

EXECUTIVE SUMMARY

Dr. Rukia Baruti is an independent arbitrator and a non-practising solicitor qualified in England and Wales. She serves as a non-executive director on the Board of Burford Capital, where she is also a member of the Nominating and Governance and the Compensation Committees. She also serves as an Advisory Board Member of the Tanzania International Arbitration Centre (TIAC) and is an Editor at the Jus Mundi Arbitration Review.

She began working in commercial law firms in the City of London in 1997. In 2006 she joined the then SJ Berwin LLP (before it merged with King & Wood Mallesons). Since joining SJ Berwin LLP, she has focused on international arbitration. She has over 15 years of experience in international arbitration and international law, spanning both the practice and training of these fields.

Dr. Baruti's career has included experience in the roles of Counsel (including in arbitral institutions), Arbitrator, and Secretary to the Tribunal in arbitrations conducted under various arbitration rules. She is frequently sought out and appointed by major international arbitration institutions, including the ICC and the LCIA, as a sole arbitrator or panel member.

Dr. Baruti also has a well-rounded knowledge of International Relations and Public International Law with a particular focus on investment law, gained from her postgraduate studies. She is also a thought-leader and champion for Africans in international law and international arbitration. In this regard, she founded Africa International Legal Awareness (AILA) and co-founded the African Arbitration Association (AfAA), where she has played a significant role in advocating and promoting diversity in international arbitration.

RECOGNITION

- Legal 500 Arbitration Powerlist 2021: Africa
- *The Lawyer* 'Hot 100'
- LCIA Africa Users Council
- SIAC Africa Users Council

RECENT ARBITRATOR APPOINTMENTS

- Sole arbitrator in an *ad hoc* arbitration under the CIArb Rules of the Kenya Branch involving a Syrian and a Zimbabwean party in a dispute arising out of a tenancy agreement
- Sole arbitrator, *ad hoc* arbitration under the UNCITRAL Rules involving African companies in a dispute arising out of a cementing services agreement
- Sole arbitrator, *ad hoc* arbitration under the Kenyan Arbitration Act of 1995 involving African companies in a dispute arising out of a consultancy services agreement
- Sole arbitrator in 3 *ad hoc* arbitrations under the CIArb Rules of the Kenya Branch involving African companies in a dispute arising out of internet connectivity services agreement
- Co-arbitrator, CRCICA arbitration involving a UK company and an Egyptian company in

- a dispute arising out of an import and export settlement agreement
- Sole arbitrator, ICC arbitration involving African parties in a dispute arising out of a telecoms agreement.

CAREER HISTORY

Independent Arbitrator
Nov 2022 – Present

Burford Capital
Non-Executive Director
Aug 2022 – Present

African Arbitration Association (AFAA)
Secretary-General & Ex Officio Director
July 2018 – Oct 2022

- Founding member
- Set a strategic vision and direction for the AFAA
- Took a proactive involvement in the development of the AFAA
- Served as the key point of contact
- Supervised those carrying out work for the AFAA

Africa International Legal Awareness (AILA)
Managing Director
September 2017 – December 2019

- Founder
- Defined AILA's objectives
- Designed and developed the investment treaty law and arbitration curricula
- Delivered training on investment treaty law and arbitration
- Identified and recruited other trainers
- Organised, spoke, and chaired conferences internationally
- Cultivated relationships in Africa and internationally
- Secured funding from various sources to meet the organisation's objectives
- Supervised volunteers
- Liaised regularly with all service providers, delegates, and other organisations

University of Geneva
Ph.D. Candidate and Part-time Assistant
September 2014 – August 2017

- Carried out research and wrote articles for journals and book chapters in the area of international investment law and investment arbitration
- Co-authored articles with professors for journals on international investment law
- Organised training, seminars, and conferences in international investment law and foreign investment in Africa
- Spoke at seminars and conferences

Dr. Rukia Baruti
<https://rukiabaruti.com>

- Participated at expert seminars organised by institutions such as the International Institute on Sustainable Development (IISD) and UNCTAD

Africa International Legal Awareness (AILA)

