

Prof. Migai Akech

LL.B. (First Class Hons) (Nairobi); LL.M. (Cambridge); (LL.M.) (Trade Regulation) (NYU);
(J.S.D.) (NYU), FCI Arb

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29th May 2024

Aluochier Dispute Resolution

P.O. Box 436-40404

Rongo

Email: info@aluochier.co.ke

Dear Mr. Aluochier,

**RE: APPOINTMENT OF ARBITRATORS CASE NUMBER 002 OF 2024: LEMPAA
VINCENT SUYIANKA V KENYA LEGISLATORS IN THE 2013-2017 AND 2017-
2022 TERMS OF OFFICE**

Thank you very much for your letter of 28th May 2014.

I confirm that I agree to the rates on fees in accordance with the First Schedule of the ADR Arbitration Rules, as per rule 8.3.2.

I declare that there are no circumstances known to me that are likely to give rise to any justifiable doubts as to my impartiality of independence, other than the circumstances disclosed in the arbitrator's declaration.

I have attached my written resume and look forward to hearing from you.

Yours faithfully,



Prof. Migai Akech

Prof. Migai Akech

Curriculum Vitae

April 2024

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Prof. Migai Akech

migai.akech@gmail.com

Personal Information

- Nationality:** Kenyan
- Profession:** Academic; Lawyer, admitted to Kenya Bar, 1998.
- Education:** Doctor of Juridical Science (New York University School of Law, 2004).
Master of Laws (Trade Regulation) (New York University School of Law, 1999).
Master of Law (St. Edmund's College, Cambridge University, 1997).
Bachelor of Laws (**First Class Honors**) (University of Nairobi, 1995).
- Awards:** **Reagan-Fascell Democracy Fellow**, International Forum for Democratic Studies, National Endowment for Democracy, USA, October 2009 – February 2010.
Hauser Global Scholar, NYU School of Law, 1998.
Cambridge Commonwealth Trust & Overseas Development Authority (ODA) Scholar, Cambridge University, 1996.
Kaplan & Stratton prize for the best final year law student, University of Nairobi, 1995.
- Languages:** English, Kiswahili
- Career Objective:** To excel as a legal scholar and practitioner, and contribute to policy initiatives and public discourses on the rule of law, democracy and governance, and international economic/trade law.

Key Qualifications

Migai Akech is an accomplished legal scholar and practitioner. He teaches at the University of Nairobi's School of Law, where he holds the rank of Professor. Migai has twenty-five years' experience in doing legal research, drafting policies, and training in African countries. He is a prolific author and has published widely on legal and public policy issues, including ***Administrative Law*** (Strathmore University Press, 2016), "**Constraining**

Government Power in Africa” (Journal of Democracy, 2011) and **“Taming the Tyranny of the Barons: Administrative Law and the Regulation of Power”** (inaugural lecture as Professor of Law).

He has worked as a Governance Expert at the African Union’s African Peer Review Mechanism. He drafted the Judiciary of Kenya’s innovative Bail and Bond Policy Guidelines (2015) and the legal instruments for the Lake Region Economic Bloc (2018).

He has consulted – as an expert on international trade law, policy development, policy analysis, rule of law, governance, devolution, anti-corruption, accountability, police reforms, justice sector reforms, prosecutorial reforms, legislative reforms, transitional justice, environmental crime, reform of criminal law and procedures, sentencing policy development, land policy development, curriculum development, monitoring human rights compliance, and mineral policies and regulatory frameworks – for national and international organizations, including the African Union (African Peer Review Mechanism), FHI360, the International Development Law Organization (IDLO), the United Nations Economic Commission for Africa (UNECA), the United Nations Office on Drugs and Crime (UNODC), the Open Society, German Technical Cooperation, and the World Bank. He has worked for these organizations in Kenya, Ethiopia, Lesotho, Sierra Leone, Somaliland, South Africa, Sudan, Uganda, and Tanzania.

Migai plays football and has chaired the Kenyan Premier League’s Independent Disciplinary and Complaints Committee.

