Africa

HARRIET O. ACHEAMPONG, OYESANMI ALONGE, DIEPIRIYE ANGA, UCHECHI ANYANWU, ANNE BODLEY, KIMBERLY MARIE BROWN, MARK J. CALAGUAS, SAPNA DESAI, YVONNE FIADJOE, SARA FRAZAO, RYAN LINCOLN, SHINGIRA MASANZU, MARCELLUS A. MCRAE, RICARDO SILVA, MATTHEW SNYDER, ETEENA J. TADJIOGUEU, MATTHEW WELDON, AND MAHJA ZEON*

I. North Africa

A. Libya

1. Family Law, Disabilities

In 2013, Libya’s General National Congress (GNC) approved the Family Bonus Law, which allocates a government stipend to each head of family for children less than eighteen years of age, to divorced women, and to unmarried females so long as the woman is not receiving income from another source.¹ The GNC also ratified the International Convention on the Rights of Persons with Disabilities to the extent it does not violate Islamic law.²

2. Penal Code, Torture Law

In April, the GNC passed Law No. 11/2013, amending the penal code and military procedures to cover jurisdictional concerns for criminal cases, assigning “jurisdiction to the military courts for all persons and uniformed military hostages, except if they commit crimes with civilians, in which case the jurisdiction is assigned to regular courts.”³ On April 30, the GNC also approved Law No. 10/2013, Concerning the Criminalization of

* An unabridged version of this article with the authors’ biographies is available on the Africa Committee website at http://www.abanet.org/dch/committee.cfm?com=IC805000.

Torture, Forced Abduction, and Discrimination, criminalizing restrictions of personal liberty whether forced, through physical or mental torture, or discriminatory acts.

3. Political Isolation Law

In May, the GNC passed the Political Isolation Law to “prevent all those who held high political office under the Qaddafi regime from holding any high positions in the post-Qaddafi era for ten years” in response to demands from Libyan youth and armed militias. In July, a law passed launching a commission to draft a new Libyan constitution; the commission will be composed of sixty members elected by popular vote who will be given 120 days to draft the charter. Six seats are to be reserved for women and another six for members of the Amazigh (Berber), Tibu, and Tuareg communities.

II. West Africa

A. Senegal

1. Hissène Habré Trial Chambers Established

In February, the Extraordinary African Chambers within the Jurisdiction of Senegal for the Prosecution of International Crimes Committed in Chad between June 7, 1982, and December 1, 1990, (the Extraordinary Chambers) were established. Former Chadian president Hissène Habré “is accused of thousands of political killings and systematic torture” during his 1982–1990 presidency, following which he was deposed and fled to Senegal. Establishing the Extraordinary Chambers took more than twenty years, and Habré’s trial is expected to commence in 2014.
B. Burkina Faso and Niger

1. Border Dispute

On April 16, the International Court of Justice (ICJ) delivered judgment in the *Case Concerning the Frontier Dispute between Burkina Faso and Niger*. The judgment resolved a centuries-old dispute as to the border delimitations of each country.

C. Cape Verde

1. Criminal Law

Law No. 27/VIII/2013 of January 21, 2013, amended the 2003 criminal code, approving new measures to prevent terrorism and terrorism financing. The amendment establishes “new criminal offences and penalties that range from heavy fines to imprisonment.”

2. Customs

Law No. 20/VIII/2012 of December 14, 2012, adding new items and codes to the tariff schedule, and Law No. 22/VIII/2012, cutting customs duty rates as part of an ongoing phased rate reduction agreed with the World Trade Organization, became effective January 1, 2013.

D. Côte d'Ivoire

1. International Criminal Court Statute

On February 15, Côte d'Ivoire ratified the Rome Statute of the International Criminal Court (ICC). In ratifying the statute, Côte d'Ivoire affirmed its commitment to the rule of law and to ending impunity for perpetrators of crimes including genocide, crimes against humanity, and war crimes.

