

PAN AFRICAN LAWYERS UNION (PALU)

SOUTHERN AFRICAN REGIONAL SEMINAR ON
INTERNATIONAL COMMERCIAL LAW IN AFRICA

CAPE TOWN, SOUTH AFRICA, 25 – 27 MAY 2011

**Perspectives on the proposed Country
Presentations for the Southern African Seminar
on International Commercial Law in Africa**

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PALU-ALSF Capacity Building Project on International Commercial Law in Africa

The key objectives of the Regional Seminars, are to: -

1. Assess as well as build capacity for:
 1. Complex international commercial negotiations;
 2. International commercial dispute resolution (*both litigation and arbitration*);
 3. Defence of Vulture Fund Litigation;

2. Build a database of knowledgeable, skilled and experienced international commercial lawyers in Africa.
 - a. Directory
 - b. Web resources: commercial law section; wiki?

The Questionnaire

- NOT an academic/ scholarly exercise
- NOT intended for outside publication as such
- Broad overview of transactions, disputes, issues and perspectives on them
- “Chatham House” principles
- *On-going exercise; we’ll continue even after the Seminar*
- **OBJECTIVE**
 - Understanding the “state of play” within the countries/ (sub) regions
 - Sharing information between participants
 - Distilling best practices, prospects, challenges

The Issues

- Sample of large transactions: mining, oil, gas, large infrastructure, etc.
 - Negotiation
 - Contracts/ Agreements – features
 - Implementation
- Features of Transactions/ Contracts/ Agreements
 - “Local” (African) Companies: big and small
 - “Western” Entities: Europe, North America
 - “Eastern” entities, especially China
- Sample of significant disputes
- National-level dispute resolution: arbitration and litigation
- (Sub) regional and international dispute resolution: arbitration and litigation
- Overview of Vulture Funds (*to your knowledge*)

The Presentations

- Aspire to hear from all 14 Countries
- Aspire to have about 10 minutes per country presentation
- Most important is the oral presentation
- If it is written, the better
- Powerpoint may be nice, but is not essential