Managing Director

March 2011 – August 2014

- Founder
- Defined AILA's objectives
- Designed and developed the investment treaty law and arbitration curricula
- Delivered training on investment treaty law and arbitration
- Identified and recruited other trainers
- Organised, spoke, and chaired conferences internationally
- Cultivated relationships in Africa and internationally
- Secured funding from various sources to meet the organisation's objectives
- Supervised volunteers
- Liaised regularly with all service providers, delegates, and other organisations

London Court of International Arbitration (LCIA)

Consultant

December 2010 – February 2011

- Summarised the LCIA arbitrator challenge decisions for publication, which won the 2012 Global Arbitration Review Awards for ***Innovation by an individual or organisation.***

SJ Berwin LLP

Legal Executive

2006 – December 2010

- Assisted in the provision of advice in international arbitrations and commercial litigation matters
- Advised on appropriate action for a dispute arising from a contractual joint venture subject to the GAFTA Arbitration Rules
- Secretary to the Tribunal
- Carried out research and prepared memos on various legal issues
- Drafted letters of advice to clients
- Prepared and presented know-how updates on international arbitration
- Carried out extensive document review in various litigation matters
- Dealt with disclosure exercises in significant litigation matters

PUBLICATIONS

- Book Chapter (2018), '*Human Rights, International Investment Law and Transparency*' (co-author with Laurence Boisson de Chazournes), Research Handbooks in International Law, Edward Elgar Publishing
- Journal of World Trade & Investment 18 (2017), '*Investment Facilitation in Regional Economic Integration in Africa: The Cases of COMESA, EAC and SADC*

- TDM April 2017, 'Available Remedies in Investment Arbitration: Is there a need for explicit provision in Investment Treaties'
- SOAS Online Research, 'Shaping Investment Arbitration: The Experiences of COMESA and SADC' in 'The Role of African States and Governments in Supporting the Development of Arbitration in Africa'
- ICCA Congress Series, No. 19 (2017), 'International Arbitration, The Making of a Safe Seat in Africa'
- BCDR International Arbitration Review June 2015, 'Transparency in Investor-State Arbitration: An Incremental Approach' (co-authored with Laurence Boisson de Chazournes)
- The European, Middle Eastern and African Arbitration Review 2015, 'Introduction'
- MIDAA Sept 2013, 'Africa and the Investment Treaty Process'
- Kluwerblog.com, 4 Nov 2011, 'Is Africa Finally Confronting Its Challenges on Investment Treaty Arbitration'
- In-House Lawyer, March/April 2009 'Challenging an award: Subsection 68(2) (d) Elucidated'
- In-House Lawyer, December/January 2009 'Confidentiality in International Arbitration'
- Commercial Litigation Journal, November/December 2008 "Justice trumps confidentiality"
- Sans Frontières, Issue 6, 2008 - 'Dubai: An International Arbitration Jurisdiction'
- Sans Frontières, Issue 5, 2007 - 'The social responsibility of lawyers - Instilling a pro bono culture'
- ASA Special Series 29, September 2007: 'Reopening the case after the hearing - to what extent and under what circumstances should it be allowed?'
- Legalweek.com, 26 Oct 2006 – 'Africa: Bringing out the Best'
- Journal of International Arbitration, Vol. 22 (6) 2005 issue: 'Provisions for the resolution of investment disputes within ASEAN: The First Award and its implications for ASEAN's legal framework'

CONFERENCES AND COLLOQUIUMS

- 'State Defence Strategies in Investment Arbitration: Third-Party Funding', 2^{ème} édition des Journées africaines de l'arbitrage et de la médiation, 2023
- 'The Future of Investment Arbitration: Challenges to the Legitimacy of "Secret Courts" – Does Investment Arbitration Enhance the Rule of Law?' Moderator, International Law Summits, 5th Annual Conference on Energy Arbitration and Dispute Resolution in Middle East & Africa, 2022
- 'Accuracy and Usefulness of Witness Testimony', ArbinBrief Episode 8, 2022
- 'Introduction to International Arbitration', Training on "NGOs and Public Interest: Options for Human Rights and Amicus Curiae Interventions in International Investment Arbitrations" Tanzania International Arbitration Centre (TIAC), 2021
- 'An Introduction: The African Arbitration Association', The Regional Project "Promoting the rule of law and justice in Africa" of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, 2021
- 'Investment Dispute Resolution and the AfCFTA', The Regional Project "Promoting the rule of law and justice in Africa" of the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH, 2021
- 'Facing Moral and Ethical Dilemmas: What would you"', CIArb Nigeria Annual Conference, 2021

