ABA International Africa Committee Conference Call
Minutes
May 8, 2013 at 1:00pm (EDT)

Attendees:
Ricardo Silva, Co-Chair
Adejoke (Joké) Babington-Ashaye, Co-Chair
Christina Holder, Vice Chair
Roland Abeng, Vice Chair
Tiago Cruz, Vice Chair
Uchechi Anyanwu: Vice Chair
Mike Murphy
Olufunmi (Funmi) Oluyede
Obi Madubuko
Norm Greene
Janet Henderson
Brian Murphy
Ginna Anderson
Jim Lord

Leadership not on call:
Nancy Stafford, Immediate Past Chair
Angelia Wade, Vice Chair
Yvonne Fiadjo, Vice-Chair

1. Introduction/Welcome (Ricardo)

2. ABA SIL Spring Meeting round up.
Members who attended the Spring Meeting in DC were asked about their views on what went well, what could be improved, etc.

Norm Green: Norm’s panel was scheduled for the 8-9 am slot, which was prejudicial to turn out and participation. Norm also noted that the distribution and approval of programs was unbalanced, and that there is a lack of transparency in the approval and
distribution process. A number of showcase panels didn't cut it, and one cannot understand how decisions are made. The AC should try and use its bargaining power to get better position for panels. With these caveats, the panel actually went well.

Ricardo mentioned that the problem with the lack of transparency in the program approval process concerns him. It has become too common to see overlapping or simply duplicated programs, and others with little quality or that are recurrent from one meeting to another, while very up-to-date and important /interesting programs are not approved.

Brian Murphy noted that the rooms were way too small, and in a lot of situations people were made to stand as there was no seating room. He attended some very good presentations, others not so.

Funmi Oluyede mentioned that she had a different experience and didn’t have the same problems. Her programs were well timed, good presentations, rooms filled. She did note, however, that the committee dinners were a problem, as she had various dinners on the same night, and had to attend meetings of other Committees she’s involved in and, once again, was unable to attend the AC dinner. Funmi also mentioned that she has been helping with reviewing programs for a number of years, and when you do this it is easier to have people pay attention to your programs.

Other members mentioned that holding the dinners after a reception at which food was available was not the best idea.

Ricardo explained how committee dinners have evolved over the years, and the AC’s decision a couple of years ago to simply hold its own dinner in a more intimate place to make sure people are able to talk and get to know each other better. This format has generally worked very well. He suggested that members provide the leadership with timely information on who will attend the seasonal meetings, and when they intend to participate in other dinners, so we can try and work around everyone’s schedule.

Additionally, there was a Nigerian delegation of approximately 20 lawyers which was welcomed by the Section’s leadership. The Section’s leaders discussed various ways to increase membership and liaison with the Nigerian Bar Association. Joké and Funmi attended the meeting. Joké encouraged increased participation these members in the Section as a whole and in the Africa Committee in particular.

An update on the Spring meeting, including pictures, will be prepared and posted on the Committee's webpage.

3. Update on AC Fall Meeting programs (October 2013)

Funmi mentioned that she will be participating in a program co-sponsored by the AC, and will send out the program so the AC can know how to assist.

Ricardo is moderating the panel “The Costs and Consequences of Section 1504 of the Dodd-Frank Act: How to Prevent Congress’ Fight Against the “Resource Curse” From Becoming a “Disclosure Curse” for U.S. Companies”, and is looking for contacts in
Multinational companies or their attorneys that have been involved in Dodd-Frank compliance matters.

Obi will be participating in a panel on asset repatriation and is looking for contacts in the Non-profit sector. Joké noted that members speaking at any other programs should kindly let the Committee know so that we can showcase this and promote attendance at their programs as well.

The following is a complete list of programs sponsored/co-sponsored by the Africa Committee:

- **Repatriation of Stolen Assets: Challenges & Opportunities** (program submitted by AC member, Obi Madubuko. Co-sponsored by the International Anti-Corruption Committee)

- **Making Space for Ethics in the Investigation and Prosecution of International Crimes** (program submitted by AC Co-Chair, Adejoké Babington-Ashaye & International Criminal Law Committee Vice-Chair Karen Corrie. Co-sponsored by the Anti-Corruption and International Criminal Law Committees).

