

**50 years of ICSID Arbitration and African States (1974-2024)  
G.O. Sodipo & Co Report**

**1.0 African States, Investment Treaty Arbitration and ICSID**

This study analyses the investment treaty arbitrations undertaken by or against African states at the International Centre for the Settlement of Investment Disputes (ICSID), in the last fifty years, from 1974 to 2024. ICSID offers dispute resolution by arbitration, conciliation and fact finding. Arbitration is often held out to be a preferred means of dispute resolution by foreign investors who may be wary of settling disputes in the national courts of host states. In recent times, African states appear to be developing a bias against investment treaty arbitration. The bias appears to stem from a variety of reasons. Critics say it may impair the sovereignty of states to penalize or counterclaim against investors who breach human rights, environmental obligations, or anti-corruption laws, as such, some states have revoked or issued revocation notices for Bilateral Investment Treaties (BITS).<sup>1</sup> It is believed that the increase in number of cases instituted against Latin American states and the Awards skewed against the states led to Venezuela, Bolivia and Ecuador withdrawing from ICSID.<sup>2</sup>

This study has three main parts. The first provides a background to ICSID, the involvement of African states to ICSID and investment treaty arbitration. The second part presents the results, the data and offers a very brief analysis of the data. The last part has a very short conclusion that identified the trends and points at the future.

ICSID is the most widely accepted multilateral treaty for the settlement of investment disputes.<sup>3</sup> ICSID was birthed by the International Bank for Reconstruction and Development (World Bank) in 1965 when most African states had not gained independence. 23 of the 35 newly independent African states demonstrated confidence in ICSID by signing the ICSID agreement between March

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<sup>1</sup> Prof. Mohamed S Abdel Wahab, "ICSID's Relevance for Africa: A Symbiotic Bond Beyond Time", *ICSID Review - Foreign Investment Law Journal*, Volume 34, Issue 2, Spring 2019, Pages 519 - 541, <https://doi.org/10.1093/icsidreview/siz022>; Mmiselo Freedom Qumba, "Assessing African Regional Investment Instruments and Investor-State Dispute Settlement", *International & Comparative Law Quarterly*, Volume 70(1) 2021, p. 197 - 232, [ASSESSING AFRICAN REGIONAL INVESTMENT INSTRUMENTS AND INVESTOR-STATE DISPUTE SETTLEMENT | International & Comparative Law Quarterly | Cambridge Core](#); Engela C. Schlemmer, "Investor Protection in South Africa - Eroded Bit by Bit?", *The BRICS in the New International Legal Order on Investment*, [Chapter 6 Investor Protection in South Africa - Eroded Bit by Bit? in: The BRICS in the New International Legal Order on Investment \(brill.com\)](#). Tuuli-Anna Huikuri, Constraints and incentives in the investment regime: How bargaining power shapes BIT reform, [Constraints and incentives in the investment regime: How bargaining power shapes BIT reform | The Review of International Organizations \(springer.com\)](#), ESG Concerns of Bilateral Investment Treaties (BITS) in Africa - The Lawyer Africa, [Polity - Africa and bilateral investment treaties: To 'BIT' or not?](#). For instance, South Africa has terminated some BITS and has issued notice to terminate others, even though it has offered investment protection in its local statute.

<sup>2</sup> [Venezuela's Withdrawal From ICSID: What it Does and Does Not Achieve - Investment Treaty News \(iisd.org\)](#)

<sup>3</sup> See for example, theart. \* & of the BIT between Nigeria and (\* and article (\* & of the BIT between Uganda and South Africa.

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18, 1965, when it became open for signatures, and October 14, 1966, when it came into force. ICSID offered hope of an increase in foreign direct investments in emerging states that provided guarantees of equitable treatment and protection of investment if the states submitted to a mechanism for arbitration of disputes based on the ICSID treaty.<sup>4</sup>

ICSID arbitration is a common feature in most African states. Many African states have local statutes that provide that the states can be subjected to ICSID arbitration by foreign investors in the event of a dispute.<sup>5</sup> Many African states have signed BITS with other African and non-African states with obligations for ICSID arbitration to resolve disputes. Today, 90.74% of African nations are party to ICSID. Of these, some African states have signed but are yet to ratify ICSID while some have not even signed ICSID. South Africa, Libya, and Equatorial-Guinea are not signatories to the ICSID, but they have bilateral investment treaties that have recourse to ICSID arbitration and this study shows that the BITS have been invoked against them in ICSID arbitration. Ethiopia, Guinea-Bissau, and Namibia are signatories to ICSID, but they are yet to ratify same. African states have unanimously endorsed investment treaty arbitration by being party to the African Continental Free Trade Agreement (AfCFTA) which has obligations for the settlement of disputes by arbitration to be administered by a regional disputes' settlement body.<sup>6</sup>

### 1.1 Justification and Methodology

Despite possible perceptions against investment treaty arbitration, the most scientific way to ascertain if there is any justification for the bias by some African states is to examine the statistics of investment treaty arbitration by or against African states. Data analysis can demonstrate if the arguments or perceptions are justifiable in the light of the evidence presented by the statistics. Herein lies the justification for this study. There is a dearth of empirical literature on the results of ICSID arbitration against Africa states.<sup>7</sup> The study highlights the African nations that have had ICSID arbitrations instituted against them and the number of African states that are party to ICSID. Our primary source is the ICSID website.

The study examines a number of issues ranging from the number of ICSID arbitrations that have been instituted against African states, by African states against investors and those instituted by African entities against African states. It reveals that it is not only non-African entities that have

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<sup>4</sup>Paul-Jean Le Cannu, "Foundation and Innovation: The Participation of African States in the ICSID Dispute Resolution System" *ICSID Review*, Vol. 33, No. 2 (2018), pp. 456–500 Meg Kinnear and others (eds), *Building International Investment Law. The First 50 years of ICSID* (Kluwer Law International 2015) Reisman W. Michael Reisman, *Systems of Control in International Adjudication and Arbitration: Breakdown and Repair*, Duke University Press, 1992, p.46.

<sup>5</sup> See for example, section 26 of Nigerian Investment Promotion Act, and section 16 of the Uganda Investment Code Act, 2019.

<sup>6</sup> Article 2 AfCFTA, [36437-treaty-consolidated text on cfta - en.pdf \(au.int\)](#).

<sup>7</sup> But see the following illuminating analysis: Emilia Onyema, "African Participation in the ICSID System: Appointment and Disqualification of Arbitrators", [Onyema African Participation in the ICSID System.pdf \(soas.ac.uk\)](#); Uché Ewelukwa Ofodile, "African States, Investor–State Arbitration and the ICSID Dispute Resolution System: Continuities, Changes and Challenges", *ICSID Review*, Vol. 34 No 2 (2019).

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instituted ICSID arbitration against African states, as there is a growing number of African investors that have instituted ICSID arbitration against African states. It identifies the nature of the disputes, ranging from construction to leisure, oil and gas and mining, to agri-business. The study identified the cases that have been discontinued because the parties have settled and those that were discontinued because the parties or one of the parties was unable to or refused to pay the requisite fees for arbitration.

The study examines the number of cases where awards were given against African states and compares this to the cases where the award was made against the investor. It analyses cases where African states have successfully and unsuccessfully appealed against the awards. It compares this to situations when investors appealed against the awards in favour of African states. The study examines the type of instruments invoked to initiate ICSID arbitrations ranging from the ICSID treaty, multilateral treaties, BITS and contracts.

The study reviews the diversity of the arbitrators that were appointed comparing African and non-African arbitrators and the gender of the arbitrators. It discusses the challenges arising from the failure of African states from maintaining the names of their nationals or other African persons on the panel of arbitrators from whom African states may chose arbitrators for ICSID arbitrations.

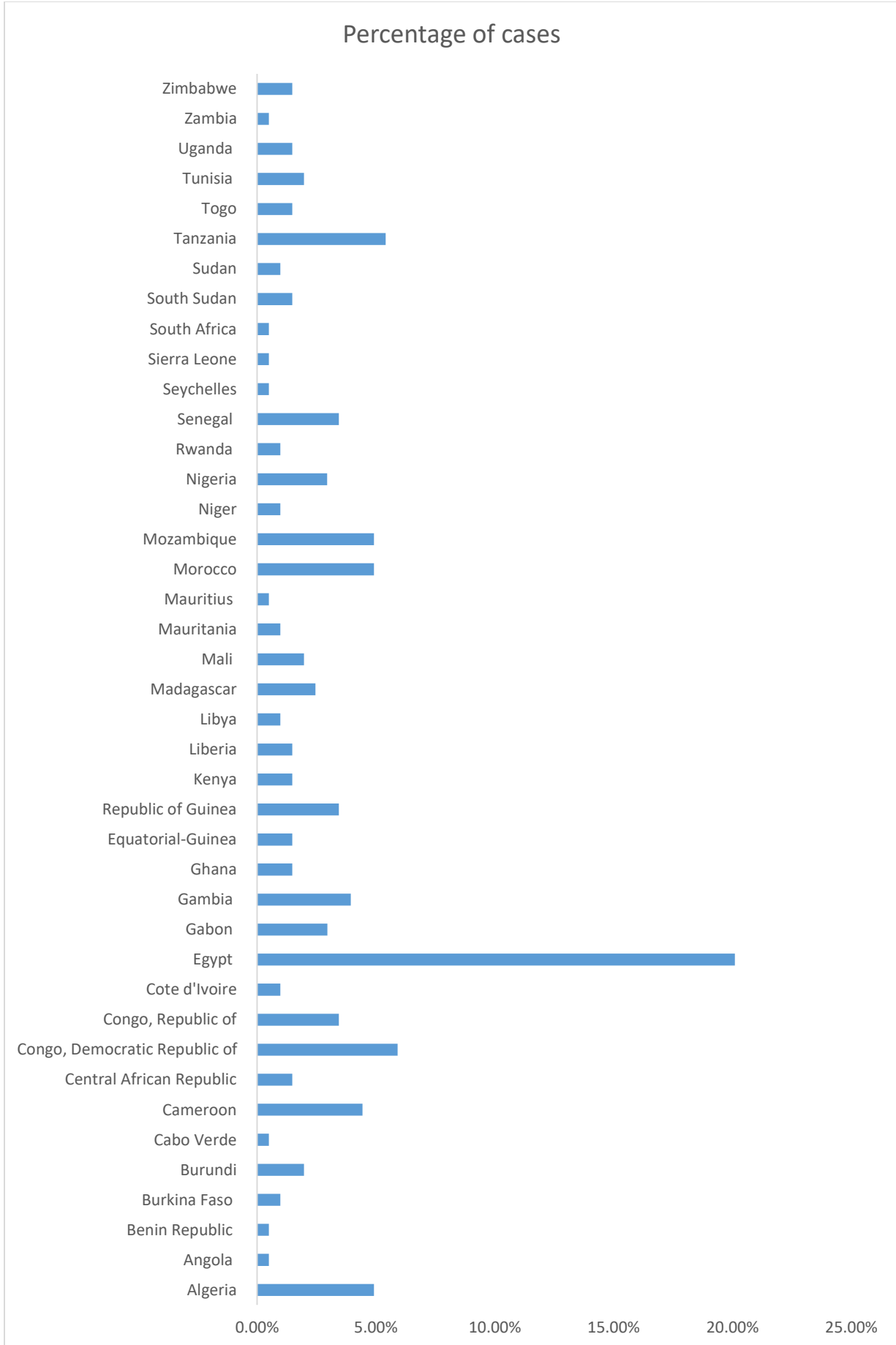
### **2.0 African States that have had ICSID Arbitration<sup>8</sup>**

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<sup>8</sup> Algeria (10), Angola (1) Benin Republic (1), Botswana – Nil, Burkina Faso (2), Burundi (4), Cape Verde (1), Cameroon (9), Central African Republic (3), Chad Nil, Comoros Nil, Congo, Democratic Republic of (12), Congo, Republic of (7), Cote d'Ivoire (2), Djibouti NIL, Egypt (42), Eswatini NIL, Ethiopia NIL, Eritrea Nil Gabon 6, Gambia (8), Ghana (3), Equatorial-Guinea (3), "Republic of Guinea (7)", GUINEA – BISSAU – NIL, Kenya (3), Lesotho NIL, Liberia (3), Libya- (2), Madagascar (5), Malawi NIL, Mali(4), Mauritania (2), Mauritius (1), Morocco (10), Mozambique (3), Namibia NIL, Niger (2), Nigeria (6), Rwanda (2), Sao Tome and Principe NIL, Senegal (7), Seychelles(1), Sierra Leone (1), Somalia NIL, South Africa (1), South Sudan (3), Sudan (2), Tanzania (11), Togo (3), Tunisia (4), Uganda (3), Zambia (1), Zimbabwe (3).

