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INTERNATIONAL BAR ASSOCIATION CONFERENCE 2026

A conference co-presented by the IBA Antitrust Section, the IBA African Regional Forum and the COMESA Competition and Consumer Commission

IBA/COMESA 3rd African Competition Law Conference: East Africa

12–13 November 2026, Trademark Hotel, Nairobi, Kenya

Working programme

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All submitted speaker materials and biographies can be found at www.ibanet.org/conference-details/CONF2904

Conference Co-Chairs
Babatunde Ajibade SAN *SPA Ajibade & Co, Lagos; SPPI Chair*
Sydney Chisenga *Corpus Legal Practitioners, Lusaka; African Regional Forum Liaison Officer, IBA Antitrust Section*
Michael-James Currie *Primerio, Sandton; Co-Chair, Non-trial Resolutions of Bribery Cases Subcommittee, IBA Anti-Corruption Committee*
Joyce Wambui Karanja *Bowmans, Nairobi; Diversity and Inclusion Officer, IBA African Regional Forum*

Thursday 12 November

All sessions will take place in Meeting Rooms 2 & 3 (2nd floor)
Coffee/tea breaks will take place in the foyer of Meeting Rooms 2 & 3 (2nd floor)
Lunch will take place in lunch banquet area (1st floor)

0700 – 1545 **Registration**
Trademark Hotel – address: Limuru Road, Village Market, Nairobi, Kenya

0800 – 1000 **Training session: fundamentals of competition law; approaching market definition and assessing market power**

Speakers
Judge Dennis Davis *Former Competition Appeal Court Judge President, Cape Town*
Babatunde Irukera *SimmonsCooper Partners, Lagos*
Willard Mwemba *COMESA Competition and Consumer Commission, Lilongwe*

1000 – 1015 **Coffee/tea break**

1015 – 1200 **Training session: fundamentals of competition law; investigating and prosecuting vertical restraint cases and abuses of dominance**

Speakers
Judge Dennis Davis *Former Competition Appeal Court Judge President, Cape Town*
Babatunde Irukera *SimmonsCooper Partners, Lagos*
Willard Mwemba *COMESA Competition and Consumer Commission, Lilongwe*

1200 – 1215 **Welcome and opening remarks**
Babatunde Ajibade SAN *SPA Ajibade & Co, Lagos; SPPI Chair*
Sydney Chisenga *Corpus Legal Practitioners, Lusaka; African Regional Forum Liaison Officer, IBA Antitrust Section*
Michael-James Currie *Primerio, Sandton; Co-Chair, Non-trial Resolutions of Bribery Cases Subcommittee, IBA Anti-Corruption Committee*
Joyce Wambui Karanja *Bowmans, Nairobi; Diversity and Inclusion Officer, IBA African Regional Forum*

1215 – 1245 **Keynote speech**
Competition law in Africa: goals, institutional development and the road ahead. Drawing on the 2026 OECD Peer Review of Kenya's competition framework, this keynote will focus on the evolving objectives of African competition law and confronts a central policy question for the continent's agencies: where should scarce enforcement resources be allocated – pursuing conduct with limited local effects or prioritising market inquiries, merger control and advocacy?

Speaker
Judge Dennis Davis *Former Competition Appeal Court Judge President, Cape Town*

Conference welcome reception sponsors

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Thursday continued

1245 – 1345 **Lunch**

1345 – 1415 **Remarks from COMESA Competition and Consumer Commission's CEO**
Willard Mwemba *COMESA Competition and Consumer Commission, Lilongwe*

1415– 1500 **Cross-border cartels: navigating the inherent challenges**
Cartels are inherently secretive, making them difficult for competition authorities to detect, investigate and successfully prosecute. These challenges are compounded by an increasingly global economy and the digitalisation of markets. Beyond detection, successful prosecution of international cartels raises further difficulties including complex legal and economic arguments about whether the cartel's conduct produces direct and substantial local effects.
This panel will consider whether pursuing prosecution of complex international cartels is a meaningful use of authorities' resources, or whether such resources are directed toward local investigations and advocacy initiatives.

Session Chair
Pieter Steyn *LEX Africa, Johannesburg; Member, IBA Constitution and Governance Committee*

Speakers
Yemisi Oluyode *Federal Competition and Consumer Protection Commission FCCPC, Abuja*
Joel Omari *Competition Authority of Kenya, Nairobi*
John Oxenham *Primerio, Sandton*
Martin Raible *Gleiss Lutz, Düsseldorf*

1500 – 1515 **Coffee/tea break**

1515 – 1600 **Fireside chat: preparing a complex competition case**
A fireside chat on preparing and presenting a complex competition case including the challenges, obstacles and solutions involved. The discussion will also explore emerging trends in abuse of dominance, including the shift in focus from market share to market power during periods of crisis and what this means for future cases.

