

**REGIONAL CENTRE FOR INTERNATIONAL COMMERCIAL ARBITRATION-
LAGOS
ALTERNATIVE DISPUTE RESOLUTION**

MOOT COMPETITION

Introduction

The Regional Centre for International Commercial Arbitration-Lagos ("the Centre"), is a non profit, independent, international arbitral institution established in Lagos in March 1989, to provide among other things a neutral venue for the resolution of commercial disputes arising out of international trade including foreign investments carried on (but not restricted to) the sub-Saharan African region, as well as for the propagation of international commercial Arbitration in the sub-region.

The Centre was established under the integrated dispute resolution scheme of the Asian/African Legal Consultative Organization (AALCO)-an inter-governmental organization with membership of 48 Asian and African nations including Nigeria, Ghana, South Africa, Gambia, Japan, China, Egypt, Malaysia, Iran etc.

The Centre is one of four international arbitral institutions so far established under the auspices of the AALCO; the others being:

Centre	Host Country	Date Established
a. Regional Centre for Commercial Arbitration	Kuala-Lumpur - Malaysia	1978
b. Regional Centre for International Commercial Arbitration	Cairo-Egypt	1979
c. Regional Centre for International Commercial Arbitration	Tehran-Iran	1997

These Centres are established to cater for the Asia - pacific, North Africa and Middle-Eastern sub-regions respectively and function with

cooperation and assistance from each host government, where they are located in accordance with the terms contained in individual Headquarters' Agreement executed between each host and the AALCO.

Consequent upon execution of a Headquarter's Agreement in relation to the Lagos Centre, between the AALCO and the Federal Government of Nigeria (host of the Centre) on 26th April 1999 the-Regional Centre for International Commercial Arbitration Act No. 39 of 1999 – a municipal statute was enacted to domesticate the terms contained in the Headquarter's Agreement in accordance with international law.

Diplomatic Privileges and Immunities by virtue of the Diplomatic Immunities and Privileges-(Regional Centre for International Commercial Arbitration-Lagos) Order 2001, are also conferred on the Centre by its host for the unfettered conduct of its business.

Mission

The Centre is desirous of promoting the law and practice of various Alternative Dispute Resolution (ADR) mechanisms. As a means to achieving this, it has decided to sponsor and organise an ADR Moot among Nigerian universities in the first instance with a view to extending this exercise to other universities in the West African sub-region and eventually to universities within the African continent. This idea is primarily geared towards promoting the use of Mediation and Arbitration amongst many others in the resolution of domestic, regional and international commercial disputes.

The choice of a moot comprising of mediation and arbitration is in support of the ADR mechanisms prevalent in Nigeria and the continent. It is equally envisaged that the mooting opportunity will contribute to the learning and education of law students in substantive and procedural law and the acquisition of advocacy skills.

The Centre further hopes that the moot will enhance collegiality in the arbitration and alternative dispute resolution community of practitioners in Nigeria and the continent and create a social atmosphere for interaction, networking and contribution to the growth of the industry in Nigeria and the continent.

The Centre is at liberty to amend, change or alter these rules at any time in its sole discretion. All participants to the ***Regional Centre for International Commercial Arbitration-Lagos ADR Moot*** shall be bound by the version of this rules prevailing at the time of receipt of registration. All references to the 'moot' in these rules refer to the ***Regional Centre for International Commercial Arbitration-Lagos ADR Moot***.

1. Team

- a. Each university shall be represented by one team;
- b. The moot shall take place between two teams, the 'claimants' and the 'respondents';
- c. Each team shall be represented at each session by two advocates;
- d. Participating students must be registered in the represented university;
- e. Where a team member is a postgraduate student, then she or he must not have practiced law.

2. Role of participating university

- a. Each university must register one team with the Centre and pay the necessary registration fees to the Centre before the deadline;
- b. Each university must complete the registration form including a declaration that its team representatives are its registered students;
- c. Each university must also declare that a postgraduate member of its team has not engaged in the practice of law;
- d. Each university shall be solely responsible for the attendant costs of participation at the moot by its students.

3. Competition

- a. The moot is a friendly competition aimed at social interaction between the participants;
- b. The moot is also a competition of which winners in various categories shall be determined and so is a serious event;
- c. The competition shall be run on a knock-out basis as follows:
 - i. General rounds (pairings by the Centre);
 - ii. Quarter-finals between the highest scoring eight (8) teams;
 - iii. Semi-finals between the highest scoring four (4) teams;
 - iv. Finals between the highest scoring two (2) teams;
- d. In the general rounds, each team shall have the opportunity to argue the positions of both claimant and respondent.

- e. The general rounds shall commence with a very short mediation session with a mediator in which the dispute shall **not** be resolved.
- f. Oral hearings shall take place in Lagos
- g. The winning university shall be sponsored by the Centre to participate at the annual Willem C. Vis Arbitration Moot in Vienna.

4. Procedure

The procedure of the moot shall be governed by the arbitration rules of the Regional Centre for International Commercial Arbitration-Lagos and any other relevant rules or law.

5. Language

The language of the moot shall be English both for the written submissions and oral arguments.

6. Problem

- a. The problem for each moot shall vary with different substantive law subject and procedural problem;
- b. The problem shall be drafted by the Centre and made available on the website of the Centre.

7. Clarifications

- a. Each participating team may seek clarification of any ambiguities or omissions arising from the problem from the Centre, within 7 days of receipt of its registration by the Centre;
- b. The Centre shall collate all enquiries it receives for clarifications and post on its website a comprehensive response within 7 days of the deadline for registration for participating in the moot.

8. Written Submission

- a. The written submissions shall comprise solely of the
 - i. Claimant's Memorandum;
 - ii. Respondent's Memorandum;
- b. Each Memorandum shall include the following:
 - i. Title page of the name of the university and its team members indicating clearly which memorandum it is and which party is being represented;
 - ii. Table of Contents;
 - iii. List of authorities relied on in the submissions made in the memorandum;
 - iv. List of cases and awards relied on in the memorandum;

- v. List of abbreviations used in the memorandum;
- vi. Statement of the facts of the case;
- vii. Submissions;
- viii. Request or relief sought from the arbitral tribunal.

9. Assessment

- a. Each oralist shall be assessed and scored against the following guidelines:
 - i. Presentation of the case;
 - ii. Clear understanding of the facts of the case;
 - iii. Language skills;
 - iv. Advocacy skills;
 - v. Effectiveness and conviction of arguments
 - vi. Effective use of authorities.

10. Categories of Prizes

- a. Best team – winners of the moot. This shall be determined by the combined scores of the two oralists in the final round.
- b. Best individual oralist in the final round.

11. Sponsorship

The moot is sponsored by the Regional Centre for International Commercial Arbitration-Lagos and other partner organisations.

12. Registration

A registration form is hereby enclosed. You are required to fill and return it along with your registration fee of N5,000.00 (five thousand naira) only within four weeks of the receipt of these guidelines.

The Director and staff of the Regional Centre for International Commercial Arbitration, Lagos extend to you the assurances of their highest regards.

Yours sincerely

EUNICE R ODDIRI (MRS)

Director of Centre.