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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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This article details important legal developments in Africa in 2015.

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I. North Africa

A. ALGERIA

1. Domestic Violence Law

In March 2015 Algeria criminalized domestic violence against women.¹ Penalties include up to twenty years' imprisonment for injuries and a life sentence for killing.² The law however grants clemency to a survivor who pardons her offender; a provision criticized by Amnesty International as providing an incentive for further violence to force victims to withdraw complaints.³

B. EGYPT

1. Morsi Sentence Upheld

The criminal trials of ousted Egyptian President Mohamed Morsi and Muslim Brotherhood members continued in 2015.⁴ The court consulted the Grand Mufti in upholding the death sentence against Morsi and his supporters for conspiring with foreign militants during past political uprisings.⁵

2. Anti-Terrorism Law

Egyptian President Abdel Fattah el-Sisi's regime continued to target the Muslim Brotherhood in 2015 by signing a new anti-terrorism law.⁶ The law "effectively bans the rights to freedom of expression, peaceful assembly and association," according to Amnesty International.⁷

C. LIBYA

1. Gaddafi Son Receives Death Sentence

In July, a Libyan court sentenced the deposed leader's son, Saif al-Islam Gaddafi, and eight others to death for war crimes from the 2011 revolution.⁸ Former Gaddafi Head of

1. *Algeria passes law banning violence against women*, AL ARABIYA (Mar. 6, 2015), <http://english.alarabiya.net/en/News/africa/2015/03/06/Algeria-passes-law-banning-violence-against-women.html>.

2. *Id.*

3. Philip Ross, *Algeria Domestic Violence Law: Violence against Women Illegal, but Human Rights Group Remains Skeptical*, INT'L BUS. TIMES (Mar. 5, 2015), <http://www.ibtimes.com/algeria-domestic-violence-law-violence-against-women-illegal-human-rights-group-1837942>.

4. *Egypt Court Upholds Morsi Death Sentence*, AL JAZEERA (June 16, 2015), <http://www.aljazeera.com/news/2015/06/egypt-court-upholds-morsi-death-sentence-150616104041261.html>.

5. *Id.*

6. Anas Hamdan, *Egypt Passes Tough – and Controversial – Counter-terrorism Law*, CNN (Aug. 17, 2015), <http://www.cnn.com/2015/08/17/africa/egypt-terrorism-law/>.

7. *Id.*

8. *Libya trial: Gaddafi son sentenced to death over war crimes*, BBC (July 28, 2015), <http://www.bbc.com/news/world-africa-33688391>.

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Intelligence Abdullah al-Senussi and former Prime Minister Baghdadi al-Mahmoudi were among those facing the firing squad, pending appeal.⁹

D. TUNISIA

1. *New Counterterrorism Law Enacted*

Tunisia's 217-member parliament, the Assembly of the People's Representatives, adopted a counter-terrorism law in July 2015, following the March attack on Tunis' Bardo Museum, in which twenty-three people were murdered.¹⁰ The new law has been criticized, *inter alia*, for giving security forces broad surveillance powers, extending "incommunicado detention from six to fifteen days, and permitting courts to close hearings to the public."¹¹

E. MOROCCO

1. *Islamic Banking and Business Law*

Implemented on March 5, 2015, Law 103-12 strengthened international banking standards applicable to Moroccan banks and introduced Islamic banking rules.¹² In August 2015, Law 12-78 amended the law on limited liability companies strengthening the role of external auditors and protecting minority shareholder rights.¹³

2. *Public-Private Partnership Law*

Law 86-12 established public-private partnerships as a new contract form under Moroccan law.¹⁴ The "development also builds on Morocco's role as pioneer in promoting contracts between the public and private sectors" beginning with the 1997 Jorf Lasfar power plant, the first BOT (Build, Operate, and Transfer) in Africa and in the Arab world.¹⁵

F. WESTERN SAHARA

1. *Meeting 'Violates' International Law*

In February, the president of the disputed territory of Western Sahara, Mohamed Abdelaziz, objected to plans by Morocco and the Swiss-registered Crans Montana Forum to hold a meeting in Western Sahara. Abdelaziz held that Morocco unlawfully occupied

9. *Id.*

10. *Tunisia: Counterterror Law Endangers Rights*, HUM. RTS WATCH (July 31, 2015), <https://www.hrw.org/news/2015/07/31/tunisia-counterterror-law-endangers-rights>.

11. *Id.*

12. Larbi Arbaoui, *Moroccan Government adopts Islamic Banking Law*, MOROCCO WORLD NEWS (Jan. 17, 2014), <http://www.moroccoworldnews.com/2014/01/119816/moroccan-government-adopts-islamic-banking-law/>.

13. *Id.*

14. *Kingdom of Morocco: A New Law to Promote Public-Private Partnerships*, LINKLATERS (Mar. 2015), http://www.linklaters.com/pdfs/mkt/paris/Linklaters_Kingdom_Morocco_New_Law_PPPs_March2015.pdf.

15. *Id.*

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Western Sahara and that its use of the territory ‘violated’ international law.¹⁶ He also called on the U.N. Secretary General to find a lasting political solution to the Western Sahara conflict.¹⁷

II. West Africa

A. BENIN

1. Election Date Imposed

With municipal and local elections postponed since 2013 by the Independent Permanent Electoral Commission without explanation, in 2015 Benin’s Constitutional Court responded to an injunction request and set election dates.¹⁸ Municipal and legislative elections were held following this decision, avoiding impasse.¹⁹

B. BURKINA FASO

1. Electoral Restrictions and Attempted Coup

In April, the National Transition Council amended the Electoral Code restricting former leaders of the Blaise Compaoré regime from running in October’s elections.²⁰ The change barred “those who had supported the ‘anti-constitutional change’” of lifting limits on presidential terms of office.²¹ Officers loyal to Compaoré, who was driven from power in 2014 when he tried to extend his twenty-seven-year rule, staged a failed coup in September, seizing interim President Michel Kafando and Prime Minister Lt. Col. Isaac Zida.²²

C. CAPE VERDE

1. Refuelling Expansion

To capitalize on its geographic location and become a mid-Atlantic refueling hub, the Maritime and Port Agency published Bunkering Regulations in April, setting rules and procedures for refueling in Cape Verde’s ports.²³ A new General Framework for Cape

16. *Western Sahara: Holding Crans Montana Forum in Occupied Dajla Violates International Law – President Mohamed Abdelaziz*, ALLAFRICA (Feb. 5, 2015), <http://allafrica.com/stories/201502061009.html>.

17. *Id.*

18. *Les élections municipales, communales et locales, à la une au Bénin (Municipal, Communal and Local Elections: Benin in One)*, STARAfrica (June 29, 2015), <http://fr.starafrika.com/actualites/les-elections-municipales-communales-et-locales-a-la-une-au-benin.html>.

19. *Id.*

20. Marie Bernard, Opinion, *Burkina Faso: A New Electoral Law and Political Struggles*, ALLAFRICA (May 19, 2015), <http://allafrica.com/stories/201505210571.html>.

21. *Id.*

22. Hervé Taoko, *Burkina Faso Coup Plotters Refuse to Give up Arms, Imperiling Deal*, NY TIMES (Sept. 28, 2015), <http://www.nytimes.com/2015/09/29/world/africa/coup-faction-in-burkina-faso-fails-to-disarm-officials-say.html>.

23. *Legal News Cape Verde*, MIRANDA (Feb.—Apr. 2015), http://www.mirandalawfirm.com/uploadedfiles/20150706_b63455.pdf.

