



6TH ICC AFRICA CONFERENCE ON INTERNATIONAL ARBITRATION: DRAFT TOPICS
THEME: African Arbitration: Consolidation and Transformation

TIME	SESSION TITLE	CONTENT SUMMARY	CONTACT DETAILS
------	---------------	-----------------	-----------------

DAY 1

9.00-9.45	<p>Welcome Addresses</p> <p>Keynote Address Conference Overview</p>		<p>Babatunde Savage, FCA, Chairman, International Chamber of Commerce Nigeria (ICCN)</p> <p>Claudia Salomon, President, ICC Court of Arbitration</p> <p>Dorothy Ufot, SAN, Chair, ICCN Commission on Arbitration & ADR</p> <p>Special Guest of Honour - H.E Mr. Babajide Sanwo-Olu (to deliver an opening remark and declare event open).</p> <p>Prof. Gbolahan Elias, SAN, Chairman, Planning Committee</p>
9.50-10.20	COFFEE BREAK		
10.25-11.25	OPENING PLENARY		

	<p>African Arbitration in Review: Developments, Challenges and Future Opportunities</p>	<p>Arbitration in Africa has evolved over the years from when African courts were not considered arbitration-friendly and foreign investors viewed arbitration on the continent with suspicion.</p> <p>Today, arbitration has taken a firm root in Africa. Court support for Arbitration has improved significantly. In addition, there exists a deep pool of competent and qualified practitioners; and arbitration users have therefore increased significantly.</p> <p>Other stakeholders such as government and policy makers view arbitration as a fundamental tool for enabling business and investment on the continent and are putting measures in place to update their arbitration laws especially in the enforcement of foreign awards</p> <p>This session will:</p> <ul style="list-style-type: none"> ● Highlight the key current developments in the various regions of Africa- East, West, North, South and Central Africa. ● Spotlight the gains made thus far in the region and showcase the resources within the continent. ● Examine the legislative changes, soft laws and case law to reflect our African jurisprudence. ● Discuss ways in which arbitral institutions can collaborate to build capacity within the continent. ● Discuss future opportunities and ways to enhance Africa’s economic development and attract important foreign investments through the instrumentality of international arbitration. 	<p>Justina Lewa –Partner, Chapitre LLP - (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Adewale Olawoyin, SAN, Managing Partner, Olawoyin & Olawoyin (Moderator) (ACCEPTED INVITATION)</p> <ol style="list-style-type: none"> 1. Adedoyin Rhodes-Vivour, SAN - Managing Partner, Doyin Rhodes-Vivour & Co, (ICC Court Member - Nigeria) (ACCEPTED INVITATION) 2. Emmanuel Amofa - Founder and Managing Partner, Amofa & Partners - Ghana) (ACCEPTED INVITATION) 3. Robert Volterra - Founding Partner, Volterra Fietta (Canada) (ACCEPTED INVITATION) 4. Hon. Justice Babatunde Edwards - Chief Justice of Sierra Leone (ACCEPTED INVITATION) 5. Thomas Snider – Partner, Head of Arbitration, Al Tamimi & Company
--	--	---	--

11:30-12:15	<p>Interview with the President of ICC International Court of Arbitration</p>		<p>Diamana Diawara, Director Arbitration and ADR, Africa (Session Coordinator)</p> <ol style="list-style-type: none"> 1. Claudia Salomon, President, ICC International Court of Arbitration (Moderator) 2. Valentina Mintah, (Ghana) Founder, West Blue Consulting; Member, the UN CEFACT; Member, the African Alliance on e-Commerce 3. Ralph Mupita, (South Africa) President and CEO of MTN Group 4. Patrick Obath (Kenya) 2020 – 2023 Managing Consultant, Eduardo Associates; Director, Trade Mark East Africa, East African Business Council (EABC), Kenya Power and Lighting Company Limited (KPLC), Afren Plc, Standard Chartered Bank; Steering Committee member of Global Green Growth Forum Kenya Chapter, Chair, Director and Programme Leader, Kenya Private Sector Alliance (KEPSA) various sectors.
12:20-13:20	<p>Enforcement of Arbitral Award: Challenges</p>	<p>This session will examine the various procedures for enforcing Arbitral Awards in the different African jurisdictions and enforcement of awards in other jurisdictions outside Africa concerning African cases, and an evaluation of enforcement of awards in the U.S and U.K. The session will also discuss the challenges that have been faced with enforcement in the African region and examine how fraud and</p>	<p>Sotonye Amachree – Senior Associate, Ajumogobia & Okeke (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Prof. Andrew Chukuemerie, SAN - Partner, Okibe Law house (Moderator) (ACCEPTED INVITATION)</p>

