

# AFRICAN ASSOCIATION OF INTERNATIONAL LAW

## REPORT OF THE MEETING OF THE GENERAL CONFERENCE MAPUTO, MOZAMBIQUE 5-6 OCTOBER 2012

On 6 October 2012, the General Conference of the African Association of International Law (AAIL) met at the Complexo Pedagógica Universidade Eduardo Mondlane in Maputo, Mozambique, in conjunction with the Annual Conference of the African Foundation for International Law entitled “International Law in Africa: Human Security, Peace and Development: Challenges and Responses” which took place on 5 and 6 October.

The meeting was chaired by three founding members of the Association, Professor Georges Abi-Saab (Egypt), H. E. Judge Abdulqawi Yusuf (Somalia), H. E. Robert Dossou (Bénin), while Professor Roland Adjovi (Bénin) led an expert group responsible for revising the Association’s Statute.

The meeting was attended by representatives and officials of other international law associations, organisations and universities, including, among many others, the African Court on Human and Peoples’ Rights and the Institute for Human Rights and Development in Africa. Ms. Elizabeth Andersen (Executive Director of the American Society of International Law), Ms. Fedelma Claire Smith (Representative of the Permanent Court of Arbitration, The Hague, in Mauritius), Professor Adelardus Kilangi (President of the African Union Commission on International Law), Ms. Virginia Morris (Codification Division, United Nations Office of Legal Affairs) addressed the Conference. More than 140 participants (from more than 30 African countries) were registered to join the AAIL.

Article 6(A)(4) of the AAIL Statute establishes a 25-member quorum for a meeting of the General Conference, and that number was easily surpassed. The agenda was adopted, and the following matters were considered by the conference.

### HISTORY OF THE ASSOCIATION AND ITS ACTIVITIES SINCE ITS ESTABLISHMENT

Judge Abdulqawi Yusuf delivered a presentation on the history of the AAIL, the [African Yearbook of International Law](#) (AYIL) and the [African Foundation for International Law](#) (AFIL), and on the establishment of an African Institute of International Law.

His presentation recalled the creation of the AAIL in Lusaka, Zambia, in 1986 and its founding members. He recalled that the Statute of the AAIL had stated one of its main objectives was “to foster the development and dissemination of African perspectives and practices on international law, in particular through the publication of an African Yearbook of International Law”. He recalled the initial proposal by H. E. Judge Bedjaoui to the Organisation of African Unity (OAU) in 1969 for the publication of such a yearbook, and that the proposal was accepted but was never implemented by the OAU. In 1991, the Secretary-General of the AAIL, Dr. Tunguru Huaraka, called upon Judge Yusuf to take over the responsibility for the Yearbook due to AAIL’s inability to fulfil the

functions set out in its Statute. The first volume of the Yearbook was published in 1994. In 2003, the AFIL was established and took over responsibility for the Yearbook, which continues to be published under its auspices. Judge Yusuf also announced that the African Union had approved the creation of an African Institute of International Law devoted to training and research in international law and the law of the African Union in collaboration with the African Foundation for International Law ([Assembly/AU/Dec.405\(XVIII\) of 30 January 2012](#)). Professor Abi-Saab expressed great satisfaction that the Institute would provide an excellent forum for the development of African international law jurists.

H. E. Robert Dossou recalled the establishment of the AAIL and its founding members. He noted that, in the 1990s, there had been a shift of focus and interest on the part of African jurists from international law towards constitutional law, as a result of the myriad problems arising from political transitions in a number of African countries. He looked forward to renewed interest in international law on the part of the current generation of African jurists, and the important role to be played by the AAIL in this regard. He paid tribute to Judge Yusuf who had stayed the course in his efforts at promoting international law in Africa

#### THE STATUTE OF THE ASSOCIATION

The Working Group responsible for the revision of the AAIL's Statute reported to the Conference on its work. The Working Group proposed simplification of the structure of the AAIL and a reduction in the number of its organs, in order to improve its functioning. The organs in the original Statute were the General Conference, the Council and the Executive Committee.

The Working Group proposed the abolition of the Council and a transfer of its key functions to the Executive Committee, which would now be composed of a President, 5 Vice-Presidents, a Secretary-General, a Deputy Secretary-General/Treasurer, and an Executive Director to be appointed by the Executive Committee as an employee of the AAIL.

The organs of the AAIL were entrusted with the responsibility to reactivate the AAIL, which would involve:

- (1) the adoption of a strategic plan;
- (2) the appointment of an Executive Director;
- (3) establishment of rates for membership dues;
- (4) completion of the revision of the Statute;
- (5) organisation of the next General Conference of the AAIL.

Judge Yusuf underlined the importance of these tasks, which were to be undertaken before the next General Conference.

Professor Marcelin Nguele Abada (Cameroon) stressed the importance of establishing regional and national structures to ensure the effective reactivation of the AAIL.

Professor Nguele Abada and Judge Ouguergouz also urged the speedy adoption of rules dealing with the rights of membership and membership dues, and the Executive Committee was called upon to address those matters promptly.

#### ELECTION TO THE ORGANS OF THE AAIL

The General Conference elected the following members of the Executive Committee:

- President: H. E. Robert Dossou (Benin)
- Vice-Presidents:
  - West Africa: Dr. Jumoke Oduwole (Nigeria)
  - East Africa: Ms. Sheila B. Keetharuth (Mauritius)
  - Central Africa: Prof. Narcisse Mouelle Kombi (Cameroon)
  - Diaspora: Dr. Djacoba Tehindrazanarivelo (Madagascar)
- Secretary-General: Dr. Olufemi Elias (Nigeria)
- Deputy Secretary-General/Treasurer: Mr. Donald Deya (Kenya).

It was decided that the election of Vice-Presidents from Southern Africa and North Africa would take place in due course.

The new Executive Committee took the podium. The President, H. E. Robert Dossou, stressed the need for establishing a head office for the AAIL. He also stressed the importance of identifying sources of funding for the activities of the organization. Judge Ouguergouz recalled that the AAIL was registered in Banjul (Gambia), but that that location could be changed. The President stated that the material support of a host country was an important factor in determining the location of the head office.

Following the suggestion by Professor Kombi (Vice-President, Central Africa) that the Vice-Presidents be expressly mandated to establish regional offices and national sections of the Association, the General Conference called upon the Vice-Presidents to work towards the establishment of such regional and national branches in order to ensure better participation of African jurists in activities of the Association.

#### THE NEXT MEETING OF THE GENERAL CONFERENCE

The General Conference scheduled its next meeting for 2014 in Cameroon.

The Executive Committee