International Law & Economic Development in Africa: Challenges and Opportunities

Presented by: African Association of International Law
Association Africaine de Droit International

PROGRAMME
LIBREVILLE, GABON
29-30 AUGUST 2015
Introduction to AAIL-AADI

The African Association of International Law (AIL), one of the first academic societies on the continent of Africa in the field of international law, was established in 1986 by the leading international lawyers on the continent. Its objectives, as stated in its Statute, are:

a) To foster the development and dissemination of African perspectives and practices of international law, in particular through the publication of an African Yearbook of International Law [...];

b) To assist in the development of international law, recognizing the special needs of Africa; and

c) To promote the teaching of international law in Africa, and to encourage and coordinate research on international law mainly through the establishment of research and study groups on specific themes of relevance to Africa.

While the first volume of the African Yearbook of International Law was published in 1993 and has continued to be published under the auspices of the African Foundation of International Law (AFIL) established in 2003, the AAIL had been dormant for a period of time. On October 6 2012, at the Maputo Conference of the AFIL, the General Conference of the AAIL reactivated the Association, adopted a number of modifications to its Statute and elected a new Executive Committee to coordinate the activities of the AAIL.

The Executive Committee has commenced its activities, and welcomes applications for membership of the AAIL. Individuals and African law or international law societies are eligible for membership upon payment of applicable membership dues as will be determined by the Executive Committee of the Association.
Bienvenue

Mesdames,
Messieurs,
Chers Collègues,

Je voudrais avant tout remercier Son Excellence Monsieur Ali BONGO ONDIMBA pour sa généreuse sollicitude à l'endroit de l'Association Africaine de Droit International qui ouvre, ce jour, sa Conférence de l'année 2015 à Libreville. Mes remerciements vont également au Gouvernement de la République gabonaise et à tous les collaborateurs du Président de la République. Je remercie le Peuple du Gabon pour son chaleureux accueil. Je tiens enfin à saluer tous ceux qui ont fait le déplacement à Libreville, ainsi que tous les communicateurs. Notre Conférence se tient au titre d'une session du Grand Forum annuel intitulé « The New York Forum Africa ». Ce cadre n'est pas fortuit et le lieu choisi pour la réunion ne l'est pas non plus. Pour le lieu, il s'agit, sans nul doute, de l'un des Pays qui s'annoncent comme émergents.

Et pour le cadre, consacré au développement de l'Afrique, il suffit de citer l'éditorialiste de la revue « Géo », Monsieur Eric MEYER, qui affirmait dans le numéro 403 de Septembre 2012: « l'histoire de l'Afrique d'Aujourd'hui est celle de lions qui se réveillent ... d'un continent en plein changement ». Dans ce changement, les juristes africains ont une importante partition à jouer. Le droit, en effet, constitue un des leviers majeurs de l'intégration du continent au service de la démocratie, de la justice et de la paix, comme il est appelé à jouer, à l'instar des réalisations de l'OHADA, un rôle déterminant pour la sécurisation des investissements et la circulation des biens et des personnes, à l'aune d'une bonne gouvernance partagée et assumée.

Voilà pourquoi notre Association a décidé de faire porter sa réflexion sur « le Droit économique international et le Développement en Afrique: défis et opportunités ». Nos réflexions, recherches et conseils épauleront à coup sur en Afrique tant les politiques publiques de développement que les initiatives privées, de même que les partenariats publics-privés, ce au sein des partenariats stratégiques que l'Afrique ne cesse de nouer avec l'ensemble de la communauté internationale.

Je souhaite plein succès à la session de 2015 de la Conférence de notre association et plein succès au « New York Forum Africa ».

Robert S. M. Dossou
Président de l'Association Africaine de Droit International.
Distinguished Participants,

It gives me great pleasure to welcome you, on behalf the Executive Committee of the Association, to the 2015 General Conference of the African Association of International Law (AAIL). The Association is most grateful to the Gabonese government for generously hosting us and making this conference possible. We are also grateful to our partners in the New York Forum Africa who have helped organize this conference in parallel with their 2015 Forum here in Libreville.

Our 2015 conference, with its theme - International Law and Economic Development in Africa: Challenges and Opportunities – is quite timely. In 2014 Africa maintained a phenomenal average GDP growth of 5 percent, with a number of countries gaining middle income status. Two economic leaders in Africa, Nigeria and South Africa, hosted the World Economic Forum, and recent years have seen increased interest in traditional and non-traditional investment partnerships in Africa.

Yet inclusive growth and unequal wealth distributions remain a continental challenge, while terrorism, political fragility and conflict threaten to crumble even the most stable economies in the region. As the world begins to craft the post-2015 development agenda, Africans are providing innovative contributions to the discourse.

This conference offers a great opportunity for legal scholars and practitioners to examine the role of international law in addressing the economic challenges facing the continent. Beyond this conference, the Executive Committee is devoted to ensuring that the AAIL will continue to serve as a leading forum and intellectual resource for discussing the legal aspects arising in setting the agenda for the renaissance of the continent.

I wish us all a successful conference.

Olufemi Elias
Secretary General
Investment and International trade are integral to the development of any country, region or continent. Owing to the heavy capital intensity of development projects, qualitative infrastructural development and export-capacity building has been at the mercy of investment policies. Since the mid-1980s, governments around the world have pursued policies to encourage private sector participation in the financing and delivery of infrastructure services.

