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Africa

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THE YEAR IN REVIEW
AN ANNUAL PUBLICATION OF THE ABA/SECTION OF INTERNATIONAL LAW

Africa

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I. North Africa

A. ALGERIA

1. *Assemblies Refused; Rape Compensation*

Algeria was elected to a three-year term on the UN Human Rights Council in January 2014.¹ In January, Algeria's Minister of the Interior instructed local authorities to refuse requests for gatherings of nineteen associations including the *Ligue Algérienne pour la Défense des Droits de l'Homme*.² In February, Algeria adopted Decree 14-26, providing for state compensation for victims of rape by armed groups during internal conflicts in the 1990s.³

2. *Oil and Gas*

In September, Algeria held its first auction of oil and gas fields since 2011, including some of the world's largest.⁴ Four of thirty-one blocks were awarded.⁵ Hydrocarbon law amendments in 2013 may have facilitated the offering.⁶

* Committee Editor: Anne Bodley. An unabridged version of this article with the authors' biographies is available at <http://www.abanet.org/dch/committee.cfm?com=IC805000>.

1. *Algeria: Allow Rights Groups to Visit*, HUM. RTS. WATCH (Feb. 11, 2014), <http://www.hrw.org/news/2014/02/11/algeria-allow-rights-groups-visit>.

2. *Amnesty International's Human Rights Concerns Ahead of Elections*, EL WATAN 2014 (Apr. 14, 2014), <http://elwatan2014.com/english/item/1648-Amnesty-Internationals-human-rights-concerns-ahead-of-elections>.

3. *Id.*

4. Hamid Ould Ahmed, *Algerian Oil and Gas Field Auction Looks for Foreign Investors*, REUTERS (Sept. 30, 2014), <http://uk.reuters.com/article/2014/09/30/algeria-energy-idUKL6N0RV19S20140930>.

5. *Algeria Awards Four of 31 Oil, Gas Fields in Auction*, TRADE ARABIA (Sept. 30, 2014), http://www.tradearabia.com/news/OGN_266764.html.

6. *Id.*

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B. EGYPT

1. *Elections*

In March, interim President Adly Mansour signed a law to regulate elections.⁷ The legislation required candidates to be at least forty years old and to collect more than 25,000 endorsements from at least fifteen of the country's twenty-seven provinces to run.⁸ In May, former Field Marshal Abdulfattah el Sisi won with nearly 97 percent of the vote, as human rights groups voiced concern over the conduct of the elections.⁹

C. TUNISIA

1. *Constitution*

In January 2014, Tunisia's National Constituent Assembly adopted a new constitution.¹⁰ While recognizing Islam as the country's religion, it upholds freedom of belief.¹¹ It also works toward equality between men and women, including in the right to work, adequate working conditions, fair wages, and political representation.¹²

2. *Transitional Justice Law*

In April, Tunisia passed a law establishing a Truth and Dignity Commission, creating a fund for the "Dignity and Rehabilitation of Victims of Despotism," and providing for specialized judges in human rights cases.¹³

D. MOROCCO

1. *"Rape Marriage Law" Amended*

On January 22, 2014, Morocco's parliament amended its penal code to prevent sexual abusers from avoiding prosecution by marrying their victims, removing this possibility from Article 475.¹⁴

7. *Egypt issues Presidential Election Law*, AL JAZEERA (Mar. 8, 2014), <http://www.aljazeera.com/news/middleeast/2014/03/egypt-presidential-election-law-201438141520330512.html>.

8. *Id.*

9. Richard Spencer, *Egypt Election: Sisi Wins Election by Landslide*, TELEGRAPH (May 29, 2014), <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/egypt/10861905/Egypt-election-Sisi-wins-election-by-landslide.html>.

10. Tarek Amara, *Tunisia Approves New Constitution, Appoints Government*, REUTERS (Jan. 26, 2014), <http://www.reuters.com/article/2014/01/27/us-tunisia-politics-idUSBREA0P0P220140127>.

11. *Id.*

12. *Tunisia's New Constitution: A Breakthrough for Women's Rights*, UN WOMEN (Feb. 11, 2014), <http://www.unwomen.org/en/news/stories/2014/2/tunisia-new-constitution>.

13. Organic Law on the Foundations & Organisation of Transitional Justice, Art. 8, Republic of Tunisia; *see ICTJ Welcomes Tunisia's Historic Transitional Justice Law*, INT'L CENTER FOR TRANSITIONAL JUST. (Dec. 17, 2013), <http://www.ictj.org/news/ictj-welcomes-tunisia%E2%80%99s-historic-transitional-justice-law>.

14. *Morocco Repeals 'Rape Marriage Law'*, AL JAZEERA (Jan. 23, 2014), <http://www.aljazeera.com/news/africa/2014/01/morocco-repeals-rape-marriage-law-2014123254643455.html>.

II. West Africa

A. BENIN

1. *Compensation Ordered*

On May 13, the Organisation for the Harmonisation of Business Law in Africa (OHADA) Common Court of Justice and Arbitration ordered Benin to pay CFA Francs 129 billion (approximately US\$346.3 million) to Bénin Control, a company owned by businessman Patrice Talon, as compensation for wrongful termination of import services contracts between the company and the Benin government.¹⁵ The terminations had followed an accusation from Benin President Thomas Yayi Boni that Talon had attempted to poison him and stage a coup.¹⁶ Benin appealed.¹⁷

B. BURKINA FASO

1. *Zongo Case*

On March 28, the African Court on Human and Peoples' Rights in Arusha, Tanzania, ruled on the Norbert Zongo case, a Burkina Faso journalist murdered in 1998.¹⁸ The court found that Burkina Faso had violated journalists' rights to free speech under the African Charter and Economic Community of West African States' (ECOWAS) treaty, and that the plaintiffs were denied justice as the state had failed to act with diligence investigating the murders.¹⁹

C. CAPE VERDE

1. *Banking and Finance*

Cape Verde adopted a new financial system framework on April 23, aiming to promote savings and foster economic development.²⁰ It also "defines the regulatory powers of financial authorities, particularly the Bank of Cape Verde."²¹

15. Fiacre Vidjninginou, *Patrice Talon Fait Condamner le Bénin*, JEUNE AFRIQUE (May 22, 2014), <http://economie.jeuneafrique.com/regions/afrique-subsaharienne/22167-patrice-talon-fait-condamner-le-benin.html>.

16. *Id.*

17. *President Pardons Alleged Coup Plotters*, ECONOMIST INTELLIGENCE UNIT (May 16, 2014), <http://country.eiu.com/article.aspx?articleid=1441816128&Country=Benin&topic=Politics&subtopic=Forecast&subsubtopic=Political+stability&u=1&pid=332628817&oid=332628817&uid=1>.

18. Press Release, African Court on Human & Peoples' Rights, Judgment in the Matter of Late Norbert Zongo & Others v. Burkina Faso (Apr. 1, 2014), <http://www.african-court.org/en/index.php/news/latest-news/524-judgment-in-the-matter-of-late-norbert-zongo-and-others-v-burkina-faso>.

19. *Id.*; *Assassinat de Norbert Zongo: La cour Africaine Reconnaît la Responsabilité de L'État Burkinabè Dans le Dénier de Justice des Victimes* [Assassination of Norbert Zongo: The African Court Recognizes the Responsibility of the Burkinabe State in the Denial of Justice for Victims], BAYIRI (Apr. 15, 2014), <http://bayiri.com/societe/justice/assassinat-de-norbert-zongo-la-cour-africaine-reconnaît-la-responsabilite-de-l-etat-burkinabe-dans-le-deni-de-justice-des-victimes.html>.

