

JAMES THUO GATHII

Loyola University Chicago School of Law, Phillip H. Corboy Law Center, 25 E. Pearson Street,
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EDUCATION:

HARVARD LAW SCHOOL

S.J.D., (Doctor of Juridical Science, Phd equivalent) June 1999

LL.M., June 1995 (waived to pursue SJD)

KENYA SCHOOL OF LAW

Diploma in the Practice of Law, Advocate High Court of Kenya)

UNIVERSITY OF NAIROBI, FACULTY OF LAW

LL.B. With Honors, March 1992

MAJOR HONOURS:

Oxford University Press, North American Delegate for International Law, since Fall 2022

Selected to Deliver the Opening Keynote Lecture at the 52nd Annual Meeting of the Canadian Council of International Law, November 2nd 2023

Appointed 2022-23 ABF William H. Neukom Fellows Research Chair in Diversity and Law, American Bar Foundation.

Selected to List of Panelists of the China International Economic and Trade Arbitration Commission (CIETEC), May 2021

Selected to List of Panel of Arbitrators of the Shenzhen Court of International Arbitration (also known as the “South China International Economic and Trade Arbitration Commission”, the “Guangdong-Hong Kong-Macau Greater Bay Area International Arbitration Center”, and the “Shenzhen Arbitration Commission”, hereinafter the “SCIA”) with a term of three years from 21 February 2022 to 20 February 2025.

Selected to Deliver Grotius Lecture at the 114 Annual Meeting of the American Society of International Law, (ASIL) June 25, 2020

Vice President, American Society of International Law, Spring 2021

Elected to Indicative List of Panelists of the World Trade Organization, 2016

Elected as Counsellor to the American Society of International Law, 2015

Elected to the International Academy of International Law, 2015

Elected to the Board of Editors of the American Journal of International, 2014

Appointed Wing-Tat Lee Chair in International Law, 2012

2010 Distinguished Faculty Award in Excellence in Scholarship, Albany Law School, May 2010

Appointed George E. Pataki Professor of International Commercial Law and Arbitration, 2006

EXPERIENCE:

Loyola University Chicago School of Law

Wing-Tat Lee Chair of International Law and Professor of Law, July 2012 to Present

University of Chicago School of Law

Visiting Professor of Law, Autumn 2017

Taught: Public International Law

Albany Law School, Albany NY

Associate Dean for Research and Scholarship, July 2008-June 2012

Governor George E. Pataki Professor of International Commercial Law, July 2006-June 2012

Professor of Law, July 2006-June 2012

Associate Professor, July 2004-June 2006

Assistant Professor, Fall 2001 to 2004

Taught: International Investment Law and Commercial Arbitration; Public International Law; International Trade Law; International Business Transactions; Law and Development; Business Organizations; Comparative Constitutional Law

University of Illinois Law School

Visiting Professor of Law, Short Course, Fall 2007

School of Law, University of Nairobi

Visiting Professor of Law, 2007-08

Taught: International Trade Law; International Investment Law; East African Community Law

Rutgers University, Graduate School of Management, Newark, NJ
Assistant Professor, Fall 1998-Spring 2001

Capital University Law School, Columbus, OH
Visiting Professor Summer Abroad At Home Program, Summer 1998
Taught: International Environmental Law

University of Oklahoma, College of Law, Norman, OK
Crowe and Dunvely Visiting International Law Professor, Fall 1997
Taught: Public International Law

Harvard Law School, Cambridge, MA
Senior Fellow, Graduate Program, 1996-97

Harvard Center for International Affairs, Cambridge, MA
MacArthur Fellow, 1996-97; Graduate Affiliate, 1995-96
Co-ordinated the Harvard - MIT Transnational Security Seminar on the response of the international community to civil wars

INTERNATIONAL ARBITRATION ASSIGNMENTS

Arbitrator in Consta Joint Venture v. Chemin de Fer Djibouto-Ethiopien (the Ethiopian-Djibouti Railway), representing the Federal Democratic Republic of Ethiopia and the Republic of Djibouti, PCA Case No. 2013-32 at the Permanent Court of Arbitration in the Hague (2013 to 2016) <https://pca-cpa.org/en/cases/40> Total value of dispute: Euro 38, 865, 586.09

Arbitrator in Mattioli Joint Venture v. The Ministry of Water and Energy representing the Federal Democratic Republic of Ethiopia, PCA Case No. 2013-33 at the Permanent Court of Arbitration in the Hague (2013 to 2016) <https://pca-cpa.org/en/cases/43> Total Value of Dispute: Euro 37,495,862.

ADDITIONAL PROFESSIONAL EXPERIENCE:

Editor, American Journal of International Law 2014 to present.

Founding Editor, Afronomicslaw.org, a blog on International Economic Law Issues as they Relate to Africa and the Global South

Founding Editor-in-Chief, African Journal of International Economic Law (2020)

Advisory Board member of the International Journal of Constitutional Law (I.CON) from September 2019 to present

Advisory Board Member, Journal of International Economic Law, May 2021 to present

Advisory Board Member, Caribbean Law Review, February 2021 to present

Associate Member, International Academy of Comparative Law, 2015 to present

Independent Expert on the African Commission on Human and Peoples' Rights Group on Extractive Industries, Environment and Human Rights Violations in Africa, June 2012 to April 2020.

Co-Chair, African Interest Group of the American Society of International Law, 2010-2012

Member Executive Council of the American Society of International Law, 2008-2011 and 2012 to present

Counsellor, American Society of International Law, 2012 to present

Consultant, Kenya National Commission on Human Rights on Investigative Report on Post-Election Violence Following the 2007 General Elections in Kenya

Consultant, UNDP Project on Access to Justice, 2005-06

Consultant, Trade Policy Training Center in Africa, September 2007

Member, Advisory Board, Journal of Human Rights and International Legal Discourse, since 2006

Member, Advisory Board, Human Rights and the Global Economy an SSRN Electronic Journal, since 2006

Member, Advisory Board, Law and Development Review, a Bepress Electronic Journal, since January 2009

Director, Nairobi International Law Institute, Summer 2006, 2007 and 2010

Constitution of Kenya Review Commission, Summer 2002, Nairobi, Kenya

Intern, International Monetary Fund, Summer 1996, Washington DC

Associate, Waruhiu and Muite Advocates, 1993-1994, Nairobi, Kenya

PUBLICATIONS:

BOOKS:

Kenya's Company Law Under the 2015 Companies Act, Sheria Publishing House (forthcoming 2024).

How to Reform the Global Debt and Financial Architecture, Sheria Publishing House, Editor, (2023)

Transforming Climate Finance in an Era of Sovereign Debt Distress, (Co-Editor with Adebayo Majekolagbe and Nona Tamale), Sheria Publishing House, (2023)

The Performance of Africa's International Courts: Using International Litigation for Political, Legal, and Social Change, (Editor), Oxford University Press, 2020.

The Contested Empowerment of Kenya's Judiciary, Sheria Publishing House (2016)

African Regional Trade Agreements as Legal Regimes, Cambridge University Press, (July, 2011, paperback edition 2013)

War, Commerce, and International Law, Oxford University Press, (2010).

FORTHCOMING ARTICLES

“Financing Climate Change Through a Racial Capitalism Lens,” Journal of Law and Political Economy (2023)

“Decolonizing the ICJ Mafia,” Draft in Progress (2023) (already cited by among others Jose Alvarez)

“The Color of Sovereign Debt” Keynote Remarks Presented at the Eighth Biennial Global Conference in Bogota, Colombia, Thursday July 13th 2023 (Now being prepared into full fledged article)

“The World Bank's Minimalist Race Agenda,” Draft in Progress

“The Rise and Fall of the Japanese Equality Proposal at the League of Nations,” draft in progress.

Slavery, Capitalism and the Conflict of Laws,” draft in progress.

“Unincorporated Territories: From Puerto Rico to British Protectorates in Africa,” 14,000 draft essay in progress.

“Corporate Structures and the Attribution Dilemma in Multinational Enterprises,” in M.J. Durkee, (ed. Cambridge University Press) The Law and Logics of Attribution: Constructing the Identity and Responsibility of States and Firms (2021) (with Olabisi Akinkugbe)

“Regulating Transnational Corporations and Protecting Human Rights: Looking Back to Pave the Way Forward,” Draft in Progress (2023) (with Dolapo Makinde)

“Resolving the Relationship Between the Abuja Treaty Establishing the African Economic Community, (AEC), and the African Continental Free Trade Agreement (AfCFTA), Report Prepared for the United Nations Economic Commission on Africa’s African Trade Policy Centre (October 2023)

“The (Mis)Production of African International Economic Law,” forthcoming 2024

PUBLISHED ARTICLES

“Beyond Color-Blind International Economic Law,” 117 *American Journal of International Law Unbound* 117 (2023)

“Introduction to Special Issue: Reform and Retrenchment in International Investment Law, *The Journal of World Investment and Trade* 535-563 (2023) (with Harrison Otieno Mbori)

“Beyond Color Blind National Security Law,” in Matiangai Sirleaf (Ed.) *Race and National Security*, (Oxford University Press) 21-40 (2023)

“Introduction,” in *How to Reform the Global Debt and Financial Architecture*, Sheria Publishing House, Editor, (2023)

“Introduction,” *Transforming Climate Finance in an Era of Sovereign Debt Distress*, (Co-Editor with Adebayo Majekolagbe and Nona Tamale), Sheria Publishing House, (2023).

Book Review, *Identity and Diversity on the International Bench: Who is the Judge?* Freya Baetens (ed.), 24 *Journal of World Investment and Trade* 348-354 (2023)

“The West and the Unraveling of the Economic World Order: Thoughts from a Global South Perspective,” in David Sloss (ed.) *Is the International Legal Order Unraveling?* (Oxford University Press, 62 (2022) (with Sergio Puig)

“Judicialization of Election Disputes in Africa’s International Courts,” 84 *Law and Contemporary Problems* 181 (2022) (with Olabisi Akinkugbe)

“Racial Capitalism and International Economic Law: Introduction,” 25 *Journal of International Economic Law*, (2022), 199 (with Ntina Tzouvala) <https://doi.org/10.1093/jiel/jgac025>

“Termination and Amendment of Treaties and Modernization and Reform of Investment Treaties: Which Way Forward?,” (with Dilini L. Pathirana) in Dr Esmé Shirlow and Kiran Nasir Gore (eds) *The Vienna Convention on the Law of Treaties in Investor-State Disputes* 271 (2022)

“The Agenda of Third World Approaches to International Law,” in Jeffrey Dunoff and Mark Pollack (eds.) *International Legal Theory: Foundations and Frontiers*, 153 (Cambridge University Press, 2022) available at <https://doi.org/10.1017/9781108551878.007>

“East African Community,” in *Elgar Encyclopedia of Human Rights*, Christina Binder, Manfred Nowak, Jane A. Hofbauer and Philipp Janig, (eds) (2022) available at <https://doi.org/10.4337/9781789903621.east.african.community>

“East African Court of Justice,” in Elgar Encyclopedia of Human Rights, Christina Binder, Manfred Nowak, Jane A, Hofbauer and Philipp Janig, (eds) (2022) available at <https://doi.org/10.4337/9781789903621.east.african.court.justice>

“Studying Race in International Law Scholarship Using a Social Science Approach,” 22 Chicago International Law Journal 71 (2021)

“Twenty-Second Annual Grotius Lecture: The Promise of International Law: A Third World View (Including a TWAIL Bibliography 1996-2019 as an Appendix, 36 American University International Law Review 376 (2021); also 114 Proceedings of the American Society of International Law Annual Meeting 165 (2020)

“Writing Race and Identity in a Global Context: What CRT and TWAIL Can Learn From Each Other,” UCLA Law Review 1610 (2021)

“Introduction,” in James Gathii (ed.), The Performance of Africa’s International Courts: Using Litigation for Political, Legal, and Social Change, 1-34 (OUP, 2020)

“The African Court of Human and Peoples’ Rights as an Opportunity Structure,” in James Gathii (ed.) The Performance of Africa's International Courts: Using International Litigation for Political, Legal, and Social Change (Oxford University Press) 211-253 (2020) (with Jacqueline Wangui Mwangi)

