

Launch of Africa International Legal Awareness

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Founded by Rukia Baruti, Africa International Legal Awareness – or AILA – will offer intensive training in international investment law and arbitration to select groups of lawyers, including government lawyers and private practitioners instructed by governments. It has a faculty consisting of eminent investment arbitration lawyers, professors and arbitrators including Albert Jan van den Berg, Audley Sheppard, Bart Legum, George Burn, Laurent Gouiffès, Federico Ortino, Noah Rubins, Robert Volterra and Yas Banifatemi (for full list see below).

They will deliver lectures at the first training course, which will take place at the Institute of Legal Studies in Russell Square, London, from 5 to 9 September. Ten African governments will send two lawyers for training each year. Governments participating this year are Cameroon, Ghana, Malawi, Mauritius, Nigeria, Rwanda, South Africa, Tanzania, Uganda and Zimbabwe.



The full programme is available on the AILA website.

Baruti – who was born in Tanzania and has lived in Kenya and Uganda – directs the project with Philip Aiker, a barrister at Tanfield Chambers in London and a member of the Ugandan Roll of Advocates. She tells GAR she came up with the idea of AILA after attending the first Mauritius International Arbitration Conference last December. “The event made me realise that there is a gap in expertise in Africa as far investment treaty law and arbitration are concerned,” she says.

Baruti says she drew on contacts made in Mauritius to secure a high-profile advisory board for the not-for-profit company (see list of members below), and has also established committees in the participating countries. “The board and members of the faculty advised me on the subjects to be covered in the programme and will be making the final selection of lawyers who will receive the training, following consultation with the African governments,” Baruti says. Almost all of those asked to join the faculty accepted the invitation, and in some cases, suggested other names, she adds.

Baruti says that the major challenges so far have been identifying individuals who can assist the project within African governments, engaging them in dialogue, and finding

sources of funding. She says AILA's ultimate goal is to help African governments to "create a legal and regulatory environment which fosters economic growth and encourages investment in the continent."

Lise Bosman, legal counsel at the Permanent Court of Arbitration in The Hague and adjunct professor at the University of Cape Town, is a member of both the faculty and the board. She says: "Many sub Saharan states are in the process of developing bilateral investment treaty policies and practice suitable for the 21st century. This innovative project will help to build capacity among local lawyers when advising their government on BIT claims or when negotiating new investment treaties."

Fatma Karume, a disputes partner at Ishengoma Karume Masha & Magai Advocates in Dar-es-Salaam and an advocate of the High Courts of Tanzania and Zanzibar, says the prevalence of arbitration clauses in contracts between African governments and commercial entities makes it essential that government legal advisers are familiar with international arbitration. Among other things, she says they need to understand "the available arenas for international arbitration, the costs implications and the manner in which an arbitration clauses should be drafted to achieve the parties' goals."

Karume - who is the daughter of the president of Zanzibar - is a member of AILA's committee in Tanzania. She says that the initiative should help African government advisers to appreciate "the simplicity of the arbitral process" and give them "a position of strength" when negotiating arbitration agreements with commercial entities on behalf of the state or bilateral investment treaties.

Baruti joined SJ Berwin as a legal secretary, while studying part-time for her law degree. In 2007 she co-founded the International Lawyers for Africa social responsibility initiative, which organises work experience for African lawyers in leading UK firms.

After qualifying as a solicitor, Baruti left SJ Berwin and began working for the LCIA (where she had previously been seconded as legal counsel) on a consultancy basis. She also sits as an arbitrator.

AILA co-directors

- * Rukia Baruti
- * Philip Alikor, a barrister at Tanfield Chambers in London

AILA advisory board

- * Albert Jan van den Berg, founding partner of Hanotiau & van den Berg in Brussels and a professor of law at at Erasmus University in Rotterdam
- * Anna Joubin-Bret, the senior legal advisor at the division on investment and enterprise at UNCTAD, Geneva
- * Charles Rwechungura, the managing partner and founder of CRB Attorneys in Dar es Salaam
- * Lise Bosman, legal counsel to the Permanent Court of Arbitration in The Hague

* Swithin Munyaiwali, a US qualified lawyer admitted to practise before the Supreme Court of Pennsylvania and the executive director and co-founder of the International Law Institute African Centre for Legal Excellence.

AILA faculty members

- * Albert Jan van den Berg (see above)
- * Anthony Sinclair, a partner at Allen & Overy in London
- * Audley Sheppard, a partner at Clifford Chance in London and global head of the firm's international arbitration and international law group
- * Bart Legum, a partner at Salans in Paris and head of the firm's investment treaty arbitration practice
- * Edward Guntrip, a lecturer in commercial law and international investment law at the University of East Anglia
- * Federico Ortino, a reader in international economic law at King's College, London
- * George Burn, a partner at Salans in London and the firm's head of international arbitration
- * Guglielmo Verdirame, a barrister at 20 Essex Street in London
- * Laurent Gouiffès, a partner at Hogan Lovells in Paris
- * Lise Bosman (see above)
- * N Jansen Calamita, the senior research fellow in international investment law and the director of the Investment Treaty Forum at the British Institute of International and Comparative Law
- * Nima Elmi, an associate at Allen & Overy in London
- * Noah Rubins, a partner at Freshfields Bruckhaus Deringer in Paris and the head of the firm's worldwide Russia/CIS dispute resolution subgroup
- * Robert Volterra, a founding partner of Volterra Fietta in London
- * Yas Banifatemi, a partner at Shearman & Sterling in Paris