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Verde Port Concessions was approved May 18, 2015, allowing private entities in the maritime and port sectors.²⁴ In June 2015, Resolution 54/2015 created an Installation Committee to operationalize the International Business Center of Cape Verde and establish “free zones, where properly licensed operators can develop economic activities.”²⁵

D. CÔTE D’IVOIRE

1. *Post-election Cases*

The Ivorian government failed to arrest any pro-Ouattara Republican Forces implicated in post-election violence but surrendered pro-Gbagbo militia leader Charles Blé Goudé to the International Criminal Court (ICC) in March.²⁶ The ICC confirmed charges against former President Laurent Gbagbo in June.²⁷ Former First Lady Simone Gbagbo, “charged by the ICC with four counts of crimes against humanity, remained in detention in Côte d’Ivoire.”²⁸

E. GAMBIA

1. *HIV/AIDS Prevention Law*

In March, the Gambia National Assembly enacted a law for the first time on HIV and AIDS Prevention and Control.²⁹ The act was an achievement in “HIV prevention, treatment, care, and support.”³⁰

F. GHANA

1. *Safer Gold Mining and Mercury Exposure*

A 2015 report by international NGO Human Rights Watch called on Ghana to lead the way in Africa in developing a comprehensive strategy for safe, child labor-free gold mining.³¹ In 2014, Ghana had signed the Minamata Convention on Mercury which aims to reduce mercury exposure globally.³²

24. *Id.*

25. *Legal News Cape Verde*, MIRANDA (May–July 2015), http://www.mirandalawfirm.com/uploadedfiles/20150831_bbb3a2.pdf.

26. *World Report 2015: Côte d’Ivoire*, HUM. RTS WATCH (2015), <https://www.hrw.org/world-report/2015/country-chapters/cote-divoire?page=3>.

27. *Id.*

28. *Id.*

29. Cherno Omar Bobb, *Gambia: Law Enforcers Edified on How to Enforce HIV Law*, ALLAFRICA (Sept. 16, 2015), <http://allafrica.com/stories/201509161999.html>.

30. *Id.*

31. *Human Rights Watch urges Ghana to lead the way*, GHANAWEB (June 12, 2015), <http://www.ghanaweb.com/GhanaHomePage/regional/artikel.php?ID=362145>.

32. Juliane Kippenberg, *Ghana’s Chance to Fix Its Mercury Problem*, HUM. RTS WATCH (Aug. 7, 2015), <https://www.hrw.org/news/2015/08/07/ghanas-chance-fix-its-mercury-problem>.

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G. GUINEA

1. *New Petroleum Code*

A new Petroleum Code entered into force January 1, 2015, covering oil operations and hydrocarbons activities, including natural gas treatment, but excluding the refining and distribution of petroleum products.³³ The code simplifies the tax regime for oil subcontractors, lowers the oil company corporate income tax to thirty-five percent (previously set at fifty percent), and sets VAT at the standard rate of eighteen percent.³⁴

H. GUINEA-BISSAU

1. *New Taxes*

Law 2/15 of April 21 enacted the 2015 budget that “introduces material changes to Guinea-Bissau’s tax framework,” by adding new tourist and development taxes.³⁵ The law also enacts transfer pricing and anti-avoidance rules, such as limitations on the deduction of interest paid to related companies and presumptive taxation in the event of external signs of wealth.³⁶

I. LIBERIA

1. *Sanctions Lifted*

The United States and the United Nations significantly lifted Liberian sanctions in 2015. On November 12, 2015, United States President Obama signed Executive Order 13710, terminating economic sanctions in place since 2004 that blocked many assets of and transactions with the Charles Taylor regime.³⁷ The U.N. Security Council kept some sanctions—including an arms embargo on non-state groups—but similarly dismantled asset and travel sanctions against specified persons.³⁸

J. MAURITANIA

1. *Guantanamo Bay Release*

In October, the U.S. government released Mauritanian Ahmed Abdel Aziz from its Guantanamo Bay base.³⁹ Aziz, detained since being turned over to the United States by

33. *Guinea (Conakry) enacts new Petroleum Code Executive summary*, ERNST & YOUNG (Mar. 27, 2015), <http://www.ey.com/GL/en/Services/Tax/International-Tax/Alert—Guinea-enacts-new-Petroleum-Code>.

34. *Id.*

35. *Legal News Guinea-Bissau*, MIRANDA (June 2015), http://www.mirandalawfirm.com/uploadedfiles/20150720_f8d586.pdf.

36. *Id.*

37. Exec. Order No. 13710, 80 Fed. Reg. 220 (Nov. 12, 2015), available at <https://www.treasury.gov/resource-center/sanctions/Programs/Documents/13710.pdf>.

38. *Security Council adjusts Liberia sanctions; ends travel ban, keeps arms embargo in place*, UN NEWS CENTRE (Sept. 2, 2015), <http://www.un.org/apps/news/story.asp?NewsID=51778#.V15gJL-VDEY>.

39. *Guantanamo prisoner from Mauritania back home after 13 years*, ASSOCIATED PRESS (Oct. 29, 2015), <http://bigstory.ap.org/article/1ed35bc765854e8b8c9ad0fa582d729c/guantanamo-prisoner-mauritania-back-home-after-13-years>.

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Pakistani authorities in 2002, was never charged with a crime.⁴⁰ The Mauritanian government stated that Aziz would not face prosecution in Mauritania.⁴¹

2. *Anti-Slavery Law*

In August 2015, the National Assembly adopted a new anti-slavery law that created special tribunals and increased penalties.⁴² The new law doubles the maximum sentence for slavery to twenty years and gives civil society organizations the right to act on behalf of victims.⁴³ The law also criminalizes other forms of slavery such as forced marriage.⁴⁴

K. MALI

1. *Peace Agreement*

In June, Mali signed a peace agreement with the Coordination of Movements of Azawad (an alliance of Tuareg rebels) and with the 14 June Platform (a coalition of armed groups).⁴⁵ Attacks have continued despite the peace accord and the presence of French troops and U.N. peacekeepers deployed since 2012, following a military coup that coincided with Islamist armed groups taking control of the north.⁴⁶

2. *ICC Arrest*

The International Criminal Court (ICC) arrested Ahmad Al Faqi Al Mahdi, accused of ordering and destroying mausoleums and a mosque in Timbuktu.⁴⁷ He appeared in court on September 30, 2015.⁴⁸

40. *Id.*

41. Kissima Diagana, *Mauritania will not prosecute repatriated Guantanamo detainee*, REUTERS (Oct. 30, 2015), <http://www.reuters.com/article/2015/10/30/us-mauritania-guantanamo-idUSKCN0SO1CB20151030>.

42. *Mauritania: UN Expert Welcomes New Anti-slavery Law, Says Effective Enforcement is Key*, UN NEWS CENTRE (Aug. 21, 2015), <http://www.un.org/apps/news/story.asp?NewsID=51691>.

43. *Id.*

44. *Mauritania Anti-slavery Law Welcomed by Campaigners*, BBC (Aug. 14, 2015), <http://www.bbc.com/news/world-africa-33936243>.

45. Jean-Hervé Jezequel, *Mali's peace deal represents a welcome development, but will it work this time?*, THE GUARDIAN (July 1, 2015, 10:00 AM), <http://www.theguardian.com/global-development/2015/jul/01/mali-peace-deal-a-welcome-development-but-will-it-work-this-time>.

