

# 2020 ARBITRATION IN AFRICA SURVEY REPORT

Top African Arbitral Centres and Seats



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## Author biography

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## Introduction

This is the second series of the biennial Arbitration in Africa survey. This 2020 survey focused on identifying the top African arbitral centres and top African cities for the conduct of arbitration as voted by the users of arbitration in Africa through an online questionnaire. The responses to the questionnaire were supplemented by independent coding analysis to identify the top and busiest arbitral centres in Africa.

We are grateful to Mr Sopuruchi Christian, an LLM candidate at SOAS University of London for his research assistance and to Dr Jean-Alain Penda Matipe and Ms Vian Hilli for the translations of the survey questions into French and Arabic respectively.

We are very grateful to the law firm of Broderick Bozimo & Co, Abuja and the African Legal Support Facility for their sponsorship of this project.

## Executive Summary

350 responses were received from individuals in 34 countries across Africa, Asia, Middle East, North America, and Europe.

83% (289) of the respondents have participated in arbitration in Africa over the reporting period (2010-2019).

60% (210) of the respondents have participated in institutional arbitration in Africa over the reporting period.

48% (168) of the respondents have participated in ad hoc arbitration in Africa over the reporting period.

The respondents have participated in these arbitrations in different capacities: as arbitrator, counsel, tribunal secretary, expert and disputants.

The top five arbitral centres in Africa as determined by an independent coding exercise are Arbitration Foundation of Southern Africa (AFSA); Cairo Regional Centre for International Commercial Arbitration (CRCICA); Ouagadougou Arbitration and Mediation & Conciliation Centre (OAMCC); OHADA Common Court of Justice and Arbitration Centre (CCJA); and Kigali International Arbitration Centre (KIAC).

The top five arbitral centres in Africa as chosen by the respondents are AFSA, CRCICA, Kigali International Arbitration Centre (KIAC), Lagos Court of Arbitration (LCA), and Nairobi Centre for International Arbitration (NCIA).

The top arbitral centre in Africa as determined by caseload that administers ad hoc cases is International Centre for Arbitration and Mediation Abuja (ICAMA).

The top five arbitral centres with the best support facilities as chosen by the respondents are: AFSA, CRCICA LCA, NCIA, and CCJA.

The top five African cities that host arbitration as chosen by the respondents are: Johannesburg, Lagos, Cairo, Cape Town and Durban.

The top five African countries that act as seat of arbitration are: South Africa, Nigeria, Egypt, Rwanda, and Cote d'Ivoire.

88% (307) of the respondents will recommend African arbitral centres.

## Methodology

An online questionnaire composed of a combination of 27 closed and open questions was circulated broadly within the international arbitration community for completion. The vast majority of responses was from individuals in three African countries (South Africa, Nigeria and Egypt). It is important that this is kept in view in understanding the results of the survey as the respondents were requested to respond in accordance with their own experience and knowledge of arbitration in Africa. It is apparent that the respondents could speak to the arbitral centres and cities they were more familiar.

To ameliorate the possible impact of the limitations to the online questionnaire, it was supplemented by a very short focused quantitative analysis based on three broad questions targeted only at arbitration centres operating in Africa.<sup>1</sup> We chose common indicators based on objective data that can be quantitatively measured in ranking the arbitral centres in Africa. The focused questions relied only on the information provided by arbitral centres. The limited number of arbitral centres that responded also impacted on the results.

73 arbitral centres with an online presence were emailed directly via contact emails on their websites or through the completion of a contact form on their website. Ten (10) African arbitral centres responded to the questions providing relevant information on the number of cases they have administered since they commenced business and the list of other arbitral centres with which they have relationships. We searched the websites of the other arbitral centres to find these data but did not find any such data. Of the ten centres, one centre has not administered any arbitration though it has administered some mediation references.<sup>2</sup> We have therefore ranked the nine (9) arbitral centres that have administered arbitration references. These additional data from the arbitral centres supplemented the information from the online survey and there was very close correlation between both results.

We coded the number of arbitration cases each centre had administered since they commenced business, and their outreach to other centres in ranking the centres. We coded only these two factors to ensure consistency and equality of application and to also simplify the ranking since these were two relevant factors that all African arbitral centres can provide information.<sup>3</sup> The primary function of any arbitral centre or institution is to administer arbitration cases. Such administration is effective from the publication of bespoke arbitration rules, registration of arbitration references or cases, appointment of arbitrators, case management, provision of hearing support facilities, delivery of awards, and payment of the arbitrators and other service providers. It is this experience of administering arbitration disputes that is the very reason for the existence of such centres. Other activities of arbitral centres support this primary activity.<sup>4</sup>

For each arbitration administered under the rules of the institution, we allocated a notional value of 1 and for each arbitration whether ad hoc or institutional but administered under

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<sup>1</sup> The questions asked for the year the centre commenced business; the number of arbitration cases it has administered and the list of Memoranda of Understanding or Association it has concluded with other arbitral centres.

<sup>2</sup> The Libyan Centre for International Commercial Arbitration has administered four (4) mediations.

<sup>3</sup> For future iterations of this ranking exercise, we can apply a multidimensional tool or concept which will take more factors into consideration. Such factors will include: how long the centre has been in business; different weighting for domestic, intra-Africa and international cases; organisational structure; number of support staff; number of languages the centre operates; types of disputes the centre attracts; amounts in dispute or complexity of the disputes; nationalities of disputants, counsel and arbitrators.

<sup>4</sup> Such activities include training, conferences and other knowledge exchange activities which are however not core to the business of arbitral centres and therefore not accounted for in the ranking of African arbitral centres.

other rules, we allocated a notional value of 0.5. These values evidence our focus on the experience of each centre in the actual mechanics of administering an arbitration. The notional value of 1 for those arbitration cases administered under its rules will require greater involvement of the centre and its staff, irrespective of the dispute being purely domestic or international.

