

FIDELE MASENGO, LL.B, LL.M, PhD, Hon. D.Th

I. IDENTIFICATION

Name	: Dr. MASENGO Fidele
Date and place of Birth	: 2 nd , July, 1974 in D R Congo
Nationality	: Rwandese
Civil status	: Married

II. EDUCATION BACKGROUND

Nov. 2005 to Feb. 2010	PhD (LL.D) in Law at the University of Antwerpen /Belgium
2002-2003	Université Catholique de Louvain /Belgium (LL.M)
1994-1998	National University of Rwanda/Butare (Degree)
1987-1993	Secondary education at Institut Fadhili/ DR Congo
1980-1988	Primary School at KABARA Primary School/DR Congo

III. DEGREES OBTAINED

2012	Hon. Doctorate in Theology
2010	Doctor in Law (LL.D)
2003	Master's Degree(LL. M) in Economic and Insurance Law with <i>Distinction</i>
1998	Bachelor's Degree (LL. B) in Law with <i>Distinction</i>
1993	Diplôme d'Etat en Biochimie (High School diploma)
1988	Primary School Certificate

IV. PROFESSIONAL QUALIFICATIONS

<u>2020</u>	<u>Certified Mediator by University of Capetown,</u>
<u>2019</u>	<u>Fellow of the Chartered Institute of Arbitrators of UK (FCIArb)</u>
<u>2010</u>	<u>Certificat d'Aptitude a la profession d'Avocat (CAPA) ; Rwanda Bar Association</u>

V. LANGUAGES

Languages	Read	Write	Speak
French	Excellent	Excellent	Excellent
English	Very Good	Very Good	Very Good
Kinyarwanda	Excellent	Excellent	Excellent

Swahili	Excellent	Excellent	Excellent
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VI. COMPUTER SKILLS, INTERNET AND OTHERS SKILLS

- Microsoft Office; Google Drive; Presentations/ Slideshows
- Email, Socio-medias and other IT-based communications

VII. WORKING EXPERIENCE

PERIOD	EMPLOYER AND POSITION
On going	Consultant for IDLO on Land disputes settlement
Ongoing	Arbitrator/ Mediator at KIAC, NCIA, JICAM- Nigeria
Ongoing	Consultant for various institutions: ILPD, IDLO, CIArb, ICAMA. Main job description: Trainer in the field of litigation, mediation, arbitration.
From January 2021 to now	Advocate t Juris Law Chambers East Africa Key duties are: <ul style="list-style-type: none"> - Briefing, counseling, pleadings, drafting and conveyancing, examination and arguments; - Negotiation, contract drafting, negotiation, transaction, mediation, arbitration
From July 2015 to December 2020	Kigali International arbitration Centre : Secretary General/ Registrar Overall Manager of KIAC and supervises all the staff. Under this capacity, the Secretary-General serves also as the Registrar of the Centre with these key responsibilities: <ul style="list-style-type: none"> • Coordinate and direct the daily activities of the Centre; • Be the Secretary to KIAC Board of Directors and work with other KIAC committees;

	<ul style="list-style-type: none"> • Mobilize resources to implement programs and strategize to position KIAC at domestic, regional, and international level in a sustainable way • Prepare an annual action plan, execute the budget and manage the property of the Centre in full compliance with the administrative, finance, and HR components of KIAC’s internal procedures • Ensure the management of the personnel of the Centre in accordance with law; • Identify the Centre’s gaps and develop/implement KIAC’s programs based on the centre’s mission • Develop relationships with key stakeholders, especially relevant ministries, Private Sector, and other partners at all levels in the country and the international arbitration community • Ensure that the Arbitration and Mediation caseload are properly managed in accordance with the KIAC Case Management Manuals and Rules • Appoint in consultation with the Arbitration/Mediation Committee, an arbitrator/arbitrators or Mediator as provided in KIAC arbitration and Mediation Rules. • Scrutinize and approve all arbitral awards, in the interests of improving their quality and enforceability • Build the capacity of arbitrators and mediators.
<p>From April 2015 to July 2015</p>	<p>USAID LAND Project (Legal and Capacity Building consultant) Key duties:</p> <ul style="list-style-type: none"> • <i>Provide technical leadership in the design and implementation of USAID LAND Project activities related to land legal capacity building for local partners and beneficiaries;</i>

