



Press Release

HISTORIC AFSA-SADC ALLIANCE SIGNING TRANSFORMS ARBITRATION TAKING AFRICA'S RIGHTFUL PLACE ON THE WORLD STAGE

9 April 2024 Over 400 local, African and International delegates gathered at the Sandton Convention Centre on Tuesday 9th April 2024 for the inaugural Arbitration Foundation of Southern Africa's (AFSA's) Johannesburg Arbitration Week (JAW), to network, debate and hear 95 speakers covering 9 themes over 3 days with 12 co-hosts, 7 sponsors and over 25 supporting organisations. The theme for Day 1 of the conference was 'From Africa There Is Always Something New'.

The aim of JAW 2024 is to unpack the issues and challenges in the fast-changing world of international commercial arbitration. JAW pays particular attention to the key initiatives which are shaping and transforming dispute resolution in Africa. JAW is co-hosted by leading solicitor firms, bars and other stakeholders who are all founding members of AFSA.

Following on from the opening performance by the Memeza Choir and both South African national anthem as well as the SADC anthem, Lindi Nkosi -Thomas SC welcomed delegates and introduced Deputy Minister of Justice and Constitutional Development, John Jeffery who provided the opening remarks in which he stated, "An efficient arbitration regime makes good economic sense for any country". He went on to state that JAW 2024 provides the opportunity for further discussion on a shared BRICS arbitration centre."

This was followed by the conference keynote address presented by Justice Dikgang Moseneke who discussed the importance of all of the key players in the arbitration ecosystem including government, the courts, the legal profession, and the business community stating, "the arbitral ecosystem will not operate without the support of each of these communities". In discussing the signing of the AFSA-SADC Alliance Charter, he said, "Members of the alliance will provide an international arbitration alliance building the bridge between legal communities across the SADC region."

During the AFSA-SADC Alliance: a regional game changer session, Programme Director, Paulman Chungu introduced Part 1 of the first plenary session that focused on 'Objectives, Purpose, and Expectations' and included an impressive line-up of speakers: Michael Kuper SC – Chairman of AFSA and CAJAC; Mr Flavio Menete – President of the SADC Lawyers' Association; Honourable Titus Mvalo – Malawi Minister of Justice; Hon. Nobert Mazungunye – Zimbabwe Deputy Minister of Justice; and Hon. John Jeffrey – SA Deputy Minister of Justice.

All of the speakers shared their impassioned support for the signing of the charter with Michael Kuper SC – Chairman of AFSA and CAJAC stating, "The signing of the AFSA-SADC Alliance will transform arbitration practice in the 16 member states of SADC and will have a huge effect on the way all practice arbitration taking our rightful place in the world of arbitration – it is one of the biggest arbitration initiatives in the international field of arbitration when taking into account that the population of SADC is larger than the population of the USA."

Part 2 of the plenary session focused on the SADC Charter: adoption and signature with signatories including:
Angola: José Luís Domingos – President Ordem Dos Advogados De Angola
Botswana: Osego Garebamono – President Law Society of Botswana
Lesotho: Lintle Tuke – President Lesotho Law Society
Malawi: Patrick Gray Mpaka – President Malawi Law Society
Mozambique: Carlos Martins – President OAM

Namibia: Clive L Kavendjii – President Namibia Law Society
Tanzania: Dr R. Rugemeleza Nshala – President Tanganyika Law Society
Zambia: Lungisani Zulu – President Law Association of Zambia
Zimbabwe: Rumbidzai Matambo – President Law Society of Zimbabwe
Mozambique: Flavio Menete – President SADCLA
Arbitration Foundation of Southern Africa: Michael Kuper SC – Chairman of AFSA
AFSA SADC Division: Des Williams – Chairman of AFSA-SADC Division
AFSA International: Patrick Lane SC – Chairman of AFSA International Division

Eswatini: Mr Magagula – President Law Society of Swaziland and Tanganyika President of Law Society were absent for the signing but are fully committed to the charter and will sign at a later date.

Part 3 of the plenary focused on “Securing the Charter Objectives” with speakers that included: Des Williams – Chairman of AFSA-SADC Division; Patrick Lane SC – Chairman of AFSA International; Stanley Nyamanhindi – CEO of AFSA-SADC Division; and Prof Lise Bosman.

Following on from this a number of the conference co-hosts hosted panel discussions starting with Webber Wentzel’s panel discussion entitled ‘African Continental Free Trade Area: the role of dispute resolution in African trade and investment’ moderated by Erin Warmingon with panellists: Judge David Unterhalter; Vlad Movshovich; Meluleki Nzimande; and Johann Human.

Bowmans hosted a panel discussion focused on ‘Africanisation of Arbitration: perspectives from practitioners, counsel and arbitrators’ moderated by Jonathan Barnes with speakers: Jawaid Babamia; Cecil Kuyo; Festus Onyia; and Natasha Peter.

Allen & Overy’s panel discussion was on ‘Challenges, Strategies and Practical Considerations: enforcement in the African context’ moderated by Wihan Meintjes with panellists: Abdul Jinadu; Yacine Francis; Dan Tivadar; and Gerhard Rudolph.

The final, and one of the most interesting, sessions of the day hosted by Young AFSA introduced ‘The Case of the Heavenly Twins: The Moot, the Man and the Machine’ in which a panel of arbitrators including: Patrick Lane SC; Malcolm Wallis; Fuyong Chen; James Banda; Susan Mutangadura; and Leyou Tameru heard arguments from 3 teams of lawyers. Following the arguments by the 3 teams the matter will also be adjudicated utilising Artificial Intelligence (AI) provided by the University of Pretoria with both awards being presented to the delegates at the conference, who will all cast their votes as to whether Man or Machine presented the best award. The results of this will be revealed on the last day of the conference.

JAW 2024 is co-hosted by the Arbitration Foundation of Southern Africa (AFSA); Advocates for Transformation (AFT); Allen & Overy; Bowmans; China-Africa Joint Arbitration Centre (CAJAC); CDH; General Council of the Bar of South Africa; Herbert Smith Freehills; KPMG, Pinsent Masons, Webber Wentzel, 39 Essex Chambers and Group 621. Sponsors for the event included White & Case, Cape Bar, Control Risks, HKA, Jus Mundi, StoneTurn and Fireblade Aviation.

ENDS

For more information and to register: <https://johannesburgarbitrationweek.co.za/>

About JAW

Johannesburg Arbitration Week (JAW) is hosted by the Arbitration Foundation of Southern Africa (AFSA) and co-hosted by leading solicitor firms, bars and other stakeholders who are all founding members of AFSA. AFSA, rated by SOAS as Africa’s top arbitration centre, is proud to host this inaugural event taking place during April this year in Sandton, close to Johannesburg, South Africa.



JAW brings together arbitration professionals, to unpack issues and challenges in the ever-changing world of international commercial arbitration; while paying special attention to significant initiatives that contribute and transform dispute resolution in Africa. This year's event is being hosted at the Sandton Convention Centre, from 9-11 April 2024 and features a multitude of both local and international speakers focusing on 9 insightful and topical themes over the three-day conference.

About AFSA

AFSA is a private dispute resolution authority that manages and administers the confidential resolution of a wide-range of local and international disputes by way of mediation, adjudication, arbitration and related processes. AFSA is a non-profit organisation that counts among its founding members many of the leading firms and institutions in the attorney, accounting and advocate professions as well as organised business and affiliated bodies.

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