



Strathmore University

Strathmore Dispute Resolution Centre

**A PROPOSAL FOR THE ESTABLISHMENT OF THE 1ST ANNUAL STRATHMORE
DISPUTE RESOLUTION CENTRE RESEARCH COLLOQUIUM 2024**

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Abstract

This proposal outlines a comprehensive plan for establishing, managing, and running an Annual Research Colloquium on Alternative Dispute Resolution ("ADR") on the theme, "*Alternative Dispute Resolution and the Future*," by the Strathmore Dispute Resolution Centre ("SDRC" / "Centre"). This colloquium aims to bring together scholars, practitioners, and stakeholders in the field of dispute resolution to: explore emerging trends in ADR; identify the underlying challenges facing the ADR industry; and provide innovative solutions to address the said challenges in a bid to shape the future of ADR practice.

The colloquium has also been integrated with the 2nd edition of the Annual SDRC Mediation Moot Court Competition, which will attract student participation from Universities across Africa. The competition aims to address the significant inadequate awareness and understanding surrounding ADR, despite its proven efficiency, sustainability, and cost-effectiveness in dispute resolution. As such, the competition will seek to create awareness, encourage collaboration, promote fundamental ADR skills, and foster research and innovation among students.

In that regard, this proposal calls for collaboration with various stakeholders and partners, including industry experts, institutions of higher learning, government agencies, international organizations, professional bodies, students, and the ADR community at large.

Key words: ADR/ research/innovation/ collaboration

Introduction

The SDRC is an ADR Centre at the Strathmore Law School focused on facilitating and promoting Mediation and other forms of ADR as a form of settling disputes and conflicts between individuals, within groups and in organizations.

In that regard, the proposal for the establishment of the 1st Annual SDRC Research Colloquium as integrated with the 2nd edition of the Annual SDRC Mediation Moot Court Competition is in line with the Centre's belief that a high-quality dispute resolution system through ADR is integral to the realization of the aspirations of access to justice for all and the realization of the rule of law.

Justification for the Colloquium

Over the years, the landscape of dispute resolution has undergone significant transformations due to technological advancements, globalization, evolving societal needs and divergence in legal frameworks the world over. Whereas the different methods of ADR have gained a huge recognition due to their effectiveness in resolving disputes-aside and apart from the mainstream judicial framework- the future of ADR practice presents both opportunities and challenges that require careful examination and proactive responses.

One fundamental facet that has a huge impact on the practice of ADR is the rapid pace of technological innovations and advancements which is revolutionizing the way disputes are resolved. Aspects such as Online Dispute Resolution (ODR), Artificial Intelligence (AI), blockchain technologies, Environmental Social Governance (ESG), among others are slowly reshaping the ADR landscape, by offering new avenues and systems geared towards the efficient, accessible, affordable, and acceptable ways of resolving disputes.

Consequently, the future of ADR practice intersects with the broader societal and legal trends, including increasing demands for access to justice, growing awareness of systemic inequalities, and the need for sustainable dispute resolution mechanisms in the face of unforeseen crises, such as climate change, environmental issues, cybersecurity, globalization, just to mention but a few.

In view of the Centre, these complex issues require interdisciplinary collaboration, innovative approaches, and forward-thinking strategies to ensure that ADR continues to meet the evolving needs of individuals, businesses, institutions, and communities. As such, the colloquium, will proffer a forum for collaboration, networking, and knowledge exchange.

Objectives of the Research Colloquium

The 1st Annual Strathmore Dispute Resolution Centre ADR Research Colloquium 2024 aims to convene all relevant stakeholders in the ADR space to engage in a multidisciplinary dialogue and critical reflection on the following objectives, to:

- a. Provide a platform for interdisciplinary dialogue and collaboration among researchers, practitioners, and policymakers in the field of ADR;
- b. Explore innovative approaches that shape the future of ADR practice;

- c. Identify opportunities and challenges in adapting ADR to evolving societal, technological, and legal landscapes; and
- d. Facilitate knowledge exchange and dissemination of cutting-edge research and best practices in ADR.