Session Chair
Wang'ombe Kariuki *Bowmans, Nairobi*

Speakers
Liberty Mncube *Berkeley Research Group, Johannesburg*
Willard Mwemba *COMESA Competition and Consumer Commission, Lilongwe*
Joseph Ngangira *Kaplan and Stratton, Nairobi*

1600 – 1700 **Territorial restrictions and unfair trading terms: incentivising investment or anticompetitive conduct?**
With the emergence of regional competition authorities across the continent, there has been a growing focus on vertical agreements and their effect on trade for the states party to them. While territorial restrictions are widely recognised as being a means of incentivising investment, regional competition laws have conflicting interests in promoting free trade. This panel will explore how these tensions have played out in practice and whether companies should be required to restructure established arrangements in light of regional competition laws.
This panel will also consider when exclusive arrangements may give rise to anticompetitive effects, drawing lessons from Kenya's abuse of buyer power provisions (and its contemplated superior bargaining position provisions), as well as the recent Woolworths/Beyers abuse of dominance case in South Africa.

Session Chair
Peter Kamero *Spencer West, Nairobi*

Speakers
Bernard Ayieko *Competition Authority of Kenya, Nairobi*
Daryl Dingley *Webber Wentzel, Johannesburg*
George Lipimile *Former CEO, COMESA Competition Commission, Lilongwe*
Sammy Ndolo *Cliffe Dekker Hofmeyr, Nairobi*

1715 – 1915 **Welcome reception**
Tribe Collection Kenya Hotel – address: Limuru Road, Village Market, Nairobi, Kenya

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Friday 13 November

All sessions will take place in Meeting Rooms 2 & 3 (2nd floor)
Coffee/tea breaks will take place in the foyer of Meeting Rooms 2 & 3 (2nd floor)
Lunch will take place in lunch banquet area (1st floor)

0830 – 1545 **Registration**

0900 – 0930 **Fireside chat**

This fireside chat will explore the experience of senior and highly experienced judges from across the continent.

Session Chair
Crispin Mwebesa *Mwebesa Law Group, Dar es Salaam*

Speakers
Judge Dennis Davis *Former Competition Appeal Court Judge President, Cape Town*
Babatunde Irukera *SimmonsCooper Partners, Lagos*

0930 – 1030 **The continent of regional competition authorities: taking stock of progress, interaction and predictability**

Cross-border practitioners in Africa face a patchwork of overlapping regional merger regimes — the East African Community (EAC), The Common Market for Eastern and Southern Africa (COMESA), the Economic Community of West African States (ECOWAS) and the Economic and Monetary Community of Central Africa (CEMAC) — each with distinct filing fees, assessment standards and jurisdictional thresholds. This session takes stock of how these regimes have matured since their launches and how they interact with one another and with national authorities. Subjects include the treatment of territorial overlaps, COMESA's continued reliance on its existing merger guidelines under the new regulations, ECOWAS' resistance to public interest considerations, filing fee structures, and the practical implications for multi-jurisdictional deal clearance. This is a regulator-heavy panel (EAC, COMESA, ECOWAS and CEMAC representatives) moderated by a practitioner.

Session Chair
Joyce Wambui Karanja *Bowmans, Nairobi; Diversity and Inclusion Officer, IBA African Regional Forum*

Speakers
Pedro Gouveia e Melo *Morais Leitão, Lisboa*
Babatunde Irukera *SimmonsCooper Partners, Lagos*
Boniface Makongo *COMESA Competition and Consumer Commission, Lilongwe*
Vincent Okoth *East African Community Competition Authority, Kampala*

1030 – 1045 **Coffee/tea break**

1045 – 1115 **Address by the Competition Authority of Kenya's Director-General**

David Kibet Kemei *Competition Authority of Kenya CAK, Nairobi*

1115 – 1215 **Digital markets in Africa: competition enforcement and the regulation of AI**

Digital markets remain a key priority for competition authorities globally, yet few discussions engage rigorously with where the theories of harm lie. This session puts US and European perspectives into a direct and interactive debate, together with counsel acting for the major platforms, to unpack the key pressure points in digital markets enforcement in Europe and the US, even where those debates sit divorced from the African context.

The panel will also discuss relevance, asking what do those theories of harm mean for what is being seen across Africa, and is there a distinct policy or legislative case for intervention in digital markets on the continent? While COMESA has introduced digital markets provisions in its new regulations and Kenya is amending its law to do the same, most African authorities still regulate digital markets under existing legislation of general application.

This session debates whether existing tools are sufficient or whether bespoke provisions are needed, why Kenya and COMESA judged it necessary to expand their laws and whether Western approaches, which are built for developed markets and established players, should simply be transposed or rethought for the continent. The discussion extends to theories of harm relating to digital platforms, algorithmic collusion and artificial intelligence and its regulation, in the African context.

