

JUSTICE FRANCIS MUZINGU SSEKANDI

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RESUME

PROFILE:

Justice Ssekandi, LLB (Hons) London and LLM (Columbia), possesses vast legal experience as a jurist, judge, and administrator. His legal career includes fifteen years in the Uganda civil and judicial service and twenty years in the international civil service, in the United Nations, the World Bank and the African Development Bank. He has continued active after-service to teach law at Columbia Law School from 2001 to 2019 and to provide legal support to governments and international organizations. He has, overall, accumulated close to fifty-eight years of legal experience.

CURRENT: 2000-2023

A: LEGAL SUPPORT TO GOVERNMENTS

INTERNATIONAL LEGAL CONSULTANT, RWANDA: 2000-2001

- Under UNDP contract, conducted empirical research countrywide and presented recommendations to Rwanda Ministry of Justice for legal and judicial reforms. At the request of women Parliamentarians, participated in deliberations and provided Constitutional proposals for strengthening women's participation in Parliament.

LEGAL ADVISOR, GOVERNMENT OF TIMOR LESTE: 2002-2013

- Drafted and negotiated technical cooperation agreements with donor countries following Timor Leste's independence. Led internal review of the Petroleum Fund and made draft proposals for legislative amendments, for effective management of the Fund. Reviewed and proposed revisions to the legislation establishing the Central Bank. Drafted complex commercial contracts for infrastructure development and reviewed and assisted in drafting project implementation instruments and legislation. Reviewed existing procurement legislation and standard procurement documents and submitted a revised Consolidated Procurement Law for consideration by Council of Ministers.

LEGAL REPRESENTATION

- As Attorney-at-Law admitted to the New York Bar and to practice before the US District Courts and the United States Court of appeals for the Second Circuit, from 2018 to 2020, represented Equatorial Guinea in the US District Court

and on Appeal to the Second Circuit in a land dispute by a neighbor to the residence of the Ambassador and Permanent Representative of Equatorial Guinea to the United Nations alleging encroachment and trespass. Case involved pleading assertion of privileges and immunities and resolution of New York law on land boundary disputes.

- As Attorney and Counselor-at-Law assisted the African Union in efforts to recover possession of its building occupied by squatters during COVID 19 by court action and otherwise.

B. LEGAL SUPPORT TO INTERNATIONAL ORGANIZATIONS

WORLD BANK ADMINISTRATIVE TRIBUNAL: 2007-2013

- As Judge on the World Bank Administrative Tribunal, composed of seven distinguished jurists from around the world, participated in reviewing appeals by staff in complex and sensitive cases arising from administrative decisions against them by the Bank's administration. Judgments of the Tribunal are binding and reported, thus forming a major part of the international administrative law jurisprudence.

UNITED NATIONS: 2002-2023

- As Member of UN Panel of Investigators, headed several United Nations Investigation Panels to inquire into and submit reports with recommendations, on civil and military incidents in UN peacekeeping missions and on alleged abuse of power and prohibited conduct at UN headquarters Offices in New York, Addis Ababa as well as UN Peacekeeping Operations in Kosovo, Central African Republic, Southern Lebanon, Angola and the UN-backed Special Tribunal for Cambodia.
- As member of the UN Senior Vendor Review Committee (SVRC) and Administrative Review Board (ARB), reviewed and provided legal advice to the Secretary General on resolution of commercial disputes arising from the UN's procurement activities at Headquarters and in UN peacekeeping operations.
- As member of the International Projects Management Association (IPMA), provided procurement training and advice to Secretariat and UN field offices.
- Provided legal support to UNIFEM on institutional reorganization and eventual merger with other entities to form the composite entity – UN WOMEN – to advance women's equality.
- Provided legal support to UNDP in negotiating Agreements with donors, and with China as Host Country, for the establishment of the Tumen River Authority.
- Provided legal advice and support in the setting up a UNDP supported SSGATE platform for development cooperation arrangements among South South Member States in Shanghai, China.