“International Courts as Coordination Devices for Opposition Parties: The Case of the East African Court of Justice,” in James Gathii (ed.) The Performance of Africa's International Courts: Using International Litigation for Political, Legal, and Social Change, 35-87 (Oxford University Press) (2020)

“Backlash Against International Courts in West, East and Southern Africa: Causes and Consequences,” in James Gathii (ed) The Performance of Africa’s International Courts: Using Litigation for Political, Legal, and Social Change, 256-299 (OUP, 2020) (with Karen J. Alter and Laurence R. Helfer)

“Reference Guide to Africa’s International Courts,” in James Gathii (ed) The Performance of Africa’s International Courts: Using Litigation for Political, Legal, and Social Change, 300-344 (OUP, 2020) (with Harrison Otieno Mbori)

“Without Centering Race, Identity, and Indigeneity, Climate Responses Miss the Mark (October 25, 2020). in Wilson Center and Adelphi (eds.), Climate Change, Equity and the Future of Democracy, 11 (2020)

“Africa and the Radical Origins of the Right to Development,” 1 TWAIL Review, 28–50 (2020)

“Introduction to the Inaugural Issue of the African Journal of International Economic Law,” v-xi (2020)

Book Review, “Burying Sovereignty All Over Again: A Brief Review of Don Herzog’s Sovereignty RIP,” July 7, 2020 available at <https://www.ejiltalk.org/burying-sovereignty-all-over-again-a-brief-review-of-don-herzogs-sovereignty-rip/>

“Implementing a New Constitution in a Competitive Authoritarian Context: The Case of Kenya,” in Tom Ginsburg and Aziz Haq, *From Parchment to Practice: Implementing New Constitutions*, (Cambridge University Press, 2019)

“Agreement Establishing the African Continental Free Trade Area,” *International Legal Materials* (2019)

“Beyond Samuel Moyn’s Counter-majoritarian Difficulty as A Model for Global Judicial Review,” *53 Vanderbilt Journal of Transnational Law* 1237 (2019)

“Re-Characterizing Corruption to Incorporate Illicit Financial Flows,” *American Journal of International Law Unbound* 336-340 (2019)

International Decision, *Cortec Mining Kenya Limited, Cortec (Pty) Limited and Stirling Capital Limited v. Republic of Kenya*, ICSID Case No. ARB/15/29, Award, 22 October 2018, *113 American Journal of International Law* 574 (2019) (with Lorenzo Cotula)

“Term Limits and Three Types of Constitutional Crisis in Sub-Saharan Africa,” in Mark Graber, Sanford Levinson and Mark Tushnet, (eds.) *Constitutional Democracy in Crisis?* (Oxford University Press) 313 (2018)

“Introduction to the Symposium on B.S. Chimni, “Customary International Law: A Third World Perspective”. *AJIL Unbound*, *112*, 290 (2018) (with Antony Anghie)

“Introduction to the Symposium on Investor Responsibility: The Next Frontier in International Investment Law. *AJIL Unbound*, *113*, 1 (2018) (with Sergio Puig)

“Assessing Kenya’s Cooperative Model of Devolution,” *46 Federal Law Review* 596 (an Australian Peer Law Review in a special issue on 'The Theory and Practice of Federalism in Divided Societies,' (with Harrison Mbori) (2018)

“The East African Court of Justice: Human Rights and Business Actors Compared,” in Karen Alter, Laurence Helfer and Mikael Madsen (eds) *International Court Authority*, (Oxford University Press), 59 (2018)

“The COMESA Court of Justice,” in Robert Howse, Helene Ruiz Fabri and Geir Ulfstein, (eds) *The Legitimacy of International Trade Courts and Tribunals*, (Cambridge University Press) 314 (2018)

Introduction to the Symposium on Africa and the Future of International Trade Regimes. *111 AJIL Unbound*, 369-371 (2017)

“Regime Shifting of IPR Law-Making and Enforcement to International Investment Law,” *18 Minnesota Journal of Law, Science and Technology*, 427 (2017) (with Cynthia Ho)

“Henry J. Richardson III: The Father of Black Traditions of International Law,” *31 Temple International & Comparative Law Journal*, 325 (2017)

“Strength in Intellectual Property Protection and Foreign Direct Investment Flows in Least Developed Countries,” *44 Georgia Journal of International and Comparative Law* 499 (2016)

“Introduction: International Criminal Law, IHL, and Intervention: TWAIL Perspectives,” *American Journal of International Law Unbound* (2016) (with Henry J. Richardson Jr. III) (available at <https://www.asil.org/blogs/introduction-symposium-twail-perspectives-icl-ihl-and-intervention>)

“Introduction: Theorizing TWAIL Activism,” (with Karen Knop and Henry J. Richardson III Jr.) *American Journal of International Law Unbound*, 2016 (available at <https://www.asil.org/blogs/introduction-symposium-theorizing-twail-activism>)

“Scoping Study of the Continental Free Trade Area and Preliminary Recommendations Based on an African Human Rights Model,” *Office of the United Nations High Commissioner for Human Rights* (2016).

“The Kenyan Judiciary’s Accountability to Parliament and to Independent Commissions: 2010-2016,” in Jill Ghai, (ed.) *Judicial Accountability in the New Constitutional Order*, 133 (2016)

“Backlash Against International Courts in West, East and Southern Africa: Causes and Consequences,” 27 *European Journal of International Law*, 293 (2016) (Co-authored with Karen Alter and Laurence Helfer

National Commissioner of the South African Police Service v. Southern African Human Rights Litigation Centre and another [2014] ZACC 30 [Constitutional Court of South Africa, Africa] (International Decision), 110 *American Journal of International Law* 333 (2016).

“The Variation in the Use of Sub-Regional Integration Courts Between Business and Human Rights Actors: The Case of the East African Court of Justice,” 79 *Law and Contemporary Problems* 37 (2016)

“Assessing Kenya’s Constitution Five Years Out,” in Tom Ginsburg et al, *Measuring Constitutional Performance*, Cambridge University Press, 337 (2016)

“Saving the Serengeti: Africa’s New International Judicial Environmentalism,” 16 *Chicago Journal of International Law* 386 (2016)

“The Turn to Contract Responsibility in Global Natural Resource Sector,” 1 *Business and Human Rights Journal* 69 (2016) with Ibrónke Odomosu-Ayanu

“Incorporating the Third Party Beneficiary Rule in Resource Contracts,” 43 *Georgia Journal of International and Comparative Law* 93 (2014)

“Mission Creep or a Search for Relevance: The East African Court of Justice's Human Rights Strategy,” 24 *Duke Journal of Comparative and International Law* 249 (2013).

Book Review of Sundhya Pahuja’s *Decolonizing International Law: Development, Economic Growth and the Politics of Universality*, Cambridge University Press (2011) in 107 *American Journal of International Law* 494 (April 2013)

“Beyond China’s Human Rights Exceptionalism in Africa: Leveraging Science, Technology and Engineering for Long-Term Growth,” 51 *Columbia Journal of Transnational Law* 664 (2013)

“Introduction: Africa and International Law: Taking Stock and Moving Forward,” 6 Human Rights and International Legal Discourse 1, (2013) (volume includes papers presented at the Africa and International Law Conference I organized, Albany Law School, April 2012))

“Use of the WTO Dispute Settlement System by LDCs and LICs: A Hands-On Introduction and Simulation Exercise,” with Peter van den Bossche, Trade Policy Training Institute in Africa, 2013

Trade Governance: Integrating Africa into the World Economy through International Economic Law, (papers presented at the Second Africa International Economic Law Network Conference, Johannesburg, South Africa March 2013) in 6 Law and Development Review 1 (2013) (co-edited with Tomer Broude and Laurence Boule)

“The Status of African Regional Trade Agreements,” 4 European Yearbook of International Economic Law,” 287 (2013)

“Africa and TWAIL,” African Yearbook of International Law 9 (2013) (with Antony Anghie and Obiora Okafor)

“The Cotonou Agreement and Economic Partnership Agreements,” in Stephen Marks (ed.) The Right to Development in Theory and Practice: Studies for the Twenty-Fifth Anniversary of the Declaration, 259 (2013)

“Africa,” Oxford Handbook of the History of International Law, Bardo Fassbender, Anne Peters, Simone Peter and Daniel Hogger (eds.), Oxford University Press, 407 (2012)

“Curtailling Ecosystem Exportation: Ecosystem Services as a Basis to Reconsider the Merits of Export-Driven Agriculture in Economies Highly Dependent on Agricultural Exports,” 30 Virginia Environmental Law Journal 1 (2012) (with Keith Hirokawa)

“Irregular Forces and Self-Defense Under the UN-Charter,” in Mary O’Connell (ed.) What is War? An Investigation in the Wake of 9/11, Martinus Nijhoff Publishers, 97-108 (2012).

“Mapping African International Law,” Book Review Essay reviewing Mapping New Boundaries in African International Law, Jeremy Levitt (ed.) Carolina Academic Press, 2(3) Transnational Legal Theory 439-441 (2011)

“Food Sovereignty For Poor Countries in the Global Trading System,” 57 Loyola Law Review 509 (2011) (Given as the Brenden Brown Lecture at Loyola New Orleans College of Law, April 2011)

“The Neo-Liberal Turn in Regional Trade Agreements,” 86 Washington University Law Review 421 (2011)

“Introduction: GATS and Human Rights,” Proceedings of the 104 Annual Meeting of the American Society of International Law 127 (2011).

“Failing Failed States: A Response to John Yoo,” 2 California Law Review Circuit 40 (2011)

“Kenya’s Long Anti-Corruption Agenda: 1952-2010: Prospects and Challenges of the Ethics and Anti-Corruption Commission Under the 2010 Constitution,” 4 *The Law and Development Review* 182 (2011)

“TWAAIL: A Brief History of Its Origins, Its Decentralized Network and a Tentative Bibliography,” 3 (1) *Trade Law and Development Journal* (National Law University, India), 26 (2011)

“Kenya’s Piracy Prosecutions,” 104 *American Journal of International Law* 416 (2010).

“The Use of Force, Freedom of Commerce, and Double Standards in Prosecuting Pirates in Kenya,” 59 *American University Law Review* 1321 (2010).

“African Regional Trade Agreements as Flexible Legal Regimes,” 35 *North Carolina Journal of International Law and Commercial Regulation* 571 (2010).

“The Financial Accounting Task Force and Global Administrative Law,” *Journal of the Professional Lawyer* 197 (2010).

“The Underappreciated Jurisprudence of African Regional Trade Judiciaries,” 12 *Oregon Review of International Law* 245 (2010).

“Judicial and Anti-Corruption Reform in Africa: Between Market Efficiency and Access to Justice for the Poor” in Ayesha Dias and Gita Welch (eds.), *Justice for the Poor: Perspectives on Accelerating Access*, (Oxford University Press), 331 (2009).

“Jurisdiction to Prosecute Non-National Pirates Captured by Third States Under Kenyan and International Law,” 31 *Loyola of Los Angeles International & Comparative Law Review* 363 (2009).

“Foreword: International Economic Law in the Third World,” 11 *International Community Law Review* 349 (2009) (with Ibironke Odumosu).

“War’s Legacy in International Investment Law,” 11 *International Community Law Review* 353 (2009).

“Defining the Relationship Between Human Rights and Corruption,” 31 *University of Pennsylvania Journal of International Law* 125 (2009).

“Introduction: Tsunamis, Hurricanes, Earthquakes, and Asteroids: Are We Ready for the Next 100 Years,” *Proceedings of the 101st Annual Meeting of the American Society of International Law* 113 (2008).

“Elections and Multiparty Democracy,” In *The New Oxford Companion to Law*, (ed. Peter Cane and Joanne Conaghan) 367-368, 2008.

“A Critical Appraisal of the International Legal Tradition of Taslim Olawale Elias,” 21 *Leiden Journal of International Law* 317 (2008).

“Third World Approaches to International Economic Governance,” Richard Falk, Balakrishnan Rajagopal and Jacquelin Stevens, *International Law and the Third World: Reshaping Justice*, 255, 2008.