46. Press Release, UN News Centre, *Lauding Progress to Date, UN Official urges Malian Parties to Adhere to Peace Accord* (Oct. 1, 2015), available at <http://www.un.org/apps/news/story.asp?NewsID=52096#Vg6gqk3rvcs>.

47. *Prosecutor v Ahmed Al Faqi Al Mahdi*, Case No. ICC-01/12-01/15, Pre-Trial, http://www.icc-cpi.int/en_menus/icc/situations%20and%20cases/situations/icc0112/Pages/situation%20index.aspx (last visited Nov. 14, 2015).

48. *Id.*

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L. NIGER

1. *Human Smuggling*

Niger adopted a law in May imposing twenty- to thirty-year prison sentences for human smugglers, and a fine of up to CFA 30 million (US\$51,000) for aggravating circumstances such as smuggling pregnant women or children.⁴⁹ A smuggler helping migrants obtain illegal papers faces between five- and twelve- years imprisonment with fines of up to US\$5,000.⁵⁰ The law aims to stem the thousands of illegal immigrants crossing the country's borders headed for Europe.⁵¹

M. NIGERIA

1. *Human Trafficking*

In May 2015, then-President Goodluck Jonathan signed the Immigration Amendment Act 2015 tackling human trafficking, border security, and the employment of immigrants.⁵² In March 2015 Jonathan had assented to the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015 to address trafficking specifically.⁵³

2. *SIM Card Deactivations*

In August, the Nigerian Communications Commission and the National Security Agency mandated all Nigerian telecommunications operators deactivate unregistered SIM cards within seven days or face penalties.⁵⁴ This step was taken in response to the use of unregistered SIM cards by insurgents to commit crimes in Nigeria.⁵⁵

N. SÃO TOMÉ AND PRÍNCIPE

1. *Oil Block Sale*

Approved by the National Petroleum Agency, in October 2015, the U.S.-based ERHC Energy agreed to transfer its rights to Block 11 of the Exclusive Economic Zone to Texan

49. *Niger Passes Law to Stem Human Smuggling*, NEWSMAXWORLD (May 13, 2015, 10:22 AM), <http://www.newsmax.com/World/Africa/AF-Niger-Anti-Smuggling-Law/2015/05/13/id/644287/>

50. *Id.*

51. *Id.*

52. *Sterling Insight Nigeria: Immigration Amendment Act 2015*, STERLING, http://www.sterling.com/news_events/immigration_update/2015/nigeria_immigration_amendment_act_2015.html (last visited Nov. 15, 2015).

53. Press Release, National Agency for the Prohibition of Trafficking In Persons, President Goodluck Jonathan Signs New Anti-Trafficking Act, *available at* <http://www.naptip.gov.ng/tiplaw2015.html>.

54. Press Release, Nigerian Communications Commission, NCC Gives GSM Operators 7-Day Deadline To Deactivate Pre-Registered SIM Cards, (Aug. 6, 2015), *available at* http://www.ncc.gov.ng/index.php?option=com_content&view=article&id=1737:leadership-august-6-2015-ncc-gives-gsm-operators-7-day-deadline-to-deactivate-pre-registered-sim-cards&catid=86:cat-mediapr-headlines.

55. *Id.*

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Kosmos Energy.⁵⁶ ERHC retains one hundred percent of the rights to Block 4 and the option to acquire up to a fifteen percent working interest in each of two other blocks of its choice that are unlicensed.⁵⁷ An oil boom has been predicted since 2005.

O. SENEGAL

1. *Habré Trial Commences*

The trial of former Chadian dictator Hissène Habré commenced at the Extraordinary African Chambers in Dakar in July 2015 and resumed in September 2015 after a 45-day suspension ordered when Habré refused to cooperate.⁵⁸ Habré is accused of war crimes, crimes against humanity, and torture, with as many as 40,000 killings and unlawful detentions alleged from his eight-year rule that ended in 1990.⁵⁹

2. *New Mining Code*

A new mining code is set to become law by the end of 2015.⁶⁰ Expected changes remove the restriction against foreign investors owning all of the shares in a Senegalese company and introducing an optional 'production-sharing agreement' with the state under which product recovered will not be subject to mining tax, but profits are split between the state and the investor.⁶¹ Existing mining titleholders will be bound by the mining code that was in force when their title was awarded.⁶²

P. SIERRA LEONE

1. *Margai Complaint*

Acting Chief Justice Valesius Victor Thomas filed a complaint against legal practitioner Charles Francis Margai with the General Legal Council Disciplinary Committee alleging that he had disparaged the Chief Justice's reputation by implying that he and other judges had taken bribes in the case against former vice president Chief Alhaji Sam-Sumana.⁶³ Mr. Margai was the lead counsel for Chief Alhaji Sam-Sumana, who had challenged his dismissal by the president in the Supreme Court. The Supreme Court dismissed the suit.⁶⁴

56. *ERHC Signs Deal for Block 11, São Tomé and Príncipe EEZ*, OFFSHORE TECHNOLOGY (Oct. 22, 2015), <http://www.offshore-technology.com/news/newserhc-signs-agreement-block-11-sao-tom-principe-eez-4699682>.

57. *Id.*

58. Marlise Simons, *Former Leader of Chad Hauled into Court as Trial Resumes*, NY TIMES (Sept. 7, 2015), http://www.nytimes.com/2015/09/08/world/africa/former-leader-of-chad-hauled-into-court-as-trial-resumes.html?ref=topics&_r=0.

59. *Id.*

60. *New Mining Code by Year's End*, AFRICA MINING INTELLIGENCE (Sept. 2, 2015), <http://www.africaintelligence.com/AMA/alert-ama/2015/09/02/new-mining-code-by-year-s-end,108089780-ART>.

61. *Id.*

62. *Id.*

63. Hassan Gbassay Koroma, *Sierra Leone: Chief Justice Complains Margai to Legal Council*, ALLAFRICA (October 9, 2015), at <http://allafrica.com/stories/201510121176.html> (visited Nov. 14, 2015).

64. *Id.*

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Q. TOGO

1. *Presidential Dynasty Continues*

In April, Togo's election body declared President Faure Gnassingbe as the winner of its 2015 presidential elections with a provisional fifty-nine percent of the vote.⁶⁵ Gnassingbe assumed power in 2005 after the death of his father, Gnassingbe Eyadema, who had previously ruled Togo for thirty-eight years.⁶⁶

III. Central Africa

A. CAMEROON

1. *Investment*

A decree defining operations of the Cameroonian Economic Zone Promotion Agency was enacted April 6, 2015.⁶⁷ The Agency, subject to the joint authority of the Ministry of Economy and Ministry of Finance, was created to develop economic zones.⁶⁸

2. *SMEs*

Law No 2015/010 of July 16 has overhauled the legal framework applied to small and medium-sized enterprises (SMEs).⁶⁹ Companies from any sector that employ up to one hundred employees with annual turnover not exceeding CFA 3 billion (US\$5 million) may be eligible for SME treatment, "subject to 51% of the share capital being held by Cameroonians."⁷⁰

B. CENTRAL AFRICAN REPUBLIC

1. *U.N. Peacekeeping Mission Allegations*

The U.N. Secretary General demanded the resignation of its peacekeeping mission head, Senegalese Babacar Gaye, after allegations of misconduct including rape and killing were brought against the mission.⁷¹ The peacekeeping mission was established in April 2014 to calm interreligious clashes that had claimed thousands of lives.⁷² Separately, a

65. *Togo's Defeated Opposition Leader Rejects Gnassingbe Victory*, BBC NEWS (Apr. 29, 2015), <http://www.bbc.co.uk/news/world-africa-32518335>.