However, where the centre provides support for ad hoc arbitration or hosts arbitration under the rules of a different arbitral centre, its involvement may be very limited. The different permutations of such support are varied. Examples are providing physical spaces for hearings, fund holding functions, appointing arbitrators (as appointing authority), providing translation and secretarial support services. For ease of calculation, all such services in support of other arbitrations not under the bespoke arbitration rules of any centre are allocated a notional value of 0.5.

Arbitral centres in Africa conclude several different types of memoranda of understanding or association (MoU) with diverse other agencies and groups primarily for knowledge exchange and learning but also with other arbitral centres to provide arbitration administration focused mutual support. The knowledge relationships are not core to the business of an arbitral centre and we excluded the MoUs that are concluded with organisations that are not arbitral centres (such as universities). Relationships with other arbitral centres evidence interaction, learning and sharing of experience among arbitration centres, in pursuit of excellence in their service delivery. It also evidences the external reach of the centre. We have allocated notional values to such relationships with other arbitral centres. We recognise that such relationships may be localised (within the same country), or with centres in other African countries or outside the African continent. For each relationship the centres have with other centres within the same country we allocated a notional value of 0.2; and for each relationship with centres in other African countries, we allocated a notional value of 0.3 and 0.4 for relationships with non-African centres.<sup>5</sup> The valuation is to account for the relative outward vision and pursuit of international standards and excellence of such arbitral centres while acknowledging that the existence of such MoUs, though desirable, is not core to the effective or efficient operation of the core business of the arbitral centre. We applied these notional values in ranking the nine African arbitral centres.

Finally, we recognise that the coding exercise for this ranking was based on limited factors. We however expect that our subsequent ranking of African arbitral centres will include more diverse factors (already mentioned) as access to relevant information is provided by the centres.

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<sup>5</sup>We recognise that other factors such as the size of the centre, its regional location, economic growth or activities, and geographic location in the continent may also impact the assessment of the weighting and rating of each centre. We however believe that for purposes of this rating exercise, we have valued the relevant factors.

## Findings of the Survey

This report presents the findings from the survey which focused on identifying the top African arbitral centres and the top African seats for arbitration by the users of arbitration in Africa. The reporting period for the online questionnaire was 2010-2019 while the data for the coding exercise provided by the arbitral centres cover the period from when they commenced business until 2020.

### Respondents

350 individuals responded to the online survey<sup>6</sup>. The online survey was live for eight weeks and extended by another week because of the Covid-19 pandemic and in response to requests from some members of the arbitration community in Africa. These respondents were from 26 African countries<sup>7</sup> and eight non-African countries.<sup>8</sup>

The highest number of responses were from South Africa (97); Nigeria (75); Egypt (44); Kenya (30); Cameroon and Benin (12 each). And the highest number of responses from outside the African continent was from France and the UK with 11 responses each.

No	Country	No of Respondents	No	Country	No of Respondents
1	South Africa	97	18	Morocco	2
2	Nigeria	75	19	Niger	2
3	Egypt	44	20	Senegal	2
4	Kenya	30	21	Togo	2
5	Benin	12	22	UAE	2
6	Cameroon	12	23	USA	2
7	France	11	24	Burkina-Faso	1
8	UK	11	25	Canada	1
9	Chad	10	26	Djibouti	1
10	Zambia	5	27	Ethiopia	1
11	Rwanda	4	28	Hong Kong	1
12	Tunisia	4	29	India	1
13	Ghana	3	30	Mauritius	1
14	Tanzania	3	31	Saudi Arabia	1
15	Botswana	2	32	Seychelles	1
16	Central Africa Republic	2	33	Sudan	1
17	Libya	2	34	Zimbabwe	1

Figure 1: Table showing the number of respondents by Country.

<sup>6</sup> An increase of 151 responses on the 199 responses to our 2018 survey.

<sup>7</sup> Benin (12), Botswana (2), Burkina Faso (1), Cameroon (12), Central Africa Republic (2), Chad (10), Djibouti (1), Egypt (44), Ethiopia (1), Ghana (3), Kenya (30), Libya (2), Mauritius (1), Morocco (2), Niger (2), Nigeria (75), Rwanda (4), Senegal (2), Seychelles (1), South Africa (97), Sudan (1), Tanzania (3), Togo (2), Tunisia (4), Zambia (5), and Zimbabwe (1).

<sup>8</sup> Canada (1), France (11), Hong Kong (1), India (1), Saudi Arabia (1), UAE (2), UK (11), and USA (2).



83% of the respondents have participated in arbitration in Africa over the reporting period.