		<p>corruption have been deemed to be vitiating elements that can affect the finality and enforcement of an arbitral award. Within the context of the P&ID case, the session will consider whether there is a need to reassess the law regarding contracts that have been obtained either through fraud or misrepresentation.</p>	<ol style="list-style-type: none"> 1. Dorothy Ufot, SAN - Founding and Managing Partner, Dorothy & CO, Chair, ICCN Commission on Arbitration & ADR, ICC Court Member (Nigeria) (ACCEPTED INVITATION) 2. Meriam Nazih Al-Rashid - Co-Global Head, International Arbitration at Evershed-Sutherlands (New York, USA). (ACCEPTED INVITATION) 3. Samantha Natalie - Partner, De Gaulle Fleurance and Associates, Member of ICC International Court of Arbitration (Paris) 4. Mamadou Gacko - Senior Associate, DLA Piper International Arbitration Group (Paris)
13:20-14:20	NETWORKING BREAK/LAUNCH		
14:30-15:25	BREAKOUT SESSION		
	<p>New Trends in Energy Sector Disputes: - The Attractions for African Arbitration Practitioners</p>	<p>The energy sector is a critical element in Africa's economic development. It includes traditional resources such as oil, gas and coal as well as the increasing shift to renewable sources of energy such as solar and wind energy. The sector has been predominantly dominated by the petroleum industry. This has generated a significant number of disputes that have been resolved through international arbitration. And this number appears to be increasing.</p> <p>Notably, there have been recent reforms and developments in the energy sector in some African States, aimed at enhancing growth and</p>	<p>Amara Inegbenoise - Principal Consultant & Founder, Noise & Blue ADR Firm, Port Harcourt Nigeria - (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Godwin Omoaka, SAN- Partner, Templars & Associates (Moderator) (ACCEPTED INVITATION)</p> <ol style="list-style-type: none"> 1. Prof. Maxi Scherer - Partner at WilmerHale, London, Professor Maxi Scherer, MA, PhD (Paris Sorbonne), LL.M (Köln) (ACCEPTED INVITATION)

	<p>sustainability of the sector. For example, Nigeria recently passed the Petroleum Industry Act, which seeks to provide legal, governance, regulatory and fiscal framework for the Nigerian petroleum industry. Egypt has also made significant in-roads in the renewable energy sector in order to further ensure a competitive market.</p> <p>This session will discuss some of the important developments in the energy sector in the different African countries. It will highlight how African arbitration practitioners can benefit from these developments.</p>	<p>2. Sarah Fafa Kpodo - Director Legal, Ministry of Petroleum, (Ghana) (ACCEPTED INVITATION)</p> <p>3. Tom Smith - Partner, Hogan Lovells, London (ACCEPTED INVITATION)</p> <p>4. Momoh Kadiri – Managing Partner, Mitchell Simmonds Solicitors (ACCEPTED INVITATION)</p>
<p>L'arbitrage des contentieux relatifs aux marchés publics en Afrique</p>	<p>Les Etats et entreprises étatiques sont des acteurs économiques de premier plan sur le continent africain. Leurs activités étant soumises à l'exigence de transparence dans la sélection de leurs co-contractant, nombre de leurs transactions sont régies par les règles de la commande publique. Cette table ronde a pour objectif d'examiner les particularités du contentieux des marchés publics en Afrique, du stade de la passation à celui de l'exécution. Dans une première partie de leur discussion, les intervenants s'interrogeront en particulier sur (i) les types de projets et formes de contrats publiques incluant des clauses d'arbitrage ; avant de (ii) s'attacher à examiner le contentieux des marchés publics et ses particularités.</p>	<p>Sylvie Bebohi Ebongo - Avocat à la Cour, Paris-France & Cameroun, Docteur en droit (Cameroon) (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Modératrice de la session: Abimbola Akeredolu, SAN- Banwo & Ighodalo (ACCEPTED INVITATION)</p> <p>1. Sylvie Beboji Ebongo - Docteur en droit (ACCEPTED INVITATION)</p> <p>2. Nadia Darwazeh, Partner Clyde & Co, Paris. (ACCEPTED INVITATION)</p> <p>3. M. le Bâtonnier Abbe Yao- Secrétaire Permanent de la Conférence des Barreaux de l'Espace OHADA (Ivory Coast) (ACCEPTED INVITATION)</p>

