of the usefulness and indispensability of this epical book even before the publication of the second edition.

Mr. Monir thought of bringing out the third edition for obvious reasons, and he asked Mr. Sarin to write the manuscript of it. Mr. Sarin dutifully embarked on the job of writing a more graphic manuscript for the third edition of their book, and he carefully revised one chapter after another. Unfortunately, the partition of India was proclaimed during this time, and communal violence engulfed Lahore and its surrounding districts. Man became a deadly and insatiable beast, and merciless killings and plundering were rampant. Death stared in the face of the residents. Fearing catastrophic conditions, Mr. Sarin abandoned all his possessions including his painstakingly and lovingly collected law books, an inseparable treasure of any lawyer, and got the first available truck with his family comprising his wife and his three children to an unknown and forlorn place called Dalhousie Indian Punjab. However, Mr. Sarin had the foresight to deposit his handwritten manuscript in a locker in Punjab National Bank, Lahore, before fleeing to India.

He with his entire family spent six months in Dalhousie sans his well-earned amenities, and privileges. With the passage of time the pace of violence abated. He and Justice Tek Chand decided to go to Lahore to retrieve the manuscript. By that time Justice Monir had become a formidable and renowned judge of Lahore High Court, admired for his uprightness and legal acumen, and had risen to the top echelon of juridical hierarchy of that High Court. He received both his friends very warmly and affectionately. He made maximum use of his good offices and enabled Mr. Sarin and Justice Tek Chand to operate the locker and retrieve the manuscript so dear to all of them. When they returned to Justice Monir's mansion with the manuscript, the news of Mahatma Gandhi's brutal assassination upset their short-lived reprieve, and the apprehension of a sudden spurt in the violence and mayhem loomed large. All this transpired on that fateful day - January 30, 1948.

What followed on that day remained one of the fondest memories of Mr. Sarin. Justice Monir, who had to proceed for inspection on the same day, lined up his entire team of numerous assistants, clerks, peons, guards, gardeners, etc. and expressed his unflawing and eternal affection for both of his friends in the following words, "Justice Tek Chand and Mr. H.L. Sarin are my Jigri Dost (most intimate and reliable friends). Their safe return to India is my life's goal. If at any discomfort, injury, or harm is caused to them, I shall never be able to atone for that, and will curse myself for my entire life. I am designating a team of escorts for their safe journey till Amritsar border. If anything untoward happens to them on account of anyone's negligence, dereliction, or indiscretion, I shall not hesitate even to shoot that person from a point-blank range."

Those people fully understood their esteemed benefactor's concern for the safety of Justice Tek Chand and Mr. H.L.Sarin. Every step of the journey was fraught with fear and danger, but the escort team remained on its toes till both of them reached Amritsar. This compassion of Justice Monir became etched in Mr. Sarin's memory. That was the last time Mr. Sarin saw Justice Monir who later rose to become Pakistan Supreme Court's Chief Justice and ultimately died in exile in London in the 1970's.

Mr. H.L. Sarin duly published the third edition of Monir's Law of Evidence from Allahabad, and many other editions of it followed. This book became a benchmark for 'the bench' and 'the bar.' Mr. Sarin would reminisce his last meeting with Justice Monir very fondly, and through it educate his children about the inherent goodness
of man. The tragedies resulted from the partition of our country were never blown out of proportion by him. He talked of them sedately and rarely. Hardly was there any bitterness about any religious group in his dialogue with others. Mr. H.L.Sarin propagated the universality of mankind and goodwill towards one and all irrespective to his/her religion or caste. This quality of his goodwill towards everyone was evident in his day to day life, and his devoted and pious wife and their five children (the youngest two were born in Independent India) imbibed this moral principle in their lives. Each one of them is a reflection of Mr. H.L.Sarin, and no one, not even a destitute person experiences disregard or lack of attention when he/she interacts with anyone from Mr. H.L.Sarin’s family. Religious leanings or beliefs of any individual did not matter in his life. What mattered was a person’s commitment to what he says or does.

