

# ACL's Inaugural Dubai Arbitration Week Event

Tuesday   
14th November 2023

5PM-8PM (GST) 

Waldorf Astoria – DIFC 

THEME:  
**MIDDLE EAST AND AFRICA –  
THE NEW FRONTIER FOR DISPUTE  
RESOLUTION**

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# ABOUT AFRICA CONSTRUCTION LAW



Africa Construction Law (ACL) is a pan-African initiative established by construction law practitioners from across Africa and the diaspora. It serves as a platform for comprehensive exploration and advancement in the field of construction law, encompassing front-end project development, project financing, and dispute resolution throughout the continent.

As the leading forum for construction law and practice in Africa, ACL focuses on several key objectives:

**Networking and Collaboration:** ACL provides an inclusive platform for professionals in the construction industry across Africa and the diaspora to network and collaborate. This diverse community includes stakeholders such as financiers, investors, practitioners, lawyers, government agencies, and others. By fostering connections, ACL encourages knowledge sharing and the exchange of ideas. Additionally, it offers a forum for meaningful discussions on construction law, project financing, dispute resolution, and industry development in Africa. By bringing together diverse perspectives, ACL aims to contribute to the evolution and improvement of the construction sector.

**Capacity Building and Training:** To promote excellence in construction law expertise among practitioners in Africa, ACL emphasizes capacity building and training. Through targeted programs, it equips professionals with the necessary knowledge and skills to effectively navigate complex construction law matters, including front-end project development and project financing. This capacity building extends to the promotion of Alternative Dispute Resolution (ADR) in construction disputes, including the development of ADR support services such as claims, delay, quantum, architectural and engineering expert witness work. By enhancing expertise and encouraging ADR adoption, the ACL strives to foster fair and efficient dispute resolution mechanisms within the construction industry.

**Thought Leadership:** ACL seeks to be at the forefront of construction law and practice in Africa by providing thought leadership. It actively contributes to the development of laws, policies, and practices within the field, encompassing both front-end project development and project financing as well as dispute avoidance and resolution. These areas are critical for the sustainable growth and success of the construction industry in Africa. By shaping the legal landscape, promoting best practices, and addressing the challenges related to project development, financing, and disputes, ACL aims to elevate construction law and practice standards throughout the continent.

**Showcasing and Promotion:** The ACL recognizes, and highlights practitioners involved in construction disputes and practice across Africa. By showcasing their expertise, achievements, and contributions, ACL brings attention to the talent and professionalism within the construction industry. This not only enhances the visibility of practitioners but also facilitates opportunities for collaboration and recognition within the wider construction community. ACL also emphasizes the importance of front-end project development and project financing, highlighting successful case studies, innovative approaches, and lessons learned in these areas.

Through these initiatives, ACL strives to advance the field of construction law and practice in Africa, foster collaboration, and contribute to the overall growth and success of the construction industry on the continent. By addressing front-end project development, project financing, and dispute resolution, ACL aims to provide a comprehensive platform that caters to the diverse needs of construction professionals throughout Africa.