In recent years, however, that has been increased criticism of the quality, nature and obligations arising from investments in Africa. Such criticisms have ranged from capital flight, outright exploitation, fragility of African economies due to investor-trust issues, investment caveats such as requirements to use foreign workers and firms, and concerns about the quality of work done with such caveated investments, amongst others. It has been argued that the recent verge of investments have not helped build the African industrial capacity but rather undermined African industry while profiting from the African population boom.

Law, as the system of ordering society, has to rise to the occasion of addressing the attendant problems of investment promotion within the African continent while promoting increased investment drives that can cater to services and infrastructural deficit within the continent. There is a dire need to formulate new legal frameworks that utilise the instrumentality of international law, particularly investment law and international economic law, to increase Africa’s phenomenal average growth rate of 5%, deliver development objectives for African countries, while accentuating the current attractions of investing within the African industry space.

These new legal frameworks must take due cognisance of the peculiarity and comparative advantages of the African continent, unlike past frameworks which have simply burdened African states with frameworks adopted from radically different continental regimes. This, unlike any other task, is a call to revisit the traditional norms of international economic law and couch out a system that works for the African state.

Adetola Onayemi
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Day 1: Saturday, 29 August 2015

7:30 – 8:45  REGISTRATION OF ATTENDEES

9:00 – 10:00  OPENING SESSION
WELCOMING REMARKS
Olufemi Elias, Secretary-General, AAIL-AADI

Inaugural Georges Abi-Saab Lecture
Edward Kwakwa
The Legal Counsel, World Intellectual Property Organization; Patron, AAIL-AADI; Vice-President, African Foundation for International Law

10:00 – 11:30  PANEL 1: INTERNATIONAL ECONOMIC LAW & DEVELOPMENT
Moderator: Dr. Jumoke Oduwole

Thierry Ngosso, Défis intergénérationnels pour l’Afrique Sub-saharienne: Est-il possible de concilier l’urgence du développement et l’urgence de la protection de la planète?

Rostand Banzeau, L’impact des organisations régionals d’intégration dans le développement économique de L’Afrique: Regard croisés sur l’expérience de la CEMAC et de la CEDEAO.


11:30 – 11:45  BREAK

11:45 – 13:00  PANEL 2: FOREIGN INVESTMENT IN AFRICA
Moderator: Professor Peter Fogam

Kehinde Folake Olaoye, Bilateral Investment Treaties and Sustainable Development in Africa: Reform of the BIT Regime.

Mohamed Oudebji, Les ABI signés par le Maroc avec d’autres pays Africains et leurs incidences sur le développement économique.

Oliver Ruppel, Foreign Direct Investment Protection in Africa—Contemporary Legal Aspects between BITs and BRICS.

Dandi Gnamou, Les apports du droit international a la sécurisation des contrats d’Etat.

Dominic Dagbanja, The Implications Of Investment Treaties For Environmental Protection In Ghana: Reconciling Standards Of Investment Protection With Environmental Protection Duty.
Day 1: Saturday, 29 August 2015 (Continued)

13:00 – 14:15  NETWORKING LUNCHEON

14:15 – 15:30  ROUNDTABLE DISCUSSION
THE JUDICIARY, HUMAN RIGHTS, CONSTITUTIONAL MATTERS & DEVELOPMENT IN AFRICA
Moderator: Professor Mathias Sakinkuye
H.E. Judge Jean-Eric Rakotoarisoa
Yaovi M. Fiawonou
Malgosia Fitzmaurice
Agnes Ebo’o

15:30 – 15:45  BREAK

15:45 – 16:45  DISCUSSION
SOVEREIGN DEBT ISSUES IN AFRICA
Moderator: Adejoké Babington-Ashaye
Guest Speakers:
Stephen Karangizi
Dotse Tsikata

16:45 – 18:00  ROUNDTABLE DISCUSSION
AFRICA & THE JUDICIAL AND ARBITRAL SETTLEMENT OF DISPUTES
Moderator: Uche Ewelukwa
Brooks Daly
André Nollkaemper
Armel Lally
Guled Yusuf

18:00 – 19:00  BREAK

19:00 – 21:00  NYFA NETWORKING RECEPTION
SCHEDULE

Day 2: Sunday, 30 August 2015

8:30 – 9:30  AADI ASSEMBLÉE GÉNÉRALE
             AAIL GENERAL MEETING

9:30 – 11:00 PANEL 3: HUMAN RIGHTS, JUSTICE & ECONOMIC DEVELOPMENT
             Moderator: Dandi Gnamou

             Didier Prince-Agbodjan, Le droit international économique et les
droits humains indivisibles: quel humanisme juridique dans les Ac-
cords de Partenariat Economique UE-Afrique?
Akinola Akintayo, Political action and constitutional frameworks
for socio-economic rights protection.
Gérard Aïvo, L’impact des conflits armés et du terrorisme sur le dé-
veloppement socio-économique de l’Afrique.
Romy Klimke, How to unleash the economic potential of women in
Africa—Challenges & Opportunities in the context of the Post-2015
Agenda.

11:00 – 11:15  COFFEE BREAK

11:20 – 12:05  NYFA SESSIONS
               CREATING A LEGAL FRAMEWORK FOR A NEW AFRICA
               Powered by the AAIL
               A clear, effective and transparent legal framework is essential for the
               ongoing development of Africa’s finance sector, as well as the empow-
               erment of its financial regulators.