20. Miranda Correia Amendoeira & Associados, *Guiding Principles of the Financial System*, LEGAL NEWS: CAPE VERDE (Feb. 2014) http://www.mirandalawfirm.com/uploadedfiles/20140807_caa77b.pdf.

21. *Id.*

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D. CÔTE D'IVOIRE

1. *Mining*

Côte d'Ivoire adopted a new mining code on March 24, replacing its 1995 predecessor, *inter alia*, requiring proof of mine operators' qualifications and for funds to be held with an Ivorian bank.²² Ivorian authorities can subject the mining license award to part ownership by an Ivorian national.²³

2. *Gbagbo trial*

On June 12, the International Criminal Court confirmed it would try former President Laurent Gbagbo on four counts of crimes against humanity allegedly committed between December 2010 and April 2011, during post-presidential election unrest.²⁴

3. *Arbitration*

In September, Côte d'Ivoire announced it would file a dispute with Ghana over their maritime border, presumably with the International Court of Justice.²⁵ The country accuses Ghana of encroaching on its territory where oil and gas have been discovered.²⁶

E. GAMBIA

1. *Aggravated Homosexuality Act*

On August 25, Gambia passed a bill to "introduce the crime of aggravated homosexuality into the criminal code and make it punishable by life imprisonment."²⁷ The bill defines "aggravated homosexuality," *inter alia*, as when a person has homosexual relations if they are HIV-positive or with someone under the age of eighteen.²⁸ "Homosexual acts" are a crime under Gambia's criminal code.²⁹

22. Loi No. 2014-138 du 24 Mars 2014 Portant Code Minier [Law No. 2014-138 of March 24, 2014 on the Mining Code], CENTRE DE PROMOTION DES INVESTISSEMENTS EN CÔTE D'IVOIRE [Investment Promotion Centre in Ivory Coast], Mar. 24, 2014, http://www.cepici.gouv.ci/userfiles/file/CODE_MINIER.pdf.

23. *Id.*

24. Press Release, Int'l Criminal Court, Pre-Trial Chamber I Commits Laurent Gbagbo to Trial (June 12, 2014), http://www.icc-cpi.int/en_menus/icc/press%20and%20media/press%20releases/Pages/pr1016.aspx.

25. *Ivory Coast Says to File Legal Complaint over Ghana Border Row*, REUTERS (Sept. 26, 2014), <http://af.reuters.com/article/ghanaNews/idAFL6N0RR4M520140926>.

26. *Ghana Says Oil Firms can Keep Working during Border Arbitration*, CNBC AFRICA (Sept. 24, 2014), <http://www.cnbc.com/news/resources/2014/09/24/ghana-oil-firms-border-arbitration/>.

27. *Gambia Passes Bill to Introduce Crime of 'Aggravated Homosexuality'*, REUTERS (Sept. 10, 2014), <http://af.reuters.com/article/topNews/idAFKBN0H50HS20140910>.

28. Hanibal Goitom, *Gambia: Parliament Adopts Stringent Anti-Homosexuality Law*, LIBR. CONGRESS (Sept. 16, 2014), http://www.loc.gov/lawweb/servlet/lloc_news?disp3_1205404120_text.

29. *Id.*

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F. GHANA

1. *Côte d'Ivoire Boundary Dispute*

On September 23, Ghana Attorney General and Minister for Justice, Marietta Brew Appiah-Opong, confirmed that Ghana had commenced arbitration over its maritime boundary with Côte d'Ivoire.³⁰

2. *Presidential Elections*

On October 3, an Accra court dismissed a suit against the National Patriotic Party (NPP) Presidential Primary Election brought by two of its members asserting that election notices fell short of the required six month duration.³¹ The judge dismissed the application holding, *inter alia*, that the suit was premature and the applicants should have first exhausted NPP grievance procedures.³²

G. GUINEA

1. *Mining Arbitration*

In April 2014, the Guinean government revoked a mining license granted to Israeli billionaire Benny Steinmetz and his company BSGR.³³ The license, which had been awarded to British-Australian company Rio Tinto and revoked in 2008 during the Lansana Conté regime when it was awarded to Steinmetz, was re-awarded to Rio Tinto on the belief that Steinmetz had bribed Conté's family to revoke Rio Tinto's license.³⁴ BSGR is seeking international arbitration against Guinea over the loss of mining permits.³⁵

2. *September 28 Massacre: Dadis Camara as Witness*

Five years after the 2009 massacre by then-junta police and army in a Conakry stadium claiming over 150 lives, former junta president Moussa 'Dadis' Camara appeared before

30. Kwasi Kpodo, *Ghana Files Arbitration Suit over Border Dispute with Ivory Coast*, REUTERS (Sept. 23, 2014), <http://www.reuters.com/article/2014/09/23/us-ghana-ivorycoast-border-idUSKCN0H1IAW20140923>.

31. *Court Dismisses Suit Against NPP Presidential Primary*, GHANA BROAD. CORP. (Oct. 3, 2014), <http://www.gbcghana.com/1.1859167>.

32. Isaac Yeboah, *Court Dismisses Suit Against NPP Presidential Primary*, GRAPHIC ONLINE (Oct. 3, 2014), <http://graphic.com.gh/news/politics/31619-court-dismisses-suit-against-npp-presidential-primary.html>.

33. *Guinea Panel Urges Stripping Steinmetz of Iron-Ore Licenses*, HAARETZ (Sept. 4, 2014), <http://www.haaretz.com/business/.premium-1.584834>.

34. Nigel Wilson, *Rio Tinto Sues Israeli Billionaire Beny Steinmetz over Guinea Mining Rights*, INT'L BUS. TIMES (May 1, 2014), <http://www.ibtimes.co.uk/rio-tinto-sues-israeli-billionaire-beny-steinmetz-over-guinea-mining-rights-1446950>.

35. James Wilson & Tom Burgis, *BSGR Seeks Arbitration Against Guinea over Loss of Mining Rights*, FIN. TIMES (May 7, 2014), <http://www.ft.com/cms/s/0/6d0822f2-d600-11e3-a239-00144feabdc0.html#axzz3DCrm0JV>.

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judges in Burkina Faso in August.³⁶ Dadis appeared as a witness in a confidential proceeding.³⁷

H. GUINEA-BISSAU

1. *Mining*

A new mining code was approved April 29.³⁸ The code applies to the exploitation of mineral resources in the soil, subsoil, and territorial waters, in line with West African Economic and Monetary Union (*l'Union Économique et Monétaire Ouest Africaine*, UEMOA) rules.³⁹

2. *Oil and Gas*

In April, a new petroleum law was approved, regulating liquid and gaseous hydrocarbon exploitation.⁴⁰ The statute introduced new rules for exploration and production rights, the national oil company's participation, and limits to the number of licenses or blocks awarded.⁴¹

I. LIBERIA

1. *Truth and Reconciliation Plan*

In June, the Liberian government released a national peacebuilding plan and, in October, launched the National Palava Hut Program to foster reconciliation through community and grassroots dialogue.⁴² The plan advocates reparations but does not advance the Truth and Reconciliation Commission's call for prosecutions of war crimes committed during the country's two armed conflicts.⁴³

J. MAURITANIA

1. *Bank Capital*

Mauritania increased its bank capital requirements from six to nine billion CFA Francs (from about US\$11.39 million to about US\$17 million) in 2014.⁴⁴ The requirement is

36. Haby Niakate, *Guinée—Massacre du 28 Septembre: Dadis Camara, Simple Témoin* [Guinea—Sept. 28 Massacre, Dadis Camara Mere Witness], JEUNE AFRIQUE (Aug. 5, 2014), <http://www.jeunefrique.com/Article/JA2795p015.xml0/>.

37. *Id.*

38. Miranda Correia Amendoeira & Associados, *New Mining Code*, LEGAL NEWS: GUINEA BISSAU (April 2014) http://www.mirandalawfirm.com/uploadedfiles/20141113_343721.pdf.

