

ALSF

ANNUAL REPORT 2017

AFRICAN LEGAL SUPPORT FACILITY

ENHANCING ECONOMIC DEVELOPMENT
AND INCLUSIVE GROWTH IN AFRICA



ALSF

African Legal Support Facility
Facilité africaine de soutien juridique



AFRICAN LEGAL SUPPORT FACILITY

The African Legal Support Facility accepts contributions from Governments, Corporations, Foundations and other donors. To learn more about the African Legal Support Facility please visit our website at <http://www.afsf.org>

African Legal Support Facility
Immeuble CCIA, Plateau 01
B. P 1387 Abidjan, Côte d'Ivoire
Telephone: (+225) 20 26 35 96
Fax: (+225) 20 32 03 91

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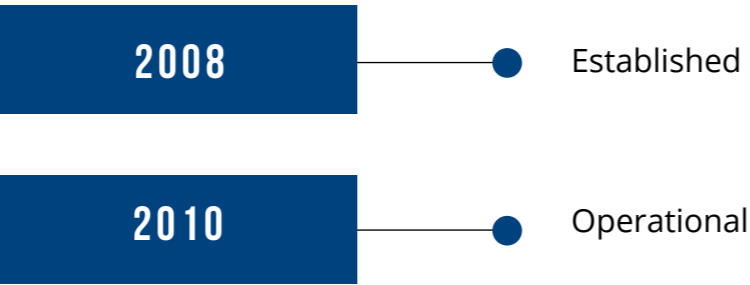
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LIST OF ACRONYMS AND ABBREVIATIONS

ADF	African Development Fund
AfDB	African Development Bank
ALSF	African Legal Support Facility
AMLA	African Mining Legislation Atlas
ANRC	African Natural Resource Centre
AU	African Union
CABRI	Collaborative Africa Budget Reform Initiative
CLDP	Commercial Law Development Program
DFID	Department for International Development
DRC	Democratic Republic of Congo
GC	Governing Council
HIPCs	Highly Indebted Poor Countries
IFC	International Finance Corporation
IsDB	Islamic Development Bank
MB	Management Board
MTS	Medium-Term Strategy
MoU	Memorandum of Understanding
OECD	Organisation for Economic Cooperation and Development
OHADA	Organization for the Harmonization in Africa of Business Law
PPA	Power Purchase Agreement
PPP	Public-Private Partnership
PPPIRC	Public Private Partnership Infrastructure Resource Centre
RMCS	Regional Member Countries
U.S.	United States of America
UNECA	United Nations Economic Commission for Africa
USD	United States Dollars
USAID	United States Agency for International Development

2008
2017

FAST FACTS

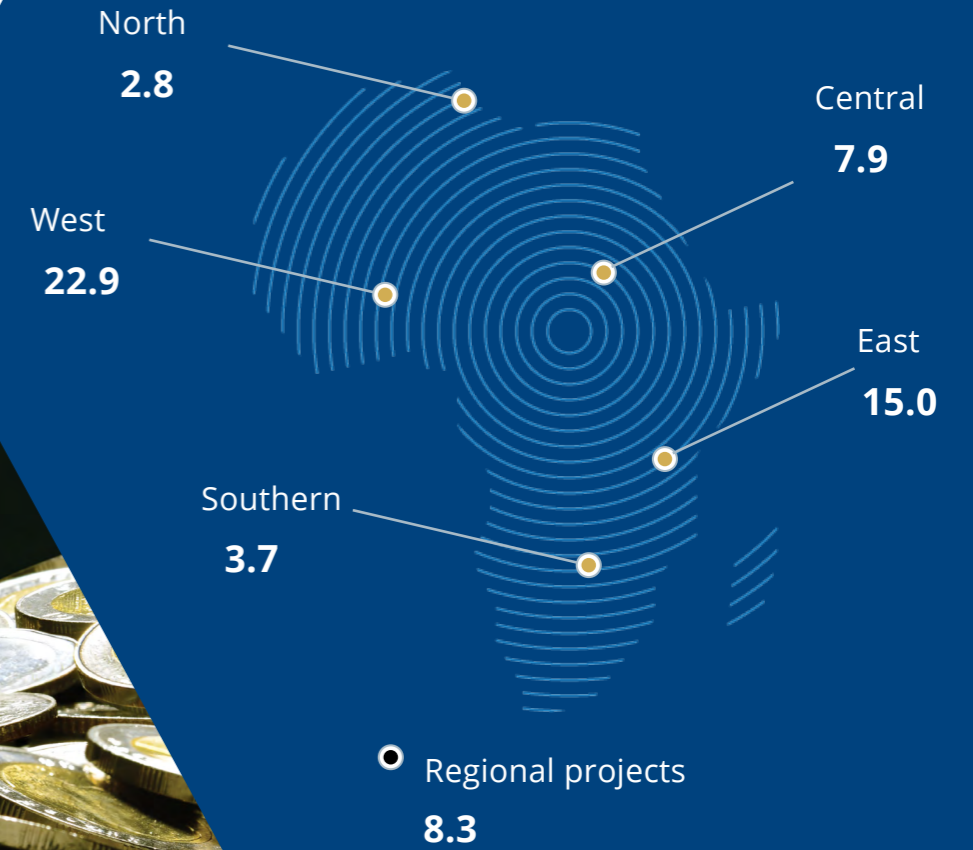


CUMULATIVE DONOR CONTRIBUTIONS RECEIVED

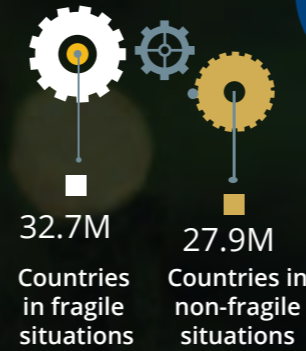
72.6M
USD

CUMULATIVE OPERATIONS BY REGION

(In USD Millions)



CUMULATIVE OPERATIONS BY COUNTRY CATEGORIZATION



MEMBERS

53 States
7 International Organizations

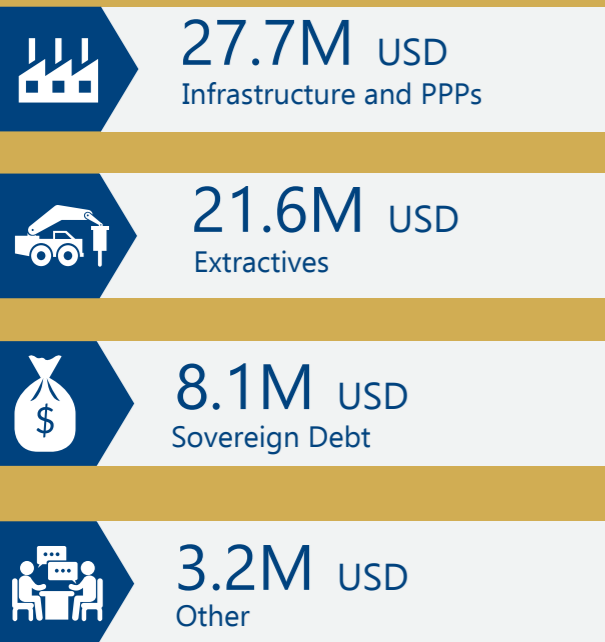
177

Number of Requests for Assistance

154

Cumulative Approvals

CUMULATIVE OPERATIONS BY SECTORS



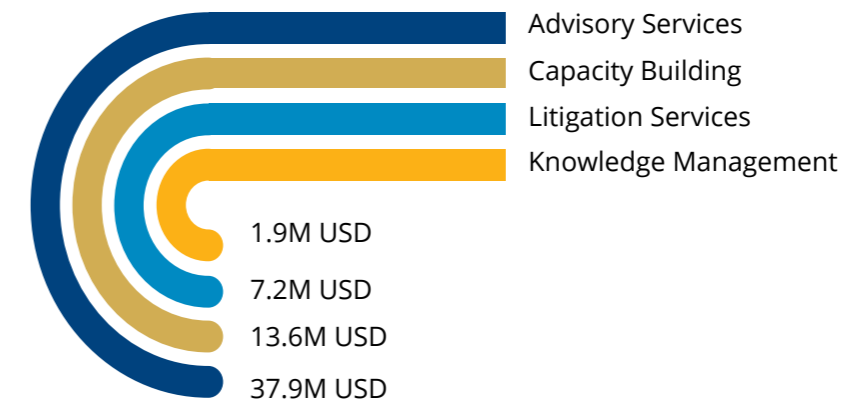
CUMULATIVE DISBURSEMENTS

40.6M
USD

CUMULATIVE APPROVALS

60.5M
USD

CUMULATIVE OPERATIONS BY PRIORITIES AREAS



MANAGEMENT BOARD MEMBERS



Ms. Dorcas Achapa,
Chairperson



Professor Dandi Gnamou,
Member



Mr. Bruce Montador,
Member



Mr. Amadou Dieng,
Member



Mr. Mahomed Rafique,
Member



Mr. Stephen Karangizi,
Director & Ex-Officio
Member



MESSAGE FROM THE CHAIRPERSON OF THE GOVERNING COUNCIL

Africa's economic performance in 2017 remained strong.

With a GDP growth rate of 3.7 percent in 2017, Africa achieved significant progress in several areas including investment climate reforms and capital markets development. Africa still accounts for some of the fastest growing economies in the world. The recent discoveries of natural resources in certain African countries coupled with the increased attention to the better management of natural resources in general portend strong future economic growth.

However, in spite of these positive developments the challenges of high youth unemployment, rising inequality, the incidence of natural disasters and increased insecurity remain. These challenges require urgent action and close cooperation between African governments, the private sector, civil society and Multilateral Development Banks (MDBs). Efforts should be stepped up to bridge Africa's infrastructure gap, efficiently manage natural resources, increase economic and financial integration, develop human capital and empower the private sector, particularly Small and Medium Size Enterprises (SMEs).

The African Legal Support Facility (ALSF) was established to advise Regional Member Countries (RMCs) in the negotiation of complex commercial transactions, creditor litigation and other related sovereign transactions. From 2010 when the ALSF began operations, the Facility has provided effective and timely advisory services, sustainable capacity building support, and relevant knowledge products. The increasing demand for the Facility's services is testament to the growth in recognition that the ALSF has

received from its development partners, its stakeholders, and RMCs.

In 2017, the Governing Council of the ALSF approved and adopted a new Medium-Term Strategy (MTS) for the period 2018-2022. Following a review of the progress made by the institution since the launch of its last strategic cycle in 2013, we considered the lessons learned in recent years, noted the evolving context of the ALSF's work, and identified the challenges entailed by that new context. The 2018-2022 Strategy underscores the importance of leveraging data and information, reducing project development times, and designing toolkits that address emerging needs of RMCs. These steps will ensure the relevance and effectiveness of ALSF interventions, allow the Facility to more effectively respond to the African Development Bank's 'High 5' priorities for transforming Africa and thereby also to Agenda 2063 of the African Union

While the demand for creditor litigation services in Africa region has declined in the past decade, the risks posed by vulture funds persist. We must be prepared to address these risks. With the support of our financing partners—most notably, the African Development Bank, UK, Department of International Development, the Government of Canada, the Government of Germany, the Government of Guinea, the Government of Norway, the Kingdom of Netherlands, the United States of America International Development Agency, and Islamic Development Bank—the ALSF looks forward to another eventful year, with new achievements, new partners, and new possibilities.

Charles O. BOAMAH,
Senior Vice President, African Development Bank,
Chairperson of the ALSF Governing Council

MESSAGE FROM THE DIRECTOR



I am pleased to submit the seventh African Legal Support Facility (ALSF) Annual Report. In 2017, the Facility's growth trend persisted, as we continued to increase the operational program to respond

to the growing demands of our Regional Member Countries (RMCs). By the end of December 2017, the ALSF had cumulatively approved **154** operations, amounting to more than **USD 60 million**, of which **36** projects were launched this year.

2017 has been an important milestone in the Facility's history due primarily to the adoption of a new Medium-Term Strategy—which charts a definitive course towards 2022. The new Medium-Term Strategy (MTS), which is available on our website, traces the rich experiences of the Facility over the initial period of its nascent history, and proposes new inventions to catapult the ALSF even further, as a premier institution facilitating investment and development in Africa to address the challenges of poverty through new investments.

As the ALSF prepares itself to launch new projects, explore new opportunities, and devise solutions to persisting challenges in 2018, it will rely on the guidance provided by the 2018-2022 Medium-Term Strategy, and on the support of its donors and partners. The mission of the ALSF—to provide creditor litigation support, advisory services, and capacity building to its RMCs—remains essential to the continued and sustainable growth of African economies and communities. As long as African countries

continue to fall prey to the predatory activities of vulture fund litigations, and sign poorly-structured agreements, our staff will maintain its vigilant posture, prepared to redouble its efforts in the field of legal support.

The success of the Facility has largely been a factor of the strong commitment from its stakeholders as well as a dedicated team that is vibrant and energetic, taking full advantage of the technological advances. Key among the stakeholders have been our dedicated donors, which include the African Development Bank, Canada, DfID, KfW of Germany, Netherlands, Norway, and the Islamic Development Bank many of whom have recommitted to continue financing the Facility as we begin our second Medium Term Strategy.

Many of the stakeholders are also represented on the Governing Council of the Facility, which met a record four times in 2017, in a bid to complete a comprehensive MTS. The Council was well-supported by a dedicated Management Board, whose members attended all five meetings of the Facility in 2017, a record number which illustrates the sacrifice they make to ensuring the Facility continues to grow. I would like to take this opportunity to thank our existing financing partners for their unwavering support. I also express my appreciation to our Governing Council, to the Management Board, and to our staff for their contribution and commitment throughout the year.

Stephen KARANGIZI, Director and CEO

EXECUTIVE SUMMARY

THE ALSF OPERATIONS

Since the commencement of its operations in 2010, up to the end of 2017, the ALSF had cumulatively approved 154 operations amounting to USD 60.6 million. These operations were spread across its four priority areas of activity :

- Advisory Services,
- Creditor Litigation,
- Capacity Building and,
- Knowledge Management.

Over the last four years, our interventions have been guided by the ALSF Medium-Term Strategy (MTS) (2013-2017). These operations helped to address sovereign debt issues, provide legal and technical assistance in negotiation of complex commercial transactions, and capacity building in a number of countries. The ALSF also developed and maintained related knowledge resources and publications.

In 2017 alone, the ALSF project approvals amounted to **USD 13.5 million**, with the bulk of these allocations going to advisory services, amounting to USD 8.5 million (62 percent), followed by capacity building activities with USD 4.5 million (34 percent) and knowledge management with USD 0.5 million (4 percent).