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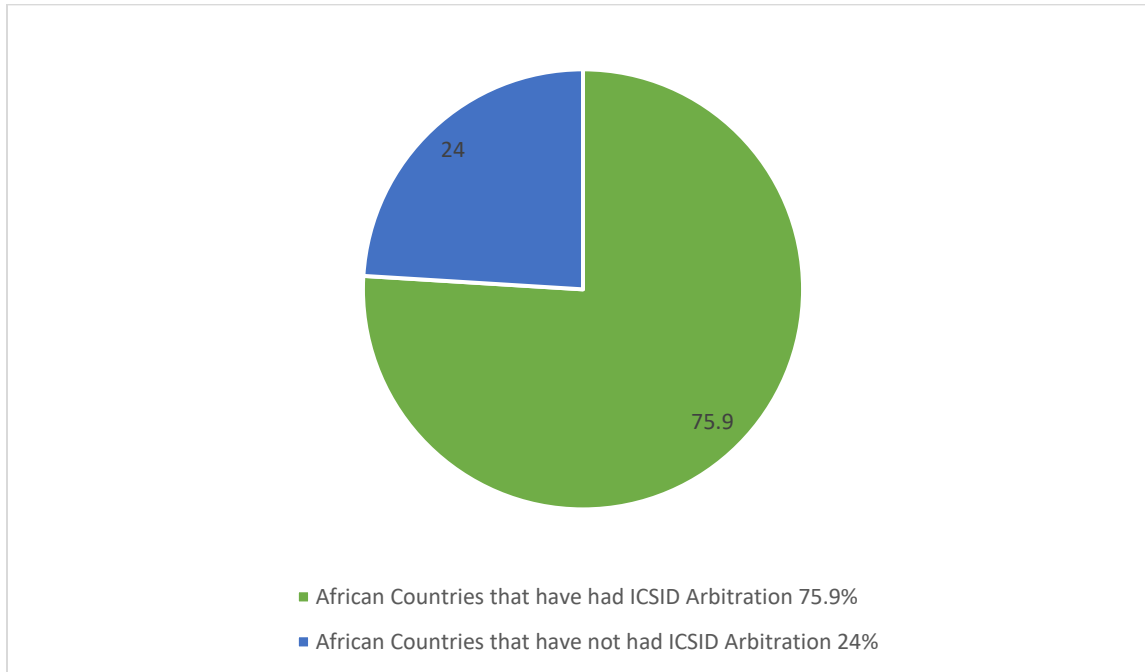
**G.O. Sodipo & Co: 50 years of ICSID Arbitration and African States (1974-2024)**



**African states that have had ICSID**

Figure 1: G.O. Sodipo & co. ICSID Africa Report

As shown in Figure 1, of the 54 countries in Africa, 41 have had ICSID Arbitrations, this represents 75.9% of the countries in Africa. As of April 2024, only 13 African countries had not had ICSID Arbitration representing 24% of African Countries. Gabon and Republic of Equatorial Guinea were claimants in two of the cases.<sup>9</sup> This suggests that going forward, African states may initiate ICSID Arbitration against investors.



**Ratio of African States that have had Arbitration at ICSID Arbitration**

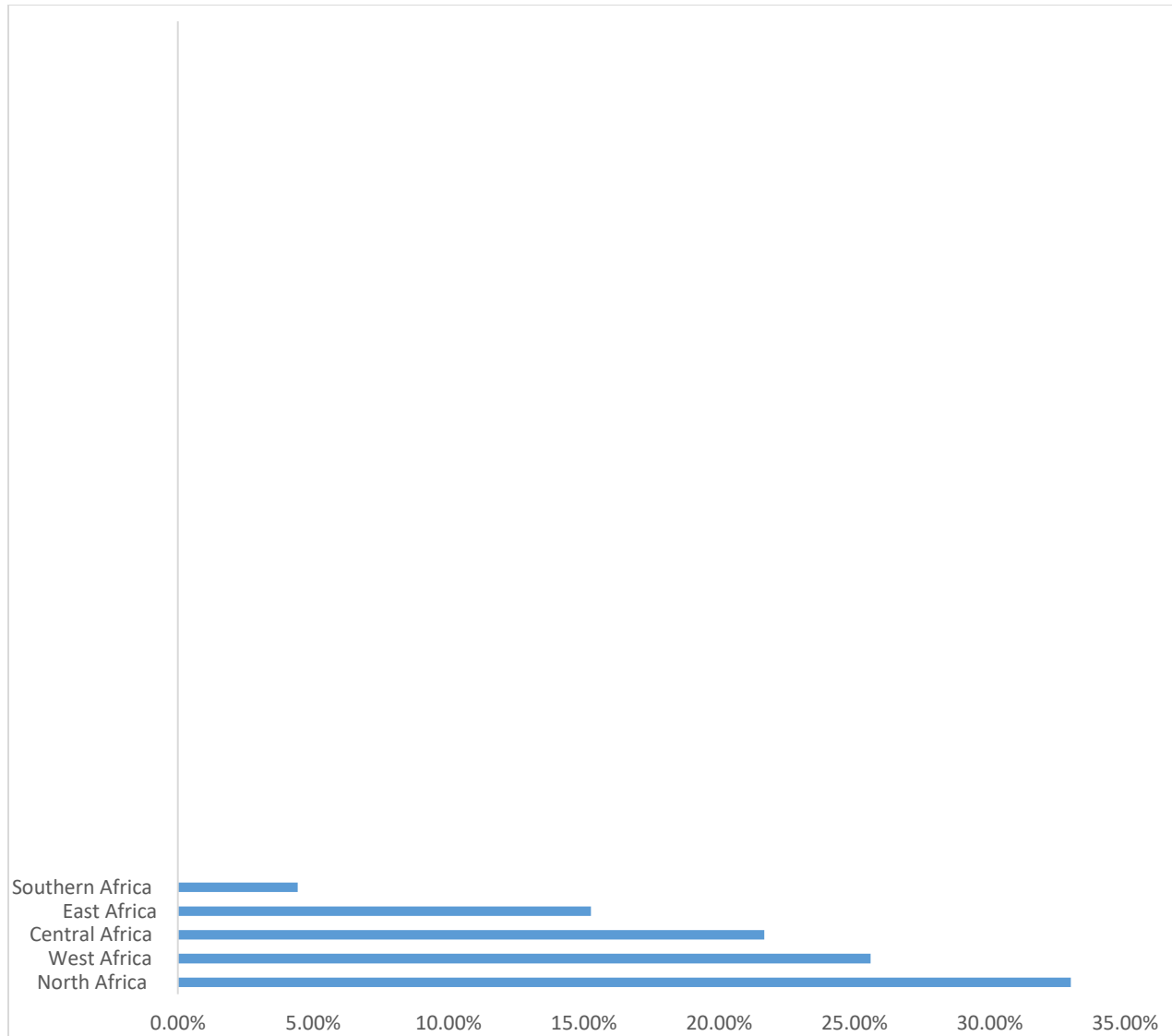
Figure 2: G.O. Sodipo & co. ICSID Africa Report

Figure 2 highlights the ratio of African states that have had ICSID arbitration cases instituted against them.

**2.2 ICSID cases against African State by Region of Africa**

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<sup>9</sup> Gabon v. Société Serete S.A. (ICSID Case No. ARB/76/1); Republic of Equatorial Guinea v. CMS Energy Corporation and others (ICSID Case No. CONC(AF)/12/2)



**Number of ICSID cases against African states per region**

Figure 3: G.O. Sodipo & co. ICSID Africa Report

The above figure reflects the number of ICSID arbitrations that have been instituted against African states per region. The largest number of ICSID arbitrations per African region is Northern African nations with 33% of the ICSID arbitrations in Africa with Egypt having 41, Algeria with 10, Morocco with 10, Tunisia with 4, and Libya with 2. The next region of Africa with the most ICSID arbitrations is West Africa with 25.6% of African ICSID cases. This may be partly due to the number of countries in the region. West African nations have the following number of ICSID arbitrations: Benin Republic (1), Burkina Faso (2), Cote d'Ivoire (2), Gambia (8), Ghana (3), Republic of Guinea (7), Liberia (3), Mali (4), Mauritania (2), Niger (2), Nigeria (6), Senegal (7), Sierra Leone (1), Togo (3) and Cabo Verde (1).

The next region is Central Africa with 21.18% of the ICSID arbitrations in Africa with Cameroon 9, the Central African Republic 3, the Democratic Republic of Congo 12, Burundi (4), the Republic

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of Congo with 7 Equatorial-Guinea 3, and Gabon 5. East African nations have 15.27% of the ICSID African state arbitrations with Kenya (3), Tanzania (11), Uganda (3) Mauritius (1) Rwanda (2), South Sudan (3), Sudan (2), Madagascar (5), and Seychelles (1). The ratio of ICSID Southern African arbitrations is 4.43% with the following nations: Angola (1) Mozambique (3), South Africa (1), Zambia (1), and Zimbabwe (3). There is no record that any ICSID arbitration has been instituted against the following African nations: Botswana, Chad, Comoros, Djibouti, Eswatini, Ethiopia, Lesotho, Guinea – Bissau, Malawi, Namibia, Sao Tome and Principe, Eritrea, and Somalia.

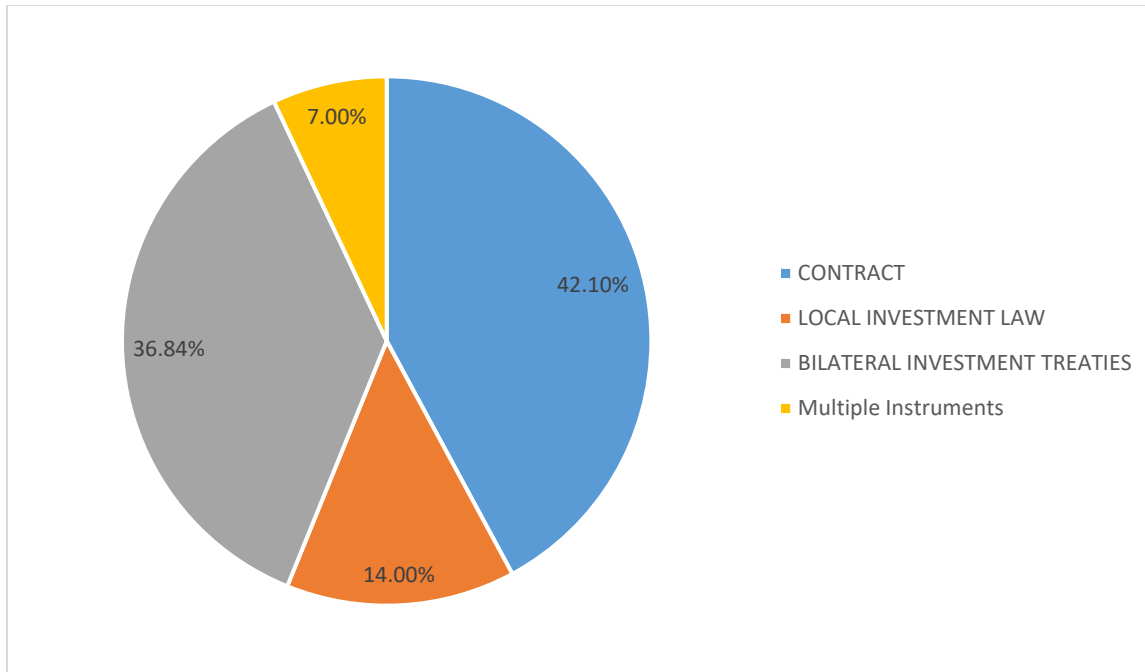
### **2.3 ICSID cases instituted by African companies against African States**

Of the 203 cases instituted against African states analyzed, 66 were instituted by African companies against African states, a ratio of **32.5%** of all cases filed against African states. This shows that a reasonable number of African entities have instituted ICSID arbitration against African states. This number is likely to increase in future as other African investors realize that this is a viable option especially in the light of intra Africa trading that may increase pursuant to AfCFTA.