               Jean-Luc Konan
               Vincent Nmehielle
               Stephen Karangizi
               Pierre-Oliver Sur

12:05 – 13:00  NYFA SESSIONS: IN CONVERSATION
               NYFA - INVESTMENT BEYOND THE BOOM
13:00 – 14:15  LUNCH

14:15 – 15:45  ROUNDTABLE DISCUSSION
INTERNATIONAL CRIMINAL LAW, HUMAN RIGHTS & DEVELOPMENT
Moderator: Charles Adeogun-Phillips

Vincent Nmehielle
Judge Koffi Afande
Narcisse Mouelle Kombi
Amady Ba

15:45 – 16:00  BREAK

16:00 – 17:15  PANEL 4: INTERNATIONAL ECONOMIC LAW & TRADE
Moderator: Djacoba Tehindrazanarivelo

Adetola Onayemi, Developing Countries & The Implementation of IP Cross Retaliation Award.
Joyce Williams, The WTO’s Agreement on Trade Facilitation in the African Region.
Sakina Badamasuiy and Obinna Edeh, The Legality of Soft Power and Its Effect on Manpower in Africa: Case Study of Mozambique and Nigeria.

17:15 – 18:00  CLOSING PLENARY
Professor Mpazi Sinjela, Executive Dean, Faculty of Law, University of Zambia

18:00 – 19:00  NYFA – CLOSING SESSIONS
Jamilla Abdulle is a Legal Adviser at the Dutch Ministry of Foreign Affairs, programme coordinator and legal researcher at the African Foundation for International Law. She holds a Masters in Public International Human Rights, International Economic law and European Law from Maastricht University, and undertook the Directed Studies in Public International Law as well as the summer course in Private International law at the Hague Academy of International Law. She has a Bachelor degree in International & European Law at The Hague Law School, and studied Dutch Law at Leiden University.

Charles Adeogun-Phillips is an accomplished international litigation lawyer and former international prosecutor. For over 25 years, he has litigated cases before courts in Nigeria, the United Kingdom and at various international courts and tribunals. His areas of practice are international criminal and humanitarian law, international human rights law, and international dispute resolution. He founded Charles Anthony LLP, following a distinguished legal career as a pioneer lead international prosecutor before the United Nations International Criminal Tribunals for Rwanda and the former Yugoslavia. He is currently admitted to represent the interests of victims, claimants and/or defendants charged with genocide, crimes against humanity, war crimes and other serious violations of international humanitarian law, before several international and regional courts, including the International Criminal Court, the Special Tribunal for Lebanon and the African Court on Human and People’s Rights.

Biographies

Gérard Aïvo est Docteur en droit de l’université Jean-Moulin Lyon 3 (France) et de l’Université de Genève (Suisse). Actuellement Enseignant-Chercheur à l’Université d’Abomey-Calavi (Bénin), il est chercheur associé au Centre de droit international de l’Université Lyon 3 et auteur de nombreuses publications en droit international public.

Akinola Ebunolu Akintayo is a human rights expert and lecturer in the Department of Public Law, Faculty of Law, University of Lagos, Lagos-Nigeria. He holds an LLB from the Faculty of Law, University of Lagos, Lagos-Nigeria; a BL from the Nigerian Law School, Enugu Campus, Enugu State, Nigeria; an LLM (Human Rights and Democratisation in Africa) Degree from the prestigious Centre for Human Rights, University of Pretoria, South Africa; and an LLD (Public Law) from the Department of Public Law, Faculty of Law, University of Pretoria, South Africa. His research interest includes human rights, with a special bias for socio-economic rights, democracy and transformation and conflict prevention and management in Africa. He has published severally in these areas in peer reviewed journals and chapter contributions in relevant books, among others. Akinola is also a solicitor and advocate of the Supreme Court of Nigeria.

Justice Amady Ba, Senegalese “Hors Hierarchie Judge”, has worked at the International Criminal Court (ICC) since March 2008, on secondment from the Judiciary High Council for Judges. As Head of the International Cooperation at the Office of the Prosecutor, he is responsible for developing the ICC network and judicial cooperation with States, the UN, international and regional organizations, judiciaries institutions, civil society and the academic community. Justice Ba graduated from the Law University of Dakar in 1983 and qualified as a Judge in 1985. He completed his training at the French National School for Judges. Serving as education chair at the Judicial Training Centre of Dakar (National Judge School of Senegal), he became Director in 1997. He provided extensive judicial training at both national and international levels, and promoted technical and financial partnerships between African and Western countries. In 2002, Justice Ba was appointed to the International Development and Law Organization (IDLO) in Rome. While implementing projects to reinforce justice, the Rule of Law and good governance in developing countries, he became the Head of the French department and promoted the actions of the IDLO.
**Participant**

**Adejoké Babington-Ashaye** is Counsel at the World Bank Administrative Tribunal. Prior to joining the World Bank she was an Associate Legal Officer at the International Court of Justice and an Associate Investigator in the Office of the Prosecutor of the International Criminal Court. Her international legal background includes human rights policy research at the Carr Center for Human Rights Policy, Harvard Kennedy School of Government, campaigning for the Protocol on the Rights of Women in Africa and investigating human rights violations in Nigeria’s Niger Delta region. Adejoké holds a LLM in Public International Law from the London School of Economics and is a qualified Attorney in the State of New York. She is a member of the 2016 Program Committee of the American Society of International Law, and holds leadership positions within the Section of International Law of the American Bar Association. With a speciality in international criminal law and investigations, Adejoké provides training through the Wayamo Foundation to national prosecutors and investigators on international criminal law. Her publications include “The International Criminal Court and its Potential Impact on Development in Africa” in Africa and International Law: Reflections on the International Organization (Kamga and Mbengue eds. Pedone Publishing 2013).

