

## New directory promises to raise awareness of Africa expertise

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Rukia Baruti

Africa International Legal Awareness – a non-profit body known for training African lawyers in investment treaty law and international arbitration – has unveiled an online directory featuring practitioners from the continent with expertise in the field.

**Rukia Baruti**, a former lawyer in the international arbitration group of SJ Berwin who founded AILA five years ago, created the directory of African lawyers specialising in a range of sectors after receiving requests that she recommend speakers for conferences in Africa. This made her realise the lack of awareness of the African legal market.

The directory has been up and running since March and features a total of 135 lawyers, including 87 practitioners specialising in international commercial arbitration and nine with expertise in investor-state arbitration.

The practitioners listed come from jurisdictions such as Egypt and Nigeria, already fairly well rep-

resented in international arbitration, as well as from far more under-represented jurisdictions including Botswana, Cote d'Ivoire, the Democratic Republic of the Congo, Lesotho, Liberia, Malawi, Sierra Leone and Zimbabwe. They include private practitioners, government and in-house lawyers and a mix of practitioners and arbitrators.

The under-representation of Africans in international arbitration was the subject of a recent speech by Somalian vice-president of the International Court of Justice **Abdulqawi Ahmed Yusuf**. He argued that without the appointment of more African arbitrators, international arbitration will suffer from a lack of legitimacy as African countries will continue to feel inadequately represented in the system.

Baruti – who was born in Tanzania and has lived in Kenya and Uganda – thinks part of the problem is that those Africans who do have expertise in the field are “not getting enough recognition”, perhaps because their law firms tend to do a range of work and do not give them the platform to promote themselves internationally or attend events. The directory aims to increase their visibility in the arbitration community.

Along with the directory, the AILA website has a blog where the practitioners featured may increase their exposure by publishing articles. Baruti says that African practitioners have many valuable lessons to impart – including helping arbitration specialists elsewhere in the world understand the cultural differences that may arise when working with African parties.

“Africa has a different way of dealing with dispute resolution,” she explains. For example, some African parties tend to be quite hierarchical and like to approach the resolution of disputes with reference to their elders.

Law firms which want more contact with African practitioners and arbitrators can apply for annual “participatory membership” of AILA, which will enable them to make contact with the lawyers featured in the directory, not all of whose contact details are publicly available.

The member firms will also get priority opportunities to provide speakers for and sponsor AILA events and training programmes.

**Yves Fortier QC**, who is on the advisory board of AILA along with many other eminent names, describes the association's efforts to raise awareness of African expertise as "super," adding that "without African participation, international arbitration is not international."

Fellow board member **Funke Adekyoa SAN** agrees and says, "AILA's initiative is a step in the right direction: global arbitration will only really be 'global' when Africa is adequately represented on investor-state arbitral panels and as counsel before such panels."

Board member **Kariuki Muigua** adds, "It is a great initiative and will go a long way to promoting commercial arbitration in Africa."

The launch of the directory comes as Mauritius prepares to host the first ICCA Congress to take place in Africa from 8 to 11 May. Along with a whole host of current issues in the field, the event is expected to put a spotlight on African involvement in international arbitration and how it can increase in the future.

Baruti will speak at the last session of the conference, which has a focus on Africa, alongside **Benoît Le Bars** and **Mohamed Abdel Wahab**, among others.

AILA, meanwhile, has a busy calendar of events relating to African arbitration. One took place today at the University of Geneva, where Baruti is doing a doctorate on investment law in Africa with a focus on the regulation of foreign investment in southern and eastern Africa.

The association's annual training programme on investment treaty law and arbitration will take place in September for a select group of government lawyers and private practitioners advising African states – delivered by practitioners such as **Matthew Weiniger QC**, **Yas Banifatemi**, **Matthew Coleman**, **Robert Volterra**, and **Charles Nairac**.

A further event is planned on investment arbitration in the East Africa Community in late September, to be held in the Tanzanian capital of Dar Es Salaam.

African practitioners may register for inclusion in the directory, which is free. Those who register may be asked to provide a CV and references to verify their qualifications.