OTHER INTERNATIONAL INSTITUTIONS

- Served as Chair of Panel of Investigators to review staff cases on abuse of authority, for the International Trade Center (ITC), Geneva and submit a Report with recommendations on the issues raised.

- Served as Chair of the IRENA Appeals Board, with staff participation, for the International Renewable Energy Agency (IRENA), from 2022-2023, to review an Appeal against the Agency by a staff member alleging abuse of authority, discrimination, and denial of promotion and submit a Report with recommendations to the Director General on the matter.

- Provided legal support and opinions on the international legal status of several institutions, including the International Parliamentary Union (IPU) and the International Solar Alliance (ISA), and their eligibility for UN Observer status, including assisting these institutions in the drafting and negotiation of draft resolutions and agreements between these agencies with the UN.

C. ACADEMIC WORK

- Visiting Professor of International Law, Wayne State University, 1980-1981
- Lecturer-in-Law, Columbia Law School, New York, 2001-2019

D. PRIOR INTERNATIONAL CIVIL SERVICE: 1981 – 2000

UNITED NATIONS OFFICE OF LEGAL AFFAIRS: 1981-1997

- As member of the General Legal Division, provided legal opinions on interpretation and application of UN regulations and rules. Prepared legal texts and contracts for UN activities at headquarters offices and UN offices away from headquarters. Provided legal support and assistance in resolving commercial and other disputes. Drafted legal briefs and represented the Secretary-General before arbitral and judicial tribunals in disputes arising from UN operational and administrative activities.

- As Head of the Institutions and Commercial Law Cluster, specialized in the interpretation of institutional and constitutive instruments of the UN Funds and Programmes. Drafted legal models and instruments for delivery of UN programmes of cooperation in member countries. Conducted negotiations with governments on delicate legal issues involving privileges and immunities of the organization. Drafted standard basic agreements and negotiated host country agreements with governments based on the standard and model texts.

- As Deputy Director of the General Legal Division, directed the work of the division, supervising over thirty legal officers at headquarters and in the field, in the provision of legal advice and support to UN offices, programmes, funds and peacekeeping operations.

- As Director in the Office of the Special Representative of the Secretary General in Liberia 1996-1997, directed the work of the Office of the SRSG, ensuring regular reporting to the Secretary-General and monitoring of military and civilian operations of the UN Observer Mission and deputized for the Special Representative of the Secretary-General (SRSG) in his absence. Participated in meetings with resident ambassadors, senior government officials and heads of UN

humanitarian agencies on security issues and submitted reports to the Secretary-General. Organized the structure for the demobilization, rehabilitation, and reintegration of combatants in Liberia and directed implementation of the demobilization process. Participated in arrangements for setting up the structure for elections in 1997 and investigated cases of human rights abuses by armed groups in the country. Coordinated the work of UN humanitarian agencies, to protect and rehabilitate victims of human rights.

AFRICAN DEVELOPMENT BANK: 1997-2000

- As General Counsel and Director of the Legal Services Department, provided legal opinions to the President and Boards of Directors and Governors on the interpretation and application of the Bank's constitutive instruments. Assisted the President in instituting and implementing major institutional, legal and operational reforms at the Bank. Presided over the drafting and presentation of substantive revisions to the Bank's establishment statute before the Board of Directors and Board of Governors. Drafted the Bank's Policy on Good Governance, adopted by the Board of Directors, and coordinated the Bank's policy on legal and judicial reform with the World Bank and UNDP. Represented the Bank in litigation and negotiated settlements of disputes arising from Bank's operations.

E. PRIOR JUDICIAL SERVICE 1974-80

JUSTICE OF APPEAL, COURT OF APPEAL OF UGANDA (renamed Supreme Court): 1978-1980

- With just only two full-time justices and the Chief Justice, cleared a heavy backlog of pending appeals after collapse of the East African Court of Appeals. Contributed to and wrote a considerable part of the Judgments of the Court during this time.

PUISNE JUDGE, HIGH COURT OF UGANDA: 1974-1978

- As Judge of the High Court of Uganda, adjudicated criminal, and civil cases, including complex commercial litigation, and wrote authoritative judgments that remain leading precedents.

