

LAUNCH OF THE INAUGURAL NCIA ADR JOURNAL HELD VIRTUALLY ON 17TH MARCH 2022.

It is indeed with great pleasure that I welcome you to the Launch of NCIA's inaugural Journal, said Ms. Jacqueline Oyuyo Githinji, Chairperson of the Nairobi Centre for International Arbitration. This is a culmination of deliberate and painstaking effort driven by our Editorial Board and enabled by our Contributing Authors, Reviewers, Scholars, and the Centre, she added.



The Chair of the Journal Editorial Board Ms. Kananu Mutea(left) flanked by the Centre Registrar Mr. Lawrence Muiruri and the Board Chairperson Ms. Jacquie Oyuyo during the launch

The Chair continued on and acknowledged the contributing authors Alexandre de Gramont, Ben Sanderson and Alice Adu Gyamfi, Jacqueline Waihenya, Dr. Kariuki Muigua, Muiruri Wanyoike, Peter Mwangi Muriithi, Paul Ngotho and Tabitha Joy Raore.

Similarly acknowledged the Honorary Members of the Editorial Board for their selfless service including Hazron Maira, Eng. Fredrick Aluoch, Bryan Muindi and Aleem Visram.

The inaugural journal provides a platform for scholarly discourse on pertinent issues relating to the reform of the investor-state dispute settlement regime

(ISDS) which allows foreign investors to sue host states through investment arbitration.

The ISDS regime has been on the spotlight with commentators advocating for and against its legitimacy. Observers of the debate disagree on the value and fairness of the mechanism, with ISDS now a reform topic in both host states as well as capital-exporting states. It is our hope, therefore, that the journal provides a forum to interrogate and contribute to that debate.



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Indeed, most new ISDS cases derive from treaties signed at least 15 to 20 years ago, rather than those ratified in recent years. The most important reform effort lies not with future treaties but with existing treaties. Even if all newly negotiated investment treaties were improved, or governments refrain from negotiating ISDS provisions altogether, the existing stock of over 3,000 investment treaties continues to provide access to ISDS on the same terms as before.

This journal offers insights and perspectives into the debate surrounding the reform of the ISDS regime, concerns, challenges, and opportunities. The

journal is peer-reviewed and adheres to the highest quality of scholarly standards and credibility of information.

The Chairperson concluded by applauding the Editorial Board and the Contributing Authors and took the opportunity to congratulate all who assisted in the publication of this journal and wished the Journal every success and growth as we look forward to subsequent Journal Series.

On behalf the NCIA Board of Directors, the Management and Staff, she thanked everyone who joined us during the Launch and invited stakeholders to engage with this current edition and to contribute to future series.