

Annual CCLA Newsletter

December 2020



ACADEMIC ACTIVITIES

Comparative Law and Business in Africa (CLBA) – LLM Course

The CCLA launched its new course, Comparative Law and Business in Africa (CLBA) as a first semester block course from 2nd - 20th March 2020. The course was co-convened by A/Prof Ada Ordor and Dr Nojeem Amodu, working with a team of experts from various regions of Africa. These included the Director of the Nelson Mandela School of Public Governance, Prof Faizel Ismail, Dr Theodore Maiyaki from the University of Abuja, Dr Jonathan Bashi Rudahindwa from Universite Protestante au Congo and Mr Douglas Gichuki from Strathmore University, Nairobi. The inaugural class comprised of eight students from five countries (South Africa, Botswana, Namibia, Zimbabwe and Zambia).

The course provided content on regional instruments for mobility and trade in four regional economic communities (RECs), namely: SADC, EAC, ECOWAS and the Arab Maghreb Union (AMU). Furthermore, the course also specifically focused on the domestic legal frameworks for doing business in South Africa, Kenya, the DRC and Nigeria. Discussion panels were constituted on the following specialised topics: movement of people and informal cross-border trade; China-Africa business frameworks and trade facilitation in Southern Africa, with panellists - Dr Victor Amadi, Ms Adetutu Oluwaseyi, Ms Tebogo Lefifi and Ms Tsotang Tsietsi, respectively.



Pioneer CLBA Class with some facilitators March 2020



01

Co-panelists Tebogo Lefifi and Tsofeng Tsietse speaking at the 2020 CLBA class.



02

CLBA course Facilitator, Prof. Ismail Faizel speaking on the AfCFTA



03

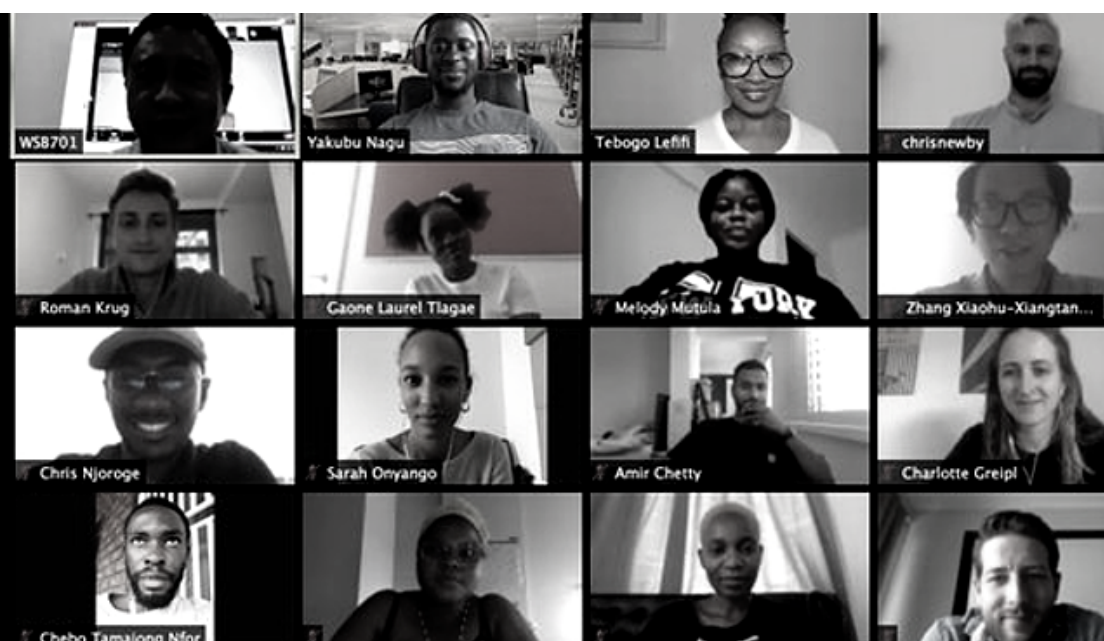
CLBA course conveners, A/Prof Ada Ordor and Dr Nojeem Amodu

LAW REGIONAL INTEGRATION AND DEVELOPMENT IN AFRICA (LRIDA) - LLM COURSE

This course was convened by Dr Ordor in the first semester, with 34 students from ten countries. In addition to foundational lectures on theories of integration and regional economic communities, the course featured a negotiation simulation exercise and guest lectures on the African Continental Free Trade Area (AfCFTA) by Prof Faizel Ismail and on Integration and the Movement of Persons by Dr Victor Amadi.