F. NATIONAL ACADEMIC AND CIVIL SERVICE: 1965-1974

DIRECTOR, UGANDA LAW DEVELOPMENT CENTRE: 1972-1974

- As Director, implemented the legislation establishing the Law Development Centre as Uganda's leading research and professional training institution by establishing the post graduate bar course, now in its forty-first year, through which almost all Uganda's lawyers have obtained legal practice training. Resumed publication of Uganda Law Reports and established a Law Journal (Uganda Law Focus) and started publishing house: LDC Publishers.
- Provided opportunities for Ugandans to study abroad to acquire additional legal skills, particularly, in legal drafting.

MAKERERE UNIVERSITY, UGANDA: 1968-1974

- Founding member of the Faculty of Law at Makerere University 1968 and part-time Lecturer-in-Law 1968-69 and 1974

MINISTRY OF JUSTICE: 1965-1972

- As State Attorney represented the government in criminal proceedings in major cases in the High Court and on appeal to the East African Court of Appeal.

G. PUBLICATIONS

- Editor-in-Chief, African Law Reporter – online service at www.jurisafrica.org

ARTICLES

- *The Changing Role of Regional Organizations in African Peace and Security*. A paper presented at the 107th Annual Meeting of the American Society of International Law – ASIL Proceedings (2013).
- *The Pursuit of Transitional Justice and African Traditional Values: A Clash of Civilizations – the Case of Uganda*; in Sur – International Journal on Human Rights 2007 (7) 101, with Cecil Rose.
- *Social, Political and Equity Aspects of Land and Property Rights in World Bank Online Land Reforms in Africa* (2005).
- *Good Governance: The Way Forward*, in The Future of Africa (2003), The New York Society for International Affairs.
- *Law and Development: An Empirical Study of the Evolution of the Legal Framework for Delivery of Multilateral Development Assistance: National Execution* by Francis M. Ssekandi and Peri Lynne Johnson. Published in the Liber Amicorum for Ibrahim F. I. Shihata, Senior Vice-President and General Counsel, World Bank (2003).
- *The Charter of Economic Rights and Duties of States – Law or Rhetoric?* New Horizons in International Law, page 201.
- *Protection of Fundamental Human Rights in the Uganda Constitution*, in the Columbia Human Rights Law Review, [1994] (26) (1) 191, with Cosmas Gitta.
- *Autochthony: The Development of Law in Uganda*. New York Law School Journal of International and Comparative Law, [1983] (6) (1) 1.
- *Lena Goldfields Arbitration*. Published in East African Law Journal, 1966.
- *Engendered Discontent: The International Criminal Court in Africa* by Francis Ssekandi and Netsanet Tesfay; Georgetown Journal of International Affairs Vol 18 No.2 (Summer/Fall 2017) pp.77-93 – <https://www.jstor.org/stable/26396022>.
- *Investor-State Dispute Settlement in Sub-Saharan Africa: Suggestions for Reform*: Academia.edu
- *Land Tenure and Land Grabs in Africa*: Academia.edu
- *Matovu's Ghost: Kelsen in the Courts*, A Lecture for Policy Makers in Uganda, 2022. Academia.edu

BOOKS

- Editor: Judge Elias's seminal Book on international law: New Horizons in International Law, second revised edition, 1994.
- Editor: The Uganda Magistrates Handbook and Model Criminal Charges and Indictments.
- Editor-in-Chief: Uganda Law Reports, 1972-1974.

H. PROFESSIONAL MEMBERSHIP

- Admitted to: Uganda Bar, 1966; New York Bar, 1981.
- Admitted to practice: United States District Court for Southern District of New York and the United States Court of Appeals for the Second Circuit.
- Member of Panels of Arbitrators: International Center for Settlement of Investment Disputes (ICSID) and the International Renewable Energy Agency (IRENA)
- Past Member: London Court of International Arbitration (LCIA)
- Member: American Society of International Law and American Bar Association

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