“Popular Authorship and Constitution Making: Comparing and Contrasting the DRC and Kenya,” 49 *William and Mary Law Review* 1109 (2008).

“Introduction: The Third World and International Law,” 9 *International Community Law Review* 331 (2007).

Case Concerning “Armed Activities on the Territory of the Congo” (Democratic Republic of the Congo v. Uganda), (International Decision), 101 *American Journal of International Law* 142 (2007).

“Imperialism, Colonialism, and International Law,” 54 *Buffalo Law Review* 1013 (2007).

“Exporting Culture Wars,” 13 *University of California, Davis Journal of International Law & Policy* 67 (2006). Republished in Dianne Otto (ed), *Gender Issues and Human Rights*, 191, (Volume III, London: Edward Elgar Publishing, Human Rights Law Series, Series Editor, Sarah Joseph, 2013)

Cost-Benefit Analysis Versus the Precautionary Principle: Beyond Cass Sunstein's *Laws of Fear*,” *University of Illinois Law Review* 1037 (2006) (Co-author with Gregory Mandel).

“The High Stakes of WTO Reform,” 104 *Michigan Law Review* 1361 (2006) (book review).

“Approaches to Accessing Essential Medicines and the TRIPS Agreement,” Peter Yu (ed.) *Intellectual Property and Information Wealth: Issues and Practice in the Digital Age/International Intellectual Property Law and Policy Vol. IV*, 393 (2006).

“Historical Dispossession Through International Law: Iraq in a Historical and Comparative Context,” in Branwen Gruffydd Jones, (ed.) *Decolonizing International Relations*, (Rowman and Littlefield), 131 (2006).

“The American Origins of Liberal and Illiberal Regimes of International Economic Governance in the Marshall Court,” 54 *Buffalo Law Review* 765 (2006).

“Commerce, Conquest, and Wartime Confiscation,” 31 *Brooklyn Journal of International Law* 709 (2006).

“How Necessity May Preclude State Responsibility for Compulsory Licensing Under the TRIPS Agreement,” 31 *North Carolina Journal of International Law and Commercial Regulation* 943 (2006).

“The Sanctity of Sovereign Loan Contracts and Its Origins in Enforcement Litigation,” 38 *George Washington International Law Review* 251 (2006).

“Minority Rights in Corporate Law: A Reply to Chander,” 19 *National Black Law Journal (Columbia Edition)* 57 (2006).

“Foreign Precedents in the Federal Judiciary: The Case of the World Trade Organization’s DSB Decisions,” 34 *Georgia Journal of International and Comparative Law* 1 (2005).

“International Justice and the Trading Regime,” 19 *Emory International Law Review* 1407 (2005).

“How American Support for Freedom of Commerce Legitimized King Leopold’s Territorial Ambitions in the Congo,” in *Trade as the Guarantor of Peace, Liberty and Security? Critical, Historical and Empirical Perspectives (ASIL Studies in Transnational Legal Policy)*, 97, Padideh Alai, Tomer Broude & Colin B. Picker, (eds.) (2006).

“Comparative Constitutionalism and Good Governance in the Commonwealth: An Eastern and Southern African Perspective” *International Journal of Constitutional Law* 172 (2006) (Book Review).

“Third World Perspectives on Global Pharmaceutical Access,” in Michael Santoro and Thomas Gorrie, (eds.) *Ethics and the Pharmaceutical Industry*, 336 (2005) (Cambridge University Press).

“Assessing Claims of a New Doctrine of Pre-emptive War Under the Doctrine of Sources,” 43 *Osgoode Hall Law Journal* 67 (2005).

“Humanizing the Pax-Americana Global Empire: A Review Essay,” 4 *Washington University Global Studies Law Review* 121 (2005).

“Balancing Sovereign Creditor and Debtor Rights Under New York Law,” 9 *New York Business Law Journal* 20 (2005).

“Wartime Security and Constitutional Liberty,” Foreword, 68 *Albany Law Review* 1113 (2005).

“Process and Substance in WTO Reform,” 56 *Rutgers Law Review* 885 (2004).

“Foreign and Other Economic Rights Upon Conquest and Under Occupation: Iraq in Comparative and Historical Context,” 25 *University of Pennsylvania Journal of International Economic Law* 491 (2004) (Volume II lead article).

“Insulating Domestic Policy Through International Legal Minimalism: A Re-Characterization of the Foreign Affairs Trade Doctrine,” 25 *University of Pennsylvania Journal of International Economic Law* 1 (2004) (Volume I lead article).

“Torture, Extraterritoriality, Terrorism, and International Law,” 67 *Albany Law Review* 335 (2003).

“Globalization and Comparative Family Law: A Discussion of Pluralism, Universality, and Markets,” Symposium Foreword, (Co-author with Patricia Youngblood Reyhand), 67 *Albany Law Review* 545 (2003).

“A Critical Appraisal of the NEPAD Agenda in Light of Africa’s Place in the World Trade Regime in an Era of Market Centered Development,” 13 *Transnational Law & Contemporary Problems* 179 (2003).

“The Structural Power of Strong Pharmaceutical Patent Protection in U.S. Foreign Policy,” 7 *The Journal of Gender, Race & Justice* (a Journal of the University of Iowa College of Law) 267 (2003).

“Balancing Patent Rights and Affordability of Prescription Drugs in Addressing Bio-Terrorism: An Analysis of *In Re Ciprofloxacin Hydrochloride Antitrust Litigation*,” 13 *Albany Law Journal of Science and Technology* 651 (2003).

“Fairness as Fidelity to Making the WTO Fully Responsive to All Its Members,” 96 *American Society of International Law Proceedings* 157 (2003).

“Geographical Hegelianism in Territorial Disputes Involving Non-European Land Relations: An Analysis of the Case Concerning *Kasikili/Sedudu Island* (Botswana/Namibia),” 15 *Leiden Journal of International Law* 581-622 (2002). Also selected and re-published in Antony Anghie et al, *The Third World and International Order: Law, Politics and Globalization* 75 (2003).

“The Legal Status of the Doha Declaration on TRIPS and Public Health Under the Vienna Convention of the Law of Treaties,” 15 *Harvard Journal of Law and Technology* 291 (2002).

“Rights, Patents, Markets and the Global AIDS Pandemic,” 14 *Florida Journal of International Law* 261 (2002).

“Re-Characterizing the Social in the Constitutionalization of the WTO: A Preliminary Analysis,” 7 *Widener Law Symposium Journal* 137 (2001).

“Construing Intellectual Property Rights and Competition Policy Consistently with Facilitating Access to Affordable AIDS Drugs to Low-End Consumers,” 53 *Florida Law Review* 727 (2001).

“Alternative and Critical: The Contribution of Research and Scholarship on Developing Countries to International Legal Theory,” *Symposium Issue Foreword*, 41 *Harvard International Law Journal* 263 (2000).

“Neoliberalism, Colonialism and International Governance: Decentering the International Law of Governmental Legitimacy,” 98 *Michigan Law Review* 1996 (2000) (In the Annual Book Review Issue).

“Rejoinder: Twailing International Law,” 98 *Michigan Law Review* 2066 (2000) (In the Annual Book Review Issue).

“Retelling Good Governance Narratives on Africa's Economic and Political Predicaments: Continuities and Discontinuities in Legal Outcomes Between Markets and States,” 45 *Villanova Law Review* 971 (2000).

“Human Rights, the World Bank and the Washington Consensus: 1949-1999,” 94 *American Society of International Law Proceedings* 144 (2000).

“Towards Reform of the Laws on Rape and Related Sexual Offenses in Kenya,” in Kivutha Kibwana and Lawrence Mute, *Law and the Quest for Gender Equality in Kenya*, 52 (2000) (Co-author with Celestine Nyamu).

“Good Governance as a Counter Insurgency Agenda to Oppositional and Transformative Social Projects in International Law,” 5 *Buffalo Human Rights Law Review* 107 (1999).

“The Limits of the New International Rule of Law on Good Governance,” in Quashigah & Okafor, *Legitimate Governance in Africa*, (Kluwer Law International), 207 (1999).

“Corruption and Donor Reforms: Expanding the Promises and Possibilities of the Rule of Law as an Anti-Corruption Strategy in Kenya,” 14 *Connecticut Journal of International Law* 407 (1999).

“Representations of Africa in Good Governance Discourse: Policing and Containing Dissidence to Neo-Liberalism,” 18 *Third World Legal Studies* 65 (1998-1999).

“International Law and Eurocentricity,” 9 *European Journal of International Law* 184 (1998).

“Reflections on United States-Based Human Rights NGOs' Work on Africa,” 9 *Harvard Human Rights Journal* 285 (Spring 1996) (Co-author with Celestine Nyamu).

“The Dream of Judicial Security of Tenure and the Reality of Executive Involvement in Kenya's Judicial Process,” Kenya Human Rights Commission Publication, December 1994.

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Short Articles, Newspaper Editorial/Opinion & Blog Pieces

Book Review Symposium Introduction: The Performance of Africa's International Courts: Using International Litigation for Political, Legal, and Social Change, OUP, 2020 edited by James Thuo Gathii, March 29, 2021 [Afronomicslaw.org](https://www.afronomicslaw.org):

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Why Kenya's Parliament Must Reject the UK-Kenya EPA, March 18, 2021 [Afronomicslaw](https://www.afronomicslaw.org) available at <https://www.afronomicslaw.org/category/analysis/why-kenyas-parliament-must-reject-uk-kenya-epa> (with Harrison Mbori)

“The EU's Vaccine Export Controls Negate its Self-interest, International Solidarity and International Law,” February 18, 2021 [Afronomicslaw.org](https://www.afronomicslaw.org) available at <https://www.afronomicslaw.org/category/analysis/eus-vaccine-export-controls-negate-its-self-interest-international-solidarity-and> (with Obiora Okafor)

Introduction: Sovereign Debt Under Domestic and Foreign Law: Lessons from the Mozambique Constitutional Council Decision of May 8, 2020, Afronomicslaw, August 3, 2020 available at <https://www.afronomicslaw.org/2020/08/03/introduction-sovereign-debt-under-domestic-and-foreign-law-lessons-from-the-mozambique-constitutional-council-decision-of-may-8-2020>

“Bilateralizing the EU-EAC EPA: An Introductory Legal Analysis of the Kenya-UK Economic Partnership Agreement” February 26, 2020 on Afronomicslaw available at <https://www.afronomicslaw.org/category/analysis/bilateralizing-eu-eac-epa-introductory-legal-analysis-kenya-uk-economic> (with Harrison Mbori)

Judicial Nullification of Presidential Elections in Africa: Peter Mutharika v Lazarus Chakera and Saulos Chilima in Context, Afronomicslaw July 3, 2020 available at <https://www.afronomicslaw.org/2020/07/03/judicial-nullification-of-presidential-elections-in-africa-peter-mutharika-v-lazarus-chakera-and-saulos-chilima-in-context> (with Olabisi Akinkugbe)

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The Role of Multilateral Actors in Promoting Equitable Access to Medicines, Vaccines and Therapeutics: A Global South Perspective, June 29, 2020 (with Titilayo Adebola) available at <https://www.afronomicslaw.org/2020/06/29/the-role-of-multilateral-actors-in-promoting-equitable-access-to-medicines-vaccines-and-therapeutics-a-global-south-perspective>

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World Environment Day 2020: A Brief Reflection on International Economic and International Environmental Law From A TWAIL/Global South Perspective, June 5, 2020, (with Titilayo Adebola) available at <https://www.afronomicslaw.org/2020/06/05/world-environment-day-2020-a-brief-reflection-on-international-economic-and-international-environmental-law-from-a-twail-global-south-perspective>

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Introduction: Symposium on UNIDROIT/FAO/IFAD Draft Legal Guide on Agricultural Land Investment Contracts (ALIC), September 29, 2019 Afronomicslaw available at <https://www.afronomicslaw.org/2019/09/29/symposium-on-unidroit-fao-ifad-draft-legal-guide-on-agricultural-land-investment-contracts-alic>

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Evaluating the Dispute Settlement Mechanism of the African Continental Free Trade Agreement, April 10, 2019 Afronomiclaw available at <https://www.afronomicslaw.org/2019/04/10/evaluating-the-dispute-settlement-mechanism-of-the-african-continental-free-trade-agreement>

Introduction to the Symposium on Dispute Settlement in the African Continental Free Trade Agreement, April 9, 2019 available at <https://www.afronomicslaw.org/2019/04/08/introduction-to-the-symposium-on-dispute-settlement-in-the-african-continental-free-trade-agreement>

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"Enforcement of Foreign Arbitral Awards in Kenya and Public Policy," The International Bar Association Sub-Committee on Recognition and Enforcement of Foreign Arbitral Awards, Summer 2015, available here: http://www.ibanet.org/LPD/Dispute_Resolution_Section/Arbitration/Recognitn_Enfrcemnt_Arbitl_Awrdr/publicpolicy15.aspx

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“African Regional Trade Integration,” Nairobi Law Monthly August, 2011.

