

EXTRACTIVES AND BEYOND: RESPONDING TO ENERGY TRANSITIONS AND THEIR IMPACT ON PETROLEUM INVESTMENTS IN AFRICA

CONFERENCE BOOKLET



2020

22ND MAY

10:00 - 13:30 UK Time

A Conference organised by the Extractives Hub and the African Energy and Minerals Management Initiative (AEMI).

Venue: Webinar



Extractives Hub
Deepening Knowledge about Oil, Gas and Mining



African Energy & Minerals Management Initiative (AEMI)



Centre for Energy, Petroleum and Mineral Law and Policy
University of Dundee



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ORGANISING COMMITTEE



Ms. Jocylene Omondi



Dr. Victoria R Nalule



Prof. Peter Cameron



Mr. Zach Kauraisa



Mr. Joel Byaruhanga



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SPEAKERS ROASTER

Hon. Eng. Gaya Mahaman Laouan,

Former Minister and Former Secretary General of the African Petroleum Producer's Organisation (APPO)

Dr. Koang Tutlam,

State Minister for Petroleum of Ethiopia

Mr. Robert Kasande,

Permanent Secretary, Ministry of Energy and Mineral Development of Uganda

Professor Peter Cameron,

Director, CEPMLP

Professor Damilola S. Olawuyi,

Director, OGEES Institute, Nigeria

Mr. Stephen Dow,

Senior Lecturer, CEPMLP, University of Dundee

Dr. Victoria R Nalule,

Research Fellow, Extractives Hub/ Executive Director at AEMI

Dr. Carole Nakhle,

CEO, Crystal Energy

Dr. Joseph Kobusheshe,

Director for Environment, Safety, Health and Security at the Petroleum Authority of Uganda

Ms. Kate Mavuti,

Head of Strathmore University's Extractive Sector, Kenya

Ms. Taciana Peão Lopes,

Managing Partner, TPLA



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CONCEPT NOTE

The global move to tackle climate change as envisaged in the 2015 Paris Agreement has necessitated debates and action geared towards transitioning to a low carbon economy in different parts of the globe. The African continent is a home to massive oil, gas and energy resources but there have been issues and challenges in the exploitation and development of these resources. The need to tackle energy access challenges coupled with the anticipated escalation in urbanization, industrialization and population growth in Africa will necessitate an increase in the consumption and demand of energy resources including oil, gas and renewables.

It is against this stark background that this conference highlights the practical issues associated with a shift from extractives to low carbon economy in Africa, specifically analyzing the impact of energy transitions and the current COVID-19 pandemic on oil and gas investments. The conference further sheds light on the fact that, increasing reliance on fossil fuels in developing countries does not in any way mean that these countries are climate change deniers. In this respect therefore, various panel discussions will shed light on the various initiatives in African countries aimed at transitioning to a low-carbon economy.

The main questions to be addressed in this conference include:

1. How can African countries utilize the available fossil fuel resources and at the same time be mindful of climate change impacts?
2. What are the social, economic, financial and political implications of energy transitions on the African continent?
3. What are the legal implications of Energy Transitions and the COVID-19 Pandemic on Petroleum Investments in Africa?

With its pool of experts from different countries, the speakers and participants at the conference will explore the key developments in these sectors including discussions on: managing the decline of investments in fossil fuels; the continued role of fossil fuels in Africa; renewable energy and energy efficiency developments; energy transition indicators in Africa; natural gas developments just to mention but a few. Taking into consideration the UN Sustainable Development Goals, the conference further seeks to address sustainable utilization of oil and gas resources.



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CONFERENCE AGENDA



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Date: 22nd May 2020

10:00-13:30 UK time

Venue: Webinar

10:00-10:30 Opening Remarks/ Keynote address



Dr. Victoria R Nalule

Research Fellow, Extractives Hub/ Executive Director at AEMI

(Welcome remarks and brief about Hub Research on Energy Transitions in Africa)



Professor Peter Cameron,

Director, CEPMLP, University of Dundee

(Opening remarks)



Hon. Dr. Mary Goretti Kitutu,

Minister of Energy and Mineral Development, Uganda

(Keynote Address)



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10:30-12:00

SESSION ONE

Energy Transitions in an African perspective: The Continued Role of Fossil Fuels and related challenges

Guest Speakers

- Mr. Robert Kasande, Permanent Secretary, Ministry of Energy and Mineral Development of Uganda
- Dr. Koang Tutlam, State Minister for Petroleum of Ethiopia

Moderator: Mr. Joel Byaruhanga

Panellists

1. Professor Damilola S. Olawuyi, Director, OGEES Institute, Nigeria

Can African Extractive Industries Support the Global Energy Transition? Current Opportunities and Future Directions

2. Ms. Kate Mavuti, Head of Strathmore University's Extractive Sector, Kenya

The future of fossil fuels in the energy transitions era and beyond COVID-19: Are African governments ready for this future?