2. Post-election Prosecutions

On April 29, Ivorian Minister of Justice Gnenema Coulibaly announced that the country’s courts were competent to try former First Lady Simone Gbagbo, who is wanted at the ICC for crimes against humanity related to the country’s 2010 – 2011 post-election crisis.
violence. In September, Côte d’Ivoire ministers dismissed the ICC’s arrest warrant and released a statement that Simone Gbagbo would be tried locally.

3. Ivorian Civil War

In July, former Special Court for Sierra Leone Chief of Investigations Alan White called on the ICC to investigate and prosecute leaders of the Forces Nouvelles over atrocities committed during the 2003 civil war. The ICC is preparing to prosecute former Ivorian president Laurent Gbagbo for war crimes relating to the civil war that occurred after he refused to accept the October 2010 presidential vote. Human rights groups have also accused supporters of current president Alassane Ouattara of committing human rights violations during the conflict, prompting White’s call on the ICC to prosecute Ouattara supporters.

4. Nationality and Land Tenure Laws

On August 26, Côte d’Ivoire’s Assemblée Nationale adopted new laws on nationality and land tenure. The newly adopted national law grants citizenship to foreign nationals born in Côte d’Ivoire between 1961 and 1973, to foreign-born residents living in Côte d’Ivoire since before its independence in 1960, and to foreigners who marry an Ivorian national. Descendants of each group also qualify for citizenship. The new law extends provisions of the 1998 land tenure law, giving landholders and new citizens ten years to prove legal claims to their properties.

5. International Statelessness Treaties

On September 24, Côte d’Ivoire ratified two international treaties on stateless persons, the 1954 Convention Relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness. In recognizing rights to statehood, the ratification of these two instruments will benefit several hundred thousand undocumented people in Côte d’Ivoire.

18. Id.
19. Id.
21. See id.
E. Ghana

1. Investment

On July 18, Ghana’s parliament adopted the Ghana Investment Promotion Centre Bill 2013. The bill replaces the Ghana Investment Promotion Centre Act of 1994 and restricts foreigners from a range of economic activities in Ghana. It requires Ghanaian citizens partnering with foreign investors to have at least 30 percent equity in joint enterprises, including in the mining and petroleum sectors; imposes minimum capital requirements on foreign businesses of up to U.S. $1 million; and prohibits the transfer of equity participation to non-Ghanaians to prevent circumvention of higher capital requirements for foreign investors.

2. Elections

On August 29, the Ghana Supreme Court dismissed an opposition challenge to President John Damani Mahama’s victory in the 2012 presidential elections. The challenge, brought by opposition candidate Nana Afuko-Addo and members of the New Patriotic Party, requested annulment of 4.67 million allegedly-fraudulent votes. Although the court acknowledged irregularities, it determined that the errors were technical issues not rising to the level of fraud. The 5-to-4 decision confirmed Mahama’s election with 50.7 percent of the vote.

F. Nigeria

1. Anti-Gay Marriage Bill

On May 30, the Nigerian House of Representatives approved a bill criminalizing gay marriage and public displays of homosexual behaviour. Under the proposed law, same-sex couples that marry face up to fourteen years’ imprisonment. Witnesses or those abetting a gay marriage face up to ten years’ imprisonment, as do individuals who display “public show[s]” of homosexual affection, advocate for gay rights, or who register with or
participate in a homosexual club, society, or organization. President Goodluck Jonathan must sign the bill to enact it into law.

2. International Arbitration

On July 12, the Nigerian Court of Appeal held that “nowhere in the Nigerian Arbitration and Conciliation Act . . . is a court empowered to stop arbitral proceedings through the issuance of an injunction,” overturning a lower court injunction on arbitration proceedings between the Nigerian National Petroleum Corporation and Statoil (Nigeria) and deciding that the lower court did not have jurisdiction to hear the case. In doing so, the Court of Appeal narrowly interpreted Section 34 of the act, which states, “a court shall not intervene in any matter governed by this Act except where [so provided] in this Act,” and held that it provides for limited judicial assistance only in ways expressly provided for, including a stay of court proceedings, an arbitrator’s removal from a case for misconduct, and the setting aside of an award or its enforcement.