Theme of the Colloquium

The theme of the research colloquium is “*Alternative Dispute Resolution and the Future.*”

The colloquium will feature paper presentations, plenary sessions, poster sessions, and networking opportunities to facilitate in-depth discussions and knowledge sharing on the following key themes (and more):

- a. Technological advancements and their impact on ADR processes (e.g., online dispute resolution, artificial intelligence etc);
- b. Future trends in ADR practices (e.g., hybrid dispute resolution models, cross-border ADR etc);
- c. Ethical considerations and professional standards in futuristic ADR scenarios;
- d. ADR in the context of emerging challenges such as climate change, cybersecurity, and globalization;
- e. The role of ADR in promoting access to justice and addressing systemic inequalities; and
- f. Education, training and mentorship for future ADR practitioners and professionals.

Structure and Format

The research colloquium will be structured around keynote addresses/presentations, panel discussions, workshops, moot court competition, public lectures, and networking sessions.

Target Audience

The colloquium welcomes participation from scholars, researchers across diverse professional backgrounds with interest in ADR, legal practitioners, judicial officers, mediators, arbitrators, professionals from the built industry, and other ADR professionals, government officials, policymakers, ADR institutions, representatives from international organizations, early-career/young professionals, students interested in ADR research and practice, and any other person interested in ADR.

Venue and Schedule

The venue of the research colloquium will be at Strathmore University Law School. The proposed dates for the colloquium are 29th and 30th August 2024.

A detailed schedule of the colloquium will be provided in due course.

Call for Papers

A call for papers will be issued inviting interested researchers, professionals and interested persons to submit colloquium papers for presentations related to the theme. Submissions will

undergo a peer-review process, and selected papers will be included in the colloquium program and published in the Strathmore Law Journal.

Budget and Funding

Funding for the colloquium will be sought through sponsorships, registration fees, and institutional support. A detailed budget is provided in Annexure 1, which has taken into account venue rental, meals & catering, speaker honoraria, moot awards, promotional materials, publication costs of select papers, and administrative expenses.

Marketing and Promotion

The colloquium will be promoted through various channels, including the SDRC website, social media platforms, academic networks, and professional associations. Partnerships with relevant organizations and media outlets will also be explored to maximize outreach and participation.

Annexures

Annexure 1: Proposed Budget

Description	Unit Cost	Unit Item	No. of Days	Total Cost (Ksh.)
Proposed Budget	8,000,000.00	1	1	8,000,000.00
			SUB TOTAL	8,000,000.00
Less: 16% VAT				-
Less: SU Service Charge (15%)	-	1	1	-
			NET INCOME	4,250,000.00
EXPENSES				
A) VENUE COSTS				
MOOT COMPETITION				
Venue: STMB, Microsoft Aud.	25,000.00	1	3	75,000.00
Venue: PIC	35,000.00	1	3	105,000.00
Venue: B04	15,000.00	1	3	45,000.00
Venue: Heritage Boardroom	-	1	2	-
Venue: Hekima Boardroom	-	1	1	-
Registration & Water Tables	-	3	1	-
Conference Water	70.00	300	3	63,000.00
Conference Sweets	300.00	4	3	3,600.00
Ushers	-	10	3	-
			SUB TOTAL	291,600.00
CONFERENCE & MOOT FINALS				
Venue: Main Auditorium	50,000.00	1	3	150,000.00
Reg., water & Prizes Tables	-	7	1	-

