

CENTRE FOR COMPARATIVE LAW IN AFRICA

NEWSLETTER DECEMBER 2018



Publications

Journal of Comparative Law in Africa

The CCLA continues to successfully produce issues of the Journal of Comparative Law in Africa, for which a steady flow of contributions, both in English and French, has been secured. The ninth edition of the Journal of Comparative Law in Africa (JCLA) was published in June 2018. See the Call for Papers as well as the Editor's Guide on the home page of CCLA website www.comparativelaw.uct.ac.za

LLM in Comparative Business Law in Africa.

The advancement of economic integration on the African continent makes a course which covers the legal frameworks for intra-African trade imperative. The CCLA is responding to this development with a plan to introduce an LLM/ MPhil programme in Comparative Business Law in Africa in 2020. The core courses proposed for this programme are Comparative Law and Business in Africa and Law, Regional Integration and Development in Africa. Two electives may be picked from a basket of commercial law courses. These include the CCLA's signature course Chinese Law and Investments in Africa as well as a key new course on Resource Revenue Law.

2018 African Law School Leadership Forum Conference on Legal Education



The CCLA and the Faculty of Law co-hosted the 2018 African

Yinka Omorogbe and Ada Ordor (Eds), *Ending Africa's Energy Deficit and the Law: Achieving Sustainable Energy for All in Africa* (Oxford University Press 2018).

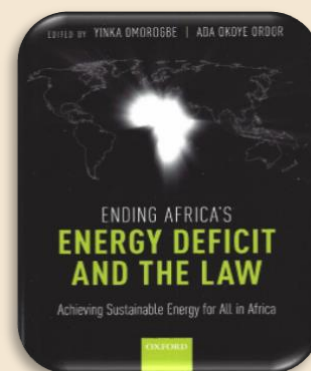
Yinka Omorogbe and Ada Ordor, "Achieving Effective Law and Policy Frameworks for Access to Sustainable Energy in Africa – A Multidimensional Effort", Chapter 17 of Omorogbe and Ordor (Eds) *Ending Africa's Energy Deficit and the Law: Achieving Sustainable Energy for All in Africa* (Oxford University Press, 2018)

Ada Ordor and Faizel Ismail, "Mapping Law and Development from African Perspectives: An Overview" in *Law and Development Review* 2018 Special Conference Issue, June 2018, published online: <https://www.degruyter.com/view/j/ldr.2018.11.issue-2/ldr-2018-0021/ldr-2018-0021.xml>

Oyeniye Abe and Ada Ordor, "Addressing Human Rights Concerns in the Extractive Resource Industry in Sub-Saharan Africa using the Lens of Article 46 (C) of the Malabo Protocol" in *Law and Development Review* 2018 Special Conference Issue, published online: 2018-04-19 [https://www.degruyter.com/view/article/j\\$002fldr.2018.11.issue-2\\$002fldr-2018-0039\\$002fldr-2018-0039.xml](https://www.degruyter.com/view/article/j$002fldr.2018.11.issue-2$002fldr-2018-0039$002fldr-2018-0039.xml)

Law School Leadership Forum Conference on Legal Education, an initiative of the International Association of Law Schools (IALS) from 4th to 6th March 2018 at the Moot Court in Kramer Building, UCT. The theme of the conference was "From Imitation to Innovation: Comparative Perspectives on Legal Education".

2018 CCLA-NIALS Research output: Book Launch



On Wednesday 15th August 2018, the Law Faculty Seminar Series in conjunction with the Centre for Comparative Law in Africa (CCLA) co-hosted a book launch of *Ending Africa's Energy Deficit: Achieving Sustainable Energy for All in Africa*, published by Oxford University Press in February 2018. Adjunct Professor at the CCLA and South Africa's Former Ambassador to the World Trade Organisation from 2010 -2014, Dr. Faizel Ismail chaired the book launch and was in conversation with some of the book authors. The book features contributors from all three Law Faculty departments, including Professors Hugh Corder, Jan Glazewski and Clifford Shearing from Public Law, Professor Hanri Mostert, Dr Cheri Young and Dr Heleen van Niekerk from Private Law, and Professors Salvatore Mancuso, Tobias Schonwetter and Ada Ordor from Commercial Law.