The ALSF disbursed **USD 10.9 million** in 2017 compared to USD 8.7 million in 2016. This good performance is partly due to the continuous effort to streamline the disbursement process through portfolio clean-ups, procedural enhancements and other measures.

2017

USD 13.5M Project approvals

USD 10.9M Disbursements

2017

KEY OPERATIONAL ACHIEVEMENTS

Guinea-Bissau

Debt Management

Provided creditor litigation support and advisory services to Guinea-Bissau during outstanding debt negotiations with the Export-Import Bank of China (Exim Bank)—saving the country **USD 45 million**.

Rwanda

Bugesera International Airport

Assisted the Government of Rwanda to draft and negotiate a Project Development, Joint-Venture, and Concession Agreements for the development of the Bugesera International Airport.

Uganda

Oil Refinery Project

Supported the Government of Uganda to develop an Oil Refinery Project Framework Agreement to develop a USD 4 billion Oil Refinery Facility.

Regional

Extractives Capacity Building

Financed a training workshop on the negotiation and management of petroleum exploration contracts; and the development of mining projects with structuring investments.

Model Law Drafting

Supported the drafting of an African Union Model Mining Law with an emphasis on fiscal issues

African Mining Legislation Atlas (AMLA)

Supported a 10-day capacity building workshop. Specifically:

- Trained 39 University students on analysis of mining legislation.
- 7 Legal Research Team (LRT) members graduated.

Extractives Executive Training

Financed a capacity building event to strengthen corporate governance skills of Board members on state extractives and complex Public Private Partnerships (PPP) projects in Rwanda.

Participants of the ALSF's AMLA Workshop—held in December 2017 in Nairobi, Kenya.



INSTITUTIONAL DEVELOPMENT & CORPORATE MANAGEMENT

RESOURCE MOBILIZATION. As of 31 December 2017, the ALSF's 15 financing partners had cumulatively disbursed over USD 73.9 million to the ALSF.

During 2017, the ALSF received a total of USD 20.6 million from the African Development Bank, Islamic Development Bank, Canada, The Government of Germany—through the Kreditanstalt für Wiederaufbau (KfW), and The Government of Norway to finance its activities. In 2017, the ALSF also continued to work with the AfDB to finalize a manual that will guide the implementation of the reimbursable Financing Instruments that are provided for in the ALSF Operational Guidelines. This will create a revolving funding mechanism for operations and contribute to a much wider, and more sustainable source of income for the ALSF activities.

MONITORING AND EVALUATION. In 2017, the ALSF developed the Monitoring and Evaluation (M&E) activity schedule; adopted a logic model for the Medium-Term Strategy 2018-2022; developed templates for the project performance measurement framework (PMF), which are applicable to all five types of the ALSF projects; developed a set of indicators for project performance assessments; updated existing data collection tools; developed the rating scale and related tools for ex-post evaluations; completed the design of the M&E database management system; and carried out ex-post evaluations of completed projects in Guinea, Senegal, Tanzania, Rwanda, and Cameroon. The ALSF also produced the second edition of the Annual Effectiveness Review report to assess and report on the impact of its interventions.

MEDIUM TERM STRATEGY 2018-2022. Following consultations with a carefully selected team of experts and stakeholders including: Current and Former ALSF Management Board and Governing Council members, donor partners and partner

institutions, the ALSF team developed a new strategy that will guide its interventions over the next five years. The implementation of the strategy will continue to focus on the provision of Advisory Services, Creditor Litigation, Capacity Building and Knowledge Management as well as Managing for Results.

BOARD'S OVERSIGHT FUNCTIONS. As in previous years, the ALSF Management Board exercised their oversight and fiduciary functions relating to various operations of the institution. The Management Board and Governing Council gave considerable time to strategic operations and institutional matters. The most notable and far reaching discussion pertained to the development and adoption of the new Medium-Term Strategy (2018-2022).

COLLABORATION, PARTNERSHIP BUILDING & OUTREACH

STRATEGIC PARTNERSHIPS. During 2017, the Facility was involved in several regional and international events to enhance dialogue and networking with various stakeholders. As a result, our collaboration with partners has strengthened and deepened. These partners include: the African Development Bank, the African Minerals Development Centre at the United Nations Commission for African and the African Union, USAID and the Power Africa Initiative, the World Bank, the National Resource Governance Institute and Columbia Centre on Sustainable Investment, and the University of Cape Town and other African Universities.

MEMBERSHIP. In 2017, Eritrea signed the Agreement for the Establishment of the ALSF. Guinea, the Democratic Republic of Congo and Uganda all committed to complete the membership while Algeria and Angola have been negotiating to accede the Agreement. The total number of signatories now stands at 60, which includes 53 member states and 7 international organizations. See Annex 2 for the complete list of signatories to the ALSF Agreement.

ABOUT THE AFRICAN LEGAL SUPPORT FACILITY

Hosted by the African Development Bank, the ALSF is an international organization dedicated to providing legal advice and technical assistance to Regional Member Countries (RMCs). Historically, the ALSF has intervened in more than 40 RMCs, helping them to resolve issues in major natural-resource contracts, negotiate a variety of fair infrastructure and commercial deals and provide support to their defense against vulture funds.

1 | CHAPTER ONE

UNDERSTANDING THE WORK OF THE ALSF



1



2

3



MISSION

To provide legal advice and capacity building to African countries on vulture fund litigation, complex commercial negotiations and related sovereign transactions.

VISION

Achieving sustainable legal capacity for Africa.

VALUES

The Facility is founded on the values of respect for the rule of law, equity, transparency, and good governance. These values are grounded on its "African character," as the Facility is a partner of all African countries and respects the diversity of the continent. The staff of the Facility is committed to uphold ethics, accountability, excellence, professionalism, probity, and a team-working spirit.

January

The Management Board approved:

- A supplemental grant to the Government of Tanzania in support of the Bagomoyo port project
- A grant to support the Senegal with technical capacity building in the field of oil and gas transactions
- Support to the Program for Infrastructure Development in Africa (PIDA) in its regional power pools project
- Capacity building assistance to the Government of Ghana in the area of Public-Private Partnerships (PPPs)

March

The Management Board holds its 21st meeting in Abidjan, Côte d'Ivoire to review progress on project implementation, draft reports of fundamental documents, and preparations for the 2017 Annual Meetings of the AfDB.

June

The Management Board approved:

- Support to the Government of Gambia in reviewing their model petroleum exploration, development and production licensing agreements
- Capacity building support to representatives of the West African Economic and Monetary Union related to the best practices for managing oil and mining exploration and exploitation contracts
- A supplemental grant to provide the Government of Rwanda with advisory and capacity building services to further develop the Bugesera International Airport
- Advisory services to the Government of Tanzania for the development of the upstream projects, construction, and operation of a Liquefied Natural Gas processing plant
- Advisory services to the Government of Côte d'Ivoire for the negotiation of concession conventions, power purchase contracts and related agreements for priority energy projects
- Capacity building support to the Government of Burkina Faso in the development of PPP agreements

February

The Management Board approved:

- A capacity building project designed to strengthen the corporate governance skills of members of Boards of Directors acting as state representatives in the extractives and complex Public Private Partnerships (PPP) projects
- Advisory support to the Mauritius and Public Utilities in its negotiation of a Power Purchase Agreement (PPA)

May

The Management Board approved:

- Advisory services to the Government of Liberia in its negotiation of a PPA for a 10MW coal-based thermal power plant
- A capacity building project on power project financing options in support of the Government of Somalia
- Advisory services to the Government of Madagascar in its structuring and negotiation of four hydroelectric development projects
- A grant to provide the Government of Sudan with capacity building services to strengthen contract negotiation and implementation capacities

The Management Board holds its 22nd meeting in Ahmedabad, India

August

The Management Board approved:

- A supplemental grant to the Government of Ethiopia in connection with the Corbetti Geothermal project
- Advisory services and capacity building in support of the Government of Guinea's negotiations with foreign investors participating in the Simandou mining project

November

The Management Board approved:

- A new e-learning and capacity building platform, ALSF Academy, which will offer a three-tier certification program to African lawyers
- Technical assistance to Niger in its revision of existing mining laws and conventions
- Regional capacity building support to Member Countries aiming to improve their negotiation of agreements and licenses in the maritime economy

The Management Board holds its 23rd meeting in Abidjan, Côte d'Ivoire

October

The Management Board approved:

- Advisory assistance in updating and amending Somalia's Mineral Code of 1984, and developing new and appropriate minerals policies
- Capacity building and advisory support to the Central African Republic in the extractives and power sectors

December

The Management Board approved:

- A supplemental grant for capacity building support to the Government of Uganda in its development of PPP-related capacities
- Advisory services to the Government of Zambia in its negotiation and financing of power project contracts

ALSF AT WORK



2 | CHAPTER TWO

ENHANCING AFRICAN LEGAL CAPACITIES

Ousmane Dème, Operations Officer at the World Bank, delivers a lecture during an ALSF-organized event in Nairobi, Kenya

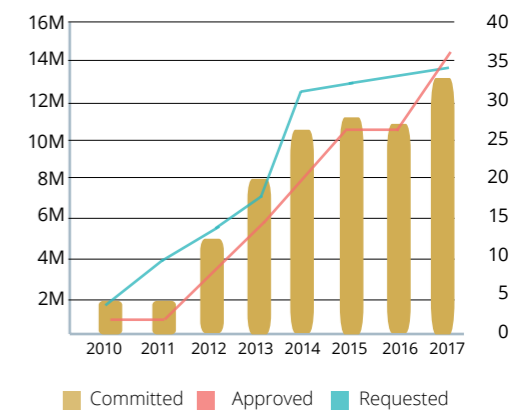
HISTORICAL OVERVIEW OF THE ALSF OPERATIONS

2010-2017

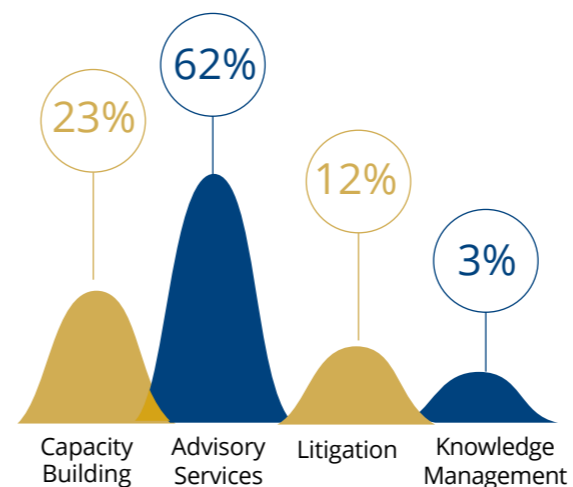
As of 31 December 2017, the ALSF had **cumulatively approved USD 60.6 million for 154 operations in more than 40 African countries.** The graphs below show the evolution of the operations and the historical distribution of these operations by priority areas; country categorization and sector.

 **USD 60.6M**
Cumulative approvals

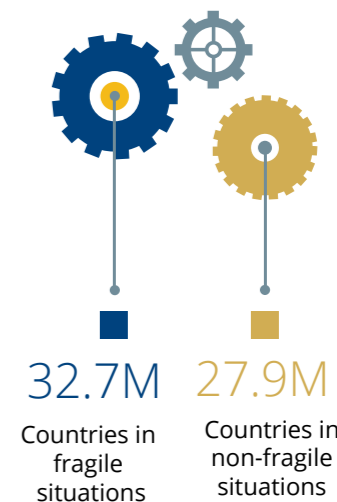
Evolution of the Operations



Cumulative Operations by Priority Areas



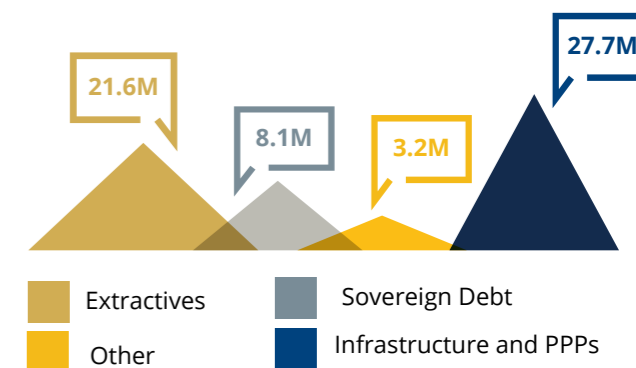
Cumulative Operations by Country Categorization



Cumulative Number of Approvals



Cumulative Operations by Sector

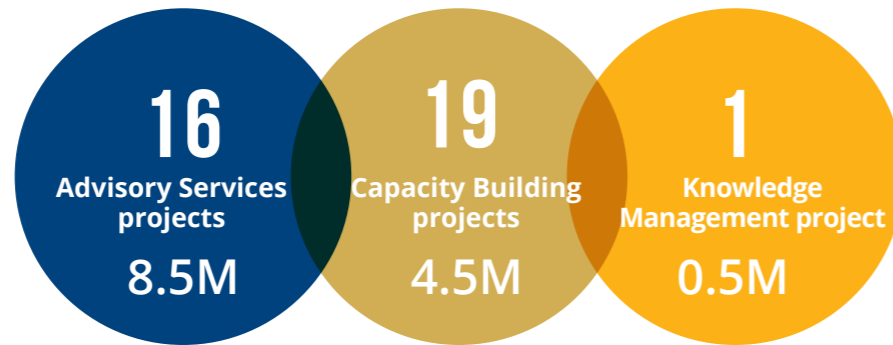


OVERVIEW OF THE ALSF OPERATIONS

2017



A total of 36 new projects were started in 2017 with a total value of USD 13.5 million



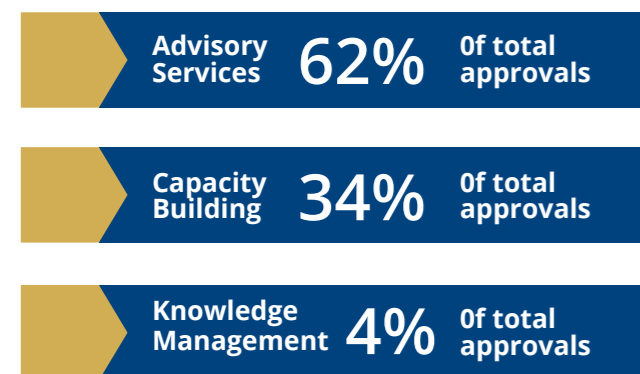
SUMMARY OF OPERATIONS BY PRIORITY AREAS

The ALSF operations in 2017 focused on supporting African states to negotiate better agreements, especially in major infrastructure projects and commercial business transactions. As in the previous year, the ALSF interventions were marked by a predominance of advisory services, which stood at USD 8.5 million, representing 62 percent of the total approvals, followed by capacity building, which accounted for 34 percent (USD 4.5 million) and knowledge management took up 4 percent (USD 0.5 million).

