

ALN Academy in collaboration with Anjarwalla & Khanna | ALN Kenya and JMiles & Co, with the support of Microsoft, invite you to:

An interactive workshop on emerging issues in Africa's evolving arbitration scene

24 July 2018 - Day 1

Venue: Sankara Hotel,
Nairobi, Kenya

With Africa's steady increase in energy and infra-structural development and cross border commercial activity, increases in the incidents of disputes are inevitable. Arbitration has and continues to play a huge role as a dispute resolution mechanism for such activities. In this context many African countries are questioning the efficacy and legitimacy of foreign arbitration centres settling their 'domestic affairs'. Notwithstanding the merits or de-merits of this apparent challenge to the status quo, it is plain that it does not negate the continued relevance that arbitration has within the various African jurisdictions.

Moreover, the challenge arguably highlights the need to accelerate the enhancement of

arbitral centres across Africa in terms of process design and implementation, the raising of profile and the execution of service.

For countries such as Kenya that seek to put forward their jurisdictions as viable arbitration centres, clear commitment is needed that demonstrates the scaling up of specialist expertise in this field. This journey is well underway across the regions with positive examples of best practice fast emerging. We believe that it is imperative that the broader community of specialists operating in this important field, support these capacity building efforts.



Programme

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| 8.00am – 8.45am | Registration and coffee |
| 8.45am – 9.05am | Welcome Remarks - <i>Femi Omere</i> , ALN Academy; <i>Karim Anjarwalla</i> , Anjarwalla & Khanna ALN, Kenya |
| 9.05am – 9.15am | Perspective from the Bench - <i>Hon. Justice Alnashir Visram</i> , Court of Appeal, Kenya |
| 9:15am – 9:30am | Key Note Address - <i>Dr. Ismail Selim</i> , CRCICA, Egypt |
| 9.30am – 10.30am | Panel 1: Arbitration and Economic Development
Moderator: <i>Aisha Abdallah</i> , Anjarwalla & Khanna ALN, Kenya <ul style="list-style-type: none">- How does effective and efficient dispute resolution contribute to economic development? <i>Dr. Andreas Baumgartner</i>, Executive Director Dispute Resolution Authority, Dubai International Financial Centre (DIFC), UAE- The impulse to have an arbitration centre is fairly universal: A case for the breeding of new arbitral institutions. <i>Lawrence Ngugi</i>, Nairobi Centre for International Arbitration (NCIA), Kenya- Do updated arbitration rules and laws act as a catalyst for investment promotion? <i>Dr. Jamsheed Al Ameen Peeroo</i> Vice President of MARC Advisory Board, Mauritius- The Lagos Experience: Challenges and Success. <i>Oluwatosin Lewis</i>, Lagos Centre for Arbitration (LCA), Nigeria |
| | Q&A Session |



- 10.30am – 10.50am **Coffee Break**
- 11.00am – 12.00pm **Panel 2: Building an arbitration practice in emerging markets (dealing with how to build a culture as well as breaking into the international scene)**
Moderator: **Prof. Gbolahan Elias**, G. Elias & Co. | ALN, Nigeria
- The rise and future of arbitration practice in Africa. **Mohamed Karega**, Anjarwalla & Khanna | ALN, Kenya
 - Regionalisation of international arbitration: development and challenges. **John Miles**, JMiles & Co., Kenya
 - Success bridges-Avenues for collaboration between local and international firms. **Tunde Fagbohonlu**, Partner Aluko & Oyebode, Nigeria
- Q&A Session**
- 12.00pm – 1.00pm **Panel 3: The legal and practical realities regarding enforcement of awards**
Moderator: **Moses Adriko**, MMAKS Advocates | ALN, Uganda
- Judicial perspectives on recognition, setting aside and challenges to enforcement of arbitral awards. **Hon. Lady Justice Mary Kasango** First Instance Division COMESA & High Court of Kenya
 - Reviewing recent case law on fundamental rights and freedoms vs. enforcement. **Abbas Esmail**, Anjarwalla & Khanna | ALN, Kenya
 - How to find and secure assets for enforcement. **Willie Oelofse**, Anjarwalla & Khanna Forensics LLP, Kenya
- Q&A Session**
- 1.15pm – 2.15pm **Lunch Break**
- 2.15pm – 3.15pm **Panel 4: Investment treaty arbitration: trends in the right to regulate**
Moderator: **Dr. Sally El Sawah**, El Sawah Law, Egypt
- The future of investment treaty disputes in Africa and recent trends. **Laura Lusiji**, JMiles & Co., Kenya
 - Balancing the right to regulate and investor protection in investment treaties. **Pauline Mcharo**, Deputy Chief State Counsel, Office of the Attorney General and Department of Justice, Kenya
 - A multi-lateral investment court? Re-examining Investor State Dispute Settlement and calls for reform. **Angeline Welsh**, Matrix Chambers, United Kingdom
- Q&A Session**
- 3.15pm – 4.15pm **Panel 5: Strategies to entrench diversity in international arbitration**
Moderator: **Shaheda Peeroo**, Former Lady Justice of the Supreme Court of Mauritius
- Understanding racial, gender, and cultural bias in international arbitration. **Fatma Karume**, President Tanganyika Law Society, Tanzania
 - How differences/nuances can affect decision making by tribunals. **Andrea Menaker**, International Centre for Dispute Resolution, United States America
 - How to overcome discrimination and strategies to foster diversity in appointments of arbitral tribunals. **Mark Guthrie**, Commonwealth Secretariat, United Kingdom
- Q&A Session**
- 4.15pm – 4.45pm **Coffee Break**
- 4.45pm – 5:25pm **PLENARY SESSION**
Moderator: **John Miles**
Panelists: Dr. Ismail Selim, Lady Justice Joyce Aluoch, Allen Gichuhi, Sam Nderitu, Vice Chairman Chartered Institute of Arbitrators (CIArb), Kenya Branch, **Aisha Abdallah**
- 5.25pm – 5.30pm **Closing remarks John Miles**
- 5.30pm – 7.30pm **Cocktail**