- **Medical-Legal Partnerships in Developing Countries: Sharing Best Practices and Establishing Collaborations** (joint program submitted by the International Health Law & Life Sciences Committee and the Africa Committee). The International Health Law & Life Sciences Committee is considering withdrawing the program and turning it into a teleconference alone. Any updates on this program will be provided at the next monthly call.

- **The Costs and Consequences of Section 1504 of the Dodd-Frank Act: How to Prevent Congress’ fight against the “Resource Curse” from becoming a “Disclosure Curse” for U.S. Companies** (program submitted by AC member, John Wilkerson. Co-sponsored by the Anti-Money Laundering Committee and the Anti-Corruption Committee).

4. Update on one-time joint publication of the newsletters of the ABA SIL Africa Committee (Africa Law Today) and the IBA Africa Regional Forum (AF) Newsletter. – Kim Brown.

Kim explained that the IBA has advised that it is not available to do a joint publication. She is considering different ways of moving this forward, as the joint publication has died, but not the idea and the driving force behind the idea. Funmi apologized as co-chair of the IBA AF for this not going through, but there is nothing they could have done. IBA AF is apparently still interested in collaborating with the AC.

5. Round up on May 1 Program: “Doing Business in Africa: Nigeria’s Ethics & Values” – Obi Madubuku
Ricardo introduced the topic by explaining that the leadership is looking forward to having increased member participation in these types of events. The idea is for:

1- Members to tell the AC of events that will take place;
2- Send us an email if your attending; and
3 – Discuss any programs you have attended on the next monthly call.

Obi then gave an update on the program, and explained that one of the invited speakers was the special advisor to Nigerian president. The special advisor explained that the Office in Nigeria was created in 2011 but has not achieved much due to “political issues”.

The participants discussed ways to encourage investment and other opportunities for businesses to get involved in Africa. It was a well-attended event (50 odd people), with representatives from the World Bank, US Department of Congress, the Nigerian embassy and other stakeholders. It was a good opportunity to learn about different initiatives that are taking place.

There is an interest in moving this forward and the Department of Commerce is looking for partners for other discussions. They will be holding a Global Diaspora Conference in DC in May, in which multi-lateral lending institutions will discuss how to support the diaspora with any activities they have on the Continent.

6. Country representatives initiative

Ricardo made a brief presentation on the initiative and asked members to refer to Joké’s 30 April email.

Funmi clarified that she has been ABA’s Nigeria country representative for the past 3 years, but believes the ABA is now looking for an increased liaison role, someone that will organize more activities. She explained that she had served her time and various other members showed interest in possibly taking on the role.

Ricardo advised that anyone who is interested can contact Ricardo and Joké directly, as the AC leadership has taken on the job of discussing this matter with AC members and then liaising with the SIL leadership.

7. Upcoming Teleconference programs:

   a. transitional justice teleconference – Uche

   Uche clarified that the teleconference will be held on May 29 and she is solely waiting for confirmation from some panelists. To-date she has been getting a positive response from members and is hoping to get final confirmation from everyone by the end of this week. She is happy with the interaction with the ABA in organizing the event.

   b. Land Issues in Africa teleconference series – Tiago
Looking towards late July to organize the first teleconference of the series, but still trying to confirm everyone's availability. Tiago will send out an email when they have a final date and hour.

8. Africa Law Today Newsletter
Announcements: It's Ryan's last month with the AC as intern. He has been a great contributor that will be greatly missed. We will be opening up two new internship positions for the AC. If anyone is interested, please let us know.

July 20th is the deadline for submission for next newsletter.

9. Any other business.
Ricardo spoke about the Beijing conference, advising that registration is now open. The AC will be organizing a panel, and a number of AC members participated actively in making this possible. More information is available at:

http://www.americanbar.org/content/dam/aba/events/international_law/2013/09/china_inside_andout/ChinaBrochure.authcheckdam.pdf