3. Mr. Stephen Dow, Senior Lecturer, CEPMLP, University of Dundee

Will Oil & Gas Financing be different as the Energy Transition progresses?

4. Dr. Joseph Kobusheshe, Director for Environment, Safety, Health and Security at the Petroleum Authority of Uganda

How can African countries utilise the available fossil fuel resources and at the same time be mindful of Energy Transitions and Climate Change?

Q/A



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12:00-13:30

Session two

12:00-13:30

SESSION TWO

Managing Investments in the Oil & Gas sector in light of energy transitions and COVID-19 Pandemic

Guest Speakers

- H.E. Ambassador Gaya Mahaman Laouan, Secretary General of the African Petroleum Producer's Organisation (APPO)

Moderator: Mr. Zach Kauraisa

Panellists

1. Dr. Victoria R Nalule, Research Fellow, Extractives Hub/ CEO at AEMI

What does Energy Transition mean in an African perspective? Introducing the 'Energy Progression' dialogue as a way to utilise fossil fuels for economic development in Africa"

2. Taciana Peão Lopes, Managing Partner, TPLA

Role of natural gas in tackling energy access challenges in the energy transition era: the case of Mozambique

3. Professor Peter Cameron, Director, CEPMLP, University of Dundee

What are the legal implications of Energy Transitions and the COVID-19 Pandemic on Petroleum Investments in Africa?

4. Dr. Carole Nakhle, CEO, Crystol Energy

What are the Economic Implications of Energy Transitions on Africa's Oil and Gas Producers?

5. Book Launch

THE AFRICAN ENERGY SECTOR: IMPACT OF ENERGY TRANSITIONS AND CLIMATE CHANGE ON FUTURE DEVELOPMENTS.

Q&A/ Closing remarks/ Networking/ End



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BRIEFLY HEAR FROM THE BOOK CONTRIBUTORS



Dr. Victoria R Nalule



Noreen Kidunduhu



Dr. Macdonald Irowariwa



Dr. Mostafa Elshazly



Cosmos Nike Nwedu



Tosin Timitimi



Michael Uche Ukponu



Yusuf Sulayman



Kester Oyibo



Susan Nakanwagi



Catherine Nabukalu



Dr. Reto Gieré



Japhet Miano



Ayebare Rukundo Tom



Peter Reat Gatkuoth



Dr. Rukonge Muhongo



Wairimu Karanja



Nduta Njenga



Alaka Lugonzo



Kennedy Chege



Nicholas Muhereza Woods



SPEAKERS' BIOGRAPHIES



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Hon Eng. GAYA MAHAMAN LAOUAN

Hon. Gaya is a Petrochemical Engineer. He holds an MBA on Business Management (with optional courses on Finance and Accounting) and several certificates of specializations (Energy Planning, Energy Economics & Politics, International Petroleum Management,). In his professional career, Eng. Gaya was July 1st, 2015 to January 31st, 2020, Former Secretary General of African Petroleum Producers' Organization (APPO). He was in 2014-2015 Former International Energy Expert at Burundi Office of UNDP. From 2011 to 2013, he was Former Director General of Hydrocarbons and then after Former Secretary General of the Ministry of Energy and Petroleum of Republic of Niger (2010-2011). Former Assistant to Executive Director at the African Development Bank in Tunisia, he held the position of Minister of Urban Development, Housing and Real Estate in the Government of the Republic of Niger (2003-2005). It has been over ten years at Bank of Africa (BOA-NIGER) and at the Nigeria International Bank (NIB). Eng. Gaya is Expert on Governance in extractive industries and international finance. He is a member of the Scientific Committee of the Excellence Centre for Governance Extractive Industries in Africa, member of the Association for the Development of Energy in Africa (ADEA), member of the Association of International Petroleum Negotiators (AIPN) and former President and member of the ROTARY CLUB - NIAMEY "Croix du Sud". Eng. Gaya is "Grand Croix of the Order of Merit", "Grand Officer of the Order of Merit", "Chevalier of the National Order" of the Republic of Niger, and "Paul Harris Fellow" of Rotary International. Eng. Gaya has to his credit a hundred publications on oil issues, energy and finance and speaks Hausa, Zarma, French, English and Russian.



