

UNECA – OALP PARTNERSHIP: BRIDGING THE AFRICAN INFRASTRUCTURE GAP

Introduction

Africa has, in many ways, experienced a seismic shift in the past 40 – 50 years. Today, it hosts the fastest growing economies in the world – however, this has not translated to significant improvements in addressing the infrastructure deficit in the continent, nor effective implementation of socio-economic policies geared toward addressing the needs of her vast and teeming populace.

The PIDA Initiative

The United Nations Economic Commission for Africa (UNECA), which comprises 54 African states, plays a dual role as a regional arm of the UN, as well as a key component of the African institutional landscape. Its international reputation, but specific focus, positions it to make impactful contributions to address the continent's development challenges. It has a mandate to: (i) promote the economic and social development of its member states; (ii) foster intra-regional integration; and (iii) promote international co-operation for Africa's development. In a bid to address the infrastructural challenges faced across the

continent – a deficit which would require an estimated USD 93 Billion per annum for the next decade to address, UNECA has partnered with the African Development Bank, the African Union Commission and African member states to propose and stimulate the framework to address the infrastructural challenges.

One of the key initiatives established by the UNECA and its partner institutions is the Program for Infrastructure Development in Africa (PIDA). The PIDA, which was launched in January 30 2012 to run through 2040, was designed to develop a vision and strategic framework for the development of essential and critically needed regional and continental infrastructure. The aim is to vitalise and develop infrastructure for energy, transport, information and communication technologies, and trans-boundary water resources in various African economies. Understandably, this is a project that requires significant manpower.

Our Involvement

As a full-service firm with extensive experience in policy development and implementation, and passionate about African development, we were engaged as legal consultants to UNECA for the implementation of the PIDA. In order to actualise the objectives of PIDA, the Firm assisted and continues to assist by:

- Providing an overview of (x) Africa's infrastructural deficit and its impact on economic growth; (y) the existing policy, legal and regulatory frameworks in PIDA Sponsor States; (z) case studies on Anglophone and Francophone Africa's infrastructure legal framework; and (xx) investment opportunities, and challenges encountered by infrastructure project sponsors;
- Undertaking fact finding and data collection missions to Regional Economic Communities concerned in PIDA;
- Formulating a legal and institutional framework for the harmonization of infrastructure related laws in each of the participant States, which considers the most appropriate means through which State participants and investors in the PIDA Project can be legally bound and committed to its implementation, both at a supranational and national level;
- Drafting and presentation of a Model Law on Trans-boundary Infrastructure Projects to the African Union Assembly for endorsement and subsequent domestication in adopting States; and
- Overseeing and facilitating the Model Law domestication process within adopting States of the Model Law.

Moving Forward

The strides achieved with the PIDA have been well documented, but the infrastructural gap in Africa remains. Moving forward to actualise the goals of PIDA, the African Union held its first specialised Africa infrastructure meeting in Togo in February 2017 with the theme "Financing Infrastructure in Africa". This exemplifies the engagement between the public and private sector to ensure that the promises of PIDA are actualised, and that African economies reach their potential, in consonance with the contributions of African governments to Infrastructure, rather than despite it.

For us at Olaniwun Ajayi, we are pleased to have supported the UNECA on this major milestone in its development work across the continent.

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