66. *Id.*

67. *Legal News Cameroon Feb. Through Apr. 2015*, MIRANDA LAW FIRM, http://www.mirandalawfirm.com/uploadedfiles/20150706_ec85e8.pdf (last visited Nov. 15, 2015).

68. *Id.*

69. *Legal News Cameroon May Through July 2015*, MIRANDA LAW FIRM, http://www.mirandalawfirm.com/uploadedfiles/20150831_3fbc49.pdf (last visited Nov. 15, 2015).

70. *Id.*

71. Associated Press, *UN Peacekeeping Chief in CAR Fired over Abuse Allegations*, TELEGRAPH (Aug. 13, 2015), <http://www.telegraph.co.uk/news/worldnews/africaandindianocan/cenralafricanrepublic/11800070/UN-peacekeeping-chief-in-CAR-fired-over-abuse-allegations.html>.

72. *Id.*

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Rwandan peacekeeper with the mission shot and killed four colleagues and wounded eight others at their base before being killed himself.⁷³

C. CHAD

1. *Boko Haram Death Penalty*

In August, Chad executed ten Boko Haram members, taking a lead with Cameroon, Benin, Niger and Nigeria against the Nigerian insurgency.⁷⁴ The executions were the first use of the death penalty since the country bolstered anti-terrorist measures in July and an about-face from its draft penal code from September 2014 that abolished capital punishment.⁷⁵

D. CONGO (DEMOCRATIC REPUBLIC)

1. *Monopoly Ends*

SOMAS' monopoly ended with Law 15-005 of March 17, 2015, which approved the Insurance Code.⁷⁶ The Code fosters market liberalization, creating an insurance regulatory agency responsible, *inter alia*, for issuing licenses and authorizing insurance contract portfolio transfers.⁷⁷

2. *Single Tax Return*

Two inter-ministerial decrees of May 12 improved the business environment by establishing a single tax return for payment of taxes, social contributions, and employer contributions.⁷⁸

E. CONGO (REPUBLIC)

1. *Money Transfers*

Decree 2015/248 of February 4 regulated in-country transfers by money remittance offices. For transactions abroad, transmitters must use the services of a Congo-based credit institution, subject to prior approval from the Minister of Finance.⁷⁹

73. AFP, *Rwandan Peacekeeper Kills Four Colleagues in CAR*, TELEGRAPH (Aug. 8, 2015), <http://www.telegraph.co.uk/news/worldnews/africaandindianocan/centralafricanrepublic/11792483/Rwandan-peacekeeper-kills-four-colleagues-in-CAR.html>.

74. Associated Press, *Chad Executes 10 Members of Boko Haram by Firing Squad*, THE GUARDIAN (Aug. 30, 2015), <http://www.theguardian.com/world/2015/aug/30/chad-executes-10-members-boko-haram-firing-squad>.

75. *Id.*

76. *Legal News Democratic Republic of the Congo May Through July 2015*, MIRANDA LAW FIRM, http://www.mirandalawfirm.com/uploadedfiles/20150811_ccb8c2.pdf (last visited Nov. 15, 2015).

77. *Id.*

78. *Id.*

79. *Legal News Republic of the Congo Feb. 2015 Through Apr. 2015*, MIRANDA LAW FIRM, http://www.mirandalawfirm.com/uploadedfiles/20150706_6cfa53.pdf (last visited Nov. 15, 2015).

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2. *Term Limits Referendum*

More than ninety-two percent of an arguably-low voter turnout in Congo-Brazzaville's October referendum supported constitutional changes to allow President Denis Sassou-Nguesso to extend his decades-long rule.⁸⁰ Sassou-Nguesso first came to power in 1979 and ruled until 1992, when he lost his election. He returned as president after a brief civil war in 1997 and since has won two elections.⁸¹

F. EQUATORIAL GUINEA

1. *Death Penalty Moratorium*

In February 2015, two weeks after executing up to nine people, the "Obiang government announced a temporary moratorium on the death penalty."⁸² The Community of Portuguese-Speaking Countries had admitted "Equatorial Guinea on that basis, believing it was a first step toward eliminating the penalty."⁸³ In July, however, "President Obiang stated in an interview that he continued to support the death penalty."⁸⁴

G. GABON

1. *CEMAC Treaty Ratified*

Gabon ratified the revised Central African Economic and Monetary Community (CEMAC) treaty through Law 18/2014 of January 30.⁸⁵ CEMAC is a regional economic community established to promote cooperation and exchange among its members.⁸⁶

2. *Mining Code Gives State 10-25%*

Gabon enacted a new mining code on January 30 that entitles the state to a ten percent interest in the share capital of companies in production phase, with an option to increase to twenty-five percent.⁸⁷ New rules also have been introduced with respect to mining companies and subcontractors that require subcontractors operating in Gabon to incorporate local companies.⁸⁸

80. *Congo Backs Sassou Nguesso Third-term Bid by Landslide*, BBC NEWS (Oct. 27, 2015), <http://www.bbc.co.uk/news/world-africa-34646310>.

81. *Id.*

82. Human Rights Watch, *World Report 2015—Equatorial Guinea*, REF WORLD.ORG (Jan. 29, 2015), available at <http://www.refworld.org/docid/54cf83ac2d4.html>

83. *Id.*

84. *Id.*

85. *Legal News Gabon Mar. 2015*, MIRANDA LAW FIRM, http://www.mirandalawfirm.com/uploadedfiles/20150412_24cbde.pdf (last visited Oct. 29, 2015).

86. *Central African Economic and Monetary Community*, INTERNATIONAL DEMOCRACY WATCH, <http://www.internationaldemocracywatch.org/index.php/central-african-economic-and-monetary-community> (last visited Nov. 15, 2015).

87. *Legal News Gabon Sept. 2015*, MIRANDA LAW FIRM, http://www.mirandalawfirm.com/uploadedfiles/20151028_868d2d.pdf (last visited Nov. 15, 2015).

88. *Id.*

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IV. East Africa

A. BURUNDI

1. *Unconstitutional Re-election*

In 2015 the Burundian Constitutional Court upheld President Pierre Nkurunziza's bid to run for a third term, amid unrest that argued the bid was unconstitutional as it violated the two-term limit.⁸⁹ Nkurunziza reasoned that his first five-year term in office did not count as it was the result of a 2005 parliamentary vote.⁹⁰ Protests and violence have increased since his re-election in July.⁹¹

B. DJIBOUTI

1. *Horn of Africa Pipeline*

In September, Djibouti and Ethiopia signed framework agreements for the construction of a 550-kilometer pipeline to import fuel from Djibouti to central Ethiopia.⁹² Valued at US\$1.55 billion, project developers include Blackstone Group-backed Black Rhino Group. The project is scheduled to be completed by 2018.

2. *U.S.-Djibouti Binational Forum*

Following a May 2014 meeting between U.S. President Obama and Djibouti President Guelleh, the two countries launched the U.S.-Djibouti Binational Forum in Washington D.C. in February 2015.⁹³ The countries are committed to implementing legislation—"Djibouti First"—giving preference to Djiboutian companies for goods and services contracts at Camp Lemonnier. Camp Lemonnier, located in Djibouti, is the only permanent U.S. military base in Africa. A second binational forum will be hosted in Djibouti in 2016.