The main ALSF approvals in 2017 are expected to: assist Côte d'Ivoire, Ethiopia, Madagascar and Zambia in the negotiations and conclusion of concession conventions, power purchase agreements and related agreements in the energy sector; provide specialized legal, technical and financial advisory services to Guinea to enable

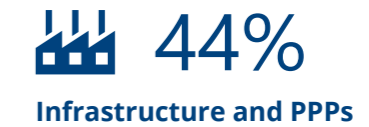
the government to review the structuring of the Simandou mining project; and strengthen the legal capacities of officials in negotiating contracts, corporate governance and project implementation in complex PPPs and extractive sector across Africa—including transitioning states such as Somalia, Sudan and Central Republic of Africa.

In partnership with the East African Law Society, Southern African Development Community Lawyers Association and the International Training Centre in Africa for Francophone Lawyers, the ALSF designed a pan African skills enhancement program for African lawyers called the **ALSF Academy Project** in 2017. This Academy will be a robust e-learning platform which will offer a three-level certification program to aspiring African lawyers.

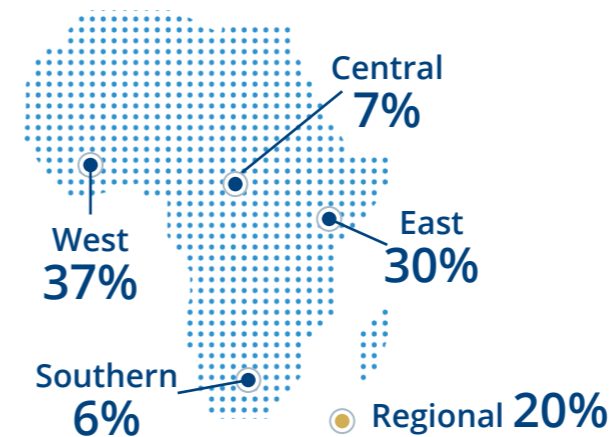


SUMMARY OF OPERATIONS BY SECTOR

In 2017, the ALSF's support to natural resource and extractive industries management were worth USD 6.7 million (50 percent), infrastructure-related interventions amounted to USD 5.9 million (44 percent); and other related complex transactions and assistance targeting debt management activities stood at USD 0.9 million (6 percent). In sum, the ALSF operations focused on achieving greater benefits from extractive wealth access and improving quality of infrastructure and solving sovereign debt issues in Africa.



SUMMARY OF OPERATIONS BY SUB-REGION



During 2017, the regional distribution of the ALSF commitments was as follows: West Africa accounted for 37 percent of the Facility's resources; East Africa accounted for 30 percent; Central Africa accounted for 7 percent; Southern African accounted for 6 percent and the remaining 20 percent was allocated to projects with a regional component.

SUMMARY OF DISBURSEMENTS

The ALSF disbursements during 2017 amounted to USD 10.9 million, an 18 percent increase from US 8.7 million in 2016. At 31 December 2017, the cumulative disbursements amounted to USD 44.5 million. The improvement is partly due to the continuous effort to improve the quality of projects at entry, and to streamline the disbursement process through portfolio clean-ups, adequate policy dialogue and other procedural enhancements.



RESPONDING TO CROSS CUTTING ISSUES

Guided by its 2018-2022 Medium-Term Strategy, the ALSF promotes gender equality, supports greater environmental awareness, and encourages compliance with good governance practices and standards across all of its projects and interventions. In addition to improving outcomes for end-users and RMCs, the ALSF's sensitivity to these cross-cutting issues aligns with the African Union Agenda 2063 and with the African Development Bank's strategies and policies, including the Gender Strategy and the 2003 Integrated Environmental and Social Impact Assessment Guidelines.

GENDER EQUALITY

Advancing gender equality and promoting female empowerment across the African region is an imperative which underpins all ALSF interventions. The Facility's efforts to close the gender gap are implemented both at the corporate level, to strengthen its gender-responsiveness, and through gender mainstreaming in its operations. In 2017, the ALSF appointed a female Board Chairperson, Ms. Dorcas Achapa. Women comprise one-third of the African Legal Support Facility's Management Board and 59.4 percent of its personnel.

At the project level, the Facility is expanding on last year achievements including with respect to capacity building. More women are participating in training workshops, which are organized across the African region in order to strengthen native legal skills in the negotiation of complex commercial transactions.

In order to empower African women to play an active role as producers, the ALSF continues to strive to enhance their access to training and business opportunities created in the energy and transport infrastructures sectors. These efforts not only reflect the expectations of ALSF stakeholders, they align with the AfDB Action Agenda for Empowering African Women (2015¹) and the first and second call to action of the UN Secretary-General's High-Level Panel Women's Economic Empowerment (2016²; 2017). ALSF-supported operations are gender-sensitive, and are designed with the aim of positive societal transformation. In this regard, the Facility shared and demonstrated the tools of its African Mining Legislation Atlas (AMLA) with at least 80 women delegates during the first Pan-African Women Advancing Africa Forum in August 2017. Later in November 2017, during the annual conference of the Graça Machel Trust member networks. Organized with support of ALSF in Maputo, Mozambique, the AMLA team educated business women from 20 African countries on mining laws and legislation related to water, land, taxation and local content. Additionally, the Facility's AMLA coordinators contributed to the leadership, networking and

"Gender inequality is costing sub-Saharan Africa on average USD 95 billion a year, peaking at USD 105 billion in 2014- or six percent of the region's GDP - jeopardizing the continent's efforts for inclusive human development and economic growth"

Africa Human Development Report 2016

advocacy skills of the participating female lawyers, in order to strengthen their competitiveness in the mining and energy sectors, where female participation remains particularly low. The participants of such ALSF events are affiliated to the Network of African Business Women, African Women in Agribusiness, New Faces New Voices (Women in Finance), and Women in Media.

With the legal assistance of the ALSF, the Government of Rwanda entered into a joint-venture with Africa Improved Foods Ltd (AIF), a consortium of institutional investors. AIF's factory plant in Kigali was unveiled on May 31, 2017. The aim of its construction is "to produce fortified foods, creating 230 direct jobs while offering 9,000 local farmers a stable, sustainable income for a proportion of their harvest." The ingredients for the food produced by the factory will be locally sourced, specifically, locally grown maize and soya beans. The intended primary beneficiaries of the fortified foods produced will be pregnant and breast-feeding mothers, as well as infants above the age of six months and young children in Rwanda and the East Africa region, with the aim of fighting malnutrition and improving their nutritional status. By fighting malnutrition and improving their nutritional status. By 2017, the joint-venture plans to reach more than 1 million people annually with effective nutrition interventions.

¹AfDB. 2015. Empowering African Women: An Agenda for Action, Africa Gender Equality Index 2015. Available at https://www.afdb.org/fileadmin/uploads/afdb/Documents/Publications/African_Gender_Equality_Index_2015-EN.pdf

²United Nations. 2016. Leave No One Behind A Call to Action for Gender Equality and Women's Economic Empowerment. First Report of the Un Secretary-General's High-Level Panel on Women's Economic Empowerment, September 2016

SUPPORTING TRANSITIONING STATES

The ALSF is committed to supporting African States that are categorised as transitioning states by the AfDB and are eligible for assistance from the African Development Fund window for States in fragile situations. These transitioning states are more vulnerable to creditor litigation and more susceptible to the risk of concluding inequitable commercial agreements. Since 2010, the Facility has cumulatively approved over 85 projects amounting to USD 33 million to the eligible states. Some of the ALSF selected projects in the transitioning states include:

Central African Republic Extractives:

The Facility is supporting the Government of the Central African Republic to review, and potentially negotiate 5 mining concessions; assist in the development of the legislative framework for extractives; and train more than 20 government and legal professionals in negotiation of mining or oil concession agreements.

Guinea Simandou Restructuring:

The ALSF has provided the Government of Guinea with a team of specialized legal, technical and financial advisory services to review the restructuring of the Simandou mining project; negotiate with existing and potential investors; develop curricula for specific trainings in mining sector; and train at least 20 legal professionals.

Liberia Toll Road:

The ALSF assisted the Government of Liberia with advisory services in relation to negotiations in the toll road project with a foreign investor. Specifically, the ALSF provided support to review project documentation prepared by the investor; advise the government in all discussions and negotiations relating to the structuring of the project and the conclusion of contractual documents; and facilitate capacity building activities for government officials and local lawyers.

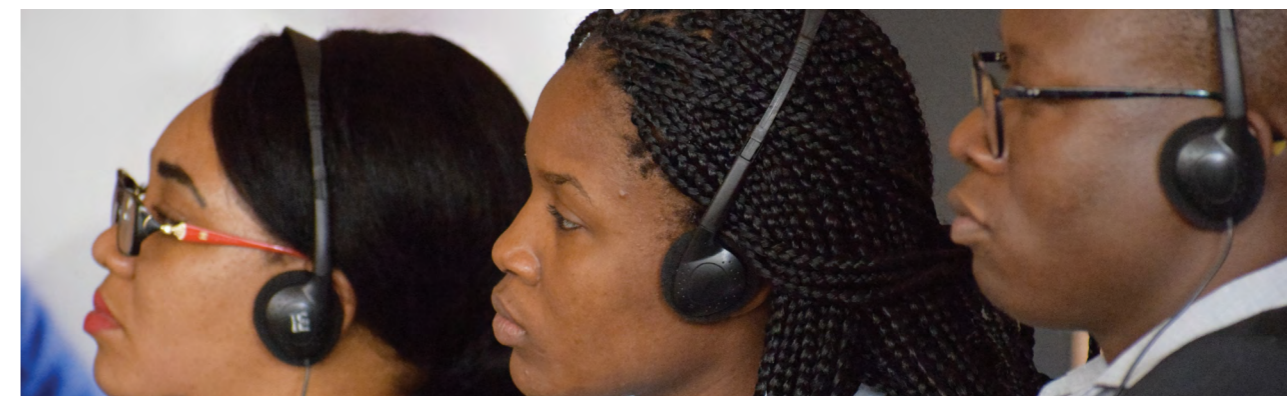
Somalia Capacity Building:

Working together, the ALSF and Somali government through a series of capacity building events have developed a model production sharing agreement that will be used as the basis for future negotiations. The ALSF also supported the government in developing a toolkit to supplement the model agreements.

ENVIRONMENT SUSTAINABILITY

Aware of the need to carefully steward and manage Africa's natural resource endowments, the ALSF endeavours to ensure the environmental and social soundness of its projects. The Facility promotes a constant incorporation of environmental considerations in negotiated contracts, including best practices and other measures to improve natural resource management and environmental protection.

THE ALSF SELECTED CAPACITY BUILDING EVENTS | 2017



Regional Projects	Johannesburg, South Africa	Antananarivo, Madagascar	Abidjan, Côte d'Ivoire
January	January	February	April
Nomadic PPP Seminar on Energy	Southern African Power Pool Capacity Building Event	Oil Sector Capacity Building Workshop	The Future of Investment Arbitration at the West African International Arbitration Conference
9 participants	29 participants	20 participants	82 participants

Abidjan, Côte d'Ivoire	Istanbul, Turkey	Cape Town, South Africa	Kigali, Rwanda
September	October	November	November
ALSF, UNECA, African Union Workshop on Model Mining Laws	Enhancing Evaluation Use Workshop" at the National Evaluation Capacities Conference	First Roundtable on the Governance of Infrastructure	Executive Board Room Training
23 participants	48 participants	120 participants	28 participants

Khartoum, Sudan	Ahmedabad, India	Dar Es Salaam, Tanzania	Abidjan, Côte d'Ivoire
May	May	August	September
East Africa PPP Hub Workshop	Land Investment Deals in Africa: Negotiating Good Contracts for Sustainable Development	Promoting Women in Mining at the 1st Women Advancing Africa Forum	CABRI, ALSF, ANRC Capacity Building Workshop on Negotiating Extractives Contracts
22 participants	41 participants	200 participants	22 participants

Maputo, Mozambique	Dakar, Senegal	Nairobi, Kenya	Ouagadougou, Burkina Faso
November	December	December	December
AML Training Workshop at the Graça Machel Trust Annual Conference	International Forum on Financing Public-Private Partnerships Workshop	African Mining Legislation Atlas (AMLA) Workshop	Workshop on the Development of Mining Projects with Structuring Investments & Negotiation and Management of Petroleum Exploration and Exploration Contracts
70 participants	92 participants	39 participants	54 participants

COMMITTED TO RESULTS

Over the years, the ALSF has competitively selected over 50 law firms with requisite skills and competencies to help African countries resolve creditor disputes; negotiate fairer contracts; and build capacity to improve their legal and negotiating capabilities. As we come to the end of the ALSF Medium-Term Strategy, (2013-2017), the evidence indicates that our interventions are having a real impact. Over the years, our operations have saved more than **400 million** for RMCs; provided advisory services in 54 negotiation contracts and 4 tender processes; supported negotiations for projects valued at **USD 54 billion** worth of potential investment and more than 1400MW of energy projects; and implemented 36 capacity building projects. A summary of some of the specific key achievements to date are indicated below:

MORE BALANCED LITIGATION AND COMMERCIAL CREDITOR PROCEEDINGS INVOLVING HOLDOUT CREDITOR OF AFRICAN SOVEREIGN DEBT

Democratic Republic of Congo (DRC) government officials were extremely satisfied with the ALSF's support that prevented judgment resulting into savings of over **USD 100 million** for the government in DRC FG Hemisphere case.

INCREASED FINANCIAL & INCLUSIVE NON-FINANCIAL BENEFITS FOR AFRICAN STATES

- Negotiated two mining concessions related to the Niger Mining projects resulting in an **increase of USD 220-330 million** in additional revenues for the host country (the increase depending on global uranium prices);
- Assisted Tunisia to successfully recover USD 28 million in misappropriated assets;
- Assistance provided by the ALSF allowed DRC to successfully win an appeal in the United States of America. This released over **USD 100 million** in funds back to DRC government that it has used for other development purposes;
- Successfully advised the Government of Cameroon on a USD 750 million Eurobond issuance. The ALSF's advice created a competitive process for a currency swap agreement which reduced the price of the swap by several basis points. This will produce a savings of millions of USD over the tenor of the bond issuance;
- Supported contracts with clearly specified community development programs. In particular, as part of the Niger negotiations the mining company agreed to an agriculture support project for the affected communities that resulted in 17 million Euros worth of investment.



