

Fifth SOAS Arbitration in Africa Conference

SOAS Khartoum/Arusha Arbitration in Africa Conference in
Partnership with Bannaga & Fadlabi LLP (Sudan) and African Institute
of International Law (Arusha)

International Conference Centre, Arusha, 12-14 February 2019

Best Practices in Arbitration and ADR in Africa

Program

Day 0: Tuesday 12 February 2019

1730-1830: Registration of attendees at Arusha International Conference Centre

1830-2000: Welcome dinner with Egyptian music on the lute by Abdallah El Nokaly at African Tulip Hotel [<http://www.theafricantulip.com/>] sponsored by Rankin Engineering Consultants, Zambia.

Anchor person: Ms Ilham Kabbouri

Conference languages: English and French

Day 1: Wednesday 13 February 2019

[The primary focus of discussions will be commercial arbitration]

0800-0915: Registration of attendees at International Convention Centre, Arusha

0920-0930: Welcome by Anchor person: Ms Ilham Kabbouri, Hogan Lovells LLP

0930-0940: Welcome by Dr Emilia Onyema (SOAS University of London)

0940-0950: Welcome by Mr Ahmed Bannaga (Bannaga & Fadlabi LLP, co-host, Sudan)

0950-1000: Welcome by Ambassador Sani Mohammed (African Institute of International Law, co-host, Arusha)

1000-1010: Welcome by H.E. Prof Dr Kennedy Gastorn, Secretary-General, Asian-African Legal Consultative Organisation (AALCO).

1030-1100: Keynote Address on “The Business Case for Arbitration in Africa” by Mrs Olufunke Adekoya, SAN, AELEX Lagos

1100-1130: Group Photo and Tea Break: sponsored by Rankin Engineering Zambia

1140-1250: Panel 1: Africa’s Experience in Adopting UNCITRAL Model Law on Arbitration

[This panel will examine the experience of the 11 African states that have adopted the Model Law and provide a recommendation whether other African countries should adopt or adapt the Model Law from their own experience. The panel will focus in particular with

peculiarities from their own jurisdiction and interpretation of their courts and the courts of other Model Law jurisdictions]

Chair: Ms Esine Okudzeto, Sam Okudzeto & Co., Accra.

Speakers:

Mr Kizito Beyou will speak on the experience of Ghana and why Ghana did not adopt the Model Law wholesale in its 2010 ADR Act.

Ms Njeri Kariuki will speak on the experience of Kenya and why Kenya adopted the Model Law wholesale in its 1995 Arbitration Act and 2010 Constitution.

Dr Sylvie Bebohi will speak (via skype) on the experience of OHADA and its revised arbitration law.

Mr Hamid Abdulkareem will speak on the experience of Nigeria and the proposed amendments to its arbitration law.

Mr Tayeb Hassabo will speak on the Sudanese Arbitration Law

1300-1420: LUNCH: Lunch sponsored by Mitchell Silberberg & Knupp LLP (Los Angeles, California)

1430-1530: Panel 2: Africa's Experience in adopting UNCITRAL Arbitration Rules

[Arbitration centres will share their experience of administering arbitration references under the UNCITRAL and their bespoke rules. They shall focus in particular on the provisions which have been very difficult for them to apply]

Chair: Mr Babjide Ogundipe, Sofunde, Osakwe, Ogundipe and Belgore, Lagos

Speakers:

Dr Ismail Selim, Director-General, Cairo Regional Centre for International Commercial Arbitration (CRCICA)

Dr Fidele Masengo, Secretary-General, Kigali International Arbitration Centre (KIAC)

Dr Marie-Andree Ngwe, Secretary-General, Groupement Inter-patronal du Cameroun (GICAM)

1535-1555: Tea Break sponsored by Aztan Law Firm (Sudan, South Sudan & Nairobi)

