

## Global Arbitrators to convene in Rwanda for 4th SOAS-Africa conference

Global Arbitrators are set to define the arbitration practice in Africa at the 4th edition of the SOAS Arbitration in Africa conference from 2nd-4th May 2018 at Radisson Blu Hotel and Convention Center, Rwanda. The conference will be conducted under the theme "**The Role of Arbitration Practitioners in Supporting the Development of Arbitration in Africa**"

The Kigali conference primarily aims to examine how African arbitration practitioners, arbitration institutions, national courts and the executive and legislative arms of governments can better support the development of both domestic and international arbitration in their individual countries, regions and collectively across the continent and globally.

### The Panels

**Panel 1** will focus on the arbitration practitioner as an administrator of an arbitration centre.

**Panel 2** will focus on race and gender in arbitration (with particular focus on Africans).

**Panel 3** will examine how to 'break into' international arbitration.

**Panel 4** will focus on academics and trainers in the law and practice of arbitration.

**Panel 5** will focus on the role of tribunal secretaries in arbitration.

**Panel 6** will focus on the role of counsel and experts in arbitration.

Register online or via our website on the link below; <http://kiac.org.rw/spip.php?article155>

For More information, please contact

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## Rwanda hosted the 5th East Africa International Arbitration Conference (EAIAC) 2017

Kigali International Arbitration Centre hosted the 5th edition of the East Africa International Arbitration Conference from 28<sup>th</sup>–29<sup>th</sup> September, 2017 under the theme "Linkages between International arbitration and Africa's Economy.

One of the main aims of the conference was to build capacity in and promote the development of international arbitration practice which ultimately promotes Africa as a desirable investment destination.

The conference, which was attended by hundreds of arbitration practitioners, was productive with exchange of thoughts and fruitful discussions on; East Africa's mega projects and monetary value involved in East Africa-related international arbitration; the value of awards and how much money is potentially lost by countries (damages); and the potential of international arbitration as a money maker for African institutions and arbitrators, considering institutional fees and arbitrator fees. EAIAC also discussed ICSID and investment arbitration, New York Convention and local award enforcement.

The conference was officially opened by Rwanda's Chief Justice Prof. Sam Rugege. In his opening remarks, he said that increased globalization and business transactions among parties

from all across the world increases the likelihood of disputes arising. However, to make it more effective, he challenged practitioners to seek to understand why it is not as popular in the country and in the region. He questioned whether arbitration is being used as much as it should in Africa and the East African region in particular. He wondered if our arbitration centres are being used? If not, why not? Is it because of the high cost? Are your fees perhaps too high? Is it lack of confidence in the arbitral process? How equipped are our arbitration centres?"

The conference was organised at a time when KIAC and by the EAIA conference were celebrating 5years of existence. The conference was organised in partnership with I-ARB and GBS Africa.

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### **Arbitration Professionals undergo training and Certification at the highest level in International in Arbitration**

Kigali International Arbitration Centre (KIAC) in partnership with Chattered Institute of Arbitration-UK organised a three day Fellowship training program leading to Fellow of the CI Arb (FCI Arb). The training was conducted at Serena hotel from 25th -27th September 2017.

Dr. Masengo Fidele said, "this is the first intake at Fellowship level and the highest level Diploma qualification for international recognition of dispute resolution skills. Being a Fellow of CI Arb will make participants eligible to be part of the KIAC Panel of International arbitrators that has been comprised of only international members. He added, "It is encouraging to see that beneficiaries of the trainings have participated in KIAC arbitral proceedings as either arbitrator, counsel representative or expert. Currently, participants to the trainings also advise their institutions on arbitration practice and adoption of KIAC clauses in contracts.

Speaking during the opening ceremony, the Hon. Minister of Justice, Min. Busingye Johnston said International arbitration has gradually grown over the past years and given the increasing economic activities, it is becoming significant to our economic and justice sectors. It is therefore imperative that all stakeholders work jointly to develop this sector and provide the necessary conditions for it to grow further in a sustainable manner.

Out of over 500 professionals that have been trained under KIAC's training and certification program, 324 have been certified at the Associate and Membership levels. This makes Rwanda among the top three countries in Africa with the highest number of arbitrators in Africa.

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## Sharing the KIAC ADR experience with the World....

### **Nigeria: LCIA symposium: Proliferation of Arbitration Centres in Africa - A Gift or a Curse?**

It was another opportunity for Dr. Masengo to share the Rwandan ADR experience at the LCIA symposia that took place from 26th-27th of October 2017 in Abuja Nigeria. He was part of the panel of ADR experts that shared their presentations on "Proliferation of Arbitration Centres in Africa - A Gift or a Curse?"

The symposium attracted panels of eminent and experienced international arbitration practitioners that gave brief presentations on some of the most important areas of international arbitration, critical to establishing and maintaining an arbitration-friendly environment, in which the international business community may have confidence. Dr. Masengo's presentation was on balancing the relationship between courts and arbitration (ADR).

The SG also attended the International Centre for Arbitration and Mediation Abuja (ICAMA) 2017 biannual African roundtable on arbitration on 25th October 2017. The roundtable was organised under the theme: Growing and Sustaining Arbitration and ADR in Africa. He was part of the panel discussing how to balance the relationship between courts and arbitration (ADR).

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### **Ghana**

The International Bar Association's African Regional Forum Conference that took place in Ghana from .....was another platform where Dr. Masengo Fidele shared the Rwanda ADR experience. The conference was organised under the theme "Rising to the Challenge of Africa's Economic Development- the Role of the Legal Profession" from 16<sup>th</sup>-17th November, 2017.

The Conference focused on assisting African lawyers and lawyers generally to have a better response to the challenges faced by African lawyers as a result of the continent's economic growth and other global trends. His presentation was on "Representing clients at the international arbitration forums: what practitioners must know".

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### **Uganda: The 22nd East Africa Law Society Conference (EALS)**

The KIAC SG also participated as a speaker at the 22nd East Africa Law Society conference that took place from 15th- 18th November at the Imperial Beach Resort, Entebbe Uganda. The conference was organised under the theme "Future-proofing the Legal Profession. Dr. Masengo was part of the panel of experts discussing The Critical Role of Arbitration Institutions in East Africa"

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## **UAE: Conference organised by the Dubai International Arbitration Centre**

Dr. Masengo Fidele, the KIAC SG had the opportunity to talk at a session that was part of the conference held in Dubai organised under the theme "**Foreign Direct Investment Operations and Investment Disputes In The African Extractive Sector: Challenges And Opportunities For Africa's Growth & Development**". The conference took place on 14th December 2017 and was organised by the Dubai International Arbitration Centre

It was discussed at the conference that International investment agreements have played a key role in Africa's development. African States are party to numerous bilateral and multilateral investment treaties which have traditionally offered protection to foreign investors and which have permitted recourse to arbitration to settle investment disputes, under the auspices of the International Centre for Settlement of Investment Disputes (ICSID), or similar fora.

The Conference sought to contribute to a better understanding of the challenges raised by FDI operations in the African extractive sector and of their contribution to Africa's development and growth. In light of the specifics of the sector and of current arbitration and treaty practices, the Conference shed light on the protection of foreign investors in the African extractive sector and on the protection of numerous 'public interests' at stake in this sector.