III. Central Africa

A. Angola

1. Banking

In 2013, the National Bank of Angola issued orders on the following issues: corporate governance for authorized financial institutions and holding companies, consolidated supervision, independent audits for authorized financial institutions and holding companies, and requiring that bank-to-bank credit transfers made through a “credit document” utilize a “wired credit transfers subsystem” or “real time gross settlement subsystem.”

2. Customs

Executive Decree No. 19/13 of January 29, 2013, enacted a retroactive Strategic Customs Plan for 2013–2017. The plan prioritizes approving and implementing a new customs tariff schedule and expanding customs offices. Additionally in 2013, the Angolan National Assembly passed an enabling act for the government to issue a new customs tariff schedule and other customs-related actions.
Presidential Decree No. 63/13 of June 11, 2013, lifted pre-shipment inspection requirements. Customs authorities will, however, inspect imported and domestic goods that are potentially hazardous to public health.  

3. Oil and Gas

Pursuant to Executive Decree No. 83/13 of March 19, Angola divided the Congo Basin onshore area into ten oil blocks in order to grant future oil concessions. An inter-ministerial commission was also created by presidential order to divide the Kwanza and Lower Congo Basin onshore areas into additional oil blocks. The licensing was further regulated by Law No. 10/13 of September 3, which authorized legislation on the framework for licensing oil blocks, and by Presidential Decree No. 8/13 of October 17, which approved the framework.

B. Equatorial Guinea

1. Children’s Parliament

In 2013, Equatorial Guinea established a “children’s parliament” to provide better care and protection for Equatorial Guinean children. The parliament is open to children from ages eight to seventeen who represent their respective districts. Participants are appointed through school-level elections organized by the Ministry of Education and Science with the Human Rights Department and the National Committee for Children’s Rights. Proposals from the parliament are presented to the National Committee for Children’s Rights.

2. Oil and Gas

On September 23, the Equatorial Guinean Ministry of Mines, Industry, and Energy issued Order No. 4/2003 enacting the Petroleum Regulations to the 2006 Hydrocarbons Law. This new regime covers exploration and production issues including the award of production-sharing contracts, the export of hydrocarbons, and abandonment operations. The regulations contain provisions on tax, customs, labor, land access, competition, and local content.

39. Id.


41. Id.

42. Id.


C. **Gabon**

1. **Arbitration**

   Enacted by Decree No. 0604/PR of June 25, Law No. 003/2013 implemented provisions of the *Organisation pour l’Harmonisation en Afrique du Droit des Affaires* (OHADA, or Uniform Act on Arbitration). The law applies to arbitral matters under the national courts pursuant to the Act’s remand mechanism and provides for the functions and competence of the arbitration courts and its judges.\(^4\)

2. **Escheat**

   Ordinance No. 016/PR/2013, amended on February 21, completed and repealed statutory provisions, directing that unoccupied and ownerless assets revert to the State to be managed by the Gabonese Deposits and Consignments Fund. Where such assets are held by banks, credit institutions, insurance companies, or third parties, they must be transferred to the Fund promptly on request or be levied penalties.\(^5\)

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\(^5\) *Id.*

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D. **Democratic Republic of Congo (DRC)**

1. **Tax**

   New ordinances took effect on January 1, changing aspects of the DRC’s tax legislation. Changes included a reduction in the standard business income tax rate, a new tax regime for smaller companies, an amended progressive employment tax schedule, new customs tariffs on imports and exports, and revisions to mining taxes.\(^6\)

2. **Regional Peace Framework Signed**

   On February 24, the DRC, with ten other countries, signed the Peace, Security, and Cooperation Framework for the Democratic Republic of the Congo and Region.\(^7\) Provisions consolidate state authority in the DRC, strengthen regional cooperation and respect for state sovereignty, further economic development, keep the U.N. Security Council engaged in the process of long-term regional stability, appoint a U.N. special envoy, and create a regional oversight mechanism.\(^8\)