1600-1715: Panel 3: Enforcement of Arbitral Awards in Africa

[This panel will discuss developments in their jurisdictions on the enforcement of arbitral awards under the NYC or their national laws through an analysis of recent important cases. The foreign speakers will share from their own experience of enforcing awards/judgements in African jurisdictions]

Chair: Dr Nagla Nassar, NassarLaw, Cairo

Speakers:

Mr Ahmed Bannaga on the view from Sudan

Dr Babatunde Ajibade, SAN on the view from Nigeria

Mr Jonathan Ripley-Evans on the view from South Africa

Mr Kamau Karori on the view from Kenya
Mr Tim Taylor, QC on the view from outside Africa

END of DAY 1

Day 2: Thursday 14 February 2019

[The primary focus of discussions will be investment, investment arbitration and ADR]

0900-1000: Panel 4: The African Continental Free Trade Area Explained

Chair: Mrs Sola Adegbonmire, Sola Ajijola & Co., Lagos

Lead paper: Mr Adetola Onayemi on the African Continental Free Trade Area Agreement as it relates to dispute settlement and arbitration.

Discussants:

Prof Idrissa Bachir Talfi
Ms Leyou Tameru
Mr Gerald Afadani

1005-1110: Panel 5: African States, Foreign and Domestic Investments

[This panel will discuss the experience of African states and their push to attract foreign investments. It will discuss the role of domestic investors and how they can be better incentivised and protected; and finally discuss what will attract foreign investors to African States.]

Chair: Ambassador Sani Mohammed, African Institute of International Law

Speakers:

Mr Bobby Banson on the experience of West African states.
Dr Achille Ngwanza on the experience of the OHADA region
Ms Xander Meise from the perspective of advisor to foreign investors on what will attract them to African States.

1115-1130: Tea Break sponsored by the Cairo Regional Centre for International Commercial Arbitration

1135-1250: Panel 6: Africa's Engagement with Investor State Dispute Settlement (ISDS)

[This panel will discuss the cases African states and investors have been involved in ISDS to determine a trend and suggest how their success rates can improve; and explore other dispute resolution mechanisms that may serve these parties better especially where all parties are African. It will also engage with the Pan-African Investment Code.]

Chair: Dr Emilia Onyema, SOAS University of London

Speakers:

Dr Chrispas Nyombi on the need for a Pan-African Investment Court

Prof Paul Idornigie, SAN on the Nigerian-Morocco BIT
Dr Mostfa Bek El Behbety on Egypt's experience of ISDS and its remedial action.

1300-1420: LUNCH

1430-1540: Panel 7: Culture of Arbitration and Institution Building in Africa

Chair: Mr Thierry Gakuba Ngoga, Legal Line Partners, Kigali

Lead Paper: Mr Olisa Agbakoba, SAN on the Culture of Arbitration and Building Institutions in Africa.

Discussants:

Mr Edward Fashole-Luke, II

Ms Eunice Shang-Simpson

Mr Abdallah El Nokaly

1540-1555: Tea Break sponsored by King & Wood Mallesons MENA

1600-1700: Panel 8: The modernisation of other ADR Processes in Africa

[This panel will engage with mediation and negotiation in dispute resolution]

Chair: Ms Suzanne Rattray, Rankin Engineering Consultants, Lusaka

Speakers:

Prof Hiro Aragaki on mediation law reform in Africa

Mrs Caroline Etuk on court annexed ADR services (multidoor courthouse)

Ms Madeline Kimei on Online Dispute Resolution or "ODR4Africa"

1705-1730: Launch of Arbitration Fund for African Students (AFAS) by Dr Emilia Onyema; Dr Chrispas Nyombi; Ms Yasmin Sebah and Ms Eunice Shang-Simpson.

1730-1740: Closing remarks by the President of the East African Court of Justice, Hon. Judge Dr Emmanuel Ugirashebuja.

1900-2100: Closing dinner at Mount Meru Hotel [<https://www.mountmeruhotel.co.tz/>]