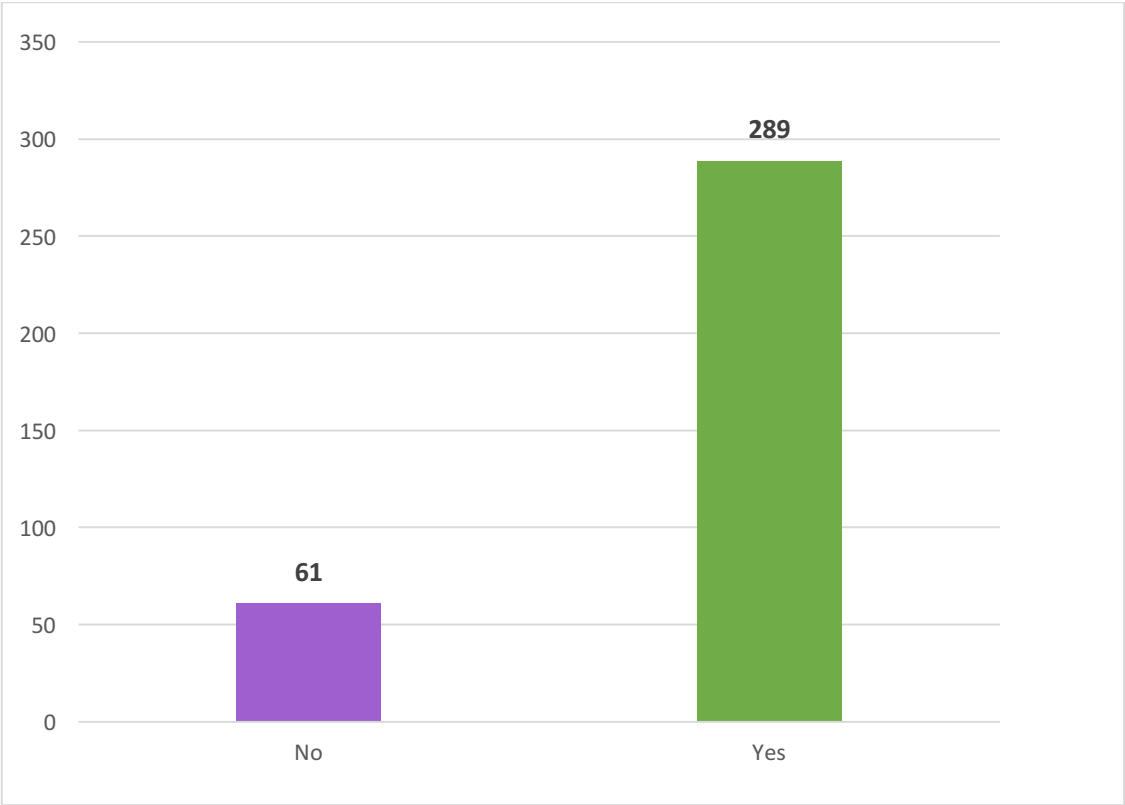


Figure 2: Column Chart showing the number of people who participated in Arbitration in Africa.

Respondents had participated in both institutional and ad hoc arbitration in Africa

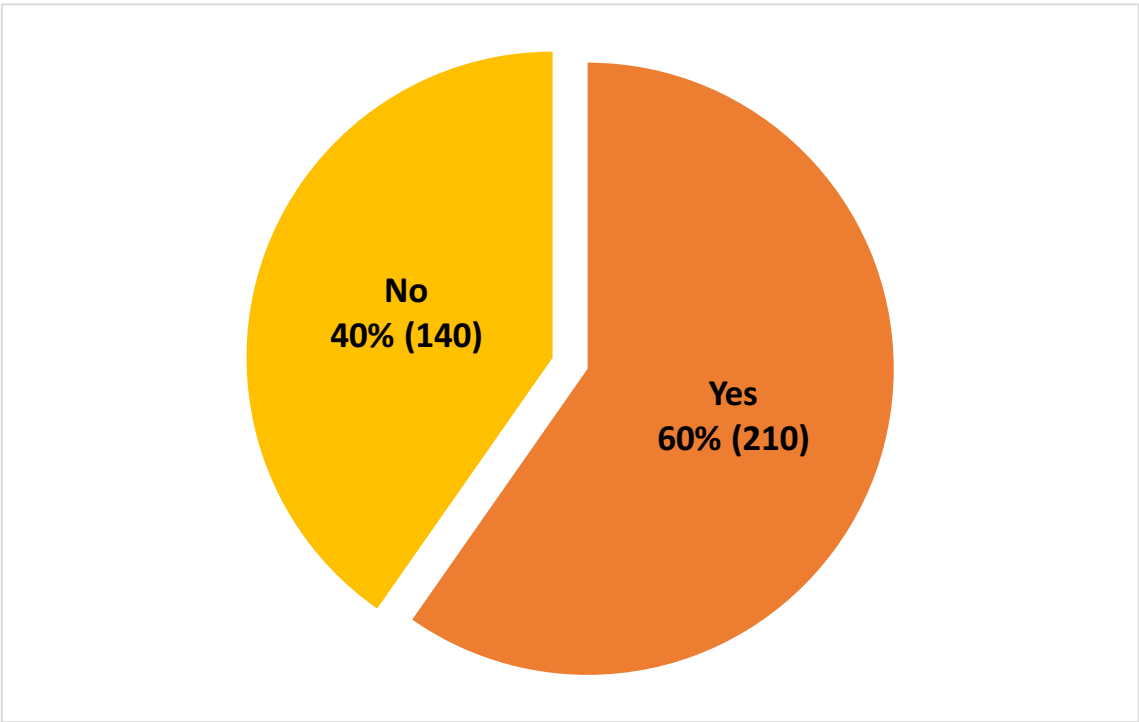


Figure 3: Pie chart shows percentage of respondents who participated in Institutional Arbitration.

Respondents have participated as arbitrator, counsel, tribunal secretary, expert and disputants in arbitrations.<sup>9</sup>

