

**ON THE OCCASION OF THE 20th ANNIVERSARY OF THE SIGNING OF THE
TREATY CREATING THE ORGANISATION FOR THE HARMONISATION OF
BUSINESS LAW IN AFRICA (OHADA)**

The Association for the Promotion of Arbitration in Africa (APAA) is organizing an international Colloquium under the theme:

« Arbitration in commercial and investments matters in Africa »

YAOUNDE (CAMEROON) 31st of October–the 1st of November 2013

Mont-Febé Hotel****

**Under the effective patronage of the Minister of State, Minister of Justice, Keeper of the Seals, of the
Republic of Cameroon**

A. CONTEXT AND JUSTIFICATION OF THE COLLOQUIUM

With the opening of Africa to the market economy and the increasing implication of African economic operators in international trade, the question of legal safety of such investments, locally or abroad, arises with acuteness and this has been a priority for African public authorities during the last twenty years,

Arbitration is known to be the most appropriate mode for the settlement of international trade and investments disputes and the signatories of the OHADA Treaty clearly took the option to promote arbitration for the settlement of contractual disputes.

The diversification of arbitration offer in Africa and the increasing participation of African parties in international arbitration tend to consolidate the adhesion of Africa to this mode of disputes settlement in international trade.

However, the proliferation of arbitration Centers in Africa cannot be perceived as portraying a good knowledge of the arbitration institution on the continent.

Hence, the mastery of arbitration in commercial and investment matters by its potential users in the OHADA region justifies the holding of the present Colloquium, which will have as essential objective, to strengthen the capacities of participants regarding commercial and investments arbitration.

B. SPECIFIC OBJECTIVES OF THE COLLOQUIUM

Besides the general objective mentioned above, participants will be capable by the end of the colloquium to:

- master the arbitration institution;
- analyze interactions between the State justice and the arbitration justice in Africa;

- know how to proceed with the forceful execution of arbitral awards in Africa;
- master the arbitration of investments, especially that of the International Center for the Settlement of Investment Disputes (ICSID);
- be informed about the specificities contained in arbitration rules elaborated by the United Nations Committee for International Trade Law (UNCITRAL);
- arrest the implementation by the Common Court of Justice and Arbitration (CCJA) of arbitration in investment matters;

C TARGET PUBLIC

The present Colloquium targets mainly:

- magistrates, lawyers and judicial auxiliaries;
- corporate lawyers;
- economic operators;
- researchers as well as students specialised in the field of international disputes.

D ANIMATION OF THE COLLOQUIUM

Due to the specificity of arbitration in commercial matters and in matters of investments, the specialists in these domains are still rare in sub-Saharan Africa in particular. Given these conditions, the best specialists of the ICSID in Washington, the Permanent Court of Arbitration (PCA) in The Hague, the International Court of Arbitration in Paris, as well as other Experts living in Europe confirmed their availability to put their expertise to the service of Africa by accepting, through their presence, to animate this colloquium

E COLLOQUIUM PROGRAM (TENTATIVE AGENDA)

Wednesday 30thOctober 2013:

7:30-8:30pm: Welcome Cocktail

Thursday 31stOctober 2013: 9h30-10h30 am: Opening ceremony

9:30am: Welcome speech by the president of APAA

- Speech of the Permanent Secretary of OHADA.
- Speech of the Minister of State, Minister of Justice, Keeper of the Seals of the Republic of Cameroon.

10:30am Coffee break. Departure of the Minister of State, Minister of Justice, Keeper of the Seals and other invited personalities.

11-11:20am: Introductory Report: by Philippe Leboulanger, Lawyer at the Paris Bar Association, honorary President of the french committee of arbitration.

FIRST SESSION: International commercial arbitration– 11:20am – 1:30pm and 3:30 -5:30pm

SEQUENCE I: 11:20am – 1:30pm: Arbitration offer

Under the co chair of Barrister Béatrice Castellane, Lawyer at the Paris Bar Association and Professor Paul Gérard Pougoué, Secretary General at the Ministry of Secondary Education.