Session Chair
Heather Irvine *Bowmans, Johannesburg; Working Group Officer, IBA Antitrust Section*

Speakers
Simon Lee *RBB Economics, Johannesburg*
Yeye Nwidaa *Jackson Etti & Edu, Lagos*
Isaac Tausha *COMESA Competition and Consumer Commission, Lilongwe*
Fred Waithaka *Safaricom, Nairobi*

1215 – 1315 **Lunch**

1315 – 1400 **Sector focus – grocery retail, franchising, poultry and the agri-food value chain**

Grocery retail remains an enforcement priority across jurisdictions, with regulatory attention increasingly extending along the agri-food value chain, from seed and agri-chemical inputs to fertiliser and fresh produce. Drawing on recent market inquiries in South Africa, Kenya and beyond, alongside comparative international experience, this session examines key findings and enforcement trends across the sector and considers the implications of consolidation at the input level for competition throughout the value chain.

Special attention will be given to poultry, including Zambia's scrutiny of poultry mergers and ongoing commentary suggesting that global competition authorities have failed Africa by approving a series of poultry mergers. The session shall also interrogate the prospect of a poultry market inquiry in South Africa and franchising, where South Africa's franchise market inquiry and Kenya's provisions regulating franchise arrangements offer contrasting regulatory approaches.

Session Chair
Dominic Rebelo *Anjarwalla & Khanna, Nairobi*

Speakers
Lizel Blignaut *ENS, Cape Town*
Christoff Charter *Cliffe Dekker Hofmeyr, Sandton*
Adano Roba *Competition Authority of Kenya, Nairobi*

1400 – 1445 **Beyond traditional competition analysis: public interest, trade, IP, foreign direct investment and sustainability**

Competition enforcement across the continent increasingly engages considerations beyond traditional competition analysis. This session examines the intersection and potential tensions between competition law and public interest (including employment and worker protection in mergers, cartel enforcement and abuse of dominance cases), trade law and tariffs, intellectual property (including licensing and exclusivity arrangements, evergreening and sham litigation), foreign investment controls and sustainability.

As regulators expand what they treat as public interest and apply public interest conditions to cross-border matters where policy objectives may diverge, the panel considers how these non-traditional considerations are manifesting across jurisdictions and how competition policy can support open and competitive markets while safeguarding local players.

Session Chair
Sydney Chisenga *Corpus Legal Practitioners, Lusaka; African Regional Forum Liaison Officer, IBA Antitrust Section*

Speakers
Oluwaseye Ayinla *Duale Ovia & Alex-Adedipe, Lagos*
Liat Davis *George Washington University, Washington, DC*
Boniface Makongo *COMESA Competition and Consumer Commission, Lilongwe*
Leonard Otuonye Ugbajah *ECOWAS Regional Competition Authority, Abuja*
Enyinnaya Uwadi *Department for Business, Innovation, Science and Trade, London*

1445 – 1500 **Coffee/tea break**

1500 – 1545 **Concentration, merger control and remedies in the ICT sector**

As ICT and telecommunications markets continue to consolidate, competition authorities face difficult questions about concentration, investment, innovation and competition. This panel will explore merger control trends in concentrated markets, including how authorities assess consolidation, the balance between *ex ante* merger review and *ex post* enforcement, the role of public interest considerations, and the design and effectiveness of structural and behavioural remedies, particularly in relation to long-term infrastructure investments.

Session Chair
Michael-James Currie *Primerio, Sandton; Co-Chair, Non-trial Resolutions of Bribery Cases Subcommittee, IBA Anti-Corruption Committee*

Speakers
Andrea Hamilton *Milbank, London*
Ikem Isiekwena *SimmonsCooper Partners, Lagos*
Boniface Makongo *COMESA Competition and Consumer Commission, Lilongwe*

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Friday continued

1545 – 1645 **Meet the enforcers**

The session opens with a short overview of the African Continental Free Trade Area Competition Protocol and the direction of travel on the competition side, followed by a roundtable discussion bringing together agency representatives from across the continent to share updates on key enforcement trends — including market inquiries, price discrimination investigations, digital markets and public interest considerations. The session pairs the regulators' perspective with the private practitioner's assessment of associated risks and includes extended Q&A designed to give delegates direct and candid engagement with senior enforcers.

Session Chair
Thula G Kaira *AB & David, Lusaka*

Speakers
Patrick Chengo *Zambia Competition & Consumer Protection Comm, Lusaka*
Yemisi Oluyode *Federal Competition and Consumer Protection Commission FCCPC, Abuja*
Leonard Otuonye Ugbajah *ECOWAS Regional Competition Authority, Abuja*
Isaac Tausha *COMESA Competition and Consumer Commission, Lilongwe*

1645 – 1700 **Closing remarks**

1700 – 1830 **Closing cocktail**

Trademark Hotel – Back terrace (2nd floor)

The IBA, its officers and staff accept no responsibility for any views expressed, presentations or materials produced by delegates or speakers at the Conference.

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East Africa

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