



## Press Release

### INAUGURAL AFSA JOHANNESBURG ARBITRATION WEEK SEES 12 SADC COUNTRIES SIGNING ALLIANCE

*17 April 2024:* Close to 500 local, African and International delegates gathered at the Sandton Convention Centre from the 9<sup>th</sup> to the 11<sup>th</sup> April 2024 for the inaugural Arbitration Foundation of Southern Africa's (AFSA's) Johannesburg Arbitration Week (JAW), to network, debate and hear over 100 speakers covering 9 themes over 3 days with 12 co-hosts, 7 sponsors and over 25 supporting organisations.

The aim of JAW 2024 was to unpack the issues and challenges in the fast-changing world of international commercial arbitration. The theme for **Day 1 of the conference was 'From Africa There Is Always Something New'. Deputy Minister of Justice and Constitutional Development, John Jeffery** 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."

The conference keynote address was 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."

In presenting the keynote address at the event's gala dinner, **Chief Justice Raymond Zondo** stated, "Arbitration is shaped and strengthened by a rich and varied jurisprudence, which has been founded on the principles of respect found in the region's culture of Ubuntu. The signing of the AFSA - SADC Alliance Charter is wonderful and reflects our shared African Arbitration culture". He went on to state, "Let the region take its rightful place in the practice of arbitration to the benefit of the entire Southern African region".

The event hosted by AFSA was attended by dignitaries from across Africa and the world included the Hon. Titus Mvalo, Minister of Justice Malawi; Minister of Justice Lesotho, Hon. Richard Ramoetsi; Deputy Minister of Justice Zimbabwe, Hon. Nobert Mazungunye; Hon. Advocate Rapelang Motsieloa, Attorney General Lesotho; Flavio Menete, SADC Lawyers Association President; Santhaa Krishnan, Commonwealth Lawyer's Association; Janine Myburgh, LPC Chair South Africa; Stanley Nyamanhindi, CEO SADCLA; and James Banda, SADCLA Past President.

During the 1<sup>st</sup> session on Day 1 'AFSA-SADC Alliance: a regional game changer session', the first part 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 our Alliance members will 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 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

South Africa: Janine Myburgh - LPC Chair  
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.

The final session 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 AFSA International Arbitrators including: Patrick Lane SC; Malcolm Wallis; Dr 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 was also adjudicated utilising Artificial Intelligence (AI) provided by the University of Pretoria with both awards being presented to the delegates at the conference, who cast their votes as to whether Man or Machine presented the best award. The results revealed on the last day of the conference found that ‘Man’ is still superior to ‘Machine’.

The theme for **Day 2 was ‘Old Problems New Challenges’** included panels discussions and an impressive array of speakers presented by Pinsent Masons ,KPMG, Allen & Overy; Webber Wentzel, Herbert Smith Freehills, 39 Essex Chamber, CDH, the General Council of the Bar South Africa, and Advocates Group 621.

The theme for **Day 3 was ‘The Silk Road and the BRICS Road – Global Ramiifications’** with the first session focused on AFSA’s journey to becoming an international player in arbitration. The creation of the China-Africa Joint Arbitration Centre (CAJAC) played a significant role and the current development of the BRICS initiative with AFSA broadening international horizons places Southern African arbitration firmly on the world stage. In his opening remarks Prof David Butler, Professor Emeritus and Research Fellow, Stellenbosch University, stated, “Michael Kuper SC is the father of administered arbitration in this country and without his vision and determination AFSA would not have been in the important place that it finds itself today bringing arbitration in Africa onto the world stage.” This was followed by presentations from Lindi Nkosi-Thomas SC, AFSA Vice-Chair and Dr Dorean Du, Shanghai International Arbitration Centre. Further presentations were presented by CDH, AFSA International’, Bowmans, Advocates Group 621, and GCB.

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**

(1000 words)

## **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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