

TRAINING NOTICE



KENYA SCHOOL OF LAW

COURSE: INTERNATIONAL COMMERCIAL DISPUTE RESOLUTION

DATED: 15-16 October, 2020

VENUE: KENYA SCHOOL OF LAW, KAREN, NAIROBI

SAFETY AND HEALTH OF THE PARTICIPANTS

Cognizant of the risk posed by the Covid-19 pandemic, the School has taken all necessary measures to comply with the Government directives on the handling of the pandemic, including the requirement to keep social distance, wear masks, sanitize and wash hands, do temperature checks, amongst others. We assure our participants of their safety and health during the training.

INTENDED PARTICIPANTS

This course is recommended for beginners in International Trade and Investment Dispute Resolution. It targets Private Practitioners, In-House Legal Counsel (especially from Banks/Investment firms), Public Sector Officers involved in Trade and Investment Negotiations, State Counsels representing Governments in Investment and Commercial Disputes, Representatives of Producers and Manufacturers & their Associations, Representatives of Regional Institutions/Organisations working on Trade/Investment and Regional Integration, Representatives of Non-Profit Organisations and Intergovernmental Agencies working on Trade and Investment Capacity Building and Advocacy, and Researchers, amongst others.

COURSE BACKGROUND

In recent years, several governments and businesses in Africa have become inundated with legal suits before regional and international judicial institutions and tribunals. Most of these suits emanate from contractual obligations that governments and businesses traditionally enter into in their routine course of business, and that often have onerous commercial and financial commitments. In several instances, the legal suits have threatened governments' public policy and businesses' bottom-line. Data available suggests that this problem is compounded by African governments and businesses having to often rely on external counsel from outside Africa, who not only charge high fees, but also invest in little skills-transfer.

However, in this era of intensified global trade, investment and commercial engagement by Africa, both within the continent (for example, under AfCFTA and other regional agreements) and with external actors, it is predictable that such disputes are only going to increase over the coming decade. This trend puts African governments and businesses in a unique situation where local capacity building in negotiating, managing and resolving regional and international trade and investment disputes is

now a top priority. Already, for example, in Kenya's CORTEC MINING Case (*ICSID Case No. ARB/15/29*), there are indications that governments are beginning to recognise this option and tap into domestic/regional public and private sector legal capacity for representation in international dispute resolution.

FACULTY

The Kenya School of Law has assembled a team of seasoned practitioners and faculty to deliver this course.

THE GOAL OF TRAINING

Participants will acquire cutting-edge practical and theoretical skills in international dispute resolution, the dos and don'ts, and procedural trainings in case initiation and drafting, that will build their capacity to represent African governments/businesses and enhance informed advocacy and capacity building across various regional and international judicial institutions and tribunals. Participants will also be taken through a mapping out of various dispute settlement institutions and tribunals including regional mechanisms, ICSID, UNCITRAL mechanisms, WTO and AfCFTA framework amongst others to broaden their practical understanding and engagement with legal options available for governments and businesses in Kenya and Africa in international commercial and investment disputes.

COURSE OBJECTIVES

By the end of the course participants will be expected to:

1. **Acquire** in-depth practical knowledge of regional and international trade and investment dispute resolution mechanisms;
2. **Demonstrate** practical mastery of applicable rules of procedure in regional and international trade and investment dispute resolution;
3. **Demonstrate** a good grasp of the strategies (the dos and don'ts) in regional and international trade and investment dispute resolution;
4. **Identify** opportunities in, and deepen understanding of, regional and international trade and investment dispute resolution;
5. **Draft** proper pleadings in initiating, defending and litigation before regional and international trade and investment tribunals.

CERTIFICATION

Certificates of participation will be issued at the end of the training.

LSK CPD points: 2 CPD points will be awarded to participants who are members of the Law Society of Kenya, on payment of 1,000/= to the LSK.

YOUR INVESTMENT: The course is offered at **Kshs. 23,800.00** (includes tuition fees, taxes, registration fees, course materials, stationery, lunch and refreshments).

Accommodation at the School is available at separate cost.

Application Process: Application forms may be obtained from the CPD department at Gate A, Mutula Hall, Ground Floor the Kenya School of Law or downloaded from our website:

https://www.ksl.ac.ke/wp-content/uploads/2018/04/CPD_REGISTRATION_FORM_.pdf

The duly completed application form plus evidence of payment should be submitted **at least 3 days** before the training begins. Cash payments should be deposited in the **Kenya School of Law (Account No. 202 2029 110 Barclays Bank of Kenya, Barclays Plaza Branch, Nairobi, Kenya)** and banking slips presented to the Finance Office of the Kenya School of Law.

For further enquiries and information, contact Isaac, Erick, Christine Mwanza or Jacqueline on: Tel Wireless +254 (020) 2699581/6; Email: cpd@ksl.ac.ke, ikuloba@ksl.ac.ke, erick@ksl.ac.ke, cmwanza@ksl.ac.ke, jacqueline@ksl.ac.ke
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