“The Judicial Philosophy Required Under the 2010 Constitution and the Legacy It Seeks to Reverse,” Nairobi Law Monthly, July 2011.

“Obama Forgot Resource Wars That are the Bane of the Continent,” Daily Nation, (Kenya), December 20, 2009.

“Commerce Makes a Killing,” Albany Times Union, December 18, 2009.

“How Harmonized Draft Constitution Can Turn Our Foreign Affairs Into Foreign Issues,” Business Daily Africa, December 17, 2009.

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“Red Herrings Over Sovereign Bond,” Business Daily Africa, December 12, 2007.

“Demerits of the EU Trade Agreements,” Business Daily Africa, December 19, 2007.

“Should Failing Companies Be Rescue?,” Business Daily Africa, January 3, 2008.

“A 3-Point Mediation Plan to Help Kibaki and Raila Reclaim Our Democracy,” Business Daily Africa, January 4, 2007.

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“Fate of Private Sector Reforms Still Unknown,” Business Daily Africa, February 27, 2008.

“What the Coalition Should Seek From Donors,” Business Daily Africa, March 5, 2008.

“The CBK’s Role in Foreign Exchange,” Business Daily Africa, March 14, 2008.

“False Solutions to Hawker Problem Will Fail,” Business Daily Africa, March 19, 2008.

“Were Local CEOs Not Good Enough to Fix KPLC?” Business Daily Africa, March 26, 2008.

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“An Agenda for the New Trade Minister,” Business Daily Africa, April 9, 2008.

“Brokers Must Build Their Trade on Trust and Honour,” Business Daily Africa, April 17, 2008.

“Deal With Hurdles to Livestock Farming, Trade,” Business Daily Africa, April 30, 2008.

“What Does Corporate Social Responsibility Mean?” Business Daily Africa, May 7, 2008.

“Why EAC States Should Allow Free Flow of Services,” Business Daily Africa, May 14, 2008.

“Impunity Equals Economic Sabotage,” Business Daily Africa, May 21, 2008.

“Endless Safeguards Hurt Free Trade,” Business Daily Africa, May 28, 2008.

“Entrenching the Rule of Law in Land Matters,” Business Daily Africa, June 4, 2008.

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“Why I am Inviting Monopolies Boss to Public Debate,” Business Daily Africa, July 2, 2008.

“Introduce Law to Screen Public Asset Sales,” Business Daily Africa, July 9, 2008.

“The Case for An Independent Counsel Office,” Business Daily Africa, July 16, 2008.

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“Amnesty Flies in the Face of War on Graft,” Business Daily Africa, August 27, 2008.

“What is the Future of Legal Training and Practice,” Business Daily Africa, September 5, 2008.

“Implementation of Trade Agreements in Kenya,” prepared for Institute of Economic Affairs, Nairobi, 2007.

“Beyond Market-Based Conceptions of Rights: Social and Economic Rights in Context,” lead article in a Section titled ‘Global Trade and the Global South,’ in a Chapter entitled ‘Human

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“The Silence of Race and Identity in Private International Law (i.e. Trade, Economic, and Commercial Law),” in MIT Program on Human Rights and Justice, *Reparations: A Dialogue Between Human Rights Academics and Activists*, at 40-46 (2004).

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“Kenya Needs Political and Fiscal Reforms,” *East African Standard*, at 11 (Sunday, September 5, 1999) (Viewpoint Editorial: First in a three part Sunday series).

“Wealth, Poverty and Inequality,” *East African Standard*, at 8 (Sunday, September 12, 1999) (Viewpoint Editorial: Second in a three part Sunday series).

“Democracy Promotion as a New Era in Global Domination,” *East African Standard*, at 14-15 (Sunday, September 19, 1999) (Viewpoint Editorial: Third in a three part Sunday series; appeared as center-spread).

“Courts, Criticism and Expression,” *Daily Nation*, at 17 (Saturday, April 10, 1993) (Appeared in the *Weekly Platform, the Country's Forum for Dialogue*)

“Moral and Legal Queries Arise From Sex Education,” *Special Report, Daily Nation*, at 6 (January, 14, 1993).

“Human Rights, Justice and Peace Reports of the ICJ (Kenya Chapter) Seminar,” 1 *University of Nairobi Law Journal* 50 (1993).

“Containing the Police: The Wanyiri Kihoro Case,” 49 *The Nairobi Law Monthly* 30 (July 1993).

“The Diminution of Judicial Competence in Kenya in the 1990’s,” 3 *The Kenya Jurist* 31 (June/August 1993).

“Where the Law Errs in Inheritance,” *Daily Nation*, at 18, (October 30, 1993) (Appeared as the lead piece in the *Weekly Platform, the Country's Forum for Dialogue*).

“A National Convention can be held under Kenyan Law,” *The People*, at 6 (June 13-19, 1993).

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“Power Transfer Poses Major Legal Questions,” Special Report, Sunday Nation, at 6 (December 27, 1992) (This report was published in place of a regular report by a lead-editor of the leading newspaper in Kenya).

Research Reports

“Anti-Corruption Reforms, Human Rights and International Financial Institutions: Conceptual and Practical Challenges in the Kenyan Context,” Report Prepared in connection with a grant by the Ford Foundation, October, 2008.

“Strengthening the Legal and Institutional Structure for International Trade Negotiations in Kenya: The Policy, Legal and Institutional Imperatives,” Study Prepared for ActionAid International-Kenya with David Ouma Ochieng, 2008.

“A Right to Development Perspective of the Cotonou Partnership Agreement,” Report prepared for the United Nation’s Human Rights Council’s, High Level Task Force on the Implementation of the Right to Development, A/HRC/8/WG.2/TF/CR, 21st December 2007 available at <http://www2.ohchr.org/english/issues/development/docs/A-HRC-8-WG.2-TF-CRP6.doc>.

The External Interest in Kenya’s Impending Change,” Report Prepared for the Center for Law and Research International’s Legal Political Transition Project, September, 2002.

A Thematic Summary of the Constitution of Kenya, Prepared for the Constitution of Kenya Review Commission, August, 2001.

A Comparative Study of the Mandates and Practices of Selected International Financial Institutions on Governance,” Report Submitted to the International Monetary Fund, Legal Department, August, 1996.

THE CITIZEN AND THE CONSTITUTION, Claripress, 1995 (Co-author). (booklet based on a study tour of the Danish Constitutional system in comparison to Kenya)

Contributor, The Article 19’s, FREEDOM OF EXPRESSION MANUAL, INTERNATIONAL & COMPARATIVE LAW, STANDARDS & PROCEDURES, London, August 1993.

Unpublished Works

“Empowering the Poor While Protecting the Powerful: A Critique of Good Governance Ideas,” S.J.D. THESIS, Harvard Law School, 1999 Supervisor: Prof. David Kennedy.

“Freedom of Expression Without A Free Press: An Inquiry into a Kenyan Paradox,” LL.M. THESIS, Harvard Law School, April, 1995.

“African Approaches to International Law: A Review of African Scholarship in the Last Four Decades,” MANUSCRIPT, 1996.

“Constitutional Change and the Crisis of Democracy in Kenya and Malawi: Reflections on Past, Present and Future,” MANUSCRIPT, 1995.

“Reflections on Different Notions of Third World Development,” Independent Research Paper Submitted to Harvard Law School, April, 1995.

Recent Conference Paper Presentations

Gave Opening Keynote Address titled “The Afterlives of Terra Nullius,” at the Canadian Council of International Law 2023 Annual Conference, November 2nd, 2023

Gave at talk titled “Decolonizing the ICJ Mafia,” to the Board of the American Bar Foundation, Chicago 19th October 2023

Delivered the Keynote Address at the Society of International Economic Law Eighth Biennial Global Conference in Bogota, Columbia, titled "The Color of Sovereign Debt," <https://www.youtube.com/watch?v=xmH7nMidMX8> July 2023

Chaired the launch of my co-edited book, Transforming Climate Finance in an Era of Sovereign Debt Distress (Sheria Publishing House, 2023) at the sidelines of African Climate Summit, Nairobi, September 6, 2023.

Organized and gave opening and closing statements at a Third World Approaches to International (TWAIL) Conference at Strathmore University School of Law that brought together Law Professors and students from several Universities in Kenya, September 7, 2023.

Chaired the launch of my edited book, How to Reform the Global Debt and Financial Architecture (Sheria Publishing House, 2023) at the African International Economic Law Biennial Meeting in Accra, Ghana in June 2023.

Made Remarks at the 150th Anniversary International Law Association Conference on a Panel on Accountability of International Courts and Tribunals, Paris June 19th 2023

Participated in a Roundtable on Publishing for the Global South: Afronomicslaw & TWAIL Review at the Law and Society Conference, Puerto Rico 3rd June 2023

Presented Remarks at a Festschrift for David Kennedy at the New York University School of Law, 30th May 2023

Recorded Indaba (Discussion) on Zimbabwe Debt and Development Case Against the Minister of Finance, May 1st 2023

Presented draft paper titled “Financing Climate Change Through a Racial Capitalism Lens” at the Racial Capitalism and Climate Justice Workshop, University of Wisconsin School of Law, 14th April 2023

Co-Chaired the Colleague Societies Breakfast Discussion at the Annual Meeting of the American Society of International Law, Washington DC 30th March 2023

Presented paper titled “The Paradox of Africa’s International Courts,” at the American Bar Foundation Board Meeting, Chicago November 19, 2022

Discussant for two papers at the 2022 Mid-Year Meeting of the American Society of International Law on a panel titled Decolonizing International Law, University of Miami School of Law, November 12, 2022.

Hosted and Chaired Panel titled Trade, Investment and Debt in US Africa Relations with the Open Society Policy Center on the sidelines of the US Africa Leaders Summit, Washington DC, November 8, 2022

Made remarks in a panel on The ILC Draft Conclusions on the Identification and Legal Consequences of Peremptory Norms of General International Law (jus cogens) as adopted on second reading at Florida International University School of Law Symposium on The Current and Future Work of the International Law Commission, 4th November 2022

Host, moderator and commentator of author workshop titled “Reform and Retrenchment in International Investment Law,” for a special issue of the Journal of World Investment and Trade, (JIWIT), that I am co-convening and co-editing, September 15-16, 2022

Moderated Afronomicslaw Panel of winners of the African Sovereign Debt Justice Network Early Career Essay Winners at the African Conference on Debt and Development (AfCoDD II) organised by AFRODAD, Lilongwe, Malawi, August 2022

Delivered a talk titled, “Why Do African Countries Overwhelmingly Appoint Western Lawyers & Law Firms in International Adjudication?,” July 25, 2022

Host of and Commentator at the Inaugural African Sovereign Debt Justice Network Academy, July 22, 2022

Organizer with the Commercial Law Research Network Nigeria (CLRNN), international conference on Debt and Insolvency Law in Africa: National and Transnational Issues, from July 6th to 8th, 2022 in Abuja, Nigeria. Spoke in the opening plenary titled Debt and Insolvency Law in Africa: National and Transnational Issues, on July 7, 2022. Spoke at the Reform of the Global Debt and Financial Architecture Panel on July 8, 2022. Presented a paper Kenyan Insolvency Law (with Harrison Mbori) on July 8, 2022.