### **2.4 Instruments Invoked by African Business Entities against African States at ICSID**

Parties who institute ICSID arbitration must indicate the instrument they wish to invoke to vest ICSID with jurisdiction. Typical ICSID cases may raise ICSID, BIT or local law of the African state concerned. Of the 203 cases considered, 57 cases involved African entities as claimants against African States. In 24 of the 57 (42.10%) ICSID cases involving African entities against African States, the claimant company(s) invoked the contract between the party and the African state. In 21 of the 57 (36.84%) cases, the claimant company(s) invoked BITS. In 8 of the 57 (14%) cases the claimant company(s) invoked local investment laws of the relevant African states. 4 of the 57 (7%) cases the claimants invoked multiple instruments. This shows a prevalence of the invocation of contracts between the parties over BITS.





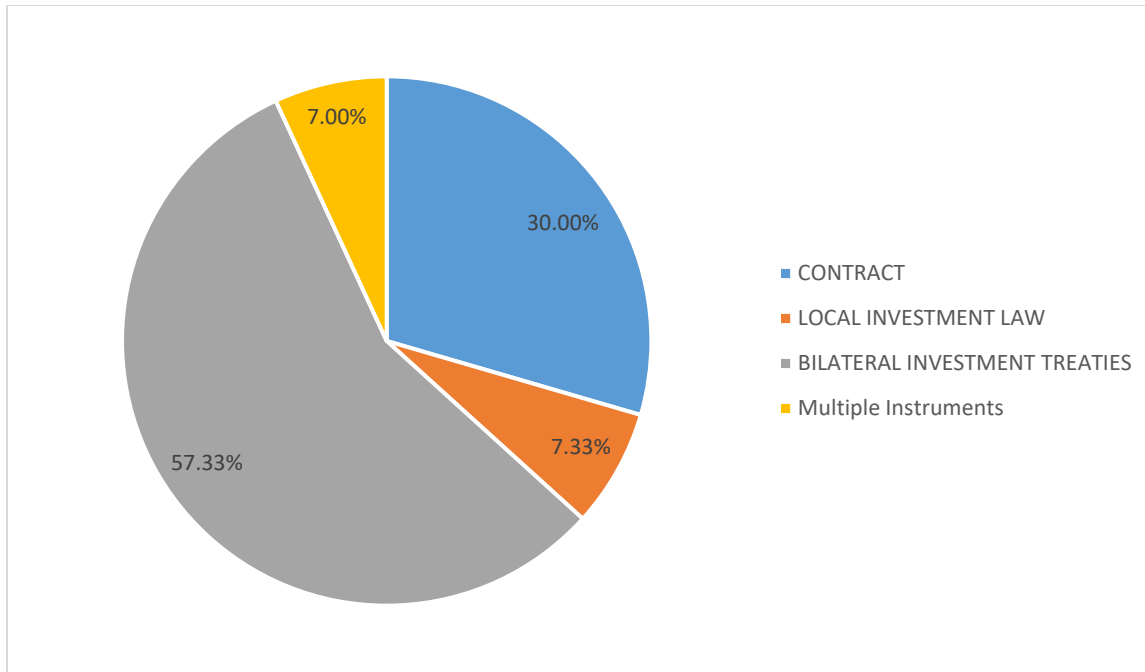
**Instrument invoked by African Business entities as claimants or co-claimants against African states at ICSID**

Figure 4: G.O. Sodipo & co. ICSID Africa Report

**2.4.1 Instruments Invoked by Non-African Business entities against African States at ICSID**

In a few cases, both African and non-African entities were investors claiming against the state.<sup>10</sup> For this study, the non-African business entities were counted individually and of the 203 cases considered, 150 cases were instituted by non-African entities as claimants or co-claimants, making three quarters of the total number of cases instituted during the period under study. In 45 of the 150 (30%) ICSID cases involving non-African entities against African states, the claimant company(s) invoked the contract between the party and the African state. In 86 of the 150 (57.33%) cases, the claimant company(s) invoked BITS. In 11 of the 150 (7.33%) cases the claimant company(s) invoked local investment laws of the relevant African states. In 7 of the 150 (4.66%) cases the claimants invoked multiple instruments. This shows a prevalence of the invocation of BITS by non-African entities against African states at ICSID.

<sup>10</sup> For instance in AVZ International Pty Ltd., Dathcom Mining SA and Green Lithium Holdings Pte Ltd. v. Democratic Republic of the Congo (ICSID Case No. ARB/23/20, two of the claimants were non-African business entities while one was, i.e. Green Lithium Holdings Pte Ltd. was Singaporean, AVZ International Pty Ltd. was Australian, and Dathcom Mining SA was African Congolese D.R.



**Instrument invoked by non-African entities as claimants against African states at ICSID**

Figure 5: G.O. Sodipo & co. ICSID Africa Report

**2.4.2 Instruments Invoked by Claimants against African States<sup>11</sup>**

<sup>11</sup> Contract, BIT Switzerland - Algeria 2004, BIT Switzerland - Algeria 2004, BIT Algeria - France 1993, BIT Spain - Algeria 1994, BIT Belgium-Luxembourg - Algeria 1991, BIT Algeria - Germany 1996, BIT Algeria - Denmark 1999, BIT Algeria - Italy 1991, BIT Algeria - Italy 1991, BIT Angola - Portugal 2008, Investment Law - Benin (1990), Investment Law - Benin (2020) Investment Law - Burkina Faso (1995), Investment Law - Burkina Faso (2018), Contract, BIT Belgium-Luxembourg - Burundi 1989, BIT Belgium-Luxembourg - Burundi 1989, BIT Belgium-Luxembourg - Burundi 1989, BIT Belgium-Luxembourg - Burundi 1989, BIT Cabo Verde - Portugal 1990, BIT Cameroon - Italy 1999, Contract, BIT Cameroon - United States of America 1986, Contract, BIT Cameroon - Belgium-Luxembourg 1980, Contract, Contract, Investment Law - Cameroon (1990), Contract, Contract, Contract, Contract, Mining Code, Mining Code, BIT Zaire - United States of America 1984, Contract, Contract, Investment Law - Congo (2002), Investment Law - Congo (2002), Investment Law - Congo (2002), BIT Zaire - United States of America 1984, Contract, BIT Congo, Democratic Republic of - United States of America 1984, BIT Zaire - United States of America 1984, BIT Congo, Republic of - United Kingdom of Great Britain and Northern Ireland 1989, BIT Congo, Republic of - Mauritius 2010, BIT Congo, Republic of - United Kingdom of Great Britain and Northern Ireland 1989, Contract, Contract, Contract, Contract, Contract, Investment Law - Cote d'Ivoire (2012), BIT Egypt, Arab Republic of - United Arab Emirates 1997, BIT Egypt, Arab Republic of - United Arab Emirates 1997, BIT United States of America - Egypt, Arab Republic of 1982, Investment Law - Egypt, BIT France - Egypt, Arab Republic of 1974, BIT Egypt, Arab Republic of - Germany 2005, BIT Egypt, Arab Republic of - Italy 1989, BIT France - Egypt, Arab Republic of 1974, BIT Egypt, Arab Republic of - Kuwait 2001, BIT Egypt, Arab Republic of - Italy 1989, BIT Egypt, Arab Republic of - United Arab Emirates 1997, BIT Egypt, Arab Republic of - United Kingdom of Great Britain and Northern Ireland 1975, BIT Egypt, Arab Republic of - Kuwait 2001, BIT Australia - Egypt, Arab Republic of 2001, BIT Netherlands - Egypt, Arab Republic of 1996, BIT Egypt, Arab Republic of - United States of America 1986, BIT Egypt, Arab Republic of - United States of America 1986 - Investment Law - Egypt (1997), BIT Egypt, Arab Republic of - Qatar 1999, BIT Egypt, Arab Republic of - Belgium-Luxembourg 1999, BIT Egypt, Arab Republic of - Spain 1992, BIT Egypt, Arab Republic of - Germany 2005, BIT Egypt, Arab Republic of - Spain 1992, BIT Egypt, Arab

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In the last 50 years, 30.43% percent of parties who have instituted ICSID arbitrations against African states have relied on the contracts between them and the relevant states whilst 53.69% percent and 15.88% have relied on BITS and local investment statutes of the relevant African states respectively. The earliest BITS date from the 1970's,<sup>12</sup> whilst some were only signed after 2010.<sup>13</sup> The investment statutes of African states relied upon by investors to institute ICSID