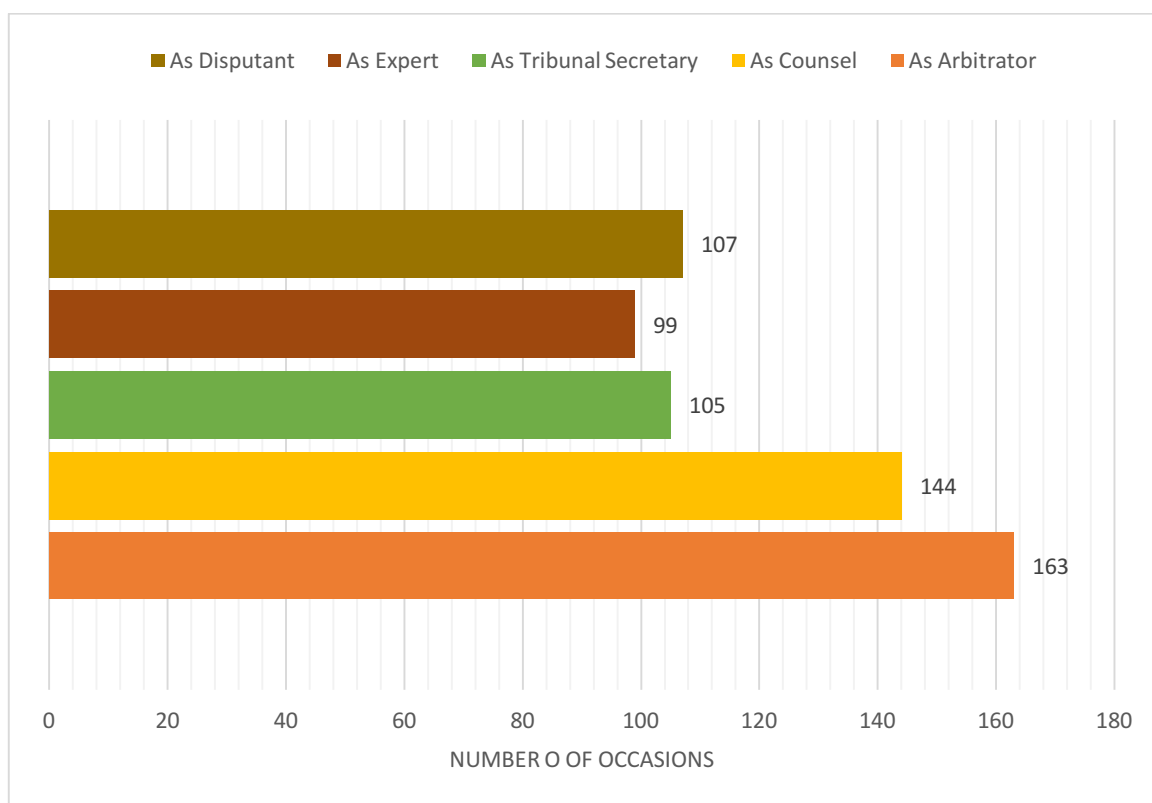


Figure 4: Bar chart showing number of occasions respondents participated in roles.

### Survey Languages

The online questionnaire was in the three major languages of Arabic, English and French.<sup>10</sup> 47 respondents completed the Arabic version; 56 respondents completed the French version and 247 respondents completed the English version of the online questionnaire.

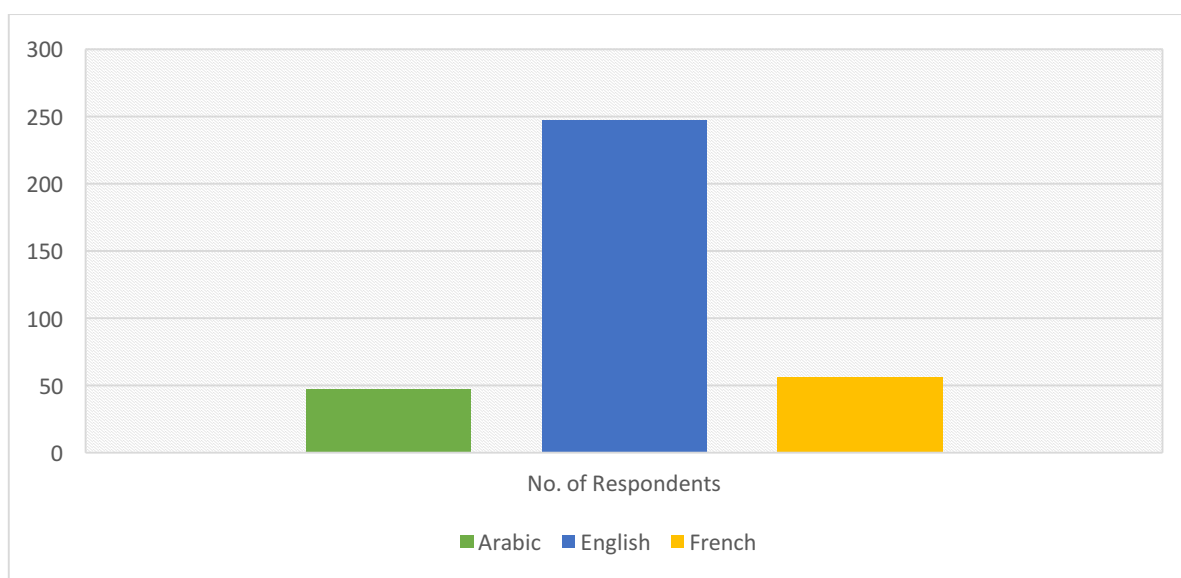


Figure 5: Column chart showing number of respondents by language.

<sup>9</sup> Respondents included the ICC, LCIA, and PCA which are non-African centres in their responses and we have ignored these responses for purposes of this report.

<sup>10</sup> We recognise that we need to include a version in Portuguese to capture the views of arbitration practitioners in the Lusophone African countries of Angola, Capo Verde, Guinea Bissau, Mozambique, and Sao Tome and Principe.

## Institutional Arbitration

We identified 91 arbitral centres or organisations operating on the continent.<sup>11</sup> Our research finds that not all 91 entities carry out the functions of an arbitral institution properly so called. Some of these centres do not administer arbitration cases but provide facilities including hearing rooms **to support the** private dispute resolution process; while some effectively act as appointing authorities and again do not administer arbitration references. Almost all the entities that describe themselves as arbitral centres provide capacity building and training in arbitration and other forms of dispute resolution processes.

This research covers only those institutions that administer arbitration references under their bespoke arbitration rules and/or other rules including ad hoc arbitration. Such institutions also have physical presence in an identifiable location within the continent and employ staff that administers arbitrations.