**Sakina Badamasuiy** is a consultant with a combined interest in International Development and a strong passion for social enterprise. She has an MSc in International Political Economy from the LSE and attended The Hague Academy of International Law in 2014. While completing her BSc in Government and Economics also at the LSE, Sakina spent her time working at the World Bank, The Economist, and Goldman Sachs. She has also written for numerous publications such as the Global Policy Journal, The Analyst magazine and is a regular panelist on The Guardian’s development professional’s debates. She currently works at McKinsey & Company.
Biographies

Rostand Banzeu is an independent researcher on international law and human rights. He is a holder of a Master's Degree in International Relations with a specialization on international disputes from the International Relations Institute of Cameroon. Former Fellow of the United Nations Regional Course in international law, he attended the residential School on Governance for Development organized by the prestigious Mo Ibrahim Foundation and participated in the training workshop on the rules of procedure of the African Court on Human and Peoples' Rights organized by the Coalition for an effective African Court on Human and Peoples' Rights. He is author and co-author of several publications including one of the pioneer work on the African Court of Justice and Human Rights in Africa entitled *La Cour Africaine de Justice et des Droits de l’Homme* and is associated with the latest publication of the Department of International law of the International Relations Institute of Cameroon under the working title: *Le Cameroun et le Prétoire International*.

Brooks Daly is the Deputy Secretary-General of the Permanent Court of Arbitration (PCA), an intergovernmental organization with 117 member states founded in 1899 and devoted to the peaceful settlement of international disputes. The PCA’s dispute resolution procedures include arbitration, conciliation, and fact-finding. Mr. Daly heads a team of lawyers and administrative staff at the Peace Palace in The Hague, who assist parties and arbitral tribunals in proceedings conducted under the auspices of the PCA. Prior to joining the PCA, Mr. Daly served as Counsel at the International Chamber of Commerce in Paris and practiced with law firms in London and Los Angeles.

Agnes Ebo’o is the founder of the Citizens Governance Initiatives in Cameroon, a nonprofit association that promotes accountability and citizens' participation in governance by using international law, constitutionalism and constitutional rights as the foundation of its work. A lawyer by training, Ebo'o is involved in several regional initiatives that promote open government and the rule of law in Africa. These include the Gulf of Guinea Citizens Network, a network of advocates who promote accountability and transparency in the management of the natural resources in the Gulf of Guinea region; the African Freedom of Information Centre and the Coalition for Citizenship; and Nationality in Africa. She holds an undergraduate degree from the University of Poitiers, France and an LLM from the University of Wales Cardiff, UK. Ms. Ebo'o is currently undertaking research on the legal aspects of maritime security off African coasts, with a focus on the Gulf of Guinea region. She is affiliated with the International Maritime Law Institute in Malta.

Obinna James Edeh obtained a Master of Laws degree in International Criminal Law and Security from the University of Northampton, England. He also has a certificate in Public International Law from The Hague Academy of International Law, The Hague, the Netherlands. In addition to being admitted to practice law in Nigeria, he is also a graduate of the University of Nigeria. In 2014 and 2015, he authored and co-authored some articles published in the Michigan Journal of International Law and the University of Nigeria Law Journal respectively. Obinna has worked for the University of Northampton Enterprises, the Council on African Security and Development, and currently he is working for the Organisation for the Prohibition of Chemical Weapons (OPCW) located in The Hague, the Netherlands.
Biographies

Olufemi Elias - M.A. (Oxford), LL.M. (Cambridge), Ph.D. (London), is the Secretary-General of the Association. He is the Legal Adviser and Director of the Office of the Legal Adviser at the Organization for the Prohibition of Chemical Weapons in The Hague. Prior to that, he was the Executive Secretary of the World Bank Administrative Tribunal, in Washington, D.C., after having served as a legal adviser at the United Nations Compensation Commission in Geneva. Elias is an Associate Member of the Institut de Droit International. He is Visiting Professor in international law at Queen Mary University of London, and was a lecturer in international law at King’s College, London, and has held teaching positions in several other universities. He has written and edited several books and articles on various aspects of international law. He is a member of the Nigerian Bar. He is a member of the Executive Council of the American Society of International Law; the Advisory Board of the International Arbitration Review; the Board of Editors of the African Journal of International and Comparative Law and the International Community Law Review; the International Advisory Panel for American Law Institute’s Restatement Fourth, Foreign Relations Law of the United States.

Uché Ewelukwa is a professor of law at the University of Arkansas School of Law in Fayetteville, Arkansas, where she teaches in the international law and intellectual property fields. Professor Ewelukwa also teaches in the Law School’s LL.M. Program in Agriculture and Food Law. Professor Ewelukwa is an active member of the American Bar Association Section on International Law (ABA-SIL) and currently serves as the Co-Chair of the Committee on Investment & Development, the Vice-Chair of the International Intellectual Property Rights Committee, as well as the Vice-Chair of the Committee on Corporate Social Responsibility of the association. Professor Ewelukwa is also an active member of the American Society of International Law (ASIL) and currently serves as the Co-Chair of the Intellectual Property Interest Group and the Co-Chair of the Africa Interest Group of ASIL. Professor Ewelukwa is the Secretary General of the African Society of International Law.