- *'The Future of Arbitration in Africa and the role of the AfAA'*, Tanzania International Arbitration Centre Launch, 2021
- *'Arbitration trends post Covid-19: Queen Mary University/W&C Survey Findings'*, Roundtable Panellist during Paris Arbitration Week, 2021
- *'Debate: To foster diversity, should we do away with party appointments for arbitrators?'*, Cleary Gottlieb Webinar on Africa Outlook: Arbitration Trends during Paris Arbitration Week, 2021
- *'How Investor-State dispute resolution mechanisms under the AfCFTA will interact with similar mechanisms in other regional investment agreements'*, Volterra Fietta Webinar on the AfCFTA, 2021
- *'African Continental Free Trade Area (AfCFTA): Impact on arbitral practice'*, Chartered Institute of Arbitrators, Kenya Branch 4th Annual Conference, Moderator, 2020
- *'The New Arbitration Act: Its Impact (if any) on Arbitrating Future Investor-State Disputes'*, TI Arb Virtual Annual Arbitration Conference 2020, Panellist, 2020
- *'Heeding the Call: Committing to Racial Diversity in International Arbitration'*, AfAA Webinar, Moderator, 2020
- *'Welcome Remarks'*, *The Coming of Age of International Arbitration in Africa*, AfAA, 1st Annual International Arbitration Conference, Kigali, 2019
- *'Regional Growth of Arbitration: A Focus on Africa'*, Panellist, Future of International Arbitration, London 2019
- *'Arbitration News Bulletin from Around Africa'* LCIA Africa Users' Council Symposium, Panellist, London, 2018
- *'Arbitrating Investment Disputes in Africa: Are We Any the Wiser?'*, Panel Chair, Hot Topics in Investment Arbitration, Nairobi, AILA and CI Arb Kenya Branch, 2018
- *'Reform of the ISDS Regime and Africa'*, Panel Chair, Arbitration in Africa Conference, Abidjan, Africa Legal Support Facility, 2018
- *'Opening Remarks'*, Hot Topics in Investment Arbitration, AILA, Lagos, 2017
- *'Are the Current Frameworks for Regional Investment Regulation in COMESA and SADC viable'*, Foreign Investment in Africa Roundtable, University of Geneva, Geneva, 2017
- *'Investment Arbitration in Africa – is it a trap or an opportunity? The Pan-African and Regional Perspectives'*, Africa & International Arbitration Conference, White & Case, Paris, 2017
- *'Shaping Investment Arbitration: The Experience of COMESA and SADC'*, Panellist, SOAS Conference on The Role of African States and Governments in the Development of Arbitration in Africa, Cairo, 2017
- *'A Paradigm Shift in International Investment Law – Rethinking Investment Treaties'*, Panel Chair, AILA and University of Geneva Conference, Cairo, 2017
- *'Available Remedies in Investment Arbitration'*, Contributor, OGEMID Virtual Seminar on Damages in Investment Arbitration, 2016
- *'Investment Promotion and Protection in the East African Community: Trends and Prospects'*, Panellist, AILA and University of Geneva Conference & Training, Dar-es-salaam, 2016
- *'Training and Recognition of African Lawyers – The AILA Project'*, Panellist, SOAS Conference on Rethinking the Role of Courts and Judges in Supporting Arbitration in Africa, Lagos, 2016
- *'Arbitration in Africa'*, Panel Chair, ICC Africa Regional Conference, Lagos, 2016
- *'Spotlight on Africa: Perspectives on Arbitration'*, Panellist, ICCA Congress, 2016
- *'Investment Facilitation in COMESA, EAC and SADC'*, Panellist, University of Geneva and University of Lausanne, 5th Expert Seminar on Contemporary Perspectives on