### African Arbitral Centres

Users of African arbitral centres require them to have the following facilities:

- convenient location;
- spacious hearing rooms and break-out facilities;
- recording and transcription equipments;
- convenience facilities;
- professional staff;
- clear rules of arbitration;
- support in appointing arbitrators;
- cost effectiveness;
- arbitration rules in different languages with explanatory notes;
- efficient case management;
- access to efficient technology;
- neutral and reputable.

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<sup>11</sup> For details see:

<https://researcharbitrationafrica.com/files/List%20of%20Known%20Arbitration%20Institutions%20in%20Africa%2020200404.pdf>

60% (210) of respondents have participated in institutional arbitration in Africa.

These respondents have used the following African arbitral centres:

Name of Arbitral Institution	Abbreviation	Country
<b>Cairo Regional Centre for International Commercial Arbitration</b>	CRCICA	Egypt
<b>Arbitration Foundation of Southern Africa</b>	AFSA	South Africa
<b>Common Court of Justice &amp; Arbitration of OHADA</b>	CCJA/OHADA	Ivory Coast
<b>N'Djamena Arbitration, Mediation and Conciliation Centre</b>	CAMC-N	Chad
<b>CAMEC-CCIB (Centre of Arbitration of Mediation and Conciliation of the Chamber of Commerce and Industry of Benin)</b>	CAMEC-CCIB	Benin
<b>GICAM Arbitration and Mediation Centre</b>	GICAM	Cameroon
<b>Kigali International Arbitration Centre (KIAC)</b>	KIAC	Rwanda
<b>International Centre for Arbitration &amp; Mediation, Abuja</b>	ICAMA	Nigeria
<b>Lagos Chamber of Commerce International Arbitration Centre</b>	LACIAC	Nigeria
<b>Arab Centre for Arbitration</b>	ACA	UAE
<b>Centre Permanent d'arbitrage et de médiation du CADEV</b>	CADEV	Cameroon
<b>Arbitration Centre of Guinée</b>	CAG	Guinea
<b>Lagos Court of Arbitration</b>	LCA	Nigeria
<b>Nigerian Institute of Chartered Arbitrators</b>	NICARb	Nigeria
<b>Centre for Conciliation &amp; Arbitration of Tunis (CCAT)</b>	CCAT	Tunisia

Figure 6: Table shows arbitral centres used by respondents.

### Top African Arbitral Centres by Coding

On the basis of the number of arbitration cases administered and the MoUs concluded with other arbitration centres.

No	Name of Centre	No of cases under own Rules [1]	No of Cases under other Rules or Ad Hoc [0.5]	In-State MoU [0.2]	African MoUs [0.3]	Outside Africa [0.4]	Total Points
1	AFSA <sup>12</sup>	4134	-	-	2 [0.6]	7 [2.8]	4137.4
2	CRCICA <sup>13</sup>	1408	-	-	14 [4.2]	43 [17.2]	1429.4
3	OAMCC <sup>14</sup>	181	-	-	10 [3]	-	184
4	CCJA <sup>15</sup>	157	-	-	-	2 [0.8]	157.8
5	KIAC <sup>16</sup>	137	4 [2]	-	1 [0.3]	-	139.3
6	TIARB <sup>17</sup>	89	-	1 [0.2]	-	-	89.2
7	ICAMA <sup>18</sup>	-	165 [82.5]	1 [0.2]	-	-	82.7
8	NCIA <sup>19</sup>	40	8 [4]	-	4 [1.2]	2 [0.8]	46
9	CMAN <sup>20</sup>	7	-	-	-	-	7

Figure 7: Table shows top ten African arbitral centres.

<sup>12</sup> Arbitration Foundation of Southern Africa (South Africa).

<sup>13</sup> Cairo Regional Centre for International Commercial Arbitration (Egypt).

<sup>14</sup> Ouagadougou Arbitration, Mediation & Conciliation Centre (Burkina Faso).

<sup>15</sup> Common Court of Justice & Arbitration, OHADA.

<sup>16</sup> Kigali International Arbitration Centre (Rwanda).

<sup>17</sup> Tanzania Institute of Arbitrators, Dar es Salaam (Tanzania).

<sup>18</sup> International Centre for Arbitration & Mediation, Abuja (Nigeria). ICAMA does not have its own bespoke arbitration rules.

<sup>19</sup> Nairobi Centre for International Arbitration (Kenya).

<sup>20</sup> Centre de Mediation et d'Arbitrage de Niamey (Niger).

Our coding exercise reveals that **AFSA** is the premier arbitration centre in Africa as it relates to experience in administering arbitration cases under its arbitration rules with **CRCICA** second while **ICAMA** is the premier arbitration centre as it relates to administering ad hoc arbitration cases.

In relation to outward vision and engagement, **CRCICA** is the leading arbitration centre in Africa with **AFSA** placing second.

The responses from the online questionnaire support our findings on AFSA and CRCICA. From our online questionnaire, both arbitral centres enjoy strong reputation from both users within and outside their locations and the respondents praise their professionalism, efficiency and support facilities.

### Top Arbitral Centres by the Respondents

The top five arbitral centres as ranked by the respondents to the questionnaire are:

Name of Arbitral Institution	Abbreviation	Country	Points
Arbitration Foundation of Southern Africa	AFSA	South Africa	93
Cairo Regional Centre for International Commercial Arbitration	CRCICA	Egypt	72
Kigali International Arbitration Centre	KIAC	Rwanda	51
Lagos Court of Arbitration	LCA	Nigeria	44
Nairobi Centre for International Arbitration	NCIA	Kenya	32

Figure 8: Table shows top 5 arbitral centres and Figure 9 below shows data as a column chart.