Teaching Experience

1999 – 2008; 2011 - Date:	UNIVERSITY OF NAIROBI, SCHOOL OF LAW, Nairobi, Kenya
2023 – Date:	Professor. Inaugurated on 26 th April 2024.
2011 – 2023:	Associate Professor.
2006 - 2008; January 2011:	Senior Lecturer.
2003 – 2006:	Lecturer.
1999 – 2003:	Assistant Lecturer.

Teaching Responsibilities

Administrative Law; Law, Democracy and Governance; Public Procurement Law; Competition Law; Law and Development; Law and Economics; Property Law; Social Foundations of Law; International investments Law; International Economic Law.

Administrative Responsibilities

- Chair, Academic Programs Committee (which administers, reviews and regulates the quality of degree programs) (2012 – 2016).
- Coordinator of the Master of Laws Program (2012 – 2016).
- Member: Management Committee, Post-Graduate Programs Committee; Refurbishment Committee; Research, Library and Publications Committee.
- Acting Chair, Private Law Department (January – April 2006).
- General Supervisor of Dissertations (2005/2006).
- Editor-in-Chief, East African Law Journal, 2006.
- Participated in designing the School of Law's new Bachelor of Laws Curriculum, and the successful one-year Master of Laws Program.
- Leading the review of the Master of Laws Program.
- Established new guidelines on, and streamlined the administration of, research and writing of dissertations for both the Bachelor of Laws and Master of Laws Programs, 2006.

Supervision of Dissertations

PhD Dissertations

1. Moni Wekesa, *Regulation of Doping in Sports: Implications for Kenya* (2010).
2. Wamuti Ndegwa, *Regulating the Exercise of Prosecutorial Discretion: A Case Study of Prosecution of Corruption Offences in Kenya* (2016).
3. Bernadette Malunga, *Participation in Customs Clearance Rulemaking: A Case of Women Informal Cross Border Traders in Malawi* (2018).
4. Muthomi Thiankolu, *Balancing Economic and Social Objectives in Public Procurement in Kenya: A Review of Law, Policy and Practice* (2020).
5. Buluma Bwire, *How Far is too Far? The Separation of Powers Doctrine and Judicial Review of Legislative Action in Kenya* (2020).

LL.M. and LL.B. Dissertations

Supervised numerous LL.B. and LL.M. dissertations.

2008: **KENYA SCHOOL OF MONETARY STUDIES, Nairobi, Kenya**
Master of Banking and Finance Program

Taught course on Financial Law. Course examined: the importance of financial law in the creation and development of strong financial markets; institutional framework required for provision of credit and operation of financial markets; basic legal components of payment systems; and basic legal principles underpinning commercial and international banking transactions.

2004 -2005: **UNIVERSITY OF THE WESTERN CAPE/ UNIVERSITY OF PRETORIA,**
South Africa
Visiting Lecturer

Taught African Economic Integration and Regional Agreements and public procurement in the master's program in International Trade and Investment Law in Africa.

2001: **NEW YORK UNIVERSITY SCHOOL OF LAW, New York, USA**
Adjunct Assistant Professor of Law

Taught course on 'The Role of Law in Political and Economic Development' with Prof. Frank Upham. Course examined various theories regarding the role that law and legal institutions play in national economic, social and political development and used empirical evidence from selected countries to critique these theories.

2000: **UNITED STATES INTERNATIONAL UNIVERSITY, Nairobi Kenya**
Adjunct lecturer

Taught course on international trade law to Master of Business Administration students.

External Examinations

2007: Makerere University, Uganda.

2005: University of the Western Cape, South Africa.

Research Grants

2013: Awarded Canadian Dollars **622,400** by the International Development Research Centre (IDRC) to undertake three-year research project on "Administrative Law and Governance in East Africa." The project examines the rule making, rule application and adjudication practices of administrative agencies in East Africa, and evaluates the impact of judicial

review, with a view to suggesting policy and legislative interventions that would facilitate the mainstreaming of the principles of good administration.

2011: Awarded **US\$ 28,500** by the Konrad Adenauer Stiftung to undertake research on 'Administrative Law and Democracy in Kenya's New Constitutional Order' and produce a publishable manuscript.

2005: Awarded **£20,000** by the United Kingdom's Department for International Development (DFID) office in Kenya to undertake research on 'Administrative Law & Privatization in East Africa' and publish the manuscript.