Malgosia Fitzmaurice holds a chair of public international law at the Department of Law, Queen Mary University of London. She specialises in international environmental law, treaties, indigenous peoples and Arctic law and has published widely on these subjects. In July 2001, she was invited to deliver keynote lectures on 'International Protection of the Environment' at the Hague Academy of International Law. In 1996, Professor Fitzmaurice delivered a paper at the 50th anniversary of the International Court of Justice in The Hague. She lectures widely in the United Kingdom, Europe (Sorbonne, Pantheon) and the United States (Berkley Law and New York University School of Law) and Japan (University of Kobe, Visiting Professor, 2014). She is the Editor in Chief of the International Community Law Review, Brill Publishers, Martinus Nijhoff (first issue published in 2006) and Editor-in-Chief of a book series 'Queen Mary Studies in International Law' published by Martinus Nijhoff Publisher (Brill). Until 2001, she was a member of the Board of Editors and one of the Editors of the Netherlands Yearbook of International Law. She has also served as a consultant to the United Nations Environment Programme.
Biographies

**Peter Fogam** is a distinguished professor of law in the Department of Commercial and Industrial Law, University of Lagos and has published extensively on various aspects of commercial and corporate law.


**Rhoda Ige** is a Lecturer at the Department of Jurisprudence & International Law, Faculty of Law University of Lagos, Akoka Lagos Nigeria and a Postgraduate Researcher at Keele University, Keele Staffordshire United Kingdom. She obtained a Bachelor of Laws Degree with Honours from The University, Ibadan Nigeria, Master of Arts in African Studies specialising in African Law with distinction at The University, Ibadan Nigeria. She also earned a Master of Laws Degree from the University of Lagos Nigeria. She has held Visiting Scholar positions at the University of British Columbia Vancouver Canada and McGill University, Montreal Quebec Canada. As a legal academic, she has published in peer reviewed journals and has chapter in books; her research interests are in the fields of African Studies, Feminist Legal Theory and International Law.
Stephen Karangizi has been the Director of the African Legal Support Facility since October 2011. The African Legal Support Facility, hosted by the African Development Bank, was established to support African Countries in negotiating complex commercial contracts and in assisting them with creditor litigation. Mr. Karangizi is a lawyer with extensive experience in International Commercial and Trade Law. He was Deputy Secretary General of the Common Market for Eastern and Southern Africa from 2008 to 2011. He was also the Legal Advisor for COMESA from 1997 to 2008. Over a 34 year career as a lawyer, he also served as a Legal Advisor for the Governments of Uganda, Antigua and Barbuda (West Indies) and Zimbabwe. He holds an LLB and LLM degrees. He is enrolled as a Legal Practitioner of the High Court of Zimbabwe and an Advocate of the High Court of Uganda. He also served as Chairman the United Nations Commission on International Trade Law in 2006. He has also been a visiting Resource Person to many Regional and International Capacity Building Centres on different legal issues and has authored many publications in the legal field.

J. Michael King is a Counsel at the Law Offices of Peter C. Hansen, LLC in Washington, DC, where he advises on international investment projects and business ventures, including project structuring, financing, risk analysis and dispute resolution, with a particular focus on U.S. private investment in Sub-Saharan Africa. He also provides training for government officials and corporate executives on the legal aspects of infrastructure projects and public-private partnerships. Prior to joining the Law Offices in 2012, Mike served for three years as a Legal Counsel for Institutional Matters at the World Bank's International Centre for Settlement of Investment Disputes (ICSID). He holds degrees from the University of Denver Sturm College of Law (JD) and Duke University (BA), and he has completed coursework towards an LLM in Energy and Environmental Law from the George Washington University Law School.

Romy Klimke studied law in Freiburg, Madrid and Berlin. She holds a degree in journalism from the Free School of Journalism in Berlin. In 2012, she worked for the German Federal Ministry for Economic Cooperation and Development as part of her legal traineeship. Since 2014, she is a lecturer and doctoral student at the Chair for Public Law, European Law and International Economic Law (Prof. Dr. Christian Tietje, LL.M.) of the Martin-Luther-University Halle-Wittenberg/Germany. Her Ph.D. research focuses on harmful traditional practices in international law.
Jean-Luc Konan is a banker with 20 years of experience in the financial sector. He holds a Master of Science in Banking and finance for ESC Toulouse and a postgraduate Degree (DESS) in finance. He has held various senior positions in several international banks including CITIBANK, Barclays, BNP Paribas. He was the Regional Director in charge of Expansion projects for ECOBANK, the largest bank (in term of footprint) in Africa, before holding a CEO position for the Nigerian-based pan African bank United Bank for Africa in Gabon and Senegal, where he has won CEO of the Year from Banker Magazine and Global Finance, two years running. He is Executive Vice President and founder of MJE Capital, a Dubai based advisory Cabinet that fosters on the structuring of large ticket transactions across Africa. He has recently created the COFINA Group, a microfinance institution specialized in financing SME and entrepreneurs - ‘the missing middle’ - that operates in four African countries and aims to cover 16 countries by 2021.