Faizel Ismail, “South Africa and the World Trade Organization”, chapter 19 of Adekeye Adebajo and Kudrat Virk (eds.) *Foreign Policy in Post-Apartheid South Africa. Security, Diplomacy and Trade* (London and New York: I. B. Tauris. 2018. Published in association with the Centre for Conflict Resolution, Cape Town, South Africa).

Faizel Ismail, “A ‘Developmental Regionalism’ approach to the AfCFTA”. Trade and Industrial Policy Strategies (TIPS) Working Paper, 2018.

Faizel Ismail, *Transformative Industrialization and Trade in the Context of the CFTA: Opportunities and Challenges – A Handbook on the CFTA* (Addis Ababa: UNECA, 2018).

Anthony Diala, “Legal pluralism and social change: Insights from matrimonial property rights in Nigeria” in Christa Rautenbach (Ed.) *In the Shade of an African Baobab: Tom Bennett's Legacy* (JUTA & Co., 2018).

Anthony Diala, “A critique of the judicial attitude towards matrimonial property rights under customary law in Nigeria’s southern states” 18(1) *African Human Rights Law Journal*

Olu Akinkugbe Business Law in Africa Fellowship 2018



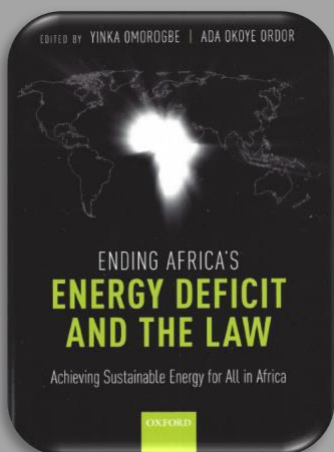
The **Olu Akinkugbe Business Law in Africa Fellowship** is an all-expenses paid visiting fellowship of two months, generously endowed by **Chief Olu Akinkugbe CFR** which commenced in 2014. The fellowship supports annual short-term visits to the CCLA by two Law academics from African Universities.

During the fellowship, the fellows carry out research on various aspects of business law in Africa, at the end of which they submit a paper for publication in a peer-reviewed academic journal or book. In 2018, the 5th set of fellows were hosted from 3rd September to 3rd November 2018. These were **Dr Jonathan Bashi Rudahindwa** from **Universite Protestante au Congo** and **Mr Akin Olawale Oluwadayisi** from **Adekunle Ajasin University, Ondo State, Nigeria**. For more information on the **Olu Akinkugbe Fellowship**, see info document on the CCLA website.

5th Anniversary Reunion Conference of the Olu Akinkugbe Business Law in Africa Fellowship



On Thursday, 29 November 2018, the CCLA and the Lagos Business School co-hosted the 5th anniversary and reunion



Events Attended

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 In addition to events on the UCT Campus and at the Lagos Business School, CCLA researchers have been involved in events in other parts of the world.

Dr Anthony Diala: In April 2018, CCLA’s postdoctoral researcher, Dr Diala was awarded the African Humanities Program Postdoctoral Fellowship by the American Council of Learned Societies. From April to June 2018, Dr Diala was awarded a Guest Researcher Scholarship by the Nordic Africa Institute, in Uppsala, Sweden.

A/Prof Ada Ordor: In December 2018, Associate Professor Ordor was invited to present a research paper at a workshop on *A Social Contract for Stability, Equity and Prosperity in Africa* hosted at the World Bank headquarters in Washington DC from 11th to 13th December 2018.

conference event of the *Olu Akinkugbe Business Law in Africa Fellowship* at the Lagos Business School, Lagos, Nigeria. The conference also marked the 90th birthday of **Chief Olu Akinkugbe CFR**. In attendance were the celebrant and his immediate family, His Excellency, the Vice President of the Federal Republic of Nigeria, **Professor Yemi Osinbajo SAN, GCON**, Dr Enase Okonedo, Dean of the Lagos Business School, **Professor Hugh Corder**, Former Dean of the Faculty of Law, UCT, **Prof Faizel Ismail**, former South African Ambassador to the World Trade Organisation and adjunct professor at the CCLA, and **Associate Prof Ada Ordor**, Director of CCLA. The nine fellows in attendance presented papers on their various research subjects at the conference. The event ended on a celebratory note with the cutting of **Chief Olu Akinkugbe CFR’s** 90th birthday cake.

