The Fourth AfIELN Biennial Conference – Addressing Africa's Voice in Global Economic Governance

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The AfIELN Biennial Conference takes place at a very important moment for Africa. Already in 2016, the African Union (AU) completed the Pan-African Investment Code (PAIC), at the time representing the first ever, and the only one until now, continent-wide codification of investment law. Shaped in the form of a model investment agreement, the PAIC was drafted from the perspective of developing countries and least-developed countries focusing on sustainable development goals. Besides the modernisation of African international investment law instruments, AU Member States signed the Agreement establishing the African Continental Free Trade Area (AfCFTA) on 21 March 2018 during the 10th Extraordinary Summit of the AU Assembly of Heads of State and Government. On that special occasion, close to 50 AU Members agreed to accelerate the continental integration process initiated in 1991 with

the signing of the Abuja Treaty Establishing the African Economic Community. Officially launched in Niamey, Niger, on 7 July 2019, the entering into force of the AfCFTA is a historic moment in the life of the continent, and is expected, upon operationalisation, to be the largest common market ever created since the advent of the modern multilateral trading system. These important achievements indubitably provide the background for the 4th Biennial conference.

Indeed, taking stock of these significant developments in African international economic law (IEL), the Conference Committee initiated a call for papers under the broad theme of “Africa’s Participation in International Economic Law in the 21st Century”. With the purpose to bring together scholars and scholarship that highlights original and innovative thinking in IEL as it pertains to the African continent, the idea was to follow up with the existing tradition that consists in engaging with new scholarship and research on the continent’s contributions to, and involvement with IEL. This task proved at the same time challenging and quite rewarding. The call attracted responses of high calibres as reflected by the quality and quantity of abstracts received, as well as the global representation of the submissions.

In effect, more than 130 abstracts and panel proposals were submitted on a wide range of subjects. These submissions emanated from all over the world, ranging from scholars in Asia, Europe, North America, Oceania and obviously Africa-based scholars. Another imperative was to feature an adequate balance of women and men presenters and panel chairs. Despite the progress and the Committee’s efforts to tackle this gender representativeness in IEL, notably as far as Africa is concerned, the reality is that the task so far is work in progress. The AfIELN Conference is contributing its part in bridging that divide.

Furthermore, the variety of the topics tackled by the authors invited to present their research at the conference is also a testimony of the multifarious problems facing African countries in global economic governance in the 21st century, including those reserved for the second phase of the AfCFTA negotiations such as investment, competition policy and intellectual property rights. In fact, apart from the pan African agenda reflected in the AfCFTA, the papers further engage with the African “external” trade policy issues and the

current challenges facing multilateral trading system and the role, if any, of Africa in addressing them. These “other” matters range from the post-2020 Cotonou Agreement negotiations taking into account Brexit and how the AfCFTA may influence them, the future of US-Africa trade regime against the backdrop of AGOA expiry, China and Africa relations beyond natural resources exploitation, and of course the now (in)famous crisis at the WTO and the looming trade war. Issues of gender mainstreaming and environmental protection and sustainable development concerns are equally at the heart of the conference programme.

While the papers do not purport to solve “all” the problems currently facing the multilateral trading system, the submissions clearly stimulate debates around critical issues of our time. And the participants are certainly looking forward to a fruitful discussion in that respect. While it is true that the African voice has, quite often than not, been marginalised in international economic law discourses, the conference promises to address that gap.

The Conference Committee has been very privileged to review all the submissions and hopes to keep up with the promise to nurture collaborations between the participants that would extend beyond the conference in a view of positioning African IEL scholarship at the centre of global economic governance.

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