Participants

**Narcisse Mouelle Kombi** is a Special Adviser to the President of the Republic of Cameroon. With a degree in Public Law and Political Science, he is a Professor at the University of Yaoundé II, where he teaches at the Faculty of Law and Political Sciences, the Department of Public International Law and Community Law. He holds a degree from Yaoundé, Strasbourg III, Paris II and Paris V. The Pr. Narcisse Mouellé Kombi has occupied, among others, the functions of Dean of the Faculty of Law and Political Sciences of Douala, Director of the Institute of International Relations of Cameroon (IRIC) and member of the National Commission of Human Rights. He has also been a Professor twice invited at the University of Lyon III. Vice-president of the AADI since the Conference of Maputo in 2012, he is the author of several works, namely *La politique étrangère* (Paris, L’Harmattan, 7552), *La guerre préventive et le droit international* (Paris, Dianoïa, 2006) and *La démocratie dans la réalité camerounaise* (Dianoïa, 2013).

**Edward Kwakwa**, Legal Counsel at the World Intellectual Property Organization (WIPO) in Geneva, holds an LL.B. (University of Ghana), an LL.M. (Queen's University in Canada), and an LL.M. and J.S.D. (Yale Law School). Before joining WIPO, Kwakwa practiced with O’Melveny and Myers in Washington, D.C., worked as Senior Legal Adviser at UNHCR, and as Legal Affairs Officer at WTO. Kwakwa is an Associate Member of the *Institut de Droit International*. His publications include four books and numerous articles on international law. He is Vice-President of the African Foundation for International Law, Member of the Governing Council of Africa Legal Aid, Member of the Editorial Advisory Board of the *African Journal of International and Comparative Law*, and Vice-President of the American Society of International Law. Kwakwa is Extraordinary Professor in Law at the University of Pretoria, and Adjunct Professor of Law at the Graduate Institute of International and Development Studies in Geneva.

Biographies

Sikhulile Ngcobo is Research & Teaching Associate within the School of law at the University of the Witwatersrand. She assists with teaching Administrative law, Family law and Law of Succession. Her research areas of interest mainly include natural resources and environmental law. She has however developed a keen interest for trade and regional integration. She obtained her Bachelor of laws degree from the University of the Witwatersrand. She went on to complete her Master’s in Environmental and Sustainable development law at the same institution. Her Master’s research dissertation evaluates how, and to what extent the proposed regulation of hydraulic fracturing in South Africa strikes a balance between socio-economic and environmental issues. Whilst pursuing her Master’s degree she also worked as a Remediation Analyst for Barclays Africa.

Thierry Ngosso is a Cameroonian philosopher and business ethicist. He obtained a PhD in Philosophy from the Catholic University of Louvain (Belgium). His dissertation title is “Purposes and Moral Obligations of Business Corporations.” In 2015, he was a Visiting Professor at the EDHEC Business School (France), Science-Po Lille (France) and the University of St. Gallen (Switzerland). He is currently a Postdoctorate Fellow at the Institute for Business Ethics of the University of St Gallen where he is writing on “Firms and Climate Responsibility.” He is also a Visiting Lecturer at the Catholic University of Central Africa (Cameroon).

Vincent Nmehielle is currently the general Legal Counsel and Director for Legal Affairs of the African Union Commission in Addis Ababa, Ethiopia. He is also Professor of Law and Head of the Wits Programme on Law, Justice and Development in Africa at the University of the Witwatersrand (Wits) School of Law in Johannesburg, South Africa, where he has taught since February 2002 and where he held the Bram Fischer Chair in Human Rights Law from 2002 to 2004. Nmehielle was a Professorial Lecturer in law at the Oxford University and George Washington University Human Rights Program in 2003 and 2004. From 2005 to 2008, Professor Nmehielle went on a leave of absence from Wits to serve as the Principal Defender of the United Nations-backed Special Court for Sierra Leone in Freetown, Sierra Leone. He holds a Bachelor of Laws (LLB) degree with Honors from the Rivers State University of Science and Technology, Port Harcourt, Nigeria, 1989; a Master of Laws (LL.M) degree with distinction in international law from the University of Notre Dame, USA, 1996; and a Doctor of Juridical Science (SJD) in international and comparative law from The George Washington University, Washington, D.C, USA, 2000. He is a Barrister and Solicitor of the Supreme Court of Nigeria and was admitted as such in 1990.
**Participant**

**André Nollkaemper** is Professor of Public International Law at the Faculty of Law of the University of Amsterdam. He is also President of the European Society of International Law, and a member of the Royal Academy of Sciences of the Netherlands. He is a Member of the Permanent Court of Arbitration. Since 2013, he has also been External Legal Advisor to the Minister of Foreign Affairs of the Netherlands. His practical experience includes cases before the European Court on Human Rights, the Special Court for Sierra Leone, the International Criminal Tribunal for the Former Yugoslavia and the Extraordinary Chambers in the Courts of Cambodia.

**Jumoke Oduwole** was appointed as the 2013-2015 Prince Clause Chair holder, a visiting professorship of development and equity in honour of the late Prince Claus of The Netherlands by the Curatorium chaired by H.R.H. Queen Maxima of the Netherlands. She is a lecturer at the Department of Jurisprudence and International Law, Faculty of Law, University of Lagos in Nigeria. She is an elected member of the University's Senate and sits on the Committee heading the Centre for Human Rights, University of Lagos. She is Vice President (West Africa) of the African Association of International Law and serves on the executive committee of the African International Economic Law Network. She was a 2013 Archbishop Desmond Tutu Fellow of the African Institute of Leadership. She also assists the Nigeria Economic Summit Group (NESG) research department in an advisory capacity. Dr. Oduwole has an LL.M. degree from Cambridge University, UK, where she was a DFID-Cambridge Commonwealth Trust Scholar, as well as a masters degree in International Legal Studies and a doctorate on International trade and development from Stanford Law School, USA. She and was a Graduate Fellow at the Stanford Center on International Conflict and Negotiation from 2007/2008 and a visiting scholar at the University of Houston Law Center, Houston, Texas from 2008/2010.
Kehinde Folake Olaoye is currently an LLM candidate and Nigerian Law Scholar at King’s College London. She will complete an LLM in transnational law in September 2015 and is currently working on her dissertation titled “Harmonisation of Corporate Governance Law in Africa: OHADA and the Rest of Africa”. Ms. Olaoye attended the University of Ibadan, Nigeria as a Nigerian Federal Government Scholar and graduated with a bachelors degree in law in 2011. Thereafter, she attended the Nigerian Law School, Kano Campus between 2011 and 2012 and was called to the Nigerian Bar in November 2012.