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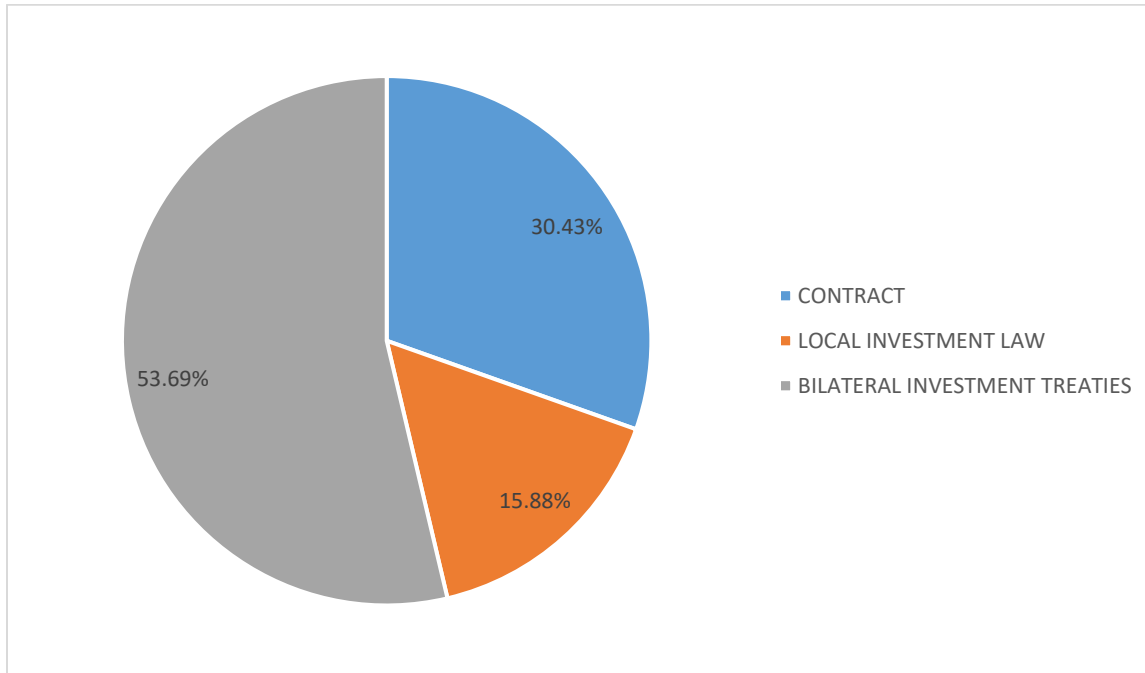
Republic of - Italy 1989, BIT Egypt, Arab Republic of - Jordan 1996, BIT Egypt, Arab Republic of - Jordan 1996, BIT Egypt, Arab Republic of - Jordan 1996, BIT France - Egypt, Arab Republic of 1974, BIT Egypt, Arab Republic of - United States of America 1986, BIT Egypt, Arab Republic of - Germany 2005, BIT Egypt, Arab Republic of - United Kingdom of Great Britain and Northern Ireland 1975, BIT Egypt, Arab Republic of - United Arab Emirates 1997, BIT Egypt, Arab Republic of - United Arab Emirates 1997, BIT Egypt, Arab Republic of - Kuwait 2001, BIT Egypt, Arab Republic of - United States of America 1986, BIT Egypt, Arab Republic of - United Kingdom of Great Britain and Northern Ireland 1975, BIT Denmark - Egypt, Arab Republic of 1999, BIT Egypt, Arab Republic of - Italy 1989, BIT Egypt, Arab Republic of - Belgium-Luxembourg 1977, BIT Egypt, Arab Republic of - Belgium-Luxembourg 1999, BIT Egypt, Arab Republic of - United Kingdom of Great Britain and Northern Ireland 1975, BIT United States of America - Egypt, Arab Republic of 1982, BIT United States of America - Egypt, Arab Republic of 1982, BIT Egypt, Arab Republic of - Greece 1993, BIT Egypt, Arab Republic of - United Kingdom of Great Britain and Northern Ireland 1975, Investment Law – Egypt, Investment Law – Egypt, Contract, Contract, Contract, Contract, BIT Belgium-Luxembourg - Gabon 1998 - Investment Law - Gabon (1998), Contract, Investment Law - Gambia, The (2015), Contract, BIT Gambia, The - Netherlands 2002, Contract, Contract, Contract, Contract, BIT Gambia, The - Switzerland 1993, Contract, Contract, BIT Ghana - Germany 1995, Contract, BIT Equatorial Guinea - Spain 2003, Contract, Investment Law - Guinea (1987), Contract, Investment Law - Guinea (1997), Investment Law - Guinea (1995), Investment Law - Guinea (1987), Contract, Investment Law - Guinea (1995), Investment Law - Guinea (1987), Contract, Investment Law - Guinea (1987), Investment Law - Guinea (1987), Contract, Contract, BIT United Kingdom of Great Britain and Northern Ireland - Kenya 1999, Contract, Contract, Contract, Contract, Contract, BIT Libya - Belgium-Luxembourg 2004, BIT Libya - Austria 2002, BIT Madagascar - Mauritius 2004, BIT Madagascar - Mauritius 2004 - Investment Law - Madagascar (2008), BIT Belgium-Luxembourg - Madagascar 2005, Contract, Contract, Contract, Contract, Contract, Contract, Contract, Contract, BIT Morocco - France 1996, BIT Morocco - France 1996, BIT Spain - Morocco 1997, BIT Italy - Morocco 1990, BIT Germany - Morocco 2001, FTA United States – Morocco, BIT Morocco - Sweden 1990, BIT Italy - Morocco 1990, BIT Italy - Morocco 1990, Contract, BIT Italy - Mozambique 1998, BIT Mozambique - United Kingdom of Great Britain and Northern Ireland 2004, Contract, Investment Law - Niger (1989), Contract, BIT Nigeria - Korea, Republic of 1997, BIT Netherlands - Nigeria 1992, BIT Netherlands - Nigeria 1992, BIT Netherlands - Nigeria 1992, Investment Law - Nigeria (1995), Contract, Contract, BIT Senegal - Netherlands 1979 – Contract, Contract, BIT Senegal - France 2007, BIT Mauritius - Senegal 2002 - Investment Law - Senegal (2004), Contract, BIT Senegal - Netherlands 1979, BIT United Kingdom of Great Britain and Northern Ireland - Senegal 1980 - Investment Law - Senegal (2004), GATS, BIT Senegal - France 2007, Contract, BIT United Kingdom of Great Britain and Northern Ireland - Sierra Leone 2000, BIT Belgium-Luxembourg - South Africa 1998, Investment Law - South Sudan (2009), Contract, Contract, BIT Malaysia - Sudan 1998, BIT Sudan - Jordan 2000, BIT Sudan - Lebanon 2004, BIT United Kingdom of Great Britain and Northern Ireland - Tanzania 1994, BIT United Kingdom of Great Britain and Northern Ireland - Tanzania 1994, BIT Tanzania - Canada 2013, BIT Tanzania - Canada 2013, BIT Tanzania - Netherlands 2001, Contract, Contract, BIT United Kingdom of Great Britain and Northern Ireland - Tanzania 1994, BIT United Kingdom of Great Britain and Northern Ireland - Tanzania 1994 - Investment Law - Tanzania (1997), Contract, Contract, Contract, Contract, Contract, BIT Netherlands - Tunisia 1998 - Investment Law - Tunisia (1969), Contract, Investment Law - Tunisia (1969), BIT Netherlands - Uganda 2000 – Contract, Contract, Contract, Contract, BIT Zimbabwe - Switzerland 1996, BIT Zimbabwe - Germany 1995, BIT Zimbabwe - Switzerland 1996, BIT Netherlands - Zimbabwe 1996.

<sup>12</sup> See for example, the BIT France - Egypt, Arab Republic of 1974 & Arab Republic of - United Kingdom of Great Britain and Northern Ireland 1975.

<sup>13</sup> See for example BIT Congo, Republic of - Mauritius 2010, BIT Congo, Republic of - Mauritius 2010, BIT Tanzania - Canada 2013

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arbitrations range from those in the sixties<sup>14</sup> to those after in the 2010.<sup>15</sup> These instruments were invoked largely by entities of non-African origin.



### Instrument invoked by Claimants against African states at ICSID

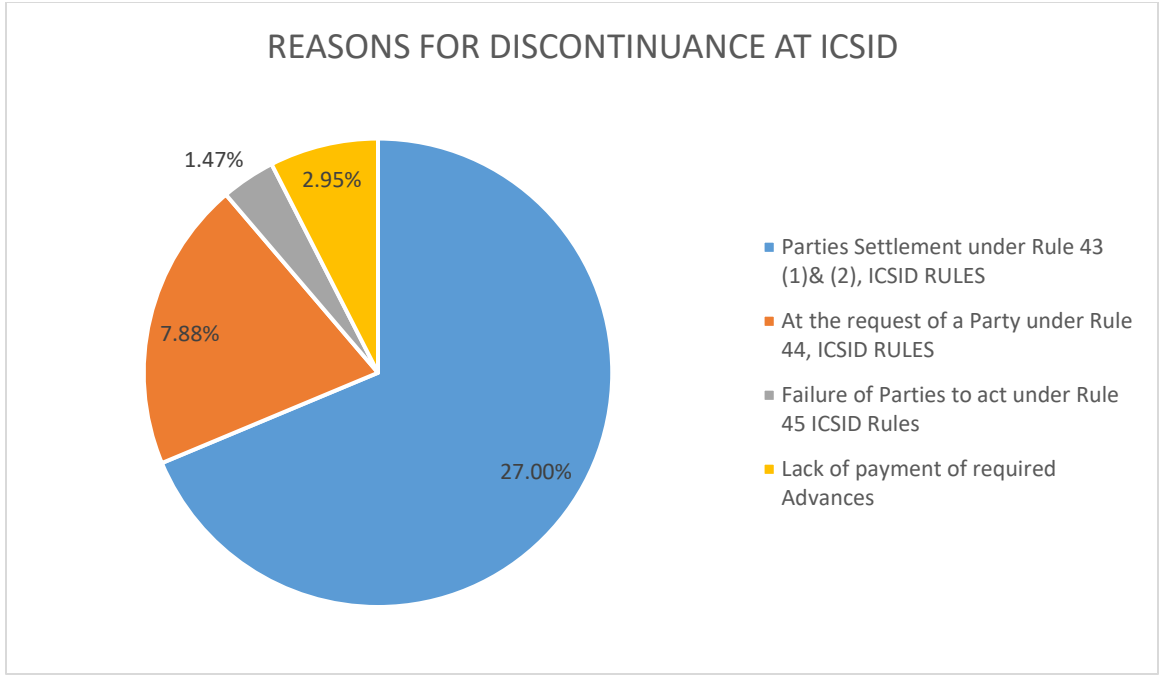
Figure 6: G.O. Sodipo & co. ICSID Africa Report

## 2.5 Number of Discontinued Cases

80 of 203 (39.4%) of the cases analyzed, were discontinued. 55 of the 203 cases (27%) were discontinued due to parties' settlement under Rule 43 (1) & (2) ICSID Rules. 16 of the 203 cases (7.88%) were discontinued at the request of a party under Rule 44 ICSID Rules. 3 of the 203 cases (1.47) were discontinued for failure of parties to act under Rule 45 ICSID Rules, while 6 of the 203 cases (2.95%) were discontinued for lack of payment of required advances. The states whose arbitrations were discontinued for lack of payment of required advances are Tanzania, Senegal, Liberia, Gabon, Democratic Republic of Congo and Burkina Faso.

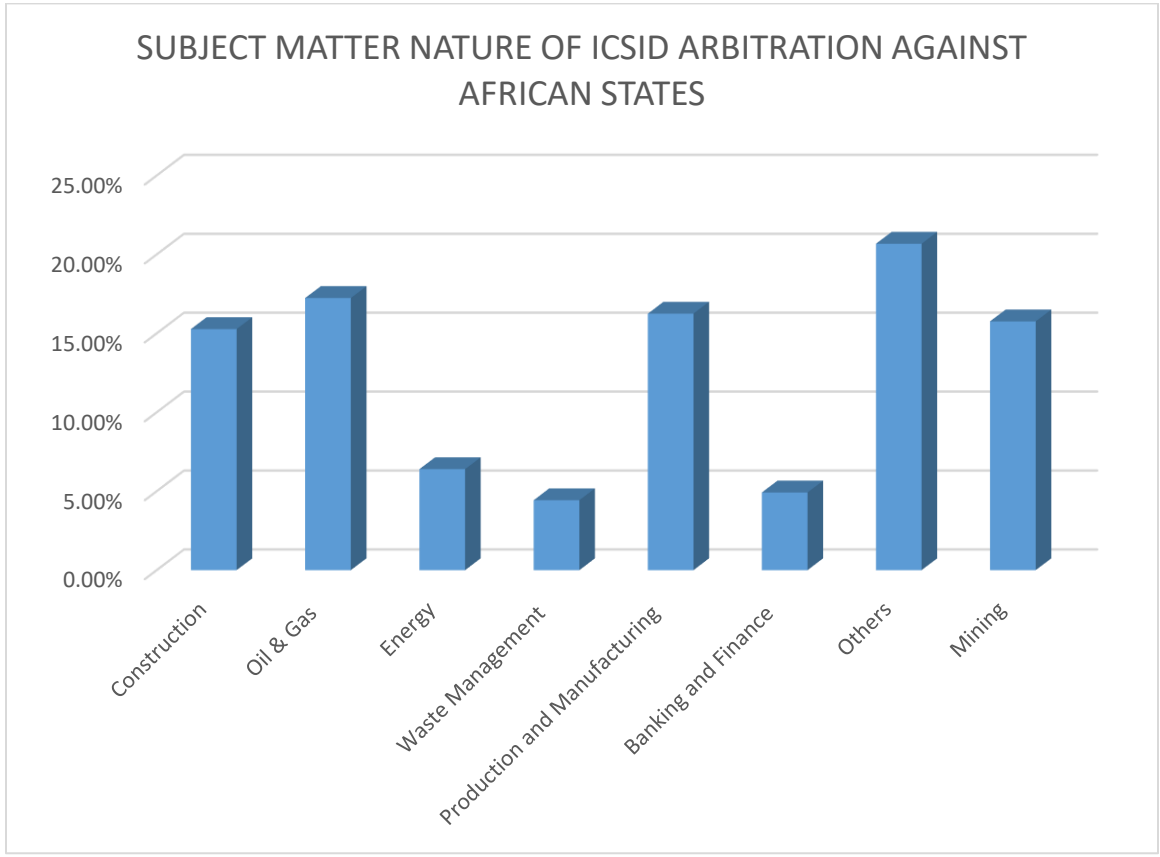
<sup>14</sup> Investment Law - Tunisia (1969).

<sup>15</sup> See the Investment Law of Cote d'Ivoire (2012), Investment Law - Gambia, The (2015), the Investment Law of Burkina Faso (2018) and the Investment Law of Benin (2020).



