

CURRICULLUM VITAE

Name: FRED K. ATHUOK
Age: 42 years
Gender: Male
Marital Status: Married
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EDUCATION BACKGROUND

March 1992 – June 1996 University of Nairobi Faculty of Law
LL.B Degree, Second Class Honours,
Upper Division.

Feb. 1987 – Dec. 1990 Maranda High School

Jan. 1979 – Nov.1986 Nyakongo Primary School.
67 Points out of 72.

TRAINING/WORK EXPERIENCE

1. Period: February 2004 To date
Company: **Ibrahim, Issack & Company Advocates**
Position: Managing Partner/Partner
2. Period: October 1997 – January 2004.
Company: **Ibrahim & Issack Advocates**
Position: Associate

I have practised law for Sixteen (16) years as an Advocate of the High Court of Kenya since 1998 majoring in Litigation both in all the Kenyan Courts and East African Court of Justice and now as the Managing Partner in the Law firm of Ibrahim, Issack & Company Advocates. I qualified for appointment as a Judge of the High Court of Kenya in 2006, having cleared Seven (7) years of successful private legal practice as an Advocate.

I joined the then Mohamed Ibrahim & Associates in 1997 from the Law Firm of Salim Dhanji & Company Advocates where I attended the Pupilage Programme at the Kenya School of Law.

Initially I handled mainly conveyancing and commercial work. I have since extended my areas of practice to cover several areas including Human Rights, International Law, Aviation Law, Corporate Law, Banking Law, International Trade Law, Company Law and Land Registration and property transaction procedures, Securities Law, Real Estate Law, Insurance Law, Intellectual Property Law, Labour Law, Insurance Law and Arbitration.

At the moment, I am the Managing Partner of Ibrahim, Issack & Company Advocates and also in Charge of the Litigation Department.

I am a member of the International Commission of Jurists, Kenyan Chapter. As an active member of ICJ for over 10 years, I have participated and exposed to training programmes and conferences on Human Rights and Human Rights litigation and practices.

I have also acted on an international and Human Rights Perspective for the people of Somali for the recovery of the Somali Embassy which was sold when the country was at war. The litigation was successful as per the attached State Commendation.

In the East African Region, I have finalized a case which delivered a Judgment in favour of my client in the **East African Court of Justice, Appellate Division**. This Case was filed under the Provisions of the **East African Treaty and the Protocol on the Establishment of the East African Common Market**. It is a precedent setting case raising issues on the jurisdiction of the East African Court of Justice to handle commercial disputes in the East African region.

Currently, I handle work for a portfolio of both corporate and individual clients including the East African Portland Cement, National Hospital Insurance Fund, Bamburi Cement, National Bank of Kenya Ltd, Trans-National Bank Ltd and the Premier Group of Companies (Premier Bag & Cordage, Premier Flour Mills Ltd), Hasham Lalji Properties Ltd, Blue Bird Aviation, African Commuter Services Ltd, 748 Air Services. In the Aviation Industry, I have been engaged both in Commissions of Inquiry and Litigation dealing extensively with the role of the Kenya Civil Aviation Authority resulting into the Busia Plane Crash Inquiry Report of 30th April 2003 which gave wide and far reaching recommendations for the running and improvement of the Civil Aviation industry in Kenya and compliance with International Civil Aviation Organisation (ICAO) regulations, procedures and minima. During this Commission of Inquiry and the subsequent Litigation, I have had full exposure to and knowledge of the Kenya Civil Aviation Act Cap 394 Laws of Kenya, the Civil Aviation (Amendment) Act 2002, together with the International Civil Aviation Organisation (ICAO) regulations, procedures and practices. I was also exposed to KCAA structures, functions and departments in full. I have subsequently handled several successful cases in Aviation.