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ALN Academy invites you to a breakfast meeting presentation / discussion sponsored by Microsoft:

Digital solutions for arbitration institutions and practice

25 July 2018 - Day 2

Venue: Sankara Hotel,
Nairobi, Kenya
Time: 7 am - 11.00 am

This breakfast meeting will provide a focused presentation/discussion centred around current or prospective digital solutions for arbitration institutions and practice.

We seek to raise and then interrogate some important features and issues in this space. For example: What are the available digital tools being deployed in the respective field? What evidence do we have regarding their effectiveness? Are there any pilots or established digital deployments and in which jurisdictions? Do these examples lend weight to the argument that digital solutions are the inevitable course that all dispute resolution fora will have to take? Will there be deeper deployment of Artificial Intelligence in decision making?

What could this digital future actually look like? And from the practitioner end, what will any of these advances do for day to day practice?

The objective is for the session to be able to say something as to whether the digital solutions on offer will be effective on the continent of Africa and to identify what are the legal implications and/or impediments to their deployment.

The event promises to be a gathering of top minds following on from day one's event that will have explored the emerging issues in Arbitration in Africa, with day two discussing the efficacy and legality of the various digital solutions that are gaining prominence globally.

Programme

7.00am – 7.45am	Breakfast served
7.45am – 8.00am	Opening Remarks
8.00am – 9.30am	Panel Presentations/Discussion Moderator: Femi Omere , CEO ALN Academy Panelists: Dr. Andreas Baumgartner , Executive Director DRA (DIFC), UAE; Madeline Kimej , Founder & CEO Resolution Experts, Tanzania; Hon. Nyambura L. Mbatia , Registrar COMESA Court of Justice, Kenya; Dr. Ismail Selim - Director CRCICA, Egypt;
9.30am – 10.15am	Discussion with Q&A
10.15am – 10.30am	Closing
10.30am	Networking opportunity

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Keynote Speakers & Plenary Members



Dr. Ismail Selim

Director Cairo Regional Centre for International Commercial Arbitration - Egypt

Dr. Selim teaches Private International Law at the IDAI in Cairo (Sorbonne University) since 2011. He also teaches Comparative International Arbitration Law at the Sorbonne University Middle East Laws LLM in Paris.

Dr. Selim has been constantly appointed as Presiding arbitrator, Sole Arbitrator and Co-Arbitrator and has acted as a Counsel under various rules such as CRCICA, Swiss Rules, DIFC-LCIA, UNCITRAL and the ICC Rules. Dr. Selim provides Expert opinions on Egyptian and Libyan Laws in international proceedings.



Hon. Justice Alnashir Visram

Judge of Appeal, Judiciary of Kenya

Justice Visram was one of the official nominees of the President for the position of Chief Justice of Kenya. He has presided over several landmark cases, rendering some historic judgements that broke new ground in legal jurisprudence in Kenya. He has held several leadership positions within the Judiciary and is presently the Head of the Criminal Division of the Court of Appeal, Chair of the Judiciary's Rules Committee and Chair of the Mediation Accreditation Committee.