**Reason for the Discontinuance of cases at ICSID**  
 Figure 7: G.O. Sodipo & co. ICSID Africa Report

**2.6 Subject Matter Nature of ICSID Arbitrations Against African States**



**Subject Matter Nature of ICSID Arbitrations Against African States**

Figure 8: G.O. Sodipo & co. ICSID Africa Report

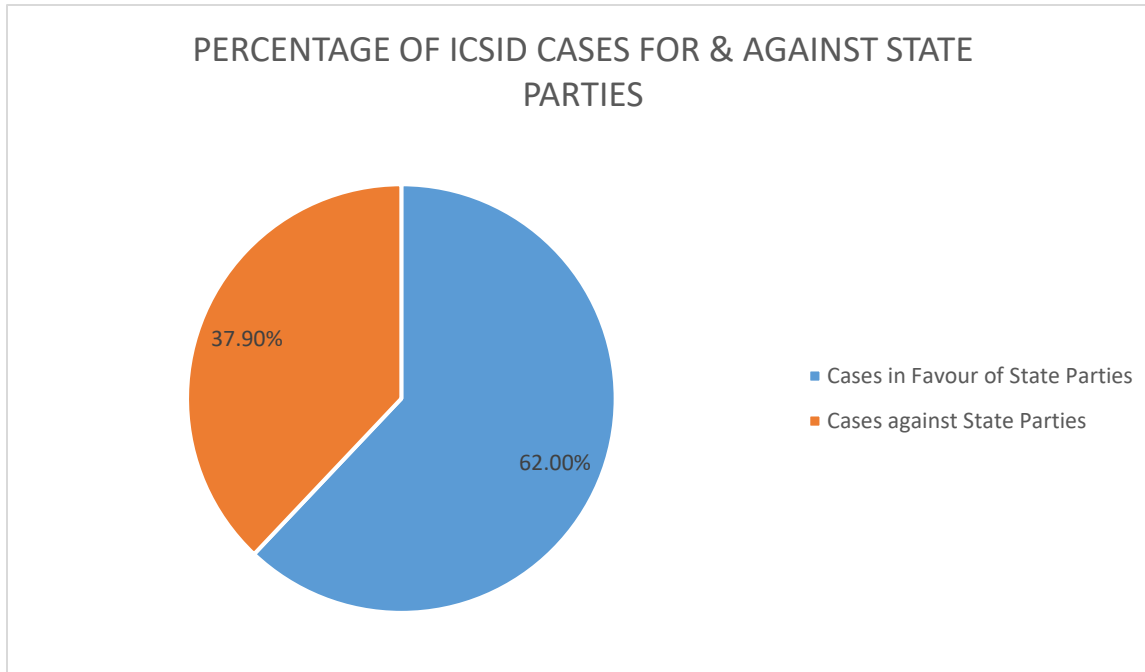
Oil and Gas disputes account for 17.24% of the cases. Production and Manufacturing account for 16.25% of the disputes. These range from cement, to steel, textiles, beverage, pipes, agribusiness, to the processing of cotton. Mining disputes account for 15.76% of the cases. They include gold, diamond, cobalt and copper, salt, iron ore, mining concessions, phosphate and quarrying. Construction disputes account for 15.27% of the ICSID cases against African states. They include housing, public infrastructure, dams, fertilizer factory, gas pipelines construction and operation, airports, highways, hospitals maternity ward construction, sports facilities and port terminals. Energy accounts for 6.4% of the disputes such as coal, power purchase agreements, concessions, and the like. Banking and Finance account for 4.92% of the disputes and this includes services, operations and instruments, whilst waste management accounts for 4.43% of the disputes. The other sectors that are not easily classified which include hospitality, infrastructure, ownership of shares account for 20.68% of the disputes.<sup>16</sup>

**2.7 Number of Awards for and Against African states**

As at the time of going to the press, we could not access 38 of the 203 cases considered in the 1974-2024 period. These are cases with restricted access on the ICSID platforms, or details of the award are not in the public domain. 80 cases of the 203 cases were discontinued and 27 are currently pending. Of the 58 cases in which the award was accessible, 36 awards representing 62.06% were in favour of the state party and 22 awards representing 37.9% were in favour of the investor.

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<sup>16</sup> "Port concession agreement, "Acquisition of shares, " Telecommunications enterprise, , " Explosive products enterprise, Telecommunications concession, , Company shareholding, Telecommunication license agreements, Trading company, leisure complex, Multimedia broadcasting operations, Bulk liquids terminal project, Customs system project, Resort management and operation, Hotel lease and development agreements, Resort development, Dredging project, Hotel lease and development agreements, Railway concession, Concession regarding two ports, Restructuring of an administrative and residential complex, Development and operation of commercial property, Bauxite transportation joint venture, Contract for the conversion, equipping and operation of fishing vessels, Duty free concession, Maritime registry, Forestry concession, , Electronic goods and home furnishing facilities, Telecommunications enterprise, Metal industry project, Joint venture to build and operate hotels, Joint fishing operation, Ground handling services, Ground handling services, Wireless internet service enterprise, Container handling operations, Acquisition of shares, Tourism and holiday resort projects



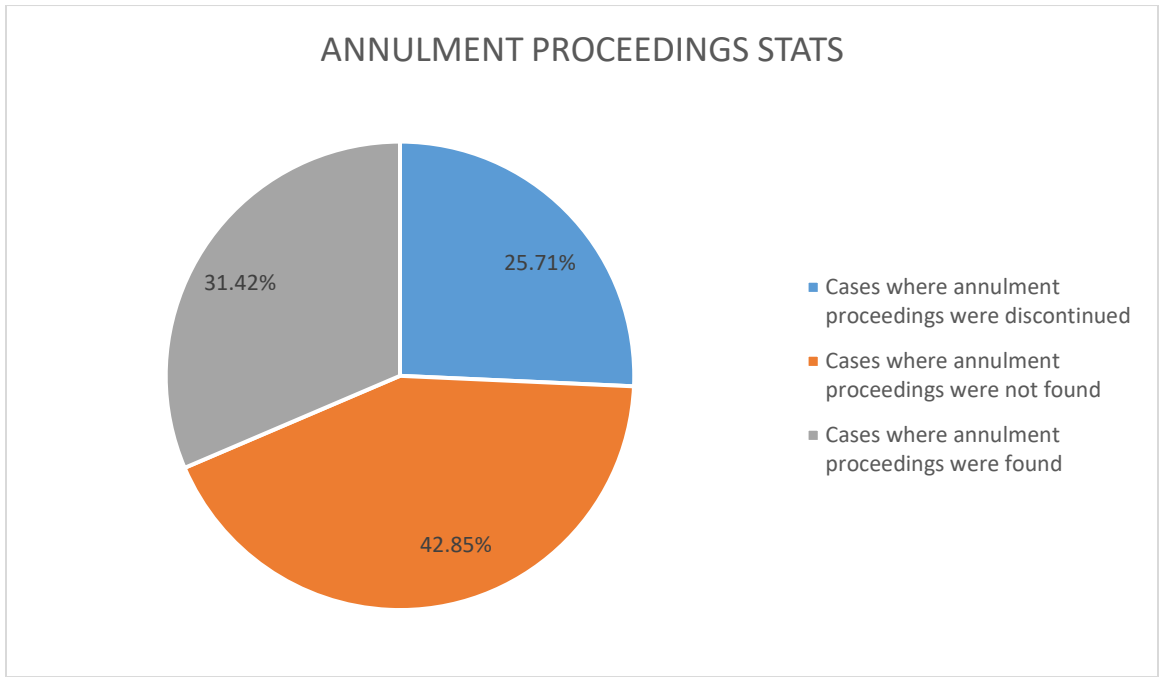
**Awards for and against African states**  
Figure 9: G.O. Sodipo & co. ICSID Africa Report

## 2.8 Annulment Proceedings

One of the features of ICSID is that it offers a kind of appeal process where parties can seek to annul the award through annulment proceedings. In the 50-year period under study, annulment proceedings were commenced in 35 of the 203 cases under review. Annulment proceedings were initiated and won by African State parties in 2.85% of the annulment cases. No Annulment Proceeding was initiated and “fully” won by investors at ICSID proceedings involving African state parties. Annulment proceedings were initiated African state parties in 14.28% of the cases. Annulment proceedings were initiated and lost by investors in 11.42% of the cases. ICSID appears slightly skewed against African states in annulment proceedings as most were in favour of investors even though state parties filed the annulment proceedings most of the time.

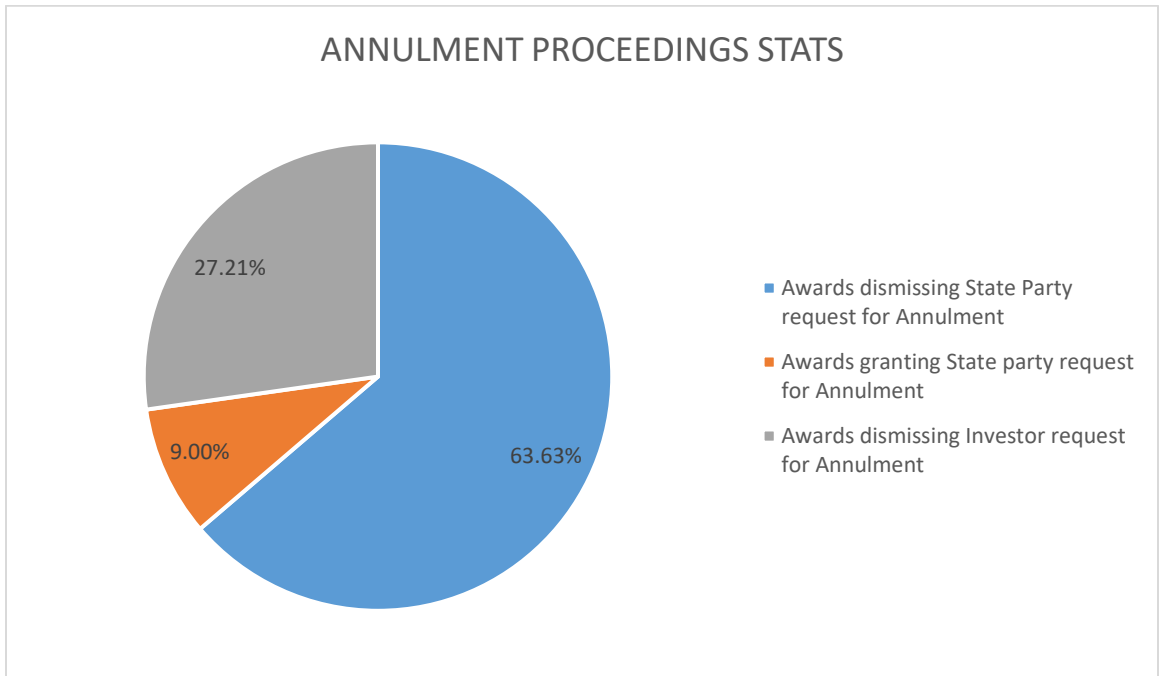
For general context, of the 35 cases in which annulment proceedings were commenced, about a quarter or 25.71%, were discontinued and partial annulment were awarded in two cases.<sup>17</sup> A little less than half or 42.85%, of the Annulment awards were not found or had restricted access. Of the 31.42% that were found, the State party’s request for annulment failed in 63.63% of the cases. The State party’s request for annulment succeeded only in 9% of the cases and the investor’s request for annulment was dismissed 27.27% of the cases which accounts for all the cases investors filed for annulment.

<sup>17</sup> in *Helnan International Hotels A/S v. Arab Republic of Egypt* (ICSID Case No. ARB/05/19) the Claimant sought full annulment, but partial annulment was granted. *Maritime International Nominees Establishment v. Republic of Guinea* (ICSID Case No. ARB/84/4) Republic of Guinea successfully partially annulled a portion of the award.



