

**\*\*\*DRAFT PROGRAMME\*\*\***

**Fourteenth Annual SADC Lawyers' Association  
General Meeting and Conference  
At the Bingu International Conference Centre (BICC) in Lilongwe, Malawi  
1 – 4 August, 2013**

**Theme: “Constitution-Making and Constitutionalism in SADC: Opportunity or Illusion for Justice, Peace and Shared Values?”**

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**DAY 1 Thursday, 1<sup>st</sup> August, 2013**

**All Day Arrival of Delegates**

**1830 - Welcome Cocktail at Ufulu Gardens  
Guest of Honour: *Honourable Ralph Kasambara, SC*, Minister of Justice of the  
Republic of Malawi**

***(Dress Code: Smart Casual)***

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**DAY 2 Friday, 2<sup>nd</sup> August, 2013**

**0800 Compulsory Registration of all Delegates**

**0900 OPENING CEREMONY**

***Session Director: Dr. Mwiza Jo Nkhata*, Malawian Lawyer and Dean of the Faculty  
of Law, University of Malawi**

**Welcoming Remarks**

**Mr. Mandala Mambulasa**  
President of the Malawi Law Society

**Remarks on Constitution-  
Making and Constitutiona-  
lism in SADC**

**Mrs. Kondwa Sakala-Chibiya**  
President – SADC Lawyers' Association

**Official Opening Address**

**Her Excellency, Dr. Joyce Banda**  
President of the Republic of Malawi

**Vote of Thanks**

**Mr. Gilberto Correia**  
Vice President, SADC Lawyers' Association

**1030 Group Photo & Health / Tea Break**

**1115 SESSION I – MAIN AUDITORIUM**

***Constitution-Making and Constitutionalism in SADC: Opportunity or Illusion  
for Justice, Peace and Shared Values?***

**Session Chairperson:** **Mr. Maxwell Boqwana**, Treasurer of the SADC Lawyers Association and Law Society of South Africa Councillor

**Keynote Address** **His Excellency, Mr. Thabo Mbeki**  
**Former President of the Republic of South Africa**

**Discussants** **Tanzania – Mr. Jenerali Ulimwengu**, Advocate of the High Court of Tanzania

**Zambia – Honourable Justice Annel Silungwe (Rtd.)**,  
Chair of the Technical Committee on Drafting the  
Zambian Constitution (TBC)

**Zimbabwe – Honourable Eric Matinenga**, Minister of  
Constitutional and Parliamentary Affairs

**1300** **Lunch Break**

**1415** **SESSION II – PARALLEL SESSIONS**

***I. Best Practices and Emerging Trends in Corporate Law and Governance***

**Session Chairperson:** **Dr. Fumwathu Guilherme**, Law Society of Angola

***Creating a 21<sup>st</sup> Century  
Legal Practice: Lessons  
on New IT Trends to Reduce  
Risk, Boost Efficiency and  
Enhance Good Governance***

**Mr. Mwelwa Chibesakunda**, Partner at  
Chibesakunda & Company

***How to Develop Tailor-Made  
Solutions for Cross-Border  
Deals***

**Partner at Webber Wentzel**, South Africa  
(TBC)

***Arbitration as a Tool for  
Strengthening Cross-Border  
Deals: Making a Case for the  
Harmonization of Arbitration  
Laws in the SADC Region***

**Mr. Duncan Bagshaw**, Registrar of the  
London Centre of International Arbitration (LCIA)-  
Mauritian Centre of International Arbitration  
(MCIA) Arbitration Centre

***II. Assessing the Consensus Building Efforts and the Level of Compliance with  
SADC Summit Decisions: A Look at the Challenges and Limitations***

**Session Chairperson:** **Mr. Lawrence Moagisi Lecha**, President of the Law Society of Botswana

***Application of the SADC  
Protocol on Politics, Defense  
and Security Cooperation  
and Mutual Defense Pact:  
Case Study on Military  
Interventions in the DRC***

**Professor Evarist Boshab**, Former Speaker  
of the House of the Democratic Republic of the  
Congo (TBC)

***SADC Mechanisms on Conflict Management and Resolution: Case Study on the Efforts to End the Political Crises in Madagascar and Zimbabwe***

***Professor Gavin Cawthra***, Degree Convenor:  
Defense and Security Management,  
Wits University, South Africa (TBC)

***The Potential Role of the SADC Tribunal in Promoting Regional Consensus on the Rule of Law, Human Rights and Democracy in the SADC Region***