Legal Practice Experience

2020 – Date: **MIGAI AKECH & ASSOCIATES, ADVOCATES**, Nairobi, Kenya
Proprietor

Firm specializes in international trade law, competition law, international investment law, international arbitration, communications law, conveyancing, health law, energy law, environmental law, sports and entertainment law, intellectual property law, and public (constitutional and administrative) law litigation.

Submitted a successful amicus brief in October 2021 to the Supreme Court of Kenya in a case on the applicability of the basic structure doctrine to Kenya. The Supreme Court agreed with our reading of the history of the making of the Constitution of Kenya 2010.

1997 – 1998: **KIPLAGAT & ASSOCIATES**, Nairobi, Kenya
Associate

Responsible for over one hundred briefs. Advised corporate clients and negotiated out-of-court settlements. Handled litigation and conducted research in all aspects of firm's practice. Gained exposure to diverse practice areas, including intellectual property law, corporate finance, real estate, commercial litigation and arbitration.

1995 – 1996: **MEREKA & COMPANY ADVOCATES**, Nairobi, Kenya
Intern/Legal Assistant

Participated in all aspects of corporate transactional and commercial litigation practice for one of Nairobi's leading law firms. Contributed to successful rate case on behalf of the national telecommunications company. Drafted pleadings and conducted research in the following

areas of law: banking, insurance, contracts, real estate and international trade. Drafted court submissions for the litigation department.

Public Service

2011 –
2016:

KENYA PREMIER LEAGUE

Chair, Independent Disciplinary and Complaints Committee.

August –
December 2011:

JUDICIARY OF KENYA

Member, Judicial Transformation Implementation Steering Committee. Contributed to the development of the Judiciary Transformation Framework.

September 2011 –
Date:

COUNCIL OF LEGAL EDUCATION, KENYA

Peer Reviewer, Accreditation Process of Legal Education and Training.

2013:

COMMISSION FOR UNIVERSITY EDUCATION, KENYA

Reviewed degree programs.

Consulting & Other Work Experience

January – Ongoing
2024:

FHI360 Consultant

Prepare a white paper to support determining the optimal location and legal and organizational structures for the proposed Young African Leaders Initiative (YALI). Draft a constitution for YALI Africa.

January – May
2023:

EAST AFRICAN BUSINESS COUNCIL Consultant

Developed the East African Community Private Sector Charter and its implementation strategy. The Charter established a framework for advocacy and collaboration, and binds the stakeholders to specific actions, collective obligations, targets, and timelines.

**October
2022:**

**AFRICAN PEER REVIEW MECHANISM
Principal Consultant, Kingdom of Lesotho**

Participated in the Kingdom of Lesotho Targeted Review Mission. Drafted the Lesotho Targeted Review Report, and the Lesotho Case Study for the Africa Governance Report 2023 (AGR-2023) on Unconstitutional Changes of Government in Africa. Contributed to the development of the AGR-2023.

Consultant, Sierra Leone

Participated in the Sierra Leone Targeted Review Mission. Drafted the chapters of the Sierra Leone Targeted Review Report on Constitutionalism, Diversity Management, and Human Rights.

**October
2020 – June 2023:**

**WORLD BANK, WASHINGTON DC, USA
International Trade Law Expert**

Supported the development and implementation of a capacity building program targeting negotiators involved in the proposed Free Trade Agreement (FTA) between Kenya and the United States of America. Review draft texts and provide advice in the fourteen areas of the FTA negotiations, including competition policy, state owned enterprises, government procurement, good regulatory practices, intellectual property, investment, environment and dispute settlement. Participated in the design and implementation of the regulatory assessment of the FTA.

**January – October
2022:**

**COMMONWEALTH SECRETARIAT, LONDON, UNITED KINGDOM
Anti-Corruption and Governance Expert**

Provided technical assistance/support/advice to the Kingdom of Lesotho's National Reforms Authority for the implementation of governance and anti-corruption reforms, working in close consultation with national partners from state agencies, civil society, the United Nations Development Program, the Commonwealth Secretariat and other development partners. Provided thought leadership, knowledge and expertise in governance and anti-corruption reforms.

