ABA International Africa Committee Conference Call
Minutes
11 September 2013 at 1:00 PM (EST)

Attendees
Joké Babington-Ashaye, Co-Chair (adejoke@gmail.com)
Kimberly Brown, Co-Chair (kimberly.marie.brown@gmail.com)
Yvonne Fiadjo, Vice-Chair (fiadjoe@hotmail.com)
Angelia Wade, Vice-Chair
Uchechi Anyanwu, Vice-Chair
Anne Bodley, Vice-Chair
Kel Jack, Vice-Chair
Ricardo Silva, Immediate Past Chair
Abigail Avoryie, AC Intern
Eteena Tadjioogueu, AC Intern
Funmi Oluyede
Solomon Ebere
Collin Richard
Nelson Ogbuanya
Wayne White
Siad Hodan
Ganiyou Gassikia
Tamara Haken
Norman Greene
Joyce Williams

1. Introduction/Welcome
Joké & Kim welcomed everyone to the conference call.

2. Update on Two Successful Programs Accepted for 2014 Spring Meeting (Africa Committee sponsored programs):

   • Success Stories and Progress in Africa’s Anti-Corruption Efforts: Taking Stock and Moving Forward (proposed by AC member Marcellus McRae).

      Efforts to prevent and enforce anti-corruption in Africa have increased dramatically in recent years. The panel will consist of practitioners with extensive experience in enforcing anticorruption, conducting forensic investigations in Africa, and increasing anti-corruption efforts in Africa. The program is designed to share perspectives into recent developments and discuss next steps in targeting anti-corruption. Participants will gain insights in, among other things:
Recent implementation of laws, regulations and the creation of new agencies and organizations that focus on preventing and fighting corruption and protecting whistleblowers.

- Methods in overcoming obstacles in countering corruption.
- Positive changes in media coverage regarding anti-corruption efforts.
- The complexity of cross border enforcement issues and increased efforts to encourage cooperation across borders.
- Recent anti-corruption enforcement cases

- **Between a Rock and a Hard Place: Potential Impacts of Investment Arbitration Trends on Natural Resource and Economic Strategies in Africa and Beyond** (proposed by AC member Alexandra Meise Bay).

  The recent boom in treaty-based investor-State arbitration has brought with it a significant number of arbitrations involving natural resource disputes, especially over concession contracts and contracts related to mining and extraction-sector development. At the same, many countries in central and southern Africa have recently partnered with foreign corporations to expand development of their natural resource sectors. In this timely program, we examine trends in investor-State arbitration and explore lessons learned from the resolution of recent natural resource disputes, with an eye to their potential impact on the negotiation of future investment treaties and the strategic development of mining and natural resource sectors in certain countries in Africa and beyond. Panelists include individuals with regional experience representing investors (including extraction-sector corporations), States, and/or international organizations in investment disputes, as well as experience as arbitrators and/or advisors seeking to prevent or adjudicate such disputes.

3. **Updates on China Inside Out Program** (16 - 17 September): Discussed that the last chance to register was quickly approaching and that registration details are available on the SIL site. Program includes a panel on Chinese foreign investments in Africa and would include a representative from the African Development Bank’s legal department.

4. **Programs**

   a) **Updates on October Fall meeting in London, October 15 - 19, 2013**

   - Register here:
b) *Africa Committee* sponsored/co-sponsored programs during the fall meeting:

- Repatriation of Stolen Assets: Challenges & Opportunities (program submitted by AC member, Obi Madubuko. Co-sponsored by the International Anti-Corruption Committee)
- 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).
- Global Response to Gender-based Violence: The Good, The Bad, and The Obnoxious (program submitted by Olufunmi Oluyede and Sanjay Tailor on behalf of the Women’s Interest Network and the India Committee).

c) **Committee Dinner**

Anne Bodley is helping to organize the committee dinner during the fall meeting in London. If you are attending, please email annebodley@yahoo.com to indicate your participation. Further details to follow by early October.

d) **Doing Business in Africa teleconference series:** Kim briefly discussed that a full calendar of events surrounding this series will be available following the submission of the AC’s business plan later this month. She also indicated the committee’s desire to have a stand-alone program on the continent, occurring at some point late next year. Anyone interested in participating in this, or who would like to receive the concept note, please email kimberly.marie.brown@gmail.com.

e) **Teleconference Series on 10 Year Anniversary of Maputo Protocol:** Kim briefly discussed the program idea and indicated that anyone interested in assisting with this should contact her at kimberly.marie.brown@gmail.com. Funmi indicated that the Women’s Interest Network would be interested in collaborating on such a program.
5. Publications

a) Year in Review (deadline 1 October 2013)

- The Year-in-Review ("YIR") is published in ABA The International Lawyer as "International Legal Developments in Review". The Publication focuses on legal developments in countries around the world. As a member of the Africa Committee you can send submissions on any of the countries within the continent as well regional or continent-wide institutions (e.g. ECOWAS, Africa Development Bank, African Union etc). The Africa Committee typically contributes articles on 30 African countries and institutions.

- Final call for submissions - If you are interested in writing on the 2013 Legal Developments please contact new committee editor, and Vice Chair Anne Bodley as soon as possible to secure the country/institution you wish to write about (annebodley@yahoo.com).

- Committee leadership gave a brief overview of the YIR project for context to new members. The YIR submissions are included in the SIL’s International Lawyer publication (for more information, visit: https://www.americanbar.org/groups/international_law/publications/the_international_lawyer.html)

b) Africa Law Today - deadline 20 October 2013

- The deadline for articles and contributions to the Fall edition of the ALT is 20 October 2013. If you are interested in writing an article for our Fall edition please contact the editorial staff directly at africalawtoday@gmail.com. We challenge all of our members to consider submitting a piece during the 2013-2014 ABA year. Also, feel free to spread the word and invite your colleagues and friends to submit articles for publication as well. To view the summer edition visit: http://tinyurl.com/AfricaLawTodaySummer2013.

- Beginning with the Fall 2013 Edition we will be launching a new feature to the newsletter on "Legal News & Updates.” If you are interested in helping to contribute or would like to suggest sources for inclusion, please email the editorial staff.
6. Committee Business Plan

- Committee leadership identified the purpose of the business plan, and requested that any new program ideas be shared with Kim/Joké/Yvonne at the latest by 20 September. Final business plan will be submitted on 30 Sept to the SIL leadership.
- It should be noted that the ideas need not be fully formulated, but that the concept, format and approximate timeline should be communicated clearly. All ideas are welcome!

7. Other Business

- Law Justice and Development Week coming up – November 2013. The events will be held at the World Bank and the Section is a sponsor of this event. Discount fees available for Section members and registration to open online shortly. For more information visit: [http://globalforumljd.org/events/2013/2013_ljd_week.htm](http://globalforumljd.org/events/2013/2013_ljd_week.htm).
- Several members discussed the Books for Africa program idea (including Funmi, Yvonne, Anne, & Joké). Anne shared that the website she mentioned on the last call that might be a worthwhile initiative to look into is ilbf.org.uk. The consensus was that the interested members would discuss how to spearhead and move this forward. If you are interested in assisting with this project, please reach out to Kim or Joké.

The next call is at 1pm EST 9 October 2013 (Second Wednesday of the month)