	<ul style="list-style-type: none"> • <i>Provide technical assistance for programmatic objectives, including capacity building for project partners, such as the Government of Rwanda, local civil society organizations, and paralegals;</i> • <i>Strengthening the land-related legal knowledge and capacity of these project partners;</i> • <i>Engaging in legal research and drafting reports; and</i> • <i>Providing inclusive planning and policy development support activities which fall under the project's objective of creating increased understanding of land laws, policies, regulations, and legal judgments on land-related issues by local Government of Rwanda officials, CSOs, research institutes, and citizens.</i>
From June 2012 to April 2015	<p>Deputy Chief of Party LAND Project (A USAID Contractor).</p> <p>Keys duties :</p> <ul style="list-style-type: none"> - <i>responsible for day-to-day project operational management in regular communication with the COP ;</i> - <i>In collaboration with the COP, oversee both project objectives and provide technical assistance</i> - <i>Coordinate the activities of the research and technical team</i> - <i>Maintain quality control over local subcontracts ;</i> - <i>In collaboration with the COP, coordinate and participate in various meetings with Project's partners.</i> - <i>Assume the responsibilities of the COP during his absence.</i>
From 2006 to June 2012	<p>Advocate (Member of the Kigali Bar Association)</p> <p>Field of interest: <i>Criminal law, Gender-based violence, Economic law, Insurance Law, Land Law, Tax law, Telecommunication Law, Competition Law, Business law, Contract law, Patent Law, Regional Integration, civil-common law.</i></p> <p><i>In this capacity, I signed many Retainer agreements with clients including (MSH-USAID, Equity Bank, SFB, Hotel Okapi, ...).</i></p>
Nov. 2005 to feb. 2010	<p>PhD researcher at the University of Antwerpen, Belgium</p> <p>Field: PUBLIC LAW, HUMAN RIGHTS and LAND LAW</p>
From 3rd September 2004 to 15th October 2005	<p>Rwanda Utilities Regulatory Agency as Senior Legal advisor</p> <p>Key activities: <i>Drafting laws and Licenses, advising the Regulatory Board in all legal matters including competition regulation and access to the market, advising the</i></p>

	<i>Managing Directorate, Drafting Board decisions and management contract.</i>
From December 1999 to September 2004	<p>Employer: Rwandan Ministry of Justice Position: <i>Director of The Administration of Justice</i></p> <p>Key duties:</p> <ul style="list-style-type: none"> -Advise the Minister of Justice in any issue related to an effective and efficient administration of the justice sector (courts, public prosecution authority, human rights issues, prisons management, criminal justice management, civil justice management and commercial justice affairs, ombudsman, military prosecution and courts); - Law reform - Train judges and public prosecution officers; - Administrative management (recruitment, promotion and career management) of the public prosecution services, courts civil servants and justice administrative civil servants; - Inspection of prosecution services and courts; - Link with international NGO's involved in justice (Avocats sans frontières, RCN, Helpage Rwanda, Norwegian People's aid, Trocaire, Danish Center for Human rights) and National NGO's and legal services (Rwanda Bar Association, Haguruka, Cladho, Ibuka,...).
From January 2006 to 2012	<p>Permanent Lecturer of Law at the School of Finance and Banking-Mburabuturo Key course: Business Law</p>
Since January 2000 to date	<p><u>Lecturer of Law</u> at various universities (National University of Rwanda (NUR); Université Libre de Kigali (ULK), The "Independent Institute of Lay Adventists of Kigali" (INILAK)/Faculty of Law and The Institute for Legal Practice and Development (ILPD).</p>
April 1997 to December 1999	<p>Teacher of law at the secondary school (Groupe Scolaire du Mont Kigali/APACE</p>

VIII. INDICATIVE LIST OF CONSULTANCY ACTIVITIES PERFORMED THESE LAST FIVE YEARS

- 1) **With USAID Chemonics LAND Project,** I designed, and led the implementation of various trainings in Land law and policy (Training of defense Lawyers ; training of Local NGOs paralegals , Training of District Land Officers and Professional in charge of Land administration and management.

