

PAN FRICAN LAWYERS UNION CONFERENCE ON
INTERNATIONAL COMMERCIAL LAW , CAPE TOWN
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**The Role and Value Proposition of the
Pan African Lawyers Union (PALU)**

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Region)**

What lawyers' associations exist to do

The traditional role of a lawyers' association, at whatever level: -

1. **Regulation:** education, admission, setting and enforcing practice standards and rules, discipline, etc.
2. **Representation**(of the profession): “trade union” function; representing the profession to the government, the public and the global legal community, etc. Benefits for members.
3. **Public Interest:** contributing to development: political, economic, social and cultural. Administration of justice. The just rule of law. Constitutionalism. Democracy and good governance. Protection and promotion of human rights. Law reform and access to justice, etc.

At supra-national level includes people-centred regional integration and globalization

Lawyers' associations in Africa (or active in Africa)

No	Level	Illustrations	Manner of registration
1	Global	CLA, IBA, UIA	Society
2	Continental	PALU	Society & Co. Ltd by Guarantee
		African Forum (IBA)	Institution of the IBA
3	Regional	EALS, SADC LA, WABA	Co. Ltd by Guarantee; Society
4	National	<i>Many!</i>	Act of Parliament; Society
5	Sub-national/ specialist bodies	Geographic-based, Women Lawyers, Human Rights Lawyers, ICJ Chapters, etc	Society (some by Act of Parliament)

www.lawyersofafrica.org

Pan African Lawyers Union

Working with the regional and national lawyers associations and individual lawyers to develop the law and legal practice in Africa, and to steer the emerging human rights, peace and security architecture in Africa

General Assembly

All corporate and individual members

Council

All 5 regional and 53+ national lawyers' associations

Pan African Lawyers Union

Executive Committee

1. **President:** Akere T. MUNA (Cameroon)
2. **Vice President, Central Africa:** Vincent KARANGWA (Rwanda)
3. **Vice President, Eastern Africa:** Hashim AL'JALY (Sudan)
4. **Vice President, Northern Africa:** Mohamed J'MOUR (Tunisia)
5. **Vice President, Southern Africa:** Elijah BANDA, SC (Zambia)
6. **Vice President, Western Africa:** Mame Adama GUEYE (Senegal)
7. **Treasurer:** Prof. Tom Odhiambo OJIENDA (Kenya)
8. **Secretary General:** Akintola Anthony AKINBOTE (Nigeria)
9. **Deputy Secretary General:** Bruce Kyerere (Uganda)

10. **Chief Executive Officer:** Donald Deya
 - Francois Godbout (Programme Officer – International Relations)
 - Selemani Kinyunyu (Programme Assistant – Office of the CEO)
 - Ms. Mankah Fombang (Intern – Commercial Law Programme)

Secretariat

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Raison D'être for PALU

1. Unique position, onerous obligation
2. Networking, collaborating and building capacity of African Lawyers and Lawyers' Associations
3. Assisting and steering continental and regional integration
4. Guarding and guiding democracy
5. Universalizing the core democratic principles
 - a. National Constitutions and laws
 - b. (Sub) regional instruments and instrumentalities
 - c. African instruments and instrumentalities
6. Practising what we preach!

Programmes

1. **Commercial Law**: Transactions, Litigation, Vulture Funds. *Partnering with the AfDB Group*. Launch (Feb 2011) followed by regional seminars. Next one in Cape Town, May 2011
2. **Human Rights Law**: The emerging economic, human rights, peace and security architecture (*including international criminal justice*); African International Courts and Tribunals, with a special focus on the African Court in Arusha. Colloquium, followed by regional seminars. *Financial support by SIDA, Stockholm*
3. **The Law of African International Organizations***generally*
4. *Towards a **Pan African Code of Ethics** for Lawyers*
5. *Towards an Integrity and Anti-Corruption Law Programme*
6. **Affinity Programmes**: collective bargaining of benefits for members (*linked to our Members' ID Card*)

Advisory/ Consultancy Services

- Advising the African Union on the continental judicial/ quasi-judicial infrastructure, and especially on incorporating an international criminal jurisdiction to the African Court of Justice & Human Rights
- *Imagine how this would have applied to the current Cote d'Ivoire, Libya situations (the latter is actually before the African Court on Human & Peoples' Rights, in Arusha)*
- **Proposal:** Genocide, Crimes against Humanity, War Crimes; Unconstitutional Change of Government; also Corruption, Piracy, Terrorism, Trafficking in Drugs, Hazardous Wastes or Human Beings
- **Progress:** the draft is currently being considered by Member States, at the level of Government Experts. Thereafter: Justice Ministers/ Attorney Generals; Executive Council (of Ministers of Foreign Affairs); Summit (of Heads of State and Government), for adoption.

PALU: BENEFITS for members

1. Employment opportunities in the new/ expanding organs and institutions and their satellites
2. Legal representation and advice for the plethora of African international organizations, as well as all other international organizations with a presence in Africa
3. Clients (both MNCs and SMEs) will increase trade within the (ESA) region
4. Clients will require their service providers (including their lawyers) to “move” with them as they trade and invest across borders and (sub) regions
5. Currently, Non-Tariff Barriers (NTBs) are addressed on government-to-government basis. This could **CHANGE** to include litigation and arbitration on NTBs...
6. Arbitration could become especially lucrative ...

PALU: BENEFITS for members

7. Prospects for working together on ensuring (policy and legal) coherence with our countries' and regions' commitments to each other (regional co-operation and integration), the AU, WTO, EPAs, etc
8. Prospects for working together on issues of democracy, good governance, rule of law, human rights, regional integration
9. Prospects for joint investments in infrastructure: road, rail, power, water, telecommunications, internet, etc
10. Prospects for working together on increasing the size, depth and quality of the legal market

Value Proposition for members

1. Premier information and networking forum (where Africa's leading lawyers meet)
 - ◆ Referrals; “match-making”
2. Online Members' Directory (leading listing of African lawyers)
3. Monthly electronic newsletter; electronic bulletins
4. Conferences, Workshops, Seminars, *including online*
5. Internships, Young Lawyer Exchange and Mentorship Programmes
6. Prime platform to democratize and develop our continent (uniting Africa through law)
 - ◆ *These will not be offered to non-Members; or will be offered at a higher premium*
 - ◆ *Priority will always be to Members in good standing*

Individual Members: How to join

- Registration Fee: USD 50
- Annual Subscription: USD 50

Other Options

- Life Member: USD 1,000
- Special Endowment Member: USD 10,000



THE END