Delivered the 2022 Annual PluriCourts Lecture titled, “Why Diversity in International Adjudication Matters,” Oslo, July 1, 2022

Commentator at Northwestern University workshop on International Economic Law organized by the Weinberg College Center for International and Area Studies, June 6, 2022

Presented paper titled, “The World Banks Antiracism Agenda,” at the American Bar Foundation, May 11, 2022

Spoke at G7 and the Global Debt Crisis Event organized by Jubilee Germany (the German Debt and Development Network), May 19, 2022

Spoke at Virtual event on Legal Challenges Posed by the Large-Scale Russian Invasion of Ukraine hosted by UCU Law School/Notre Dame Law School May 9, 2022

Spoke on International Economic Law issues arising out of the Russian invasion of Ukraine webinar organized by the American Journal of International Law titled “AJIL Speaks: The War in Ukraine and its Implications for International Law,” March 24, 2022

Delivered the Annual Brooklyn Lecture on International Business Law titled “The World Bank’s Minimalist Race Agenda,” Brooklyn Law School, NY, February 28, 2022

Master of Ceremonies and Host of Book Launch for Kenya’s former Chief Justice and President of the Supreme Court of Kenya of his book *Beacons of Judiciary Transformation: Selected Speeches, Writings and Judicial Opinions of Chief Justice Willy Mutunga* (edited by Sylvia Kang’ara, Duncan Okello and Kwamchetsi Makokha) and published by my publishing house, Sheria Publishing House, Nairobi, Kenya February 4, 2022

Presented paper titled, “How International is the International Court of Justice,” at the Vanderbilt International Law Colloquium, February 17, 2022

Presented paper titled, “The (Mis)Production of African International Economic Law,” at the Afronomicslaw.org Academic Forum, January 29, 2022

Presented paper titled “Beyond Colorblind National Security,” at Just Security Workshop on Raging National Security organized by University of Maryland School of Law, January 28, 2022

Made a presentation titled “The World Bank’s Minimalist Race Agenda,” at panel on Racial Equity and Development: The Role of Human Rights at the annual World Bank Law, Justice and Development Conference, Monday November 8, 2021

Made a keynote presentation titled, “External Threats to the African Continental Free Trade Agreement,” at the 10th Conference of the African Society of International Law, October 29, 2021

Moderated session titled, TWAIL Critiques of Selected Developments in International Law at the 50th Annual Conference of the Canadian Council of International Law: Getting International Law Back on Track?, October 21, 2021.

Made a presentation titled, “Social Movements and Access to Essential Medicines,” at Prof. Ruth Okediji’s International Intellectual Property, Public Health and Access to Medicines Class, Harvard Law School, October 15, 2021.

Made remarks at the Columbia Center on Sustainable Investment, SEATINI, Open Society and Afronomicslaw meeting on Organizing for Alternatives: Redesigning Investment Governance, October 14, 2021

Presented a paper titled “How International is the International Court of Justice,” at the Columbia International and Comparative Law Workshop, October 5, 2021

Spoke at the World Trade Organization’s 2021 Public Forum on a panel titled Relevance and Future of the WTO: From Seattle 1999 to COVID Deadlock 2021, September 28, 2021

Presented paper titled “Slavery, Capitalism and the Conflicts of Law,” at the University of California-Irvine conference on Colonialism, Capitalism, and Race in International Law, September 17-18, 2021

Presented paper titled, “The Transparency, Accountability, and Governance TAG Agenda in the age of shrinking civic space – the Weaponisation of Covid-19 and what it means for public participation in debt matters,” the inaugural African Conference on Debt and Development (AfCoDD) on 25th to 27th August 2021.

Gave Closing Remarks at the Fifth Biennial Colloquium of the African International Law Network, July 24, 2021

Presented a paper titled, “The Role of Private Creditors in African Sovereign Debt,” at the Fifth Biennial Colloquium of the African International Law Network, July 24, 2021

Discussant to the 2021 Society of International Economic Law Robert Hudec Lecture (given by Professor Mary Footer at the Seventh Biennial Global Conference on Rethinking International Economic Law), July 8, 2021

Presented Draft of Unincorporated Territories: From Puerto Rico to British Protectorates, to Loyola University Chicago Summer 2021 Faculty Workshop, June 15, 2021

Delivered Book Talk (The Performance of Africa’s International Courts: Using Litigation for Political, Legal and Social Change, 2020) at the Lauterpacht Center for International Law, Cambridge University, May 14, 2021

Made a Presentation at Reconceptualizing International Law Series Focusing on International Economic Law organized by Independent Legal Advocates, Gibson Dunn & Crutcher and the TWAIL Seminar at UCLA, May 5, 2021

Presented a paper on the External Challenges Facing African Continental Free Trade Agreement at the United National Economic Commission on Africa/Carleton University and Pan African Strategic and Policy Research Group Conference “Overcoming External Challenges to Successful Implementation of the AfCFTA: How Helpful are EPAs and Other Bilateral Economic/Trade Arrangements, April 27, 2021.

Spoke at and Moderated Global Law and Policy in the Americas-Bologna-ASIL Webinar on Covid-19 Trends on Constitutionalism: A Comparative Approach, April 22, 2021

Presented Keynote Address titled “Race, Racism and International Law: A Repudiation of US Exceptionalism,” at the 2021 Wisconsin Journal of International Law Symposium, April 8, (2021)

Presented “International Courts as Coordination Devices for Opposition Parties: The Case of the East African Court of Justice,” at the Marquette University Law School Faculty Workshop, April 13, 2021

Delivered opening remarks at Book Symposium - Global Health, Intellectual Property, and Technology Transfer, University of Leeds, March 31st 2021.

Spoke at the 2021 ASIL Annual Meeting Session – Ask Me Anything - March 25, 2021.

Organized and Spoke at the African Sovereign Debt Justice Networks and Fredrich Ebert Foundation -Addis Ababa Civil Society Forum on Sovereign Debt, March 8, 2021

Spoke at and Moderated at the Spotlight in Africa Panel at Georgetown's International Trade Law Update, March 10, 2021

Spoke at and Moderated the ASIL Global Engagement Series, Africa, the United States, and the Evolving International Legal Order, organized in conjunction with the African Association of International Law, the African Society of International Law, the Institute for African Women in Law and the Pan-African Lawyers Union, March 9, 2021

Presented paper titled, "Studying Race in International Law Scholarship Using a Social Science Approach," University of Chicago Journal of International Law Symposium on the Transformation of International Law Scholarship, 26th February 2021.

Delivered the 12th Annual Douglas M. Johnson Lecture: 'Race, Climate Justice and International Law', at Dalhousie University School of Law, 18th February 2021.

Book Launch for my edited book The Performance of Africa's International Courts: Using Litigation for Political, Legal and Social Change, (2020), hosted by iCourts, The Danish National Research Foundation's Center of Excellence for International Courts, February 4, 2021.

Hosted a book launch of my edited book, The Performance of Africa's International Courts: Using Litigation for Political, Legal and Social Change, (2020) on January 19th, 2021.

Delivered keynote talk titled, "Reform and Retrenchment in International Investment Law," at the Santander Roundtable Discussions on International Economic Law organized jointly by the International Investment Law Centre Cologne (IILCC) jointly with the Kenyatta University School of Law, on 13th January 2021.

Launched the first issue of the African Journal of International Economic Law which I co-founded and co-edited, November 18, 2020.

Presented a talk on "Race and Trade," at Commonwealth and Development Office - Trade and Race Seminar on November 12, 2020

Spoke at Afronomicslaw/South Center Webinar on Towards Justice in the International Economic Order: Proposals from the South, November 2, 2020 available at <https://www.afronomicslaw.org/2020/11/02/webinar-series-vii-video-towards-justice-in-the-international-economic-order-proposals-from-the-south>

Presented a talk titled, "Centering Race in International Law," as part of the Aberdeen University's Black History Month Program, October 22, 2020.

Presented a talk titled "The History of International Law," at the O.P. Jindal Global Law School Webinar Series, The History of International Law, October 5, 2020.

Organized and presented the Introductory essay for a book project titled, Theoretical and Methodological Approaches for the Study of International Economic Law: Perspectives from the

Global South, at the Purdy Workshop at the University of Dalhousie Law School, 25th and 26th of September 2020.

Presented a talk on the US/Kenya Free Trade Agreement to the Kenya US Bar Association, 13th September, 2020.

Presented a paper titled “Attributing Illicit Financial Flows,” at a book conference titled The Law and Logics of Attribution: Constructing the Identity and Responsibility of States and Firms, University of Georgia School of Law, September 11, 2020

Moderated Afronomicslaw.org Webinar Titled Exploring Paths Toward an Ideal US/Kenya FTA for Kenya, September 3, 2021 available at <https://www.afronomicslaw.org/2020/09/03/the-video-of-the-afronomicslaw-webinar-v-is-live-exploring-paths-toward-an-ideal-us-kenya-fta-for-kenya>

Presented remarks at University of Iowa College of Law webinar on Race And International Human Rights, 29th July 2020

Inaugurated and recorded the first Afronomicslaw.org Indaba (conversation on a serious topic) with Mustaqeem de Gama who is currently, Counsellor at the South African Mission in Geneva on July 27, 2020 available at <https://www.afronomicslaw.org/2020/07/27/afronomicslaw-indaba-episode-1-now-live-afronomicslaw-youtube-channel>

Presented remarks titled, The Role of Multilateral Actors in Promoting Equitable Access to Medicines, Vaccines and Therapeutics: A Global South Perspective at the World Bank Workshop on the Legal Implications of the COVID-19 Crisis, June 29, 2020

Presented the 2020 Annual Grotius Lecture titled, “The Promise of International Law: A Third World View,” at the Virtual Annual Meeting of the American Society of International Law, June 25th 2020.

Presented paper on African Elections and Megapolitics in a Zoom Conference on Megapolitics and International Courts, organized by iCourts (Denmark), 13th March 2020.

Presented paper at the Future of Multilateralism Book Conference organized by David Sloss at Santa Clara University Law School, 21st February 2021

Commentator on a Panel at the American Society of International Law International Economic Law Interest Group Biennial Conference on 14th February, 2020.

Presented remarks on Third World Approaches and Critical Race Theory at UCLA Law School Symposium on Race and Empire, 31st January 2020

Presented paper titled, “Understanding African Regional Trade Agreements on their Own Terms,” at Prof. Eleanor Fox New York University School of Law Class, 12 November, 2019 (By Zoom because of a snow storm)

Commentator on a Panel at the American Society of International Law Mid-Year Meeting Practitioners Forum, at Brooklyn Law School on November 9, 2019.

Presented remarks at the American Society of International Law Mid-Year Meeting Practitioners Forum, on a panel titled, The Rising Tides of Nationalism, Debevoise and Plimpton November 7, 2019.

Presented paper titled, “Beyond Samuel Moyn’s Counter-majoritarian Difficulty as A Model for Global Judicial Review,” at the 2019 Symposium of the Vanderbilt Journal of Transnational Law, February 22, 2019.

Presented remarks on Third World Approaches to International Law and Race UCLA Workshop on Race, Empire and International Law, March 8, 2019

Participated in a Decolonial Comparative Law Exploratory Meeting in Durham organized by the Max Planck Institute for comparative and international Private Law and Duke Law School at Duke Law School, April 29-30, 2019

Spoke at and moderated sessions at the Fourth African International Economic Law Network Conference hosted by Strathmore University Law School, Nairobi, Kenya July 18-20 (2019)

Presented Keynote speech titled titled "A Third World Approach (TWAIL) to International Law in Changing World: How Not to Reform Multilateralism," at the Colloquium on International Law in a Changing World: The Role of Developing Countries," organized by the Chinese Ministry of Foreign Affairs and the Chinese Society of International on 29 July 2019 in Beijing.

Presented a paper titled, "Assessing the Objectives of the Agreement Establishing the African Continental Free Trade Area (AfCFTA)," at the First Annual Forum on China-Africa Law, Beijing, China - 30 to 31 July, 2019 organized by the School of Law of Beijing Foreign Studies University and the African Institute of International Law.