In general, commercial and civil Litigation, I have engaged in Cases including, the Safaricom IPO Case, the Busia Plane Crash Inquiry and Litigation and Kenya Bureau of Standards line of Cases dealing with Standardization and Standards Levy; the Eldoret Kenya Power & Lighting Case, Kenya Civil Aviation Authority and the Civil Aviation Act, The Communication Commission of Kenya RTO License line of Cases. The Somali Embassy Case in which I acted for the Government of the Republic of Somali wherein the High Court ordered that the former Embassy revert to the Republic of Somalia.

I have a portfolio of local and international companies as clients with a wide exposure to International Civil Aviation Organization (ICAO), Regulations and procedures, International Trade Law, Banking Law and practice.

I have handled work in conjunction with the leading UK Law firm of **Clifford Chance** and Kampala Associated Advocates. My work has included review and opinion on various Aviation procedures, standards, licensing, acquisitions, Leases both wet and dry leases; bank records and procedures, Import and Export business law, advice on Trust Receipts, Letters of Credit, Letters of Indemnity, Advising and Amendment Letters together with the various Amendment Forms. I have also prepared, offered opinion with regard to procurement procedures, the various short and long term lending and borrowing. In this regard, I have covered the following securities: Pledges, Negotiable Instruments (Bills of Exchange, Promissory Notes and fully Negotiable Securities such as Bearer bonds), Bills of Lading, Charges over Receivables, Letters of Hypothecation, Mortgages and Charges, Debentures and Chattels mortgages.

3. Period: August 1996 – Oct. 1997.
Company: **Salim Dhanji & Company, Advocates,**
Programme: Pupilage & Holding Over.
In the Law Firm of Salim Dhanji & Company Advocates during the Kenya School of Law Diploma Programme and after, I undertook the preparation of several legal and protracted documents on behalf of high profile companies including
Kenya Airways,
Alico Kenya Limited,
Citbank N.A.,
Commercial Bank of Africa
First American Bank
Banque Indosuez
Total Kenya Limited
First National Finance Bank Limited.

4. Period: December 2001 – To date
Organisation: **War Child Kenya Programme**
Position: Director

Warchild is a Non-Governmental Organisation based in the UK. The main objective of this Organisation is the provision of relief aid to Children and their families in conflict and post conflict zones. It has had programmes in the Balkans, Kosovo, Serbia Bosnia, Rwanda, Burundi, Southern Sudan, Northern Kenya, Ethiopia, Chechnya, Sierra Leone and East Timor. War Child Kenya Programme is now registered as an NGO in Kenya.

5. Period: December 2005 – To date
Organisation: **St. Mary's Project for Orphans and Vulnerable Children**

St. Mary's project for Development of Youths and Orphans is a Community Based Organization (CBO) that operates in Rarieda District, Siaya County in The Republic of Kenya.

Our Project beneficiaries are the orphans and vulnerable children, women, youths and marginalized groups e.g. people with disability, people living with HIV/AIDS and fisher folks that live along the beaches of Lake Victoria in the rural Madiany Division in Rarieda District, Kenya.

We have so far reached a target group of 1,285 children & youth (upto 25yrs) within **337** Children/Youth-caregiver Households.

6. Period: September 1992 –January 1993.
Company: **T.J. Cottington Technical Services Ltd.**
Post Held: Project Assistant

My duties with this Engineering and Management Consultancy Firm involved working as an assistant to the Consultant during the inception, implementation and commissioning of the West Kenya Rainfed Rice Development Project, (WKRRDP) funded jointly by the **African Development Bank, The Government of Kenya and OPEC**. This multi-faceted project included the construction of a Rice Mill Complex by **China Jiangu International** as the main contractor and **FH Schule GmBh of West Germany** as the machinery suppliers; the creation of a self-sustaining credit system; management training, the establishment of a computer system for the various components of the project and environmental appraisal of the project. In this capacity I was responsible for the consolidation of the consultant's periodic Reports on all components of the project for the submission to the funding agencies and the client, keeping of all relevant records of the project and attending specialist meetings, collecting individual reports on the various components of the project, preparing the draft reports, the Inception,

Quarterly, Annual, Progress and Final Reports including Harmonizing the various engineering contracts and sub-contracts.