39. *Id.*

40. *Id.*

41. *Id.*

42. *World Report 2014: Liberia*, HUM. RTS. WATCH, <http://www.hrw.org/world-report/2014/country-chapters/liberia?page=2> (last visited Nov. 08, 2014).

43. *Id.*

44. *Mauritanie: Augmentation du Capital Minimum des Banques* [Mauritania: Increase in the Minimum Capital of Banks], FIN. AFRIK (May 27, 2014), <http://www.financialafrik.com/2014/05/27/mauritanie-augmentation-du-capital-minimum-des-banques/>.

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strong compared to the CFA zone, which has a minimum capital requirement of _7.6 million (about US\$9.47 million).⁴⁵

K. MALI

On August 21, Mali adopted a draft law regulating statutory interest rates and prohibiting usury implementing a 2013 UEMOA act.⁴⁶ The regulation also provides for Central Bank or Banking Commission intervention where financial institutions are ordered to cease trading.⁴⁷

L. NIGER

Following the 2006 adoption of a mining code increasing state royalties from about 5.5 percent to at least 12 percent, Niger sought to reset contracts including those with nuclear company Areva.⁴⁸ In 2014, after a two-year negotiation, the parties reached an agreement that has remained undisclosed despite the country's constitution, which requires publication.⁴⁹

M. NIGERIA

1. *Same Sex Marriage Prohibition*

On January 7, President Goodluck Jonathan signed a bill prohibiting same-sex marriage or civil union in Nigeria, prescribing up to 14 years' imprisonment for violations.⁵⁰ The Act also prohibits the registration of homosexual clubs and makes meetings convened by gay people illegal.⁵¹

45. *Id.*

46. B. Païtao, *Plénière à l'Assemblée Nationale: Le Projet de Loi Relative à la Définition et à la Répression de l'Usure Adopté* [Plenary of the National Assembly: Draft Law on the Definition & Suppression of Usury Adopted], MALIWEB (Aug. 25, 2014), <http://www.maliweb.net/politique/pleniere-lassemblee-nationale-projet-loi-relative-definition-repression-lusure-adopte-485992.html>.

47. *Id.*

48. Daniel Flynn & Geert de Clercq, *Special Report—Areva & Niger's Uranium Fight*, REUTERS (Feb. 05, 2014), <http://uk.reuters.com/article/2014/02/05/uk-niger-areva-specialreport-idUKBREA140A920140205>.

49. Jennifer Lazuta, *Niger Signs Long-Delayed Uranium Deal with Areva*, VOICE OF AM. (May 27, 2014), <http://www.voanews.com/content/niger-signs-long-delayed-uranium-deal-with-areva/1923567.html>.

50. *Nigeria Passes Law Banning Homosexuality*, TELEGRAPH, (Jan. 14, 2014), <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/nigeria/10570304/Nigeria-passes-law-banning-homosexuality.html>.

51. *Id.*

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2. *Pension Reform*

On July 1, the President signed the Pension Reform Act 2014.⁵² The Act re-enacts provisions administering the Uniform Contributory Pension Scheme, and, *inter alia*, increasing minimum contributions and establishing a pension protection fund.⁵³

N. SÃO TOME AND PRÍNCIPE

1. *Opposition wins Parliament*

In October 2014, led by former Prime Minister Patrice Trovoada, opposition party Independent Democratic Action won a majority in parliamentary elections.⁵⁴ The AU congratulated the country on peaceful elections.⁵⁵

O. SIERRA LEONE

1. *Companies Act Amendment*

In July 2014, Sierra Leone ratified the Companies (Amendment) Act 2014 to improve trade, protect investors, and encourage economic development.⁵⁶

P. SENEGAL

1. *Sustainable Fisheries*

A renewed five-year partnership was initiated by Senegal and the European Union (EU) in April granting the EU fishing rights off the coast of Senegal.⁵⁷ The framework has a “double objective” of regulating resource access and providing sectoral support.⁵⁸

2. *Arms Trade Treaty*

In September, Senegal was one of eight countries to ratify the Arms Trade Treaty, bringing ratifications to fifty pursuant to which the Treaty entered into force ninety days later, on December 24.⁵⁹ The Treaty regulates the cross-border arms trade.⁶⁰

52. *Nigeria: Changes in 2014 Pension Reform Act Increase Need for Preparation & Communication*, TOWERS WATSON (Aug. 27, 2014), <http://www.towerswatson.com/en/Insights/Newsletters/Global/global-news-briefs/2014/08/nigeria-changes-in-new-2014-pension-reform-act-increases-need-for-preparation-and-communication>.

53. Taiwo Oyedele, *Nigeria: How the New Pension Reform Bill May Affect You*, MONDAQ (Apr. 23, 2014), <http://www.mondaq.com/x/308768/Employee+Benefits+Compensation/How+The+New+Pension+Reform+Bill+May+Affect+You>.

54. *Opposition Wins Elections in Sao Tome & Principe*, EIN NEWS (Oct. 14, 2014), http://world.einnews.com/article__detail/229079060?lcode=2c15xO5KcdX-L4eIVR8-W16qfpeFaGu9SAfkpciHpg%3D

55. *Africa: AUC Chairperson's Statements on Elections in Sao Tome & Principe, & Mozambique*, ALLAFRICA (Oct. 20, 2014), <http://allafrica.com/stories/201410202280.html>.

56. Augustine Samba, *Sierra Leone News: Parliament Ratifies Companies Act 2014*, AWARENESS TIMES (July 24, 2014), http://news.sl/drwebsite/publish/article_200525843.shtml.

57. *EU & Senegal Extend Fisheries Partnership*, AGRITRADE (June 16, 2014), <http://agritrade.cta.int/en/Fisheries/Topics/ACP-EU-relations-FPAs/EU-and-Senegal-extend-fisheries-partnership>.

58. *Id.*

59. *Id.*

III. Central Africa

A. CAMEROON

1. *Economic Partnership Agreement*

On July 9, Cameroon authorized ratification of the 2009 EPA with the EU.⁶¹ The Agreement, which aims to remove customs barriers between the two entities over fifteen years to create a free-trade zone, was ratified July 25, 2014.⁶²

B. CENTRAL AFRICAN REPUBLIC

1. *Coup d'État*

The March 2013 coup plunged the country into conflict severely impacting its legal system.⁶³ The transitional parliament elected a new interim president in January 2014 and started on a new constitution.⁶⁴

2. *Special Criminal Court*

In August, the Central African Republic signed a Memorandum of Understanding with the UN to establish a special criminal court to prosecute international crimes perpetrated in the country.⁶⁵ The court will be composed of Central African and international judges.⁶⁶ The transitional parliament is required to pass a law to effect the agreement.⁶⁷

C. CHAD

1. *Habré Regime on Trial*

The trials of twenty-six former state security agents of the Hissène Habré dictatorship, accused *inter alia* of murder, torture, kidnapping, and arbitrary detention, started in N'Djaména in November.⁶⁸ The trial of former Chadian leader Hissène Habré before the 'Extraordinary African Chambers within the Jurisdiction of Senegal for the Prosecu-

60. Press Release, Secretary-General, Arms Trade Treaty Reaches 50 Ratifications during 2014 Treaty Event, Triggering Entry into Force, U.N. Press Release DC/3522-L/T/436 (Sept. 25, 2014), <http://www.un.org/News/Press/docs/2014/dc3522.doc.htm>.

61. *Cameroonian Parliament Authorizes President to Ratify EPA with EU*, BUS. IN CAMEROON (July 15, 2014), <http://www.businessincameroon.com/public-management/1507-4945-cameroonian-parliament-authorises-president-to-ratify-epa-with-eu>.