Presented a paper titled, "Re-telling the Transplantation of Corporate Law in Africa: A Kenyan Case Study," at the Inaugural Conference of the Commercial Law Research Network Nigeria (CLRNN) at the University of Reading in the United Kingdom, September 13-14, 2019.

Led a Research Methodology Workshop on Commercial Law at the Inaugural Workshop of the Commercial Law Research Network Nigeria (CLRNN) at the University of Reading, United Kingdom, September 13-14, 2019.

Spoke on a panel titled, “The Decline of the Liberal International Order,” at the American Branch of the International Law Associations New York International Law Weekend, Fordham Law School, October 11, 2019

Participated in an American Branch of the International Law Association Working Group on the Decline of the Liberal International Order at Fordham Law School, October 12, 2019.

Presented a paper on the UNIDROIT,FAO, IFAD Zero Draft of the Legal Guide on Agricultural Land Investment Contracts at the African Consultation Forum, Nairobi, Kenya October 23, 2019.

Presented a paper titled, “Africa and the Radical Origins of the Right to Development,” at the Kéba Mbaye Conference African approaches to international law, with a focus on international human rights law at the Center for Human Rights, University of Pretoria 5 – 6 December 2018

Presenter chapter titled, “International Courts as Coordination Devices for Opposition Parties: The Case of the East African Court of Justice,” November 9, 2018 at the American Society of International Law Mid-Year Meeting, UCLA Law School.

Discussant on a panel on Corporations in International Law,” November 9, 2018 at the American Society of International Law Mid-Year Meeting, UCLA Law School.

Presented UNIDROIT’s Guidance on Land Investment Contracts at the International Bar Association Conference, Rome, October 7, 2018.

Presented a paper titled, “The Growing Density and Complexity of the African Trade Regime Complex,” CATO Institute, August 2, 2018

Presented the Keynote Address at the Third World Approaches to International Law Conference (TWAIL), Singapore, July 19, 2018.

Participated as an Expert in the third meeting of UNIDROIT’s Working Group on Agricultural Land investment Contracts, Rome, October, 2018.

Co-organized a Workshop with Prof. Alex Grigorescu, in Political Science and Prof. Joy Gordon, in Philosophy here at Loyola University Chicago titled: Projecting Domestic Norms and Models to the International Realm, April 9, 2018

Presented paper titled, “International Courts as Coordination Devices for Opposition Parties: The Case of the East African Court of Justice,” at the Wisconsin Law School’s Law and De-Globalization Series, March 13, 2018

Presented a paper titled “Implementing a New Constitution in a Competitive Authoritarian Context: The Case of Kenya,” at a conference on From Parchment to Practice: Implementing New Constitutions, University of Chicago School of Law, October 13, 2017.

Presented a talk titled, “Food Sovereignty,” at Balsa Lunch Time Talk, University of Chicago, November 15, 2018.

Presented paper titled, “An Agenda for the African Union’s Mega-Regional – The Continental Free Trade Agreement (CFTA),” at conference on Globalism, Regionalism, and Nationalism: The Future of Economic Integration, Brooklyn Law School, November 10, 2017.

Participated as an Expert in the third meeting of UNIDROIT’s Working Group on Agricultural Land investment Contracts, Rome, April 25-27, 2018.

Presented Paper titled, “Third World Approaches to International Law: More an Invasive Species,” in the International Law in the Global South Research Seminar Series, at the Osgoode Hall Law School, February 15, 2018.

Presented Paper titled “Regionalism in the De-Industrializing Periphery: Innovating at the Margins in the Era of Mega-Regionals,” at the Brooklyn Law School’s Symposium on the Future of International Economic Integration, November 8, 2017

Presented Paper titled “Implementing a New Constitution in a Competitive Authoritarian Context: The Case of Kenya,” at a conference on titled From Parchment to Practice: Implementing New Constitutions conference, University of Chicago Law School, October 2017.

Participated as an Expert in the third meeting of UNIDROIT’s Working Group on Agricultural Land investment Contracts, Rome, September 13-15, 2017.

Spoke at the annual meeting of the American Society of International Law on a Panel on Regional Approaches to International Law, April 13, 2017.

Presented report that I co-authored titled, A Human Rights Impact Assessment of the Continental Free Trade Agreement (CFTA), at the WTO’s Aid for Trade Meeting, Geneva Switzerland, 12th July, 2017

Presented a paper “Implementing a New Constitution in a Competitive Authoritarian Context: The Case of Kenya,” at a conference on Paper prepared for the Parchment to Practice: Implementing New Constitutions conference, University of Chicago Law School, conference 13-14 October 2017

Presented at the following sessions of the week-long Africa Trade Forum, Addis Ababa, November 28 to December 2, 2016: Plenary Session on Structural Transformation Through the Continental Free Trade Agreement (CFTA) with Nigerian Minister of Trade; Continental Workshop on Trade and Gender: Gender Dimensions of the CFTA; Human Rights Impact Assessment of the Continental Free Trade Agreement (CFTA); The Continental Free Trade Agreement and Foreign Investment Regulations for Africa (with South African Minister of Trade); Enforcement of African Regional Trade Agreements; and Research and Capacity Building Session on legal and institutional issues raised by the Continental Free Trade Agreement.

Delivered the 5th Annual Lecture in International Law at the Welsh Centre for International Affairs titled: How Global Trading Rules are Contributing to Africa’s Deindustrialization and What We can Do About It, Cardiff UK, November 21st 2016

Presented a paper on third world approaches to international law in the series Racing the International organized by the Center for the Study of Race, Politics and Culture at the University of Chicago, November 2, 2016.

Presented a paper titled, “Henry J. Richardson III: The Father of Black Traditions of International Law,” at Festschrift for Professor Henry J. Richardson III, Temple Law School, October 7, 2016

Presented Paper titled “Regime Shifting of IPR Law-Making and Enforcement to International Investment Law,” at conference titled Adjudicating International Trade and Investment Disputes: Between Isolation and Interaction, Oslo, Norway, August 26, 2016.

Delivered the opening keynote at the fifth Biennial Global Conference of the Society of International Economic Law in Johannesburg, South Africa on July 7th 2016.

Presented a paper titled, “The Case for An Agreement on Agriculture in the Continental Free Trade Agreement , (CFTA),” organized by the African Trade Policy Center of the United Nations Economic Commission for Africa, Abidjan, Cote d’Ivoire, February 3, 2016.

Speaker, at Panel titled, “The Revival of Comparative International Law,” at the Annual Meeting of the American Society of International Law, April 9th, 2015, Washington DC.

Presented Paper titled, “Assessing Kenya’s Constitution After Five Years,” at Conference on Assessing Constitutional Performance, University of Chicago School of Law, April 24, 2015.

Presented Paper titled “Backlash Against International Courts in West, East and Southern Africa: Causes and Consequences,” at the Annual Meeting of the European Society of International Law, 11th September, 2015 Oslo, Norway.

Commentator and speaker at the Workshop on the Authority of International Courts, October 2, 2015, Northwestern University, Evanston.

Presented paper titled, “Regime Shifting of IPR Law-Making and Enforcement to International Investment Law,” at the Research Meeting of the American Society of International Law, October 23, 2015 in Washington DC.

Presented paper titled “Scoping Study of the Continental Free Trade Area (CFTA) and Preliminary Recommendations Based on an African Human Rights Model,” at a side-event at the World Trade Organization’s 10th Ministerial Meeting, 17th December, 2015, Nairobi, Kenya.

Presented Keynote speech titled, “Judicial Activism in Africa’s International Courts,” at the Harvard Law School’s, Institute for Global Law and Policy Workshop in Doha Qatar, January 8, 2015.

Made a presentation at a Book Symposium for a book titled *The Social Foundations of World Trade: Norms, Community and Constitution*, by Sunjoon Cho, at the Northwestern University School of Law, November 5, 2015.

Presented a paper “The Variation in the Use of Sub-Regional Integration Courts Between Business and Human Rights Actors: The Case of the East African Court of Justice,” at the American Society of International Law Midyear Meeting and Research Forum, November 8, 2014, Northwestern University Law School, Chicago, IL.

Presented a paper, “The COMESA Court of Justice Through the Eyes of the East African Court of Justice,” at the Pluricourts conference on The Legitimacy of International Trade Tribunals, October 17, 2014, Geneva Switzerland.

Presented Paper “The Incomplete Transformation of Judicial Review,” at the Annual Judges Conference of the Judiciary of Kenya, Nairobi, Kenya, August, 2014.

Discussant of a paper titled “Mega-regional agreements and their impact on investment policy,” at the Trade Policy Training Center in Africa Trade Policy Research Forum, 2014 (Trade Reform, Trade Patterns and Global Value Chains), Arusha, Tanzania, June 27, 2014.

Participated as Commentator in the American Society of International Law Annual Meeting Session, “Fast-Pitch: Scholarship Speed Mentoring Session,” April 11, 2014 Washington DC.

Presented a paper titled, “The Variation in the Use of Sub-Regional Integration Courts Between Business and Human Rights Actors: The Case of the East African Court of Justice,” at the Workshop on International Courts in Context, Duke University Law School, May 28th, 2014.

Presented a paper on a panel titled “New Developmental States and the Transformation of Law,” at the 50th Annual Meeting of the Law and Society Association, Minneapolis, MN May 31st, 2014.

Spoke as a panelist on the “Special 50th Anniversary Roundtable: Envisioning a Global Socio-Legal Field: Networks, Institutions, Initiatives, Prospects,” at the 50th Annual Meeting of the Law and Society Association, Minneapolis, MN May 30th, 2014.

Presented a paper titled, “Challenges of the East African Court of Justice’s Human Rights Strategy,” at the International Law Colloquium, S.J. Quinney College of Law, University of Utah, 24th January, 2014.

Presented a paper titled, “Implications of the WTO’s Dispute Settlement System for African RTAs Dispute Settlement Process,” at a conference on Boosting Intra-African Trade: The Role of Regulation and Policy,” Arusha, Tanzania, November 21, 2013.

Made a presented titled, “Kenya’s 2010 Constitution with a Particular Focus on the Judiciary, University of Chicago Law School, November 15, 2013

Presented a paper titled “Why Have Business Actors Not Used African Sub-regional Trade Courts? The Case of the East African Court of Justice,” at a conference on International Courts in their Social and Political Context, Center for Excellence in International Courts, Copenhagen Denmark, September 21-22, 2013

Spoke as Commentator to the Public Lecture by Prof. Ali A. Mazrui, the Albert Schweitzer Professor in the Humanities at SUNY Binghamton titled “Half Century of the Post-Colonial Judiciary and State-Formation: The African Experience.” The Lecture was organized by the Judiciary Training Institute of Kenya and the University of Nairobi and was held at the University of Nairobi on August 16, 2013. This event was attended by over 60 judges in the Kenyan judiciary and a large number of students, faculty and members of the public.

Co-organized, spoke and moderated at the Workshop on Sub-regional Courts in Africa: Comparing Mandates, Priorities and Objectives, August 5-6, 2013 at the University of Witwatersrand, Johannesburg, South Africa.

Presented a paper on “The Future of Legal Education in Kenya,” at a Colloquium titled, Kenya’s Legal Education System – Are We on the Right Track? at Riara School of Law, Nairobi on the morning of August 13, 2013. The Attorney General of Kenya spoke on the same panel.

Presented a Law Review Public Lecture titled, “Kenya and the International Legal System – The Past, Present and Future,” at the Riara University Law School, in the afternoon of August 13, 2013

Presented lectures on International Trade Law at the Trade Policy Training Centre in Africa, Arusha, Tanzania, May 4-9, 2013.

Chaired and made presentation on a Panel on the Past and Future of African International Law Scholarship at the 107th Annual Meeting of the American Society of International Law on April 5, 2013.

Presented a paper titled "Making Technology Transfers a Key Component in Resource Extraction and Construction Contracts in Africa", at a conference on Innovation on Governance of Development Finance: Causes, Consequences and the Role of Law. The conference was organized by the Institute for International Law and Justice of New York University School of Law and the University of Giessen, April 8, 2013.

Presented paper titled, "Mission Creep or a Search for Relevance: The East African Court of Justice's Human Rights Strategy," at the Second African International Economic Law Network Conference, (Trade Governance: Integrating Africa into the Global Economy Through International Economic Law) at the University of Witwatersrand School of Law, Johannesburg, South Africa.