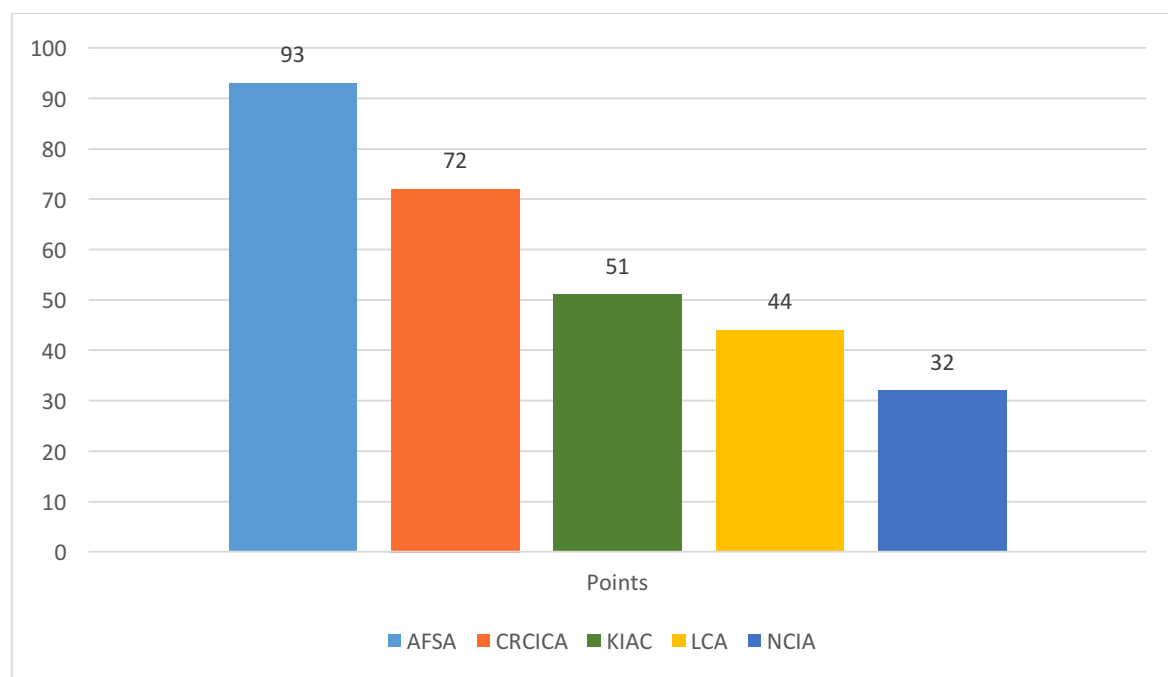


Figure 9: Column chart shows top five arbitral centres by adding ratings given by respondents. Respondents were asked to rate centres between 1-5, 1 being poor and 5 being excellent. Total points for each centre are represented in the Column chart.

Respondents chose these centres based on their experience, reputation and location.

Parties also ranked the quality of the support or administrative staff of African arbitral centres with these as the top five: AFSA; CRCICA; LCA; NCIA; and CCJA.

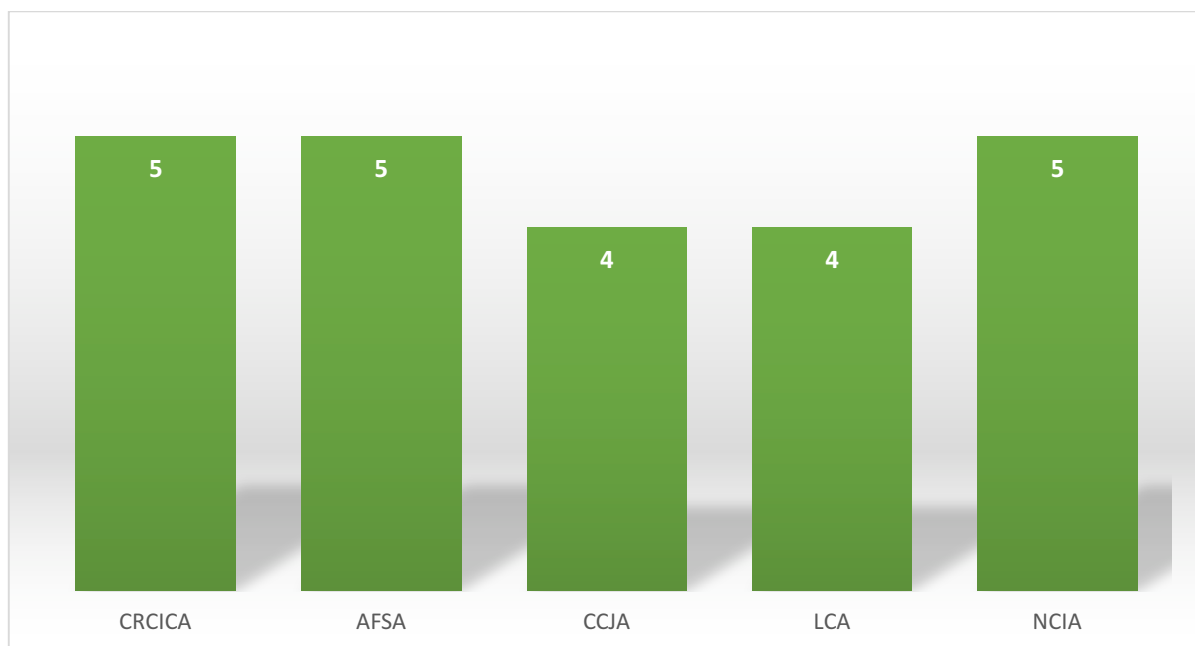


Figure 10: Column chart shows top five rated by respondents who were asked to rate the quality of staff support available at each arbitral centre between 1-5, 1 being the poorest quality and 5 being the highest quality.