62. *Cameroon Ratifies Economic Partnership Agreement with EU*, RTT NEWS (July 28, 2014), <http://www.rttnews.com/2357592/cameroon-ratifies-economic-partnership-agreement-with-eu.aspx>.

63. Paul-Marin Ngoupana & Adrian Croft, *Central African Republic Names New Leader, EU to Send Troops*, REUTERS (Jan. 20, 2014, 3:49 PM), <http://www.reuters.com/article/2014/01/20/us-centralafrican-idUSBREA0J0VT20140120>.

64. *Id.*

65. *Centrafrique: MINUSCA, Opening of Procedures of Justice*, LA NOUVELLE CENTRAFRIQUE (Sept. 18, 2014), <http://www.lanouvelcentrafrique.org/centrafrique-minusca-opening-of-procedures-of-justice/>.

66. *Id.*

67. *Id.*

68. *Chad: Alleged Habré Accomplices to Stand Trial*, HUM. RTS. WATCH (Nov. 10, 2014), <http://www.hrw.org/news/2014/11/10/chad-alleged-habre-accomplices-stand-trial>.

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tion of International Crimes committed in Chad between 7th June 1982 and 1st December 1990 is scheduled to begin in Senegal in May 2015.⁶⁹

D. CONGO (DEMOCRATIC REPUBLIC)

1. *War Amnesty*

On February 4, the Congolese parliament approved an amnesty covering acts dating back to mid-2000.⁷⁰ Welcomed by UN officials as fostering peace, the law grants amnesty for acts of insurgency, war, and political offenses.⁷¹

2. *Public-Private Partnerships*

On February 11, Law No. 14/005 (the ‘PPP Law’), a system of tax, customs, and exchange rate controls related to public-private partnership investment and development projects, went into effect.⁷²

3. *Mining*

Two Joint Ministerial Orders of February 11 required mining companies to “hire small and medium-sized Congolese” firms for the “provision of services or goods.”⁷³ Joint Ministerial Orders from December 2013 extended the ban on copper and cobalt exports to December 31, 2014.⁷⁴

4. *Tax*

To support the DRC’s “de-dollarization policy”, on February 1, the Minister of Finance issued a circular for recovery orders “imposed on mining companies” to be exclusively in Congolese Francs.⁷⁵

E. CONGO (REPUBLIC)

1. *Investment Funds Created*

Law 1-2014 of January 6 created a state fund to invest in foreign assets.⁷⁶ Separately, Law 2-2014 of January 6 created a “state-owned financially-independent institutional in-

69. *Id.*

70. *New DR Congo Amnesty Law Welcomed by UN Envoys*, UN NEWS CENTRE (Feb. 5, 2014), <http://www.un.org/apps/news/story.asp?NewsID=47081&#.VDGeAGeYblU> (last visited Jan. 16, 2015).

71. *Id.*

72. Upio Kakura Wapol, *A New Legal Framework to Promote the Public-Private Partnership in the Democratic Republic of the Congo*, LEXOLOGY (Apr. 30, 2014), <http://www.lexology.com/library/detail.aspx?g=6c132030-8d6b-4288-aaed-1f095202c772>.

73. Miranda Correia Amendoeira & Associados, *Mining Law*, LEGAL NEWS: DEMOCRATIC REPUBLIC OF THE CONGO (Feb. 2014), http://www.mirandalawfirm.com/uploadedfiles/20140821_510e9a.pdf.

74. *Id.*

75. *Id.*

76. Miranda Correia Amendoeira & Associados, *Fonds Congolais d’Investissement Created*, LEGAL NEWS: REPUBLIC OF THE CONGO (Feb. 2014), http://www.mirandalawfirm.com/uploadedfiles/20140821_c62e6f.pdf.

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vestor” with powers to “provide loans to local and regional authorities,” and to businesses.⁷⁷

F. GABON

1. *Investment*

A February 25 decree established Gabon’s High Council for Investment to set and monitor its investment policies.⁷⁸

2. *Social Security*

The Health Insurance and National Fund for Social Guaranty (CNAMGS) signed an agreement with local private insurance companies on May 28 to “improve coverage for employees and retirees from state and private sectors.”⁷⁹

IV. East Africa

A. BURUNDI

1. *Media Restrictions Lifted*

On January 7, the Burundian Constitutional Court quashed provisions of its media law that had increased fines, required journalists to reveal sources, and restricted investigative abilities.⁸⁰ On April 25, Burundi adopted a new electoral code hailed as an improvement.⁸¹

2. *Arbitration*

On May 9, Burundi signed the 1958 New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards, making only the “commerciality reservation” under which the Convention only applies to “commercial” disputes.⁸² The Convention entered into force for Burundi on September 21.⁸³

77. *Id.*

78. Miranda Correia Amendoira & Associados, *Establishment of the High Council for Investment*, LEGAL NEWS: GABON (June 2014), http://www.mirandalawfirm.com/uploadedfiles/20140820_8cb489.pdf (last visited Jan. 16, 2015).

79. *Id.*

80. *Constitutional Court Quashes Several Repressive Provisions of Burundian Medial Law*, IFEX (Jan. 8, 2014), http://www.ifex.org/burundi/2014/01/08/articles_quashed/.

81. Press Release, New Election Law a Step Forward for Burundi, United Nations, Apr. 28, 2014, *available at* <http://www.irinnews.org/report/100002/new-election-law-a-step-forward-for-burundi> (last visited Nov. 11, 2014).

82. *Burundi Accedes to New York Convention*, N.Y. ARB. CONVENTION (May 9, 2014), <http://www.newyork-convention.org/news/burundi-accedes-to-new-york-convention>.

83. Press Release, U.N. Info. Serv., Burundi Accedes to the Convention on the Recognition & Enforcement of Foreign Arbitral Awards (June 25, 2014), <http://www.unis.unvienna.org/unis/en/pressrels/2014/unisl200.html>.

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B. DJIBOUTI

1. *Infrastructural Development*

Djibouti commenced an infrastructural investment program to take advantage of its position in the Horn of Africa.⁸⁴ In March, the World Bank “announced a new strategy for Djibouti,” working to reduce its poverty and improve its economic diversification.⁸⁵

C. ERITREA

1. *UN-banned Tax Persists*

Reports continued in 2014 of expatriate Eritreans paying two percent on earnings to Eritrean authorities, a tax banned in 2011 by UN Security Council Resolution 2023 as “being used to fund ‘arms and related material’ for rebel groups across the Horn of Africa.”⁸⁶

D. ETHIOPIA

In April 2014, Ethiopian authorities arrested six bloggers and three journalists under its anti-terrorism law, which defines terrorist acts and support for terrorism.⁸⁷ The “court charged the nine with having links to banned opposition groups and trying to violently overthrow the government.”⁸⁸

E. KENYA

1. *Marriage*

The Kenyan Marriage Act 2014 came into effect May 20, amending and consolidating laws.⁸⁹ The Act includes monogamous, polygamous, customary, Christian, Islamic, or Hindu marriages.

84. *Djibouti Economy 2014: Recent Developments. & Prospects*, HIIRAN (Aug. 2, 2014), http://hiiraan.com/news4/2014/Aug/55840/djibouti_economy_2014_recent_developments_and_prospects.aspx#sthash.adA4dBsS.dpbs.

85. Press Release, World Bank, New Partnership with Djibouti to Focus on Human Development & Economic Diversification (March 13, 2014), <http://www.worldbank.org/en/news/press-release/2014/03/13/partnership-djibouti-human-development-economic-diversification>.

86. Martin Plaut, *Eritreans in Britain Forced by Embassy to Pay 2% Diaspora Tax*, GUARDIAN (Feb. 11, 2014), <http://www.theguardian.com/global-development/2014/feb/11/eritrea-britain-illegal-diaspora-tax-embassy>.