# EVENT PROGRAMME

TIME	SESSION
5:00PM – 5:10PM	Welcome Remarks <ul style="list-style-type: none"><li>● <b>Reshma Oogorah</b> International Arbitrator &amp; Legal Counsel, Niyom Legal, UAE</li><li>● <b>Yolanda Walker</b> Partner, DWF, UK</li></ul>
<b>Panel 1</b>	<b>Middle East and Africa corridor, opportunities, and challenges</b>
5:10PM – 6:00PM	<ul style="list-style-type: none"><li>● <b>Moderator</b> <b>Gabriela Palacios-Flusk</b> Head of Legal &amp; Contracting, Development Bank of Southern Africa, South Africa</li><li>● <b>Panelists</b> <b>Prof. Dr. Mohamed Abdel Wahab C.Arb, FCI Arb</b> Professor of Law and Founding Partner and Head of Arbitration at Zulficar &amp; Partners Law Firm, Al Jizah, Egypt <b>Jodie Reindorf</b> Associate, Freshfields Bruckhaus Deringer, UAE <b>Sean Hugo</b> Partner, CBBG, Dubai, UAE <b>Mayank Singh Thakur</b> Senior Partner, Masin, UAE</li></ul>
<b>Panel 2</b>	<b>Dispute Resolution in the Middle East and Africa, the Latest Trends</b>
6:00PM – 7:00PM	<ul style="list-style-type: none"><li>● <b>Moderator</b> <b>Ilham Kabbouri</b> Associate, Vinson &amp; Elkins, UAE</li><li>● <b>Panelists</b> <b>Khurram Khan</b> Partner, Anjarwalla Collins &amp; Haidermota   ALN, UAE <b>Prof Emilia Onyema</b> Professor at SOAS University of London , Independent Arbitrator and DIAC Arbitration Court Member, UK <b>Abdul Jinadu</b> Barrister, Keating Chambers, United Kingdom <b>Iryna Telychko</b> General Legal Counsel, Etihad Rail, Abu Dhabi, UAE</li></ul>
7:00PM – 8:00PM	Closing Remarks and Reception

# BIOGRAPHIES



## **Gabriela Palacios-Flusk**

Head of Legal & Contracting, Development Bank of Southern Africa, South Africa

Gabriela is a construction and engineering law specialist, currently the Head of Legal & Contracting for the Infrastructure Delivery Division at the Development Bank of Southern Africa, where she joined in March 2020. Gabriela was previously a Director of Claims and Consultancy at HKA in South Africa. Gabriela gained invaluable experience in the construction and engineering field not only at HKA as a Director Consultant but principally having worked on both the Kusile and Medupi Power Stations as a Specialist Legal Advisor for Eskom, the Owner and Developer of both mega projects. As Gabriela was dedicated to these projects, she had the opportunity to be involved from “cradle to grave” in the procurement and negotiation of contracts as well as legal support in contract management, dispute avoidance and dispute resolution.

Besides managing the collective efforts of the construction experts, external lawyers, counsel and project management staff in the dispute environment, Gabriela has provided much in the way of sound strategic and commercial direction for the benefit of Eskom and other external clients. Her technical knowledge and practical approach assist greatly in finding solutions to complex legal issues that are ever present in construction disputes.

At the 2014 African Legal Awards, Gabriela was nominated in the category of ‘Legal Counsel of the Year’. The Eskom Legal Construction team, that Gabriela was part of, was also nominated for the ‘Legal Department of the Year’ Award.

In May 2022, Gabriela was invited to speak at the Africa Construction Law Conference, held in Lagos Nigeria where she shared the stage with colleagues in the industry from around Africa and Europe.

Gabriela continues to grow her experience in this field by now leading a legal and contracts team which is integral to the growth of the DBSA as the implementing agent of choice by many of the municipalities, governmental departments, and State-Owned Enterprises in Southern Africa.



**Prof. Dr. Mohamed Abdel Wahab C.Arb, FCI Arb**

Professor of Law and Founding Partner and Head of Arbitration at Zulficar & Partners Law Firm, Egypt

Prof. Dr. Mohamed Abdel Wahab is a prominent figure in international arbitration, known for his extensive involvement in various leading organizations and his expertise in complex cross-border disputes. He is a Professor of International Arbitration, Private International Law, and English Contract Law at Cairo University. Dr. Abdel Wahab is a founding partner and heads the International Arbitration, Construction, and Energy Groups at Zulficar & Partners Law Firm in Egypt.

He holds key positions on several boards, including the International Council for Commercial Arbitration (ICCA), the International Chamber of Commerce (ICC), and the Chartered Institute of Arbitrators (CI Arb), where he is the Vice President Global and the President Elect for 2025. Dr. Abdel Wahab also serves as the Dean of the Africa Arbitration Academy and chairs the International Expert Committee of the Permanent Forum for China Construction Law.