Conference Water	70.00	800	2	112,000.00
Conference Sweets	300.00	6	2	3,600.00
Swag Flower	10,000.00	1	1	10,000.00
			SUB TOTAL	275,600.00
<u>B) MOOT & CONFERENCE MATERIALS</u>				
Moot Programs (est. cost for an A4-8pgs programme)	-	150	1	-
Conference Programs (est. cost for an A4-8pgs programme)	450.00	200	1	90,000.00
Place Tags	100.00	150	1	15,000.00
Branded Name Tags & Lanyards	250.00	400	1	100,000.00
Branded Pens	150.00	400	1	60,000.00
Branded Notebooks (50 pages)	250.00	400	1	100,000.00
Branded Document Folders	300.00	400	1	120,000.00
Branded Conference Bag	250.00	400	1	100,000.00
Registration Forms	-	1	5	-
Participant Certificates	150.00	150	1	22,500.00
Certificate Envelopes & Strathmore Folders	150.00	150	1	22,500.00
Roll-up Banners	14,000.00	4	1	56,000.00
Backdrop Banner (225cm *300cm)	40,000.00	1	1	40,000.00
			SUB TOTAL	726,000.00
<u>C) MEALS</u>				
Welcome Drink (moot day 1)	450.00	150	1	67,000.00
2 teas and lunch (moot day 1)	2,150.00	150	1	322,500.00
Welcome Drink (Moot & Conference, Days 2 &3)	450.00	480	2	432,000.00
2 teas and lunch (moot & conference Days 2& 3)	2,150.00	480	2	2,064,000.00
Meal Venue - Tent Set-up (400 pax)	2,008, 200.00	1	1	2,008, 200.00
			SUB TOTAL	4,894,200.00
<u>D) IT SUPPORT</u>				
Hybrid Event - Zoom Set-up (conference)	150,000.00	1	2	300,000.00
Photography & Videography (SU Team)	150,000.00	1	1	150,000.00
Microphones (panel)	1,500.00	3	2	9,000.00
			SUB TOTAL	459,000.00

E) MOOT FACILITATORS: JUDGES				
Judges Tokens: Judges,	3,000.00	27	2	162,000.00
			SUB TOTAL	162,000.00
F) CONFERENCE VIPs				
Chief Guest	10,000.00	1	1	10,000.00
VIP Guests: Sponsors, Panelists	5,000.00	12	1	60,000.00
			SUB TOTAL	70,000.00
G) MOOT AWARDS				
Trophies	100,000.00	1	1	100,000.00
Certificates	150.00	150	1	22,500.00
Certificate Design	1,000.00	1	1	1,000.00
			SUB TOTAL	122,500.00
H) ABSTRACTS & PAPERS				
Publishing Fee	400,000.00	1	1	400,000.00
			SUB TOTAL	400,000.00
J) ADMINISTRATIVE TEAM				
SDRC Administration Fee	350,000.00	1	1	350,000.00
			SUB TOTAL	350,000.00
K) OTHER COSTS				
Contingency Fee	100,000.00	1	1	100,000.00
			SUB TOTAL	100,000.00
			GRAND TOTAL	7,851,900.00
			SURPLUS	148,100.00

Annexure 2: Proposed Work Plan & Implementation

No.	Activity	Expected Outcome	In charge	Timeline
1.	Establishment of a Planning & Implementation Committee (PIC)	Have in place a team responsible for planning, & implementation of the entire project.	Director SDRC	1 week
2.	Formulation of research topics	Come up with topics for discussion in line with colloquium theme	PIC	2 Weeks
3.	Call for Abstracts	Roll out calls for interested participants to submit abstracts for consideration in line with the theme, and the discussion topics.	PIC	3 Weeks
4.	Deadline for Submission of Abstracts	All the interested participants to submit their abstracts for evaluation within the given timeline	PIC	2 Months
5.	Evaluation of Abstracts	Upon submission of abstracts, the same will be evaluated, and graded, to determine	PIC	2 Weeks

		whether they qualify for presentation at the colloquium.		
6.	Notification to participants on outcome of Abstracts	The participants will be notified of the outcome of their abstracts, as to whether they have qualified for the main colloquium. Participants to be informed of the next steps as regards their research	PIC	1 Week
7.	Invitation letters for key-note addresses	Identify and send out invitation letters to key industry players/experts who will be the key-note speakers and moderators in the colloquium	PIC	1 ^{1/2} Months
8.	Identification of key partners for the colloquium	This will entail research to identify the key players in the industry who can partner with the Centre to actualize the colloquium	PIC	2 Weeks
9.	Invitation letters to the identified partners	Preparation of invitation letters and establishing contact with the identified partners and stakeholders	PIC	2 Weeks
10.	Follow ups & conversations on partnerships	This will entail pitching of the colloquium idea to the potential partners and stakeholders, and how they can come in as partners	PIC	4 Months
11.	Budget and Logistical Planning	This will entail coming up with a detailed logistical plan of all aspects pertaining to the operationalization of the colloquium	PIC	2 Months
12.	Fundraising	This will entail marketing and implementation of ways to source for funds to meet the projected budget	PIC	6 Months
13.	All aspects related to the Moot Court Competition	This will include: formulation of moot court rules; moot problem; registration of teams; registration of judges; marking of the memorials; administering the competition and all other aspects related to the success of the moot court competition	PIC	6 Months