87. *Ethiopia: Drop Case Against Bloggers, Journalists*, HUM. RTS. WATCH (July 19, 2014), <http://www.hrw.org/news/2014/07/19/ethiopia-drop-case-against-bloggers-journalists>.

88. *Id.*

89. The Marriage Act, No. 4 (2014), KENYA GAZETTE SUPPLEMENT No. 62, available at <http://www.cick-kenya.org/index.php/legislation/acts/item/172-the-marriage-act-2014>.

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2. *Presidential Case Withdrawn*

On December 5, the International Criminal Court withdrew its charges in the *Kenyatta* case for lack of evidence.⁹⁰ The Kenyan president was charged, as an indirect co-perpetrator, with “crimes against humanity consisting of murder, deportation or forcible transfer, rape, persecution, and other inhumane acts allegedly committed during post-election violence in 2007-2008.”⁹¹ The case against deputy president Ruto continues.

F. RWANDA

1. *New Genocide Ideology Law*

In 2014, Rwanda adopted a number of new laws advancing freedom of the media and, in October, a revision to the 2008 law proscribing genocide ideology. The revision contains a more precise definition of the offence and the requirement to demonstrate intent, reducing the scope for abusive prosecutions.⁹²

2. *Mugesera Trial*

The High Court in Kigali continued to hear the trial of former government official Léon Mugesera in 2014. Mugesera, who was extradited from Canada to Rwanda in 2012, was charged with planning and incitement to genocide.⁹³

G. SOMALIA

1. *Media Law Controls Journalists*

On September 1, Somalia’s Council of Ministers passed a new draft media law that would establish a National Media Council requiring Ministry of Information registration and the payment of an annual license. The draft law sets fines of \$5,000 to \$10,000 for “code of ethics” breaches, which is to be based on respect for Islam.⁹⁴

90. Press Release, Int’l Criminal Court, Statement of the Prosecutor of the Int’l Criminal Court, Fatou Bensouda, on the Withdrawal of Charges Against Mr. Uhuru Muigai Kenyatta (Dec. 5, 2014), http://www.icc-cpi.int/en_menus/icc/press%20and%20media/press%20releases/Pages/otp-statement-05-12-2014-2.aspx.

91. Press Release, Int’l Criminal Court, Kenyatta Case: Trial Chamber V(b) Vacates Trial Opening Date; Convenes Status Conferences to Discuss Pending Issues (Sept. 19, 2014), http://www.icc-cpi.int/en_menus/icc/press%20and%20media/press%20releases/Pages/pr1041.aspx.

92. *World Report 2014: Rwanda*, HUM. RTS. WATCH, available at <http://www.hrw.org/world-report/2014/country-chapters/rwanda?page=2> (last visited Nov. 22, 2014).

93. *Id.*

94. *Somalia: Media Law Imposes Heavy Fines on Journalists for Breaching ‘Code of Ethics,’* ALLAFRICA (Sept. 2, 2014), <http://allafrica.com/stories/201409031117.html>.

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2. *AU Rape Scandal*

In September, Human Rights Watch accused AU soldiers in Somalia of raping and sexually exploiting women on its bases.⁹⁵ The AU challenged the report and asserted a zero-tolerance policy on peacekeeper misconduct.⁹⁶

H. SUDAN

1. *Apostasy Case*

In May 2014, a Sudanese court convicted Meriam Yahia Ibrahim Ishag to death for apostasy against Islam, which she denied, stating that she had been raised a Christian. She was released in June 2014 on appeal and, following negotiations and re-arrest, was able to depart Sudan to join her husband, an American national, in the United States with the daughter she delivered in prison.⁹⁷

I. SOUTH SUDAN

1. *Conflict Continues*

Reports of Sudanese bombing raids continued in 2014.⁹⁸ Internally, it was reported that the government, as well as opposition forces and their allies had committed war crimes in South Sudan since fighting began in December 2013.⁹⁹ In April, then-UN High Commissioner for Human Rights Navanethem Pillay stated that more than 9,000 child soldiers had been fighting in the civil war.¹⁰⁰

J. TANZANIA

On September 26, the East African Court of Justice held that Tanzania had violated the East African Community Treaty in the March 2012 elections to the East African Legislative Assembly.¹⁰¹ The court found that Tanzania had failed to apply the Treaty's principal of proportional representation, allowing candidates from political parties that were not represented in the National Assembly.

95. *Somalia: Sexual Abuse by African Union Soldiers*, HUM. RTS. WATCH (Sept. 8, 2014), <http://www.hrw.org/news/2014/09/08/somalia-sexual-abuse-african-union-soldiers>.

96. Jethro Mullen & Nana Karikari-apau, *Rights Group: African Union Soldiers Raped, Exploited Somali Women, Girls*, CNN (Sept. 10, 2014), <http://www.cnn.com/2014/09/09/world/africa/african-union-soldier-allegations>.

97. See David Millward, *Meriam Ibrahim Heads to New Life in New Hampshire*, TELEGRAPH (July 31, 2014), <http://www.telegraph.co.uk/news/worldnews/northamerica/usa/11004015/Meriam-Ibrahim-heads-to-new-life-in-New-Hampshire.html>.

98. *Sudan Warplanes Bomb South Sudan Border Zones: Reports*, DAILY MAIL (Nov. 14, 2014), <http://www.dailymail.co.uk/wires/afp/article-2834399/Sudan-warplanes-bomb-South-Sudan-border-zones-reports.html>.

99. *South Sudan: Massacres, Unlawful Killings, Pillage*, HUM. RTS. WATCH (Aug. 8, 2014), <http://www.hrw.org/news/2014/08/08/south-sudan-massacres-unlawful-killings-pillage>.

100. *South Sudan Sides 'Recruit 9,000 Children to Fight'*, BBC (Apr. 30, 2014), <http://www.bbc.com/news/world-africa-27220244>.

101. Andante Okanya, *EA Court Faults Election of Tanzania EALA MPs*, NEW VISION (Sept. 30, 2014), <http://www.newvision.co.ug/news/660211-ea-court-faults-election-of-tanzania-eala-mps.html>.

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1. *New Constitution*

In October, a revised constitution passed mainland Tanzania's and Zanzibar's parliaments.¹⁰² If adopted, the constitution would guarantee women the right to own land and provide for equal representation in decision-making bodies.¹⁰³

K. UGANDA

1. *Anti-Homosexuality Act Repealed*

On August 1, the Constitutional Court of Uganda quashed the controversial Uganda Anti-Homosexuality Act, which punished homosexuality with life imprisonment.¹⁰⁴

V. Southern Africa

A. ANGOLA

1. *Maputo Convention*

On January 20, the Angolan National Assembly ratified the Convention on the Conservation of Nature and Natural Resources in Africa, the "Maputo Convention."¹⁰⁵

2. *FATF Compliance*

On February 10, Law 3/14 on money laundering and terrorism financing crimes was approved, criminalizing acts in accordance with the U.S. Financial Action Task Force against Money Laundering (FATF) 40 Recommendations. The Act amends prior legislation on this matter.¹⁰⁶

3. *Model Agreement on Investments*

The Model Agreement on the Mutual Promotion and Protection of Investments between the Republic of Angola and other States, to bolster business opportunities between contracting parties, was approved by Presidential Decree 122/14 of June 4.¹⁰⁷

102. Deogratias Mushi, *Tanzania: Ecstasy as Katiba Vote Succeeds*, ALLAFRICA (Oct. 3, 2014), <http://allafrica.com/stories/201410030848.html>.

103. Deogratias Mushi, *Tanzania: New Constitution Moves Tanzania Closer to Gender Parity*, ALLAFRICA (Oct. 3, 2014), <http://allafrica.com/stories/201410010443.html>.