He is recognized as a leading arbitrator and arbitration practitioner, with vast experience in no less than 260 cases under various arbitration institutions and the laws of multiple jurisdictions. Dr. Abdel Wahab's expertise covers conflict of laws, construction law, energy law, telecommunications law, African & Arab laws, and more.

In addition to his extensive arbitration work, Dr. Abdel Wahab has authored and edited several books, including "International Arbitration and the COVID-19 Revolution" and "Online Dispute Resolution: Theory and Practice." He is a distinguished legal figure, repeatedly acknowledged in prestigious legal directories and honoured with numerous awards and recognitions for his contributions to the field. Most recently, he was shortlisted among the top five arbitrators for the GAR award for the best prepared and responsive arbitrator (2021). *Who's Who Legal: Construction* (2019) says: Mohamed Abdel Wahab is highlighted as "a leading heavyweight construction law specialist whose analytical skills are second to none". *Chambers & Partners Global* (2022) says: "Mohamed Abdel Wahab is very highly respected for his international commercial and investment treaty practice. As an arbitrator, he frequently presides over disputes concerning construction, energy and infrastructure issues". "Mohamed is a very well-known arbitrator who is very much involved in African work. He's a very impressive guy." *Who's Who Legal: Construction* (2022) says: "Peers and clients say: "Mohamed is an all time great of construction arbitration". Prof. Abdel Wahab also served as a judge for The Big 5 Egypt Impact Awards 2022 and 2023 in the Construction Industry.



### **Abdul Jinadu**

Barrister, Keating Chambers, London, United Kingdom

Abdul Jinadu was called to the Bar in 1995 and has been a practising barrister and arbitrator in Keating Chambers since 1996, specialising in construction, engineering and energy disputes, and domestic and international arbitration. He has acted for the full spectrum of clients including construction and engineering companies, government organisations, corporations, public utilities, local authorities, consultancies, architects, and engineers. He is currently instructed on behalf of the Bereaved Survivors and Residents as a specialist construction counsel on the Grenfell Tower Inquiry.

Abdul has extensive experience of a wide range of disputes and advisory work relating to infrastructure projects. Significant cases have involved oil and gas onshore and offshore facilities, solar power plants, aluminium smelting plants, pharmaceutical plants, hospitals, mining, and marine construction.

He has an extensive international practice both as counsel and as arbitrator acting recently as counsel in respect of a number of disputes in several jurisdictions in the Middle East and as sole arbitrator and party appointed arbitrator in respect of major projects internationally including in Nigeria, Tanzania, Ghana and Turkmenistan. His arbitrator appointments have included ICC and DIFC-LCIA appointments as well as ad hoc arbitrations.

Abdul is a Chapter author for Keating on Construction Contracts and Keating on Offshore Construction and Marine Engineering. He is a member of the Court of LACIAC. He is a Fellow of the Chartered Institute of Arbitrators and of the Botswana Institute of Arbitrators. Abdul is bi-lingual in English and Yoruba and maintains significant contacts with his home country of Nigeria.



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### **Reshma Oogorah**

International Arbitrator & Legal Counsel, Niyom Legal, UAE

Reshma Oogorah is an international arbitrator and legal counsel with over a decade of experience in high-value and complex commercial disputes. She focusses on the construction, technology and energy sectors, and has represented clients in both common and civil law jurisdictions. She has sat as Sole and Presiding arbitrator and acted as counsel in adhoc arbitrations, and under most major arbitration rules.

Throughout her career, Reshma has advised and represented clients in transactions and disputes worth up to US\$25 billion.

Reshma is a Fellow of the Chartered Institute of Arbitrators (CI Arb), an elected committee member and Public Relations Officer of the CI Arb UAE Branch, and General Editor of the Branch's quarterly newsletter.



**Yolanda Walker**

Partner, DWF, UK

Yolanda is a Partner in the Infrastructure, Construction and Energy Disputes team at DWF Law LLP.