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\(^7\) *Id.*


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\(^4\) *Id.*


3. **International Arbitration**

On June 26, 2013, the DRC acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention) by passing Law No. 13/023, although it has not yet deposited its instrument of ratification.\(^{50}\) One of four reservations to its accession is that the New York Convention will not apply to awards related to immovable property in the DRC, or to rights associated with that property, such as mining rights.\(^{51}\)

4. **Arms Trade Treaty**

On September 25, the DRC signed the Arms Trade Treaty but has yet to ratify it.\(^{52}\)

IV. **Eastern Africa**

A. **Tanzania**

1. **Constitutional Review; Statistics**

On June 7, the Tanzanian parliament passed the Constitutional Review (Amendment) Act of 2013,\(^{53}\) which amends the Constitutional Review Act of 2011\(^{54}\) and proposes procedures for appointing the country's 166-member Constituent Assembly. On June 7, the parliament also passed the Statistics Act to improve statistics collection and its usage in Tanzania.\(^{55}\)

2. **Prime Minister Pinda Lawsuit**

On July 31, 2013, the Legal and Human Rights Centre and the Tanganyika Law Society filed a petition against Tanzanian Prime Minister Mizengo Pinda, claiming that statements he made in parliament infringed on constitutionally protected human rights.\(^{56}\)

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Prime Minister is alleged to have said that law enforcement officials should use force against civilians. Hearings for the case began on October 18, 2013.57

B. KENYA

1. Law Reform Commission

On January 14, the Kenyan parliament passed the Kenya Law Reform Commission Act, which went into effect January 25.58 The act replaces the 1982 law that established the Law Reform Commission to “keep under review all the law of Kenya to ensure its systematic development and reform.”59 It establishes the Commission’s independence (the Commission was formerly a department within the Attorney General’s office) and expands its powers, placing emphasis on its role conforming and developing the law in accordance with the recently promulgated Kenyan Constitution.60

2. International Arbitration

Passed on January 14, the Nairobi Centre for International Arbitration Act came into effect January 25.61 The Act establishes an arbitral court with exclusive original and appellate jurisdiction over disputes referred to it and gives the court final decision-making authority. It also establishes the Centre for International Arbitration, charged with administering domestic and international arbitration.62

3. Leadership Act Declared Constitutional

On February 7, the Kenyan High Court upheld the constitutionality of the Leadership and Integrity Act that had been enacted by Parliament on August 27, 2012, against a lawsuit that claimed the act had weak enforcement provisions.63

4. Presidential Elections Upheld

On April 16, the Kenyan Supreme Court ruled against the challenger in Odinga v. Independent Electoral and Boundaries Commission, finding the 2010 elections constitutional.64 In its holding, the court ruled that it would not disturb the outcome of a presidential election.

60. Id. § 33.
62. Id.
unless “the [p]etitioner clearly and decisively show[s] the conduct of the election to have been so devoid of merits, and so distorted, as not to reflect the expression of the people’s electoral intent.”

5. Taxes

In June, the Kenyan parliament passed its first Division of Revenue Act, sharing national government revenue among national and county governments. The Revenue Bill is an annual requirement of the new constitution.

6. International Criminal Court Cases

In September, the ICC began the trial of Kenyan Deputy President William Ruto for crimes against humanity alleged in the 2007 post-election violence. Kenyan President Uhuru Kenyatta, also charged with crimes against humanity in relation to the post-election uprisings, was to begin trial in November.

C. Uganda

1. Public Order Management Bill

In August, the Ugandan parliament passed the Public Order Management Bill. The bill mandates public assemblies to obtain advance police permission and permits the police to use force to break up unauthorized gatherings. The bill has encountered opposition with protestors arguing that it infringes upon constitutional freedoms and with U.N. experts calling on the Ugandan government for its repeal. Notwithstanding the dissent, on September 12, President Yoweri Museveni signed the Public Order Management Act into law, looking to address some of the bill’s shortcomings.