- 2) **With USAID Chemonics LAND Project**, I led the Land Capacity Building Working group and produced a study-report ;
- 3) **With USAID Chemonics LAND Project**, I worked on revising land laws in Rwanda.
- 4) **With Rwanda Ministry of Gender and Family promotion under Rehoborth MMW Company Ltd / Name of assignment or project: *Lead consultant "on training men and boys on prevention and response to Gender Based Violence and child abuse"*. Year: December 2014 to February Activities performed: coordinate all the activities and report writing. Name of assignment or project".** MIGEPROF with other partners developed a joint programme which aims to reduce incidences of GBV and Child Abuse (GBV&CA) through changing attitudes and behavior of the target population, strengthening national and local capacity to prevent and respond to GBV in Rwanda. The program has been funded by the Royal Netherlands Embassy through One UN Rwanda. As our country is patriarchal system, the Ministry of Gender and Family Promotion (MIGEPROF) endeavors to involve men and boys and other community groups to play their roles in preventing GBV and providing support to victims. One of other existing strategies to prevent and respond to GBV includes conducting trainings to train men and boys as change agents to prevent and respond to GBV and child abuse.
- 5) **Lead Consultant With Rwanda Agriculture Board under Devlink Consults Lmt contract. Project entitled: *Enhancing access to land and security of tenure for smallholder farmers, especially women in Rwanda*.** The project is implemented in four district of Rusizi, Nyamagabe, Gasabo and Kirehe. The goal of the project is to enhance land tenure security for smallholder farmers especially women for improved agricultural productivity and food security in Rwanda. The project intends to assess the progress achieved in land titling and its impact on smallholder farmers as well as to what extent to which local people are aware of the legal provisions regarding women's land rights in Rwanda. Among other interventions considered this project includes awareness creation about legal provisions in land titling and land law. **The Lead Consultant had produced the following deliverables:**
 - a) One policy brief on issues of policy concern on land titling program ;
 - b) One policy concern on the land rights of women in Rwanda.
 - c) Final report on the rural women's land rights in Rwanda: Opportunities and Challenges.
- 3) **Consultancy With The Institute of Certified Public Accountants in Ireland and KOSI Corporation Limited, 7 John Mitchel Place, Newry, Co Down, Northern Ireland, BT 342BP. Activity :**

Drafting the training modules for CPA : Taxation Module, Business law module and Company law module ;

- 4) **Lead Consultant With MSH-USAID Rwanda**, I worked as their **Consultant** in 2011-2012 for all their legal issues (employment law, contract law, regulatory and administrative cases) ;
- 5) **Consultant** for Africa Parks Network, for the assessment of the legal framework and contractual obligations relating to the management of Akagera National Park agreement with GoR, 2011 ;
- 6) **Consultant** assigned to develop a mixed training and work-based learning model known as the Fast Track Mode for Judiciary personnel and lawyers. The study was conducted for the Ministry of Justice, the Supreme Court and the **Institute for Legal Practice and Development** (October 2011 to January 2012) ;
- 7) **Lead consultant working** on "Gender impact assessment of the law n0 22/99 of 12/11/1999 to supplement the Book one of the Civil code and to institute part five regarding matrimonial regimes, liberalities and succession". Consultancy done for the Gender Monitoring Office with RAD consultancy, April-July 2011;
- 8) **Lead consultant** for CARE RWANDA and National Land Center: Consultant who drafted the training material and Trainer in a 2 weeks training of land experts and land surveyors in North Province (November 2010);
- 9) **Lead consultant** for ILPD, MINISTRY OF JUSTICE, NATIONAL LAND CENTER for developing the material and trainer of Notaries and Legal advisers of the the Rwandan Local Governments (Districts) on LAND LEGISLATION (April 2010);
- 10) **Lead consultant and trainer** for the Institute of Legal Practice and developement for the developement and delivery of a 1 week training of judges in land law. Nyanza-July 2009; February 2010,
- 11) **Lead Consultant and trainer** for ILPD and MINISTRY OF LANDS, National Land center for the development and the delivery of a 2 weeks training of Land Officers and land managers at the District level (Rwamagana, March 2010)
- 12) **Lead consultant on behalf IFES** (PROJECT ON ENHANCING CIVIC ENGAGEMENT AND ELECTORAL ADMINISTRATION IN RWANDA) on training on Electoral legislation in Rwanda; May 2011;
- 13) **Consultant for the Institute for Legal Practice and Development** –Nyanza with World bank on "drafting module on New business law" June-july 2011;