104. *Uganda Court Annuls Anti-Homosexuality Law*, BBC (Aug. 1, 2014), <http://www.bbc.co.uk/news/world-africa-28605400>.

105. Miranda Correia Amendoeira & Associados, *Maputo Convention Approved*, LEGAL NEWS: ANGOLA (Jan. 2014), http://www.mirandalawfirm.com/uploadedfiles/20140401_efc3e3.pdf.

106. *Id.*

107. Miranda Correia Amendoeira & Associados, *Approval of Model Agreement on the Mutual Promotion & Prot. of Investment*, LEGAL NEWS: ANGOLA (Jan. 2014), http://www.mirandalawfirm.com/uploadedfiles/20140401_efc3e3.pdf.

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B. COMOROS

1. *Mayotte Awarded EU Status*

Mayotte, claimed by Comoros, acquired EU “outermost region” status on January 1.¹⁰⁸ Comoros’ write-off of multilateral debt anticipated a 2014 public investment increase of 9.1 percent of GDP, with Comores Telecom to be privatized under the “Heavily Indebted Poor Countries” (HIPC) initiative.¹⁰⁹

C. BOTSWANA

1. *LGBT Groups Permitted*

In November, the Botswana High Court overturned a government ban on a gay rights lobby, permitting registration of the group, a move hailed as progressive.¹¹⁰

D. LESOTHO

1. *Government Upheaval*

Lesotho was thrown into upheaval in September when Prime Minister Thomas Thobane was deposed.

2. *Succession Restrictions Upheld*

In *Masupha*, Lesotho’s highest court upheld the Chieftainship Act which denies succession rights to daughters of chieftains. The Constitutional Court had also ruled that, under customary law, only males or wives could succeed chieftains.¹¹¹

E. MADAGASCAR

On January 17, Hery Rajaonarimampianina was confirmed winner of the December 2013 presidential poll.¹¹² The new president’s confirmation was followed by Madagascar’s reinstatement into the AU and other international organizations.¹¹³

108. *Mayotte & the EU*, EUROPEAN EXTERNAL ACTION SERV., http://eeas.europa.eu/delegations/mauritius/eu_mayotte/index_en.htm (last visited Nov. 15, 2014).

109. *Country Profile 2014: Comoros*, AFRICA REPORT (Feb. 6, 2014), <http://www.theafricareport.com/Horn-East/country-profile-2014-comoros.html>.

110. *Ground-breaking Court Ruling Allows LGBT Rights Group to Register Org. in Botswana*, AFRICAN (Nov. 15, 2014), http://www.theafrican.info/news.php?id_syndic_article=244201.

111. *Masupha v The Senior Resident Magistrate of the Subordinate Court of Berea & Others: A Case Summary*, S. AFRICA LITIG. CTR., <http://www.southernafricalitigationcentre.org/1/wp-content/uploads/2013/05/Masupha-case-summary.pdf> (last visited Jan. 15, 2015).

112. Peter Cox, *Madagascar’s New President Brings Hope of Econ. Change*, ALLAFRICA (Jan. 3, 2014), <http://allafrica.com/stories/201401040012.html> (last visited Jan. 15, 2015).

113. *Madagascar Eyes Econ. Recovery as Donors Resume Support*, REUTERS (Mar. 27, 2014), <http://www.voanews.com/content/madagascar-eyes-economic-recovery-as-donors-resume-support/1880942.html>.

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F. MALAWI

1. *First “Cashgate” Conviction*

Following the 2013 “Cashgate” scandal,¹¹⁴ which saw widespread looting of up to \$32 million from the Malawi government, in August, Ministry of Tourism official Treza Namathanga Senzani pleaded guilty to stealing around \$150,000 in the matter’s first conviction.¹¹⁵

G. MOZAMBIQUE

1. *Hydropower Partnerships; CSR*

In March, Mozambique authorized two hydropower projects. Both will be public-private partnerships between state-owned and private companies.¹¹⁶ In May, the country adopted a Corporate Social Responsibility policy for the extractive industry.¹¹⁷

H. NAMIBIA

1. *Electoral Bill*

Ahead of national elections for November, Namibia replaced its 1992 Electoral Act. The new law reduces the time for conducting elections and addresses residency requirements, allowing voters to swear an oath before a registration officer.¹¹⁸

I. SOUTH AFRICA

1. *Arbitration*

The Supreme Court of Appeals in Bloemfontein dismissed an appeal by Ecclesia De Lange, a minister fired for marrying her same-sex partner. The court did not reach the merits but ruled that an arbitration agreement existed between De Lange and the Methodist Church of South Africa for dispute resolution.¹¹⁹

114. *Malawi’s “Cashgate” Scandal: The \$32m Heist*, ECONOMIST (Feb. 27, 2014), <http://www.economist.com/blogs/baobab/2014/02/malawi-s-cashgate-scandal>.

115. Lameck Masina, *Malawi Court Sentences First Official in Cashgate Scandal*, VOA NEWS (Oct. 8, 2014), <http://www.voanews.com/content/malawi-court-sentences-official-in-cashgate-scandal/2476521.html>.

116. Miranda Correia Amendoira & Associados, *Negotiations of PPPs for Hydroelectric Projects Authorized*, LEGAL NEWS: MOZAMBIQUE (Feb. 2014), http://www.mirandalawfirm.com/uploadedfiles/20140821_618411.pdf.

117. Miranda Correia Amendoira & Associados, *Corporate Responsibility in the Extractive Indus.*, LEGAL NEWS: MOZAMBIQUE (May 2014), http://www.mirandalawfirm.com/uploadedfiles/20140829_e5fef4.pdf.

118. *Electoral Bill of 2014 Passes in NA*, NAMIBIAN (Aug. 29, 2014), http://www.namibian.com.na/index.php?id=17063&page_type=story_detail.

119. Luiz DeBarros, *Court Rejects Fired Lesbian Minister’s Appeal*, MAMBA (Oct. 1, 2014), <http://www.mambaonline.com/2014/10/01/court-rejects-fired-lesbian-ministers-appeal/>.

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J. SWAZILAND

1. *AU Petition*

The African Commission on Human and People's Rights (ACHPR) in July decided to hear a Law Society of Swaziland complaint relating to a Practice Directive issued by Swaziland Chief Justice Michael Ramodibedi which prevents Swaziland courts from presiding over legal actions against the king or his office. The Law Society alleges the directive violates the country's constitution and international human rights obligations.¹²⁰

K. ZAMBIA

1. *Business Legislation*

On March 21, Zambia passed the Business Regulatory Act No. 3 of 2014 creating, *inter alia*, a Business Regulatory Review Committee and Business Regulatory Review Agency.¹²¹ It also passed the Legal Practitioners Act of 2014, regulating legal practice,¹²² and the Service Commission Act of 2014, regulating the Public Service Commission, the Prisons Service Commission, and the Teaching Service Commission.¹²³

2. *White Interim Presidency*

Zambian president Michael Sata's death in October 2014 saw the country's vice president, Guy Scott, assume the interim presidency. Scott is currently the only white African head of state.¹²⁴

L. ZIMBABWE

1. *Defamation Act Unconstitutional*

In July, Zimbabwe's Constitutional Court struck part of its 2005 criminal law which punished those accused of defamation. The relevant part reads:

Any person who, whether inside or outside Zimbabwe—(a) publishes or communicates to any other person a statement which is wholly or materially false with the intention or realizing that there is a real risk or possibility of . . . (iii) undermining public confidence in a law enforcement agency, the Prison Service or the Defense Forces of Zimbabwe . . . [shall] be guilty of publishing or communicating a false

120. Welcome Dlamini, *African Union Agrees to Try Ramodibedi*, SWAZI OBSERVER (Sept. 28, 2014), <http://www.observer.org.sz/news/66336-african-union-agrees-to-try-ramodibedi.html>.

