



**NCIA 2018/19 MOOT COMPETITION
CONCEPT NOTE FOR SPONSORSHIP**

18TH OCTOBER, 2018

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ncia | Nairobi Centre
for International
Arbitration

1.0 Introduction

The Nairobi Centre for International Arbitration (NCIA) was established in 2013 by an Act of Parliament the Nairobi Centre for International Arbitration Act No. 26 of 2013 as a Centre for promotion of international and domestic commercial arbitration and other forms of dispute resolution mechanism.

The NCIA offers a neutral venue for the conduct of international arbitration with commitment to providing institutional support to the arbitral process. In addition the NCIA caters for domestic arbitration and other forms of dispute resolution such as mediation.

1.1 Background

The core mandate of the Centre as outlined under section 5 of the NCIA Act 2013 is to promote the use of alternative forms of dispute resolution. The NCIA Moot Competition as an extracurricular activity allows students to take part in simulated arbitral proceedings.

Students participating in the NCIA Moot Competition are expected to draft memorials and participate in oral arguments, as if they were before an Arbitral Tribunal. The topics debated at our Moot competitions are current and broad-ranging. This year's Moot problem is based on investment and international trade law arbitration.

Participation in the Centre's moot competition has proven to be an exceptionally rewarding educational experience, which provides students with the opportunity to think critically about important issues and speak confidently in front of a panel of Arbitrators (judges).

The Moot competition provides an opportunity for both students and their respective coaches to understand complex international commercial disputes and expand their personal worldview, at the same time refining their research, writing, and oral advocacy skills.

2.0 Moot Competition for the Financial Year 2017/18

The Centre held a successful Moot competition in the last financial year. The preliminaries of the Moot were held on 30th May, 2018 at Kenyatta University School of Law, Parklands Campus.

The competition brought together nine universities namely; Moi University, Kenyatta University, Kabarak University, Egerton University, University of

Nairobi, Catholic University of Eastern Africa, Jomo Kenyatta University of Agriculture and Technology, African Nazarene University and Riara University.

The finalists were Kabarak University and the overall winner was Kenyatta University. The Arbitral Tribunal for the final comprised of Lady Justice Joyce Aluoch as the Chairperson, Dr. Eve Sinare and Mr. John Ohaga as members. The Moot competition was sponsored by the International Development Law Organization (IDLO).

3.0. The Context of the 2018/19 Investor –State Arbitration Moot Problem

The 2018/19 Moot problem is developed on the backdrop of an investor-state arbitration. While investor-state arbitration remains a relatively new area of international law, the number of cases commenced under international investment agreements (IIAs) has grown exponentially.

IIAs are treaties entered into by two (bilateral) or more (multilateral) countries that offer a foreign investor substantive protections that can be enforced directly against the host state before an international arbitral tribunal (as opposed to domestic courts) in the event of a breach.

Arbitration of investment disputes is provided for in multilateral investment treaties (MITs) such as the Energy Charter Treaty (ECT), and the North American Free Trade Agreement (NAFTA).

The aim of IIAs is to provide protections for foreign investment by nationals and companies of one state in the territory of another state, thereby creating a more predictable and possibly more favorable investment climate.

The unique feature of these treaties is that, although the treaty is concluded between states, it establishes the right for a national of one of the states (as opposed to the state itself) to bring proceedings against the other state.

4.0 Rationale for the 2018/19 NCIA Moot Competition

Arbitration Moots help in the overall development of an individual as a good and proficient ADR practitioner and participating in Arbitration Moot competitions regularly makes a student familiar with the proceedings that take place generally in Arbitral Tribunals. Thus, the rationale for the 2018/19 NCIA Moot competition are;

- i. To promote arbitration as a preferred dispute resolution process of choice
- ii. To build Capacity for the upcoming ADR practitioners

- iii. To enhance researching and writing skills
- iv. To build confidence in the students
- v. To give practical implication and knowledge to the students
- vi. To build the spirit of team work amongst the students
- vii. Internship positions in our leading partner firms and organizations
- viii. To provide a platform for networking for students from different places and Universities to get exposure to the outside world.

5.0 Proposed Moot Participants

The following identified top Universities from the East Africa region offering a course leading to the conferment of a degree in law are invited to participate. The competition is limited to one team per University comprising of 3 students and a coach and the competition shall run purely on merit.