Presented paper titled "Strength in IP Protection and FDI Flows in LDCs," at the University of Georgia Law School International Law Colloquium, Friday February 22, 2013.

Presented lectures on International Trade Law at the Trade Policy Training Centre in Africa, Arusha, Tanzania, May 4-9, 2013.

Chaired and made presentation on a Panel on the Past and Future of African International Law Scholarship at the 107th Annual Meeting of the American Society of International Law on April 5, 2013.

Presented a paper titled "Making Technology Transfers a Key Component in Resource Extraction and Construction Contracts in Africa", at a conference on Innovation on Governance of Development Finance: Causes, Consequences and the Role of Law. The conference was organized by the Institute for International Law and Justice of New York University School of Law and the University of Giessen, April 8, 2013.

Presented paper titled, "Mission Creep or a Search for Relevance: The East African Court of Justice's Human Rights Strategy," at the Second African International Economic Law Network Conference, (Trade Governance: Integrating Africa into the Global Economy Through International Economic Law) at the University of Witwatersrand School of Law, Johannesburg, South Africa.

Presented paper titled "Strength in IP Protection and FDI Flows in LDCs," at the University of Georgia Law School International Law Colloquium, Friday February 22, 2013. An earlier version was presented at the Cornell International Law and International Relations Colloquium, Monday September 10, 2012

Presented paper titled "Mission Creep or a Search for Relevance: The East African Court of Justice's Human Rights Strategy," to the International Organizations/International Law Working Group, Buffet Center, Northwestern University, November 26, 2012

Presented a paper on Trade and Ecosystem Services at a forum on Sustainability in Developing Nations: Opportunities for Public Private Partnerships, organized by Albany Law School and the UN Academic Impact Office, Dag Hammarskjold Library, May 16, 2012.

Proposed and Moderated Panel on Trade and Ecosystem Services at the Annual Meeting of the American Society of International Law, March 30, 2012.

Chaired the Business Meeting of the Africa Interest Group of the American Society of International Law at the Annual Meeting, March 31, 2012

“The Curious Human Rights Jurisdiction of the East African Court of Justice,” Jean Monnet Project Constitutional Rights and Free Trade Agreements (CRiFT) conference in Brugges, Belgium, February 17, 2012

Organized and directed the Africa and International Law Conference with over 70 paper presentations and 150 participants including the Prosecutor of the International Criminal Court, Albany Law School, April 12-14, 2012.

Presented a paper on “Human Rights Implications of EU-ACP Economic Partnership Agreements,” at a Discussion in Commemoration of the 25th Anniversary of the UN Declaration on the Right to Development, United Nations Headquarters, December 5, 2011 New York City.

Presented a paper on Human Rights and Conflict Resources at the First Meeting of the African Union's Working Group on Extractive Industries, the Environment and Human Rights Violations in Africa, December 2011, Nairobi, Kenya

Presented a paper on Business Law at the First Diaspora Conference on Identifying Opportunities for the Diaspora Under Vision 2030, organized by the Embassy of Kenya in Washington DC, October 8, 2011

Presented a paper on African Regional Trade Agreements at the Trade and Policy Training Institute in Africa Annual Trade Forum, Arusha Tanzania, August 8, 2011.

Presented a paper titled African Regional Trade Agreements as Flexible Regimes, at the First African International Economic Law Network Conference, Mandela Institute, University of Witwatersrand, Johannesburg, South Africa, 5th May, 2011

Presented the 2011 Brendan Brown Lecture on “Food Sovereignty For Poor Countries in the Global Trading System,” Loyola College of Law, New Orleans, April 12, 2011

Presented a paper “Experimenting With Democracy,” at the Dahlem Conference on Knowledge, Domination and the Public in Africa, 21-25 March, 2011 (Berlin, Germany).

Presented a paper, “The Neo-Liberal Turn to Regional Trade Agreements, at the Global Law and Its Exceptions Conference at the University of Washington, Seattle Law School, February 25, 2011.

Delivered Book Talk, War, Commerce and International Law, Duke Law School, January 18, 2011.

Presented a paper “The Turn to Regional Trade Agreements,” at the Temple Law School International Law Colloquium, January 18, 2011

Presented a paper, “Strength of IP Protection and Flows of FDI to LDCs,” at the Globalizing Property Rights Conference organized by the Center on Global Legal Transformation, Columbia Law School, October 22, 2010.

Presented a paper titled African Regional Trade Agreements as Flexible Regimes, at the Trade and Policy Training Institute in Africa (TRAPCA), Annual Trade Research Forum on Trade Policy for Renewed Growth in Africa, Arusha, Tanzania, July 29, 2010.

Presented a lecture titled The Turn to Regional Trade Agreements, presented at the Second Annual Workshop on Global Law and Economic Policy, Harvard Law School, June 7, 2010

Presented a paper titled “The Turn to Regional Trade Agreements as Law and Development”, at a symposium organized by the University of North Carolina Journal of International Commercial Regulation, January 29, 2010.

Presented a paper titled “The Financial Accounting Task Force and Global Administrative Law,” at the Annual Meeting of the American Association of Law Schools at a Panel Organized by the Section on Professional Responsibility, New Orleans, LA, January 8, 2010.

Presented a paper titled “Elias T. Olawale’s Project of Re-Writing International Legal History to Acknowledge Africa’s Contribution,” at the American Society for Legal History Conference, Austin, Texas, November 14, 2009.

Presented lectures on International Trade Law at the Trade Policy Training Centre in Africa, Arusha, Tanzania, October 27-30, 2009.

Presented a paper titled “War, Investment and International Law,” at Florida State University Law School, April 16, 2009

Presented a lecture titled “Critical Race Theory in A Global Society,” at the Critical Race Theory at 20 Workshop, Iowa Law School, April 4, 2009.

Presented a Paper titled, "The Commercialization of War: Private Military and Security Companies, Mercenaries and International Law," at the Watson Institute for International Studies, Brown University, February 18, 2009.

Presented lecture titled “Testing the Laws Against Genocide: The Case of Darfur,” at the Congregation Gates of Heaven, Schenectady, NY sponsored by the Interfaith Community of Schenectady and the Community Relations Council of United Jewish Federation of Northeastern NY, December 8, 2008.

Moderated a Panel in the Defining Race Symposium, Albany Law School, November 14, 2008.

Presented a lecture titled, “Kenya: Another Failed African State?” at an Albany Law School Amnesty International Chapter/International Law Students Association event, at Albany Law School, November 19, 2008.

Presented a talk at the 2008 Election Symposium, Albany Law School, October 30, 2008.

Presented lectures on International Trade Law at the Trade Policy Training Centre in Africa, Arusha, Tanzania, October 20-23, 2008.

Presented a paper titled “Slippages of the Public/Private in Resource Wars,” at the Washington and Lee University School of Law, October 6, 2008.

Presented a paper titled “Slippages of the Public/Private in Resource Wars,” at the Harvard Law School’s International Law Workshop, Harvard Law School, September 10, 2008.

Presented a paper on “The Relationship Between Human Rights and Development,” at the United Nations High Commissioner for Human Rights Workshop on Financing for Development and Human Rights in Light of Doha: Reviewing the Progress of the Monterrey Consensus, Geneva, Switzerland, September 16, 2008.

Presented a paper on “The Free Movement of Services in the East African Common Market,” at the National Retreat for Members and Key Stakeholders of the East African Common Market High Level Task Force, Utali Hotel, Nairobi, May 12, 2008.

Presented a paper on “The Rights of Establishment and Residence: Some Brief Reflections on the Proposed East African Common Market, at the at the National Retreat for Members and Key Stakeholders of the East African Common Market High Level Task Force, Utali Hotel, Nairobi, May 13, 2008.

Presented paper on “Corruption and Human Rights,” at a conference on Realizing Social and Economic Rights in Africa, Osgoode Hall Law School, October 27, 2007.

Presented a lecture titled “War, Commerce and International Law,” at Putting Theory to Practice Workshop at the Osgoode Hall Law School, October 25, 2007.

Presented a paper titled “Slippages of the Public/Private in Resource Wars,” at the University of Illinois, October 24, 2007.

Presented a paper titled “Implementation of Trade Agreements in Kenya,” at the Forum for Trade Lawyers, organized by the Institute for Economic Affairs, Norfolk Hotel, Nairobi, October 9, 2007.

Presented a paper on “Challenges of Developing Countries in the Doha Round,” at the 15th Commonwealth Law Conference, Nairobi, Kenya, September 11, 2007.

Presented a paper titled “The Promise of an African Economic Community,” at a conference on Developing Countries in the WTO Legal System, University of Minnesota Law School, May 2007.

Organized a major conference on The Third World and International Law with over 70 speakers from around the World, Albany Law School, April 2007.

Chaired and Spoke on a panel on Tsunamis, Earthquakes and Asteriods: Are We Ready for the Next 100 Years? at the ASIL Annual Conference, Washington, DC, March 2007.

Presented paper titled, "Popular Authorship and Constitution Making: Comparing and Contrasting the DRC and Kenya," William and Mary Law School, February 2007.

Presented paper titled, "The High Stakes of WTO Reform," at the Globalization Workshop, University of Toronto Law School, November 1, 2006.

Presented paper titled, "The Last Frontier: Intellectual Property Rights and Least Developed Countries," at the 2006 International Law Weekend of the American Branch of the International Law Association, New York City, October 27, 2006.

Presented a talk on "The History and Politics of Constitutional Reform in Kenya," at the Kennesaw State University Year of Kenya Lecture Series, September 21, 2006.

Presented a paper titled, "The ICJ's Decision in Congo v Uganda," at the ICRC Roundtable for International Humanitarian Law Lecturers in East Africa, Nairobi, Kenya, July 2006.

Presented a paper titled "Multinational Corporations and Human Rights: A Transactional Approach," at the 100th American Society of International Law Conference on the theme A Just World Under Law, Washington DC, March 30, 2006.

Made a presentation on Third Approaches to International Law at a Harvard Law School conference on Teaching From the Left, March 12, 2006.

Presented a paper titled "Exporting Culture Wars," at the University of California Davis conference on Family Planning and Aids Policies in the International Community, March 3, 2006.

Presented a paper titled: "State Responsibility for Breaking Patent Rights on Human Rights Grounds," at the University of North Carolina conference on Saving Profits, Saving Lives: A Comprehensive Discussion of the Social, Legal and Economic Implications of Reverse Engineering and Parallel Importing on the Pharmaceutical Industry, February 25, 2006.

Chaired Panel on Private Law, in the Albany Law Review Symposium, Outsourcing Authority, October 27, 2005.

Chaired Panel on "What is War?," in the New York International Law Weekend Annual Conference, International Norms in the Twenty First Century and Compliance Revisited, October 21, 2005.

Presented paper titled "Commerce, Conquest and Wartime Confiscation," at a conference on War and Commerce at Brooklyn Law School, September 23, 2005.

Presented a talk titled “The Stakes of WTO Reform,” presented at a Faculty Workshop, Faculty of Law University of Nairobi, July 27, 2005.

Presented a paper titled “Preemption, the United Nations Charter and the Secretary General’s Report,” to the United Nations Training Institute Summer Institute, New York, June 6, 2005.

Presented a paper titled, “Commerce, Conquest and Colonialism,” at the International Economic Law Group of the American Society of International Law Conference, February 25, 2005.

Presented a paper titled, “Law as an Unqualified Good: Some Preliminary Thoughts on Legal Education and Law Teaching in Kenya,” at a workshop on the Relationship Between National Legal Educational Practices and Modes of Legal Reasoning, Harvard Law School, December 10, 2004.

Presented a paper titled, “The Sanctity of Sovereign Loan Contracts and Its Origins in Enforcement Litigation,” Faculty Workshop at the Loyola Law School Los Angeles, November 11, 2004.

Presented a paper titled, “Torture, Territoriality, Commerce and the Conflict of Laws,” at Cornell Law School, (Berger International Program, Clarke Middle East Fund and Leo Nevas Human Rights Fund Speaker Series), November 4, 2004

Presented a paper titled, “Extra-Territorial Commercial and Non-Commercial Torts and the Conflict of Laws,” at the Second National People of Color Conference at the George Washington University Law School, October 16, 2004.