Commentary on the Law of Evidence by Justice M. Monir with its numerous revised editions by Mr. H.L.Sarin is an epical book in the realm of the judicial system in India and Pakistan. It is a must in every lawyer’s and judge’s library. This book is one of the most valuable imprints of Mr. H.L.Sarin. Disastrous consequences of India’s partition deprived Mr. Sarin of his home, his library, and other material possessions needed for day to day existence. He took these tragic events in his stride and soon proved his mettle as a seasoned lawyer at the bar with his single-minded devotion without delving into those horrific and crippling events of the partition. His disposition to guide and help all and sundry at the bar and his magnanimity towards other lawyers resulted in his elevation and election as a Member of the Bar Council of Punjab High Court uninterruptedly from 1950 to 1975. He was elected the first Chairman of the Bar Council established under the Advocates' Act. He was among the first 35 members of the High Court Bar at Chandigarh, and represented it when our distinguished Prime Minister Pandit Jawahar Lal Nehru, came to inaugurate the Punjab High Court Building on March 19, 1955.

The members of the bar held him in very high esteem for his selfless approach to life. He showed it through his resolve to do justice to the trust reposed in him by the fact that he personally ensured the earliest possible issuance of licenses to new entrants to the bar so that they could start earning at the earliest. He was very frugal with the money of the council, and could account for every penny spent. That is the reason why advocates wished him continue forever.

However, in 1975 he wanted his son, Mr. M.L.Sarin to shoulder the responsibility of extending his family’s tradition of guiding and helping others, and asked him to contest the election to the Bar Council that he won comfortably, to the delight of everyone.

Mr. H.L.Sarin’s friends and subordinates formed life-long and loving associations with him owing to his commitment to his professional and social duties. Mr. K.L.Pandit, Advocate, his school-time friend (from Class VIII onwards) spent his life’s 53 years with Mr. H.L.Sarin till his demise in January, 1976. Mr. Sarin’s clerk (Munshi), Mr. H.K.Sharma, joined him in 1952, and even now continues to work with the Sarins as their trustworthy clerk (having already completed 62 years). Their domestic servants, Dulo Ram and Kishori Lal, who worked with the family from 1952 till their death is a testimony to Mr & Mrs. H.L.Sarin’s generosity.

Mr. Sarin led a very disciplined and focussed life. He was committed to his duties towards his clients, and did not need a computer to recollect the matters related to his work. He ensured quick intimation of the status of the case to his clients through letters. The lawyer at the lower court too was informed of it. Rarely did he retire to the bar room for chatting and relaxing. The bar room is widely used for leisurely tea breaks, gossiping, and relaxation by various lawyers. But Mr. Sarin rarely used it preferring instead to retire to some empty courtroom to revise his briefs or to complete the notes of his books.

Seeking unnecessary adjournments and causing inconvenience to the judges was Mr. H.L.Sarin’s aversion and he never stepped in a courtroom unprepared. His knowledge of law was exceptional, particularly in the field of Rent Laws. Despite his imposing legal stature and unfathomable knowledge his conduct towards his clients was of helpfulness and generosity irrespective of their status. Some of them, who knew that they could not pay his fee but came to him out of sheer compulsion, were not ignored or sidelined. They would receive absolutely the same treatment as any other client. Their cases would be contested free of cost by this lawyer of the highest stature. Many hapless, dazed, and financially struggling clients whose lives were changed for the better by his all pervasive knowledge and kindness reminisce his magnanimity even today. Advocates (and some judges) aware of Mr. Sarin’s helpful disposition would often make telephone calls enquiring about ‘authorities’ on a specific proposition of law, Rent Control laws in particular, and would get instantaneous help.

Mr. Sarin used his vast knowledge of ‘case law’ to the hilt. He did so since when a very peculiar situation arose. The cause-list showed that a number of his cases were listed on one day. He discovered that two of the hon’ble judges who had to hear his cases on that day were the members of a Full Bench, where the opposing counsel were Mr. S.M.Sikri, the then Advocate General, Punjab, and later the Chief Justice of India, and Mr. J.N.Kaushal, Sr. Advocate, and later the Union Law Minister. Mr Sarin learnt that their arguments would not last for more than one and a half hour. Mr.Sarin handed over a number of judgments relating to the case being argued to both the Counsel so that they could argue before the Full Bench for three days. In the meantime Mr. Sarin appeared before the remaining benches, and disposed of his other cases, and then he appeared before these very senior judges and argued his cases; all without seeking any adjournment.