ENHANCE ABILITY OF AFRICAN GOVERNMENTS TO NEGOTIATE AND CONDUCT FAIR AND BALANCED COMMERCIAL TRANSACTIONS

Successfully advised the governments of Ethiopia, Guinea, Niger, Tanzania, Cameroon, Togo and Benin. Over the years, the ALSF supported African governments negotiations with a cumulative value of over **USD 54 billion** worth of transactions and more than 1400 MW of energy projects;

- Supported the Ethiopian government to negotiate the **first geothermal independent PPA** (1000 MW) in the country. The excess power generated will be exported to neighbouring countries and will be used to support mining activities
- Supported the negotiation of a **USD 10 billion** investment for the development of a deep water port in Tanzania;
- Advised Guinea on the Simandou South and North mining projects and assisted the government in negotiating those issues with the private investor;
- Supported Cameroon in the negotiation of two stages related to a **USD 750 million** Eurobond placement and in conducting the negotiations with the selected investment banks. The proceeds of this Eurobond will be used for supporting mining projects;
- Supported Benin in the negotiation of 2 PPAs. Specifically, the Facility advised on the 120MW Genesis Energy thermal power plant with an estimated value of **USD 200 million** and on a 10 MW Danish Gateway solar power plant.

ENHANCED INVOLVEMENT OF AFRICAN EXPERTS IN NEGOTIATION OF COMPLEX COMMERCIAL TRANSACTIONS

The Facility's capacity building programs have trained over 3000 professionals including key governments' officials, lawyers, targeted groups of professionals and civil society representatives, and 20 local firms involved in contract negotiation and creditor litigation across Africa.

The ALSF developed 11 curricula in mining negotiations, investment treaties, production sharing agreements, loan agreements, power purchase agreements, public private partnerships. The facility also developed a Toolkit specific to the power sector, 5 Model mining agreements, PPA Negotiation Handbook. Furthermore, the ALSF has also contributed to 4 research papers and established an information knowledge management centre. With regards to Model agreements, the ALSF:

- Financed the government of Rwanda to develop a model mining agreement for Artisanal and Small-Scale Mining projects.
- Assisted the Tanzania government in developing a model PPA along with model concession agreements, land lease agreements, and other supporting documentation. The project is still being implemented and has been extended to include a renewable energy project.
- Supported the Gambia to develop a model PPA along with the model concession agreement and supporting documentation. This model is now being implemented in an actual project.
- Facilitated Benin to develop two model PPAs. One for solar plants, and one for thermal plants. These were developed as an outcome of the supported negotiations.





NEGOTIATION OF COMPLEX COMMERCIAL TRANSACTION AND RELATED AGREEMENTS FOR AFRICAN STATES FACILITATED

Facilitated the negotiation or review of 54 contracts; and advised on 4 tender processes. Among them the ALSF:

- Negotiated a solar project concession worth USD 24 million in Rwanda;
- Developed 1 Power Purchasing Agreement (PPA) and 1 transmission and distribution agreement in Gambia;
- Financed a detailed review of a PPA in Togo;
- Advised on 2 complex commercial transactions to build a dam in Mauritius;
- Renegotiated 3 large mining concession agreements in Niger;
- Analysed existing gas Production Sharing Agreements (PSA) in Tanzania;
- Evaluated 4 mining conventions and drafted 1 convention in Liberia;
- Reviewed commercial contracts in Djibouti;
- Negotiated 2 PPAs and related contracts in Benin;
- Negotiated on a concession related to a factory to produce milk for infants in Rwanda.

TRANSFER OF KNOWLEDGE AND SKILLS TO NATIONAL EXPERTS RELATED TO LITIGATION AND COMPLEX COMMERCIAL TRANSACTIONS

Developed the following websites, publications and papers related to litigation and complex transactions:

- African Mining Legislation Atlas – <http://www.a-mla.org>
- PPPIRC PPP Contract Database– <http://ppp.worldbank.org/public-private-partnership/>
- Tanzania PPP Toolkit
- ResourceContracts.org – <http://www.resourcecontracts.org>
- 2014, September - Abellard, Louise – Vulture Fund Litigation, FG Hemisphere vs DRC Masters' Thesis;
- 2014, November - Understanding Power Purchase Agreements. Translated into French in 2015. <http://goo.gl/hSH2E5>
- 2014, August – Unsolicited Proposals, An Exception to Public Initiation of Infrastructure PPPs. <http://goo.gl/PXm2Gx>
- Negotiated on a concession related to a factory to produce milk for infants in Rwanda.



2017

STORIES FROM THE FIELD

CAPITALIZING ON UGANDA'S PROVEN PETROLEUM RESERVES

Following a series of inconclusive negotiations, the Government of Uganda expressed a need for legal counsel, due to previously-scheduled and fast-approaching negotiations. The Facility approved a grant for technical support on 14 June 2017 to consolidate and enhance the process. And in July 2017, Uganda chose a consortium to build and operate a crude oil refinery, which will eventually process oil from fields being developed by Total SA and Tullow Oil Plc.

Staff of the ALSF attended the first round of negotiations between the Ugandan Government and the selected Consortium, which took place in August 2017. These negotiations produced a Project Framework Agreement with well-elaborated timelines and apportioned responsibilities.

The refinery, located in Hoima district in the Western region, is billed to double its crude processing capacity from 30,000 to 60,000 barrels per day. Beginning in 2020, the plant will be supplied by fields with over 6.5 billion barrels of crude, being exploited by Total, London-based Tullow and China's CNOOC Ltd.

"The support which the ALSF has extended to Uganda in negotiations leading to the development of a refinery has been invaluable. The legal, commercial, and technical expertise provided has enriched the negotiation team and greatly enhanced the project implementation speed".

Peter Muliisa, Uganda National Oil Company

2017

STORIES FROM THE FIELD

STRENGTHENING CORPORATE GOVERNANCE IN THE AFRICAN EXTRACTIVES SECTOR

In recent years, the extractives sector has witnessed sustained increase in equity participation by governments throughout the African region. As the prevalence of National Mining Companies (NMCs) grows, there has also been a corresponding growth in the need for good governance and equitable benefits-sharing regimes.

In order to meet these emergent needs, the ALSF launched a capacity building course aimed at strengthening the corporate governance skills of members of Boards of Directors acting as state representatives.

Designed to equip the participating government representatives with a more comprehensive understanding of the issues surrounding the effective management of state equity participation, the



programme was comprised of interactive discussions, practical exercises and lectures delivered by international lawyers and governance experts renowned for their experience in matters related to state equity participation.

The training programme explored a broad suite of subjects, including the fiduciary duties of board directors, risk management, potential conflicts of interest, and best practices in corporate governance.

RENEGOTIATING AND REDUCING DEBT IN GUINEA-BISSAU

The ALSF provided both creditor litigation support and advisory services to Guinea-Bissau as it negotiated outstanding debts to the Export-Import Bank of China (Exim Bank). This support led to a series of settlement and debt-restructuring negotiations concluded in Singapore in September. Guinea-Bissau and Exim Bank agreed to a 90 percent reduction in their outstanding debt obligation, resulting in a savings of over **USD 45 million** for Guinea-Bissau.

This 90 percent decrease in the debt obligation represents an important achievement for the Government of Guinea-Bissau, which has sought to reduce external debt repayments to sustainable levels. Moreover, the ALSF's interventions demonstrate that—with the appropriate legal and financial guidance and support—the debt-to-revenue ratios of HIPC's may be reduced, facilitating further economic development.



African law students pose with their trophy following an ALSF-organized capacity building competition!

PREPARING THE NEXT GENERATION OF AFRICAN MINING EXPERTS

As African governments seek to leverage their mineral resources strategically for broad, inclusive development—in alignment with the Africa Mining Vision—the need for strong and sustainable legal capacities in the extractive industry is more important than ever. Aware of this growing need, the ALSF organized a 10-day workshop on mining legislation in Nairobi, in cooperation with Strathmore University, Extractives Baraza, and the World Bank.

The workshop provided its 39 participants with an intensive programme of lectures, presentations, field trips, and interactive group exercises, which covered every dimension of the mining industry. The certificates awarded to the participating students—who hail from 23 African universities

across the region—reflect the strong technical foundation developed over the course of the workshop. Following assessments made by the Project Coordinators, several of the graduating students will be invited to join the African Mining Legislation Atlas (AMLA) Program as members of the Legal Research Team (LRT).

The AMLA workshop equipped its participants with a new understanding of the emerging issues which will govern the future of the extractives industry, from transparency and corporate social responsibility to gender balance, labour rights and environmental protection.

"I believe AMLA is important because it's a platform which unites African lawyers—from different countries, different universities, and indeed different realities—in a space which facilitates the identification of shared solutions to shared problems."

Kathleen Ubisse Capitine, a graduating member of the AMLA Legal Research Team (LRT)

"The vast mineral wealth of Africa has not been transformed into capital wealth. This is due to region-wide gaps in knowledge, finance, and technology, all of which must be imported from abroad. As a result, African governments have to negotiate with foreign companies and investors, often to their disadvantage. The AMLA platform levels the playing field by providing contemporary examples of African mining regulation, contracts, and laws,"

Fallou Samb, Special Advisor to the President of Senegal

2017

● STORIES FROM THE FIELD

EQUIPPING AFRICAN DECISION-MAKERS WITH STRONGER NEGOTIATION SKILLS



Nigerian government representatives attend an ALSF capacity-building seminar designed to demystify Public-Private Partnerships

The discovery of large-scale petroleum and mineral deposits has a tendency to fuel national visions of economic prosperity and development. However, these dreams are often subject to a rude awakening, namely the financial and commercial challenges associated with transforming underground assets into financially successful extractive projects.

In response to a request from the West African Economic and Monetary Union Commission, the ALSF organized two workshops in Ouagadougou, Burkina Faso, on best practices for managing oil and mining exploration and exploitation

contracts.

It is commonly accepted that the challenges associated with exploiting newly-discovered oil and mineral endowments are most closely related to technical and engineering questions. However, the ALSF's recent experience with its RMCs indicates that negotiating skills and a strong understanding of international financing are often the missing elements which delay, or even derail, the development of such resources.

In keeping with its mandate to develop sustainable legal capacity in the African region, the ALSF's two workshops aimed to promote the effective structuring of mining investments, as well as the optimum negotiation and

management of oil contracts. The two events hosted 54 participants, including ministerial representatives from Benin, Burkina Faso, Côte d'Ivoire, Guinea-Bissau, Mali, Niger, Senegal and Togo.



His Excellency Paul Kagame, President of the Republic of Rwanda lays the foundation stone of the country's newest transportation hub, the Bugesera International Airport.

SUPPORTING THE CONSTRUCTION OF A MODERN AIRPORT IN RWANDA

With the support of the ALSF, the Government of Rwanda successfully signed a Concession Agreement for the construction and operation of the new airport, positioning Kigali to become a nerve centre for business and, travel, in the sub-region.

Estimated to cost **USD 700 million**, the Airport project is designed to be executed across four phases. The first phase will involve approximately 27 months

of construction—at an estimated cost of USD 400 million. It is expected to be completed by 2019, at which point the airport will be able to accommodate 1.8 million passengers annually.

The development of Bugesera Airport is aligned with Rwanda's Vision 2020—an ambitious strategy which aims to transform Rwanda into a knowledge-based, middle-income country by the end of the decade. The project also conforms to the country's Economic Development and Poverty Reduction Strategy.

As such, the Project is designed and is being implemented with the aim of generating socio-economic development in Bugesera, Kigali, and other parts of the Eastern Province. The airport will further sustain the development of the aviation sector by backstopping the growth of RwandAir with new facilities and training opportunities. The project is expected to provide approximately 2,000 jobs for local residents.

“When we approached the ALSF, they swiftly helped us procure the required expertise to structure the project such that it attracts private capital. Since then, we’ve had many banks express interest in joining the project. The ALSF grant also includes a capacity building component which ensures that the procured experts will train Rwandans to monitor the project’s development, as well as to structure future projects in a similar manner.”

Emmanuel Rugambwa, Rwanda Development Board

STRENGTHENING RWANDA'S EXTRACTIVES LEGISLATION



In view of the litany of growth sectors in the African region, it can often be easy to overlook the potential contributions of mining to a country's long-term socioeconomic development. But a mature, well-regulated mining sector can not only generate new jobs and new sources of revenue, it encourages the development of a more skilled workforce, and it promotes new investments in healthcare, education, and national infrastructure.

However, in the absence of a robust legal and policy framework, these benefits often elude African decision-makers. With the aim of enhancing the existing policy framework of its mining industry, the Government of Rwanda requested that the ALSF provide capacity building support in the area of legislation- and policy-drafting.

With the help of expert consultants, the Facility organized capacity build seminars which supported the participating Rwandan officials to streamline their regulatory framework, establish a stable and transparent fiscal regime, enhance the availability of geological data, and harness the full potential of the national mining sector. These new, improved capacities will help Rwanda's extractives industry fully transition into an engine of economic developing, one whose outputs and outcomes align closely with the African Mining Vision (AMV).

HARNESSING AFRICA'S ENERGY POTENTIAL

Ensuring broad and inclusive access to energy is the sine qua non of economic development, and is a priority of the African Legal Support Facility. Affordable and reliable electricity not only facilitates improved health, education, and nutritional outcomes, it promotes new business opportunities and job-creation. Additionally, a lack of consistent energy can hamstring educational progress among children, or interrupt the operation of hospitals and other critical public services.

The ALSF is dedicated to supporting the development of Africa's energy sector. In addition to providing technical guidance and advice to African governments in their negotiation of energy transactions, the Facility commits itself to developing new model agreements, power toolkits, and capacity building opportunities in order to unlock Africa's massive energy potential.

In the West African region, the ALSF supported the Government of Cameroon in its development of the country's largest hydroelectric project: The Nachtigal Hydroelectric Project. This strategic 420-megawatt facility—which is expected to begin operating in 2020—will help Cameroon meet the growing needs of its population by adding a new source of clean, renewable energy to the country's rapidly-expanding grid. Similarly, the Facility's advisory support to the Government of Senegal was critical in its negotiation of a Power Purchase Agreement (PPA) which paved the ground for the Taiba N'Diaye Wind Farm, the country's the first utility-scale wind power project.