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Mr. ROBERT KASANDE

Mr. Kasande is currently the Permanent Secretary of the Ministry of Energy and Mineral Development, a ministry where he has worked for the last 31 years. He is also the Board Chairperson of the Rural Electrification Agency.

Starting out as a geologist, he raised through the ranks to become a commissioner for Midstream Petroleum Department responsible for refineries and pipelines development. Prior to that, he served as an assistant Commissioner in charge of geology. During that tenure, he played a leading role in exploration and discovery of oil. For that achievement, he got a Presidential Award in 2006. He has also obtained a Presidential medal for distinguished service to his country.

He is currently leading a team of top executives of government and the oil companies that is working to ensure that the Final Investment Decision for the oil development is taken by end of this year. He is also working hard to streamline the minerals sector starting with a new minerals and mining bill having completed a new Mining and Minerals Policy last year.

Robert Kasande holds a Master of Science in petroleum geophysics from Texas A&M University, USA. He has also obtained various post-graduate diplomas in management, economics and petroleum technology.



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PROFESSOR PETER CAMERON

Peter Cameron is one of the world's leading authorities on energy law. He is currently Professor of International Energy Law and Director of the Centre for Energy, Petroleum and Mineral Law and Policy at the University of Dundee in Scotland UK ([www. http://www.dundee.ac.uk/cepmlp/staff/pcameron.php](http://www.dundee.ac.uk/cepmlp/staff/pcameron.php)).

Peter is a barrister (England & Wales) and currently sits as an arbitrator in ICSID proceedings. He is regularly asked to act as an Expert Witness in international arbitral proceedings and litigation. He has given testimony in proceedings before the LCIA, the Arbitration Institute of the Stockholm Chambers of Commerce, the Singapore International Arbitration Centre and the ICC in Paris. He has also testified before the Commercial Court in London and the Criminal Court of Milan, Italy.

Formerly, he was a professor at the European University Institute in Florence and prior to that, Director of the International Institute of Energy Law at Leiden University in the Netherlands. He has held visiting or part-time posts at the Universities of Oxford, Stanford, Singapore and Madrid (Autónoma). He is an honorary professorial fellow at Edinburgh University.

He specializes in international investment law and international law on development.

- On international investment law, Peter is the author of the monograph, 'International Energy Investment Law: The Pursuit of Stability' (Oxford University Press, 2010), the second edition of which is being finalized for publication in autumn 2020. His next book will be 'International Energy Arbitration' (Kluwer, 2020). He is known as an authority on contract stabilization issues and his work is regularly cited in arbitral and court proceedings. Peter is co-director of the International Centre for Energy Arbitration, a joint venture between the Scottish Arbitration Centre and the University of Dundee, and is a member of the advisory committee for the biennial ICCA conference in Edinburgh in 2020.



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- On law and economic development, he led a World Bank funded project on Good Governance in mining, oil and gas, entitled The Extractive Industries Source Book. A hard copy was published by The World Bank in June 2017 and has been downloaded as an e-book from the World Bank Open Knowledge Repository more than 36,000 times since then: <https://openknowledge.worldbank.org/handle/10986/26130>. He is currently the Project Leader for the Extractives Hub project, funded by the UK Department for International Development: www.extractiveshub.org.

He has often worked as an advisor or consultant to governments, particularly in the resource-rich economies, and to international organizations such as The World Bank, Asian Development Bank, the European Bank for Reconstruction and Development, various organs of the United Nations, the European Commission and the African Petroleum Producers Association. The subjects have mainly concerned hydrocarbons law and agreements, but also include bauxite and gold mining agreements and renewable forms of energy.