Annexure 3: The Annual SDRC Mediation Moot Court Competition

As an institution playing a crucial role in promoting mediation and alternative dispute resolution (ADR) in Kenya and the wider East Africa region, SDRC is committed to developing and advancing the capacity for mediation and other forms of dispute resolution for individuals and organizations. To achieve the above objective, the Centre has established a comprehensive program to that effect. Among those programs (such as the research colloquium) is the establishment of an annual moot court competition on mediation. The proposed competition aims to raise awareness on the importance and potential of mediation as a form of access to justice for disputing parties, more so among the young professionals across various sectors, to encourage collaboration with different stakeholders.

Justification for the Moot Court Competition

Among the fundamental objectives of SDRC are the furtherance of research, transmission and preservation of knowledge, and the stimulation of the intellectual life of the society. In this regard, it is the contention of this proposal that integration of a moot court competition into the main research colloquium will expose the students/participation on the day-to-day intrigues of the ADR concerns, specifically mediation, policy, and legal framework. Further, it is an avenue for addressing the challenges that come with the practice of mediation as a form of access to justice in Kenya and at the international space.

Mooting in Kenya, and the East African region has majorly been based on Human Rights, Extractives, Criminal Law, and Tax issues. There has not been adequate focus on purely Alternative Dispute Resolution questions, specifically mediation. To this extent, it is imperative that due focus be placed on this area of law to ensure the primary concern is addressed.

Thirdly, the practice of mediation is an indispensable tenet of any responsive and well-intentioned legal regime, that is the Constitution 2010, particularly, Article 159. However, such endeavour not only calls for thorough and all-rounded intellectual consultations, but also requires inter-sectoral research and social discourse in the form of moot court competitions.

Fourthly, the mode of assessment in the Kenyan institutions of higher learning, has always been written examinations. This method is, however, to some extent ineffective, and does not focus on the all-roundedness of a student, especially because it focuses on theory. The proposed competition, being an annual SDRC event, will a) equip the students with the practicality of mediation as a profession; b) research capabilities in responding to problems in the profession, and c) it will also help them connect with the society/disputants at a more proactive and personal level.

It goes without saying that the place of ADR as a form of access to justice has been given more prominence within the Kenyan legal system, more than ever. This is because of the primacy and importance that comes with the practice. ADR, more so mediation, offers the disputing parties an opportunity to work through the disputed issues with the help of a neutral third party. It is generally faster and less expensive than going to court. When used appropriately, ADR can save a lot of time by allowing the resolution of the disputes, as compared to court, which takes longer.

With Kenya being a community of people who believe in unity and peaceful co-existence, the current adversarial dispute resolution framework raises critical points of concern, and hence ADR is key towards the preservation of this closely-knit ties. This is best achieved through empowering the young generation with the right tools for solving disputes in a way that preserves these relationships-ADR.

The objectives of the moot include: a forum for research and innovation among students; promotion of a robust legal practice among young professionals; transmission and preservation of knowledge; and training and mentorship of students.

The project will be undertaken as per the phases outlined under the figure below.

