

Professor, Makerere University, has been engaged in important research under the auspices of the Centre, with the assistance of Mr. Mason. The Professor has been engaged on a study of the administration of justice in Uganda with special reference to the consequences of the integration of the courts since 1964. The study will provide vital information for the Government upon which decisions can be made as to whether (and in which areas) the judicial system requires reform. Up to the time Professor Russell and Mr. Mason began their work, no systematic study of the practical results of integrating traditional courts with the central State courts had been carried out.

Mr. Mason has also been conducting research (as part of Professor Russell's general research project) into the main causes of the very considerable fluctuation in various years in the number of civil cases filed in the High Court in its original and appellate jurisdiction. The results of the study will indicate what the long-term trend is likely to be. . . ."

UNITED NATIONS REGIONAL SYMPOSIUM IN INTERNATIONAL LAW
FOR AFRICA: ACCRA, 14TH-28TH JANUARY, 1971

This Symposium was convened by the United Nations Institute for Training and Research (UNITAR) as part of its continuing programme of education in international law. UNITAR had accepted the invitation of the government of Ghana to hold the meeting in Accra, where all the discussions took place at the State House. African governments, international organisations, and other bodies had been asked to send representatives to the Symposium, which was also attended by a number of outside experts, many of whom gave written papers and oral statements to the meeting. The meeting was chaired throughout by Mr. Osei-Tutu, head of the Legal Department of the Ghana Ministry of Foreign Affairs, the Director of the Symposium being Mr. Oscar Schachter, the Deputy Executive Director and Director of Research of UNITAR.

The main areas explored at the Symposium were: (i) *Economic development agreements*, including both those between African countries (such as the East African Community), association agreements with the E.E.C., and agreements between private foreign investors and African governments. The problem of the transfer of technology and know-how, the question of incentive legislation for foreign investors, the content and revision of concessions agreements, participation by African governments in such enterprises, and the advantages of different forms of development aid, were some of the points canvassed under this heading. (ii) *State succession*, both to rights under treaties and in respect of rights and duties arising other than from treaty. State succession in regard to territory and boundaries was also examined. The continuity of the legal system from dependence to independence, and the enforceability of the rights and duties created by the predecessor state in the courts of the new state were vigorously discussed. Special arguments were adduced for treating new states emerging from colonial rule in a different way, so far as succession was concerned. Whether or not the new state should respect "acquired rights" vested in aliens under the former régime was one of the more controversial issues. In the boundary field, criticism was made by several speakers of the traditional view of international law on the matter, especially regarding the effect of "dispositive treaties". The roots of title, e.g., agreements between the former colonial powers and African rulers, might be invalid; though the contrary view was

also strongly put. The O.A.U. Heads of State resolution of July, 1964, on the subject of the maintenance of the *status quo* in respect of African boundaries was naturally referred to in this context. (iii) *The contribution of Africa to the development of international law*: this theme excited, perhaps, the warmest controversy. On the historical side, was it true that Africa was, until the colonial era, outside the ambit of international law, and hence that its contribution to international law was nil; or rather was it the case that African laws themselves traditionally recognized principles of law governing relations between communities, and that African states were treated as equals by non-African sovereigns until the arrival of the colonial scramble for Africa in the 19th century? The viewpoint taken on this basic question would naturally affect one's evaluation of the legal effect of the many treaties and agreements between European powers and African rulers and peoples by which territory was acquired and the boundaries of such territory determined. So far as the present and future were concerned, participants, especially those nominated by African states, were anxious to ensure that Africa's voice was fully heard in the elaboration of new, or the development of existing, international legal principles, whether this was in the field of development agreements, of state succession (*cf.* the so-called "Nyerere doctrine" in regard to boundaries), or of commodity transactions.

A meeting of this kind can do no more than clear the ground and define some of the main areas for further more detailed investigation; but within this limitation it was generally agreed that several exciting new fields had been opened up for future study and action; and it may be that this Symposium will mark the beginning of a more intense concern with international law and its teaching and practice in the African countries.