3. *U.S. Military Cooperation*

In June, representatives from the Djibouti Armed Forces and the Kentucky National Guard met and ratified a state partnership agreement aimed at expanding defense and

89. *Burundi Court Backs President's Candidacy amid Unrest*, AL-JAZEERA (May 6, 2015), <http://www.aljazeera.com/news/2015/05/burundi-court-validates-president-term-bid-150505095216200.html>.

90. *Burundi Court Backs President Nkurunziza on Third-Term*, BBC NEWS (May 5, 2015), <http://www.bbc.com/news/world-africa-32588658>.

91. Marc Santora, *In Burundi, President Pierre Nkurunziza's Push for Power is Marked by Bloodshed*, NY TIMES (July 20, 2015), http://www.nytimes.com/2015/07/21/world/africa/burundi-president-pierre-nkurunziza-push-for-power-is-marked-by-bloodshed.html?_r=0.

92. Paul Burkhardt, *Ethiopia, Djibouti Agree on Blackstone-Backed Fuel Pipeline*, BLOOMBERG BUSINESS (Sept. 30, 2015), <http://www.bloomberg.com/news/articles/2015-09-30/ethiopia-djibouti-agree-on-blackstone-backed-fuel-pipeline>.

93. Press Release, U.S. Dep't of State, *US and Djibouti Launch Binational Forum of Cooperation* (Mar. 2, 2015), <http://www.state.gov/r/pa/prs/ps/2015/03/238107.htm>.

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security cooperation.⁹⁴ Under the agreement, Kentucky will fund joint military engagements such as training. The agreement also provides for civilian partnerships with Kentucky's state agencies, universities, and civic organizations.

C. ERITREA

1. *New Civil and Criminal Codes Adopted*

Eritrea adopted new civil, civil procedure, penal, and criminal procedure codes in May to replace transitional codes that have operated since 1991. The Minister of Justice stated that the new codes would guarantee a stable justice system and indicated that a commercial code is also being finalized.⁹⁵

2. *U.N. Human Rights Report*

In 2015, the U.N. Commission on Human Rights reported that the Eritrean government was responsible for widespread human rights violations that may constitute crimes against humanity.⁹⁶

D. ETHIOPIA

1. *Ruling Party Wins Elections*

In May, the ruling Ethiopian People's Revolutionary Democratic Front, in power for nearly twenty-five years, won a landslide victory in parliamentary elections. Prime Minister and party leader Hailemariam Desalegn dismissed claims of abuse, with the electoral board reporting turnout that exceeded ninety percent.⁹⁷

E. Kenya

1. *Tax Exemption Lifted*

Kenya Gazette Supplement No. 67 lifted withholding tax requirements on foreign lenders investing in energy, water, roads, railways, or aerodrome projects.⁹⁸ The fifteen percent withholding on interest had put foreign lenders at a disadvantage vis-à-vis banks

94. Staff Sgt. Nathan Maysonet, Djibouti, Kentucky National Guard Sign Partnership Agreement, U.S. Air Force (June 5, 2015), <http://www.af.mil/News/ArticleDisplay/tabid/223/Article/590703/djibouti-kentucky-national-guard-sign-partnership-agreement.aspx>.

95. Shabait, *Government of Eritrea Puts into Effect New Civil and Penal Codes*, TESFA NEWS (May 11, 2015), <http://www.tesfanews.net/government-of-eritrea-puts-into-effect-new-civil-and-penal-codes>.

96. U.N. Office of the High Comm'r for Human Rights (UNHCHR), Report of the Commission of Inquiry on Human Rights in Eritrea, U.N. Doc. A/HRC/29/42 (June 5, 2015), *available at* <http://www.ohchr.org/EN/HRBodies/HRC/CoIEritrea/Pages/ReportCoIEritrea.aspx>; Press Release, U.N. Office of the High Comm'r for Human Rights (UNHCHR), UN Inquiry Reports Gross Human Rights Violations in Eritrea (June 8, 2015), <http://www.ohchr.org/en/newsevents/pages/displaynews.aspx?newsid=16-54&langid=E>.

97. Simona Foltyn, *Ethiopia's Ruling Party Sweeps Elections*, AL-JAZEERA (May 27, 2015, 21:21 GMT), <http://www.aljazeera.com/news/2015/05/ethiopia-ruling-party-eprdf-sweeps-elections-150527133916799.html>.

98. See Bowman Gilfillan, *Interest on Project Finance Loans from Foreign Lenders Now Exempt from Tax*, POLITY (June 5, 2015), <http://polity.org.za/article/interest-on-project-finance-loans-from-foreign-lenders-now-exempt-from-tax-2015-06-05>.

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or financial institutions residing or with branches in Kenya that are tax-exempt on interest.⁹⁹

2. *Mining*

The Mining Bill of 2014, expected to become law in 2015, entitles the state to a free ten percent interest in mining projects.¹⁰⁰ Additionally, mining companies with capital expenditure projects will be required to offer at least twenty percent of their shares to the public on a local stock exchange. The new law will allow companies to hold prospecting licenses and mining leases without use of an agent and, to increase transparency, it will require publication of project information online including mineral agreements, revenues paid to the government, and production volumes.¹⁰¹

F. RWANDA

1. *Presidential Term Limit Referendum*

In October, Rwanda's Supreme Court ruled in favor of allowing a referendum that could change the country's constitutionally-set term limits and allow President Paul Kagame to run for a third seven-year term.¹⁰² The constitutional changes would have to pass a referendum, although Kagame's control of the process makes it unlikely that they would fail.¹⁰³

G. SEYCHELLES

1. *Female Chief Justice*

In August, Judge Mathilda Twomey became the first woman Chief Justice of the Seychelles Supreme Court.¹⁰⁴ Before her appointment, Twomey was the first Seychellois woman to be appointed as a judge. She is the third Seychellois national to serve as Chief Justice of the Supreme Court.

99. *Id.*

100. *Kenya's Senate Passes Mining Law*, REUTERS (July 29, 2015, 6:45 PM), <http://af.reuters.com/article/kenyaNews/idAFL5N1095TZ20150729>.

101. *Id.*

102. Clément Uwiringiyimana, *Rwanda's Top Court Clears Way for Kagame Third Term*, REUTERS (Oct. 8, 2015, 7:09 AM), <http://www.reuters.com/article/2015/10/08/us-rwanda-president-idUSKCN0S21AI20151008#MXFWjqovGTXXZL6h>.

103. *Id.*

104. Sharon Uranie, *First Woman Chief Justice Appointed in Seychelles*, SEYCHELLES NEWS (Aug. 7, 2015), <http://www.seychellesnewsagency.com/articles/3484/First+woman+Chief+Justice+appointed+in+Seychelles>.