Elsewhere in the continent, the African Legal Support Facility has co-ordinated with regional and international partners to deliver essential training opportunities. In both Zambia and Zimbabwe, legal experts from the ALSF worked to ensure that the requisite capacities existed to ensure the success of the transnational Bakota Gorge Hydro Power Plant, a 2,400-megawatt facility which will be cooperatively-managed by both Zambian and Zimbabwean authorities.

LEVERAGING LEGAL EXPERTISE TO UNLOCK AFRICA'S ENERGY POTENTIAL

Over the years, the African Legal Support Facility has:

- Negotiated a solar project concession worth USD 24 million in Rwanda;
- Developed 1 Power Purchasing Agreement (PPA) and 1 transmission and distribution agreement in Gambia;
- Financed a detailed review of a PPA in Togo;
- Advised on 2 complex commercial transactions to build a dam in Mauritius;
- Negotiated 2 PPAs and related contracts in Benin.

Despite the evident role played by energy in human development, some 640 million Africans still have no access to energy. Whereas the per capita consumption of energy in Europe is approximately 6,500 kWh, the average resident of sub-Saharan Africa (excluding South Africa) is only 180 kWh.

2017

● STORIES FROM THE FIELD

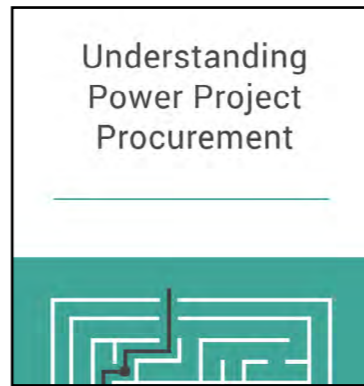
UNDERSTANDING POWER PROJECT PROCUREMENT BOOK

In partnership with the U.S. Government's Power Africa initiative and the Department of Commerce's Commercial Law Development Program (CLDP), the ALSF has worked to develop an authoritative source of technical information concerning Power-Purchasing Agreements (PPAs) and other mechanisms to finance power projects. The 'Understanding' series of handbooks is the product of this collaboration.

As the demand for energy rises throughout the region, African

governments have sought to quickly procure power projects in order to meet growing needs. The fourth book in the series, Understanding Power Project Procurement establishes the principles and best practices which will help ensure that such procurements remain affordable, competitive, and responsive to national priorities, such as the need for local content and gender mainstreaming.

Available both online and in print, the 'Understanding' series has been translated into both English and French, and more than 40,000 copies have been distributed.



The book is available at <http://bit.ly/2FTrqEP>.



PPPIRC DATABASE PROJECT

The Facility continues its partnership with the World Bank's Public Private Partnership Infrastructure Resource Centre (PPPIRC) to provide model agreements for PPP projects. With the aim of facilitating and stimulating the development of PPPs in the region, the ALSF has supported the expansion of the website's available content by regularly disseminating new PPP Country profiles, promoting the use of standardized provisions in PPP project agreements, and supporting the development of new multimedia, multilingual training materials.

AFRICA MINING LEGISLATION ATLAS (AMLA)

Jointly-initiated by the World Bank, the ALSF, and the African Union in 2013, the African Mining Legislation Atlas (AMLA) aims to gather, organize, and broadly disseminate the mining laws and regulations being implemented in the region. The database is freely-accessible, searchable, and allows African lawmakers and researchers to easily compare the legal frameworks used on the continent.

In July 2017, the World Bank transferred implementation leadership of the project to the ALSF, which has since organized four large AMLA-related capacity building events, leveraging the platform to strengthen regional knowledge of African mining laws, codes, and regulations.



3 | CHAPTER THREE

INSTITUTIONAL DEVELOPMENT & CORPORATE MANAGEMENT

INSTITUTIONAL DEVELOPMENT & CORPORATE MANAGEMENT

In 2017, the ALSF adopted and undertook a number of internal reforms to ensure that it remains agile and responsive to the needs of its clients in accordance with its operational priorities. Specifically, the Facility continued to implement its Monitoring Evaluation Framework, and developed and adopted a new strategy that will guide its activities over the next five years. To expand its financial base, increase ownership, and enhance sustainability, the ALSF's management also engaged with some RMCs to assess their willingness to financially contribute to the institution. This chapter discusses the ALSF's institutional activities in 2017.

MONITORING AND EVALUATION. In 2017, the ALSF developed the Monitoring and Evaluation (M&E) activity schedule; adopted a logic model for the MTS 2018-2022; developed templates for the project performance measurement framework (PMF), which are applicable to all five types of the ALSF projects; developed a set of indicators for project performance assessments; updated existing data collection tools; developed the rating scale and related tools for ex-post evaluations; completed the design of the M&E database management system; and carried out ex-post evaluations of completed projects in Guinea, Senegal, Tanzania, Rwanda, and Cameroon. The ALSF also produced the second edition of the Annual Effectiveness Review report to assess and report on the impact of its interventions.

MEDIUM TERM STRATEGY 2018-2022. Following consultations with a carefully selected team of experts and stakeholders including: Current and Former ALSF Management Board and Governing Council members, donor partners and partner institutions, the ALSF developed a new strategy that will guide its interventions over the next five years. In May 2017, the ALSF Management Board approved and adopted the new medium-term strategy which aims to focus on critical issues that matter to African communities, governments and the entire continent. The implementation of the strategy will continue to focus on the provision of Advisory Services, Creditor Litigation, Capacity Building and Knowledge Management as well as Managing for Results.

STAFF DEVELOPMENT. In 2017, the ALSF also focused on building human capabilities. Staff benefitted from various training opportunities to enhance their skills in project finance; oil and gas negotiations; production and cash forecasting; income statements and balance sheets analysis; secretarial support and efficient office management to respond to clients' needs and grow the institution. In sum, by engaging with ardent and capable professionals, and by investing in their growth through staff training and development, the ALSF aims to maintain its highly-reputed standard for excellence and effectiveness.

REGULATIONS AND INTERNAL GUIDELINES. To ensure good functioning of all fixed institutional activities, the ALSF also began to revise its compendium of By-Laws and Rules. It has also compiled Internal Guidelines for recruitment of consultants to enhance accountability, and compliance with the best practices.

COMMUNICATION AND OUTREACH. During 2017, the ALSF undertook a number activities including production and publication of 8 Monthly News Bulletins; 20 Press Releases; 2 Media Advisories and updating its website. It also prepared and disseminated new communications products: ALSF 2016 Annual Report; ALSF 2018-2022 Medium-Term Strategy; ALSF Brochure; AMLA Brochure; ALSF Pamphlet; and Roll-ups. This has contributed to increasing the visibility of the institution reflected in 120 percent increase in www.afsf.org traffic; and 60 percent increase in Twitter followership.

RESOURCE MOBILIZATION. Over the years, the ALSF has secured resources from various donors. A total of 15 Agreements have been concluded with a financial value of USD 95.7 million. Out of this value, **USD 73.9 million** has been disbursed by the end of 2017. In addition, USD 1.46 million has been cumulatively mobilized through other Trust Funds managed by the AfDB. However, the demand for the ALSF services continues to grow. To consolidate the gains, and accelerate the delivery of its Medium-Term Strategy 2018-2022, the ALSF will require a total of USD123 million for the next 5 years.

To support programs and expand its donor base in 2017, the ALSF held discussions with a number of existing and potential donors including the African Development Bank, Canada, European Union, Kreditanstalt für Wiederaufbau (KfW), Japan, Netherlands, Norway and Power Africa Initiative/USAID. Netherlands and Norway replenished their financing agreements and have committed to supporting the ALSF.

In 2017, the ALSF had received a total of USD 20.57 million from the AfDB, Canada, Islamic Development Bank (IsDB), Netherlands, Norway and KfW. To promote sustainability and increase ownership, the ALSF continued to encourage

financial participation through voluntary donations from African states.

Additionally, discussions on a Draft Manual to implement the reimbursable Financing Instruments with the African Development Bank are continuing. The new Financial Instruments will create a revolving funding mechanism for operations and reduce dependence on donor funding.

The tables below provide a summary of the total pledges and contributions received from financing partners by the end of 2017.

ALSF CONTRIBUTIONS PLEDGED (MILLIONS), 2010-2017

DONORS	CURRENCY	AMOUNT
African Development Bank	Unit of Account	12.34
African Development Fund	Unit of Account	16.00
Belgium	Euro	0.55
BOAD	Euro	0.15
Canada	Canadian dollar	10.00
ECOWAS Bank for Investment and Development (EBID)	USD	0.05
France	USD	5.00
Germany KfW	Euro	5.00
Guinea Republic	USD	0.05
India	USD	0.76
Islamic Development Bank	USD	1.00
Netherlands	Euro	9.50
Norway	Norwegian Krone	37.00
United Kingdom	Pound Sterling	6.30
USAID	USD	3.00
World Bank	USD	0.05



ALSF CONTRIBUTIONS RECEIVED (USD MILLIONS), 2010-2017

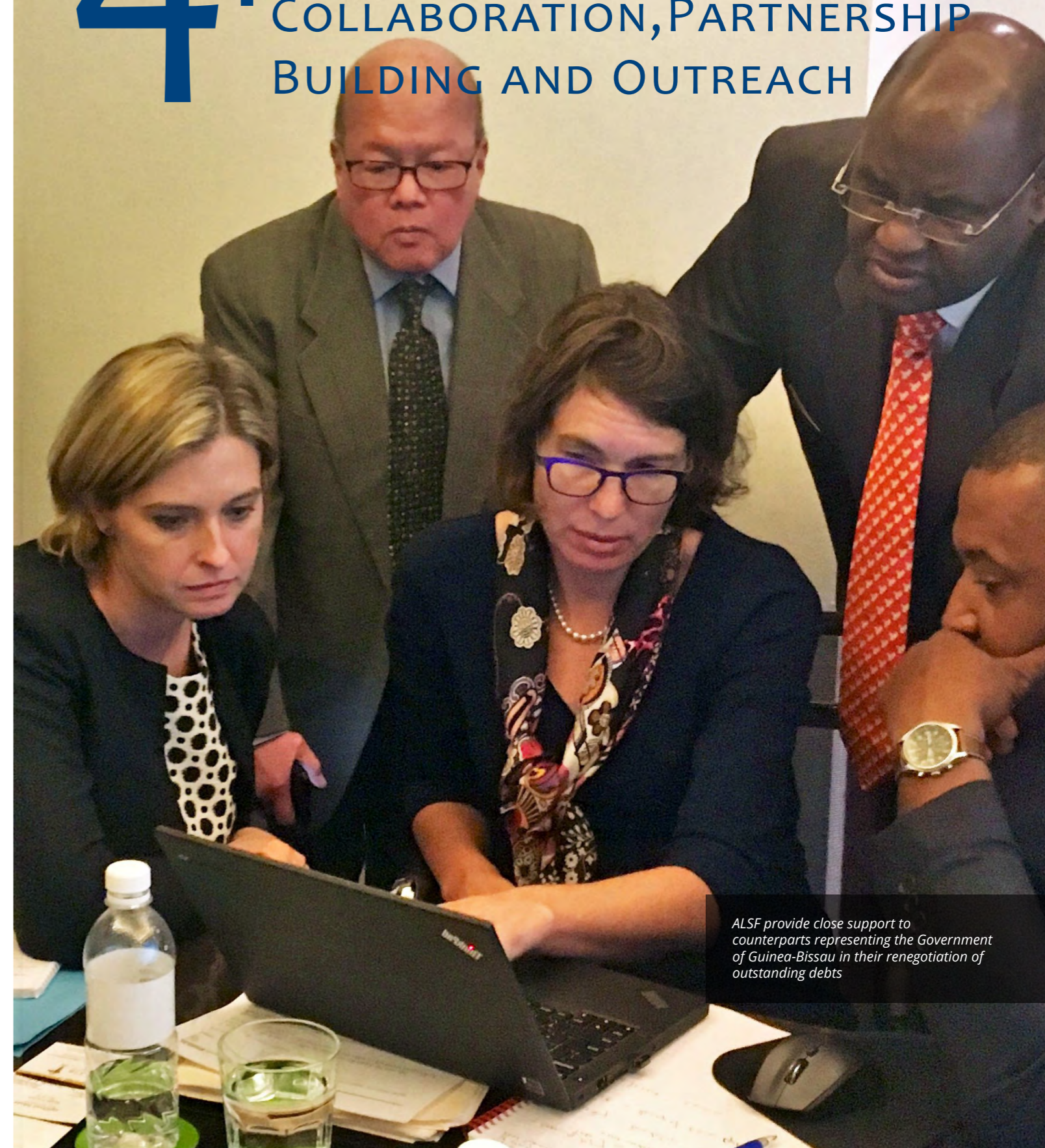
DONORS	YEARS								
	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
AfDB Group (ADF Fund)	14.97	0.24						12.28	27.49
Belgium		0.78							0.78
BOAD			0.20						0.20
Canada					4.54		2.29	1.49	8.31
ECOWAS Bank for Investment and Development (EBID)				0.05					0.05
France			5.00						5.00
Germany KfW								3.68	3.68
Guinea Republic							0.05		0.05
Islamic Development Bank						0.50		0.50	1.00
Netherlands				3.43	1.59	1.69	1.62	1.78	10.11
Norway				2.44		0.91	0.92	0.84	5.11
United Kingdom					0.73	3.08	5.25		9.06
USAID					3.00				3.00
World Bank		0.05							0.05
TOTAL	14.97	1.07	5.20	5.92	9.85	6.18	10.12	20.57	73.87

ALSF CONTRIBUTIONS HELD IN TRUST BY THE AfDB (MILLIONS), 2010-2017

DONORS	YEARS								
	2010	2011	2012	2013	2014	2015	2016	2017	TOTAL
France		0.70							0.70
India			0.76						0.76
TOTAL		0.70	0.76						1.46

4 | CHAPTER FOUR

COLLABORATION, PARTNERSHIP BUILDING AND OUTREACH



ALSF provide close support to counterparts representing the Government of Guinea-Bissau in their renegotiation of outstanding debts





Members of the AMLA Project Implementing Committee (PIC), including ALSF representatives, gather to discuss the platform and explore new opportunities

PARTNERSHIPS AND OUTREACH

During 2017, the ALSF continued to strengthen its strategic relationships with existing donors and partners, while exploring collaborative arrangements and partnerships with a number of development partners, including bilateral aid agencies, multilateral development institutions, academic and knowledge institutions, national governments, and African civil society organizations. The Facility participated in several regional and global events to enhance dialogue on common strategic issues. These interactions helped the ALSF build on, and maximize its expertise, while obtaining the necessary support to continue to deliver high quality services and implement its mandate in an effective and coordinated manner.

