

## Einfaches Seminar: Researching Key Issues in African Law

Summer Semester 2022

Prof. Thoko Kaime

This seminar focuses on key emerging legal issues in Africa. A number of topical questions ranging from human rights, sustainability governance, regional integration, constitutionalism and comparative law will be discussed in light of epistemological and decolonial approaches from the Global South. The seminar is designed to be also attended by students without previous knowledge in the individual problem areas and students still in their early semesters. The seminar takes place as a block seminar with three main days.

Assignment of topics:	4 <sup>th</sup> April 2022
Kick-off Day:	6 <sup>th</sup> May 2022
Intermediate meeting:	27 <sup>th</sup> May 2022
Submission of papers:	1 <sup>st</sup> July 2022
Final presentation:	22 <sup>nd</sup> July 2022

### Topics

#### Public International law

1. Critically discuss the extent to which Germany can be held responsible under international law for injustices committed under German colonial occupation of Namibia.
2. Discuss the various ways in which international law has allowed vaccine nationalism to drive the current efforts against the Covid pandemic. What reforms would you propose to remove the possibility of similar responses happening in the future?

#### Human Rights

3. Focusing on the role that judicial institutions within African regional economic communities play in the protection of human rights, critically discuss how activities of these institutions can be streamlined into the African human rights system.



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4. Assess the effectiveness of international and regional Business and Human Rights frameworks in addressing the human rights challenges in the mining sector in Africa.
5. Critically assess the human rights impacts of international anti-terrorism operations on the African continent and analyse the AU institutions that should supervise such interventions.

#### Land rights

6. Briefly analyse the decision of the African Court for Human and Peoples' Rights in *African Commission on Human and People's Right v Republic of Kenya, ACtHPR Application No. 006/2021*. Elaborate how the decision shall shape land rights of African Indigenous People.

#### Law and Politics

7. Elaborate how the *African Court on Human and Peoples' Rights Advisory Opinion on Request No. 001/2020 by the Pan African Lawyers Union* has shaped or will shape African people's right to vote.
8. Critically examine the impact on democracy and good governance of the post-independence dominance of liberation struggle political parties in the 21<sup>st</sup> century. You may focus on examples including ANC, CCM and ZANU-PF in South Africa, United Republic of Tanzania, and Zimbabwe respectively. What lessons can be drawn for African democracies from these case studies in Africa?

#### Trade law

9. Critically examine potential of the legislative and institutional framework of the African Continental Free Trade Area (AfCFTA) Agreement in achieving the Pan-African drive for inclusive and sustainable development. Remember to its potential for promotion of trade integration and addressing challenges such as illicit financial flows (IFFs).

#### Environment and Sustainability

10. Critically examine the wins and losses for global south countries from the proceedings of COP in Glasgow, UK.



11. Lack of provision of modern energy sources is a key factor in holding back Africa's development. Should African states recognise an emerging right of access to energy? What legal options would be available on different policy-making levels? See eg state level, supra-regional communities, and Africa Union levels.

Please register by sending us your name, semester, matriculation number and your desired topic to: [africanlegalstudies@uni-bayreuth.de](mailto:africanlegalstudies@uni-bayreuth.de). However, the final topic allocation will take place at the preliminary meeting.



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