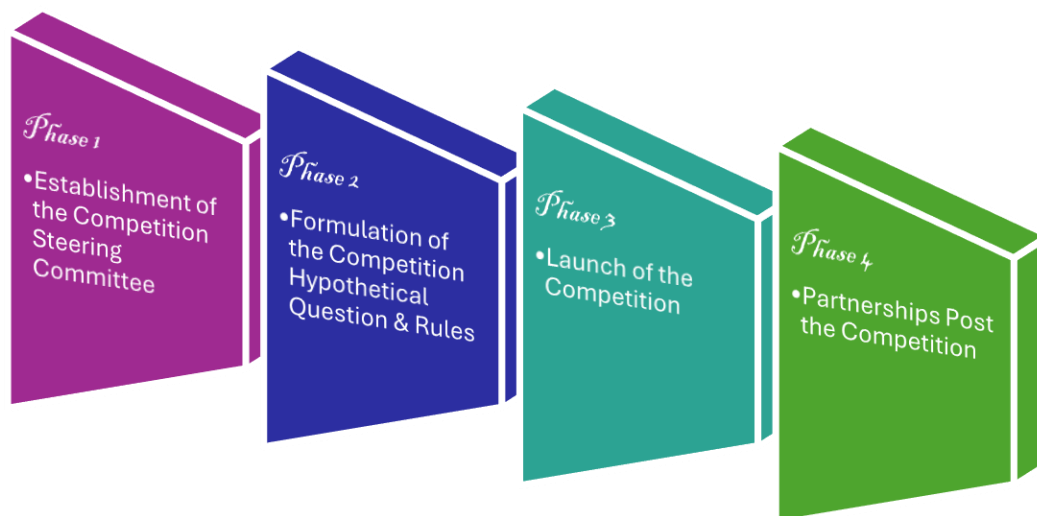


Fig. Project Phases

Role of the Partner Organizations/Stakeholders

For the partner organizations/stakeholders, the Centre gives a chance to invest in the younger generation. It enables the organization/stakeholder to display an investment in the future of Kenya's young professionals. After all, in developing the leadership qualities of the youth today, the organization/stakeholder invests in itself in that it is that same young individual who will lead the organization/stakeholder and contribute to its development tomorrow, as well contributing to the advancement and development of the mediation profession.

Role of the student(s)/Participant(s)

For the student(s)/participant(s), it gives a focal point for his/her studies. The participants will receive guidance on how to solve disputes and put theory to practice. Career opportunities as seasoned legal practitioners will affirm the view that learning is not just to pass exams, but rather, for personal development, career advancement, and contribution to the society. The participant will learn that research and advocacy skills shape the problem-solving techniques and build competent lawyers and advocates.

Mentorship Within the Centre

Mentorship is an invaluable aspect in imparting pertinent skills and values in the lives of young law students and mediators. The Centre, through the competition and subsequent activities aims at providing mentorship programs, where students have access to experts in mooting and advocacy skills. The stakeholders, for instance, may help the student learn about the different career routes that are open to pursuit in the field of study. The participants, and other law students alike, need mentorship and guidance to attain their desired goals. The Centre will therefore be the hub for vision-development, where students can effectively realize their dreams through appropriate mentorship and guidance.

Target Audience

The Centre targets all the law students in Kenya, regionally as well as globally. The Centre also targets affiliate moot clubs and/or societies, as well as friends of the Centre, ranging from judicial officers, law firms and target corporate entities.

The Moot Court Competition is envisioned to be a warm, involving, social and relational program. The competition is to be preceded by an ADR innovation week in which the Centre has dedicated an entire week for research and innovative presentations and activities geared towards the awareness of mediation, hence inviting the attention of students, lecturers, members of the public, corporate and non-governmental organizations.

Future Projections

Institutionalization of the Annual Strathmore Dispute Resolution Centre Annual Mediation Moot Court Competition

It is envisioned that the Competition will outlive its founders. The Competition is to be kept alive for as long as the Centre and Strathmore Law School shall be in existence.

For that reason, it is to be made part of the Centre's and the school's calendar events and budgeted for annually to a considerable extent. The institutionalization of the said moot goes a long way to according to the Centre and the school visibility not just regionally, but also globally.

With the aim of expanding to regional and global competition in the future, the Moot shall be funded primarily by the donors and sponsors. It is intended that by starting as a national or even regional moot, the moot competition will eventually become a global moot court competition to address contemporary mediation issues.

Benefit to Country and Community

The competition is aimed at equally contributing to the national and international discourse on access to justice through mediation. The competition will also attract media coverage, regional and international attention on the pertinent issues around alternative forms of dispute resolution and the attendant benefits accruing from the same. This goes a long way towards public awareness and participation in the subject. The Moot will equally place the nation on a pedestal in addressing challenges regarding access to justice and offering possible solutions.