Peter was active in supporting the aims of the sole international treaty on energy, the Energy Charter Treaty, and has regularly advised the Charter Secretariat, including on the introduction of amendments to address low carbon issues. He is a member of its Legal Sub-Committee. He is the author or editor of fourteen books and more than one hundred articles and is also joint editor of the new Encyclopedia of Mining and Energy Policy (Springer, online). In 2013 Peter was elected as a Fellow of the Royal Society of Edinburgh. In 2018 he was nominated as a Fellow of the Energy Institute. He is an associate tenant at Landmark Chambers, London, and member of the Middle Temple Inn of Court, London.



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PROFESSOR DAMILOLA S. OLAWUYI

LL.M (Calgary), LL.M (Harvard), DPhil (Oxford)

Professor Damilola S. Olawuyi is a Professor of Law and Deputy Vice Chancellor for Academic, Research Innovation & Strategic Partnerships (ARISP) at Afe Babalola University, Ado Ekiti (ABUAD). He is also the Director of the Institute for Oil, Gas, Energy, Environment and Sustainable Development at ABUAD.

A prolific and highly regarded scholar, Professor Olawuyi has practiced and taught law in Europe, North America, Asia, Africa and the Middle East. He has served as a visiting professor at Columbia Law School, New York, China University of Political Science and Law and senior visiting research fellow at the Oxford Institute for Energy Studies. In 2019, he was a Herbert Smith Freehills visiting professor at Cambridge University. He was formerly an international energy lawyer at Norton Rose Fulbright Canada LLP where he served on the firm's global committee on energy investments in Africa. He has delivered lectures on energy law in over 40 countries. He was also formerly deputy director and head of international environmental law at the Centre for International Governance Innovation, Waterloo, Canada.

Professor Olawuyi has published over 100 influential peer-reviewed articles, books, and reports on energy finance, sustainable development law and extractive resource governance. His most recent book publications are: *Extractives Industry Law in Africa* (Springer 2018) and *The Human Rights Based Approach to Carbon Finance* (Cambridge University Press, 2016). Professor Olawuyi serves on the executive committees and boards of several organizations. He is Vice Chair of the International Law Association globally; co-chair of the Africa Interest Group of the American Society of International Law (2016-2019); and member of the Academic Advisory Group of the International Bar Association's Section on Energy, Environment, Natural Resources and Infrastructure Law (SEERIL). He is the Editor-in-Chief of the Journal of Sustainable Development Law and Policy.

In 2018, he was appointed as an expert Member of the Federal Technical Committee on National Oil Spill Detection and Response Agency Bill, Committee on Environment and Habitat, Federal House of Representatives, Government of Nigeria, Abuja.

Professor Olawuyi is a regular media commentator on all aspects of natural resources, energy and environmental law.



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Dr. JOSEPH KOBUSHESHE

Dr. Kobusheshe is a Civil and Environmental Engineer with over eighteen years' experience in environment, health and safety aspects of Uganda's mining and oil and gas sectors. Currently, he works with the Petroleum Authority of Uganda as Director Environment, Health and Safety. Previously, he worked with Ministry of Energy and Mineral Development for fourteen years in various roles relating to environment, health and safety in the mining and oil and gas sectors. Has a PhD in Environmental Engineering and a Master of Science in Environmental and Resource Engineering, both from University of Nottingham, UK.



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Dr. CAROLE NAKHLE

Dr. Nakhle is the founder and Chief Executive Officer of Crystol Energy, an advisory, research and training firm, awarded Best Independent Energy Consultancy – UK 2018.

She is a recognised international authority on global energy issues, in particular in the fields of hydrocarbons finance, development, policy, governance, regulation, fiscal regimes and contractual arrangements.

With a unique breadth of experience spanning different stakeholders in the oil and gas industry all around the world, Dr Nakhle has worked with oil and gas companies (Eni and Statoil) at the executive level, governments and policy makers (including Special Parliamentary Advisor in the UK), international organisations, academic institutions and specialized think tanks on a global scale. She is active on the Governing Board of the Natural Resource Governance Institute and Member of its Audit and Finance Committee, and Advisory Board of IKAR Industries and the Payne Institute at the Colorado School of Mines. She is a program advisor to the Washington based International Tax and Investment Centre and lead Energy Expert with the Geopolitical Intelligence Services.