2019 NEWS

Professor Peter Akper SAN visited the CCLA on a one-month Fellowship CCLA



Senior Advocate of Nigeria, Prof Peter Akper, from the Nigerian Institute of Advanced Legal Studies (NIALS) was a visiting scholar at the CCLA in August 2018. In addition to conducting research, Prof Akper participated in the Comparative Mineral Law in Africa LLM course where he taught classes on artisanal mining in Africa, one of his areas of expertise.

Prof Faizel Ismail: On 20th June 2018, Prof Ismail shared perspectives from his extensive experience at a roundtable discussion on “*South Africa’s Post-Apartheid Trade and Foreign Policy*” held at the Department of Trade and Industry (DTI) in Pretoria. Other engagements by Prof Ismail were as follows:

28th June 2018, lead presenter at the Nigerian Bar Association-Section on Business Law Conference held at the Hilton Hotel, in Abuja, Nigeria, speaking on the topic: “*Transformative Industrialization and the AfCFTA.*”

From 13th to 16th April 2018, participant and discussant at the T20 Africa Standing Group Annual Meeting in Addis Ababa, Ethiopia.

From 23rd to 29th October 2018, guest trainer invited by Director-General of the Nigeria Office of Trade Negotiations (NOTN), Dr Chiedu Osakwe, to conduct a Trade Negotiations Workshop held at Frasers Suites, Abuja, Nigeria.

On 26th June 2018, Guest Speaker at the GIBS-TOYOTA Executive Training Course on the Future of Manufacturing: African Trade and Industrial Development that held at the Hilton Hotel, Durban on the topic “Defending Africa’s interests in international negotiations: A practitioner’s experience”.

CCLA MPhil Graduate participated in the 2018 Stanford University International Junior Faculty Forum



CCLA’s MPhil Graduate, Ms Sonya Cotton, was accepted for the 2018 Stanford University 11th International Junior Faculty Forum held in October 2018, where she presented a research paper titled “*Do equality and non-discrimination apply to the ‘other’ wife in an African customary marriage? A comparison of the constitutional and statutory position of polygyny in the African Commonwealth*”. Sonya obtained her MPhil degree in Comparative Law in Africa at UCT in 2018.

CCLA's pioneer Doctoral graduate - Dr Oyeniya Abe



In June 2018, CCLA celebrated its first doctoral graduand, Dr Oyeniya Abe at the graduation ceremony of 22 June 2018. Dr Abe’s thesis was on “*The Rights-Based Approach to Extractive Resource Governance in Nigeria through the Lens of the UN Guiding Principles on Business and Human Rights: Lessons from South Africa*”, The thesis applied the UN Guiding Principles on Business and Human Rights to advance appropriate participatory governance frameworks for Africa’s extractive industries, with particular reference to Nigeria and South Africa. Dr Abe is pictured here with then UCT Vice-Chancellor, Dr Max Price (middle) and supervisor, A/Prof Ada Ordor who is also CCLA Director.

From 9th to 11th May 2018 and again from 20th to 22nd June 2018, he facilitated the 3-Day Training Workshop Modules on “SA’s Bilateral Trade Relations with a focus on AGOA” and “Regional Integration and the AfCFTA” respectively, both held at the Trade and Industrial Policy Strategies (TIPS) office in Pretoria, South Africa.

From 23rd to 27th April, he facilitated and trained in the UNECA, 4th Annual International Economic Agreements Negotiations Workshop on Building Africa’s Negotiating Capacity for Improved Engagement with the World, held in Libreville, Gabon.

From 12th to 18th February, Prof Ismail presented seminars on International Trade: Policy and Practice at the UCT Graduate School of Business master’s programme in development finance.

From 7th to 8th February 2018, he spoke at the UCT GSB EMBA course 4 (“Designing Sustainable Business Models”, convened by Kosheek Sewchurran).

On 17th October 2018, Prof Ismail was the main speaker at the Continental Free Trade Agreement and Industrialisation workshop held at TIPS Boardroom in Pretoria, South Africa.

Coming in 2019

- Two issues of the *Journal of Comparative Law in Africa* (JCLA)
- CCLA-WTO seminar for PhD students (9th - 11th April 2019)
- Second Research Capacity Building Workshop for law researchers
- 6th edition of the *Olu Akinkugbe Business Law in Africa Fellowship*