She is a specialist construction and engineering lawyer, providing project advice in relation to buildings and large-scale infrastructure projects internationally and in the UK. She advises clients on the operation of contracts and the resolution of disputes through negotiation, adjudication, mediation, arbitration and litigation. She has experience of working with clients throughout the lifecycle of a project to assist in the management of risk, the avoidance of disputes and to help achieve the best result commercially.

She has expertise in all major standard forms of contract, including JCT, NEC and FIDIC. She has advised owners and contractors and employers on a variety of projects in the UK and internationally. These have included buildings, road projects, tunnels, LNG plants and pipelines.

Yolanda also regularly presents at seminars and training workshops in Africa and the UK.



**Mayank Singh Thakur**

Senior Partner, Masin, UAE

Mayank Singh Thakur is Senior Partner in Masin Projects, specializing in expert testimony and support in construction dispute resolution including arbitration.

Mayank is a professional with 20 years of experience in involving project controls, planning & management, construction management, contracts administration, contracts management, risk analysis & mitigation, delay & quantum analysis & dispute resolution, arbitration and litigation support, and expert testimony. He has served as claims analyst on numerous construction projects in areas of delay, disruption, quantum and technical variations. He has testified as expert in quantum and delay matters in arbitrations.

His experience includes refineries, pipelines, oil & gas projects, roads and bridges, airports, infrastructure development, real estate, commercial buildings and power projects having costs ranging from USD 50,000 to USD 1 Billion.

Mayank attained a Post Graduate Diploma in Advanced Construction Management from NICMAR and Bachelor of Engineering (B.E.) in Mechanical Engineering. He also secured Certificate in Project Management (CIPM) by Project Management Association, Japan.



### **Ilham Kabbouri**

Associate, Vinson & Elkins, UAE

Ilham Kabbouri is an associate in the International Dispute Resolution & Arbitration group of Vinson & Elkins LLP. Ilham has experience navigating clients through complex global disputes, from preliminary advice right through to the rendering of the arbitral award and post-award proceedings. Acting for state-owned and private entities, Ilham is experienced in both high-value arbitrations spanning multiple jurisdictions and sectors. While her practice centers on disputes resolution, Ilham regularly advises clients on non-contentious construction and engineering matters. Ilham is active in the development of arbitration in Africa and has assisted a number of African Governments with the creation and improvement of their arbitration legal framework. In 2020, she was recognised by the Association of Young Arbitrators as one of Africa's 50 Most Promising Young Arbitration Practitioners. A strong advocate for diversity, Ilham is often a featured speaker on ethnic and gender diversity issues at arbitration conferences around the world.

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### **Prof Emilia Onyema**

Professor at SOAS University of London and International Arbitrator (London, United Kingdom)

Emilia Onyema is an independent arbitrator with experience as presiding, co and sole arbitrator, and acts as legal expert witness in international arbitration. She is a Professor of International Commercial Law at SOAS University of London where she teaches international commercial arbitration, international investment law and commercial law in a global context. She is qualified to practice law in Nigeria, as a Solicitor in England & Wales, and Fellow of the Chartered Institute of Arbitrators. She convenes the SOAS Arbitration in Africa conference series, leads the SOAS Arbitration in Africa biennial survey research project, co-authored the African Promise; conceived the SOAS counsel in arbitration training project; and is the Director of the SOAS Arbitration and Dispute Resolution centre.

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### **Sean Hugo**

Partner, CBBG, Dubai, United Arab Emirates

Sean is a Partner of CBBG Group. Sean has extensive experience in the specialist disciplines of delay and disruption analysis. Prior to becoming a Delay and Disruption Expert full-time, Sean held senior project-based positions, including Project Manager, Project Controls Manager and Planning Manager on complex projects. Sean has been appointed as an Independent Delay and Disruption Expert, drafting numerous reports providing an independent opinion relating to construction project delay and disruption. Sean is well versed in the best practice protocols of AACE International Recommended Practice No. 29R-03 and the SCL Delay and Disruption Protocol. Additionally, Sean has received formal expert witness and advanced cross-examination training.