**May 2018 –
October
2020:**

**AFRICAN PEER REVIEW MECHANISM, Johannesburg, South Africa
Governance Expert**

Monitored and evaluated governance in participating states; led the development of the Africa Governance Report 2019 and 2021; contribute to conceptualization, drafting (wrote chapter on Constitutionalism and the Rule of Law), validation, and launch of Africa Governance Report 2019; managed the Deepening the Review Project, wrote a paper on “APRM at the National Level”, facilitated validation and approval of reform proposals; supported the APRM’s engagement on public sector governance in member states in collaboration with strategic partners and stakeholders; conceptualized the proposed Africa Governance Campus; member of Editorial Committee, reviewed papers submitted for publication; coordinator for Mauritius; contributed to annual media seminar; wrote background papers on democracy and political governance for participating states’ governance assessments; member of program and budget committee.

**April – August
2020:**

GHANA CENTER FOR DEMOCRATIC DEVELOPMENT (CDD-GHANA)

Investigated and produced research paper on the phenomenon and dynamics of democracy capture as it is manifested and experienced in Kenya.

**October- November
2021:**

Prepared report on the general state of democratic governance in Africa that entailed a review of existing continental charters and policy documents on democracy and good governance.

**June – October
2017:**

ADAM SMITH INTERNATIONAL

Participated in a review of the judicial response to corruption as evidenced through the operations of the Anti-Corruption Division, related High Court Divisions, and the Appellate Courts, and made recommendations to inform the Judiciary and SUGAR-TAF (strengthening Uganda’s Anti-Corruption and Accountability Regime Technical Advisory Facility) support to the Judiciary of Uganda.

April 2017 -
March 2018:

RESEARCH FOUNDATION OF THE STATE UNIVERSITY OF NEW YORK (AHADI PROJECT)

Developed the legal instruments to institutionalize and operationalize the Lake Region Economic Bloc (LREB). Prepared report outlining the process of developing the instruments. Influenced national policy on regional economic blocs.

March –
September
2017:

U4 ANTI-CORRUPTION RESOURCE CENTRE (NORWAY)

Carried out research and wrote a U4 Issue Paper on “Using Administrative Law to Strengthen Anti-Corruption Approaches in Sector Work in African Countries” (with Dr. Monica Kirya, U4 Senior Advisor).

November
2016:

AFRICAN PEER REVIEW MECHANISM

Participated in the Sudan governance monitoring and evaluation mission as an expert on Democracy and Political Governance and contributed to the drafting and finalization of the APRM Country Review Report for Sudan.

2015:

UNITED NATIONS ECONOMIC COMMISSION FOR AFRICA, Africa Mineral Development Center

Assessed the mineral policy and regulatory frameworks of East African countries for compliance with the Africa Mining Vision.

June –
December 2014:

**THE INTERNATIONAL DEVELOPMENT LAW ORGANIZATION,
Nairobi Office**

Drafted Bail and Bond Policy Guidelines for the Judiciary of Kenya, working with the Task Force on Bail and Bond.

2013:

THE INTERNATIONAL COMMISSION OF JURISTS, KENYA SECTION

Reviewed and analyzed laws dealing with the institutional character and framework of the legislature, identified gaps in the legal framework, and made recommendations for reform to ensure compliance with the Constitution of Kenya 2010, statutory law, and international best practices; prepared report and memorandum.

Reviewed and analyzed the Standing Orders of the Senate, made recommendations for their amendment, and prepared a memorandum for presentation to the Senate.

2012 - 2013:

CHEMONICS KENYA LIMITED

Drafted new National Prosecution Policy, Prosecution Guidelines, and Code of Conduct and Ethics for Public Prosecutors for the Office of the Director of Public Prosecutions; facilitated stakeholder forums on these policies.

2012:

THE STATE UNIVERSITY OF NEW YORK, CENTER FOR INTERNATIONAL DEVELOPMENT, Nairobi

Peer reviewed papers for workshop on "Towards Effective Devolved Governments in Kenya: Reflecting on and Planning for County Assemblies"; Review policies and laws on devolution; Peer reviewed draft handbook for managing County Assemblies.