She is also involved in the OECD Policy Dialogue on Natural Resource-based Development and has contributed to the development of the organization's Principles for Durable Extractive Contracts. In addition to her commercial role, Dr Nakhle lectures at the Blavatnik School of Government at Oxford University, University of Surrey in the UK, the European University Institute in Italy, Saint Joseph University in Lebanon and Nato academy in Naples.

Dr Nakhle founded the not-for-profit organisation 'Access for Women in Energy' in 2007, with the aim of supporting the development of women in the energy sector, globally. She has also supported the development of similar initiatives in Ghana, Tunisia and the UAE, where she sits on ADIPEC's Advisory Board for Inclusion and Diversity.



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Her views on energy matters are highly regarded, with numerous articles in academic journals, newspapers and magazines to her credit. She is an avid commentator on energy and geopolitics in the international media and major conferences and industry gatherings, in many countries. She has appeared on Al Arabiyya, Al Jazeera, BBC, Bloomberg, CNBC, CNN, France 24 and Sky News, among others. She is the Executive Editor and

Author of Newsweek's special edition 'New Technological Frontiers in the Oil and Gas Industry' and the first Guest Blogger for Aspentech. She has published two widely acclaimed books: Petroleum Taxation: Sharing the Wealth published in 2008 and re-printed in 2012 and used as primary reference in leading universities and industry training courses; and Out of the Energy Labyrinth (2007), co-authored with Lord David Howell, former Secretary of State for Energy in the UK.

Dr Nakhle has worked on energy projects in more than 45 countries and has been on exploratory visits to the Arctic and North Sea. She is also fluent in Arabic, English and French. In 2017, she gave evidence to the International Relations Committee at the UK Parliament on oil markets, the transformation of power in the Middle East and implications for the UK policy. In the same year, she received the Honorary Professional Recognition Award from the Tunisian Minister of Energy, Mines & Renewable Energy.





Mr. STEPHEN DOW

LLB (Hons), LL.M, DipLP,

Mr. Dow is Senior Lecturer in Energy Law. A qualified solicitor, following a period in private practice he took a Masters degree at the Centre, working on post-privatisation regulation of energy industries, before being appointed to the Centre in 1994.

In addition to working on legal aspects of stranded investment in the energy sector, his research interests include oil and gas law. He is the Co-Director of the Centre's successful United Kingdom Oil and Gas Law seminar. He has an interest in financing of energy projects and teaches the Centre's course on Transnational Natural Resource and Energy Finance, particularly as projects are built in transition and developing economies. He is co-director of the Centre's Energy Finance seminar.

Stephen Dow is responsible for three other courses offered by the Centre, Downstream Energy Law and Policy; United Kingdom Oil and Gas Law; and European Community Energy, Environmental and Natural Resources Law and Policy, a course supported by the Jean Monnet Project of the European Commission. He is the ERASMUS programme coordinator for the Centre.



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Dr. VICTORIA R NALULE

Victoria is a Research Fellow with the DFID-funded, Extractives Hub project, based at the Centre for Energy Petroleum Mineral Law and Policy (CEPMLP), University of Dundee. Victoria is an Energy and Mining professional & consultant, with extensive experience working on various projects in the different parts of the Globe. She is a holder of a PhD in International Energy Law and Policy from CEPMLP. She is also the Founder and Executive Director of the African Energy and Minerals Management Initiative (AEMI), an NGO based in Uganda. She has appeared as an Energy and Mining expert witness before the Commission of Inquiry into Land Matters in Uganda. She is also involved with different universities as a visiting scholar and external examiner for energy and mining related LLM studies.

Victoria offers extensive experience in the Energy and Mining sectors having worked with various organisations and institutions including assignments for: The Queen Mary University of London (EU Energy Project); The Energy Charter Secretariat in Belgium; The African Energy and Minerals Management Initiative (AEMI) in Uganda; The Columbia Center on Sustainable Investment in New York; the East African Community Secretariat (EAC) in Tanzania ; the University of Dundee in Scotland; the Southern African Development Community Secretariat (SADC) in Botswana; Extractive Resource Hub in the UK; International Arbitration Case Law in New York (editor); and NEM energy and mining consultancy in Uganda. She has also worked with both the private and public legal sectors of Uganda including Kakuru & Co. Advocates and the Anti-Corruption Court of Uganda.