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65. Id. ¶ 304.
2. Sexual Minorities Suit

On August 14, a federal judge in the United States denied a motion to dismiss suit brought by Sexual Minorities Uganda, an organization advocating for lesbian, gay, bisexual, transgender, and intersex people (LGBTI), against Scott Lively, a U.S. pastor who spoke against homosexuality in Uganda. The court found that the organization had standing to bring suit, as Lively’s activities occurred in both the United States and Uganda, holding that his actions went beyond speech qualifying as deliberate attempts to deny rights to LGBTI people.

D. Rwanda

1. Access to Information Law

On March 11, Rwanda adopted Law No. 02/2013, relating to the access of information. The law determines the types of information that may be accessed by journalists and the public and establishes procedures for requesting and disseminating such information.

E. Somalia

1. Investment

Following the swearing in of a new federal government and adoption of a provisional constitution in late 2012, Somalia made progress in 2013. In July 2013, its parliament reviewed a foreign investment law as a framework for foreign investment, the rights of foreign investors, and a “favourable trade environment based on a free market economy.”

2. Coastal Protection Contract

In July, Somalia’s Minister of Defence signed a landmark coastal protection contract with the Atlantic Marine and Offshore Group to develop an “effective and sustainable Coast Guard in Somalia” that will be instrumental in establishing and enforcing the rule of law within Somali waters and the Exclusive Economic Zone (EEZ).


3. Media Law Criticized

In July 2013, Somalia’s Council of Ministers passed a draft media law that the National Union of Somali Journalists and the U.N. criticized for deviating from international standards of freedom of expression, potentially restricting the media, and undermining editorial independence.80

4. Truth and Reconciliation Commission, Constitution

A formal communiqué from the September 2013 Vision 2016 conference in Mogadishu set out the Somali government’s ambition to establish a truth and reconciliation commission within six months, appoint a constitutional review commission within sixty days, establish a constitutional court within ninety days, and pass a political party law within one year.81 The provisional constitution is to become permanent pursuant to a referendum to be held before the end of this parliament’s term in 2016.82 On September 16, the European Union (EU) and Somalia co-sponsored a Brussels conference named “A New Deal for Somalia” where a “New Deal Compact” was signed. The compact garners international support to address Somalia’s political, social, and economic priorities through peace-building and state-building goals, with a special arrangement for Somaliland.83

V. Southern Africa

A. Zimbabwe

1. Constitution

On March 16, 2013, a national referendum approved a new constitution for Zimbabwe.84 Almost 95 percent of nearly three million voters (out of approximately six million eligible voters) voted in favor of its adoption.85 Adopting a new constitution was a key requirement of the Global Political Agreement,86 a power-sharing transition agreement entered into by ZANU-PF, the ruling party, and MDC-T and MDC-M, the opposition parties, after the disputed and violent 2008 elections.87 The 2013 Constitution replaces Zimbabwe’s 1979 Constitution, adopted as part of independence.

83. Id.
85. Id.
87. Id.
B. MOZAMBIQUE

1. Banking and Finance

In March, the Mozambique Council of Ministers approved a statutory regime on treasury bonds pursuant to which treasury bonds will be traded only at the Mozambique Stock Exchange by operators licenced through the Minister of Finance. A “Certificate of Specialized Operators in Treasury Bonds (OEOT) has been approved along with the relevant application procedure.”

2. Credit Institutions

In June, the Bank of Mozambique approved the Contingency Plan for Credit Institutions (Notice No. 2/GBM/2013) with measures aimed at preventing or minimizing financial crises in the banking system and in deposit-taking credit institutions.

3. Competition Law

In April, the Mozambican parliament approved the country’s first statutory regime on competition, aimed at eliminating restrictive competition practices and establishing rules of conduct on market access. The statute also creates the Competition Regulatory Authority.

C. SOUTH AFRICA

1. Criminal Defamation Conviction

In June, former journalist Cecil Motsepe was convicted of criminal defamation and given a suspended sentence of ten months imprisonment or a R 10,000 fine (about U.S. $993). Motsepe is appealing his conviction, arguing that the crime of criminal defamation may be unconstitutional particularly when applied to the media.