Lady Justice Joyce Aluoch

Former first Vice President of the International Criminal Court - Kenya

Lady Justice Aluoch served a full nine years term as a judge at the ICC and was formerly a Judge of the Court of Appeal of Kenya. She has had a pivotal role in negotiations between the African Union and the Government of Sudan to ratify the African charter and secure the rights of children. She is an accredited mediator and has received CIArb training for arbitration in London.



Allen Gichuhi

President Law Society of Kenya

Allen Gichuhi is President of the Law Society of Kenya and Senior Partner at Wamae & Allen and specializes in Commercial Litigation in Banking Company and Property matters. Allen is a Chartered Arbitrator and has a wealth of experience in arbitration both as arbitrator and advocate. He participated in drafting Kenya's Court Mandated Mediation Rules and other Orders and Practice Directions of the various court divisions of Kenya.

Guest Speakers & Moderators



Sam Nderitu

Vice Chairman Chartered Institute of Arbitrators (CIArb), Kenya Branch

Sam is an Advocate of the High Court and Senior Partner at Mbiriri Ngugi & Company Advocates.

He is also a CIArb Accredited Mediator, Vice Chairman of the Kenya Branch of CIArb and Director of the International Chamber of Commerce, Kenya Chapter.



Dr. Andreas Baumgartner

Executive Director Dispute Resolution Authority, DIFC - UAE

Andreas heads the DRA and its institutions (including the DIFC Courts, the International Arbitration Centre, the Academy of Law, and the Wills and Probate Registry). The DRA is considered to be at the cutting edge of international (commercial) dispute resolution, and has become a global point of reference and role model. Andreas leads the DRA's out-reach work sharing the approaches and models with interested partners globally.



Lawrence Ngugi

Registrar of Nairobi Centre for International Arbitration - Kenya

Lawrence Muiruri Ngugi is an arbitrator and accredited mediator, member of the International Council of Commercial Arbitration (ICCA), member of Kenya's representatives to the UNCITRAL Working Group II Arbitration & Conciliation (involved in discussions which culminated in the Convention on Transparency in Investor-State Arbitration) and UNCITRAL Working Group III Online Dispute Resolution amongst other appointments; and an advocate of the High Court of Kenya and a Certified Public Secretary.



Dr. Jamsheed Al Ameen Peeroo

Vice President MARC Advisory Board - Mauritius

Dr. Peeroo is a member of the ICC Task Force on the enforcement of foreign arbitral awards and regularly teaches arbitration law and company law in the Mauritian Law Practitioners' Vocational Course.

He heads the International Arbitration section and is familiar with most leading international arbitration rules. He regularly acts as counsel in domestic and international arbitrations and is a member of the panel of arbitrators of the MARC (MCCI).



Oluwatosin Lewis

Executive Secretary Lagos Court of Arbitration - Nigeria

Oluwatosin is a solicitor and dispute resolution specialist. Her experiences in legal practice span over two decades and diverse areas and clientele. She is experienced at advising teams and departments, ensuring their compliance with substantive and regulatory laws and terms and conditions of operating licenses. She is a Fellow of the Chartered Institute of Arbitrators UK, a member of the Nigerian Bar Association, the Lagos Court of Arbitration, the International Bar Association and Arbitral Women.



Prof. Gbolahan Elias

Partner G.Elias & Co. |ALN - Nigeria

Professor Elias's work includes complex arbitration, involving leading global multinational companies and has recently been a member of the team advising a leading telecommunications company in resisting the largest fine ever imposed in that sector. He is a Senior Advocate of Nigeria (SAN), the present chairman of the Lagos State Law Reform Commission and a member of the International Association of Defence Counsel.



Tunde Fagbohonu

Partner Aluko & Oyeboode - Nigeria

Tunde heads the Litigation, Arbitration and ADR Practice Group and specializes in commercial litigation. He regularly represents Nigerian as well as foreign and multinational clients in ad hoc arbitrations and arbitrations administered by arbitral institutions such as the International Court of Arbitration of the ICC. Tunde was a member of the national committee on the Reform and Harmonization of Arbitration/ADR Laws in Nigeria and is a Senior Advocate of Nigeria.



Moses Adriko

Partner MMAKS Advocates | ALN - Uganda

Moses is a Partner of the Firm and Co-head of the Firm's Litigation Team. His practice focuses mainly on Corporate and Commercial Law, Civil Litigation, Intellectual Property and International Criminal Law. Moses is a past president of the Uganda Law Society and chaired the African Forum of the International Bar Association (IBA). He has served on the on the IBA Human Rights Institute as a Council Member.