CHINESE LAW AND INVESTMENTS IN AFRICA (CLIA) - LLM COURSE

Ms Tebogo Lefifi piloted the remote teaching of CCLA's flagship course Chinese Law and Investments in Africa (CLIA) in the second semester, with 18 students, with a number of guest lecturers, including Professor Xiaohu Zhang of Xiangtan University, China and Ms Julia (Zhang) le Roux, a practising attorney in South Africa who specialises in Chinese dispute resolution.



CLIA Class of 2020: Countries represented include South Africa, Botswana, Kenya, Cameroon and Germany.

Publications

Ada Ordor, "Advancing the Role of Regional Courts for Regional Integration in Africa: A Study of the East African Court of Justice and the ECOWAS Court of Justice" in *The African Review*, Vol. 45 No. 2 (Special Issue) December 2018:63-81 (Published in April 2020 as a 2018 back issue).

Nojeem Amodu, "Corporate Social Responsibility and Economic Globalization: Mainstreaming Sustainable Development Goals into the AfCFTA Discourse" in *Legal Issues of Economic Integration* Vol 47, Issue 1 (2020) pp 71-104 (Wolters Kluwer).

Nojeem Amodu, "Codified director's duty to balance interests: The beginning of the future for corporate law" *International and Comparative Corporate Law Journal* 14(3), 1-28 (2020).

LAW AND REGIONAL INTEGRATION IN AFRICA (LRIA) - LLB FINAL YEAR ELECTIVE

This course was introduced as a final year research focus group in the second semester of 2020 and was taught through seminars by Dr Ordor, Dr George Mukundi and Dr Victor Amadi. The course introduced students to the legal instruments that shaped the post-independence trajectory of African co-operation from the Organisation of African Unity (OAU) to the African Union (AU). It also gave students an overview of the treaties establishing various regional economic communities on the continent, including SADC, EAC, ECOWAS and COMESA, demonstrating the progressive philosophical and ideological underpinnings of African integration. The pioneer class was made up of nine enthusiastic students.



Nojeem Amodu, "Stakeholder Protection and Corporate Social Responsibility from a Comparative Company Law Perspective: Nigeria and South Africa" 2020 *Journal of African Law* Vol 64, Issue 3 (2020)

Nojeem Amodu "Attaining the sustainable development goals in Africa: The new CSR for multinational corporations" *Journal of Sustainable Development Law and Policy* Vol 11 No. 1 (2020) pp 86-105.

Nojeem Amodu, "Integrating Sustainable Development into Heritage Conservation: An Agenda for Due Diligence by the Business Community" SOAS Eprints accessible at <https://eprints.soas.ac.uk/33038/>

Augustine Arimoro "The corona virus (COVID-19) pandemic and the challenge of healthcare infrastructure in Nigeria: What role for public-private partnerships?", *Theoretical and Applied Law*, 19-35.

OLU AKINKUGBE BUSINESS LAW IN AFRICA FELLOWSHIP



Ms Tebogo Lefifi

The Olu Akinkugbe Business Law in Africa Fellowship (OABLAF) is an all-expenses paid visiting fellowship of eight weeks, generously endowed by Chief Olu Akinkugbe CFR which commenced in 2014. The fellowship supports two annual short-term research visits to the CCLA by business law researchers from two African countries, leading to the production of a paper for publication in a peer-reviewed academic journal. The 2020 fellowship period was from 15th October to 15th December 2020.

"The fellowship supports two annual short-term research visits to the CCLA by business law researchers from two African countries..."

With the HoD's approval, both fellows were selected from within South Africa, given the covid-related restrictions on international and domestic travel and logistics. The 2020 fellows were Dr Victor Amadi, CCLA post-doctoral researcher and Ms Tebogo Lefifi, convener of the Chinese Law and Investment course and UCT doctoral researcher. Dr Amadi's research was on the topic: An Appraisal of the Effect of the Covid-19 Pandemic on the Movement of People in Africa, while Ms Lefifi carried out: A Comparative analysis of the regulatory frameworks for China Special Economic Zones and African Special Economic Zones.



Dr Victor Amadi

OTHER VISITING SCHOLARS



L-R, Dr Maiyaki, Dr Ordor, and Dr Bashi

Dr Theodore Maiyaki from the University of Abuja, Nigeria visited the CCLA from 7 – 13 March 2020. In addition to conducting research, he presented the ‘Doing Business in West Africa’ seminar in the Comparative Law and Business in Africa (CLBA) class.

Dr Jonathan Bashi Rudahindwa from the Université Protestante au Congo (D.R. Congo) also visited from 8 – 14 March 2020. In addition to conducting research, he presented the seminars on ‘Doing Business in Central Africa’ and ‘Doing Business in Francophone Africa: OHADA’ in the CLBA class.