			<p>4. Thierno Olory Togbé- Principal Legal Counsel ALSF</p> <p>5. Hafed Nassim Stambouli, Chef du Contentieux International – Sonatrach SPA, Alger (Algeria) (ACCEPTED INVITATION)</p>
15:30-16:25	Damages in International Arbitration: Valuation Approaches	<p>One issue that has drawn significant attention from the international community in recent years is the assessment of damages in the context of international disputes. How wide is the gap in assessing loss between claimants and respondents? How much of a difference do experts make? What are the most common criticisms levelled by tribunals and how does this influence the amount they award in damages? What are the common methods adopted by tribunals in assessing damages? These are some of the questions that come up in relation to damages in international arbitration.</p> <p>This session will discuss the different valuation methods adopted in assessing damages in international commercial arbitration, including cost-related approaches, the market approach, the income approach and the overarching issues. The session will also feature discussion on the ICCs recommendation in assessing damages, ICCA-ASIL initiative amongst others.</p>	<p>Chikwendu Madumere - Managing Partner & Chartered Arbitrator (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Funke Adekoya, SAN - Founding Partner and Head Dispute Resolution Practice Group, Aalex Legal (Moderator) (Nigeria) (ACCEPTED INVITATION)</p> <p>1. Alexandra Munoz – Gide Law Firm (Paris)</p> <p>2. Mark Kantor - Arbitrator and Mediator; Adj. Prof., Georgetown University Law Center (United States) (ACCEPTED INVITATION)</p> <p>3. Louise Wright – Partner, SOL International Ltd, UAE (ACCEPTED INVITATION)</p> <p>4. Duncan Bagshaw - Partner,Howard Kennedy, LLP (ACCEPTED INVITATION)</p>

16:30-17:15	<p>Hot Arbitration topics - Current Developments from the African Continent</p> <p>Day One</p>	<p>This session will focus on the regional and global developments by the ICC.</p> <p>Nigerian</p> <p>Tanzania</p> <p>Ethiopia</p> <p>Sierra Leone</p>	<p>Yejide Osunkeye - Principal Partner, YBO Legal (Session Coordinator) (Nigeria) (ACCEPTED INVITATION)</p> <ol style="list-style-type: none"> 1. Aisha Abdallah- Head of Dispute Resolution, ALN Kenya Anjarwalla & Khanna(ACCEPTED INVITATION) 2. Naomi Tarawali - Associate, Cleary Gottlieb Steen Hamilton LLP (Sierra Leone) (ACCEPTED INVITATION) 3. Prof. Mohammed Sameh AMR - Prof. & Chair International Law Dept., Cairo Univ., Founder & Managing Partner - Amr & Partners Law Firm (Cairo), Attorney-at-Law & Arbitrator, Int. Consultant (Paris), Member of ICSID Panel of Arbitrators & Conciliators (Egypt) (ACCEPTED INVITATION) 4. Paul Kinninmont – Partner, Candey, UK (ACCEPTED INVITATION) 5. Sami Huerbi – Founding Partner, DHavocats
Cac	Wrap Up		<p>Folashade Alli, FCIArb - Principal Partner, Folashade Alli & Co. Chair, Programme Sub Committee. (ACCEPTED INVITATION)</p>

OPENING PLENARY

9:00-9:30		Keynote Speaker	(H.E Mr. Babajide Sanwo-Olu
9:30 – 10:15	International Arbitration in Construction Disputes: -Trends & Opportunities	<p>International construction arbitration has developed significantly during the last 80 years. The number of cross-border construction contracts and international investment agreements containing arbitration clauses has exploded in the recent decades, leading to exponential growth in the number of construction disputes. Africa, particularly Nigeria, Egypt and South Africa have not been left behind, as there has been significant development in this field.</p> <p>This session will provide an overview on the African construction dispute landscape, unique features of construction arbitration and latest developments across jurisdictions.</p>	<p>Ngo-Martins Okonmah - Senior Associate, Aluko & Oyebode, Lagos. (Session Coordinator) (ACCEPTED INVITATION)</p> <ol style="list-style-type: none"> Michele Porter-Wright - Counsel, Allen & Overy, South Africa (ACCEPTED INVITATION) Babatunde Ajibade, SAN - FCIArb - Managing Partner, SPA Ajibade & Co. (ACCEPTED INVITATION) Wilfred Mutubwa – Chairman, Chartered Institute of Arbitrators, Kenya Branch Kwardo Sarkodie – Partner, Mayer Brown
10:20 -10:50 COFFEE BREAK			
10:55-11:45	Collaboration, Inclusion and Representation in African Arbitration: Bridging the Anglo-Franco African divide	The divide between the Anglophone, Lusophone and Francophone countries in Africa, their different jurisdictions and legal procedures also manifest in arbitration. While the Anglophone and Lusophone countries typically follow the common law and UNCITRAL Model Law on International Commercial Arbitration, the Francophone countries follow the civil	<p>Perenami Momodu - Partner, AELEX Legal (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Ilham Kabbouri - Associate, Vinson & Elkins (Moderator) (ACCEPTED INVITATION)</p>