Presentation of some systems and operational arbitration Centers in Africa and out of Africa

- Arbitration in Djibouti: by Aref Mohammed Aref, Lawyer at Djibouti, Djibouti.
- PCA arbitration: by Hanno Wehland, Legal Adviser at the Permanent Court of Arbitration (PCA), The Hague
- ICC arbitration: by Emmanuel Jolivet, General Adviser at the International Court of Arbitration of the ICC
- UNCITRAL Rules of arbitration: by Sophie Nappert, Arbitrator, Solicitor of the Supreme Court of England and Wales
- CCJA arbitration: by Narcisse Acka, Lawyer at Abidjan- Côte d'Ivoire
- GICAM arbitration: by Barrister Marie-Andrée Ngwe, Lawyer at the Cameroon Bar Association
- The Center for arbitration and conciliation of Mali. by Coumba D. Diarra, Director of the Center for arbitration and Conciliation of Mali
- The new Jerusalem Arbitration Center (JAC)-Perspective of the General Secretary: by Nadia Darwazeh, General Secretary of the Jerusalem Arbitration Center.

1-1:40pm: Discussions

1:45-3pm: Lunch

SEQUENCE II: 3:30-4:30pm: The intervention of the State judge in arbitration

Under the chair of: Mr Awana Jean-Claude, Magistrate

- 1) The state of mind of the State Judge in arbitration assistance: by Dominique Hascher, Adviser at the France Cour de Cassation.
- 2) The experience of the french Judge: by Jean-Pierre Ancel, Honorary President of Chamber at the France Cour de Cassation.
- 3) Arbitration experience at the CCJA: by Gaston Kenfack Douajni, President of the Association for the Promotion of Arbitration in Africa.

SEQUENCE III: 4:30-5:30pm: The execution of arbitral awards against public corporate bodies

Under the co chair of Professor André Akam Akam, Dean of the Faculty of Law at the University of Yaoundé II and Barrister Philippe Leboulanger, Lawyer at the Paris Bar Association and Honorary President of the french committee of arbitration.

- 1) The state of OHADA legislation and case law on the question: by Antoine Joachim Oliveira, President of the CCJA;
- 2) The point of view of an African lawyer: by Professor Henri Désiré Modi Koko Bebey, Dean of the Faculty of Law at the University of Dschang.
- 3) The point of view of a non African practitioner: by Barrister Béatrice Castellane, Lawyer at the Paris Bar Association

Friday 1st November 2013: SECOND SESSION: Arbitration on investment matters

SEQUENCE I: 9:30am-1pm: ICSID arbitration and Africa

Under the co-chair of Professor Abdoullah Cissé, Lawyer at the Senegal Bar Association and Dominique Hascher, Adviser at the France Cour de Cassation.

- Presentation of the ICSID arbitration: Presentations and practical cases on the ICSID arbitration involving african States, by Meg Kinnear, Secretary General of ICSID (Washington) and Aurélia Antonietti, Legal Adviser, ICSID (Washington)
- Discussions

1:15-2:45pm: Lunch

SEQUENCE II: 3-4pm: CCJA arbitration and investment disputes

Under the co-chair of Aurélia Antonietti, Legal Adviser, ICSID and Professor Henri Désiré Modi Koko Bebey, Dean of the Faculty of Law at the University of Dschang.

- 1) The notion of investment in instruments involving african parties (laws of OHADA States related to investments, BIT or MTI involving these states), by Pr Dorothé Cossi Sossa, OHADA Permanent Secretary;
- 2) BIT between OHADA Countries and Canada: A new generation of BIT: by Pierre Olivier Savoie, Associate, Freshfields Bruckhaus Deringer, Paris;
- 3) CCJA arbitration and investment related disputes: Gaston Kenfack Douajni, President of the APAA.
- 4) Discussions

SEQUENCE III: 5- 5:45pm: General Report, by Charles Jarrosson, Professor at the University of Paris 2.