Provided technical input into the development and writing of new Standing Orders for the National Assembly by developing a conceptual justification for the Standing Orders and preparing a general commentary; provided conceptual and technical critique of draft standing orders; provided the civil society members of the Parliamentary Initiatives Network with the skills to engage meaningfully and effectively with members of Parliament and committees of Parliament on the implications of the Constitution of Kenya of 2010 for the role of the legislature.

December 2011 - February 2012:

THE JUDICIARY OF KENYA

Prepared report updating and revising baseline data and preparatory information for the proposed World Bank "Judicial Performance Improvement Project" in light of constitutional changes and the Judiciary's Institutional Transformation Framework (JTF); recommended changes necessary to align project activities and institutional arrangements for project implementation with the JTF.

2009 – 2011:

**LID COMPANY LIMITED (t/a LAW & DEVELOPMENT INITIATIVES),
Nairobi, Kenya
Executive Director**

- 2010 – 2011:** Carried out research project on “Pretrial Detention and the Administration of Criminal Justice in Kenya” for the Open Society Global Criminal Justice Fund.
- 2011:** Carried out research project on judicial reforms and access to justice in Kenya with a view to identifying reform priorities for Pact Kenya.
- 2010:** **INTERNATIONAL CENTER FOR TRANSITIONAL JUSTICE (ICTJ),** Nairobi Office
- Analyzed the Constitution of Kenya 2010, conducted research on transitional justice, and prepared report on “Institutional Reforms in the New Constitution: Gains and Challenges”.
- 2008 – 2009:** **INSTITUTE FOR SECURITY STUDIES (ISS),** Nairobi Office
- Developed training manual on Enforcement of Environmental Crimes for the Eastern Africa Police Chiefs Cooperation Organization (EAPCCO). Conducted training on Enforcement of Environmental Crimes for members of EAPCCO.
- Reviewed and edited country reports on the “Nature and Extent of Environmental Crime” and corresponding “Country Capacity Needs Assessment” reports.
- 2010:** **RIARA UNIVERSITY,** Nairobi
- Reviewed draft curriculum of the School of Law, including assessing the course units, quality of the degree program, administration and methodological issues.
- 2010 - 2016:** **UNITED NATIONS OFFICE ON DRUGS AND CRIME (UNODC),** Nairobi Office
- October 2016 – December 2016:** Developed a training manual, trained selected judges on criminal trials, and provided strategic advice to the Somaliland Judiciary on the sustainability of capacity building in criminal trials.
- May 2014 – December 2014:** Assessed and evaluated the application of criminal laws and procedures in Somaliland; developed a Criminal Trials Bench Book for judges and prosecutors; trained judges and prosecutors on the Criminal Trials Bench Book and Sentencing Policy and Guidelines.

2012 – 2013: Provided technical direction and facilitated stakeholder workshops; drafted a National Sentencing Policy Framework and Sentencing Guidelines for Somaliland.

2010: Read, reviewed, edited and formatted draft report on “A Situational Analysis of the State of Prosecution Services and the Way Forward: Towards a Professionalized Prosecution System in Kenya”.

2010 – 2012: **GERMAN TECHNICAL COOPERATION, Nairobi Office**

2012: Facilitated strategic planning workshop for the Judiciary Training Institute and developed a draft strategic plan.

2011: Documented the deliberations, conclusions and recommendations of the Kenya Judges’ Colloquium, 14-19 August 2011; prepared report on the proceedings of the colloquium.

2010: Reviewed report on the “Legal and Institutional Framework for National Cohesion and Integration in the Aftermath of the New Constitution”; participated in drafting the “National Cohesion and Integration Bill 2011.” Documented the deliberations, conclusions and recommendations of the Kenya Judges’ Colloquium; prepared report on the proceedings of the colloquium.

2010 – 2011: **LEGAL RESOURCES FOUNDATION TRUST, Nairobi**

Carried out research and prepared report on “Sentencing: Practice, Trends, Public Perceptions and Judicial Discretion in Kenya,” which identified gaps and issues affecting sentencing in Kenya, including advocacy issues.