Being aware of the fact that the fate of a client depended on his lawyer’s legal acumen and disposition, Mr. H.L.Sarin never indulged in maligning judges who perform time-bound and onerous duties. Neither did he tolerate disparaging remarks by any client/advocate against the judges. He was of a firm view that these judges,

Mr. H.L. Sarin was the first Chairman of the Bar Council of Punjab under the Advocates Act 1961.
He is the only one ever to issue a license to himself.
providing succor to hapless, defenseless, and poor litigants, were divinity incarnate performing divine functions on the earth. A few young lawyers who worked and trained under him noted these points carefully and made rapid strides in the profession. Many of them adorn the Bench with the same convictions as were passed on to them by Mr. Sarin.

Unfortunately, Mr. H.L. Sarin had to face some unexpected personal tragedies during the last phase of his life. He lost his wife, Mrs. Nirmal Sarin, his constant companion of almost fifty years in 1990 aged 65. Another tragedy struck him when his youngest son, Mr. Ranjit Lal Sarin, Advocate, breathed his last most unexpectedly, less than 3 months later, at the age of 37. Mr. Ranjit Lal Sarin collapsed in the precincts of the Supreme Court of India, New Delhi, and died. He was there to argue a case. A year later his grandson, Rahul Sarin, expired at a raw age of 15. He faced these losses with fortitude and composure. Even then he worked for 17/18 hours per day, seven days a week.

His commitment to provide justice to all was his life’s goal for which he worked form 4.30 A.M. to 11.00 P.M. and never turned anyone away and never diverted from his mission in life. His firm belief was that diversion from one’s mission in life leads to gossiping, and gossiping or listening to gossip leads to problems relating to mental and physical health. He was resolute about one more thing, i.e. the biggest satisfaction in human life comes from bringing cheerfulness in somebody’s life.

After his departure from this world, ‘The Sarin Memorial Legal Foundation’ was set up in 1995 as a tribute to him. This foundation, established in the memory of Mr. H.L. Sarin, and his versatile son, Mr. R.L. Sarin, has been set up to promote the principles for which Mr. H.L. Sarin struggled and worked tirelessly for more than six decades. The primary aims of the foundation are to extend sound legal aid to the needy and to prepare a platform for training lawyers into dutiful, truthful, hardworking, and dependable icons of our legal system just as Mr. Harbans Lal Sarin was.

On January 31, 1998, Mr. Justice Dr. A.S. Anand, Retired Chief Justice of India, delivered the first Sarin Memorial lecture on the topic “Legal Education in India : Past, Present, & Future”. His memorable opening words were:

“At the time when I joined the profession and started my practice at Chandigarh in what was then known as the Punjab High Court, more than three decades ago, Late Shri Harbans Lal Sarin was already at the zenith of his professional career. He was an outstanding lawyer with endearing qualities of head and heart. He possessed sound common-sense and was a remarkably fair advocate. He argued his cases fearlessly and forcefully, while maintaining complete detachment from his clients and with full consciousness of his duties towards the court to which he was always respectful. Shri Sarin was known to render help to deserving juniors at the Bar to train them for the future. He was a courteous gentleman and a most pleasing companion outside the court. As a lawyer, he was respected by litigants, brother lawyers and judges alike. He manifested a rapid and penetrating perception of legal problems which he tried to resolve not only from the light of the past but by expounding new doctrines consistent with the constitutional philosophy of equality and social justice. That is how he won the acclaim of all concerned. He had a passion for teaching law and was the editor of a number of legal journals besides being an author. I had the privilege of knowing him personally. As a young junior I had found him helpful whenever I approached him for advice or guidance. I have been the beneficiary of his affection and therefore, it is with all humility that I stand before you to dedicate this lecture to his memory.”
AIMS AND OBJECTIVES
OF THE
SARIN MEMORIAL LEGAL AID FOUNDATION

To spread legal literacy amongst the citizens of India, especially, weak, down-trodden and poor, irrespective of race, caste, sex, colour or creed;

To take up public causes in public interest and find remedies in accordance with law for the protection of the environment and to improve the surrounding living conditions of the citizens of India with greater stress on the economically weaker sections of the society, etc.

To raise issues of public interest in appropriate Courts of law. To protect the interest of the general public and to ensure the safe and proper use of sources of energy and at the same time, to promote the establishment of non-conventional and renewable sources of energy systems.

To arrange talks, lectures, speeches by eminent personalities in the field of law, public affairs, social services, etc.