**Annulment proceedings Between State Parties and Investors**

Figure 10: G.O. Sodipo & co. ICSID Africa Report



**Annulment proceedings Between State Parties and Investors**

Figure 11: G.O. Sodipo & co. ICSID Africa Report



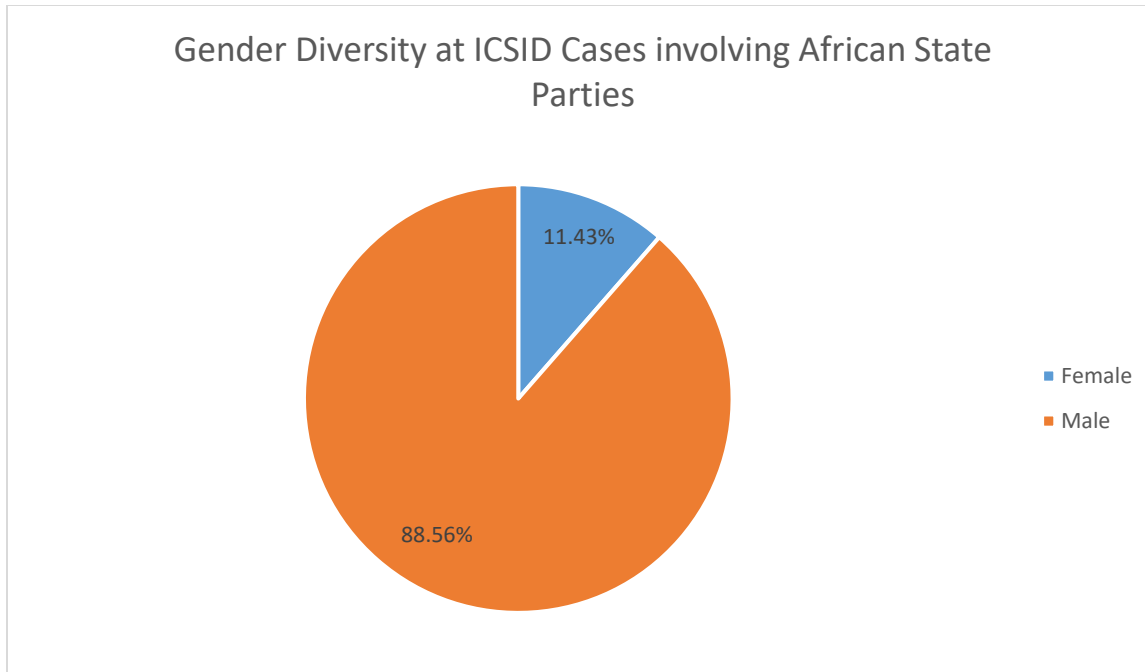
## **2.9 Diversity of Arbitrators Appointed in ICSID Arbitrations against African States**

This section discusses the extent to which the appointment of arbitrators shows diversity in the percentage of Africans appointed and the percentage of females. It dovetails into the last section that seeks to correlate the lackadaisical pattern among African nations in terms of maintaining a current list of Arbitrators from which parties may appoint for ICSID arbitration.

The total number of ICSID proceedings involving African state parties where a tribunal was constituted including annulment proceedings was 183 out of the 203 cases considered in the 50-year period from 1974 to 2024. In the period under review, an African sat at ICSID proceedings involving African state parties where a tribunal was constituted about 28.41% of the time. This means that the total instances where an African sat at an ICSID tribunal involving an African state party was 52. On the other hand, the number of times where a non-African sat at an ICSID tribunal involving an African state party was 183 times. There is no ICSID Arbitration where all the Arbitrators were Africans. What this means is that a for all ICSID Arbitration against African states in the last 50 years, non-Africans have always been appointed as part of the panel. That is, a non-African sat at ICSID proceedings involving African state parties where a tribunal was constituted about 100% of the time.

Of the cases evaluated in which arbitrators had been appointed, including the annulment and resubmission proceedings a total of 271 Arbitrators were appointed in cases involving African state parties. Of the total number of arbitrators, only 40 representing 14.76% were Africans.

The number of female arbitrators appointed was low. Of the 271 total arbitrators appointed for the ICSID cases, only 31 representing 11.43% were females. Worse still, only 4 females were Africans, this represents 12.9% of the females that served as Arbitrators in ICSID Arbitrations against African states in 4 years. All hands must be on deck to change this.



**Gender Diversity at ICSID cases involving African State Parties**

Figure 12: G.O. Sodipo & co. ICSID Africa Report

**2.10 Current ICSID African State Arbitrators listing stats**

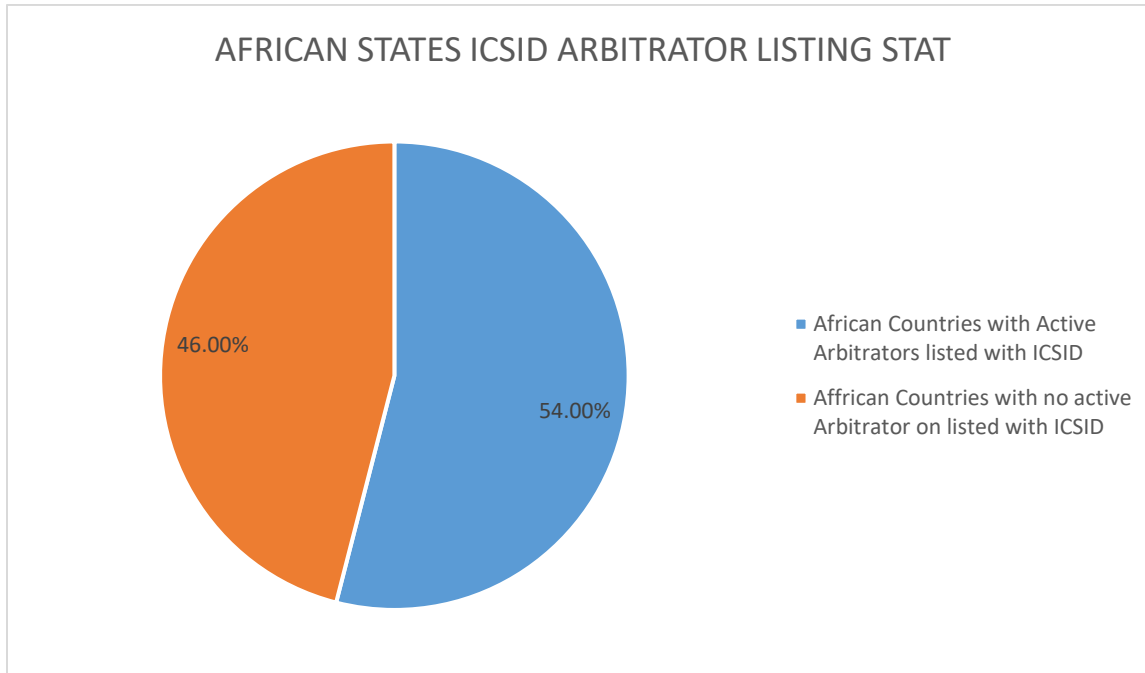
Whilst complaints may be raised against the low patronage of African arbitrators in cases ICSID Arbitration against African states, the African states have a share of the blame. Many African states have failed to maintain a current list of Arbitrators in the list of panel members that can be chosen for ICSID Arbitration. Some have not even ratified ICSID Convention. For instance, whilst South Africa, Libya, and Equatorial-Guinea are not signatories to the ICSID, they have bilateral investment treaties that have recourse to ICSID arbitration. Ethiopia, Guinea-Bissau, and Namibia are signatories to ICSID, but they are yet to ratify same. This may account for the absence of listed arbitrators, however, in line with Article 13 of the ICSID convention, 'each contracting state may designate to each Panel four persons who may but need not be its nationals.' Eritrea is also a non-party to the ICSID convention.

Of the 50 African states listed on the ICSID site, the Republic of Congo, Cote d'Ivoire, Djibouti, Eswatini, Ethiopia, Equatorial-Guinea, Guinea-Bissau, Libya, Namibia, Sao Tome And Principe, South Africa and South Sudan have no information on Arbitrator listing on the ICSID site.

The following 23 of 50 (46%) African counties listed Arbitrators all of whom have expired terms: Algeria, Benin Republic, Burkina Faso, Burundi, Central African Republic, Comoros, Congo Democratic Republic Of, Gabon, Ghana, Republic of Guinea, Lesotho, Liberia, Malawi, Mali, Mauritius, Morocco, Rwanda, Senegal, Seychelles, Tanzania, Togo, Tunisia, Zimbabwe. Only 54% of African counties listed Arbitrators who have active terms. Somalia and Egypt only have one active listed Arbitrator.

## G.O. Sodipo & Co: 50 years of ICSID Arbitration and African States (1974-2024)

African states have appointed Africans of other nationalities as Arbitrators in ICSID proceedings. Some states even listed Africans of other nationalities in their panel.<sup>18</sup> Investors and African states often appoint African counsel as co-counsel although the number is still relatively low. In particular, the government in-house counsel are regularly appointed as co-counsel by African state parties. This is the way to go.



### AFRICAN STATES ICSID ARBITRATOR LISTING STAT

Figure 13: G.O. Sodipo & co. ICSID Africa Report

### 3.0 Conclusion

The study is revealing. It shows the trends in ICSID Arbitration cases against African states. It shows that more awards have been given in favour of African states than awards that were issued against African states by ICSID. More annulment proceedings were concluded in favour of African states than investors. This study suggests that the seeming bias towards investors and against African states in ICSID Arbitration is unjustified. A number of the cases were discontinued by the parties once ICSID arbitration commenced, this may be regarded as a plus for the Investor-State Dispute Settlement system.

The study suggests that we can increase the number of African Arbitrators appointed to handle ICSID arbitrations if African states maintain current lists in the ICSID panel and if they then choose from the list of Africans. The study suggests that there must be diversity in the appointment of female Arbitrators to ICSID arbitration.

---

<sup>18</sup> Togo put Dorothy Ufot, SAN, a Nigerian on their anle

**Appendix 1**  
**Arbitrators Appointed in ICSID cases against African States**

Klaus SACHS (German), Stephen L. DRYMER (Canadian), Charles PONCET (Swiss), Jan PAULSSON (Bahraini, French, Swedish), **Maxi SCHERER (German)**, Hamid G. GHARAVI (French, Iranian), Bernard HANOTIAU (Belgian), Paolo Michele PATOCCHI (Swiss), **Ali BENCHENEB (Algerian, French)**, **Loretta MALINTOPPI (Italian)**, Stanimir A. ALEXANDROV (Bulgarian), **Karim HAFEZ (Egyptian)**, Laurent LÉVY (Brazilian, Swiss) L. Yves FORTIER (Canadian) **Gabrielle KAUFMANN-KOHLER (Swiss)** **Brigitte STERN (French)** Albert Jan VAN DEN BERG (Dutch) Peter TOMKA (Slovak) **Bertha COOPER-ROUSSEAU (Bahamian)** Kamal HOSSAIN (Bangladeshi) David A.R. WILLIAMS (New Zealand) Pierre TERCIER (Swiss) Emmanuel GAILLARD (French) André J.E. FAURÈS (Belgian) Arghyrios A. FATOUROS (Greek) **Séna AGBAYISSAH (Togolese)** Aron BROCHES (Dutch) **Anna JOUBIN-BRET (French)** Gilbert GUILLAUME (French) Jean-Denis BREDIN (French) **Ahmed Sadek EL-KOSHERI (Egyptian)** Prosper WEIL (French) **Yas BANIFATEMI (French, Iranian)** **Mohammed BEDJAOUI (Algerian)** Juan FERNÁNDEZ-ARMESTO (Spanish) Fernando MANTILLA-SERRANO (Colombian) **Benfeito Mosso RAMOS (Cabo Verdean)** Constantine PARTASIDES (British, Cypriot) **Andrea K. BJORKLUND (U.S.)** Pierre BIENVENU (Canadian) Thomas CLAY (French) **Téa-Corinne KINTA (Congolese, French)** Nassib G. ZIADÉ (Chilean, Lebanese) Pierre MAYER (French) Barton LEGUM (U.S.) **Azzedine KETTANI (Moroccan)** Dany KHAYAT (French, Lebanese) **Gaston KENFACK DOUAJANI (Cameroonian)** Alexis MOURRE (French) Alain PELLET (French) Raed FATHALLAH (Canadian, French, Lebanese) Stephen JAGUSCH (New Zealand) **Frédérique CHIFFLOT BOURGEOIS (French)** Marino BALDI (Swiss) J. Caleb BOGGS III (U.S.) Jean-Pierre ANCEL (French) Eduardo JIMENEZ DE ARECHAGA (Uruguayan) William D. ROGERS (U.S.) Dominique SCHMIDT (French) François TKINT (Belgian) **Marie-Madeleine MBORANTSUO (Gabonese)** -F Philippe MERLE (French) **Antoine GROTHE (Central African)** **Salim MOOLLAN (French, Mauritian)** **Mohamed SHELBAYA (Egyptian, French)** Horacio A. GRIGERA NAÓN (Argentine) Otto L.O. DE WITT WIJNEN (Dutch) Dominique GRISAY (Belgian) **Teresa GIOVANNINI (Swiss)** Franklin BERMAN (British) **Yawovi AGBOYIBO (Togolese)** **Alioune DIAGNE (Senegalese)** **Carveth Harcourt GEACH (South African)** Henri C. ÁLVAREZ (Canadian) William W. PARK (Swiss, U.S.) **Marie-Andrée NGWE (French)** Marc LALONDE (Canadian) **Catherine KESSEDJIAN (French)** Raúl E. VINUESA (Argentine, Spanish) Andreas F. LOWENFELD (U.S.) Andreas BUCHER (Swiss) Willard Z. ESTEY (Canadian) Sompong SUCHARITKUL (Thai) Heribert GOLSONG (German) **Kéba MBAYE (Senegalese)** Eric SCHWARTZ (French, U.S.) **Erica STEIN (Belgian, U.S.)** John M. TOWNSEND (U.S.) Aimery DE SCHOUTHEETE (Belgian) Jørgen TROLLE (Danish) Rudolf BYSTRICKY (Czechoslovak) **Edilbert RAZAFINDRALAMBO (Malagasy)** René-Jean DUPUY (French) Fuad ROUHANI (Iranian) Zachary DOUGLAS (Australian) Kaj HOBÉR (Swedish) Daniel M. PRICE (U.S.) Toby LANDAU (British) V.V. VEEDER (British) Robert BRINER (Swiss) Laurent AYNÈS (French) Ignaz SEIDL-HOHENVELDERN (Austrian) **Mohamed Yassin ABDEL A AL (Sudanese)** Luca G. RADICATI DI BROZOLO (British, Italian) Gavan GRIFFITH (Australian) **Elizabeth GLOSTER (British)** **Carole MALINVAUD (French)** James SPIGELMAN (Australian) Bruno SIMMA (Austrian, German) Claus VON WOBESER (German, Mexican) Lawrence BOO (Singaporean) Ian BINNIE (Canadian) John Y. GOTANDA (U.S.) **Nayla COMAIR-OBEID (French, Lebanese)** Gordon SMITH (British, New Zealand)