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H. SOMALIA

1. *ICJ Appointment*

In February, Somali judge Abdulqawi Ahmed Yusuf was elected vice-president of the International Court of Justice (ICJ) and will serve a three-year term.¹⁰⁵

2. *Further Restrictions to Press Freedom*

The Somali parliament deliberated a draft news media bill that passed the Council of Ministers in 2014.¹⁰⁶ The bill punishes media reports about government corruption and officials' lack of capacity to govern, and mandates the disclosure of confidential sources to the Ministry of Information.¹⁰⁷

I. SOUTH SUDAN

1. *UNMISS Extended*

In October, the U.N. Security Council announced that it was extending the U.N. Mission in the Republic of South Sudan (UNMISS) to December 15, 2015.¹⁰⁸ The mission's aim is to foster peace and security in this conflict-ridden area.¹⁰⁹

J. SUDAN (REPUBLIC)

1. *Al-Bashir Avoids Arrest*

Sudanese President Omar al-Bashir departed a South African summit in June despite an order barring him from leaving.¹¹⁰ In August al-Bashir continued to flout the ICC's six-year arrest warrant with plans to visit China.¹¹¹

105. Press Release (Unofficial), Int'l Court of Justice (I.C.J.), Judge Ronny Abraham (France) elected President of the International Court of Justice, Judge Abdulqawi Ahmed Yusuf (Somalia) elected Vice-President, I.C.J. Doc. No. 2015/5 (Feb. 6, 2015), available at <http://www.icj-cij.org/presscom/files/4/18464.pdf>.

106. *Somali Parliament Set to Vote on Media Law*, RADIO DANAN (DBN) (June 17, 2015), <http://radiodanan.net/?p=36932>

107. *NUSOJ meets Parliamentarians on Media Law Reform*, DOX AFRICA (July 10, 2015, 11:13 AM), <http://www.doxafrica.org/press-release-nusoj-meets-parliamentarians-on-media-law-reform>.

108. Bradley McAllister, Paper Chase, *UN Security Council Extends Mission in South Sudan*, JURIST (Oct. 10, 2015, 6:46 PM), <http://jurist.org/paperchase/2015/10/un-security-council-extends-mission-in-south-sudan.php>.

109. *Id.*

110. *Wanted Sudan Leader Bashir avoids South Africa Arrest*, BBC News (June 15, 2015), <http://www.bbc.co.uk/news/world-africa-33135562>.

111. Khaled Abdelaziz, *Sudan's Bashir to Visit China despite International Arrest Warrant*, REUTERS (Aug. 30, 2015, 10:34 AM), <http://www.reuters.com/article/2015/08/30/us-sudan-bashir-china-idUSKCN0QZ0P220150830#M97zWz0IT35pFrz6.97>.

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K. TANZANIA

1. *Burundian Refugees*

Following pre-election violence in Burundi, Tanzania has received over one hundred thousand Burundian refugees since May 2015,¹¹² its first large-scale influx since the 1990s.¹¹³ The U.N. High Commission for Refugees reopened three former refugee camps (Nduta, Mtendeli, and Karago) to ease congestion in the Nyarugusu Refugee Camp.¹¹⁴

2. *Presidential Elections*

Presidential and parliamentary elections took place in Tanzania on October 25 in what was described as the “tightest race in Tanzania’s post-independence history.”¹¹⁵ Incumbent party Chama Cha Mapunduzi (CCM) extended its fifty-four-year control of the presidency with its anti-corruption candidate John Magufuli winning the election.¹¹⁶

L. UGANDA

1. *Bride Price Refund Ruled Unconstitutional*

In August, the Ugandan Supreme Court ruled unconstitutional the refund of “bride price” upon a failed marriage, holding that it violated the country’s Convention and compromised women’s dignity. The court declined, however, to declare demanding a bride price unconstitutional.¹¹⁷

V. Southern Africa

A. ANGOLA

1. *‘Special Contributions’*

Pursuant to Law 3/15 of April 9, the National Assembly approved the Revised 2015 State Budget, introducing “special contributions” on foreign exchange transactions

112. U.N. High Comm’n for Refugees (UNHCR), *More than 50,000 Flee Burundi to Escape Spiraling Violence* (May 11, 2015), <http://www.unhcr.org/554c83d46.html>.

113. Leah Berry, UNHCR Policy Development and Evaluation Service, *New Issues in Refugee Research—The Impact of Environmental Degradation on Refugee-Host Relations: A Case Study from Tanzania*, Research Paper No. 151, at 4 (Jan. 2008), <http://www.unhcr.org/47a315c72.pdf>.

114. Press Release, U.N. High Comm’n for Refugees (UNHCR), Tanzania opens new camps for Burundian refugees to ease conditions in Nyarugusu Camp (Oct. 7, 2015), <http://www.unhcr.org/56153da96.html>.

115. Reuters, *Opposition Cries Foul as Tanzania Ruling Party Appears to Win Election*, NEWSWEEK (Oct. 25, 2015, 9:55 AM), <http://www.newsweek.com/opposition-cries-foul-tanzania-ruling-party-looks-win-election-387098>.

116. *Tanzania poll: John Magufuli of CCM defeats Edward Lowassa*, BBC NEWS (Oct. 29, 2015), <http://www.bbc.com/news/world-africa-34669468>.

117. Anthony Wesaka, *Supreme Court declares refund of bride price unconstitutional*, DAILY MONITOR (Aug. 6, 2015, 14:14), <http://www.monitor.co.ug/News/National/Supreme-Court-declares-refund-of-bride-price-unconstitutional/-/688334/2822316/-/11ww9o/-/index.html>.

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qualifying as “invisible items of trade.” The ten percent contribution is levied on payments due to non-residents under foreign technical assistance and management contracts.¹¹⁸

B. COMOROS

1. New York Convention Accession

Comoros acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention) in 2015, becoming the 155th State Party.¹¹⁹ The Convention entered into force for Comoros on July 27, 2015.¹²⁰

C. BOTSWANA

1. High Court Judges Suspended

On August 27, President Ian Khama suspended four Botswana High Court judges for inquiring about the Chief Justice’s fitness for office regarding allegations of fraud over housing allowances and the Chief Justice’s opposition to continuing legal education for Botswanan judges.¹²¹ Subsequently, the Botswana Federation of Public Sector Unions called for the Chief Justice’s resignation.¹²²

D. LESOTHO

1. SADC Convened after Killing

Lesotho’s security situation destabilized after the June 25 killing of former army chief Maaparankoe Mahao, who was purportedly shot “during an attempt to arrest him for alleged mutiny.”¹²³ A ten-member Southern African Development Community (SADC) inquiry commission was deployed to Lesotho in September and concluded its work in November.¹²⁴

118. *Legal News Angola* Apr. 2015, MIRANDA LAW FIRM, http://www.mirandalawfirm.com/uploadedfiles/20150706_38a5ad.pdf (last visited Nov. 27, 2015).

119. Press Release, U.N. Information Service (UNIS Vienna), The Comoros accedes to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, Doc. No. UNIS/L/215 (Apr. 30, 2015), <http://www.unis.unvienna.org/unis/en/pressrels/2015/unisl215.html>.

120. *Id.*

121. Innocent Selatlhwa, *Khama Muzzles the Judiciary*, BOTSWANA GAZETTE (Sept. 3, 2015), <http://www.gazettebw.com/?p=12541>.

122. Alfred Masokola, *BOFEPUSU calls for Chief Justice’s resignation*, WEEKEND POST (Sept. 7, 2015), <http://www.weekendpost.co.bw/wp-news-details.php?nid=1550>.

123. Dimpho Motsamai & Tsoeu Petlane, *Lesotho: SADC Report on Lesotho—Cause for Hope, or More of the Same?*, ALLAFRICA (Nov. 20, 2015), <http://allafrica.com/stories/201511201647.html>.