To promote the afore-mentioned objectives;

To arrange legal aid camps to settle disputes amicably amongst the citizens of India and to set up alternative methods of redress of grievances, especially, by voluntary consent of the adversary parties;

To establish, run and promote centers for the training of young advocates with a view to inculcate the spirit of service to the society and with the objective of producing dedicated lawyers who in turn could serve the society professionally in the years to come;

To raise funds through voluntary means to further the objectives mentioned and for promoting social and economic welfare, especially of the weaker sections of the society; and

To take up and promote causes for the benefit of handicapped or slow children or persons.
H.L. SARIN - THE AUTHOR

Mr. H.L. Sarin, was the author or co-author of several popular law books, including:

1) Rent Restrictions in Punjab, Haryana, Himachal Pradesh and Chandigarh.
2) Indian Election Law by H.L. Sarin & K.L. Pandit.
3) Payment of Wages Act.
4) Northern India Canal & Drainage Act.
6) Law of Fraud, Benami Transaction & Fraudulent Transfers in India.

In 1939 he, jointly with Mr. K.L. Pandit, Advocate helped Mr. Tek Chand (who later became a Judge of the Punjab High Court) complete a commentary on the Punjab Acts in two volumes covering 2880 pages. He assisted Mr. Justice Monir (who retired as the Chief Justice of Pakistan Supreme Court) in writing a commentary on the Law of Evidence in 1940 and again in 1949. The same has attained the status of a classic and is quoted in every court in the country.

Mr. H.L. Sarin was also the editor and on the Editorial Board of a large number of Law Journals & periodicals many of which he had helped to establish. The most prominent among them are:

2) Revenue Law Reporter.
3) All India Rent Control Journal
4) Lahore Law Times.
5) Crimes.
6) Haryana Rent Reporter.
7) Accident & Compensation Cases.
8) Divorce & Matrimonial Cases.
10) All India Prevention of Food Adulteration Journal.
11) Current Civil Cases.
TWENTY YEARS OF THE SARIN MEMORIAL LEGAL-AID FOUNDATION

The inspiration for establishing this foundation stemmed from the life and times of Mr. Harbans Lal Sarin, Sr. Advocate, who was born on Feb. 1, 1910 and who acquired immense knowledge of law; Rent Control Laws in particular. He practiced law most earnestly, actively, and dedicatedly just as his countless clients expected from him, from 1932 till the last of his life, to wit February 10, 1993. He was a lawyer with exceptional in-depth knowledge of law and of ever-helpful disposition, and for him his clients’ welfare took precedence over everything else. It is also dedicated to his equally capable son, Mr. Ranjit Lal Sarin, Advocate, who during his rather short span as a member of the bar left an indelible imprint of his affability and legal acumen in the minds of his friends and acquaintances. To perpetuate their memory and to extend legal aid to the masses the Sarin Memorial Legal-Aid Foundation was founded in October, 1995; Mr. Mannmohan Lal Sarin, Sr. Advocate, was its founder trustee.

The Sarin Foundation was inaugurated by Mr. Justice (Rtd.) Kuldip Singh of the Supreme Court of India, better known as the Green Judge for his commitment for matters and cases relating to our environment. The then Governor of Punjab, Lt Gen. (Rtd.) B.K.N. Chibber, and the then Chief Minister of Punjab, Mr. Harcharan Singh Brar too graced this momentous occasion.

In consonance with the Foundation’s objectives, legal experts of the Foundation have been helping numerous needy litigants in their quest for relief and justice by becoming their amicus curiae. One such case relates to a Civil Writ Petition titled H.K. Puri versus The State of Haryana where our Foundation was an amicus curiae for the petitioner, Mr. H.K. Puri, who lost his 26 years old son in an unfortunate road accident. The Foundation filed a Writ Petition on his behalf for getting some relief to the unfortunate petitioner and to take measures to prevent such occurrences in the future. The writ petition is still pending in the High Court, but it has brought some vital changes in the process of accountability of proper construction and maintenance of highways and roads. The High Court has been monitoring the six-laning of this road, i.e. National Highway No.1. Taking note of this Foundation’s submission, the High Court has laid guidelines about the regulation of the traffic, about creating awareness of the rules of traffic, and about providing medical aid in case of any mishap. This case is a prominent example of the benefits of Public Interest Litigation to which this foundation is fully devoted.