Users of African arbitral centres will recommend the following centres: CRCICA, AFSA, KIAC, NCIA, CCJA.

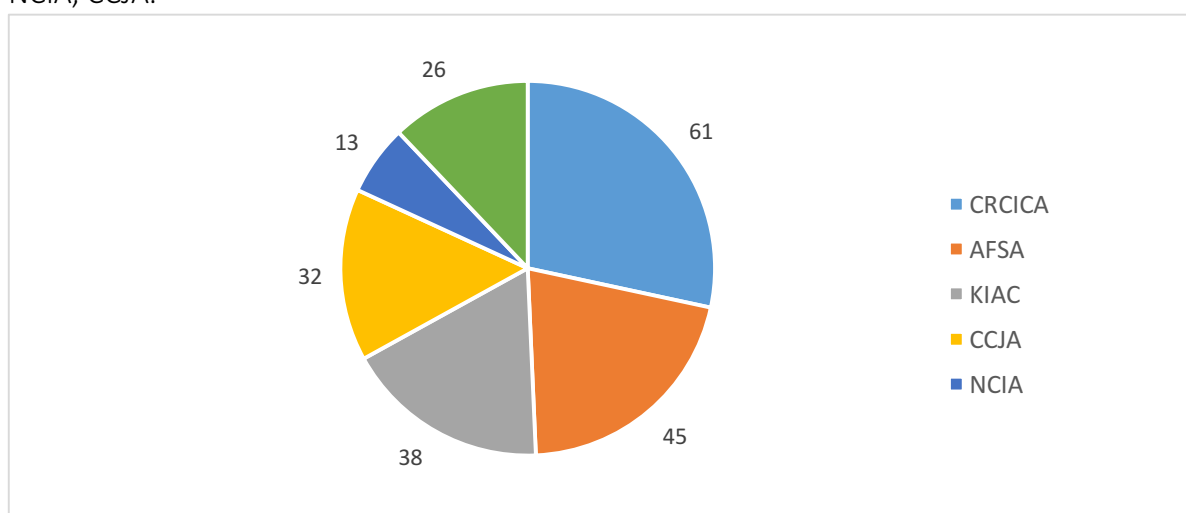


Figure 11: Pie chart shows top five arbitral centres respondents would recommend to disputants.

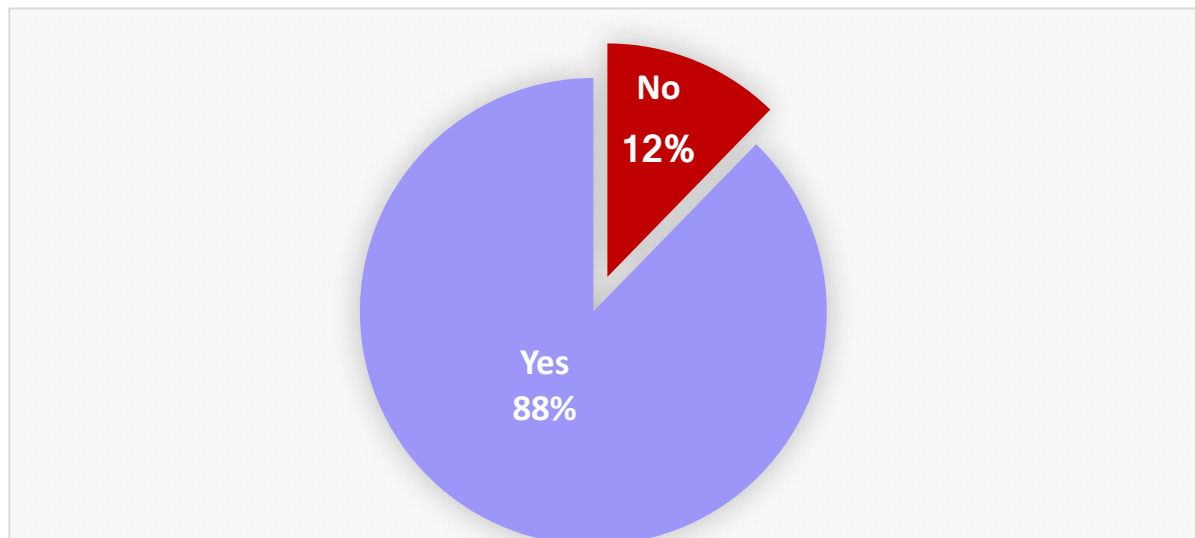
It is obvious that none of these arbitral centres is located in Nigeria, one of the major arbitration hubs on the continent.<sup>21</sup> Nigeria also boasts of several arbitral centres according to the updated list of African arbitral centres.<sup>22</sup> One possible explanation for this anomaly is that the vast majority of arbitration references in Nigeria are ad hoc. The arbitral centres in Nigeria administer very few cases. This is further supported by the data from ICAMA in Abuja which

<sup>21</sup> As found in our 2018 survey report. Available at: <https://eprints.soas.ac.uk/25741/1/SOAS%20Arbitration%20in%20Africa%20Survey%20Report%202018.pdf>

<sup>22</sup> See the updated list of African arbitral centres at: <https://researcharbitrationafrica.com/papers/>

has administered a total of 165 ad hoc arbitrations cases (see Figure 9 above). For purposes of this coding exercise, the difficulty with data collection for ad hoc arbitrations is that the numbers of such references is difficult to verify. This is unlike arbitral centres, that keep a record of the number of cases they administer.

The vast majority of respondents (307) will recommend African arbitral centres to users of arbitration.