Adetola V. Onayemi, LLB (Lagos) and LLM (Cambridge), serves as legal counsel to Form+ (Winner, Google API award 2012) and Blendology (UK), advising management on intellectual property, technology law and international trade transactions. He has also worked at the Office of the Legal Adviser, Organisation for the Prohibition of Chemical Weapons (OPCW). He previously worked at the legal firm of Ikeyi & Arifayan Barristers and Solicitors, Lagos, where he was integral to advising on several commercial and oil and gas transactions. He has authored/conducted researches in international intellectual property law, investment and trade law, technology law and public international law, and holds a lecturing position with the Faculty of Law, University of Uyo, Nigeria. He currently consults on International law and International trade law with The Policy Bank Centre and serves as an international legal specialist with the Law, Policy and Trade LLC.

Serguei Ouattara has been concerned for several years by the development of Africa’s economy, especially the private sector and SMEs. With the support of his network, he initiated the Brussels’ based EU-Africa Chamber of Commerce. Ouattara started his professional career in 2003 as a freelance in Information Systems and Management Consulting. He had worked as SME consultant for the World Bank and for the International Finance Corporation in Africa. He liaised with the local private sector, professional associations, financial institutions and development agencies such as GiZ, DFID and EU Delegation. In addition to his expertise with the African private sector, Serguei had provided his services as an information systems consultant to several European companies such as Europcar, AXA Belgium, BNP Paribas Fortis, Merial, Brasseries d’Orval, STIB, Generali Insurance Group. He holds a Business Engineer Diploma obtained with Honors at Catholic University of Louvain (UCL), Mons, Belgium.
Mohamed Oudebji is a professor of International Economic Law of Development at the Faculty of Law and Economics, University of Marrakech-Morocco. He studied at Rabat University (Morocco), and at Laval University (in Quebec-city/Canada). He has a bachelor’s degree in Political science and both Master’s degree and Ph.D. (in International Economic Law of Development) from the Faculty of Law at Laval University in Quebec Canada. He has published extensively on international law.

Tafadzwa Pasipanodya - As a member of Foley Hoag LLP’s international litigation and arbitration practice, Tafadzwa Pasipanodya helps sovereign states resolve disputes arising from gold, diamonds, petroleum and other natural resources. In addition, she provides counsel to states in their disputes with other states related to territorial and maritime claims, as well as human and environmental rights. She has represented Latin American, Asian and European states in investor-state arbitrations under the rules of UNCITRAL, ICSID, the ICSID Additional Facility, and the ICC. She has also advised African, Asian, Latin American, and European states before the ICJ, ITLOS, and arbitral tribunals. Tafadzwa is also engaged in Foley Hoag’s corporate social responsibility practice, which advises corporations on the integration of human rights and environmental standards into their operations. Tafadzwa has a Juris Doctor degree from New York University School of Law, a Masters in Public Affairs from Princeton University, and a Bachelor of Arts from Macalester College.

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 Médiation de cas litigieux, Straus Institute for Dispute Resolution, Pepperdine school of Law.
**H.E. Judge Jean-Eric Rakotoarisoa** est Président de la Haute Cour Constitutionnelle de Madagascar (HCC) depuis 2014. Titulaire d'un Doctorat en droit constitutionnel, Professeur de droit constitutionnel à l'Université d'Antananarivo, il était avant sa nomination à la HCC consultant pour le compte de l'OIF et du Groupe International de Contact – Madagascar, de l'Union africaine (GIC-M), pendant la crise politique de 2009-2014. Il est aussi l'un des membres fondateurs de l'Observatoire malgache de la vie publique (SeFaFi). Il exerçait également le métier de journaliste et de Directeur de rédaction au sein du magazine économique « Dans les Médias Demain » (DMD).

**Prof. Dr. Oliver C. Ruppel** is a full Professor of Law at the University of Stellenbosch (South Africa) and the Director of the Development and Rule of Law Programme (DROP), likewise at the University of Stellenbosch. He also lectures as a Professor Extraordinaire at various institutions in Africa and around the world. Until 2010 he held one of the worldwide 14 academic chairs of the World Trade Organisation (WTO), Geneva, Switzerland, which he established at the University of Namibia, Windhoek, where he had previously also served as the Director of the Human Rights and Documentation Centre, a national institute established by statute under the Namibian Ministry of Justice. He is an International Arbitrator (FA Arb) with the Association of Arbitrators of Southern Africa and the Swiss Chamber for Commercial Mediation (SCCM). His professional focus lies on public international law and diplomacy, with a particular focus on sustainable development and the rule of law.
Mathias Sahinkuye is a Senior Research Fellow of the African Institute of International Law and Dean of the Faculty of Law of the University of Iringa, United Republic of Tanzania. His fields of specialization include public international law, human rights law, international humanitarian law, international criminal law, international refugee law, theory and philosophy of law, and legal scholarship. Before joining the African Institute of International Law and in addition to his lecturing activities, he served as Defense Attorney before the United Nations International Criminal Tribunal for Rwanda since 2000. He is also Secretary General of the International Defense Lawyers since 2004, and member of various societies. Prof. Sahinkuye has dedicated his time in engaging in a full range of research-related activities and has published numerous books, articles and other academic works. With his extensive experience in research, advocacy, litigation and training in Africa, he has made a substantial contribution to the establishment, designing and conducting of the programs of the African Institute of International Law.