The discourse being advanced by legal scholars at under-graduate, and possibly post-graduate levels as well as by other stake holders shall enhance acceptance.

Participation as a Stakeholder in the Competition

To actively contribute to and support the success of the moot competition, stakeholders are invited to participate in the competition by offering financial support to the competition.

We recognize the pivotal role that stakeholders can play to the success and sustainability of the Competition. As such, stakeholders from diverse sectors of the economy and the justice system are invited and encouraged to provide financial contributions to ensure the seamless execution of the competition. These funds will be allocated towards essential elements such as venue arrangements, participant resources, and overall event logistics.

As a financial sponsor, your financial support is not merely an investment in an event; it is a commitment to the growth and development of future leaders in the field of Alternative Dispute Resolution. In that regard, outlined below is how stakeholders can participate through financial contributions:

Title Sponsorship

Stakeholders have the exclusive opportunity to become the title sponsor of the Competition. This prominent role includes significant visibility in all promotional materials, press releases, and during the competition. Depending on the level of contribution, the Centre is amenable to naming the competition in a manner that best reflects the title sponsor.

Category Sponsorship

Stakeholders can choose to sponsor specific categories within the competition, such as the Best Mediator, Best Negotiation Team, or Excellence in Mediation Techniques. The final list of the specific categories will be rolled out in due course. The Centre is alive to the fact that this targeted sponsorship allows stakeholders to align their support with specific aspects of the event. In that regard, the stakeholders are invited to make propositions on specific categories they may wish to sponsor, upon which the same can be integrated in the competition. The said category can be named after the sponsor, with the specific objective being agreed upon between the Centre and the Sponsor.

Participant Scholarships

Contributions from stakeholders can be allocated towards creating scholarships for participating teams to undertake ADR related courses as shall be agreed between the Centre and the sponsor. This not only promotes inclusivity but also encourages a diverse range of participants to engage in the competition.

Event Logistics

This form of financial support will be directed towards covering essential event logistics, including venue arrangements, audio-visual equipment, meals, and other operational expenses. This ensures a seamless and professional execution of the competition.

Networking and Gala Dinner Sponsorship

This category includes sponsoring networking sessions and the research colloquium gala dinner, providing an opportunity for direct engagement with participants, judges, and key stakeholders in the ADR community.

Internship Sponsorships

Sponsors are invited to sponsor the event by offering internship opportunities for the best participants/winners of the competition.

General Support Fund

This form of contribution will go to a general support fund, allowing flexibility in allocating funds to areas of immediate need, thereby ensuring the overall success of the Competition.

Fig. Sponsorship Criterion

CATEGORY	AMOUNT	BENEFITS
<i>Diamond</i>	250,000 +	<p>Main sponsor of the Moot Court Competition</p> <p>Will have their brand running in the entire event & all communication communications</p> <p>Will have the chance to have their agenda included in the program where the Mcee will from time-to-time address and refer to this.</p> <p>Will have an opportunity to address the audience</p> <p>Will have the first priority to nominate three judges to the judging panel</p>
<i>Platinum</i>	150,000+	<p>Will have an opportunity to engage with the students/other stakeholders present.</p> <p>There will be an identifiable tent/space provided to give them accessibility</p> <p>Will have a chance to engage with stakeholders & students one on one.</p> <p>An opportunity to nominate two judges to the judging panel</p> <p>We will share their logos and slogans on all trending social media platforms during the moot.</p> <p>Identifiable booth/tent</p>
<i>Gold</i>	100,000+	<p>Will have the benefit of publicity throughout the event</p> <p>They will also have their logos/brands published on our posters and banner and social medial platforms</p>

		An opportunity to nominate a judge to the judging panel
<i>Silver</i>	<i>Any other amount</i>	Publicity throughout the event Brands published on our posters and social media platforms

Contact Person

For any questions or clarifications, please contact the Convener, Mr. Daniel M. Nzeki through dnzeki@strathmore.edu or 0708871608.

Kind regards

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 Dr. Francis Kariuki
Director-Strathmore Dispute Resolution Centre