2. Intelligence Laws Amendment

On July 25, South African President Jakob Zuma signed into law the General Intelligence Laws Amendment Act No. 11, 2013. The Act, referred to as the “Spy Bill,” pro-

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92. Id.
The legal framework for the consolidation of South Africa's intelligence services into one state security agency. The President Zuma signed the Prevention and Combating of Torture of Persons Act No. 15, 2013. The law gives effect to South Africa's obligations as a party to international instruments on human trafficking by making domestic laws consistent with international standards, in particular, the U.N. Protocol to Prevent, Suppress, and Punish Trafficking in Persons. The act sets out enforcement measures, provides for the prosecution of wrongdoers, and provides for assistance to victims.

4. Superior Courts Bill

On August 12, President Zuma signed the Superior Courts Bill 2013 into law. The bill reorganizes the Constitutional Court, the Supreme Court of Appeal, and the High Court of South Africa to administer the judicial functions of all courts. The law seeks to establish a single high court of South Africa.

VI. African Institutions

A. African Union (AU)

1. African Union Summits

The 20th and 21st AU summits were held in Addis Ababa, Ethiopia in 2013. The 20th summit in January established a Pan-African Intellectual Property Organization and tasked the AU Commission on International Law with reviewing proposals for an international constitutional court. A Memorandum of Understanding was signed with then-U.S. Secretary of State Hillary Clinton, strengthening the partnership between the United States and the AU in key areas. A U.N.-backed plan to bolster peacekeeping in the DRC was called off after the Southern African Development Community (SADC)
complained it had not been consulted, notwithstanding its own efforts to forge a peace deal.\textsuperscript{102}

The May summit received wider attention, as it marked the 50th anniversary of pan-African integration, a process commencing in 1963 with the founding of the AU predecessor, the Organization of African Unity. At the 21st summit, AU leaders ratified a South African proposal to establish the African Capacity for Immediate Response to Crises,\textsuperscript{103} and the AU Commission announced renewed efforts to draw the bulk of its finances from member states, reducing dependencies on foreign sources of income.\textsuperscript{104} International media seized on comments by summit chairman, Hailemariam Desalegn, accusing the ICC of selectively prosecuting African defendants,\textsuperscript{105} a sentiment echoed by formal resolution calling on the ICC to transfer the trials of President Uhuru Kenyatta and Vice President William Ruto to Kenyan domestic courts.\textsuperscript{106} When the Kenyan legislature rejected ICC jurisdiction in September, AU leaders called for a conference to discuss its members withdrawing en masse from the ICC.\textsuperscript{107}

2. \textit{Memberships Suspended}

In March, the Seleka rebel group forced Central African Republic (CAR) President, François Bozize, from power. The AU responded by suspending the country’s membership and imposing sanctions on the insurgent government in Bangui.\textsuperscript{108} The rebel administration stopped cooperating with AU forces in the CAR, stalling international efforts to apprehend fugitive Ugandan warlord Joseph Kony.\textsuperscript{109} Regime change in Egypt also resulted in AU suspension, following the ouster of President Mohammed Morsi in July.\textsuperscript{110}

B. \textit{African Export-Import Bank}

1. \textit{U.S. $500 Million Bond}

In May 2013, the Cairo-based African Export-Import Bank announced plans to issue a U.S. $500 million bond, its third after a U.S. $300 million bond in 2009 and a U.S. $500

\begin{itemize}
  \item \textsuperscript{102} AU Talks Break Down Over DR Congo Crisis, \textit{Al Jazeera} (Jan. 28, 2013, 7:00 PM) http://www.aljazeera.com/news/africa/2013/01/2013126266226014459.html.
  \item \textsuperscript{106} AU Urges ICC to Transfer Kenyatta Case to Kenya, \textit{Mail & Guardian} (May 28, 2013, 12:00 AM), http://www.aljazeera.com/news/africa/2013/05/20135282928567270.html.
  \item \textsuperscript{108} AU Suspends CAR After Rebels Oust the President, \textit{Mail & Guardian} (Mar. 25, 2013, 2:00 PM), http://ng.co.za/article/2013-03-25-africa-suspends-central-african-republic-after-rebels-oust-the-president.
\end{itemize}
million bond in 2011.\textsuperscript{111} Established in 1993, the bank approved over U.S. $1.2 billion in credit facilities in 2012.\textsuperscript{112}