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Bernardo M. CREMADES (Spanish) Joongi KIM (Korean) Michael C. PRYLES (Australian, Austrian) Laurence BOISSON DE CHAZOURNES (French, Swiss) Hans VAN HOUTTE (Belgian) Richard MCLAREN (Canadian) Makhdoom Ali KHAN (Pakistani) Andrés RIGO SUREDA (Spanish) J. William ROWLEY (British, Canadian) Mark A. CLODFELTER (U.S.) Arif Hyder ALI (Pakistani, U.S.) Christer SÖDERLUND (Swedish) Rodrigo OREAMUNO (Costa Rican) Cecil W.M. ABRAHAM (Malaysian) Stephen M. SCHWEBEL (U.S.) J. Christopher THOMAS (Canadian) **Abdulqawi Ahmed YUSUF (Somali)** Jonathan MANCE (British) Campbell Alan MC LACHLAN (New Zealand) Donald M. MCRAE (Canadian, New Zealand) Christoph H. SCHREUER (Austrian) **Teresa CHENG (Chinese)** Veijo HEISKANEN (Finnish) Luiz Olavo BAPTISTA (Brazilian) Pierre-Yves TSCHANZ (Irish, Swiss) Yves DERAIS (French) Michael J. A. LEE (British) Rudolf DOLZER (German) C.G. WEERAMANTRY (Sri Lankan) William Laurence CRAIG (U.S.) Ibrahim FADLALLAH (French, Lebanese) Alain VIANDIER (French) Karl-Heinz BÖCKSTIEGEL (German) Piero BERNARDINI (Italian) Don WALLACE JR. (U.S.) Monroe LEIGH (U.S.) Hamzeh HADDAD (Jordanian) Michael F. HOELLERING (U.S.) **Mohamed Amin Elabassy EL MAHDI (Egyptian)** - Robert F. PIETROWSKI, JR. (U.S.) Pascal HOLLANDER (Belgian) Stephan SCHILL (German) Ioannis VASSARDANIS (Greek) **Mohamed ABDEL RAOUF (Egyptian)** **Hannah TÛMPEL (German)** Charles JARROSSON (French) Michel GENTOT (French) Victor-Gaston MARTINY (Belgian) Hans SPITZNAGEL (Swiss) Claude REYMOND (Swiss) Henri CAILLAVET (French) Edgar FAURE (French) **Céline LÉVESQUE (Canadian)** **Melanie VAN LEEUWEN (Dutch)** Donald DONOVAN (U.S.) Jean Engelmayr KALICKI (U.S.) Doug JONES (Australian, Irish) Franco FERRARI (Italian) Charles N. BROWER (U.S.) **Samuel K.B. ASANTE (Ghanaian)** Kenneth S. ROKISON (British) **Muna B. NDULO (Zambian)** Robert Y. JENNINGS (British) Bernardo SEPÚLVEDA AMOR (Mexican) Jean-Michel JACQUET (French) **Vera VAN HOUTTE (Belgian)** Donald E. ZUBROD (U.S.) Jack BERG (U.S.) David K. SHARPE (U.S.) Pieter SANDERS (Dutch) Jean-François PRAT (French) Kanaga DHARMANANDA (Australian) Joe SMOUHA (British) **Swithin J. MUNYANTWALI (British, Ugandan)** Andrew ROGERS (Australian) James R. CRAWFORD Ian FORRESTER (British) **Maureen PONSONBY (British)** Jorge GONCALVES PEREIRA (Portuguese) D.A. REDFERN (British) Frank CHURCH (U.S.) John R. CROOK (U.S.) Antonio CRIVELLARO (Italian) John BEECHEY (British) David A.O. EDWARD (British) Dominique CARREAU (French) **Raymond RANJEVA (Malagasy)** Eric TEYNIER (French) François SUREAU (French) **Robert S.M. DOSSOU (Beninese)** **Mélanie RIOFRIO PICHÉ (Canadian, Ecuadorian)** N. Fernando PIÉROLA CASTRO (Peruvian, Swiss) Attila Massimiliano TANZI (Italian) José ROSELL (French) Samuel WORDSWORTH (British) Robert H. SMIT (U.S.) Gunnar LAGERGREN (Swedish) J.C. SCHULTSZ (Dutch) Paul REUTER (French) Sture PETRÉN (Swedish) John FOSTER (British) Peter REES (British) J. Brian CASEY (Canadian) Patrick HUBERT (French) **Mohamed S. ABDEL WAHAB (Egyptian)** Neil KAPLAN (British) **Nabil ELARABY (Egyptian)** Julian D.M. LEW (British) **Edward TORGBOR (British, Ghanaian)** Ivan WALLEMBERG (Swedish) Elihu LAUTERPACHT (British) Nicholas PHILLIPS (British) J. Truman BIDWELL JR. (U.S.) **Barbara DOHMANN (British, German)** Pierre LALIVE (Swiss) Ronny ABRAHAM (French) Rudolf BINDSCHEDLER (Swiss) Jean VAN HOUTTE (Belgian) Peter POLAK (Austrian) Anthony MASON (Australian) August REINISCH (Austrian) Guido Santiago TAWIL (Argentine, Portuguese) **Olufunke ADEKOYA (British, Nigerian)** F Vaughan LOWE (British) Joseph M. MATTHEWS (U.S.) Baiju S. VASANI (British, U.S.) **Dorothy Udemé UFOT (Nigerian)** **F Ucheora ONWUAMAEGBU (British, Nigerian)** **Hélène RUIZ FABRI (French)** Cavinder BULL

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(Singaporean) Doak BISHOP (U.S.) Sanji Mmasenono MONAGENG (Botswana) F Christopher Adebayo OJO (Nigerian) Gérard NIYUNGEKO (Burundi) Christopher GREENWOOD (British) Achille NGWANZA (Cameroonian) O. Thomas JOHNSON (U.S.) Edward William Fashole LUKE II (Botswana) Nicolas ANGELET (Belgian) Arnaud DE NANTEUIL (French) David UNTERHALTER (Maltese, South African) Stanley BURNTON (British) Gary B. BORN (U.S.) Hervé ASCENSIO (French) Xavier BOUCOBZA (French) Yves DAUDET (French) Marc GRÜNINGER (Swiss) António M. R. SAMPAIO CAMELO (Portuguese) Pierre B. MEUNIER (Canadian) Giorgio BERNINI (Italian) Wendy J. MILES (New Zealand) Michael HWANG (Singaporean) A. Peter MUTHARIKA (Malawian) An CHEN (Chinese) Ronald A. CASS (U.S.) Mohammad WASI ZAFAR (Pakistani)

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### Appendix 2 List by African States of Africans on the ICSID Panel

#### ALGERIA

NAME	END OF TERM
Maître Farid BEN BELKACEM	Jan 18, 2023
Mohamed CHEMLOUL	Jan 18, 2023
Maître Ali HAROUN	Jan 18, 2023
<a href="#">Prof. El Oualid LAGGOUNE</a>	Jan 18, 2023
<a href="#">Prof. Hocine BENISSAD</a>	Jan 18, 2023
<a href="#">Prof. Belgacem BOUDRA</a>	Jan 18, 2023
Maître Ahcène BOUOUDEN	Jan 18, 2023

#### ANGOLA

<a href="#">Dr. Carlos Maria DA SILVA FEIJÓ</a>	Jan 27, 2029
Prof. Dr. Lino DIAMVUTU	Jan 27, 2029
Prof. Sofia MAIA DO VALE (i)	Jan 27, 2029
Ms. Itweva NOGUEIRA (i)	Jan 27, 2029

#### BENIN REPUBLIC

Maître Désiré AÏHOU	Apr 11, 2024
Maître Raymond DOSSA	Apr 11, 2024
Maître Rufino D'ALMEIDA	Apr 11, 2024
<a href="#">Maître Luciano HOUNKPONOU</a>	Apr 11, 2024
M. Flavien BACHABI	Apr 11, 2024
Maître Arthur BALLÉ	Apr 11, 2024

#### BOTSWANA

## G.O. Sodipo & Co: 50 years of ICSID Arbitration and African States (1974-2024)

[Mr. Edward William Fashole Luke](#) Sep 23, 2025

Dr. Athaliah Lesiba Molokomme Sep 23, 2025

[Judge Sanji Mmasenono Monageng](#) Sep 23, 2025

### BURKINA FASO

Mr. Sibili Franck COMPAORE Sep 07, 2010

Mr. Victor KAFANDO Sep 07, 2010

Mr. Ignace YERBANGA Sep 07, 2010

Mr. Dobo Martin ZONOU Sep 07, 2010

Mr. Ambroise Marie BALIMA Sep 07, 2010

Mr. Mamadou GUIRA Sep 07, 2010

Mrs. Gertrude M. OUEDRAOGO Sep 07, 2010

Mr. Adama TRAORE Sep 07, 2010

### BURUNDI

[Prof. Nicolas ANGELET](#) (i) Sep 17, 2016

Mr. Sixte Sizimwe KAZIRUKANYO Sep 17, 2016

[Prof. Gérard NIYUNGEKO](#) Sep 17, 2016

Mr. Fabien SEGATWA Sep 17, 2016

### CABO VERDE

[Mr. Hélio SANCHES](#) May 17, 2028

### CAMEROON

Roger Synphorien BAFAKAN BEHALAL May 16, 2028

Sylvie Ivonne BEBOHI EBONGO May 16, 2028

[Gaston Kenfack Douajini](#) May 16, 2028



## **G.O. Sodipo & Co: 50 years of ICSID Arbitration and African States (1974-2024)**

<a href="#">Mougnal SIDI</a>	May 16, 2028
<a href="#">Brigitte ADA NNENGUE LEBRETON</a>	May 16, 2028
Jean Bosco ESSOH	May 16, 2028
Mme Fadimatou HAYATOU	Oct 06, 2021
Benoit Placide MEVOUA	May 16, 2028

### **CENTRAL AFRICAN REPUBLIC**

Mr. Célestin GAOMBALE	Oct 27, 1986
Mr. Léopold SAMBA	Oct 27, 1986
Mr. Antoine GROTHE	Oct 27, 1986
Mr. Albert KOUDA	Oct 27, 1986
Mr. Joseph MANDE-DJAPOU	Oct 27, 1986
Mr. Levy SOBANGUE	Oct 27, 1986

### **CHAD**

Mbaigangnon ATHANASE	Apr 22, 2026
Stephane BROQUET	Apr 22, 2026
Victoire KOLINGAR-LHERMENIER	Apr 22, 2026
Yenan TIMOTHÉE	Apr 22, 2026