EVENTS

MANDELA SCHOOL AFCFTA AND TRANSFORMATIVE INDUSTRIALISATION POST-COVID WEBINAR SERIES - 2020

The CCLA was one of the partners of UCT’s Nelson Mandela School in convening the online colloquium series on how the AfCFTA can stimulate an inclusive and developmental economic revival post-COVID-19. This pioneer webinar series took place from May to December 2020. The webinar series for the last quarter of 2020 focused on the following topics: Building regional value chains in Pharmaceuticals and Health Care (15 October 2020), Textiles and Clothing (29 October 2020), Agriculture and Food Processing (11 November 2020) and Policy Implications and Recommendations (24 November 2020). The webinar series featured industry experts and policy leaders from all over the continent.

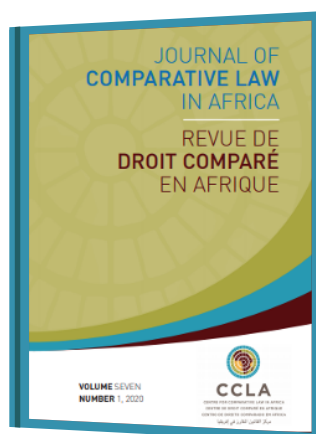
CCLA END-OF-YEAR BREAKFAST



On Wednesday, 9th December 2020, CCLA's end-of-year function held at Vovo Telo Café, Steenberg Shopping Centre, Tokai. This event also provided the opportunity to celebrate and bid farewell to CCLA's completing PhD student, Tsotang Tsietsi (first right), whose research was on the topic: "Trade Facilitation in the Southern African Development Community: Impediments, Costs and Prospects for Redress".

JOURNAL OF COMPARATIVE LAW IN AFRICA (JCLA)

The Journal of Comparative Law in Africa (JCLA) is a peer-reviewed, bilingual (English and French) law journal founded in 2013. It is a DHET-accredited journal which is produced by the CCLA and published bi-annually by JUTA. Its 2020 output were issues 1 and 2 of volume 7. The JCLA considers a wide variety of original submissions, including conceptual, practice or empirical papers as well as book reviews and case notes on potentially influential judgments.



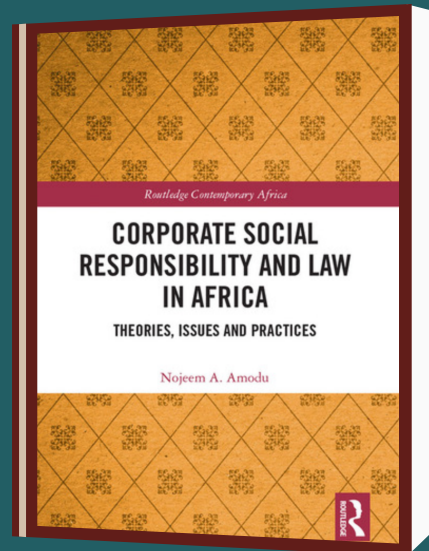
Publications cont.

Victor Amadi and Patricia Lenaghan

"Advancing regional integration through the Free Movement of Persons in the Southern African Development Community (SADC)", *Speculum Juris* 34(1), 52-67.

Ibrahim Harun, "Devolution and Peacebuilding in Kenya, fact or illusion?: The case of Marsabit County", *Perspectives on Federalism*, Vol. 11, issue 3, 2019.

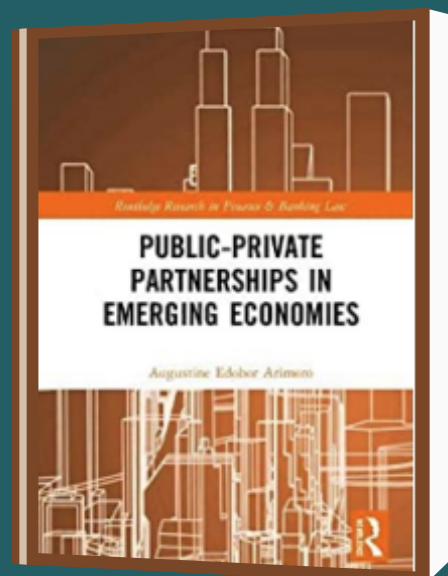
Yakubu Nagu, "Will the African Continental Free Trade Area's dispute settlement protocol be adequate to engender compliance?" *Journal of Comparative Law in Africa* 7(1), 120-134.



NOJEEAM AMODU

(CCLA Postdoctoral Research Fellow and
Research Associate)

Corporate Social Responsibility and Law
in Africa: Theories, Issues, and Practices
(Routledge, 2020).



AUGUSTINE ARIMORO

(CCLA Doctoral Graduand and Research Associate)

Public-Private Partnerships in Emerging
Economies (London: Routledge, 2020).