



TRENTO

6 - 7 DICEMBRE 2013

Young Scholars Workshop on International Law | XI Edition

AFRICA 2013

WAS THERE SOMETHING MISSED IN THE DECOLONIZATION PROCESS? THE INTERNATIONAL LAW PERSPECTIVE



Trento | Faculty of Law | Via Rosmini 27 - Room 2

Friday, December 6

9.00-9.15 *Welcome and Preliminary Remarks:*
Giuseppe Nesi, (Dean of Faculty of Law, University of Trento)
Presentation of the Initiative:
Marco Pertile and Julinda Beqiraj (University of Trento)

9.15-9.45 *Keynote Speech:* **H.E. Judge Abdulqawi Ahmed Yusuf**
(International Court of Justice)

9.45-11.00 SESSION I **ON SOME HISTORICAL AND LEGAL PERSPECTIVES ON DECOLONIZATION**

Chair: **Julinda Beqiraj** (University of Trento)
Guest Speaker: **Paul Nugent** (University of Edinburgh)
African Independence: Poisoned Chalice or Cup of Plenty?
• **Christopher Gevers** (University of KwaZulu-Natal) - *African States and the Decolonization of International Law*
• **Hasan Adil Khan** (Graduate Institute, Geneva) - *'Third World' International Legal Scholars and the Struggles against 'Colonial Hierarchy'*
Discussant: **Sara Lorenzini** (University of Trento)

BREAK

11.30-13.10 SESSION II **TOWARDS THE DECOLONIZATION OF HUMAN RIGHTS PROTECTION IN AFRICA?**

Chair: **Francesco Messineo** (University of Kent)
• **Martial Jeugue Doungue** (Catholic University of Central Africa) - *The Specificity of the African System of Human Rights Protection and Promotion: Essay of Systematization of the African Commission of Human and Peoples' Rights Jurisprudence*
• **Anja Kiessling** (Universität der Bundeswehr) - *Institutional Responses to Human Rights Violations in Africa: Driven by Courage or Paranoia?*
• **Salvo Nicolosi** (University of Ghent) - *The African Union and the Regional System of Refugee Protection*
• **Federica Cittadino** (University of Trento) - *The Balance between Indigenous Rights and the Protection of Nature: Some Remnants of the Colonial Past*
Discussant: **Matthew Craven** (Dean of Faculty of Law and Social Sciences, SOAS, London)

LUNCH

14.10-15.40 SESSION III **THEORY AND PRACTICE OF THE USE OF FORCE IN AFRICA**

Chair: **Giuseppe Nesi** (University of Trento)
• **Mamadou Hébié** (Graduate Institute, Geneva) - *Was there Anything Missing in the Territorial Decolonization Process in Africa? The International Law Perspective*
• **Federica Musso** (University of Macerata) - *The Use of Force by Regional Integration Organizations in Africa. Observations on the Nature of the Force: International or Internal?*
• **Adolphe Kilomba Sumaili** (Vrije Universiteit Brussel) - *The Peacekeeping Mission as an Alternative to State Failure in the DRC: From ONUC to MONUSCO*
Discussant: **Enrico Milano** (University of Verona)

BREAK

16.00-17.45 SESSION IV **QUESTIONS ON ECONOMIC SELF-DETERMINATION IN AFRICA**

Chair: **Kofi Oteng Kufuor** (University of East London)
• **Henok Birhanu Asmelash** (Bocconi University, Milan) - *Regional Economic Integration in Africa: An Appraisal of the Latest Initiatives*
• **Jonas Attenhofer** (University of Bern) - *From Warfare to Welfare. A Regime for Resources in Disputed Territory*
• **Dai Tamada** (Kobe University) - *Compensation in Investor-State Arbitration: Has the "Appropriate" Compensation Disappeared?*
• **Odyseas Repousis** (University of Hong Kong) - *Investment Treaties as a Pattern of Dominance: Antagonistic Insights from Africa?* (written intervention)
• **Tomaso Ferrando** (Sciences-Po, Ecole de Droit) - *BITing Land Abroad: The Coloniality of the Post-Colonial Investment Regime*
Discussant: **Eric De Brabandere** (Leiden University)

Saturday, December 7

9.00-10.40 SESSION V **FAILURES AND ACHIEVEMENTS OF INTERNATIONAL CRIMINAL JUSTICE IN AFRICA**

Chair: **Mauro Politi** (University of Trento)
• **Daniel Mwachia Mburu** (Special Tribunal for Lebanon) - *ICC: The International Colonialist Court?*
• **Patryk I. Labuda** (Graduate Institute, Geneva) - *The International Criminal Court and Perceptions of Sovereignty and Neo Colonialism in Africa*
• **Claudia Morini** (University of Bari) - *The Pluralistic Approach to the Repression of Crimina Juris Gentium in Rwanda: Lessons Learned and Future Prospects*
• **Stavros-Evdokimos Pantazopoulos & Michail Risvas** (European University Institute; University of Oxford) - *Questions Relating to the Obligation to Prosecute or Extradite (Belgium v. Senegal): What Lessons for Africa?*
Discussant: **Lorenzo Gradoni** (University of Bologna)

BREAK

11.00-12.30 SESSION VI **AFRICA AND THE CIRCULATION OF LEGAL AND INSTITUTIONAL MODELS: CHAMPION OR RECIPIENT?**

Chair: **Francesca De Vittor** (University of Macerata)
• **Regis Y. Simo** (Bocconi University, Milan) - *New 'Law and Development' in Africa: Paving the Way for Regional Integration through Harmonisation of Laws*
• **Fernando Dias Simões** (University of Macau) - *Portuguese-speaking Africa and the Lusophone Legal System: All in the Family?*
• **Cindy Daase** (Indiana University) - *The Peace Agreement Challenge: Negotiating Peace and Making a New Constitution*
• **Liiri Oja & Andrew Russell** (Georgetown University) - *Constitutional Disobedience and the Failure of the International Decolonization Project*
Discussant: **Luisa Antonioli** (Director of SIS, University of Trento)

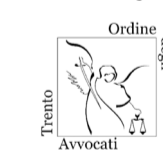
12.30-13.30 CONCLUDING REMARKS

Thanks to:

SIDI-Società Italiana di Diritto Internazionale



Ordine degli Avvocati di Trento



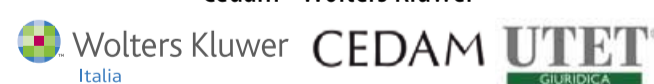
Cassa Rurale di Aldeno e Cadine



Ordine degli Avvocati di Bolzano



Cedam - Wolters Kluwer



Participation is free of charge, but advance registration - through the website www.unitn.it/giurisprudenza - is appreciated.
ECTS credits: n. 8 for the session on Friday December 6 and n. 4 for the session on Saturday December 7.

The Workshop will be held in English and will be streamed on-line at: www.jus.unitn.it/services/arc/2013/home.html

SCIENTIFIC COMMITTEE

Julinda Beqiraj
Marco Pertile
Faculty of Law, University of Trento

ORGANISING SECRETARIAT

Faculty of Law, University of Trento
Carla Boninsegna
phone: +39 0461 281866
Viviana Caldara
phone: +39 0461 281844
eventi.giurisprudenza@unitn.it