

# 1st ICC AFRICA REGIONAL ARBITRATION CONFERENCE

**Lagos, Nigeria – 19-21 June 2016**

## **Arbitration and Africa: Prospects and Challenges**

### **Venue**

#### **Eko Hotels & Suites**

Plot 1415, Adetokunbo Ademola Street  
Victoria Island, Lagos, Nigeria

### **Highlights**

This conference is about “Arbitration and Africa: Prospects and Challenges”. The conference will focus on the relationship between inward foreign investment in emerging markets in Africa, the types of disputes which may arise, and the African experience in arbitration proceedings.

### **Who should attend?**

This programme will benefit practicing lawyers, arbitrators, magistrates, engineers, corporate organisations, academics, corporate counsel and LL.M. students.

### **Registration and further information**

Please register by sending your full contact details to Olubunmi Osuntuyi, Sec. Gen. ICC Nigeria  
Email: [bunmi@iccng.org](mailto:bunmi@iccng.org) and [bunmiosuntuyi2004@yahoo.com](mailto:bunmiosuntuyi2004@yahoo.com)

**Organized by:** the International Court of Arbitration of the International Chamber of Commerce (ICC) and ICC Nigeria

# Arbitration and Africa: Prospects and Challenges

Lagos, Nigeria – 19 -21 June, 2016

## PROGRAMME

### Day 1 - 19 June 2016

**18:00 – 20:00**                      **Welcome Reception/Cocktail**

**Tunde Savage**

Chairman, ICC Nigeria & Regional Co-ordinator for Africa, Lagos

**Gabriel Olawoyin, SAN**

Chairman of the Arbitration & ADR Committee, ICC Nigeria, Lagos

### Day 2 - 20 June 2016

**08:00 – 09:30**                      **Registration**

**09:30 – 10:00**                      **Welcome Address and Opening Keynote Speech**

**Dorothy Ufot, SAN**

Chairperson, Host Committee, Lagos

**Augustine Alegeh, SAN**

President, Nigerian Bar Association, Abuja

**Alexis Mourre (Keynote Speech)**

President, ICC International Court of Arbitration, Paris

**Yemi Osinbajo, SAN (Special Guest of Honour)**

Vice President, Federal Republic of Nigeria, Abuja

**10:00 – 11:35**                      **Roundtable-Investing in Africa**

The CEOs of companies investing in African countries will share their experiences in investing in Africa, as a backdrop to the subsequent discussions of the relationship between Arbitration and Investments.

**Michael Adenuga Jnr.**

Chairman, Globacom Limited, Lagos

**Herbert Wigwe**

MD/CEO, Access Bank PLC, Lagos

**Uzochi Nwagwu**

Chief Operating Officer, GE Oil and Gas, Lagos

**Kadaria Ahmed**

Consultant, Reinvent Media Ltd, Lagos

**11:35 – 12:15**                      **Coffee Break**

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**12:15 – 13:30**

## **Africa and Investor- State Dispute Settlement**

The panel will explore current burning issues around Bilateral Investment Treaties, the Investor-State Dispute Settlement (ISDS) process and how this impacts on African economies. There will also be need for insight on issues which typically arise in the context of ISDS including the assertion of sovereign immunity by African states and the enforcement of awards against African states.

### **Karel Daele**

Partner & Head of Arbitration Practice, Mishcon de Reya, LLP, London

### **Paul Idornigie, SAN**

Head, Department of Commercial Law, Nigerian Institute of Advanced Legal Studies, Abuja

### **Baiju Vasani**

Partner, Jones Day, London

### **Maurice Kenton**

Partner, Clyde & Co., London

### **Andrea Carlevaris**

Secretary General, ICC International Court of Arbitration, Paris

**13:30 – 15:00**

## **Lunch**

**15:00 – 16:15**

## **Arbitration in Africa**

This panel will present the ICC experience when dealing with African-related arbitration proceedings. In addition the panel will comprise of experts who will discuss the challenges and prospects of arbitration in Africa.

### **Sami Huerbi**

Director of ICC Dispute Resolution Services for Eastern Mediterranean, Middle-East & Africa, ICC International Court of Arbitration, Tunis

### **Babatunde Fagbohunlu, SAN**

Partner, Aluko & Oyebode, Lagos

### **Jimmy Kodo**

Special Advisor to the President, Common Court of Justice and Arbitration of OHADA, Abidjan

### **Harry Matovu, QC**

Barrister, Brick Court Chambers, London

### **Rukia Baruti**

Founder and Managing Director, Africa International Legal Awareness (AILA), London

**16:15 – 17:30**

## **The Impact of the Judiciary on Arbitration in sub-Saharan Africa**

To what extent do the courts support or disrupt arbitration? The session will include enforcement of arbitral awards.