Specifically, the Facility signed Memorandums of Understanding (MoUs) with the Advocates for International Development (A4ID), the NEPAD-Infrastructure Project Preparation Facility (NEPAD-IPPF), the Public Private Infrastructure Advisory Facility (PPIAF) and Organisation pour l'Harmonisation du Droit des Affaires (OHADA), implemented MoUs with the International Senior Lawyers Project (ISLP), Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), the Kreditanstalt für Wiederaufbau (KfW), the World Bank, the Natural Resource Governance Institute and the Columbia Center on Sustainable Investment. Furthermore, the Facility sponsored the Conference of the African Business Law Firms Association (ABFLA), and successfully hosted 13 ministers at the 20th Africa Energy Forum while also sponsoring the Africa Ministerial forum at Mining Indaba.

During the year, the ALSF made a total of 17 presentations to a number of Africa experts and advisors at various events including: Indaba Mining Conference, the Africa Energy Forum, the ALBFA Conference, the African Legal Awards, the Evaluation for the Sustainable Development Goals Conference, the African Roundtable on Infrastructure Governance, the Power & Utilities World Africa Conference and the Natural Resources, Managing for Development Results Conference, African Development Bank Group Annual meetings; UNCITRAL at 50 in Africa; New African Woman's Forum; West African International Arbitration Conference; Law Justice and Development Week (Gender, Law and Development); East African International Arbitration Conference; African

Legal Awards 2017; and Women Advancing Africa Forum. These activities and speaking opportunities continued to raise the profile of the ALSF and increase the awareness of its services. The ALSF also prepared and disseminated promotional materials, updated its website, and disseminated widely its newsletters. These activities increased our visibility and consolidated our partnerships.

In 2017, the ALSF continued or initiated strategic partnerships with the following institutions: the African Development Bank, the Infrastructure Consortium for Africa, the African Minerals Development Center at United Nations Economic Commission for Africa and the African Union, the World Bank (Public Private Infrastructure Advisory Facility), the International Finance Corporation, the G7 CONNEX, Power Africa Initiative, the Natural Resource Governance Institute and the Columbia Center on Sustainable Investment. 2017 also witnessed collaborations with the Strathmore University Extractives Industry Centre and other African Universities. – Annex 1 summarizes the ALSF's strategic partnerships.

MEMBERSHIP. In 2017, Eritrea signed the Agreement for the Establishment of the ALSF. Guinea, the Democratic Republic of Congo and Uganda all committed to complete the membership while Algeria and Angola have been negotiating to accede the Agreement. The total number of signatories now stands at 60, which includes 53 member states and 7 international organizations. See Annex 2 for the complete list of signatories to the ALSF Agreement.

DONORS' VOICES



The African Development Bank facilitated the establishment of the African Legal Support Facility, in 2008, to provide a platform for assisting the regional member countries negotiate major commercial deals on an equal footing, and to defend themselves against hold out commercial creditors. Since then, in partnership with the Bank, the ALSF has responded swiftly and effectively to the requests for support launched by African governments. The Facility's work is responsive, pioneering, and aligns closely with the African Development Bank's 'High 5' priorities for transforming Africa.

In the power sector alone, the ALSF has advised African governments on more than 15 Power Purchase Agreement (PPA) negotiations, which represent approximately 1,400MW of energy potential. The Facility is also partnering with the Bank to support debt management activities in Africa's transitioning states—most notably, the Facility recently obtained specialist legal assistance that helped Guinea-Bissau negotiate, and reduced its debt obligation by 90 percent. Elsewhere, the Facility continues to strengthen the extractive sectors of its Regional Member Countries by providing authoritative guidance

and advisory services in the negotiation of oil and gas exploration and exploitation contracts. Additionally, the ALSF has worked closely with the Bank to build capacities throughout the region in the development of Public-Private Partnerships (PPP), with the aim of bolstering infrastructure investment and management.

As the Director of the AfDB's resource mobilisation department, I am pleased to work with the ALSF in mobilising the necessary resources to effectively deliver its mandate. The ALSF is a beneficiary of resources from the ADF pillar funds for supporting states in fragile situations, and the Facility was included in the funding arrangements we negotiated in 2017 with the European Union. As we approach the decennial of the Facility's creation, we can look back on almost a decade of close collaboration to galvanize the legal capacities in the region, while looking forward to new opportunities for partnership around our shared strategic goals.

Dèsire J. M. Vencatachellum
Director, Resource Mobilization and Partnerships
African Development Bank Group

The ALSF's work is responsive, pioneering, and aligns closely with the African Development Bank's 'High 5' priorities for transforming Africa

● DONORS' VOICES

Canada has been proud to support the ALSF since 2014. The ALSF has made a critical contribution to enhancing sustainable and inclusive economic growth in Africa by providing legal advice and technical assistance to African countries in their negotiation of complex commercial transactions. The ALSF continues to play a catalytic role in helping Africa achieve the UN Sustainable Development Goals and AU Agenda 2063.

Last June, Canada launched its new Feminist International Assistance Policy. Canada's feminist approach places gender equality and the empowerment of women and girls at the centre of all our efforts. We will also provide international assistance that is human rights-based and inclusive. To this end, Canada has supported training in gender mainstreaming for ALSF staff and we commend the Facility's commitment to gender equality in its business model.

Congratulations to the ALSF on another successful year!

Rajani Alexander
Senior Director / Directrice principale
Pan-Africa and Regional Development Program / Développement panafricain et régional

Our support for the African Legal Support Facility (ALSF) is part of the Norwegian Government's efforts to promote domestic resource mobilisation and financial transparency, and to combat illicit financial flows out of Africa. The ALSF's services can help to attract foreign direct investment in targeted sectors and to increase government revenues. The ALSF has established a strong track record in offering legal expertise and enhancing negotiation capacity. We value our partnership with the ALSF and support its priorities as set out in the ALSF Medium Term Strategy (2018-2022). We commend the efforts of the ALSF to track how its work is contributing to the achievement of key Sustainable Development Goal targets, and encourage it to continue reporting on this.

Jens Frølich Holte,
State Secretary (International Development),
Ministry of Foreign Affairs, Norway

The Netherlands continue to value ALSF's high-quality services. I particularly would like to congratulate the ALSF team on the completion of a well laid-out strategy 2018-2022 last year, which has a strong link to the SDGs and Vision 2063. The implementation of this strategy will enable ALSF to maintain its relevance by supporting Africa's inclusive and sustainable economic growth through legal and advisory services as well as capacity building and knowledge management. It is encouraging to note ALSF's progress towards a sustainable business model where client-countries pay for (part of) the costs of its services, thereby enhancing their ownership of ALSF's successes.

Jan Willem van den Wall Bake
Head of International Financial Institutions Division
Netherlands Ministry of Foreign Affairs

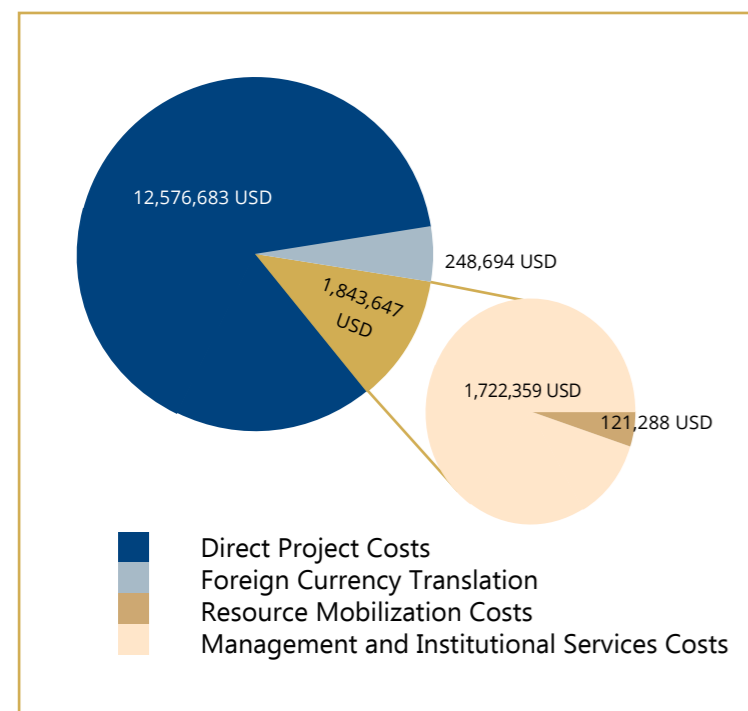
5 | CHAPTER FIVE FINANCIAL MANAGEMENT & FINANCIAL STATEMENTS



FINANCIAL STATUS

In accordance with the General Regulations of the ALSF and with the assistance of the Financial Control Department of the AfDB, the 2017 independent auditors report on the financial statements of the ALSF were submitted by the Management Board to the Governing Council and approved in May 2018.

The management of the Facility has an ongoing responsibility and commitment to ensure maximum efficiency of its financial resources. As in previous years, the ALSF continues to focus on a high level budgetary discipline and effective cost controls. **In 2017, the ALSF allocated close to 90 percent of its budget to direct project costs.**



FINANCIAL PERFORMANCE

The highlights of the Facility's financial performance in 2017 include the following:

- The ALSF's available funds increased by USD 20.8 million from USD 54.5 million in 2016 to USD 75.3 million in 2017, mainly due to additional funding received from AfDB, Canada, IsDB, KfW, Netherlands and Norway.
- Disbursements increased from USD 33.6 million in 2016 to USD 44.5 million in 2017. The increase was primarily due to the increase in the Facility's volume of work and the increase in countries request in 2017.
- Total commitments increased by 50 percent to USD 14.4 million in 2017 compared to USD 9.6 million in 2016.
- The ALSF received close to USD 20.6 million, the largest annual contribution from its financing partners since inception.

↑ **+20.8M**
Available Funds

↑ **+50%**
Total commitments

↑ **+10.9M**
Disbursements

AFRICAN LEGAL SUPPORT FACILITY STATEMENT OF COMMITMENT AS AT DECEMBER 31, 2017 (USD)

	2017	2016
Total funds available	75,319,221	54,495,174
Commitments*	(66,755,064)	(52,334,734)
TOTAL FUNDS AVAILABLE FOR COMMITMENT	8,564,157	2,160,440

*Including ongoing activities and project support component disbursements

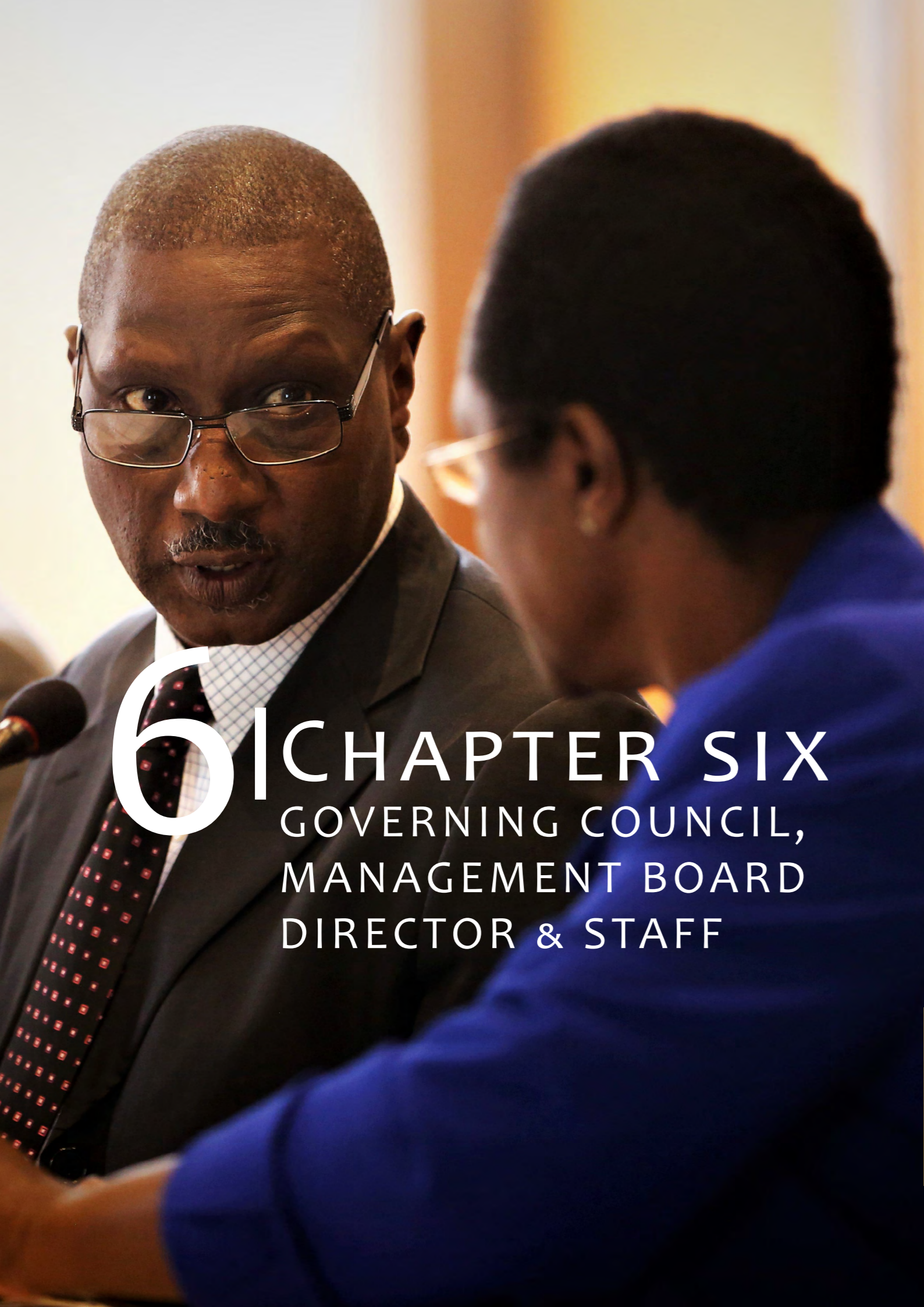


USD 6.4M

TOTAL FUNDS AVAILABLE FOR COMMITMENT

STATEMENT OF FINANCIAL POSITION AS AT DECEMBER 31, 2017 (USD)

	2017	2016
CONTRIBUTIONS		
Contributions received	73,895,218	53,319,866
Net Income	1,424,002	1,175,308
TOTAL FUNDS AVAILABLE	75,319,221	54,495,174
DISBURSEMENTS	(44,541,655)	(33,576,979)
NET FUNDS AVAILABLE	30,777,556	20,918,195
REPRESENTED BY		
Cash & Cash Equivalents	31,782,299	21,327,260
Net amount payable	(1,004,743)	(409,064)
NET FUNDS BALANCE	30,777,556	20,918,196



6 | CHAPTER SIX

GOVERNING COUNCIL, MANAGEMENT BOARD DIRECTOR & STAFF

GOVERNING COUNCIL, MANAGEMENT BOARD, DIRECTOR, & STAFF

The Governing Council (GC) is the supreme body of the Facility with responsibility for managing the entire organization. Its functions include determining and approving policy, appointing the Management Board, authorizing replenishments of resources, and appointing external auditors. The Governing Council is made up of twelve (12) members and 12 alternate members who represent the Facility's constituencies of member states, the Bank, and other international organizations as follows:

- AfDB Participating States: Five Members and five Alternate Members representing the Regional Member States of the AfDB which are also ALSF participating states
- OECD: Four Members and four Alternate Members representing the Member States of the OECD which are also ALSF participating states
- Non-OECD: One Member and one Alternate Member representing non-OECD Member States which are also ALSF participating states
- Other international organizations: One Member and one Alternate Member representing other international organizations which are parties to the ALSF Agreement
- African Development Bank: One Member and one Alternate Member representing the AfDB.
- The Members and Alternate Members of the Governing Council are each appointed for a period of two years and a list of the current representatives showing their constituencies is in Annex 3.