Mpazi Sinjela is a national of Zambia and is Professor of Law at the University of Lusaka, Zambia. Professor Sinjela is also founder and Executive Director of the METS Law Institute in Lusaka, engaged in teaching, training, research and consultancy in the legal field. He has also served as Deputy Vice Chancellor and Dean of the School of Law at the University of Lusaka. Prior to joining the University of Lusaka, he was Dean, WIPO Worldwide Academy in Geneva, Switzerland. Earlier on before joining the World Intellectual Property Organizarion (WIPO), Professor Sinjela served as Senior Legal Officer in the Codificarion Division of the Office of Legal Affairs, United Nations, New York. He has also served as visiting Professor, Raoul.Wallenberg Institute, University of Lund, Sweden; and the University of Torino, Italy, and has lectured at the Hague Academy of International Law, The Hague, Netherlands. Professor Sinjela has published scholarly works in international law, human rights, constitutional law and intellectual property law. Professor Sinjela holds a bachelor of Law (LLB) degree from the University of Zambia, a Master of Law (LLM).degree and a doctorate of Law (JSD) degree from Yale Law School, USA.
**Dr. Atabong Tamo** is a researcher in International Law and Development at the International Institute of Social Studies (of Erasmus University Rotterdam). He originates from Cameroon and obtained a doctoral degree from the University of Antwerp (Belgium). Dr. Tamo is currently providing research assistance to the 2013-2015 Prince Claus Chair’s research project on the Right to Development. In addition, he investigates on issues in the realm of business, human rights and development. He is also Programme Coordinator at the African Foundation for International Law.

Dr. Djacoba Liva Tehindrazanarivelø [Vice-President (Diaspora) of the AAIL], holds a PhD in International Law and a Master in International Relations from the Graduate Institute of International Studies, Geneva; a Certificate of the Centre for Studies and Research of the Hague Academy of International Law; and a Maîtrise in Public Law and Political Science from the University of Antananarivo, Madagascar. He is currently a Lecturer at Boston University Study Abroad Geneva, Switzerland, and at the Institute of Human Rights, Catholic University of Lyon, France. He is also a regular guest lecturer at the University of Geneva’s Centre for Education and Research in Humanitarian Action, and was a Visiting Professor at the Catholic University of Bukavu, Eastern Democratic Republic of Congo, and the Law Faculty of the University of Antananarivo, Madagascar. In 2010 and 2015 respectively, he was a member of the Malagasy national delegation for the Universal Periodic Review of Madagascar before the Human Rights Council, and the 24th Summit of the African Union. Dr. Tehindrazanarivelø is author of two books and several articles on UN economic sanctions, AU peace and security legal framework, international criminal justice, and human rights, including migrants’ rights.

Dotse Tsikata leads the corporate finance team in the African Development Bank's legal department. He recently returned from a sabbatical as Visiting Scholar at the University of California, Davis School of Law, researching on the law of international organizations and sovereign debt. He is a graduate of the University of Ghana, Legon, Queen's University at Kingston, Ontario and the University of Toronto and the author of a doctoral thesis on the legal regime of sovereign debt restructuring.
Joyce Williams is research attorney at International Law Institute in Washington, DC. In the past, she served as a consultant at SILLAC, Legal Fellow at NatLaw in Tucson, Arizona and Legal Intern at UNCITRAL in South Korea. Joyce has authored several papers and is frequently invited to speak on harmonized law issues. She is the Vice Chair for International Trade and Africa Committees of the American Bar Association's Section of International Law. She has been awarded a diversity fellowship by the Section of International Law. She serves on the Executive Board of Bakashana, Zambia. Joyce was awarded the volunteer of the year award in April 2015 by United Community Ministries for her pro bono services to the immigrants’ community in Fairfax County, Virginia. Ms. Williams has a Juris Doctor degree in Law and a Bachelor of Arts degree in Economics. She admitted to practice law in the State of Arizona.

Akiko Yanai is a senior research fellow at the Institute of Developing Economies, Japan External Trade Organization (IDE-JETRO). She is also a research associate at the Stellenbosch University in South Africa since June 2014. She received an LL.M. in International and Comparative Law from Waseda University and the George Washington University Law School. Her main areas of interest include development and environmental issues in the multilateral trading system and preferential trade schemes. Her coedited book, Trade and Environment: Challenges for Developing Countries, was published in 2014.

Guled Yusuf is an associate at Clifford Chance, London. He has experience in public international law, international arbitration and commercial litigation. Guled has published a number of articles and book chapters on public international law and international arbitration with a focus on Africa. Before joining Clifford Chance, he gained experience working at an international organization. Guled has an LL.B. from the University of Warwick and an LL.M. from Columbia University.