- 14) Lead consultant for the Supreme court and ILPD** as trainer of Supreme court and commercial courts judges on “Secured transactions laws” (mortgage), May-June 2011;
- 15) Legal consultant for the Ministry of Justice** in partnership with the Institute for Legal Practice and Development: Activities carried out: As a logical suite of the law reforms to prepare Rwanda to the integration process and to improve the business climate, the assignment was to developing and delivering various trainings for lawyers and legal practitioners in Rwanda: Judges, prosecutors, attorneys, bailiffs and clerks. **Key aspects developed in the module:** Administrative contracts; drafting legal texts and contracts; reforming the Commercial justice; Land law; Public-Private Partnership contracts (PPPs), international business laws.
- 16) Lead consultant and trainer for the Ministry of East Africa Community in partnership with the Institute for Legal Practice and Development: Activities carried out: Developing and delivering various trainings for civil servants from Ministries and MDAs carrying out activities related to the East African Community and people from the Private Federation Sector** (Group I: FROM 10-28 MAY 2010(3 WEEKS); Group II (FROM 14 JUNE-2 JULY 2010 (3 WEEKS). **Key aspects of my intervention in the seminar:** International economic law principles, regional integration, WTO law, Trade law and regional integration in the East African Community (Customs Union, Common Market, negotiation on Monetary Union and roadmap to Political Federation. Course materials were developed on these issues:
- a) Negotiation and drafting international and regional trade agreements;
 - b) Technical barrier to trade: sanitary and phytosanitary;
 - c) Rules of origin;
 - d) Law of services trade under the WTO, Comesa and EAC;
 - e) Law of intellectual property rights;
 - f) Specificity of Regional trades agreements.
- 17) Legal consultant in charge of drafting bills and decrees for various institutions** (Ministry of Justice, Ministry of Finance, Ministry of Labour). **Key realizations:** Draft law of the labour code (2006), Draft law of commercial arbitration for facilitating free movements of labour and trade.
- 18) Legal consultant for Rwanda Utilities Regulatory Agency: Keys realisations:** *Drafting licences (Rwandatel License) in Telecommunication Law, in Energy and transport. Reviewing the existing legislation governing public utilities (Telecoms, energy, water); drafting contract, advising RURA in actualizing it's legal and institutional framework, advising RURA in Competition and consumer protection policies.*

- 19) Member of the Rwanda Government team** that negotiated **The Eastern Africa Submarine Cable System** (EASSy): Under the leadership of Former DG of Rwandatel, this team discussed with EASSy partners in UGANDA, KENYA, TANZANIA in February 2005.
- 20)** Member of the Board of Directors of Kigali International Arbitration Center (KIAC). Appointment date: December 2011 up to now.

IX. INDICATIVE LIST OF TRAINING COURSES AND PARTNERSHIP EXCHANGE VISITS ATTENDED

- **Three courses** in USA (2 months of intensive programme per course) at **The Georges Washington University and the International Law Institute, Washington DC** in 2001 (*Legal English; Orientation in the US legal system and Workshop on legal research, writing and bill drafting*);
- Course in USA at **American University** on **"International Business arbitration"** in 2006;
- Course on **Judicial Administration** at **RIPA International** in London UK in 2002 for one month;
- **Study tour in the judiciary in Uganda** (February 2004) related to the **Justice Coordination Program**;
- I attended a course on **"International project procurement and contract negotiations** (two weeks) organised by International Law Institute-Uganda/**African Centre for Legal Excellence in April 2005**
- Training - Seminar on **Mediation (2 weeks) in 2001 (International Law Institute/ Legal Center for excellence – UGANDA)**;
- Training - Seminar on **"Gestion de la formation/ Management of the training program"** (2 weeks) in 2000 (**Ivory Coast** - Abidjan) at The Institut International de Management d'Abidjan ;
- The **"Workshop on trade in services advocacy and negotiations"** organised by The WTO and European Union;
- **"Seminar on utilities services regulation"** as **presenter** in the conference organised in 2004 by National Association of Regulatory Utility Commissioners /NARUC-USA and Rwanda Utilities Regulatory Agency;

X. INDICATIVE LIST OF COURSES TAUGHT SINCE 2000 TO NOW: At Master's and Post graduate level

- ✓ *International Economic and trade Law (Masters Program/ ULK : Since 2012 up to now ;*
- ✓ *International Business Law (Masters Program- MBA- INILAK (2013-2014) ;*
- ✓ *International competition law (Masters Program/ ULK : Since 2012 up to now) ;*
- ✓ *Co-lecturer of Competition and Consumer Protection law (Masters at UNR-2009-2010) ;*
- ✓ *Legal and legislative drafting (ILPD 2008-2014) ;*