***Mr. Donald Deya***, Chief Executive Officer of  
The Pan African Lawyers Union

**1545**

**SESSION III - MAIN AUDITORIUM**

***Constitutions as Tools and Safeguards for Good Governance, Rule of Law, Human Rights and Democracy***

**Session Chairperson:** ***Dr. Fidelis Edge Kanyongolo***, Associate Professor – Faculty of Law, Chancellor College, University of Malawi

**Malawi: *From Mutharika to Banda – Averting an Un-Constitutional Change in Government***

***Mr. Mordecai Msisha, SC***, Malawian Lawyer

**Kenya: *The 2013 General Elections v. The Constitution of the Republic of Kenya – Did the Rule or the Rulers of Law Prevail?***

***Ms. Gladwell Otieno***, Executive Director - Africa Centre for Open Governance and Coordinator of Kenyans for Peace with Truth and Justice Coalition (TBC)

**Lesotho: *The Promotion of Good Governance, the Rule of Law and Social Security: An Analysis of Sechele v Public Officers Defined Contribution Pension Fund***

***Professor Mtendeweka Mhango***, Acting Dean - School of Law, Wits University, South Africa

**1700 - Tea & END OF DAY 2**

**1900 - Women Lawyers Networking Cocktail at The Four Seasons Restaurant**

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**DAY 3 Saturday, 3<sup>rd</sup> August, 2013**

**0900 SESSION IV – PARALLEL SESSIONS**

***I. SADC Regional Integration: Pipe Dream or Reality?***

**Session Chairperson:** ***Justice Catherine O'Regan***, former South African Constitutional Court Judge and Chairperson of the United

***Regional Integration in SADC: Key Strategies, Main Challenges, and Opportunities***

***Engineer João Samuel Caholo***, Deputy Executive Secretary of the Southern African Development Community Secretariat

***Assessing the Implementation of the SADC Legal and Policy Frameworks for Intra-Regional Trade, Investment and the Movement of People and Services***

***Ms. Chawe Chuulu***, Expert on Regional Integration and Trade

***Learning from the Best Practices and Regional Integration Experiences from the Commonwealth***

***Mr. Mohamed Husain***, Former President of the Commonwealth Lawyers Association (TBC)

## ***II. SADC Legal Frameworks and Policies Governing Economic and Financial Governance***

**Session Chairperson:** ***Mr. Charles Rwechungura***, Tanzanian Advocate and Managing Partner at CRB Africa Legal

***Promoting Good Financial Governance through the Integration of the SADC Central Banks***

***Governor Gill Marcus***, Governor, South Africa Reserve Bank and Chairperson of the SADC SADC Committee of Central Bank Governors (TBC)

***How Anti-Money Laundering Legislation Impacts on the Legal Profession in SADC***

***Mr. Stephen Lungu***, Partner at Shamwana and Company

***Assessing the Economic Utility and Impact of Public-Private Partnerships***

***Ms. Boma Ozobia***, Immediate Past President of the Commonwealth Lawyers Association (TBC)

**1030**

**Tea Break**

**1100**

**SESSION V – MAIN AUDITORIUM**

***Judges – Lawyers Roundtable Discussion: A Candid Assessment of the Effectiveness and Independence of SADC Judiciaries and Bars***

**Session Chairperson:** ***Mr. Titus Mlangeni***, President of the Law Society of Swaziland

***Roundtable Discussion with the Honourable Judges from the SADC Region***

**1300**      **SESSION VI – MAIN AUDITORIUM**

*Launch and Demonstration of the New SADC Lawyers' Association Website*

**Presenter: Mr. Francois Butedi, Programmes Officer – SADC Lawyers' Association**

*Synopsis of Conference Discussions and the Resolutions Arising from the Conference*

**Presenter: Mrs. Makanatsa Makonese, Executive Secretary – SADC Lawyers' Association**

**1330**      **Lunch Break**

**1415**      **SESSION VII – BREAKAWAY MEETING ROOM**

*Annual General Meeting of the SADC Lawyers' Association*

**Attendees: SADCLA Councillors**

**1600**      **End of AGM and Formal Business**

**1900 -**      **Gala Dinner & Dance at the Bingu International Conference Centre**

**Guest of Honour: *Professor Mathews Chikaonda*, Group CEO of Press Corporation Limited, former Minister of Finance (2000-2002) and former Governor of the Reserve Bank of Malawi (1995-2000)**

***(Dress Code: Black Tie)***

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**DAY 4**      **Sunday, 4<sup>th</sup> August, 2013**

**All Day**      **Departure of Delegates**

**\*\*\* TBC = To Be Confirmed\*\*\***