This work was intensive and required knowledge and use of Word processing and Accounting computer packages. In addition to this, I had experience in the preparation of various Engineering contracts including the main contract, sub contracts, bid bonds, performance bonds, inspection of completion certificates, interim certificates, tender evaluation procedures, procurement procedures, and revision of contracts.

7. Period: Jan. 1993 – Feb. 1993

Conduct of both Criminal and Civil cases during the Fourth Term Clinical programme at the Chief Magistrates Court at Kisumu Law Courts.

8. Period: May 2000 – To date
Organisation: **African Network for the Prevention & Protection Against Child Abuse & Neglect (ANPPCAN – Kenya Chapter).**
Member.

9. Period: Dec. 2000 – To date
Organisation: **International Commission of Jurist (ICJ-Kenya Chapter)**
Substantive and active member
I have participated in almost all the Annual Conferences organized by the ICJ in the last 11 years touching on various current human rights issues.

10. Period: March 1998 – To date
Organisation: **Law Society of Kenya**
Substantive and active member

11. In 1995, I participated in a OAU Rwanda simulation programme organized by the Students of Law and Diplomacy at the University of Nairobi.

12. In 1996, I participated in a three day conference organized by the Federation of East African Law Students Associations on East African Development – Towards Regionalism.

13. In November 2011, I participated as a Judge in the 1st East Africa Arbitration Moot Competition.

14. I was a Student Leader at the University of Nairobi and in 1995, I was the Class Representative of the third year LLB Class duly elected and authorized to conduct the official business on behalf of the Class and to sit in the Faculty of Law Board Meetings.

15. In March, 1996, I won a Moot Court Competition at the Faculty of Law, University of Nairobi.
16. I was an active and substantive member of the high powered committee comprising clergymen, doctors, social workers and students which organized the successful First HIV AIDS Ecumenical Conference in Kenya.
17. I was the Co-ordinator of the Law Forum, a student organization at the Faculty of Law involved in the organization of Moot Court and legal awareness programmes. In this capacity, I initiated the Moot Court Programme as an important learning activity for the students of Law which runs to date.
18. I am a member of the Dolphin Club of Nairobi, a Social Charity Club of young professionals and students who participate in charitable social work and discussions on topical issues including the law, science and development.
19. In high school, I was an active member of various clubs as follows:
 - Secretary to the Debating Club;
 - Secretary to the Writers Club;
 - Member of the Choir;
 - Chairman of the Mathematics Club;
 - Chairman of the Science Club
 - Current Secretary General, Maranda High School Alumni Association.
20. I was a House Captain of Gor A House and I won my School an Award at the National Science Congress in Nairobi in 1990.
21. Currently, I am the Secretary General of Maranda National School Alumni Association.
22. I have working knowledge of **Computer Packages** including:

Word-processing	-	Microsoft Word/Windows versions
Spreadsheets	-	Lotus 123 v. and 3.4, Microsoft Excel,
Operating Systems	-	MS DOS and Windows.

PAPERS AUTHORED

1. **Fred K. Athuok. Legal Challenges Facing Aviation in Africa – Operator’s Perspective.** A paper presented at the Third Africa Aviation Law Conference held in Nairobi in December, 2013.
2. **Athuok Fred C. K. India Comes to Africa: Exploiting the Historical Background in East Africa to Encourage Trade Between India and Africa.** A paper presented at the Indo-Africa Chambers of Commerce and Industry Conference in Mumbai, India in May, 2012.

2. **Athuok Fred C. K. Protection of the Shareholder in Company Law: A case for the Strengthening of the Derivative Suit**, a dissertation submitted in partial fulfillment of the requirements for the award of the Bachelor of Laws (LLB) degree of the University of Nairobi (Awarded grade **A** by the examiners).
3. **Athuok Fred C.K. A Critical Appraisal of the Conduct of Civil Cases in Kenyan Subordinate Courts.**

HOBBIES

Hockey, Volleyball, Chess, Scrabble, Football and Swimming.

REFEREES

1. Ng'eny Biwott
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2. Engineer Meshack Kidenda
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