

CONSULTATIVE WORKSHOP ON COOPERATION AMONG AFRICAN ARBITRAL INITIATIVES
11 MAY 2016, MAURITIUS
RESOLUTIONS (July 2016)

NOTING,

- A. The growth in the use of international arbitration on the African continent;
- B. The increasing number of capacity-building initiatives in this field conducted by a wide range of international governmental and non-governmental organizations, regional economic organizations, academic institutions and arbitral institutes;
- C. The possibility and strong need to improve coordination among such initiatives and to enhance cooperation among the relevant entities;
- D. The desirability of strengthening the legislative framework for arbitration and other means of dispute resolution in certain African jurisdictions in line with widely-accepted international standards, of promoting African jurisdictions as seats for international arbitration, as well as of promoting the use of Africa-based arbitral institutes;
- E. The establishment of ICCA's Working Group on African Arbitral Practice on 8 May 2016;
- F. The positive momentum created by the ICCA Mauritius Congress held in Mauritius from 8 to 11 May 2016, bringing together a great number of African institutions and experts in the field;

WE, PARTICIPANTS TO THE WORKSHOP, HEREBY RESOLVE AS FOLLOWS:

A. Substantive areas of agreement

1. There is a need for, and concerted work must be done to provide, greater access to information about arbitration and the legislative framework available in Africa through various means including through the creation of a (preferably open-source) on-line resource, which would contain an arbitration events calendar and hyperlinks to active institutes and organizations, as well as each African State's key legislative and judicial instruments pertaining to arbitration and alternative dispute resolution;

2. There is a need for, and concerted work must be done to support, the provision of technical assistance, awareness-raising and capacity-building activities to governments in order to assist them in their task of strengthening the legislative and judicial frameworks in the field of arbitration and other means of dispute resolution;
3. There is a need for, and concerted work must be done, to enhance awareness of existing capacity-building initiatives, to increase coordination in delivering technical assistance and capacity-building activities, and to enhance cooperation among international and regional organizations, arbitral institutes, academic institutions and professional associations throughout the African continent in that respect;

B. Process and means of implementation

4. The means by which the above areas of agreement will be implemented are as follows:
 - a. All participants will work towards the creation of an umbrella organization to further the development and promotion of African arbitral practice and African arbitral seats, to coordinate work in this area, and to implement the above areas of agreement;
 - b. ICCA's Working Group on African Arbitral Practice is requested to facilitate the creation of this umbrella organization and establish its founding charter and working practices (through subcommittees if required or desirable);
 - c. A second Consultative Workshop will be organized no later than 2017 to evaluate progress and to discuss further steps.