124. *Id.*

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E. MADAGASCAR

1. *New Petroleum Law Underway*

Madagascar plans to license three on-shore and up to fifty off-shore exploration blocks in 2016 once its new petroleum law is passed.¹²⁵ President Rajaonarimampianina, who took office in January 2015, has pledged to woo foreign investors and alleviate poverty that deepened after the 2009 coup.¹²⁶

F. MALAWI

1. *Human Rights Commission*

In August, Malawi president Peter Mutharika appointed seven commissioners to the Malawi Human Rights Commission, each of whom will serve a three-year term that will conclude in August 2018.¹²⁷

2. *Insolvency Bill*

Ranked 166 out of 189 countries in the World Bank's 2015 Doing Business Index, Malawi introduced the Insolvency Bill of 2014 to consolidate individual and corporate insolvency laws.¹²⁸ The law is expected to reduce the cost and increase the ease of doing business in Malawi.¹²⁹

G. MAURITIUS

1. *Budget Aims to Boost Growth*

Mauritius' Banking Act was amended to exempt foreign banks that lend to global businesses from the requirement of having a moneylender license, and a special Financial Sector Incentive Scheme was established to encourage asset and fund managers to relocate operations to Mauritius.¹³⁰

125. George Obulutsa, *Madagascar Plans Licensing Round in 2015 Once New Petroleum Law Passed*, REUTERS (Oct. 17, 2015), <http://www.reuters.com/article/2014/10/17/madagascar-exploration-idUSL6N0SC1DN20141017#D1roQSHB3zO7ziuY.97>.

126. *Id.*

127. *Notice of Appointment of the 6th Cohort of Commissioners of the Malawi Human Rights Commission*, MALAWI HUMAN RIGHTS COMM'N (Aug. 17, 2015), <http://www.hrcmalawi.org/commissionerspressrelease.pdf>.

128. Ephraim Nyondo, *Of the Insolvency Bill*, NATION (September 30, 2015), at <http://mw.nation.com/of-the-insolvency-bill-2014> (visited Nov. 20, 2015).

129. *Id.*

130. Nigaar Abubaker-Esmael & Mushtaq Namdarkhan, *Mauritius: Budget 2015-2016*, INT'L FIN. L. REV. (Apr. 23, 2015), <http://www.iflr.com/Article/3447526/Mauritius-Budget-2015-2016.html>.

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H. MOZAMBIQUE

1. *Bank Branches*

On February 18, 2015, the Bank of Mozambique approved rules for the opening of new bank branches that would ensure a balanced geographic distribution among provinces.¹³¹ On March 13 the Bank set out terms governing connection to the Single, Common, and Shared Network for National Payments.¹³²

L. NAMIBIA

1. *Independence Celebrations*

On March 21 Namibia celebrated twenty-five years of independence, crediting outgoing president Hifikepunye Pohamba, a 2015 recipient of the Mo Ibrahim Award for excellence in African leadership, with “an impeccable record of democratic governance, peace, and stability.”¹³³

J. SOUTH AFRICA

1. *Turquand* Rule Upheld

In *One Stop Financial Services* the High Court confirmed the common law *Turquand* rule, which stated when authority has been provided for an individual purporting to bind a company, the contracting party may assume compliance with internal requirements authorizing its representative.¹³⁴

K. SWAZILAND

1. *AGOA-Ineligible*

The U.S. Government excluded Swaziland from its African Growth and Opportunity Act (AGOA) after determining the country was not adequately protecting internationally-recognized worker rights.¹³⁵ It cited the country’s use of security forces, arbitrary arrest to stifle peaceful demonstration, and lack of legal recognition for labor and employer federations.¹³⁶

131. *Legal News Mozambique Feb. through Apr. 2015*, MIRANDA LAW FIRM, http://www.mirandalawfirm.com/uploadedfiles/20150706_115124.pdf (last visited Oct. 28, 2015).

132. *Id.*

133. *Namibia: Budget Statement 2015*, TRALAC (Mar. 31, 2015), <http://www.tralac.org/news/article/7218-namibia-budget-statement-2015.html> (quoting Namibia’s Minister of Finance, Calle Schlettwein).

134. Ineke Brink, Bowman Gilfillan African Group, *Clarification of the Turquand Rule when Contracting with an Individual Director*, POLITY (Aug. 4, 2015), <http://polity.org.za/article/clarification-of-the-turquand-rule-when-contracting-with-an-individual-director-2015-08-04>.

135. *Swaziland Loses AGOA Benefits from January 1, 2015*, TRALAC (July 2, 2014), <http://www.tralac.org/news/article/5830-swaziland-loses-agoa-benefits-from-january-1-2015.html>.

136. *Id.*

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L. ZAMBIA

1. *National Pension Scheme*

The National Pension Scheme Act No. 14 (2015) became effective August 14 enabling Zambians to retire at the age of sixty.¹³⁷ The revised law increases the maximum age requirement for pensionable employment to sixty-five years old and lowers the minimum age to qualify to fifty-five years old.¹³⁸

2. *Industrial Development Corporation*

The Zambian Government created the Industrial Development Corporation (IDC) in 2014 to promote the country's economic growth and diversification. In September 2015, the IDC announced plans to issue US\$500 million of private bonds in the international markets.¹³⁹

M. ZIMBABWE

1. *Presidential 'Insult Law' Struck*

In January, Zimbabwe's Constitutional Court quashed an "insult case" brought by the State against activist Gilbert Kagodora whom prosecutors accused of undermining the authority of or insulting President Robert Mugabe in contravention of the criminal law.¹⁴⁰

VI. African Institutions

A. AFRICAN ECONOMIC COMMUNITY

1. *Free Trade Area*

The Southern African Development Community (SADC), East African Community (EAC), and Common Market for Eastern and Southern Africa (COMESA) signed a free trade agreement in 2015 bringing the three communities closer to a continent-wide African Economic Community.¹⁴¹

137. See National Pension Scheme Act, Cap. 256 (2015) (Zam.), available at <http://www.zambialaws.com/Principal-Legislation/chapter-256national-pension-scheme-act.html> (last visited Nov. 21, 2015).

138. *Id.*

139. *Zambia Industrial Development Corporation to Issue USD500 Million Bonds*, ZAMBIA-INVEST (Sept. 24, 2015), <http://www.zambia-invest.com/finance/industrial-development-corporation-idc-to-issue-usd-500-million-bonds>.

140. *Presidential insult law struck down*, ZIMBABWE SITUATION (Jan. 28, 2015), <http://www.zimbabwesituation.com/news/zimsit-m-presidential-insult-law-struck-down>.

141. Communiqué of the Third COMESA-EAC-SADC Tripartite Summit (June 10, 2015), http://www.comesa.int/attachments/article/1560/150616_FINAL%20COMMUNIQUE-of%20the%20Tripartite%20Summit.pdf.

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B. AFRICAN UNION

1. *Mugabe Appointed AU President*

Zimbabwe President Robert Mugabe was appointed Chairman of the African Union for a one-year term in January. The largely-ceremonial chairmanship rotates between Africa's five regions.¹⁴²

C. ECONOMIC COMMUNITY OF WEST AFRICAN STATES

1. *Common External Tariff*

Initiated with a 2006 decision to foster growth through a common tax administration, the ECOWAS Common External Tariff came into effect January 1.¹⁴³ The tariff aims at regional customs regulations uniformity to, *inter alia*, curb the dumping of inferior goods in the region.¹⁴⁴

D. EAST AFRICAN COMMUNITY

1. *US/EAC US\$64 Million Trade Hub*

A new five-year, US\$64 million Trade and Investment Hub in East Africa focuses on increasing exports under AGOA to the United States and other countries, expanding and diversifying regional agricultural trade, and facilitating investment and access to technology.¹⁴⁵ U.S. exports to the EAC totaled US\$2 billion in 2014, while imports totaled US\$743 million.¹⁴⁶

E. AFRICAN DEVELOPMENT BANK

1. *Female Board Membership*

In June, the African Development Bank (AfDB) commissioned the first study of female board membership in Africa.¹⁴⁷ The report recommended baseline research on female board membership, public reporting on competition and board diversity, and mandating female board membership, starting with state-owned companies.¹⁴⁸

142. Marian E. Ansah, *Mugabe is New AU Chairman*, CITIFMONLINE (Jan. 30, 2015, 1:51 PM), <http://citifmonline.com/2015/01/30/mugabe-is-new-au-chairman>.