Organized and Chaired a panel on *Wartime Security and Constitutional Liberty* in honor of Justice Robert H. Jackson featuring Profs. Erwin Chemerinsky, Sarah Cleveland, Amb. Of War Crimes Pierre Richard Prosper and Paul L. Hoffman at the 2004 International Law Weekend of the American Branch of the International Law Association, New York City, October 15, 2004.

Presented a paper titled “Imperialism, Colonialism and International Law,” at a Feminist Legal Theory Workshop on Across-Legal Cultures-Post-Colonialism, Emory Law School, September 10, 2004.

Presented a paper titled “Law and Politics in Africa: Lessons From Commonwealth Africa and the Recent Transition in Kenya,” on a panel on Law and Politics in Africa at the Annual Meeting of the Law and Society Association, May 28, 2004.

Presented an opening address titled “Imperialism, Colonialism and International Law,” at the Birkbeck Law School, University of London, on Imperialism and International Law, May 9, 2004.

Gave a talk titled “The Law of Belligerent Occupation and Human Rights with Reference to Iraq,” at the School of Oriental and African Studies, University of London, May, 13, 2004.

Presented a paper titled “Reforming the WTO” on a panel on Open Democratic Participation Scheme for the World Trade Organization, at the Rutgers Law Review - Symposium, 2004, March 5, 2004.

Gave a talk titled: “Law, Trade and Third World Development,” to the Syracuse College of Law International Law Student Society, March 23, 2004.

Made a presentation titled “The Obligations of An Occupying Power Under International Law,” as one of the panelists in The Robert H. Jackson Memorial Lecture: Current Perspectives on Iraq, Albany Law School, November 19, 2003.

Made a presentation in a workshop discussion titled “Seeking a Global Perspective, Confronting Unilateralism: Why We Need the UN Today,” at an event on Confronting the Politics of Fear: A People's Assembly, Albany High School, November 15, 2003.

Delivered the Fall 2003 Prudential Lecture at Rutgers Business School titled “Ethics as Fairness: Towards a Level Playing Field in Global Agricultural Business,” Rutgers University, Newark, November 13, 2003.

Made a presentation titled “Social and Economic Rights in Context,” on a panel on Social and Economic Rights and Wrongs, at a conference on Rethinking Ideology and Strategy: Progressive Lawyering, Globalization and Markets, Northeastern Law University School, November 7, 2003

Presented a paper titled: “Torture, Territoriality, Terrorism and International Law,” at the 2003 Albany Law Review Symposium on Torture,: Paradigms, Practices, and Policies, Albany, NY, October 15, 2003.

Made a panel presentation on Juridifying Global Governance at a conference on Rethinking Globalism, organized by the European Law Research Center, at Harvard Law School, Cambridge, MA, October 4, 2003.

Made a presentation on Patents and Access to Essential Drugs in Sub-Saharan Africa, at a conference on AIDS in Africa organized by the Center for African Studies, SUNY, Albany, October 10, 2003.

Presented a paper titled, “Social and Economic Rights Under the New Economic Partnership for African Development (NEPAD),” at a high level seminar on “The AU-NEPAD and Changing Relations between Africa and Northern Countries,” organized by Africa Legal Aid, in Maastricht, Netherlands between August 24-25, 2003.

Presented a paper titled “Harnessing Knowledge For Market Access and Competitiveness of African Products and Produce,” at the inaugural NEPAD Workshop, Safari Park Hotel Nairobi, Kenya, July 13, 2003.

Made a presentation titled “Bio-Diversity Conservation and Intellectual Property Rights: An Unusual Revisiting of the Debate on Access to Affordable HIV/AIDS Drugs,” in the Special Topic Seminar of the Institute for African Development, Cornell University, Ithaca, NY, May 1, 2003.

Presented a paper titled “The Impact of International Financial Institutions on the Scope for National Development Policy,” at the Harvard Law School's European Law Research Center's Spring Conference on the theme “Law and Economic Development: Critiques and Beyond,” Harvard Law School, April 12-13, 2003.

Made a presentation titled “The Stakes of Patent Protection and Access to Essential Drugs,” at the Albany Law School's Journal of Science and Technology Symposium on the theme “Medical Paternalism: The FDA and Government Control Over Americans,” Albany, NY, April, 10, 2003.

Presented a paper titled “Asymmetrical Liberalism in the International Trading Regime,” in a panel on the question "Is the International Trading Regime Fair to Developing Countries?" at the 97th Annual Meeting of the American Society of International Law on the theme "Conflict and Coordination Across International Regimes," Washington, DC, April 2-5, 2003.

Presented a paper titled, “Is There an Emerging Emergency Exception to the Patent Monopoly of the TRIPS Agreement?” at the Law, Technology and Development Workshop organized by the Baldy Center for Law and Social Policy at the University at Buffalo Law School, Buffalo, NY, March 29, 2003.

“Constitutionalism in Kenya: Past, Present and Future,” at a symposium on “Constitutionalism, Human Rights and Transitional Justice in Kenya’s New Political Dispensation,” organized by the Harvard Human Rights Program and the Harvard African Law Students Association, Harvard Law School, Cambridge, MA, March 10, 2003.

“The War on Terrorism Through the Eyes of an International Lawyer,” presentation made to the Torch Club of Albany, Albany, NY, March 3 2003.

Made a presentation titled “Operating Globally, Acting Locally: Challenges of the New African Union’s Economic Program (NEPAD),” at the African Union and the New Pan-Africanism Conference, co-sponsored by the American Society of International Law and the Thurgood Marshall School of Law, Houston, TX, February 21-22, 2003.

“Engaging (in) TRIPS Agreement Formalism Over Access to Essential Drugs,” paper presented at the Cardozo School of Law Symposium on Patent Law, Social Policy and Public Interest: The Search for a Balanced Global System, New York City, November 7, 2002.

“The Poverty of the Poverty Nexus in the Debate on Access to HIV/AIDS Drugs in U.S. Foreign Policy,” paper presented at the University of Iowa's Journal of Gender, Race and Justice Conference on American Presence Abroad: U.S. Foreign Policy and Its Implications for Gender, Race and Justice, Cedar Rapids, IA, October 25, 2002.

“The Global HIV/AIDS Pandemic: Why Should the World Care,?” presentation made at the Annual American Branch of the International Law Association's New York International Law Weekend panel on International Law and the Global HIV/AIDS Crisis, New York City, October 26, 2002.

“International Institutional Segregation, Poverty and Development,” presentation made at the Annual American Branch of the International Law Association’s New York International

Law Weekend panel on and the International Trade Law and Development, October 26, 2002.

“Re-Appraising the International Debt Crisis: An Analysis of Debt-Out Jurisprudence,” paper presented at the American Society of International Law, International Economic Law Group Annual Conference on Interrelationships: International Economic Law and Developing Countries, Washington, DC, October 4-6, 2002.

“Patents and Access to Drugs,” talk delivered at the Panel on Access to Drugs During Public Health Crisis put together by the ABA’s Special Committee on Bioethics and the Law, at the 125 Annual ABA Meeting, Washington, DC, Friday, August 9, 2002.

“The War on Terrorism from an International Lawyer’s Perspective,” speech delivered at the annual World Federalist and United Nations Spring Dinner at Schenectady Community College, April 29, 2002.

Presented paper titled, “Policy Oriented Legal Reasoning in Adjudications of the Refinancing of Third World Debt,” at the Harvard Law School’s European Law Research Center’s Conference on Globalization of Modern Legal Thought, 1859-2000, Cambridge, MA, April 13, 2002.

Gave a talk on “The Laws of War,” to the Union College Academy of Life Long Learning, Schenectady, NY, April 2, 2002.

Luncheon Speaker at the National Black Law Students Association’s Frederick Douglas Moot Court Competition Law Professors’ Luncheon, Cat Skills, NY, February 9, 2002.

Presented a paper titled “Uncovering the Role of Race in International Commercial Law,” at the Conference on Racism, Colonialism and Reparations: A Post-Durban Dialogue Between Human Rights Activists and Academics, organized by the MIT Program on Human Rights and Justice, March 2002.

Participated in a Panel, “The Emergency Exception: Pharmaceutical Patents in a Time of Crisis,” at Harvard Law School, December 2001.

Presented a paper titled “Does the Sources Doctrine Erase Pre-Colonial Claims to Non-European Sovereignty? An Analysis of the ICJ’s Namibia/Botswana Case,” at The Third World and the International Order: Law, Politics and Globalization Conference, Osgoode Hall Law School, October 2001.

Taught two-day course to development country lawyers at the International Development Law Institute, Rome, Italy, May 2001.

Presented a paper titled, “The Presence of the U.S. at the 1885 Berlin Conference,” at Seminar on Law, Colonialism and Markets, organized by the Columbia Human Rights Program, New York, May 2001.

Presented paper titled, “The Poverty of Human Rights,” at the Seminar on Globalization, Human Rights and Poverty sponsored by the Erik Castren Institute of International Law and Human Rights, Helsinki, Finland, April 2001.

Presented paper titled, "A Market Based Approach to Construing Articles 7 and 8 of TRIPS in the Context of AIDS Drugs," at a Symposium on Intellectual Property, Development and Human Rights at the University of Florida, Levin College of Law, Gainesville, FL, March 2001.

Presented a paper, "The Silence of Race and Identity in Corporate Law Reform in Sub-Saharan Africa," at a Plenary Session on Business Law and Race at the North East People of Color Conference, CUNY, Flushing NY, March 2001.

Taught two-day course to developing country lawyers at the International Development Law Institute, Rome, Italy, May 2000.

Presented a paper titled, "Human Rights, the World Bank and the Washington Consensus: 1949-1999," American Society of International Law Annual Meeting, Washington DC, April 2000.

Presented a paper titled, "Structural Bias and International Law as it Relates to Developing Countries," at Harvard Law School Conference on Structural Bias and the Law: Examples From International and Comparative Law, Cambridge MA, April 2000.

Panel Speaker/Organizer, First Rutgers Business School Conference on Corruption and Human Rights: Practical Solutions For Multinational Companies, Newark, NJ, March 2000.

Presented a paper titled "Regarding the Private/Public Distinction in the Liberal Democratic Order of Good Governance," Center for African Studies, Rutgers University, New Brunswick, NJ, March 2000.

Symposium Director, International Law and the Developing World: A Millennial Analysis, Harvard Law School, Cambridge MA, February 2000.

"Empowering the Weak While Protecting the Powerful: Some Implications of Bringing Human Rights at the World Bank's Doorstep," Dighton Writers Workshop, organized by the European Law Research Center, of the Harvard Law School, Dighton, MA, February 1999.

Panel Speaker, "The Year in Review," 93rd Annual Meeting of the American Society of International Law, On Violence, Money, Power and Culture: Reviewing the International Legacy, 1999, Washington DC, March 1999.

Presented a paper titled "Africa at the Intersection of Critical Race Theory and Public International Law," 34th Annual Villanova Law Review Symposium on Critical Race Theory and International Law: Convergence and Divergence, Villanova, PA, October 1999.

Presented a paper at a panel titled: The Cutting Edge: Round-Table Discussion of Current Research by Harvard Law School Doctoral Students at Harvard Law School, International Law Plus or Minus Fifty Years: A Colloquium On The Occasion Of Abram Chayes' Fiftieth Law School Reunion, Cambridge MA, April 1999.

Presented a paper at the conference on "Anti-formalism About Law and the Legal Profession: Comparative and Historical Perspectives," in a panel titled "Formalism and Domination: The International Law of Colonialism," Harvard Law School, April 1999.

Presented a paper titled "From Basic Needs to Good Governance: The Implications of Shifting Development Policy for International Human Rights Advocacy," Rutgers Law School Faculty Colloquium, Newark, NJ, April 1999.

PROFESSIONAL ASSOCIATION MEMBERSHIPS

American Society of International Law (SIEL)

International Law Association (American Branch)

African International Economic Law Network (AfIELN)

Society of International Economic Law (SIEL)