The Management Board (MB) is responsible for the efficient and effective conduct of all the operations of the ALSF. This includes approving the annual budgets and annual work programs, issuing by-laws, rules and regulations, and making decisions necessary to ensure the efficient and effective operations of the Facility. The Management Board also appoints the Director of the ALSF. The Management Board is composed of five members who serve in their personal capacity and are appointed by the Governing Council for a non-renewable term of three years. A list of the current members of the Management Board is attached in Annex 4.

The Governing Council and Management Board provided oversight and strategic direction to the management of the ALSF in 2017. Activities undertaken by the Board gave considerable time to strategic operations and institutions matters. The most notable and far reaching discussions pertained to approval of operations in priority areas and guidance on the review of the ALSF Medium-Term Strategy.





Former Management Board Chairmen Mr. Ibrahim Sixtus Vusi (left) and Mr. Seward Cooper (center), attend an ALSF-organized side-event alongside the Chairman of the ALSF Governing Council, Mr. Charles Boamah, and ALSF Director, Mr. Stephen Karangizi (right).

GOVERNING COUNCIL ACTIVITIES IN 2017

In 2017, the ALSF Governing Council held three meetings to discuss, refine, approve and endorse relevant working documents of the ALSF. The first was an informal meeting on the 27th April 2017. On that occasion, the Governing Council preliminarily discussed and refined relevant working documents in view of their formal presentation at their annual meeting of 22nd May 2017.

The second meeting was the formal Annual Meeting of the ALSF Governing Council which took place in Ahmedabad, India, on 22nd May 2017. At the

meeting, the Governing Council approved the Annual Report and the Auditors' Report and Financial Statements for the year ending December 2016. In addition, the Governing Council among other issues appreciated the excellent contribution of the two outgoing GC members namely Ms. Christine Agimba and Mr. Moctar Coulibaly, and moved quickly to approve the resolutions to nominate their replacements with effect from June 2017.

The Governing Council also appointed Mr. Bruce Montador from Canada and Mr. Mahomed Rafique from Mozambique to replace Mr. Seward Cooper and Mr. Pim De Keizer on the ALSF Management Board. The third meeting of the Governing Council

was an informal virtual meeting that was held on 21st June 2017 to consider and approve the Medium-Term Strategy 2018-2022.

MANAGEMENT BOARD ACTIVITIES IN 2017

The ALSF has hosted six Management Board meetings in 2017. The first meeting was the 21st ALSF Management Board formal meeting on 27th March 2017 to discuss the 2016 draft Annual Report, the Auditors Report and Financial Statements as of 31st December 2016, and the draft Medium-Term Strategy 2018-2022.

A subsequent informal Meeting took place on the 13th April 2017 to review the revised 2016 draft Annual Report, and revised the draft Medium-Term Strategy 2018-2022. The three documents were again considered by the Management Board at its 22nd Meeting which was held at Ahmedabad, India, on 21st May 2017 together with the Staff Review and Planning Report, the Progress Report on the project implementation, and the report on the implementation of the financing Instruments.

On 19th June 2017, the ALSF Management Board met to review and endorse the Staff Review and Planning Report and approve the Final Draft of the Medium-Term Strategy 2018-2022. On 21st June 2017, the Management Board held an introductory meeting for the new incoming members. The final meeting of the Management Board which was held on 20th November 2017 considered and approved the Budget and Work Plan for 2018.

In addition to the matters deliberated on at the meetings the Management Board also considered and approved 32 projects for grants, recoverable grants and conditional advances. The projects ranged from capacity building projects to projects for the negotiation of complex commercial transactions in the natural resources and infrastructure development sectors, and debt management and creditor litigation support.

DIRECTOR AND STAFF

The institution undertook a work load analysis to determine the structure and grading of all its staff positions in 2017. The findings revealed that the workload and responsibilities for Head of Operations and Corporate Secretary had increased. Basing on this, a new organ gram has been developed to reflect their grading, extra duties and additional responsibilities.

In 2017, the ALSF maintained a staff of 18 lawyers and 12 other professionals, led by the Director. The Facility is organized into two divisions, each headed by a Manager. The Institutional Division provides support to the ALSF's corporate affairs including membership, ALSF Management Board and Governing Council matters, statutory meeting coordination and other institution matters. The Operations Division is responsible for ALSF projects.

A total of 30 staff were onboard by the end of 2017. Over that period, the ALSF recruited three new Legal Counsels to support the activities of the Operation Division. And in addition, a Communications Officer, a Corporate Support Officer, and a Monitoring and Evaluation assistant joined the Institutional Division in 2017.



● RECOGNIZING EXCELLENCE AT THE ALSF



In June 2017, the African Legal Support Facility was nominated in two categories by the African Legal Awards: Legal Department of the Year, and General Counsel of the Year, which identified the ALSF's Chief Legal Counsel, Amir Shaikh, as the nominee.

On 8th September 2017, the ALSF Chief Legal Counsel and Head of Operations, Amir Shaikh won the 'General Counsel of the Year' award from the African Legal Awards, held in Johannesburg, South Africa.

The African Legal Awards set out to recognize exceptional achievement from within Africa's legal community. Amir was recognized for his innovative and pioneering management of the Facility's broad project portfolio.



On the occasion of its 23rd meeting—held in May 2017 in Ahmedabad, India—the Facility's Management Board bid a fond farewell to two of its number, Chairman Seward Cooper and Mr. Pim De Keizer. In recognition of their diligent work and the invaluable guidance they shared with the Facility's staff, Director Karangizi presented both departing Board members with an award. Additionally, the ALSF Governing Council reflected the Director's appreciation by launching a vote of thanks for Mr. Cooper and Mr. De Keizer.

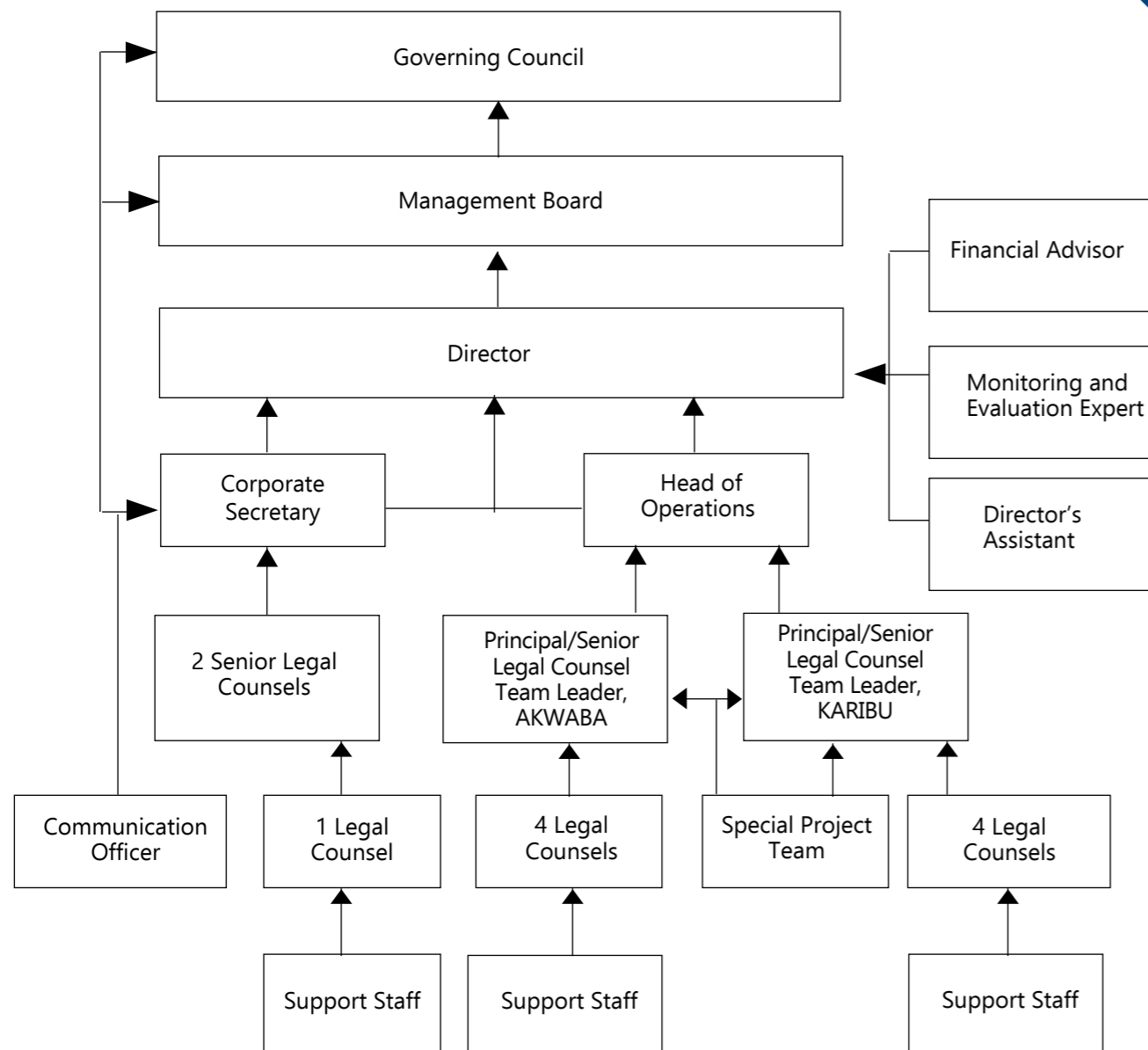


Member of the ALSF's Management Board since June 2016, Professor Dandi Gnamou has also been recognized for her accomplishments as a legal expert, both on the international level and in her native Benin. In October 2017, on the recommendation of Mr Ousmane Batoko, President of the Supreme Court of Benin, Professor Gnamou was appointed as a Judge at the administrative chamber of the Supreme Court. The first female associate in public law in Benin, Ms. Gnamou is an accomplished professor of law and has held academic positions as a researcher, professor, and senior lecturer at Paris-Sud XI University.

THE ALSF STAFF BY THE END OF 2017

	NAME	FUNCTION
Management	Mr. Stephen Karangizi	Director
	Ms. Carmen Da Costa	Manager - Institutional Division
	Mr. Amir Shaikh	Manager - Operations Division
Institutional Division	Ms. Mavis Marongwe	Senior Legal Counsel Institutional
	Ms. Mukazi Kayitenkore	Senior Legal Counsel Institutional
	Ms. Amanda Dakoure	Legal Counsel Institutional
	Ms. Nnenna Nwokolo	Corporate Support Officer
	Mr. Omar Yusuf	Communications Officer
	Ms. Roseline Konan	Secretary Corporate Division
Operations Division	Ms. Maude Vallee	Senior Legal Counsel Operations
	Mr. Thierno Olory-Togbe	Senior Legal Counsel Operations
	Ms. Toyin Ojo	Senior Legal Counsel Operations
	Mr. Jean Claude Mabushi	Senior Legal Counsel Operations
	Ms. Héléne Nse Eyene	Legal Counsel Operations
	Ms. Mariam Mohammed	Legal Counsel Operations
	Ms. Nchimunya Ndulo	Legal Counsel Operations
	Mr. Ronald Chari	Legal Counsel Operations
	Ms. Shaina Salman	Legal Counsel Operations
	Ms. Sarah Sameur	Legal Counsel Operations
	Ms. Nusula Nassuna	Legal Counsel Operations
	Mr. Gadi Ndahumba	Legal Counsel Operations
	Ms. Nancy Ampiah	Secretary Operations Division
Special Programs	Mr. Abdoul Camara	AMLA Project Coordinator
	Mr. Francky Lukanda	Legal Counsel AMLA
	Ms. Noellie Gah	Legal Counsel AMLA
Monitoring and Evaluation Team	Mr. Debazou Yantio	M&E Specialist
	Mr. Jean-Clauzel Ngam	M&E Assistant
Director's Office	Mr. Franck Tella	Financial Advisor
	Ms. Imen Mejai	Director's Assistant

THE ALSF ORGANIZATIONAL CHART AS OF 31 DECEMBER 2017



7 | CHAPTER SEVEN LOOKING AHEAD



LOOKING AHEAD

Africa's economic transformation is evolving and will continue to do so in the decades to come. Estimated to contribute over USD 30 billion per annum in government revenues over the next 20 years, Africa's natural resource assets will be a key driver for such transformation. Better infrastructure including access to electricity, clean water and proper sanitation, as well as better roads to markets are necessary conditions for such transformation. The proceeds from the natural resources sector could finance a substantial part of Africa's infrastructure.

Investment opportunities in Africa's infrastructure sector and in its expanding and profitable extractive industry involve complex contract negotiations and commercial and financial arrangements such as Public Private Partnerships and accessing international debt markets. Additionally, the occasional changes in economic circumstances—will make the renegotiation of certain contracts on the continent inevitable or desirable. To do so, most African governments will need adequate capacities to negotiate and conclude equitable and sustainable agreements that deliver maximum economic value for both African states and private investors as well as protect the countries' sovereign rights.

