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ESTABLISHMENT OF AN INSTITUTE OF INTERNATIONAL LAW
(Item Proposed by the United Republic of Tanzania)

The ESTABLISHMENT OF AN AFRICAN INSTITUTE OF INTERNATIONAL LAW
(Item Proposed by the United Republic of Tanzania)

1. The United Republic of Tanzania is proposing the establishment of an African Institute of International law. The African Institute of International Law, as an Institution of higher learning, shall be dedicated to offer advanced training and research in International Law and in the law of the African Union to African graduate students in law, legal scholars, practitioners, judges, prosecutors, government legal advisors, and other government officials either directly or through a network of associated faculties of law in selected African universities.

2. In addition to offering advanced training courses, seminars, and post-graduate programmes at its own facilities, the Institute shall establish a network of associated faculties of law in selected African universities in which the teaching of international law and the law of the African Union will be gradually enhanced. The Institute will engage in capacity building of the associated faculties of law by enabling them to organize in turn training courses and by strengthening their research facilities and teaching capabilities in the field of international law.

3. The institute's main teaching, training and research activities, offered through its own facilities, will consist of specialized and focused training courses, post-graduate programmes and research programmes on various aspects of international law, such as the peaceful resolution of disputes, land and maritime delimitation, law of the sea, fisheries law, environmental law, international humanitarian law, human rights law, international criminal law, the law of the African Union, including the multilateral conventions concluded under its auspices, African economic integration schemes, private international law in African countries, trade law, investment law and intellectual property regimes in Africa. The Institute will also establish a fellowship programme for African and foreign scholars engaged in research on subjects of direct relevance to international law in Africa and to the legal dimensions of political and economic integration schemes among African countries.

4. The Institute, through its programmes, will create a wide pool of legal skills in the field of international law and the law of the African Union that will be readily available to African countries to enhance their capacity in international legal matters, both private and public, and to implement African Union legal instruments in their domestic legal systems so as to contribute to more stable and rule-based intergovernmental relations within the continent as well as with the outside world. Capacity building for the legal officers of foreign ministries of African States will be undertaken directly and through the associated law faculties to strengthen the ability of these ministries to play a more prominent role in international negotiations as well as in the subsequent follow up and implementation of international agreements arising from such negotiations. Training courses and post-graduate courses will also be offered on the institutional and legal framework of the African Union as well as on the multilateral legal instruments concluded among African countries or with the outside world.

5. Given the increasing role played by international law and the law of the African Union in the municipal legal systems of African States, the Institute shall also establish programmes for the training of members of the judiciary and law enforcement agencies in such areas as African Union law and African international legal instruments, human rights and humanitarian law. Sensitization and training programmes could also be organized for other State officials dealing with international legal matters.

6. In developing and implementing its educational, training and research programmes, the Institute shall cooperate and undertake joint projects and programmes with universities and other academic and research institutions active in the field of international law in various parts of the world.

7. The Institute will also promote scholarly publications and research papers on various issues of international law of particular relevance to Africa and on the law of the African Union, as well as on multilateral conventions concluded among African states. A wide dissemination of such publications in all the official languages of the African Union will indeed be instrumental in the advancement, and application of international legal rules and African normative instruments in African countries.

8. The United Republic of Tanzania's proposal to host the African Institute of International Law in Arusha, Tanzania, is based on the fact that a certain number of the international judicial bodies *i.e.* the African Court of Human and People's Rights, and in the near future the African Court of Justice and Human Rights, the East African Court of Justice, the International Criminal Tribunal for Rwanda and non-governmental legal institutions such as the Pan African Lawyers Union are located in Arusha. Therefore, the establishment of the Institute at close proximity to these institutions would be most appropriate.

9. As indicated in the Report of the Chairperson of the AU Commission (January 2011 to July 2011) to the Seventeenth Ordinary Session of the Assembly of the African Union held in Malabo, Equatorial Guinea, (30 June-1 July 2011), work towards the establishment of an African Institute of International Law was initiated by the African Foundation for International Law, on the proposal of one of its founders, Judge Abdulqawi A. Yusuf of the International Court of Justice. The Foundation is willing to cooperate with the Government of the United Republic of Tanzania and with the AU Commission to ensure the establishment of the Institute and the commencement of its operations.

10. The Establishment of the African Institute of International Law will not result in any financial obligation on the part of the African Union or its members. The Establishment and running of the Institute will be financed through donor funds and other finances raised from different activities.

11. The Government of the United Republic of Tanzania is proposing this item to get the support and blessing of the Assembly for the establishment of this important Institution which will benefit all countries in Africa as well as the African Union Commission.

2012

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