2009: **KENYA HUMAN RIGHTS INSTITUTE (KHRI), Nairobi**

Carried out research and prepared a “Special Brief” on the impact of corruption on human rights in Kenya.

2009: **KENYA SCHOOL OF LAW/PUBLIC PROCUREMENT OVERSIGHT AUTHORITY, Nairobi**

Conducted training for the Public Procurement Administrative Review Board on privatization and public procurement, and international trade and public procurement.

2008, 2010:

AFRICA CENTRE FOR OPEN GOVERNANCE (AfriCOG), Nairobi

Analyzed the Constitution of Kenya 2010 and prepared a report on "Facilitating and Monitoring the Implementation of the New Constitution".

Analyzed the Report of the Commission on Inquiry on Post-Election Violence (CIPEV) with specific reference to security sector reform (2008).

2008:

INSTITUTE OF DEVELOPMENT STUDIES, UNIVERSITY OF HELSINKI

Carried out research and prepared report on "Kenyan Courts and Politics of the Rule of Law in the Post-Authoritarian State" for project entitled "From Security to Inclusive Development: The Politics of the Rule of Law in Africa's Democratic Transition," commissioned by the Finnish Foreign Ministry.

2008 - 2011:

OPEN SOCIETY INITIATIVE FOR EASTERN AFRICA (OSIEA), Nairobi

Team leader. Prepared application for a grant to the Open Society Global Criminal Justice Fund for a one-year project on "Pretrial Detention and the Administration of Criminal Justice in Kenya"; built a team and conducted empirical research on pretrial detention in Kenya; prepare project reports (May 2009 – December 2011).

Co-team leader. Conducted empirical research and prepared report on the status of justice sector and rule of law in Kenya for the African Governance Monitoring and Advocacy Project (AfriMAP) (With Patricia Kameri-Mbote) (2008 – 2010).

2008:

FORUM FOR INTERNATIONAL CO-OPERATION (FIC), Mombasa

Drafted new constitution for the Dockworkers Union, Mombasa, Kenya. Facilitated stakeholder workshops on the draft.

2007:

KENYA POLICE FORCE, Nairobi

Facilitator, Stakeholder Forum on National Crime Prevention Strategy and Action Plan Development; Workshop on Intelligence-led Policing Systems Strategy

Assisted workshop organizers to design topics for discussion and draw up programs. Facilitated workshops. Made critical and informative presentations on the Kenya Police Force's crime prevention strategy and overview of intelligence-led policing systems strategy.

- 2007:** **KENYA LAW REFORM COMMISSION, Nairobi**
Facilitator, Stakeholder Sensitization Workshop on Draft Gender Related Bills
- Moderated the proceedings of the workshop by leading debate and crystallizing the emerging issues.
- 2009:** Edited the Commission's Report on the Review of the Law of Succession Act.
- 2004 – 2009:** **GOVERNMENT OF KENYA, MINISTRY OF LANDS, Nairobi**
National Land Policy Formulation Process
Principal Researcher, Thematic Group on Legal Framework; Drafting Expert
- Member of team that drafted the "Draft National Land Policy" and "Sessional Paper No. 3 of 2009 on National Land Policy." Reviewed and analyzed research papers and technical reports to support and guide discussions on the formulation of a national land policy. Prepared an issues report. Worked with other resource persons to prepare a report integrating the issues reports of all thematic groups.
- 2005 – 2007:** **NATIONAL COUNCIL FOR LAW REPORTING, Nairobi**
Sub-Editor, Land and Environmental Law Reports
- Reviewed, analyzed and selected cases to be reported by the Council; edited notes on selected cases. Prepared background paper examining the interface between land and environmental conservation in Kenya and reviewing existing case law on land and the environment.
- 2004:** **AFRICAN CENTRE FOR ECONOMIC GROWTH, Nairobi**
Rapporteur, First Financial Sector Reforms Forum
- Analyzed background materials on reforms in Kenya's financial sector; recorded and prepared report on the proceedings of the Financial Sector Reforms Forum, held in Mombasa, Kenya, April 15-17, 2004; prepared report of the Forum's key issues and recommendations.
- 2004:** **WORLD BANK, KENYA COUNTRY OFFICE, Nairobi**
Consultant, Kenya Trade and Transport Facilitation Audit
- Analyzed secondary data on transport and trade. Assisted team leaders with preparation and conduct of key informant interviews. Prepared report on the regulation of transportation in East Africa.