Sean has been appointed an independent delay/disruption expert under ICC, DIAC, QICCA and LCIA Arbitration rules.





**Khurram Khan**

Partner, Anjarwalla Collins & Haidermota | ALN, UAE

Khurram is a Partner within the Dispute Resolution team at ALN UAE | Anjarwalla Collins & Haidermota. His focus areas include commercial disputes; finance, shareholder, and M&A disputes; and disputes under trade, manufacturing, infrastructure and technology sectors.

He is a US-qualified commercial litigator and international arbitration specialist, with over a decade of experience.



**Iryna Telychko**

General Legal Counsel, Etihad Rail, Abu Dhabi, UAE

Iryna Telychko is a recognized corporate counsel included in GC POWERLIST: MIDDLE EAST 2019. She is an international lawyer with more than 14 years of in – house and private practice experience in the fields of international commercial transactions, infrastructure projects, general corporate law, energy projects, finance and banking transactions as well as dispute resolution. She is regularly appointed by various arbitration institutions to act as an arbitrator to resolve commercial disputes and invited to speak at the professional events.



**Jodie Reindorf**

Associate, Freshfields Bruckhaus Deringer, UAE

Jodie Reindorf is an Associate with the Freshfields Dispute Resolution team and is based in Dubai. She is of Ghanaian origins, but qualified in England. Jodie represents clients in international construction and commercial arbitrations under a range of institutional Rules, including LCIA, ICC and DIAC Rules across a range of subject-matters, including infrastructure projects, premium retail, tourism and IT systems.

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# ACL Initiative



## ACL Blog

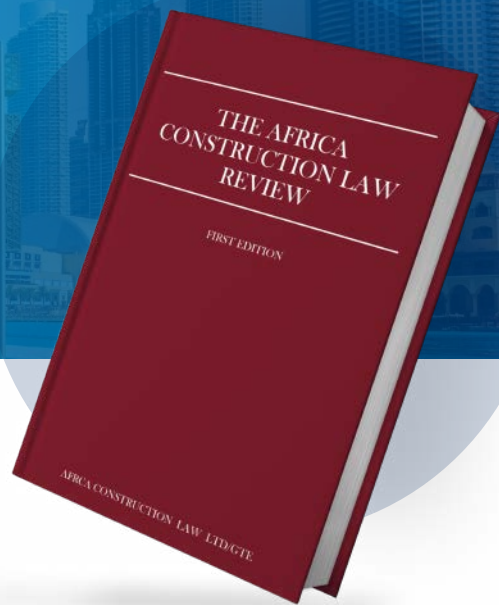
The ACL Blog is an initiative of Africa Construction Law, which provides a platform that keeps practitioners in the construction industry abreast of the latest practice and legal developments in the field of construction law across the African continent by highlighting up to date trends in the market. With short reads guaranteed to only take a maximum 7 minutes of your time, the ACL blog aims to:

- (i) generate interest and engagement in construction law; and
- (ii) be the leading source of information for construction professionals and investors in Africa.

To achieve this, we encourage and accept articles on recent developments and current issues from professionals in the construction field, lawyers, and non-lawyers alike. In this regard, the ACL blog is run by an editorial team under the guidance of Africa Construction Law Advisory Board who serve as editorial advisors.

The editorial team is strategically spread across all regions in Africa (Northern Africa, West Africa, OHADA countries, East Africa, and Southern Africa), and their role surrounds lobbying for articles from industry experts, and editing these articles, which are then uploaded onto the blog.