		<p>law and Model of the OECD. In both the procedure of arbitration there is a difference between the adversarial and the inquisitorial styles of procedure. In the appointment of arbitrators and the enforcement of awards etc there are differences of approach.</p> <p>The session will examine the commonalities and differences in the two systems particularly as it relates to arbitration, and discuss how, in appropriate circumstances, the two legal systems (civil and common law) may be effectively combined to improve the administration of arbitral justice in the continent?</p>	<ol style="list-style-type: none"> 1. Khaled Houda – Managing Partner, Cabinets D’Avocats Houda 2. Thierry Ngoga – Advocate and Arbitrator, Legal Line Partners 3. Mahamat Atteib – Associate, Geni & Kebe (ACCEPTED INVITATION) 4. Evelyne Memphis -
<p>11:50-12:40</p> <p>Day One</p>	<p>Disruption and Technology in International Arbitration</p>	<p>The rise in the adoption of technology in International Arbitration which has been accelerated by the disruption caused by the global pandemic will be the focus of this panel. The panel will look at various ways that technology aids arbitral proceedings including:</p> <ul style="list-style-type: none"> • The practical issues arising from the use of virtual hearings with emphasis on developments within Africa. • Examining how technological innovations such as, electronic document management and remote hearings might reduce the costs of arbitration proceedings • Highlight the decision of African Courts on the legality of virtual hearings and caseload statistics from African Arbitration centres on virtual hearings. 	<p>Marx Ikongbeh - Principal, Everlaw Associates (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Morenike Obi-Farinde - Managing Partner, - Adigun Ogunseitan & Co) (Moderator) (ACCEPTED INVITATION)</p> <ol style="list-style-type: none"> 1. Stephanie Mbonu – International Arbitration Associate, Freshfields Bruckhaus Deringer 2. Hafez Virjee – French Independent Arbitrator & President of Delos. (ACCEPTED INVITATION) 3. Eunice Lumallas, Partner - Lumallas Achieng’ and Kavere (LAK Attorney) CIARB fellow (Kenya) (ACCEPTED INVITATION) 4. Sarah Malik – CEO and Founder, SOL International Ltd (ACCEPTED INVITATION)

12:40-14:00	NETWORKING BREAK/LUNCH - Recent Developments in the Interpretation of Pathological Arbitration Clauses		
14:25-15:15	BREAKOUT SESSION		
	<p>Guerilla Tactics in Arbitration: Keeping Proceedings on track</p>	<p>There have been increasing calls over the past few years for arbitrators to have more power to control counsel conduct. This is so because as commercial arbitration has grown to involve very high stakes disputes, there are increasing complaints about guerilla tactics, where counsel deliberately impede or obstruct the arbitral process. Notably, a tribunal’s failure to control counsel and adequately manage proceedings, may affect the effective and efficient resolution of the dispute. Given their duty to ensure a fair procedure and issue an enforceable arbitral award, arbitrators need to be imbued with power to rein in improper conduct, to level the playing field, and to prevent the undermining of the entire process.</p> <p>Panelists in this session will discuss the different guerrilla tactics in international arbitration and their effect on the arbitral process. It will analyze the importance of arbitrators’ powers to manage proceedings efficiently in the face of guerrilla tactics and examine whether there is need to create a “truly transnational” independent body with the power to enforce ethical standards in arbitration.</p>	<p>Emuobonuvie Majemite - Partner, Punuka Attorneys and Solicitors (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Bayo Adaralegbe - Adjunct Professor, University of Ibadan and Partner, Babalakin & Co (Moderator) (ACCEPTED INVITATION)</p> <ol style="list-style-type: none"> 1. Hon. Justice Nelson Ogbuanya - Judge, National Industrial Court of Nigeria (ACCEPTED INVITATION) 2. Diana Asonaba Daapaah - Deputy Minister of Justice, Ghana (Ghana) (ACCEPTED INVITATION) 3. Tafadzwa Pasipanodya - Partner, Foley Hoag (Zimbabwean-American) (ICC Court) (ACCEPTED INVITATION) 4. John Ohaga SC - Partner, TripleOKlaw LP (Kenya) (ACCEPTED INVITATION)
	<p>Résolution des différends dans les industries extractives: le recours aux</p>	<p>Le sous-sol du continent africain regorge de métaux, de minerais et de sources d’énergie, autant de matières</p>	<p>Modérateur de la session : Marie Andrée Ngwe</p>