1999 - 2001: **AFRICAN CENTRE FOR TECHNOLOGY STUDIES (ACTS), Nairobi**
Research Associate

Participated in all aspects of legal and policy research for this international institution established to undertake policy research on the application of science and technology to sustainable development; contributed to design of proposed program entitled "Strengthening Africa's Participation in the World Trade Organization."

1994 - 1996: **KENYA ENERGY AND ENVIRONMENT ORGANIZATIONS (KENGO), Nairobi**
Volunteer/Consultant

Assigned to the Environmental Law Review Project, which advocated for the establishment and implementation of a suitable plan for the management of Kenya's natural resources. The project's final report formed the basis for new legislation on the environment. Conducted research on property law and environmental law, and prepared several project reports. Planned and oversaw various project meetings. Gave introductory lectures on land law to the project team.

Notable International Presentations & Conferences

- 1) Ninth Stellenbosch Annual Seminar on Constitutionalism in Africa, 13-16 September 2022.
- 2) Securing the Ombudsman as an Instrument of Governance in Africa, Colloquium, Commission on Administrative Justice, Nairobi, 18-21 February 2015.
- 3) Global Governance by Indicators – Measuring Corruption and Corruption Indices workshop, European University Institute, Robert Schuman Centre for Advanced Studies, Global Governance Program, 17-18 October 2013.
- 4) Globalization: The Next Twenty Years, 20th Anniversary Symposium of the Indiana Journal of Global Legal Studies, Indiana University Maurer School of Law, 5-6 April 2012.
- 5) Research Network on Indicators Panel, Law and Society Association Annual Meeting, San Francisco, California, 2-4 June 2011.
- 6) Corruption and Abuse of Power in Kenya: Will the Proposed New Constitution Enhance Government Accountability? International Forum for Democratic Studies, National Endowment for Democracy, Washington D.C., 23 February 23 2010.
- 7) Hate Speech in Divided Societies: Should it be Regulated? Center for International Media Assistance, Washington D.C., 15 December 15 2009.

- 8) High-Level Ministerial Conference on Strengthening Transboundary Freshwater Governance – The Environmental Sustainability Challenge,” United Nations Environment Program, Bangkok, Thailand, 20 – 22 May 2009.
- 9) Strathmore University, 5th Annual Ethics Conference, Nairobi, Kenya, 30-31 October 2008.
- 10) Governance, Globalization and the Commonwealth, Commonwealth Law Conference, 9-13 September 2007, Nairobi, Kenya.
- 11) Legal Aspects of Water Sector Reforms, International Environmental Law Research Centre (IELRC), Geneva, Switzerland, 20 – 21 April 2007.
- 12) Non-State Actors as Standard Setters: The Erosion of the Public-Private Divide, Basel Institute on Governance, Basel, Switzerland, 8-9 February 2007.
- 13) Global Administrative Law: National and International Accountability Mechanisms for Global Regulatory Governance Conference, NYU School of Law, Institute for International Law and Justice New York, U.S.A, 22-23 April 2005.

Research Works & Publications

Inaugural Lecture

“Taming the Tyranny of the Barons: Administrative Law and the Regulation of Power”, Taifa Hall, University of Nairobi, 26 April 2024.

Books

- 1) ADMINISTRATIVE LAW (Strathmore University Press, 2016).

Book review: J.B. Ojwang, ‘Casting Fresh Light on an Age-Old Discipline: Migai Akech’s Creative Study of Administrative Law’, 3 STRATHMORE LAW JOURNAL 187 (2017), observing that “Not only does the work represent a distinct and progressive orientation in scholarship; but, by its imaginative cast, and its intensive detail and example, this work’s merit stands both at the level of pedagogy, and that of practical dispute resolution within the judicial process’.

- 2) PRIVATIZATION AND DEMOCRACY IN EAST AFRICA: THE PROMISE OF ADMINISTRATIVE LAW (East African Educational Publishers, 2009).