121. POL. MONITORING & RES. CTR., BUSINESS REGULATORY ACT NO. 3 OF 2014: SUSTAINABLE PRIVATE GROWTH; IS THE PATH REGULATORY POLICY? 5 (2014), *available at* https://pmrcblog.files.wordpress.com/2014/08/business-regulatory-act_policy-analysis.pdf.

122. POL. MONITORING & RES. CTR., THE SERVICE COMMISSIONS (AMENDMENT) BILL OF 2013 1 (2014), *available at* <http://pmrcblog.files.wordpress.com/2014/07/pmrc-policy-analysis-the-service-commissions-amendment-bill-of-2013.pdf>.

123. Legal Practitioner's (Amendment) Act No. 1 (2014) GOVT. GAZETTE (Acts), § 52 (Zam.).

124. David Smith, *Guy Scott Takes Interim Role after Zambian President Sata's Death*, GUARDIAN (Oct. 29, 2014), <http://www.theguardian.com/world/2014/oct/29/scott-president-interim-zambia-sata-death>.

statement prejudicial to the State and liable to a fine . . . or imprisonment for a period not exceeding twenty years or both.¹²⁵

The Court held that the wording contravened the Constitution.¹²⁶

VI. African Institutions

A. AFRICAN UNION

1. *AU Summits; Emergency Meeting*

The 22nd African Union Summit was held in Addis Ababa in January.¹²⁷ The assembly urged members to remain united in the AU's opposition to International Criminal Court proceedings against the Kenyan and Sudanese presidents, and with proposed amendments to the Rome Statute.¹²⁸ In June, the 23rd AU Summit convened in Malabo,¹²⁹ marked by reinstatement of Egypt's membership which had been suspended in July 2013 under an AU policy against unconstitutional regime change following the ouster of then-president Mohamed Morsi. In September, the AU held an emergency meeting to tackle the Ebola epidemic.¹³⁰

B. EAST AFRICAN COMMUNITY

1. *EAPS Launched*

In May 2014, the East African Payment System (EAPS) was launched, moving toward monetary union in the EAC.¹³¹ EAPS is currently operational between Uganda, Kenya, and Tanzania.

2. *EU Allocates \$85 Million*

In 2014, the European Development Fund allocated the East African Community (EAC) \$85 million for 2016 to 2020, to be used for peace and security, regional economic

125. Criminal Law (Codification and Reform) Act No. 23 (2004), GOVT. GAZETTE (Acts), 30-31, § 31(a)(iii) (Zim.), available at <http://www1.umn.edu/humanrts/research/Criminal%20Law%20Code%20Veritas.pdf>.

126. Ntungamili Nkomo, *Zimbabwe ConCourt Voids Criminal Defamation*, VOICE OF AM. (July 22, 2014), <http://www.voazimbabwe.com/content/zimbabwe-constitutional-court-criminal-law/1962758.html>.

127. Press Release, African Union, President Abdel Aziz of the Islamic Republic of Mauritania Elected African Union Chairperson (Jan. 30, 2014), <http://summits.au.int/en/22ndsummit/events/president-abdel-aziz-islamic-republic-mauritania-elected-african-union-chairperson>.

128. Press Release, African Union, 22nd Ordinary Session of the African Union Assembly Concludes: A Summary of Key Decisions (Jan. 31, 2014), <http://summits.au.int/en/22ndsummit/events/22nd-ordinary-session-african-union-assembly-concludes-summary-key-decisions-0>.

129. Press Release, African Union, 23rd Ordinary Summit of the African Union Ends in Malabo (June 30, 2014), <http://summits.au.int/en/23rdsummit/events/23rd-ordinary-session-african-union-ends-malabo>.

130. Jacey Fortin, *African Union Meets for Ebola Crisis Talk*, YAHOO! NEWS (Sept. 8, 2014), <http://news.yahoo.com/african-union-meets-ebola-crisis-talks-085717220.html>.

131. Press Release from Dr. Enos S. Bukuku, Deputy Sec'y Gen., East African Community, Launch of the East African Payment Sys., http://www.eac.int/index.php?option=com_content&view=article&id=1590:press-statement-launch-of-the-east-african-payment-system-eaps-&catid=147:speeches-statements.

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integration, and natural resources.¹³² Money allocated to regional economic integration helped implement the customs union, common market, and East African Monetary Union.¹³³

C. AFRICAN DEVELOPMENT BANK

1. *Green Bonds; Sustainable Energy*

In February and March, the African Development Bank (AfDB) closed 1 billion Swedish Krona Green Bond funding rounds.¹³⁴ Proceeds from the Green Bond program are to fund projects combating climate change in Africa.¹³⁵ The AfDB also financed sustainable energy projects through its Sustainable Energy Fund for Africa (SEFA).¹³⁶

2. *China Investment*

On May 22, the AfDB and China created the Africa Growing Together Fund, a \$2 billion fund to finance public and private development projects in Africa.¹³⁷ China's previous African investment policies have focused on bilateral deals and procurement from Chinese companies.¹³⁸

3. *Ebola Response*

In August, the AfDB approved a \$60 million grant to the World Health Organization (WHO), part of a \$210 million package to strengthen public health systems in Western Africa and respond to the Ebola crisis.¹³⁹

132. Press Release, E. African Cmty., EU Allocates 85 Million Euros to EAC (Aug. 29, 2014), http://www.eac.int/index.php?option=com_content&view=article&id=1640:eu-allocates-85-million-euros-to-eac&catid=146:press-releases&Itemid=194.

133. *Id.*

134. Press Release, African Dev. Bank, AfDB Prices SEK 1 Billion Green Bond Due March 2019 (Mar. 10, 2014), <http://www.afdb.org/en/news-and-events/article/afdb-prices-sek-1-billion-green-bond-due-march-2019-12887/>.

135. Press Release, African Dev. Bank, AfDB Launches 3-Year USD 500 Million Inaugural Green Bond (Oct. 11, 2013), <http://www.afdb.org/en/news-and-events/article/afdb-launches-3-year-usd-500-million-inaugural-green-bond-12359/>.

136. Press Release, African Dev. Bank, Sustainable Energy Fund for Africa Supports Mali in Promoting Renewable Energy (Aug. 13, 2014), <http://www.afdb.org/en/news-and-events/article/sustainable-energy-fund-for-africa-supports-mali-in-promoting-renewable-energy-13422/>.

137. Press Release, African Dev. Bank, AfDB Announces US \$2 Billion Fund with China (May 22, 2014), <http://www.afdb.org/en/news-and-events/article/afdb-announces-us-2-billion-fund-with-china-13165/>.

138. Richard Hudson, *Chinese Invs. in Africa: The Ethics of Transparency*, SEVEN PILLARS INST. (April 7, 2014), <http://sevenpillarsinstitute.org/news/chinese-investments-africa-ethics-transparency>.

139. Press Release, \$210 Million Response: AfDB Steps Up Efforts to Curb Ebola Outbreak in West Africa, African Development Bank, Aug. 19, 2014, <http://www.afdb.org/en/news-and-events/article/210-million-response-afdb-steps-up-efforts-to-curb-ebola-outbreak-in-west-africa-13437/>; Press Release, AfDB and WHO Sign US\$60 Million MOU to Strengthen Ebola Response in West Africa, African Development Bank, Aug. 27, 2014, <http://www.afdb.org/en/news-and-events/article/afdb-and-who-sign-us-60-million-mou-to-strengthen-ebola-response-in-west-africa-13448/>.