There shall be three categories of the Competition:

- i. The Preliminary Category
- ii. The Semi Finals Category
- iii. The Finals Category

The competition is projected to have 96 participants from the following Universities;

Kenyan Universities

1. Nairobi University
2. Kenyatta University
3. Catholic University of Eastern Africa
4. Riara University
5. Africa Nazerene University
6. Moi University
7. Kabarak University
8. Egerton University
9. Jomo Kenyatta University of Agriculture & Technology

Ugandan Universities

1. Makerere University Kampala
2. Uganda Christian University – Mukono
3. Kampala International University – Kampala
4. St. Augustine International University –Kampala
5. Islamic University in Uganda
6. Nkumba University
7. Gulu University
8. Cavendish University

Tanzanian Universities

1. University of Dar es Salaam
2. Mzumbe University
3. Open University of Tanzania
4. St. Augustine University of Tanzania

Rwandan Universities

1. University of Rwanda
2. Kigali Independent University
3. Independent Institute of Lay Adventists of Kigali (INILAK)
4. INES-Ruhengeri Institute of Applied Sciences – Ruhengeri
5. University of Kigali

6.0 Date & Venue

The Moot is scheduled to be held in May, 2019 and the venue will be at a Kenyan university to be communicated at a later date.

7.0 Proposed Moot Judge

The Moot judges will be picked from renowned practitioners in Arbitration.

8.0 Tentative Budget Estimate

	ITEM	DESCRIPTION	COST
1.	Refreshments	Meals ;10:00 O'clock Tea and Lunch for 200 people @ 1,600 X 3 days	Kshs 960,000
2.	Prices for position 1,2,3	3 NCIA Branded Crystal Trophies	Kshs 60,000
		12 embossed medals for individual participants for winner, 1 st and 2 nd runners up	Kshs 12,000
		96 Participants' Certificates @ 1,000	Kshs 96,000
		Gift bags for the winner, 1 st and 2 nd runners up(@ 9 Participants) and the Moot Judges(@30 Judges)@ Kshs 2,000 X 39	Kshs 78,000
3.	Advertisement/Communication	Photography/Videography	Kshs 20,000
		Banners	Kshs 50,000
		Media Coverage	Kshs. 1,500,000

4.	Transport	Kenyan Universities; 4 Universities 4 participants each @3,000	Kshs 48,000
		East African Universities; 3 Universities 4 participants each @ 40,000/ (Return Air Ticket)	Kshs 1,920,000
5.	Accommodation	For 64 participants at the Kenya Institute of Curriculum Development (KICD) [Participants from the 4 Universities outside Nairobi + the 48 participants from the E. Africa Region] @ Kshs 6,000/ for 4 nights (26 th -29 th March, 2019)	Kshs 1,536,000
TOTAL			Kshs 6,280,000

9.0 Sponsorship Benefits

Platinum Sponsor	US \$ 10,000
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Sponsorship Benefits:

- Opportunity to provide two giveaway items to students at the Competition
- Ten (10) Complimentary registration to one of NCIA's 2018/19 Financial Year Conferences*
- Recognition in all NCIA Moot Competition Media exposure
- Recognition as NCIA Moot Competition Sponsor on the NCIA Website
- Recognition as NCIA Moot Competition Sponsor in NCIA informational/promotional videos (if applicable)
- Logo recognition on all NCIA Bulletin and NCIA Blog articles focusing on NCIA Moot Competition
- An opportunity for an interview to be published in the NCIA Bulletin
- Logo recognition on NCIA signage
- Platinum Sponsor ribbons for all attendees from Sponsor's organization
- Use of NCIA logo on Sponsor's website to promote Sponsor's involvement

Gold Sponsor	US \$ 5,000
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Sponsorship Benefits:

- Opportunity to provide one giveaway item to students at the competition
- Seven (7) complimentary registration to one of NCIA's 2018/19 conferences*
- Recognition in all NCIA Moot Competition Media exposure
- Recognition as NCIA Sponsor on the NCIA Website
- Recognition as NCIA Moot Competition Sponsor in NCIA informational/promotional videos (if applicable)
- Logo recognition on NCIA signage
- Gold Sponsor ribbons for all attendees from Sponsor's organization
- Use of NCIA's logo on Sponsor's website to promote Sponsor's involvement

Silver Sponsor	US \$ 3,000
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- Five (5) complimentary registration to one of NCIA's 2018/19 Conferences*
- Recognition in all NCIA Moot Competition media exposure
- Recognition as NCIA Sponsor on the NCIA website
- Logo recognition on NCIA signage
- Silver Sponsor ribbons for all attendees from Sponsor's organization
- Use of NCIA's logo on Sponsor's website to promote Sponsor's involvement

Other Sponsors

- Two (2) complimentary registration to one of NCIA's 2018/19 Conferences*
- Recognition as NCIA Sponsor on the NCIA website
- Logo recognition on NCIA signage
- Use of NCIA's logo on Sponsor's website to promote Sponsor's involvement

**Includes; Workshops, Seminars, County Forums, Stakeholder Forums, International/National Conferences and Symposiums*