End of colloquium

6:30pm: Cocktail

**N.B. THE WORKING LANGUAGES OF THE COLLOQUIUM ARE FRENCH AND ENGLISH, WITH
SIMULTANEOUS TRANSLATION.**

**« ARBITRATION IN COMMERCIAL MATTERS AND INVESTMENTS IN AFRICA »
INTERNATIONAL COLLOQUIUM
YAOUNDE-CAMEROON FROM THE 31ST OF OCTOBER TO THE 1ST OF NOVEMBER 2013**

**REGISTRATION FORM TO BE RETURNED WITH YOUR PAYMENT RECEIPT AT THE
ASSOCIATION FOR THE PROMOTION OF ARBITRATION IN AFRICA (APAA)**

Tél : 00 (237) 22 21 92 73 – 00 (237) 97 60 24 34 – 00 (237) 99 98 11 47/Fax : 00 (237) 22 21 92 73

E-mail : apam.afrique@yahoo.fr

INFORMATION ON THE PARTICIPANT

NAME (Mr.Ms Miss) FIRSTNAME.....
TELEPHONE°:..... FAX :.....
ADDRESS.....
ZIP CODE.....TOWN:.....COUNTRY :.....
ACCOMPANIED BY:.....
NAME (Mr.Ms Miss) FIRST NAME.....
NAME (Mr.Ms Miss) FIRST NAME.....

Register me on the INTERNATIONAL COLLOQUIUM of Yaoundé from the 31st of October to the 1st of November 2013 as well as the persons accompanying me (Delete where appropriate).

Date of arrival.....Time.....From.....Place of arrival.....Flight N°
Date of departure.....Time.....To.....Flight N°

SERVICES

Registration includes: Reception at the airport on arrival and departure/urban movements/ participation to the colloquium/2 breakfasts and 1 dinner/cocktail at the eve of the opening ceremony/coffee breaks/briefcase of documentation.

THE REGISTRATION FEE DOES NOT INCLUDE AIR TICKET NOR HOTEL AND RELATED EXPENSES.*

** A minimum welcome service shall be organised for participants arriving Cameroon via the Douala International Airport.*

RESERVATIONS

Please reserve at one of the hotels indicated below

MONT-FEBE HOTEL ****

B.P. 1940 Yaoundé

Tél : 00 (237) 22 21 40 02 / 22 21 60 69 / 99 00 99 32 / 79 51 62 01

E-mail : reservation@hotel-montfebe.com // sanchembo@yahoo.fr .

| SERVICE | RATES |
|-----------------------------|--------------------------|
| STANDARD ROOM | 60.000 FCFA (92euros) |
| ROOM AT THE EXECUTIVE FLOOR | 76.000 FCFA (116 euros) |
| JUNIOR SUITE | 100.000 FCFA (153 euros) |
| SENIOR SUITE | 150.000 FCFA (229 euros) |
| BUFFET BREAKFAST | 7000 FCFA (11 euros) |

AZURHOTEL

Tél : 00 (237)

22 2116 40 / 2221 16 41

E-mail : hotafric2001@yahoo.fr

22 21 16 39 /

| SERVICE | RATES |
|--------------------------------------|------------------------|
| JUNIOR ROOM withbreakfast inclusive | 26.000 FCFA (40 euros) |
| SENOIR ROOM with breakfast inclusive | 30.000 FCFA (46 euros) |

Whichever hotel the reservation is made, please kindly specify that the aforementioned reservation concerns the International Colloquium of Yaoundé, from the 31st of October to the 1st of November 2013

PAYMENT

REGISTRATION: **150.000 FCFA** (229 euros) per person x.....
LODGING..... per person and per night x.....

Payments to be made to APAA, in cash (including payments made through Express Union from within Cameroon or Western Union from abroad) or by bank transfer in the APAA account domiciled at **UNIVERS FINANCES CAMEROUN S.A ; Iban : CM21-10005-00010-03970821001-65**

VISA

It will be preferable for participants to obtain entry visas from their country of residence. However, the organisers of the colloquium will endeavor to make it possible for visas to be issued on arrival, for those participants who come from countries in which Cameroon has no consulate representative.

ATTENTION: Registration shall be valid only after payment.
Conditions of participation: Registration and payment of related expenses have to be made before the 25th of October 2013.

At.....
The.....
Precede signature by the phrase « Read and approved»