Edited Books

- 1) GOVERNANCE, INSTITUTIONS AND THE HUMAN CONDITION (Luis Franceschi, Elizabeth Gachenga, David Lutz & Migai Akech, eds, Strathmore University & Law Africa, 2009).

- 2) ENVIRONMENTAL GOVERNANCE IN KENYA: IMPLEMENTING THE FRAMEWORK LAW (Charles O. Okidi, Patricia Kameri-Mbote & Migai Akech, eds, East African Educational Publishers, 2008).

Book Chapters

- 1) *The Basic Structure "Doctrine" and the Politics of Constitutional Change in Kenya: A Case of Judicial Adventurism?* in STELLENBOSCH HANDBOOK IN AFRICAN CONSTITUTIONAL LAW (Forthcoming 2024).
- 2) *Judicial Review in Kenya: The Ambivalent Legacy of English Law*, in JUDICIAL REVIEW ACROSS THE COMMON LAW WORLD: ORIGIN AND ADAPTATIONS 191 (Swati Jhaveri and Michael Ramsden, eds, Cambridge University Press, 2020).
- 3) *Evaluating the Impact of Corruption (Perception) Indicators on Governance Discourses in Kenya*, in THE QUIET POWER OF INDICATORS: MEASURING DEVELOPMENT, CORRUPTION, AND THE RULE OF LAW 248 (Sally Engle Merry, Kevin Davis, and Benedict Kingsbury, eds, Cambridge University Press, 2015).
- 4) *Ethics of the Rule of Law: Impunity, Public Perceptions of Justice and Governance in Kenya*, in GOVERNANCE, INSTITUTIONS AND THE HUMAN CONDITION 81 (Luis Franceschi, Elizabeth Gachenga, David Lutz & Migai Akech, eds, Strathmore University & Law Africa, 2009).
- 5) *Governing Water and Sanitation in Kenya*, in ENVIRONMENTAL GOVERNANCE IN KENYA: IMPLEMENTING THE FRAMEWORK LAW 305 (Charles O. Okidi, Patricia Kameri-Mbote & Migai Akech, eds, East African Educational Publishers, 2008).
- 6) *Key Issues and Recommendations of the Financial Sector Reforms Forum*, in IMPROVING FINANCIAL SECTOR PERFORMANCE IN KENYA: PROCEEDINGS OF THE FIRST FINANCIAL SECTOR REFORMS FORUM 191 (Wafula Masai and Andrew Mullei, eds, African Centre for Economic Growth, 2006) (With Wafula Masai & Mary Mbithi).

Journal Articles

- 1) *Regional Mechanisms and Intra-State Conflicts: Implementing the African Union's Principle of Non-Indifference?* 4 (1) STRATHMORE LAW JOURNAL 141 (2020).
- 2) *Towards Structured Sentencing in Kenya: A Case for Reform*, 9(1) AFRICAN JOURNAL OF CRIMINOLOGY AND JUSTICE STUDIES 266 (2016) (with Sarah Kinyanjui).
- 3) *Building a Democratic Legislature in Kenya*, EAST AFRICAN LAW JOURNAL 100 (2015).

- 4) *Globalization, the Rule of (Administrative) Law, and the Realization of Democratic Governance in Africa: Realities, Challenges and Prospects*, 20(1) INDIANA JOURNAL OF GLOBAL LEGAL STUDIES 339 (2013).
- 5) *Pretrial Detention in Kenya: Balancing the Rights of Criminal Defendants and the Interests of Justice*, 19(1) EAST AFRICAN JOURNAL OF PEACE & HUMAN RIGHTS 1 (2013). (With Sarah Kinyanjui).
- 6) *Kenyan Courts and Politics of the Rule of Law in the Post-Authoritarian State from 1991 to 2010*, 18(2) EAST AFRICAN JOURNAL OF PEACE AND HUMAN RIGHTS 357 (2012). (With Patricia Kameri-Mbote).
- 7) *Constraining Government Power in Africa*, 22 (1) JOURNAL OF DEMOCRACY 96 (2011).

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Professional Associations

- Fellow, Chartered Institute of Arbitrators.
- Member, Law Society of Kenya.
- Member, Kenya National Chamber of Commerce and Industry.
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