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4. *Return to Côte d'Ivoire*

On September 8, the AfDB marked its official return to headquarters in Abidjan.¹⁴⁰ The Bank had left Côte d'Ivoire in 2003 following a failed coup.¹⁴¹ The AfDB celebrated its Golden Jubilee in Abidjan on November 4, fifty years since it held its first Board of Governors' meeting in 1964.¹⁴²

D. AFRICAN IMPORT-EXPORT BANK

1. *Aftrades; Syndicated Loan*

In March, the African Export-Import Bank (Afreximbank) launched a \$100 million trade debt-backed securities (AFTRADES) facility.¹⁴³ In April, Afrximbank closed its largest syndicated loan to date, a dual-tranche \$467/_224.4 million loan facility.¹⁴⁴

E. SOUTHERN AFRICAN DEVELOPMENT COMMUNITY (SADC)

1. *EU Economic Partnership Agreement (EPA)*

On July 15, the SADC and the EU concluded EPA negotiations that had been ongoing since 2004.¹⁴⁵ The Agreement will likely enter into force in 2015.¹⁴⁶

F. COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA (COMESA)

1. *EU Grant*

In 2014, COMESA received _33 million from the EU for regional integration.¹⁴⁷ The funds are provided through the 10th European Development Fund (10th EDF) under the

140. Press Release, African Dev. Bank, Flag-raising Ceremony Marks AfDB's Return to Official Headquarters in Côte d'Ivoire (Sept. 8, 2014), <http://www.afdb.org/en/news-and-events/article/flag-raising-ceremony-marks-afdb-s-return-to-its-official-headquarters-in-cote-divoire-13474/>.

141. Olivier Monnier, *Abidjan Rebounds as Bank's Return Fuels Optimism after Strife*, BLOOMBERG (June 30, 2014), <http://www.bloomberg.com/news/2014-06-30/abidjan-rebounds-as-bank-s-return-fuels-optimism-after-turmoil.html>.

142. Press Release, African Dev. Bank, The AfDB Marks Its Golden Jubilee in November 2014 (Sept. 9, 2014), <http://www.afdb.org/en/news-and-events/article/the-afdb-marks-its-golden-jubilee-in-november-2014-13441/>.

143. Press Release, African Import-Export Bank, Afrximbank Launches \$100 Million Facility to Improve Liquidity in Zimbabwe (Mar. 22, 2014), <http://afreximbank.com/afreximbank-launches-100-million-facility-improve-liquidity-zimbabwe/>.

144. Press Release, African Import-Export Bank, Afrximbank Closes Syndication Stage of US\$467 Million and Euro 222.4 Million Loan Facility (Apr. 30, 2014), <http://afreximbank.com/afreximbanks-closes-syndication-stage-us467-million-euro222-4-million-loan-facility/>.

145. *Conclusion of the Economic Partnership Agreement*, TRALAC (July 18, 2014), <http://www.tralac.org/news/article/5900-conclusion-of-the-economic-partnership-agreement.html>.

146. *Id.*

147. *COMESA Secures _33 Million: Invites Member States to Submit Requests*, COMESA, http://www.comesa.int/index.php?option=com_content&view=article&id=1311:comesa-invites-member-states-to-apply-for-funds&catid=5:latest-news&Itemid=41 (last visited Sept. 10, 2014).

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COMESA Adjustment Facility (CAF) Regional Integration Support Mechanism (RISM).¹⁴⁸

2. *EU Piracy Initiative*

In 2014, COMESA and the EU launched a \$5.4 million program to promote regional security fighting Indian Ocean piracy.¹⁴⁹

G. ORGANIZATION FOR THE HARMONIZATION OF BUSINESS LAW IN AFRICA (OHADA)

1. *Corporate Law Amendments*

On January 31, OHADA's Council of Ministers amended the corporate provisions of its Uniform Act on Commercial Companies and Economic Interest Groups including establishing a simplified joint stock company type.¹⁵⁰

H. UN INTERNATIONAL CRIMINAL TRIBUNAL FOR RWANDA (UNICTR)

1. *"Military II"*¹⁵¹

In February, the UNICTR ruled in the appeals of Augustin Ndingiyimana, François-Xavier Nzuwonemeye, Innocent Sagahutu, and the Prosecution.¹⁵² Although previously convicted of genocide, extermination, and murder, the Appeals Chamber reversed the convictions of Ndingiyimana and Nzuwonemeye, and reduced Sagahutu's sentence from twenty to fifteen years.¹⁵³ In June, the Appeals Chamber reversed rape and murder convictions in co-accused Bizimungu's case, affirming the remainder and leaving the thirty-year sentence intact.¹⁵⁴

148. *Id.*

149. Jeff Kapembwa, *COMESA, EU Team Up Against Piracy*, SOUTHERN TIMES (Sept. 22, 2014), <http://www.southern-timesafrica.com/articles/10337/Comesa—EU-team-up-against-piracy-/#.VCKTxeiLYw>.

150. Press Release, OHADA, *Acte Uniforme Relatif au Droit des Sociétés Commerciales et du Groupement d'Intérêt Économique*, [Uniform Act Relating to the Law of Commercial Companies and Economic Interest Groupment, the Organization for the Harmonization of Business Law in Africa], at 207 (Feb. 4, 2014), http://www.ohada.org/tuto-ohada/jo-numero_special_%2004-02-2014-optimize.pdf.

151. *Ndingiyimana v. Prosecutor*, Case No. ICTR-00-56-A, Judgment on Appeal (Int'l Crim. Trib. for Rwanda Feb. 11, 2014), available at <http://www.unicttr.org/en/cases>.

152. Press Release, Appeals Chamber Delivers Judgement in Military II Case, UNICTR, Feb. 11, 2014, <http://www.ictr.org/tabid/155/Default.aspx?id=1379>.

153. *Id.*

154. Press Release, U.N. Int'l Crim. Tribunal for Rwanda, Appeals Chamber Delivers Judgment in the Bizimungu Case (June 30, 2014), <http://www.unicttr.org/en/news/news-archive/2014>.

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2. *Munyagishari Transferred*

In July, the UNICTR transferred genocide suspect Bernard Munyagishari to trial in Rwanda,¹⁵⁵ joining Jean Bosco Uwinkindi, whose case was the first to be sent by the UNICTR to Rwanda in 2012.¹⁵⁶

3. *Three Appeals Delivered*

On September 29, the UNICTR delivered judgment in three appeals.¹⁵⁷ The tribunal dismissed convictions for genocide, extermination, and murder,¹⁵⁸ reaffirming others in the *Nizeyimana* appeal, reducing his sentence from life to thirty-five years.¹⁵⁹ The Chamber affirmed the *Nzabonimana* case except one instance of incitement to commit genocide and another of conspiracy to commit genocide, confirming his life sentence.¹⁶⁰ It reversed aspects of the Trial Chamber's findings against co-accused Karemera and Ngirumpatse, but overturned no aspect of the convictions nor altered the sentences.¹⁶¹

155. *World Report 2014: Rwanda*, HUM. RTS. WATCH, <http://www.hrw.org/world-report/2014/country-chapters/rwanda?page=2> (last visited Nov. 22, 2014).

156. *Id.*

157. Press Release, U.N. Int'l Crim. Tribunal for Rwanda, ICTR Appeals Chamber Delivers Judgments in Three Cases (Sept. 29, 2014), <http://www.unictr.org/en/news/ictr-appeals-chamber-delivers-judgements-three-cases>.

158. *Id.*

159. *Nizeyimana v. Prosecutor*, Case No. ICTR-00-55C-A, Judgment on Appeal, 169–170 (Int'l Crim. Trib. For Rwanda Sept. 29, 2014), *available at* <http://www.unictr.org/en/cases>.

160. ICTR Appeals Chamber Delivers Judgments in Three Cases, *supra* note 157.

161. *Id.*

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