Mindful of these development challenges, African Finance ministers established the ALSF in 2008. The ALSF has grown steadily since it started operations in 2010. 49 African countries, among the 54 eligible RMCs, have signed the Agreement for the Establishment of the ALSF, and 67 percent have so far requested for assistance. As we come to the end of

our first planning cycle and take stock, the evidence shows that the ALSF's interventions are relevant and impactful. To build on these achievements and strengthen our capacity to respond swiftly and effectively to demand; the ALSF has adopted a new Medium Term-Strategy for the period 2018-2022.

The new strategy is anchored on three key result areas (KRA):

- KRA 1 – Fair commercial negotiations and agreements
- KRA 2 – Enhanced legal capacity in Africa; and
- KRA 3 – Improved litigation case outcomes/results.

In addition, the new strategy adds a number of critical strategic levers to ALSF's execution of its mandate. These include leveraging of data and information, changing perceptions, contract/project implementation as well as improving practical and technical skills. Implementation of the Strategy will continue to evolve around Advisory Services, Creditor Litigation, Capacity Building and Knowledge Management as well as Managing for Results. Our work across these areas aims to contribute to enhanced legal capacity of RMCs for sustainable economic development and inclusive growth in Africa. Looking ahead, our interventions will also continue to be closely aligned with the UN Sustainable Development Goals and the African Union 2063 Agenda to help transform the continent and lift millions out of poverty in Africa.

ANNEX 1: SUMMARY OF THE ALSF'S STRATEGIC PARTNERSHIPS

COLLABORATION WITH BILATERAL PARTNERS

Department for International Development of the United Kingdom (DFID)

DFID's £ 6.3 million is targeted at:

1. Expanding legal assistance to African Governments to negotiate 10-12 additional extractive deals and infrastructure projects related to major oil, gas mining and related infrastructure projects (especially energy and transport)
2. Expanding training provision for African lawyers and legal specialists
3. Upgrading the ALSF's monitoring and evaluation framework to be clearer about its own results and improve the evidence based reporting results for the development impacts of high-quality legal assistance
4. Driving improvements to the value for money from contracts with world-class law firms

Government of Canada

Global Affairs Canada's CAD \$ 10 million is targeted at:

1. Improving African countries' legal capacity to negotiate complex agreements related to extractive resources and related infrastructure, and
2. Capacity building in the above ALSF focal areas

Government of Germany

GIZ & KfW Group's € 5 million is targeted at :

1. Strengthening the institutional development of the ALSF
2. Facilitate the implementation of the code of Conduct of the G7 CONNEX initiative

Government of India

Supporting PPP Advisory Services in selected countries

The Kingdom of Netherlands

Ministry of Foreign Affairs, Netherland's € 5 million is targeted at:

1. Assisting African governments in the negotiation of complex commercial transactions relating to the extractive industries, infrastructure, and commercial debt
2. Assisting African governments in commercial disputes relating to vulture funds, and
3. Capacity building for African lawyers (both government and private) in above areas

Government of Norway

Royal Norwegian Ministry of Foreign Affairs' NK 30 million is targeted at:

1. Improving African governments capacity to respond to and manage external commercial litigation
2. Improving Africa's legal capacity to negotiate complex agreements in particular related extractive resources, infrastructure and debt, and
3. Coordinating capacity building directed towards African member countries in the ALSF focal areas.

Power Africa Initiative/United States Agency for International Development (USAID)

USAID's USD 3 million is targeted at:

1. Supporting and strengthening the ALSF so that it can serve as the primary source for the retention of competent legal counsel for resource constrained African countries especially with respect to negotiation of power projects

COLLABORATION WITH MULTILATERAL PARTNERS

African Development Fund (ADF)

1. Financing partner
2. Joint implementation of selected projects/programmes

Islamic Development Bank

IsDB's USD 1 million is targeted at:

1. Legal capacity building
2. Negotiation of complex commercial transactions in the field of infrastructure, mining and natural resources
3. Private sector development and promotion of investments in the above areas

African Development Bank Group (AfDB)

1. Founding and Hosting Institution.
2. Cooperating to ensure adequate know-how and logistics, as well as operational efficiency, particularly in terms of access to relevant networks throughout Africa, and to move further towards common development goals
3. Partners with various entities including departments and units within the Bank to facilitate selected projects and programs

The African Water Facility

1. Jointly implementing a major water supply project between Ghana and Togo
2. Consultation on possible projects.

United Nations Economic Commission for Africa and the African Union

1. Discussion in joint implementation (African Minerals Development Center) of the African Mining Vision - capacity building program on contract negotiations in the extractive resource industry with the Facility
2. Joint Implementation of the High Level Report on Illicit Financial Flows (Mbeki report)

World Bank (Public Private Infrastructure Advisory Facility)

Cooperation in capacity building for the ALSF Public Private Partnership (PPP) program

World Bank (Legal Vice Presidency)

Cooperation on the African Mining Legislation Atlas

World Bank (PPPIRC – Public Private Partnership Infrastructure Resource Center)

Cooperation on the PPPIRC database of PPP precedents and guidelines.

Africa Finance Corporation

Cooperation on identification of potential areas of assistance on behalf of governments.

G7 CONNEX

Cooperation to provide RMCs with extended and concrete expertise for negotiating complex commercial contracts, especially in the extractive sector and helping governments to generate substantial revenues from their resources

COLLABORATION WITH OTHER PARTNERS

Capacity Building and Networking :

- African Institute for International Law
- Centre International de Formation en Afrique des Avocats Francophones
- Columbia Center on Sustainable Investment
- Commercial Law Development Program
- East African Law Society
- International Senior Lawyers Programme
- International Lawyers for Africa
- Pan-African Lawyers Union
- SADC Lawyers Association
- University of Cape Town and other African Universities

Partnering to develop and maintain selected knowledge products:

- Natural Resource Governance Institute and Columbia Center on Sustainable

ANNEX 2: SIGNATORIES TO THE AGREEMENT FOR THE ESTABLISHMENT OF THE FACILITY 31 DECEMBER 2017

	STATES/ ORGANIZATIONS	DATE OF SIGNATURE	DATE OF ADMISSION
1	Belgium	25/09/2008	
2	Benin	31/12/2008	
3	Brazil	18/08/2008	
4	Burundi	15/09/2008	
5	Burkina Faso	24/09/2008	01/07/2009
6	Cameroon	15/04/2009	
7	Cape Verde	05/03/2015	
8	Central African Republic	14/05/2009	
9	Chad	08/09/2008	14/11/2009
10	Comoros	25/10/2013	14/04/2014
11	Congo	09/12/2008	18/06/2009
12	Côte d'Ivoire	16/09/2008	
13	Democratic Republic of Congo	22/08/2008	
14	Djibouti	10/09/2008	11/12/2008
15	Egypt	05/08/2010	12/02/2014
16	Eritrea	20/12/2016	
17	Ethiopia	15/08/2008	02/12/2008
18	France	11/02/2013	04/04/2015
19	Gabon	13/10/2008	
20	Gambia	10/09/2008	23/08/2012
21	Ghana	10/06/2013	
22	Guinea	31/10/2008	01/06/2016

ANNEX 2: SIGNATORIES TO THE AGREEMENT FOR THE ESTABLISHMENT OF THE FACILITY 31 DECEMBER 2017

	STATES/ ORGANIZATIONS	DATE OF SIGNATURE	DATE OF ADMISSION
23	Guinea Bissau	12/09/2008	19/09/2008
24	Kenya	07/11/2008	
25	Lesotho	16/05/2014	
26	Liberia	12/12/2008	
27	Libya	25/08/2008	
28	Madagascar	05/09/2008	25/11/2008
29	Malawi	12/08/2008	
30	Mali	15/12/2008	16/10/2009
31	Mauritania	14/05/2009	
32	Mauritius	22/08/2012	21/11/2012
33	Morocco	14/01/2011	28/06/2013
34	Mozambique	16/09/2008	
35	The Netherlands	26/03/2010	18/11/2011
36	The Kingdom of Swaziland	06/12/2013	
37	Niger	13/05/2009	09/12/2014
38	Nigeria	31/07/2009	
39	Rwanda	08/08/2008	25/01/2011
40	São Tomé et Príncipe	08/08/2012	
41	Senegal	25/08/2008	28/11/2008
42	Seychelles	25/06/2009	

ANNEX 2: SIGNATORIES TO THE AGREEMENT FOR THE ESTABLISHMENT OF THE FACILITY 31 DECEMBER 2017

	STATES/ ORGANIZATIONS	DATE OF SIGNATURE	DATE OF ADMISSION
43	Sierra Leone	20/12/2008	15/05/2012
44	Somalia	18/02/2013	
45	Sudan	25/06/2009	
46	Sudan South	25/05/2012	
47	Tanzania	16/06/2009	
48	Togo	08/09/2008	04/11/2008
49	Tunisia	24/06/2009	24/12/2010
50	Uganda	29/07/2008	
51	United Kingdom	17/12/2009	11/12/2014
52	Zambia	02/12/2008	22/12/2008
53	Zimbabwe	14/10/2008	
ORGANIZATIONS			
54	African Development Bank (AfDB)	10/02/2009	NA
55	Africa Finance Corporation	01/08/2014	NA
56	African Union (AU)	23/08/2010	NA
57	Islamic Development Bank (IsDB)	11/06/2013	NA
58	The ECOWAS Bank for Investment and Development (EBID)	30/10/2012	NA
59	West African Development Bank (BOAD)	05/04/2011	NA
60	Organization for the Harmonization in Africa of Business Law (OHADA)	23/06/2009	NA

ANNEX 3: COMPOSITION OF THE GOVERNING COUNCIL MEMBERS

MEMBERS OF THE GOVERNING COUNCIL, 2017-2019

STATES/ INSTITUTIONS	ELECTORAL COLLEGES		NAME OF REPRESENTATIVES
Ghana	RMCs of the AfDB	West	Mrs. Mangowa Ghanney
Rwanda	RMCs of the AfDB	Central	Mr. Rugeri Nkusi Christian
Mauritius	RMCs of the AfDB	South	Mr. Gerard Pascal Bussier
Somalia	RMCs of the AfDB	East	HE Abdirahman D. Beileh
Egypt	RMCs of the AfDB	North	Mr. Ahmed Moguib
Islamic Development Bank (ISDB)	International Organization		Dr. Mansur Adetokunbo Noibi
African Development Bank	AfDB		Mr. Charles Boamah
Belgium	OECD		Mr. Denis Dubuisson
France	OECD		Mr. Dominique Lebastard
Netherlands	OECD		Mr. Pim De Keizer
United Kingdom	OECD		Mr. Jonas Heirman
Brazil	Non-OECD		Mr. Rafael Ranieri

ALTERNATE MEMBERS OF THE GOVERNING COUNCIL, 2017-2019

STATES/ INSTITUTIONS	ELECTORAL COLLEGES		NAME OF REPRESENTATIVES
Guinea	RMCs of the AfDB	West	Vacant
Burundi	RMCs of the AfDB	Central	Ms. Filde Citegetse
Swaziland	RMCs of the AfDB	South	Mr. Bheki S. Bhembe
Tanzania	RMCs of the AfDB	East	Dr. Philip I. Mpango
Libya	RMCs of the AfDB	North	Vacant
Africa Finance Corporation			Dr. Adesegun Akin-Olugbade

ANNEX 4: CURRENT MANAGEMENT BOARD MEMBERS

Ms. Dorcas Achapa, Chairperson

An accomplished public servant with expertise in international negotiations having been the Head of the International Law Division in the office of the Attorney General in Kenya for over 15 years. Ms. Achapa possesses excellent organizational skills and has experience in the interpretation and application of International Law. She has also been an Advisor to the Government of Kenya on the interpretation and application of various conventions including the Convention on the Law of the Sea. Currently a member of the Legal and Technical Commission of the International Seabed Authority.

Professor Dandi Gnamou, Member

She is a judge at the administrative chamber of the Supreme court in Benin. A highly reputed Professor of law with experience in the fields of Public International law, international economic law, peacekeeping and armed conflict law, law of international organizations and African regional integration, and constitutional law. Professor Gnamou holds a PhD in Public law and for over 10 years has held academic positions, as a researcher, professor and senior lecturer at Paris-Sud XI University.

Mr. Amadou Dieng, Member

An attorney at law (Paris Bar) specialized in international business transactions, international banking and investment law, previously lecturer at the Institute of Latin American Studies of the University Sorbonne Nouvelle of Paris and Permanent Secretary of the Chamber for Arbitration and Mediation of the Chamber of Commerce, Industry and Agriculture of Dakar and Senegal. He also authored different articles on international legal matters, including with regard to the Organization for the Harmonization in Africa of Business Law (OHADA).

Mr. Bruce Montador, Member

Mr. Montador is very familiar with the work of the AfDB and the ALSF, as he was the Executive Director representing Canada, China, Korea and Kuwait at the AfDB from 2007 to 2011, the period when the ALSF was set up. Prior to that, he was Vice-President, Multilateral Programs at the Canadian International Development Agency, and thus responsible for Canada's relations with the AfDB, and before that as General Director, International Trade and Finance at the Canadian Department of Finance, he was the Alternate Governor for Canada of the AfDB (and the other regional development banks). Currently, in addition to his work with the ALSF, Mr. Montador is Chair of the Africa Study Group of the National Capital Branch of the Canadian International Council and Board member and Treasurer of CODE, a Canadian NGO promoting literacy and children's book publishing in Africa.

Mr. Rafique Mahomed, Member

Mr. Mahomed is currently the Chief Executive Officer at Moçambique Celular and Moçambique Telecom. He is a former AfDB Board member who has represented Angola, Mozambique, Namibia and Zimbabwe, and who has previously served as a member of the ALSF's Governing Council. His addition to the Management Board confers a wealth of maritime law, banking, investment, and tourism experience onto the Facility's Board.

As the Board provides operational guidance to the ALSF's staff, Mr. Mahomed's diverse experience as cabinet member of the Mozambique government, as the Director General of the Mozambique Investment Promotion Center, and as a member of the Board of Directors of Standard Bank in Mozambique, will prove to be an asset to the Board.

Mr. Stephen Karangizi, Ex-officio Member

He has been with the ALSF since October 2011. As Director, he is responsible for the oversight of the Facilities projects in the areas of negotiations of agreements in infrastructure developments (extractives sector, the energy sector); investment agreements and related commercial and business transactions; as well as debt management and litigation. He also acts as the legal representation of the institution.

CURRENT FINANCING PARTNERS



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