143. Editorial, *The ECOWAS Common External Tariff*, SUN NEWS (Dec. 26, 2014), <http://sunnewsonline.com/new/the-ecowas-common-external-tariff>.

144. *Id.*

145. Office of the U.S. Trade Rep., Exec. Office of the President, *Fact Sheet: The United States–East African Community Cooperation Agreement* (Feb. 2015), <https://ustr.gov/about-us/policy-offices/press-office/fact-sheets/2015/february/fact-sheet-united-states-%E2%80%93-east>.

146. *Id.*

147. *African Development Bank unveils first-ever study of female board membership in Africa*, AFRICAN DEV. BANK GROUP (Mar. 6, 2015), <http://www.afdb.org/en/news-and-events/article/african-development-bank-unveils-first-ever-study-of-female-board-membership-in-africa-14373/>.

148. *Id.*

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F. AFRICAN EXPORT-IMPORT BANK

1. *Corporate Governance*

Afreximbank hosted its second Annual Customer Due Diligence and Corporate Governance Forum in October to address corporate governance issues facing African financial institutions.¹⁴⁹ Bank president Dr. Benedict Oramah cited a lack of confidence in African institutions as reasons why investors have shied away from investing in the continent.¹⁵⁰

G. U.N. ECONOMIC COMMISSION FOR AFRICA

1. *Third Financing for Development Conference*

The ECA and the AU held a regional consultation in Addis Ababa, Ethiopia, ahead of the Third International Conference on Financing for Development, which was held in July. The conference was designed to look at sources of finance for sustainable development to ensure resources are directed where they are most needed.¹⁵¹

H. SOUTHERN AFRICAN DEVELOPMENT COMMUNITY

1. *Energy*

An October report indicated that the regional trade bloc will invest up to US\$233 billion by 2027 to improve electricity generation through renewable-energy projects.¹⁵²

I. COMMON MARKET FOR EASTERN AND SOUTHERN AFRICA

1. *Competition Law Changes*

COMESA's competition rules were amended in March to reduce its US\$500,000 filing fee cap and introduce a threshold before a merger becomes notifiable to the Commission.¹⁵³

149. *Afreximbank Forum to tackle corporate governance and due diligence challenges*, AFRICAN EXPORT-IMPORT BANK, (Oct. 8, 2015), <http://afreximbank.com/afreximbank-forum-to-tackle-corporate-governance-and-due-diligence-challenges>.

150. *Id.*

151. *Third International Conference on Financing for Development to Mobilize and Channel Resources for Sustainable Development*, ALLAFRICA (June 23, 2015), <http://allafrica.com/stories/201506231167.html>.

152. Wendell Roelf, Southern Africa Power Generation Investment Up to \$233bln by 2027, REUTERS (Oct. 5, 2015, 10:04 AM), <http://af.reuters.com/article/investingNews/idAFKCN0RZ0VK20151005?sp=true>.

153. *COMESA Competition Commission Published the COMESA Merger Assessment Guidelines, 2014 Today*, BOWMAN GILFILLAN (AFRICA GROUP) (Nov. 3, 2015), <http://www.bowman.co.za/Competition/Competition-and-Trade-Newsletters.asp>.

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J. ECONOMIC COMMUNITY OF CENTRAL AFRICAN STATES

1. *Boko Haram Fund*

An extraordinary session of the Conference of Heads of State and Government of the Council for Peace and Security in Central Africa resolved to establish a fund to combat Boko Haram.¹⁵⁴ Participants agreed to support Cameroon and Chad with emergency aid of FCFA 50 billion (US\$81 million) in troops and other assistance.¹⁵⁵

K. UNION DU MAGHREB ARABE

1. *Regional MOU*

On June 5, 2015, UMA signed a regional technical cooperation MOU with the Food and Agriculture Organization aimed at promoting youth employment in the agricultural sector in Maghreb countries.¹⁵⁶ The MOU follows a conference held in Morocco in April 2015.

L. ORGANIZATION FOR THE HARMONIZATION OF BUSINESS LAW IN AFRICA

1. *Insolvency Act*

OHADA adopted a revised Uniform Insolvency Act during its fortieth Council of Ministers' meeting in September. The Act, thought to improve SME access to finance in seventeen countries, received World Bank and IFC technical assistance.¹⁵⁷

M. U.N. MECHANISM FOR INTERNATIONAL CRIMINAL TRIBUNALS

1. *U.N./Netherlands Agreement*

On February 23, 2015, the United Nations and the Netherlands signed an agreement relating to the U.N. Mechanism for International Criminal Tribunals (UNMICT), the residual mechanism for carrying out a number of essential functions of the U.N. International Criminal Tribunal for the former Yugoslavia (UNICTY) and the U.N. International Criminal Tribunal for Rwanda (UNICTR) after completion of their

154. Godlove Bainkong, *Central Africa: Boko Haram—ECCAS Creates Special Fund*, ALLAFRICA (Feb. 16, 2015), <http://allafrica.com/stories/201502170981.html>.

155. *Id.*

156. Press Release, *Signature d'un programme de Coopération Technique entre la FAO et l'UMA sur la promotion de l'emploi des jeunes en milieu rural [Technical Cooperation Program Signed between the FAO and the UMA Promoting Rural Youth Employment]*, UNION DU MAGHREB ARABE [ARAB MAGHREB UNION] (June 5, 2015), <http://www.maghrebarabe.org/fr/communiqués.cfm?id=146>.

157. *New Uniform Insolvency Act Can Help African SMEs Improve Access to Finance in 17 Countries*, THE WORLD BANK (Sept. 16, 2015), <http://www.worldbank.org/en/news/feature/2015/09/16/new-unified-insolvency-act-can-help-african-smes-improve-access-to-finance>.

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mandates.¹⁵⁸ The transfer of all UNICTY closed cases to UNMICT was completed July 1, 2015,¹⁵⁹ with the transfer of all UNICTR records expected by the end of 2015.¹⁶⁰

158. U.N. Mechanism for Int'l Criminal Tribunals, About the UNMICT, <http://www.unmict.org/en/about> (last visited Jan. 13, 2016).

159. Press Release, U.N. Mechanism for Int'l Criminal Tribunals, Transfer of all closed cases' records from the ICTY to the MICT is finalised, (July 1, 2015), *available at* <http://www.unmict.org/en/news/transfer-all-closed-cases%E2%80%99records-icty-mict-finalised>.

160. Press Release, U.N. Mechanism for Int'l Criminal Tribunals, One kilometre of ICTR records transferred to the Mechanism's Archives and Records Section (Feb. 26, 2015), *available at* <http://www.unmict.org/en/news/one-kilometre-ictr-records-transferred-mechanism%E2%80%99s-archives-and-records-section>.

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