Victoria is an author and has widely published on topics relating to oil, gas, renewable energy, climate change and mining in Africa. Her latest two books being, "Mining and the Law in Africa: Exploring the Social and Environmental Impacts" and another book on "Energy Poverty and Access Challenges in Sub-Saharan Africa: The Role of Regionalism".

LinkedIn Link, <https://www.linkedin.com/in/dr-victoria-r-nalule-4a09b394/>



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TACIANA PEÃO LOPES

Taciana Peão Lopes is a Mozambican energy/oil and gas lawyer with a Masters in Energy Law through the LLM - North Sea Energy Law Program, by the Universities of Oslo, Aberdeen, Groningen and Copenhagen.

Taciana is the founding and managing partner of TPLA – Taciana Peão Lopes & Associados, a boutique law firm focused in assisting the development of energy and infrastructure projects that can bring a transformational impact to Mozambique. She has been advising developers, sponsors, investors, multinational lenders and commercial banks to develop, construct and finance power plants ranging in size from 30 MW to 600 MW utilizing diverse technologies as natural gas, coal and hydroelectric, as well as alternative technologies such as solar and wind, by guiding the clients through a challenging regulatory regime. She and the team of lawyers of TPLA are proud to have successfully advised the sponsors of the Mocuba Solar Power Project, the first Mozambican PV plant developed in Mozambique, which reached its financial close in March 2018.

Passionate about enabling universal access to energy, Taciana was one of the lawyers of the team advising the Ministry of Mineral Resources and Energy with the review and drafting of the new Electricity Law and complementary Regulations.

Taciana has been involved in the first LNG export project in Mozambique, which is one of the largest LNG projects worldwide. Her expertise in LNG includes the drafting and negotiation with the Government of the Republic of Mozambique of the legal instruments required for the creation of a new legal framework for the implementation and financing for LNG in Mozambique.

Due to her expertise in local content, she has been appointed CEO of Mozambique Enterprise Solutions, a Mozambican company responsible for establishing an Enterprise Development Center (EDC) for the Rovuma LNG Project, in collaboration with the government of Mozambique and the private sector. The EDC is a platform to develop qualified, competitive Mozambican businesses with transferable skills that can support a variety of Mozambican growth sectors, including the extractives industry. Services include



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business assessments, consulting and advisory services, quality and safety certification requirements and information on accessing capital.

Taciana is a co-founder of MWE - Mozambique Women of Energy a platform of women in all fields of the energy sector with the vision to improve quality of life in Mozambique by facilitating equal access to energy for all and targeting SDGs 5 and 7. MWE is based in four pillars of action – Think, Build, Connect, Lead - and one of MWE main objectives is to support women in rural, peri-urban and urban settings in attaining access to affordable, reliable and modern energy services.

Taciana is the mother of four children and married to the Mozambican musician/composer/producer João Carlos Schwalbach.



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KATE WANZA MAVUTI

PhD-Cand (UCT), LL.M (Aberdeen), PG Dip, LL.B (UoN)

Ms. Mavuti holds a Bachelor of Laws (LL.B) from the University of Nairobi, a Postgraduate Diploma in Law (P.G. Dip) from the Kenya School of Law, a Master of Laws (LL.M) in Oil & Gas Law from the University of Aberdeen, Scotland and is currently undertaking her Ph.D in Law regarding regulation of business and human rights in the extractives sector, at the University of Cape Town, South Africa as part of a research project with Strathmore University and the Danish Institute for Human Rights.

She is also an advocate of the High Court of Kenya, a member of the Law Society of Kenya and the East African Law Society as well as a member of the Association of Women in Energy and Extractives in Kenya.

Ms. Mavuti lectures in Oil and Gas Law at the Strathmore Law School, Business Law at the Strathmore Business School as well as carrying out research under the Strathmore Extractives Industry Centre (SEIC) and the Extractives Baraza (EB) having served as the previous Director of SEIC and currently undertaking her Doctorate. She has had both professional and academic experience in the extractives industry (oil & gas and mining), corporate and commercial law, property and environmental law as well as a short stint in criminal law.

Her areas of focus are transparency and accountability, revenue management, stakeholder engagement, youth and innovation as well as commercial arbitration with a current interest in the multi-disciplinary field of business and human rights and access to justice in the extractives sector.



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