Hon. Lady Justice Mary Kasango

Judge First Instance Division COMESA & High Court of Kenya

Honourable Lady Justice Kasango holds an LL.M in Intellectual Property Law. She graduated from the Council of Legal Education, Grays Inn, London as a Barrister and was called to the bar in Lincoln's Inn, Chancery Lane, London.

Since 2003 she is a judge of the High Court of Kenya, Milimani Commercial Courts. She is also a Judge of the First Instance Division of the COMESA Court of Justice.



Willie Oelofse

Director Anjarwalla & Khanna Forensic LLP - Kenya

Willie is a veteran forensic investigator with more than 20 years of practical experience. Willie led Deloitte East Africa's Forensics business, where he developed a strong forensic team with the capability to deliver services across the region. Before that, Willie spent 15 years as a member of KPMG Forensic, covering all areas of forensics assignments, including proactive and investigative forensic assignments.



Dr. Sally El Sawah

Partner El Sawah Law - Egypt

Dr. El Sawah is a Qualified Lawyer in France & Egypt and a Registered Lawyer in England and Wales. She specialises in international arbitration and cross-border litigation. Dr El Sawah regularly advises and appears as Counsel before French and Egyptian Courts, in cases involving States, State Entities, State-owned companies, major multinational companies in the Middle East, Europe, Africa and Asia, in particular for the Enforcement and annulment proceedings of arbitral awards as well as Injunctions and Interim Relief.



Pauline Mcharo

Deputy Chief State Counsel - Kenya

Pauline serves in the International Law Division, at the Office of the Attorney General and Department of Justice.

Pauline's current assignments include representing Government in international investment and commercial disputes and assisting in the resolution of Territorial and Maritime Delimitation disputes.



Angeline Welsh

Matrix Chambers - United Kingdom

Angeline specializes in international arbitration and public law including commercial and investment treaty claims. Angeline has been appointed as sole arbitrator in LCIA, ICC and ad hoc arbitrations and as presiding arbitrator in an LCIA case. She is appointed to the HKIAC list of arbitrators and the BVIIAC panel of arbitrators. She is also a co-chair of the IBA Arb 40 Subcommittee.



Shaheda Peeroo

Former Lady Justice Supreme Court of Mauritius

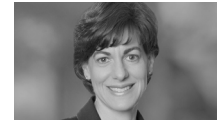
Mrs. Shaheda is a former Judge of the Supreme Court. She recently retired as the most senior of the "Designated Judges" specialised for international arbitration matters, after having delivered judgments in a number of landmark cases. Shaheda currently accepts arbitrator appointments and acts as a consultant. She has recently been appointed to the MCCI Arbitration and Mediation Center (MARC).



Fatma Karume

President Tanganyika Law Society - Tanzania

Fatma Karume is the President of the Tanganyika Law Society and a partner at IMMMA Advocates. Her areas of practice include commercial litigation, judicial review, tax disputes, arbitration, winding-up, receivership, company law, intellectual property law and media law.



Andrea Menaker

International Centre for Dispute Resolution - United States of America

Recent appointee to the ICDR Panel of Arbitrators and the P.R.I.M.E. Finance panel of experts. Andrea serves as counsel in complex international arbitration cases, with a focus on investment treaty arbitration. Andrea is a member of the Boards of the Arbitration Institute of the Stockholm Chamber of Commerce and the Association Suisse de l'Arbitrage, as well as an elected member of the American Law Institute.



Mark Guthrie

Head (acting), Rule of Law Commonwealth Secretariat - United Kingdom

Mark has vast experience working with senior judiciary, governments, NGOs, and inter-governmental organisations; providing designing and delivering judicial education courses in Commonwealth jurisdictions in Africa, Asia, Caribbean and Pacific; managing technical assistance projects including the placement of judges and legislative drafters in Commonwealth jurisdictions; supervising trial monitoring projects in countries in transition.



Madeline Kimei

Founder & CEO Resolution Experts - Tanzania

Madeline has developed the first online dispute resolution platform in 2015 (www.iresolve.co.tz) and a legal e-newswire portal (www.ealawyer.com).

Madeline is an accredited civil and commercial mediator by the Chartered Institute of Arbitration (UK) and also holds a Certificate in Dispute Management from Indian Institute of Arbitration and Mediation. She is the current Vice Chairman of the Tanzania Institute of Arbitrators and has been a member since 2011. She has knowledge of the ICC Rules and Procedures and the UNCITRAL Model Law and its Rules on both mediation and arbitration.