### **Kamal Shah**

Head, Africa and India groups, Stephenson Harwood, London

### **Elizabeth Karanja**

Director, JMiles & Co., Nairobi

### **Jacques Werner**

Principal, Werner & Associés, Geneva

### **Roger Wakefield**

Senior Associate, Werksmans Attorneys, Johannesburg

### **Dorothy Ufot, SAN**

Managing Partner, Dorothy Ufot & Co., Lagos

**19:00**

## **Gala Dinner**

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## Day 3 - 21 June 2016

09:00 – 10:15

### A Debate on Costs: The Cost of Arbitration in sub-Saharan Africa

Arbitration costs is the cost of development.  
Experience of practitioners and users.  
Dealing with the perception of rising costs.

#### Tunde Ogunseitan

Counsel, ICC, International Court of Arbitration, Paris

#### Mohamed Abdel Wahab

Founding Partner & Head of the International Arbitration  
and Project Finance Groups, Zulficar & Partners, Cairo

#### Jerome Finnis

Counsel, Hogan Lovells International LLP, London

#### Funke Adekoya, SAN

Partner, AELEX, Lagos

10:15 – 11:30

### Roundtable: The role of In-House Counsel in Arbitration Proceedings

This panel will bring together a group of in-house counsel to discuss the various strategic decisions they are called to take throughout the arbitration process, from any settlement considerations and initial case assessment prior to the commencement of proceedings to the management of the case and enforcement proceedings following the issuance of the award.

#### Enobong Enyenihi Ozor

Team Lead, Contracting, Commercial & Non-Environmental Litigation

Global Litigation, Nigeria

The Shell Petroleum Development Company of Nigeria Limited, Lagos

#### Ned Mojuetan

General Counsel, Chevron Nigeria Limited, Lagos

#### Anthony Djokoto

General Counsel, Tullow Oil, Accra

#### Diamana Diawara

Counsel, ICC International Court of Arbitration, Paris

11:30 – 12:00

### Coffee Break

12:00– 13:15

### Abuse of Process in International Arbitration and the Unwillingness of Counsel to Accept the Outcome of Arbitration in sub-Saharan Africa - Damaging the Brand.

#### Ace Ankomah

Managing Partner, Bentsi-Enchill, Letsa & Ankomah (BEL&A), Accra.

#### Des Williams

Director & Head of Arbitration Practice, Werksmans Attorneys, Johannesburg

#### Patrick Ikwueto, SAN

Principal Partner, Ikwueto Law Firm, Abuja

#### Stephan Wilske

Partner, Gleiss Lutz, Stuttgart

#### Emilia Onyema

Associate Dean, Learning & Teaching, Faculty of Law & Social Sciences;

Senior Lecturer, International Commercial Law, School of Law, SOAS, University of London.

13:15 – 14:45

### Lunch

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**14:45 – 16:15**

## Parallel Industry Sessions

- Construction Disputes
- Energy Disputes
- Arbitrating International Trade and Shipping Disputes
- Arbitrating Telecommunications Disputes

### Construction Disputes

#### **Kwado Sarkodie**

Partner, Mayer Brown International LLP, London

#### **Abdul Jinadu**

Barrister, Keating Chambers, London

#### **Virginie Colaiuta**

Partner, Pinsent Masons LLP, London

#### **Jacob Grierson**

Partner, McDermott Will & Emery, Paris

#### **Paul Ngotho**

Managing Director, Ngotho Property Consultants Ltd., Nairobi

### Energy Disputes

#### **Maxi Scherer**

Senior Lecturer, International Arbitration and Energy, Centre for Commercial Law Studies (CCLS) & School of International Arbitration, Queen Mary University of London, London;  
Special Counsel, WilmerHale, London

#### **Jean Andre-Diaz**

Special Counsel, Total, Paris

#### **Tunde Ogowewo**

Senior Lecturer, School of Law, King's College, London

#### **Sena Anthony**

Managing Director, Chief Sena Anthony & Associates, Lagos

### Arbitrating International Trade and Shipping Disputes

#### **Hassan Bello**

Executive Secretary and CEO, Nigerian Shippers' Council

#### **Kofi Mbiah**

Chief Executive of the Ghana Shippers' Authority, Accra

#### **Andrew Pike**

Head of Ports Terminals & Logistics Corridors, Bowman Gilfillan Attorneys, Durban

### Arbitrating Telecommunications Disputes

#### **Anthony Idigbe, SAN**

Managing Partner, Punuka Associates, Lagos

#### **Simon Greenberg**

Partner, Clifford Chance, Paris

#### **Paula Hodges QC**

Partner & Head of Global Arbitration Practice, Herbert Smith Freehills LLP, London

#### **Stephen Kiptinness**

Lead Partner, Kiptinness & Odhiambo Associates, Nairobi

#### **Gerhard Wegen**

Partner, Gleiss Lutz, Stuttgart

**16:30 – 17:00**

## Conference Debriefing

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## SPEAKERS

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