### **COMOROS**

Mr. Nidhoim ATTOUMANE	Sep 01, 1987
Mrs. Kassimou HARIMIA	Sep 01, 1987
Mr. Said Mohamed MSHANGAMA	Sep 01, 1987
Mr. Ali SALIM	Sep 01, 1987

### **CONGO, DEMOCRATIC REPUBLIC OF**

## G.O. Sodipo & Co: 50 years of ICSID Arbitration and African States (1974-2024)

<a href="#">Adèle KALAMBAY NDAYA MOLEKA</a>	Mar 26, 2018
<a href="#">Mr. Néhémie MWILANYA WILONDJIA</a>	Sep 25, 2019
Prof. Kolongele EBERANDE	Sep 25, 2019
Prof. Dieudonné LUABA NKUNA	Sep 25, 2019
Mr. Tshibangu KALALA	Oct 24, 2018
Mr. Célestin TUNDA YA KASENDE	Oct 24, 2018
<b>CONGO, REPUBLIC OF -NOT STATED</b>	
<b>COTE D'IVOIRE- NOT STATED</b>	
<b>DJIBOUTI- NOT STATED</b>	
<b>EGYPT</b>	
<a href="#">Karim HAFEZ (i)</a>	May 03, 2023
<a href="#">Judge Moustafa ELBAHABETY</a>	Oct 15, 2024
<a href="#">Mohamed Sameh AMR</a>	Jul 11, 2029
Mahmoud FAWZY ADL-BARY ASAR	May 03, 2024
<a href="#">Prof. Tarek RIAD (i)</a>	May 03, 2023
<b>ESWATINI- NOT STATED</b>	
<b>ETHIOPIA -NOT STATED</b>	
<b>ERITREA -NOT STATED</b>	
<b>GABON</b>	
Dr. Jean Paul ANGOENNAH ESSYNGONE	Sep 04, 2020
<a href="#">Dr. Marie-Madeleine MBORANTSUO</a>	Sep 04, 2020
<a href="#">Prof. Etienne NSIE</a>	Sep 04, 2020
<a href="#">Prof. Guy ROSSATANGA-RIGNAULT</a>	Sep 04, 2020
Maître Norbert ISSIALH	Sep 04, 2020
M. Honoré MOUNDOUNGA	Sep 04, 2020
M. Modeste OBIANG NDONG	Sep 04, 2020
Prof. Guillaume PAMBOU TCHIVOUNDA	Sep 04, 2020

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### GAMBIA

<a href="#">Ida-Denise DRAMEH</a> (i)	Aug 25, 2027
<a href="#">Edi M. O. FAAL</a> (i)	Aug 25, 2027
<a href="#">Hassan B JALLOW</a>	Aug 25, 2027
Aminatta L.R. N'GUM (i)	Aug 25, 2027
<a href="#">The Hon. Amina Saho CEESAY</a>	Aug 25, 2027
<a href="#">Aliou Badara DEMBA</a>	Aug 25, 2027
The Hon. Basiru Vassili POTIER MAHONEY (i)	Aug 25, 2027
<a href="#">The Hon. Raymond Claudius SOCK</a> (i)	Aug 25, 2027

### GHANA

<a href="#">Emmanuel AMOFA</a>	Jul 28, 2023
<a href="#">Ace Anan ANKOMAH</a>	Jul 28, 2023
<a href="#">Francis BOTCHWAY</a>	Jul 28, 2023
<a href="#">Dr. Emmanuel OPOKU AWUKU</a>	Sep 02, 2020
<a href="#">Vincent Kizito BEYUO</a>	Jul 28, 2023
<a href="#">Kow ESSUMAN</a>	Jul 28, 2023
<a href="#">Mangowa A. GHANNEY</a>	Jul 28, 2023
<a href="#">Mercy Louise OHENE</a>	Jul 28, 2023

### EQUATORIAL-GUINEA-NOT STATED

### REPUBLIC OF GUINEA

Mr. Damou SAKO	Jan 15, 1987
Mr. Mamba SANO	Jan 15, 1987

### GUINEA – BISSAU- NOT STATED

### KENYA

Arthur Konye IGERIA	Sep 19, 2028
---------------------	--------------

## G.O. Sodipo & Co: 50 years of ICSID Arbitration and African States (1974-2024)

[Kamau KARORI](#) Sep 19, 2028

[Githu MUIGAI](#) Sep 19, 2028

[John OHAGA](#) Sep 19, 2028

[Wanjiru KARANJA](#) Sep 19, 2028

[Eunice LUMALLAS](#) Sep 19, 2028

[Calvin M. NYACHOTI](#) Sep 19, 2028

[Grace NZIOKA](#) Sep 19, 2028

### LESOTHO

Mr. P.T. MAFIKE Oct 03, 1989

Mr. S. MONTSI Oct 03, 1989

Mr. T. MAKEKA Oct 03, 1989

The Hon. Justice B.K. MOLAI Oct 03, 1989

### LIBERIA

Mr. Philip A.Z BANKS III Jul 01, 1991

Mr. James S. GUSEH Jul 01, 1991

Mr. Samuel MCINTOSH Jul 01, 1991

Mr. Momolue B. TAMBA Jul 01, 1991

Mr. E. Winfred SMALLWOOD Jul 01, 1991

Mr. Frank W. SMITH Jul 01, 1991

### LIBYA

### MADAGASCAR

[Lalaoniaina Odile ANDRIANARISOA](#) Jun 02, 2026

[Raphael JAKOBA](#) Jun 02, 2026

Josiane Marie Chantal RAZAFINARIVO Jun 02, 2026

Rivoniaina RAZAFINDRAKOTO Jun 02, 2026

## G.O. Sodipo & Co: 50 years of ICSID Arbitration and African States (1974-2024)

### MALAWI

[Prof. A. Peter MUTHARIKA](#)

Apr 23, 2012

### MALI

M. Samba AMINETA SARR

Jul 13, 2021

[M. Boubacar Sidiki DIARRAH](#)

Jul 13, 2021

Me Boubacar SOW

Jul 13, 2021

M. Sékou TRAORE

Jul 13, 2021

### MAURITANIA

[Jemal OULD AGATT](#)

Nov 29, 2029

### MAURITIUS

Mr. Désiré BASSET

Jan 14, 2022

[Mr. Ravindra CHETTY](#)

Jan 14, 2022

Mr. Raouf GULBUL

Jan 14, 2022

[Salim Moollan](#) (i)

Jan 14, 2022

### MOROCCO

M. Idriss BOUZIANE

May 28, 2022

M. El Hassan EL GUASSIM

May 28, 2022

M. El Houcine KHALIFA

May 28, 2022

[Dr. Abdelkader LAHLOU](#)

May 28, 2022

### MOZAMBIQUE

[Angelo MATUSSE](#)

Jan 24, 2026

### NAMIBIA – NOT STATED

### NIGER

Abdoulaye HAMMA

Dec 15, 2027

Boukar MAMAN MAMOUDOU KOLO

Dec 15, 2027

### NIGERIA

## G.O. Sodipo & Co: 50 years of ICSID Arbitration and African States (1974-2024)

<a href="#">Olufunke ADEKOYA</a> (i)	Feb 23, 2030
Babatunde AJIBADE	Mar 26, 2030
<a href="#">Yakubu Chonoko MAIKYAU</a>	Mar 30, 2030
<a href="#">Adedoyin O. RHODES-VIVOUR</a>	Jan 27, 2029
<a href="#">Taiwo Akinola ABIDOGUN</a>	Mar 30, 2029
Mr. Augustine O. ALEGEH	Jul 04, 2022
Mrs. Stella ANUKAM, FCIArb, FCIS	Jul 04, 2022
Mr. Chukwuma Uchenna EKOMARU, SAN, FCIArb	Jul 04, 2022
<b>RWANDA</b>	
<a href="#">Mr. Robert BAFAKULERA</a>	Oct 22, 2021
Ms. Anita MUGENI	Oct 22, 2021
Mr. Richard MUGISHA	Oct 22, 2021
Ms. Bernadette UWICYEZA	Oct 22, 2021
<a href="#">Ms. Clare AKAMANZI</a>	Oct 22, 2021
<a href="#">Ms. Isabelle KALIHANGABO</a>	Oct 22, 2021
M. Emmanuel KAMERE	Oct 22, 2021
Dr. Faustin NTEZILYAYO	Oct 22, 2021
<b>SAO TOME AND PRINCIPE - NOT STATED</b>	
<b>SENEGAL</b>	
Mr. Ousmane CAMARA	Jun 07, 2004
Mr. Alioune DIAGNE	Jun 07, 2004
Mr. Galaye SECK	Jun 07, 2004
<b>SEYCHELLES</b>	
<a href="#">Ms. Mahnaz MALIK</a> (i)	May 14, 2018
<a href="#">Prof. Giorgio SACERDOTI</a> (i)	Jun 20, 2022

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### SIERRA LEONE

<a href="#">Musa MEWA</a>	Oct 12, 2027
<a href="#">Patrick W. PEARSALL</a> (i)	Jan 20, 2026
<a href="#">Samuel U.B. SAFFA</a>	Oct 12, 2027
<a href="#">Christian VIDAL-LEÓN</a> (i)	Oct 12, 2027

### SOMALIA

<a href="#">Judge Abdulqawi Ahmed YUSUF</a>	Oct 28, 2022
<a href="#">Guled YUSUF</a>	May 05, 2026
<a href="#">Marvan HASSAN</a>	Jun 23, 2022
<a href="#">Mr. Baiju S. VASANI</a> (i)	Jun 20, 2022

### SOUTH AFRICA NOT STATED SOUTH SUDAN- NOT STATED

### SUDAN

<a href="#">Awn Shawkat Al-Khasawneh</a> (i)	Apr 04, 2025
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### TANZANIA

Mr. Elisifa KINASHA	Aug 26, 2005
Mr. M.J.A. LUKWARO	Aug 26, 2005
Ms. Verdiana Nkwabi MACHA	Aug 26, 2005
Mr. K.M.I.M. MSITA	Aug 26, 2005

### TOGO

<a href="#">Dorothy Udeme UFOT</a> (i)	Feb 01, 2023
<a href="#">Séna AGBAYISSAH</a>	May 08, 2023
<a href="#">Hounaké KOSSIVI</a>	May 08, 2023

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[Tchitchao TCHALIM](#)

May 08, 2023

### TUNISIA

[Me. Ghazi GHERAIRI](#)

Jan 02, 2021

Me. Donia HEDDA ELLOUZE

Jan 02, 2021

Me. Mohamed Fadhel MAHFOUDH

Jan 02, 2021

Prof. Taoufik OUANES (i)

Jan 02, 2021

Me. Abdessatar BEN MOUSSA

Jan 02, 2021

Prof. Sami BOSTANJI

Jan 02, 2021

[Prof. Ferhat HORCHANI](#)

Jan 02, 2021

Prof. Mohamed SAYARI

Jan 02, 2021

### UGANDA

[Geoffrey KIRYABWIRE](#)

Feb 05, 2027

Peters K. MUSOKE

Feb 05, 2027

Chrispas NYOMBI

Mar 01, 2029

[Robina Kisubi SHONUBI](#)

Feb 05, 2027

[Joseph ENYIMU](#)

Feb 05, 2027

Rose Lillian LUBWAMA

Feb 05, 2027

### ZAMBIA

James BANDA

May 28, 2030

Nkusuwila NACHALWE-MBAO

May 28, 2030

Kondwa Emily SAKALA-CHIBIYA

May 28, 2030

Geoffrey W. SIMUKOKO

May 28, 2030

### ZIMBABWE

[Mr. S.J. CHIHAMBAKWE](#)

Oct 28, 2019

[Ms. Mercy Sibongile GWAUNZA](#)

Oct 28, 2019



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<a href="#"><u>Mrs. V. MUDIMU</u></a>	Oct 28, 2019
Mr. Lewis URIRI	Oct 28, 2019
<a href="#"><u>Mr. Tinoziva BERE</u></a>	Oct 28, 2019
<a href="#"><u>Ms. P. DUBE</u></a>	Oct 28, 2019
<a href="#"><u>Mr. C. DUBE</u></a>	Oct 28, 2019
<a href="#"><u>Mrs. Melina MATSHIYA</u></a>	Oct 28, 2019