- International Investment Law, Geneva, 2016
- 'The standards of protection under investment treaties: Is greater clarity required?' Panellist, ICC Paris, 2015
- 'Implications of a Regional Approach to the Regulation of Foreign Investment in Southern and Eastern Africa: The COMESA and SADC Experience', Panellist, Geneva Talks, Geneva, 2015
- 'Motivations for a Regional Approach in the Regulation of Foreign Investment in East Africa' Panellist, East African Arbitration Conference, Dar-es-Salaam, 2015
- 'Opportunities in Investor-State Arbitration', Panellist, Chartered Institute of Arbitrators, Nigeria Branch Annual Conference, Lagos, 2014
- 'Striking the legitimate balance between Host-State sovereignty and Investor needs: Perspectives from and regarding Africa', Panel Chair at the ATLAS Atlanta Conference, 2014
- 'International Investment Law: Historical Background, Policy Objectives and Issues', Trainer, AILA training, London, 2014
- 'African States and the Use of Investment Arbitration', Panellist, ICAMA African Roundtable, Abuja, 2014
- 'Investment Arbitration vs. Commercial Arbitration – Differences and Similarities', Panellist, CILS International Arbitration Symposium, Austria, 2014
- 'Ethical Standards in Investment Arbitration: Challenges in Practice', Moderator, Lunch Seminar, AAA, Miami 2014
- 'AILA, Its Role and Prospects', Speaker, Lunch seminar, King & Spalding, New York, 2013
- 'Non-African parties freely select African governing laws but often reject African seats of Arbitration – the need for change?' Panellist, Kuramo Conference, Lagos, Nigeria, 2012
- 'Institutional Arbitration in Africa: LCIA/ICC Experience', Speaker, ALN and Stephenson Harwood Seminar, London 2012
- 'The Regionalization of Investment Treaties' Panel Chair, 19th Investment Treaty Forum, London, 2012
- 'Is Africa Confronting Its Challenges on International Arbitration' Speaker, Institute of Cultural Diplomacy Conference on the African Union and Cultural Diplomacy, London, 2012
- 'Getting the Basics Right', Speaker, LCIA African Users' Council Symposium, Accra, Ghana, 2010
- 'Choice of law in arbitration - C v. D', Speaker, SJ Berwin LLP, London, 2009
- 'Arbitration Awards and Limitation Periods - National Ability SA v Tinna Oils & Chemicals Ltd', Speaker, SJ Berwin LLP, London 2008
- 'Confidentiality in Arbitration - Michael Wilson & Partners Ltd v Emmott', Speaker, SJ Berwin LLP, London 2008
- 'The social responsibility of lawyers', Speaker, Commonwealth Lawyers Association Conference, Nairobi, Kenya, 2007
- 'Jurisdiction of the Tribunal - Lesotho Highlands v Impregilo SpA & Ors', Speaker, SJ Berwin LLP, London 2006

EDUCATION/QUALIFICATIONS

- Ph.D. (Cum Laude Hons), University of Geneva
- Post Graduate Diploma, Legal Practice Course, BPP Law School
- Post Graduate Diploma, Institute of Legal Executives, University of Westminster
- LLB First Class (Hons), Birkbeck College, University of London
- MA Diplomatic Studies and International Law, University of Westminster

Dr. Rukia Baruti
<https://rukiabaruti.com>

- Graduate Diploma, International Studies, Birkbeck College, University of London

PROFESSIONAL AFFILIATIONS

- Law Society of England & Wales
- London Court of International Arbitration
- Lagos Court of Arbitration
- Chartered Institute of Arbitrators (UK)
- Chartered Institute of Arbitrators (Kenya)
- Kigali International Arbitration Centre
- Cairo Regional Centre for International Commercial Arbitration
- International Centre for Arbitration & Mediation Abuja
- Tanzania Ministry of Constitutional & Legal Affairs, Accredited Arbitrator