- ✓ *Land Law (ILPD 20010-2013) ;*

At graduate level

- ✓ *Economic and Financial Law (ULK & INILAK- Since 2003-2013) ;*
- ✓ *Taxation law at ULK (2007-2012) ; UNR (2009 ; 2010 ; 2012), INILAK (2008-2013)*

XI. PUBLICATIONS

A. Books

- ***Access au Droit au Rwanda, La problematique de la connaissance de la legislation,*** Universitas Publishers, Antwerp, 2010 ;
- Dr. Fidele Masengo, Didas Muganga Kayihura, Elvis M. Binda, *Rwanda Company Law 2009,* Rozenberg Publishers, 2015, Holland.
- Fidele Masengo, Tiernan Mennen and Anna Knox, *Land rights and land laws of Rwanda : A Paralegal handbook,* USAID LAND Project, 2014.

B. Articles and other publications

- Dissertation (Mémoire) on: « ***Les obligations du contribuable en droit fiscal Rwandais*** » (The taxpayer's obligations in rwandan tax law), National University of Rwanda, 1999 ;
- « ***Internet, Ubiquité du réseau et compétence juridictionnelle*** » (***Internet, Which court decides ?***) (Published in ***The Rwandan Law Review- Ministry of Justice in November 2005;***
- ***Réflexion sur le cadre juridique et institutionnel de la régulation des services des télécommunications en droit public rwandais*** (***Published in The Rwandan Law Review- Ministry of Justice in November, 2008***) ;
- ***Reflexion sur le cadre juridique portant sur le régime foncier au Rwanda, Rwandan Law review, 2008.***
- ***"La Réforme du Ministère Public au Rwanda"*** (***The reform of the public prosecution services in Rwanda***). Published in *The Rwandan Law Review- Ministry of Justice in July 2005 in Kinyarwanda and in The Law Review n° 5 of The Université Libre de Kigali in french;*
- « ***Vers quel accès des pauvres à la justice au Rwanda ?***» (***How can the poor access Justice in Rwanda?***), *Law Review* of The National University of Rwanda (n° 008, June 2004) ;

- « **Les pays en développement dans le commerce international: cas de l'accord sur l'agriculture** ». Published on the website of The Université Catholique de Louvain/Belgium (june 2003).
- **Toward the Harmonization of Legal Education and Training Curricula in East Africa Regional Integration**, Nordic African Institute (<http://www.nai.uu.se/ecas-4/panels/81-100/panel-81/Fidele-Masengo.pdf>)
- **Legal and cultural barriers for effective implementation of the women's inheritance to land rights in Rwanda**, Paper presented at the NUR research conference, 2013.
- **Legal pluralism in Rwanda: Mediation committees between the traditional and modern conflict resolution systems**, Paper presented at the NUR research conference, 2013.
- Ndagiza Madina, Fidele Masengo, Christine Murekatete, Anna Knox, **Assessment of the legal framework governing gender and property rights in Rwanda**, Land publications, www.rwandaland.org
- Ikirezi, Mireille, Fidèle Masengo and Anna Knox. 2014. **Implementation of Expropriation Law in Rwanda**, LAND Project Policy Research Brief No.2, Kigali, Rwanda: USAID LAND Project.
- Fidele Masengo, Thierry Hoza Ngoga, and Enid Ingabire. 2014. **Land Tenure Reform and Local Government Revenues in Rwanda**. LAND Project Policy Research Brief No.3, Kigali, Rwanda: USAID LAND Project.
- Fidele Masengo, **Women Land rights in Rwanda**, Research Brief, Rwanda Agriculture Board, 2015, Kigali, Rwanda ;
- Fidele Masengo, **Issues of Policy concern on Land Titling Program with focus on Women's Land Rights, A Research Brief On Progress Achievements And Challenges**, , Research Brief, Rwanda Agriculture Board, 2015, Kigali, Rwanda.

XII. REFEREES

- Julien Kavaruganda, President of Rwanda Bar Association.
- Prof. Nick Johnston, Former Rector of ILPD, rector@ilpd.ac.rw
- Dr. Alfred Bizozo, Associate Professor at University of Rwanda, 0788415218

I hereby declare that all the above information about me is true to the best of my knowledge.

Done at Kigali, 28th September 2021

MASENGO Fidèle, PhD

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