

An African Promise

As a group of counsel, arbitrators, representatives of corporates, States, arbitral institutions, academics and others involved in the practice of international arbitration, we are committed to improving the profile and representation of African arbitrators especially in arbitrations connected to Africa. In particular, we consider that African arbitrators should be appointed as arbitrators on an equal opportunity basis. To achieve this, we will take the steps reasonably available to us – and we will encourage other participants in the arbitral process to do likewise – to ensure that, wherever possible:

- committees, governing bodies and conference panels in the field of arbitration include a fair representation of Africans;
- in arbitrations connected with Africa lists of potential arbitrators or tribunal chairs provided to or considered by parties, counsel, in-house counsel, arbitral institutions or otherwise include a fair representation of African candidates;
- States, arbitral institutions and national committees include a fair representation of African candidates on rosters and lists of potential arbitrator appointees, where maintained by them;
- where they have the power to do so, counsel, arbitrators, representatives of corporates, States and arbitral institutions appoint a fair representation of African arbitrators especially in arbitrations connected with Africa;
- statistics for nominations and appointments (split by party and other appointment) of African arbitrators especially in relation to arbitrations connected with Africa are collated by arbitral institutions and made publicly available; and
- senior and experienced arbitration practitioners support, mentor/sponsor and encourage Africans to pursue arbitrator appointments and otherwise enhance their profiles and practice.

In recognition of the under-representation of Africans on international arbitral tribunals especially in arbitrations connected with Africa, we have drawn up a promise to take action (an African Promise). An African Promise seeks to increase the number of Africans appointed as arbitrators especially in arbitrations connected with Africa in order to achieve a fair representation as soon practically possible.

The introductory paragraph of An African Promise sets out two general objectives:

- i. to improve the profile and representation of African arbitrators; and
- ii. to appoint Africans as arbitrators especially in arbitrations connected with Africa.

An African Promise establishes concrete and actionable steps that the international arbitration community can and must take towards achieving these general objectives. It is, however, acknowledged that in some cases, some stakeholders may not reasonably be able to carry out each and every commitment. For this reason, the words 'wherever possible' were introduced to preface each of the specific commitments.