Hon. Nyambura L. Mbatia

Registrar COMESA Court of Justice - Sudan/Zambia

Honourable Mbatia holds an LL.B from the University of Nairobi and a Higher Diploma in Human Resource Management from the Government Training Institute Mombasa.

She formerly held the position of Magistrate / Deputy Registrar of the High Court of Kenya and is currently the registrar of the COMESA Court of Justice.

Facilitators



Femi Omere

CEO ALN Academy

Femi is a qualified Barrister and a recognised legal trainer having delivered trainings for the International Senior Lawyers Project (ISLP) and as a guest lecturer, course designer and tutor at the Law School of Tanzania. He successfully launched the Legal Expertise Access Platform (LEAP) in 2014, a socio-legal, expertise access and knowledge sharing hub for Africa. Femi has been tasked to play a leading role in directing the ALN Academy's capacity building efforts across Africa to drive the provision of legal service excellence and in support of the rule of law.



Karim Anjarwalla

Managing Partner
Anjarwalla & Khanna |ALN -
Kenya

Karim Anjarwalla is Anjarwalla & Khanna's Managing Partner and a member of the firm's Corporate Commercial department. He has a wide array of experience advising domestic, regional and international clients on mergers and acquisitions, joint ventures, private equity investments and capital markets transactions.

Karim is consistently involved in the most prominent transactions in the region.



Aisha Abdallah

Partner
Anjarwalla & Khanna |ALN -
Kenya

Aisha heads the disputes department at Anjarwalla & Khanna. Aisha was appointed to the MARC Court in 2017, the ADR arm of the Mauritius Chamber of Commerce and Industry, alongside some of the world's most eminent arbitration experts. She is the lead author of the Kenyan chapter of the 6th, 7th and 8th editions of the International Arbitration Review. Aisha is part of an expert team that has drafted Anti-Money Laundering, Remittances and Mobile Money Bills for Somaliland and is the lead author of the Kenya chapter of the 2018 Chambers Anti-Corruption Global Practice Guide.



Mohammed Karega

Senior Associate
Anjarwalla & Khanna |ALN -
Kenya

Mohamed is a senior member of the Mombasa disputes team and was a co-rapporteur for Kenya for the 3rd Edition of the ICC Guide to the New York Convention of 1958. He is also the co-author of the Kenyan chapter of the 9th Edition of the International Arbitration Review and regularly speaks on arbitration topics in the region, including at the 2016 and 2017 East Africa International Arbitration Conferences held in Kampala Uganda and Kigali, Rwanda, respectively as well as at the Mauritius Arbitration week in May, 2018.

Mohammed is an associate member of the Chartered Institute of Arbitrators and is also a certified trial advocate by Justice Advocacy Africa.



John Miles

Managing Partner JMiles &
Co. - Kenya

John Miles is the Managing Director of JMiles & Co., which provides specialised services in the fields of international arbitration, investigation and legal consulting.

John Miles has over thirty years experience working in Africa and has represented governments and the private sector in both advisory and dispute resolution matters. He is English law qualified and his team at JMiles & Co. consists of foreign and Kenyan qualified lawyers.



Abbas Esmail

Senior Associate
Anjarwalla & Khanna |ALN -
Kenya

Abbas is a senior associate in the firm's Litigation Department having joined A&K in March, 2016. He was previously with the firm of Kilukumi & Co. Advocates where he gained significant experience in high profile criminal litigation. Abbas' practice covers a wide range of commercial litigation with a special focus on white collar crime, fraud, forensic investigations, data security, cyber-crime, anti-corruption, competition enforcement and civil liberties.



Laura Lusiji

Associate JMiles & Co. - Kenya

Laura specialises in international arbitration, negotiation and dispute settlement. Laura also has a background in civil litigation, corporate governance, conveyancing, commercial and corporate law in Kenya. Laura has represented an East-African entity in a DIFC-LCIA arbitration dispute.



Leah Njoroge Kibe

Associate JMiles & Co. - Kenya

Leah has experience advising in the areas of international dispute settlement, investigation and investment consulting.

She has worked in the Division of Investments and Enterprise of the United Nations Conference on Trade and Development (UNCTAD) in Geneva. She has represented clients in international commercial arbitrations before tribunals of the ICC, LCIA, trade arbitration under FOSFA and ad hoc arbitration.

Venue and Accommodation

Venue: Sankara Hotel, Woodvale Grove, Westlands Nairobi, Kenya

Rate: \$295 (day pass for day 1 and day 2 inclusive of refreshments, lunch, cocktail and breakfast)

Accommodation: Sankara Hotel have offered a special bed & breakfast rate of \$261 per room per night for our delegates. Book directly through:

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For more Information about the event contact us:

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