



AfCFTA Moot Court Competition Format

Online Q&A Session

Terms Used in the AfCFTA Dispute Settlement Process Include:

- **Dispute Settlement Body (DSB):** The governing body responsible for overseeing the dispute settlement process within the AfCFTA.
- **Complainant State:** The state initiating the dispute by lodging a complaint against another member state.
- **Respondent State:** The state against which a complaint is lodged and which must respond to the allegations made by the complainant state.
- **Panelists:** Independent experts appointed to serve on dispute settlement panels and adjudicate disputes.
- **Implementation Mechanism:** The process through which rulings of the dispute settlement panels are implemented and enforced by member states.





AfCFTA Dispute Settlement Process

- ▶ **Consultations:**

- Parties engage in discussions to resolve disputes amicably.

- ▶ **Request for Panel Establishment:**

- If consultations fail, the complaining party can request a dispute settlement panel.
- Panel comprises **independent experts** who review the case and issue a report.

- ▶ **Panel Proceedings:**

- Panel conducts hearings, reviews written submissions, and examines evidence.
- Similar to panel proceedings in the WTO dispute settlement process.



AfCFTA Dispute Settlement Process (Cont'd)

► **Panel Report:**

- Panel issues a report with findings and recommendations.
- Report presented to the Dispute Settlement Body (DSB) for adoption.

► **Appeals:**

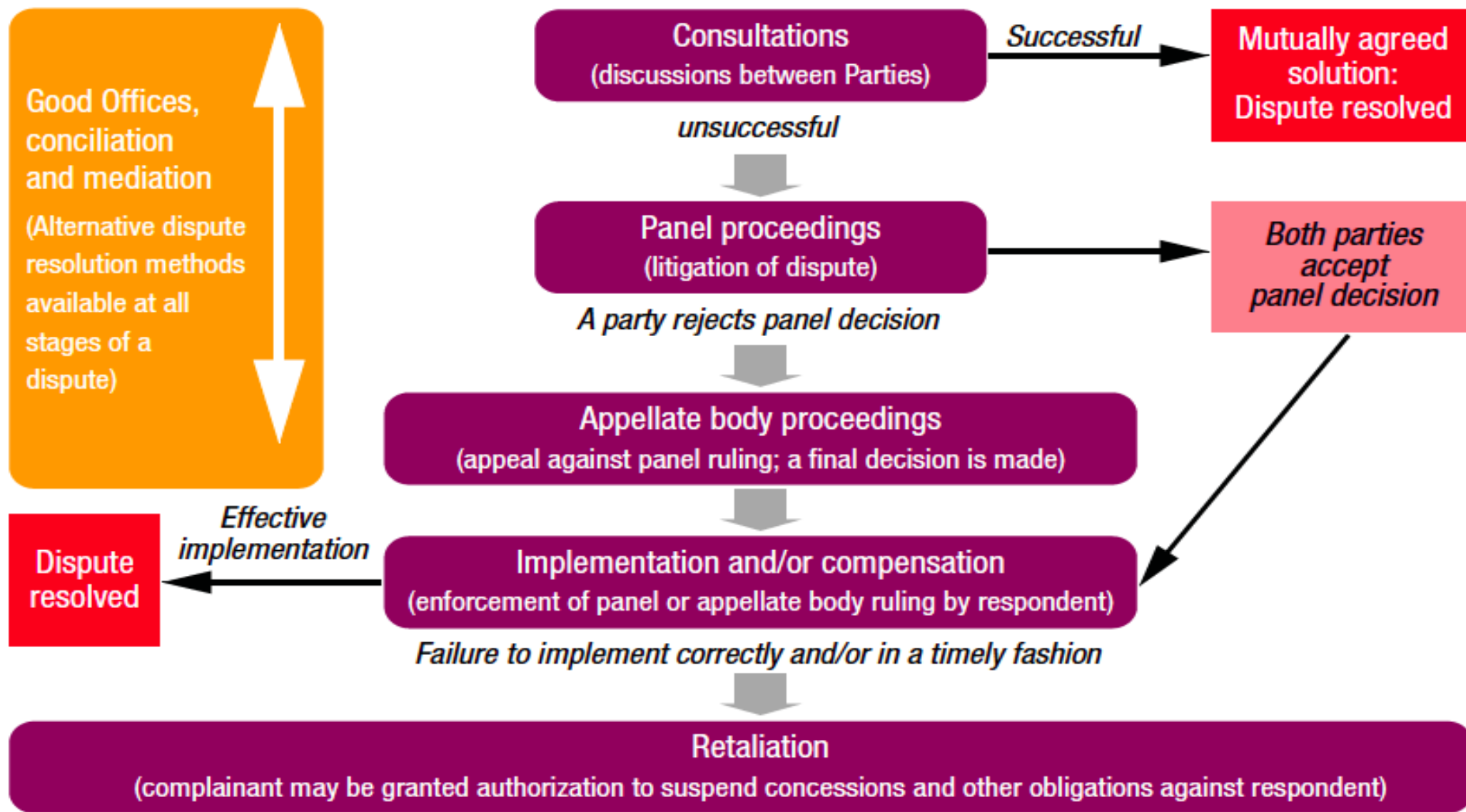
- Parties can appeal panel decisions, the appellate body will decide the outcome.

► **Implementation of Rulings:**

- Parties must comply with panel rulings.
- Non-compliance may lead to trade sanctions or other measures.

Figure 30

African Continental Free Trade Area dispute settlement mechanism



Source: UNCTAD, based on African Union, 2018b.

AfCFTA Moot Court Competition Format



Team Composition

- ▶ Each university registers one team comprising three students and a faculty member as coach.
- ▶ The coach cannot assist with research or argue the case.
- ▶ Teams will be assigned a team code for anonymity and fairness.





Moot Court Case

- ▶ Teams are presented with a hypothetical case based on the AfCFTA Agreement, regional and international trade law.
- ▶ The case simulates real-world trade and socio-economic scenarios.
- ▶ Teams analyse, argue and present their arguments before the panelists.
- ▶ Teams may refer to WTO and relevant case law to support arguments.



Written Memorials Stage

- ▶ Teams submit written memorials as Complainant and Respondent States.
- ▶ Memorials will outline each team's position on issues presented in the case.
- ▶ Extensive research and preparation required.
- ▶ **Memorials cannot be changed after submission. The same set of memorials will apply at every stage of the competition.**
- ▶ Evaluated by trade law experts based on various criteria.



Regional Oral Rounds

- ▶ Top 10 teams/region with highest scores in written memorials compete in their regional rounds.
- ▶ Regional rounds held at 5 universities across African regions.
- ▶ Teams present oral arguments defending their positions before judges.
- ▶ Judges may interrupt teams and pose questions or challenges.
- ▶ Two highest scoring teams at regional level will advance to continental oral rounds.

Continental Oral Rounds

- ▶ Finals will be held in Accra, Ghana.
- ▶ Two highest scoring teams from each region will advance to the final oral rounds.
- ▶ The team with the highest score will be crowned the champions of the AfCFTA Moot Court Competition.

