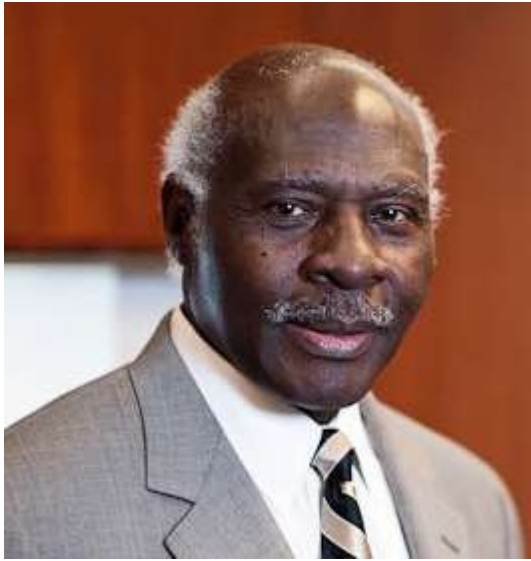


## An interview with Professor Francis Ssekandi



Judge—please describe your general background and 1-2 highlights of your career:

**I was born in Uganda** where I spent the early part of my student and working days: as an **attorney, administrator and as a judge**. My first trips abroad were in 1963 when I spent time at the University of London's School of Oriental and African Studies (SOAS) and in 1965 when I travelled to New York for an LLM at Columbia University. The highlight of my career in Uganda was my appointment to the Court of Appeals (now the Supreme Court) and, before that, as Director of the Law Development Centre where I established the Post-Graduate Bar Course, now in its 37<sup>th</sup> year. I have now lived abroad close to 40 years working mostly in New York but also travelling extensively on official business.

My international civil service career began in the **United Nations** where I spent close to 18 years in the **Office of Legal Affairs** followed by work as **General Counsel of the African Development Bank (AfDB)**. One of the most significant achievements of my international civil service career was working on the resolution **establishing the United Nations Compensation Commission (UNCC)** in 1991. The UNCC was created as a subsidiary organ of the United Nations Security Council to pay compensation for losses suffered from Iraq's unlawful occupation of Kuwait in 1990-1991. A second achievement was, as General Counsel of the AfDB in 1998, **spearheading the bank's Fifth Capital Increase**, involving major amendments to the bank's statute and structure increasing the shareholding of regional countries to 60% and reducing that of non-regional countries to 40%. The capital increase helped return the bank to financial health and to increase its lending activities to poor African countries.

As a legal consultant to the bank following my retirement from active civil service in 2000 I spent almost six years as a **judge at the World Bank Administrative Tribunal** while also continuing consulting work for the United Nations and teaching at Columbia. Two major assignments during this time come to mind, the first being my appointment **to lead a UN High-Level Mission to Kosovo** to investigate armed riots in Mitrovica that resulted in the death of UN peacekeepers in 2008. The other was working as a **legal advisor to the newly-independent state of Timor-Leste** in 2003, a consultancy that stretched over a five-year period to 2008, working initially on the Development Cooperation Agreements with multiple donors and international financial institutions. My academic career was intermittent starting in Uganda in 1968 when some of us in the Attorney-General's Chambers were co-opted to assist in establishing a new faculty of law at Makerere University followed by my secondment to head the Law Development Centre. Then I had a short stint as a visiting professor of law to Wayne State University and now a longer stretch teaching at Columbia since 2001.

What in your life has led you to an interest in development and how do you think law can shape positive development trends? What do you think are the most important law and development trends currently?

**I was born to a relatively poor family** and for much of my life I saw my mother toil hard on the land to support the family of more than six children. I always strived for better living conditions for my family especially for my siblings and their children by supporting them through school as far as their abilities could take them. The difference has been enormous for most of them.

As a lawyer **I have spent much time puzzling over the role the rule of law plays in advancing economic and social development** especially in Africa. At the Law Development Centre I organised a conference on law and development in Africa with enthusiastic participation from legal scholars as

far afield as Ghana, Ethiopia and Zambia. The outcomes were the driving force of the research and development work undertaken at the Centre in following years. On a visit to the United States and Canada in search of models for the Post-Graduate Bar Course I met the head of the Law and Development Centre in New York and recruited a US attorney to head a Law and Development Unit which laid the foundation of the legal aid effort started by the Centre. In the United Nations years later my work included providing legal support to the **United Nations Development Programme (UNDP)** designing Technical Cooperation Agreements and Project Documents for the delivery of development programs. It was this work that led to my interest in working for the AfDB where I provided legal support to the Boards of Directors and in vetting projects for bank financing.

My writings on this subject include a paper titled *Good Governance: the Way Forward* prepared for the AfDB Board of Directors, later published in *The Future of Africa* (2003) by the New York Society for International Affairs; and a seminal article published in the *Columbia Human Rights Law Review* on the protection of fundamental human rights in the Constitution of Uganda; and a paper for a World Bank seminar titled 'Social, Political and Equity Aspects of Land and Property Rights. Finally, development forms a central piece of the class 'African Law and Development' which I teach at Columbia. **Law undoubtedly plays a critical role in advancing development.** Without the rule of law investors will not be attracted to invest and investments cannot prosper. Thus individuals cannot maximise their energy to advance themselves and their countries. Right now of course the scourge of corruption with impunity is a basic cause of stagnation in the economic development of many African countries. The euphoria over good governance in the past few decades, which diverted funding for technical assistance projects and threatened the abandonment of multilateralism in favour of bilateral aid using civil society, ostensibly to evade corruption in the public sector, has failed to lift the living standards of the bottom half of society. **It is time to retool and rethink development models and tap into technological advances in the new millennium** which should provide new tools to advance development, not through aid and financing projects but through education and the empowerment of the new generation, to equip them to generate scientific inventions and be self-reliant as entrepreneurs; not depend on finding jobs in the public sector.

When were you first introduced to Lex:lead and what are your thoughts on the initiative?

**I was first introduced to Lex:lead in 2016 and continue to find its innovative work admirable.** The identification of brilliant young professionals and opening of new avenues for them outside their narrow domestic environments ties into my own perception of **new ways to advance development: the empowerment of new generations to think and work outside their box.**