For more information regarding the ACL Blog and to review the editors' bios, please visit <https://africaconstructionlaw.org/acl-blog/> Be sure to subscribe to the ACL Blog to never miss an update on recent trends. If you wish to join the editorial team, please contact our general editor, Laura Lusiji (JMiles & Co. Kenya) or send an e-mail to [info@africaconstructionlaw.org](mailto:info@africaconstructionlaw.org).



## ACL Review

We are excited to launch the ACL Review, a dedicated source of content for construction law in Africa. In collaboration with leading practitioners with experience of working in Africa we have produced chapters on construction law in practice in several African jurisdictions. These chapters will soon be published and will be free-to view by our members online and will eventually be available to purchase in print.

The purpose of the ACL Review is to provide practitioners and academics with information about the divergent construction legal frameworks and practices in Africa. We aim to do away with the myth that “one size fits all” when considering the application of construction law to jurisdictions in Africa and shed light on the differences in practice in respect of the breadth of infrastructure projects on the continent.

The Review considers construction and infrastructure issues that commonly arise in Africa, including matters regarding the procurement process, forms of contracting, the respective obligations of employer and contractor, specific aspects of contractual performance and dispute resolution and avoidance practices in Africa.

If you are interested in helping us expand our jurisdictional coverage and have experience of construction law in Africa, please email [info@africaconstructionlaw.org](mailto:info@africaconstructionlaw.org) to find out more.



## ACL Training Academy

ACL's mission is to be the global platform for construction law and practice in Africa. For centuries many of the legal and consultancy-based expertise relating to transactional and dispute resolution matters have come from Europe. However, as the continent has seen a growth in infrastructure projects across various sectors, there has been a steady increase in the number of local practitioners specializing in Construction law. However, the demand for practical local construction law expertise in Africa eclipses the supply. One of the key objectives of the ACL is to encourage and foster construction law expertise among practitioners in Africa through capacity building and training. In order to achieve this goal, ACL is excited to be launching the ACL Training Academy in September 2022. This will be a collaboration between ACL, the Centre of Construction Law & Dispute Resolution at King's College London and HKA. The ACL Training Academy is building a programme of training to formalize further learning and the application of real world commercial challenges in the construction sector. The training will be geared to persons involved in all aspects of the commercial delivery of construction projects, including lawyers, dispute resolution specialists and parties that appoint them such as contractors, consultants, employ ers, parastatals and government authorities.

The Academy has invested heavily in the use of technology to enable delivery of training by expert practitioners on a virtual basis from multiple geographies thereby offsetting significant prohibitive travel costs. The launch of the ACL Training Academy will showcase a structured and practical 8 module course which will be delivered over a period of 2 hours bi-weekly during September 2022, which equates to 16 hours for the full course duration. The objective of this course is to impart sufficient useful and practical knowledge and training content without encroaching on attendees' working days.

Using established project case studies, the training offered by ACL will address:

- Project procurement and pre-contract considerations
- Matters arising from project execution
- Claims
- Dispute Avoidance and
- Dispute Resolution

The ACL Training Academy will continue working with law firms, consultancies and local professional institutions such as CIArb Kenya to deliver adhoc seminars and workshops relevant to specific jurisdictions.

For further information about the launch of the ACL Training Academy including upcoming webinars and workshops, please email [aclacademy@africaconstructionlaw.org](mailto:aclacademy@africaconstructionlaw.org).



## 2024 Annual ACL Conference

The 2024 Annual Africa Construction Law (ACL) Conference which is scheduled to hold on the 3rd and 4th of June 2024 in Nairobi, Kenya is an essential gathering for professionals working in the infrastructure and energy sectors across the African continent. This conference offers a unique platform for practitioners to exchange insights and expertise regarding the construction industry in Africa.

In past conferences, our diverse and extensive audience has typically included contractors, employers, practicing lawyers, in-house counsel, dispute resolvers, consultants, experts, investors, contracting organizations, and academics. For additional information about the 2024 Annual ACL Conference and sponsorship, please feel free to reach out to us at [info@africaconstructionlaw.org](mailto:info@africaconstructionlaw.org)