2. Anniversary, Accession

In June 2013, the bank celebrated its 20th anniversary.\textsuperscript{113} In August, the Republic of Congo signed its accession instrument;\textsuperscript{114} pending ratification of the 1993 Abidjan Agreement on the bank’s establishment, Congo will become the bank’s thirty-fifth member.\textsuperscript{115}

C. African Development Bank

1. Sanctions Regime Updated

On August 12, 2013, the African Development Bank (AfDB) updated its sanctions regime.\textsuperscript{116} The two-tier regime provides a process to be followed when sanctionable practices concerning AfDB-financed operations are alleged, including corruption, fraud, collusion, coercion, and obstruction.

2. Infrastructure Fund Created

In September, the AfDB and the Made in Africa Foundation partnered to create Africa50, a U.S. $500 million infrastructure fund. The initiative aims to fund large infrastructure projects across the sub-Saharan region. The AfDB has invested over U.S. $5.4 billion in infrastructure projects in Africa in the last five years through private sector and public-private partnership financing.\textsuperscript{117}

3. Red Cross MOU

On October 3, the International Federation of Red Cross and Red Crescent Societies and the AfDB signed a Memorandum of Understanding to increase collaboration between the two organizations in climate change, health care, food security, disaster risk reduction, youth development, water, and sanitation. The AfDB confirmed its commitment by do-

\begin{itemize}
  \item \textsuperscript{112} Id.
  \item \textsuperscript{115} Congo to Join Afrexim, \textit{Trade Finance}, Aug. 2013, at 12.
\end{itemize}
nating U.S. $1 million to assist the Comoros Red Crescent Society in combating flash flood effects from 2012.118

D. ECONOMIC COMMISSION FOR AFRICA (ECA)

In February 2013, the U.N. ECA Committee on Governance and Popular Participation discussed ways to improve governance and public administration capacity.119 The ECA’s 2013 Economic Report on Africa focused on commodity-based industrialization to foster growth, create jobs, and bring about economic transformation.120

In conjunction with the fifth BRICS Summit held in South Africa in March 2013, the ECA produced Africa-BRICS Cooperation: Implications for Growth, Employment and Structural Transformation in Africa.121 The study examines foreign direct investment, trade, and development assistance. The ECA estimates that Africa’s trade with BRICS nations has grown faster than with any other region of the world, doubling to U.S. $340 billion in 2012 and projected to reach U.S. $500 billion by 2015.122

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

1. Free Trade Agreement

Negotiations for a free trade agreement between the twenty-six COMESA countries, the East African Community (EAC), and the SADC continued in 2013.123 Discussions are to continue in 2014 with a launch of the free trade area in 2016.124

2. Indian MOU

In 2013, the Federation of Indian Chamber of Commerce and Industry and the COMESA Business Council concluded a Memorandum of Understanding to encourage

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123160.
124. Id.
business communities in India and in COMESA member countries to collaborate on private sector investment projects.125

F. Economic Community of West African States (ECOWAS)

1. Ghana Single-Currency Meeting

In July 2013, regional experts held a two-day meeting in Accra, Ghana to review plans for a single currency in the ECOWAS region. The plan requires six member states—Gambia, Ghana, Guinea, Liberia, Nigeria, and Sierra Leone—to create a second currency, the Eco, by 2015. The Eco will be used with national currencies prior to its sole use in the region by 2020.126

2. Telecommunications Cost Reduction

In September, ECOWAS ministers agreed to work with regional operators to implement a 50 percent reduction in the cost of telecommunications. The ministers hope to have the proposal implemented by May 2014.127

3. Millennium Development Goals

In October, ECOWAS set up a regional food and agriculture agency in Lomé, Togo. The ministers of agriculture and representatives of other member states present adopted a regional program to support market regulation in West Africa, to support national social security in West Africa, and to support agricultural intensification in West Africa.128
