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Resituating the African Court in African Ecologies of Justice: Opportunities and Challenges for International Law

The African Court Research Initiative (ACRI), a collaboration between Professors Charles C. Jalloh (FIU Law), M. Kamari Clarke (Carleton University), and Vincent O. Nmehielle, with funding from the Open Society Initiative for West Africa and support of the Pan African Lawyers Union, will be hosting a conference on the innovations and challenges of establishing the African Court of Justice and Human and Peoples' Rights. It will feature international criminal law scholars, scholars of politics, culture and public practice, judges and legal practitioners, and thought leaders representative of international and African civil society. The conference will open on Thursday July 28th at 9:00am and continue through 5:30 pm on Friday July 29th 2016 at Mount Meru Hotel in Arusha, Tanzania.

The purpose of the conference is to examine Africa's struggle to not only extend the criminal jurisdiction of the regional court but to integrate its three jurisdictions—criminal, human rights, and general—into one in order to produce a *One Court* judicial formation in Africa. The new African concept, which is the first permanent international criminal tribunal to be embedded in a pre-existing regional human rights court, has a number of exciting legal innovations in its founding treaty which hold significant ramifications for international law's development in Africa and around the world. These innovations are being analyzed within the context of larger ecologies of African justice which range from the court's relationship to the African Union's Peace and Security Architecture (APSA) mechanisms, to its African Governance Architecture (AGA), to Africa's commitments to peace and justice sequencing.

The controversies concerning the African Court's jurisdiction have emerged in the shadow of tensions between the African Union and the International Criminal Court (ICC). The issues have concerned whether the future tribunal is intended to undermine or replace the world's first and only permanent court. The African Court has also attracted attention due to the negative reactions from civil society concerning the inclusion of an immunity clause that would give temporary reprieve to sitting African presidents, their deputies and other senior government officials. How will the new court interact with national courts in African States? What legal and practical relationship, if any, will it have with the ICC in The Hague? Does the newly adopted legal framework of the African Court make it likely to play an effective role to fight against gross violations in Africa? Might the criminal chamber help advance the development of international criminal law for the international

community as a whole given its corporate criminal liability and other important innovations? How can pro human rights African States reconcile their pronouncements against impunity with their support for the immunity clause in the July 2014 treaty? These and other related questions will also be the subject of intense debate during the two-day conference with well-regarded African and international criminal law practitioners and academics from around the world.

Professor Jalloh, a renowned international criminal lawyer who practiced law in several international criminal tribunals before joining the faculty at FIU Law school shared this: "Like in March 2015, when we held the first international academic conference on the African Court at Florida International University, this second international symposium will make further inroads into untangling how the new regional court will interact with and complement other international justice mechanisms, like the International Criminal Court in The Hague."

Says Professor Clarke, a professor of Global and International Studies at Carleton University, "The great import of the approach that we will bring to our engagement with the Africa court – in particular – and the study of justice in Africa – in general – is to understand solutions to African problems within the particularities of Africa's unique challenges."

Professor Nmehielle, the Legal Counsel and Director of Legal Affairs in the African Union Commission, added that "Our engagement has the prospect of impacting future policy in Africa and beyond. The African Court Research Initiative has already set a high bar for future academic studies of the new AU court and its contributions to international law and justice."

The public is invited to attend for the keynote lecture on Thursday July 27th from 9:00 – 11:00 am and the closing plenary from 3-5:30 pm on Friday July 28th 2016. Advance registration is required, on a first come first served basis until all spaces are filled. Further information is available at: http://www.africancourtresearch.com

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