	<p>Modes Alternatifs de Règlement des Différends</p>	<p>prisées pour les besoins du commerce et de l'industrie mondiale. Les industries extractives génèrent ainsi un contentieux arbitral important en Afrique.</p> <p>Cette table ronde se propose d'examiner les modes alternatifs de règlement des différends et leur adéquation à la résolution des différends dans les industries extractives. Après (i) une définition de ces MARDs, (ii) les experts de cette table ronde examineront les bonnes pratiques en matière de rédaction de clauses contractuelles pour prévoir les MARDs, (iii) avant de s'intéresser à la question de l'efficacité de ces clauses pour prévenir ou résoudre des litiges souvent complexes et techniques.</p>	<p>Man@cabmangwe-law.com</p> <ol style="list-style-type: none"> Salimatou Diallo, ADNA (Republic of Guinea) (ACCEPTED INVITATION) Achille Ngwanza, Jus Africa (Cameroon) (ACCEPTED INVITATION) Patrick Hébréard, FTI Consulting, Paris (ACCEPTED INVITATION) Alexei Kirillov, General Counsel, Guinea Alumina Corp (ACCEPTED INVITATION)
14:55-15:45	<p>Arbitration Incubation: Ideas from the next generation</p>	<p>This session will focus on emerging areas of interest for the next generation of African arbitrators. It will look at the sectors of the African economy that are currently showing a lot of promises and are set to become dominant economic factors. The panel will focus on:</p> <ul style="list-style-type: none"> • Fintech and new technologies • Sports and gaming • Creative and entertainment industries • Agric sector • Dispute funding sector 	<p>Diane Okoko - Principal Partner, Marcus-Okoko & Co - (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Mercy Okiro (Kenya) (Moderator) (ACCEPTED INVITATION)</p> <ol style="list-style-type: none"> Aurelia Kamga – Associate, Chazai & Partners Law Firm Yemi Agbelusi FICMC, FCIARB - Chairman, Institute of Chartered Mediators and Conciliators, Lagos Branch (ACCEPTED INVITATION) Mulopa Ndalameta- Partner, Musa Dudhia & Co(Zambia) (ACCEPTED INVITATION) Reshma Oogorah - Legal Counsel, Niyom Legal, (UAE) (ACCEPTED INVITATION)

15:50-16:40	International Arbitration in Africa- Perspectives of In- house Counsel and other Arbitration Users	In-course and arbitration users are important stakeholders in international arbitration. This session has been specifically designed for in-counsel and arbitration users to share practical experiences and insights on different arbitration issues including appointment of arbitrators, choice of seats and arbitral institutions, benefits, costs and challenges of arbitrating disputes in Africa	<p>Joseph Siyaidon, Senior Counsel, Dentons ACAS - Law. Lagos (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Hamid Abdulkareem – Counsel, Three Crowns (Moderator) (ACCEPTED INVITATION)</p> <ol style="list-style-type: none"> 1. Sesi Fasinro – Legal Advisor, Chevron Nigeria Limited (ACCEPTED INVITATION) 2. Enobong Ozor - Head Legal, Shell Nigeria (Nigeria) (ACCEPTED INVITATION) 3. Ifeoma Utah – General Counsel at MTN Nigeria (ACCEPTED INVITATION) 4. Folake Kolaro – GC UAC(Nigeria) (AWAITING RESPONSE)
16:45-17:25	Debate	<p>Double hatting in international arbitration by seasoned practitioners in Africa.</p> <ol style="list-style-type: none"> 1. Does double hatting affect the reputation of the arbitration system due to the appearance of impropriety arising from an arbitrator acting simultaneously as arbitrator and counsel? 2. Does double hatting affect diversity in appointments by enabling more candidates to participate including candidates from diverse regions and gender? 	<p>Abayomi Okubote – (Session Coordinator) (ACCEPTED INVITATION)</p> <p>Mia Essien, SAN - Managing Partner, Principles Law Partnership (Nigeria) (Moderator)</p> <ol style="list-style-type: none"> 1. Babatunde Fagbohunlu, SAN - Senior partner, Aluko & Oyebo (Debater) (ACCEPTED INVITATION)

			2. Charles Nairac - Partner, White & Case, Paris (Mauritius) (Debater) (ACCEPTED INVITATION)
17:30-17:40	Vote of Thanks Closing Remarks Conference Wrap Up		1. Olubunmi Osuntuyi , Secretary General, ICC Nigeria 2. Prof. Gbolahan Elias, SAN , Chairman, Planning Committee 3. Diamana Diawara - Director, Africa, ICC