The Sarin Foundation has held several Memorial Lectures and Seminars. The first Memorial Lecture on “Legal Education; Past – Present – Future” was delivered by Mr. Justice A.S. Anand, the former Chief Justice of India.

A seminar on “India & Alternative Dispute Resolution” was organized in association with Association International Des Avocats (AIJA) in the august presence of Mr. Justice B. N. Kirpal, former Chief Justice of India, Mr. Justice Sam Varriavi, a judge of the Supreme Court of India, Chief Justice A.B. Saharya of the Punjab & Haryana High Court, Chandigarh, and Mr. Justice S.S. Sodhi, the former Chief Justice of the Allahabad High Court. These Memorial Lectures and Seminars create awareness about people’s legal rights and duties so that justice prevails in our society.

The Foundation and its trustees are well aware about the importance of blood donation in modern day life and are deeply committed to the “Safe Blood Movement” in our country. The Foundation through its founding trustee, Mr. Mannmohan Lal Sarin, Sr. Advocate, helped a society, Common Cause to file a writ petition in the Hon’ble Supreme Court of India for imposing a ban on buying and selling of blood in India. The Hon’ble Supreme Court pronounced a judgment in the favour of the petitioner, and banned the buying and selling of blood. The Foundation brought about a booklet titled “Blood Transfusion Services in India” and distributed it free of cost throughout India.

In 2003 the Foundation published another comprehensive booklet titled “Blood Bankers’ Legal Handbook”. Mr. M.L. Sarin, Sr. Advocate, and Mr. Harpreet Singh Giani, Bar-at-Law, worked tirelessly and devoted their legal acumen and other resources for compiling this book so that the donor and the recipient could rest assured about the purity of blood and legality of processes followed by a Blood Bank. Mrs. Sushma Swaraj, the then Union Minister of Health & Family Welfare, Government of India, released this book. Once again the book was distributed free of cost in India and abroad for helping deserving and genuine people in setting up blood banks according to legal parameters and in promoting the cause of voluntary blood donation.

The Sarin Foundation has also sponsored a book called “The Doctrine of Sentence Structure” to educate students of law and young lawyers in drafting legal documents and pleadings which shall be of immense help to lawyers throughout the country. The text has been prepared by Mr. Indu Parkash.
The name of a Scheduled Caste student, Mr. Sahil Dhal, who was admitted to studying Computer Science Engineering was struck-off the rolls of the college due to non-payment of fee. He approached the High Court by way of a writ petition which was listed before the Bench presided over by then Acting Chief Justice of Punjab & Haryana High Court, Mr. Justice Ranjan Gogoi. When His Lordship discovered that young man was not in a position to pay the fee, he sent for Mr. M.L. Sarin and observed “we would like this young man to complete his studies. I am sure the Sarin Foundation can help”. The Sarin Foundation paid the remaining tuition fee of approximately Rs.2.5 lakhs and Sahil Dhal could complete his course in Computer Science Engineering.

The said fact was judicially noticed by another Bench consisting of Mr. Justice M.M. Kumar and Mr. Justice Alok Singh while passing the order on May 7, 2012 by observing:-

A benevolent solution was found by this Court to rescue the petitioner from financial predicament. Sarin Foundation came forward to bear the burden of fee in respect of Mr. Sahil Dhal, who was admitted in Computer Science Engineering Branch of Matu Ram Institute of Engineering and Management, Rohtak, in the year 2009. His name was struck off from the roll of the Institute on account of non-payment of fee as he had paid the fee for first semester only. On the willingness shown by the Sarin Foundation to give financial support to the petitioner, a schedule of payment by Matu Ram Institute of Engineering and Management, Rohtak, was handed over to Mr. M.L. Sarin, mark ‘A’. Already fee for 2nd, 3rd and 4th semester stands paid. A demand draft for a sum of Rs.33,000/- to pay the fee of Rs.32,716/- in respect of the 5th semester has been handed over to Mr. Anurag Goyal, learned counsel for the Matu Ram Institute; and Mr. Nitin Sarin, learned counsel representing the Sarin Foundation, has stated that rest of the three instalments shall also be paid as per the schedule. He has further stated that it would serve the object of the Foundation if the Matu Ram Institute may keep on sending the report in respect of Mr. Sahil Dhal that he has been attending the classes and has not abandoned the course in between.

An extraordinary solution to a common problem was adopted by the High Court. Sahil Dhal is a computer engineer today and teaching many others.

The Sarin Foundation sponsored a two day Conference organized by the Federation of Blood Donors Organization of India (FBDOI) held in Chandigarh on April 24 & 25, 2010. There was participation from experts and volunteers in the field of Voluntary Blood Donation from across the country. The Conference concluded by passing a resolution to ensure safe blood for everyone. The theme of the Conference was “Target 100% Voluntary Blood Donors”. After the Conference, the delegates went to the Sukhna Lake and walked with red-umbrellas to propagate the message of safe blood. A wonderful sight indeed.

In 2013, the Foundation was approached by the Blood Bank Society with a request to sponsor an All India meet to discuss the ways and means of eradicating thalassemia from our country. The Chief Guest was the Chief Election Commissioner of India, Dr. S.Y. Quraishi, while the same was inaugurated by the film personality and a great supporter of the Voluntary Blood Donation Movement, Mrs. Kirron Kher, who is now the elected Representative to Parliament of India from Chandigarh. The proposals made of testing young persons who could be carriers of thalassemia have been implemented in some parts of the country and slowly should cover the whole nation. It is only by carrying-out the blood tests that the birth of new thalasemic babies can be prevented. The Seminar was co-sponsored by Sarin Memorial Legal Aid Foundation.

The Foundation has also supported and sponsored a number of blood donation camps at the High Court.
An NRI, Dr. Mohinder Partap Sambhi, who was born in district Ludhiana and migrated to the United States in 1954-55, is a globally known expert in the field of hypertension. He expressed his desire to start an Endowed Chair-cum-Clinic in Dayanand Medical College, Ludhiana (DMC) which had been set-up in the 1930s with the help of his late father, Dr. Madho Ram Sambhi, and he was willing to contribute 1 million USD to support the same. To ensure the proper utilization of the endowment, a tripartite agreement was signed between DMC, Dr. Mohinder Partap Sambhi and the Sarin Foundation whereunder the sum of 1 million USD would come to the Sarin Foundation which in turn will forward the interest on the same every year to DMC for running the “Dr. Mohinder P. Sambhi – DMC&H Hypertension Chair-cum-Clinic” for hypertension. The inauguration of the Endowed Chair-cum-Clinic was done by Mr. Anupam Kher, a Trustee of the Sarin Foundation on April 4, 2014 in the presence of Mr. Sunil Munjal, an Industrialist belonging to the Hero Group and President of DMC and was very well attended by other dignatories. The event was very widely covered in the press and is a trendsetter in encouraging NRIs to donate money to Colleges, Universities and Hospitals in India to carry-out research.

moot courts

The Foundation holds Moot Courts on various topics of legal importance to encourage and train young lawyers. In 2004 the first All India Moot Court was held at the Army Institute of Law, Mohali, and it was inaugurated by Mr. Justice B.P. Singh of the Supreme Court of India and the valedictory address was given by Mr. Justice V.K. Gupta, the Chief Justice of the Himachal High Court, Shimla. Seven sitting judges of the Punjab & Haryana High Court officiated as judges in this Moot Court, and their lofty presence proved a source of encouragement to all the participants. Twenty teams from all over India participated in this Moot Court.

The Moot Court of 2007 was organized jointly with University Institute of Legal Studies (UILS), in which seventeen teams participated. The fervor and commitment of the participants showed that the legal profession has much to offer to them.

The Leiden Sarin First International Air Law Moot was held in Delhi in 2010, the Birth Centenary of Mr. H.L. Sarin. The 2011 edition was held in Dubai while the Third Competition was held in Istanbul, Turkey whereafter we returned to Abu Dhabi. The Fifth Air Law Moot Court was held, most successfully in Bucharest, Romania thanks to the tireless efforts of Ms. Surana Pop.

The Founding President of the Foundation, Chief Justice Mr. S.S. Sandhawalia relinquished charge as President on 8th of July, 2003 on account of infirmity. The Foundation expresses its gratitude to Chief Justice S. S. Sandhawalia for his able stewardship to the Foundation. The trustees requested another highly acclaimed and upright legal luminary, Chief Justice (Retd) S.S.Sodhi to extend his patronage, who is the current President.
Justice Nijjar opens moot court competition at law institute

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The wonderful family of Judges spread all over the Globe

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