**Figure 12: Pie chart shows the number of respondents who would recommend African arbitral centres to users of arbitration.**

On the (human and technical) facilities that respondents expect an international arbitration centre in Africa to provide, the following were repeatedly mentioned:

- Accessible location;
- Panel of experienced arbitrators;
- Multilingual staff and delivery of services (including arbitration; rules/notes/guidelines);
- State-of-the-art technology;
- Well trained administrative staff (and secretarial services);
- Efficient case management systems;
- Suitable and modern arbitration rules;
- Code of ethics for arbitrators;
- Modern technical facilities (for recording, translation, transcription, video-conferencing, etc.)
- Knowledge of African socio-cultural context;
- Reliable and efficient infrastructure;
- Digital and physical library;
- Functioning and attractive website;
- Online filing of documents;
- Adequate power supply;
- Competitive cost structure;
- Independence from control by government, commercial or other organisations or groups.
- Security of lives, property and documents.

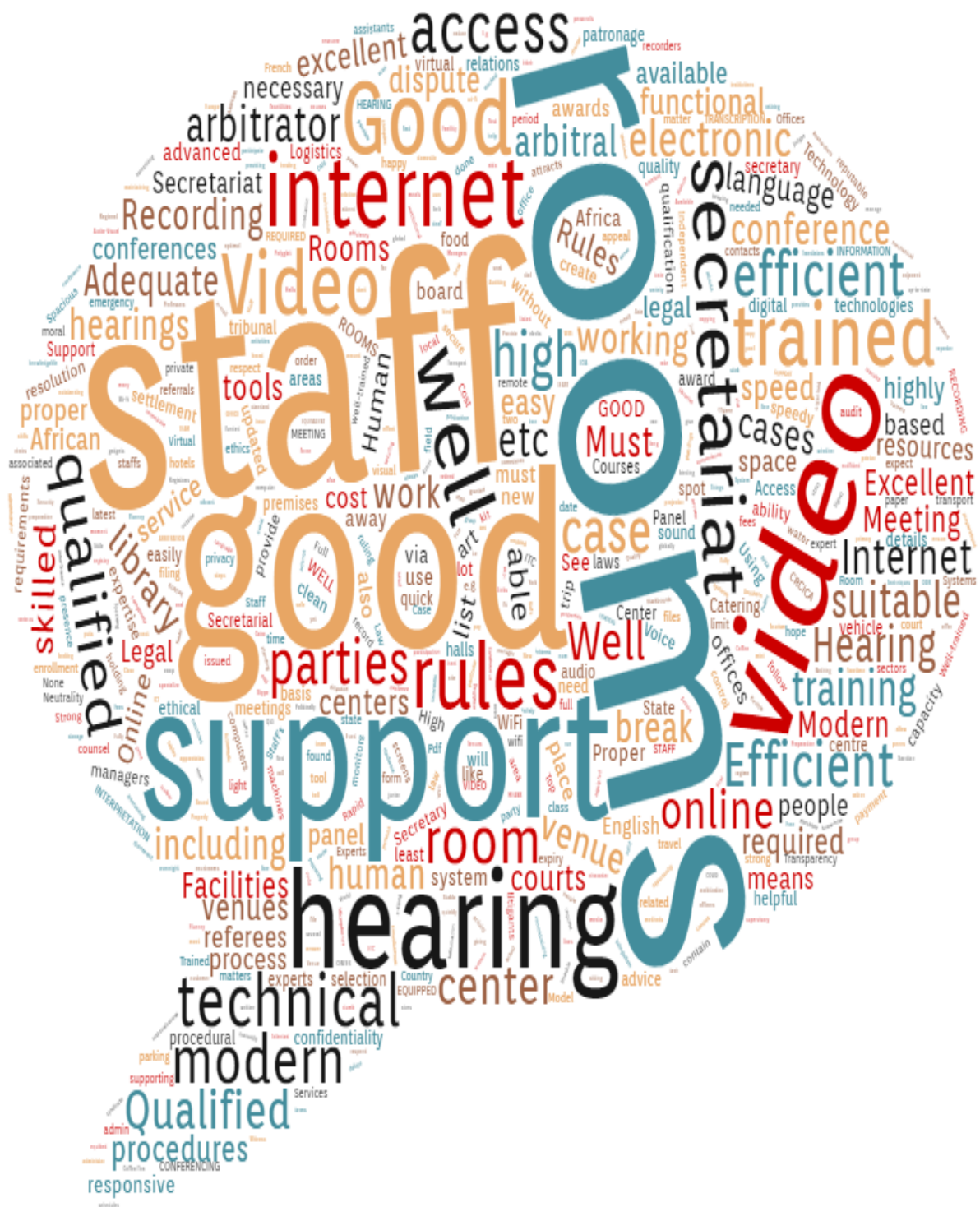


Figure 13: Word cloud showing key words from respondents' feedback.



This list includes expectations of respondents of the quality of services arbitral centres in Africa should deliver in comparison to their foreign counterparts. The items on the list are minimum requirements for which respondents that identified the top arbitral centres in Africa also mentioned as being of high quality in those centres. The list is very helpful for African arbitral centres to adopt in assessing their service provision to their users.

Finally, the list is evidence that the average arbitration practitioner in Africa is very much technologically minded and has a clear understanding of the role technology can play towards effective dispute resolution delivery.<sup>23</sup> Some of the responses clearly mention that the services provided by the arbitral centres in Africa are comparable to those provided by their foreign counterparts in all respects. This is irrespective of the fact that in some African countries the cost of delivering some of these services are very high when compared with the cost of delivering the same service in post-modern societies outside Africa.

## Ad hoc Arbitration

Ad hoc arbitration, as used in this report, refers to any arbitration reference that is not conducted under the bespoke arbitration rules of an arbitral institution. Such references may be conducted in the facilities of an arbitral centre and as already mentioned, such centre may provide different levels of support to the parties.

48% of the respondents have participated in ad hoc arbitration references in Africa.

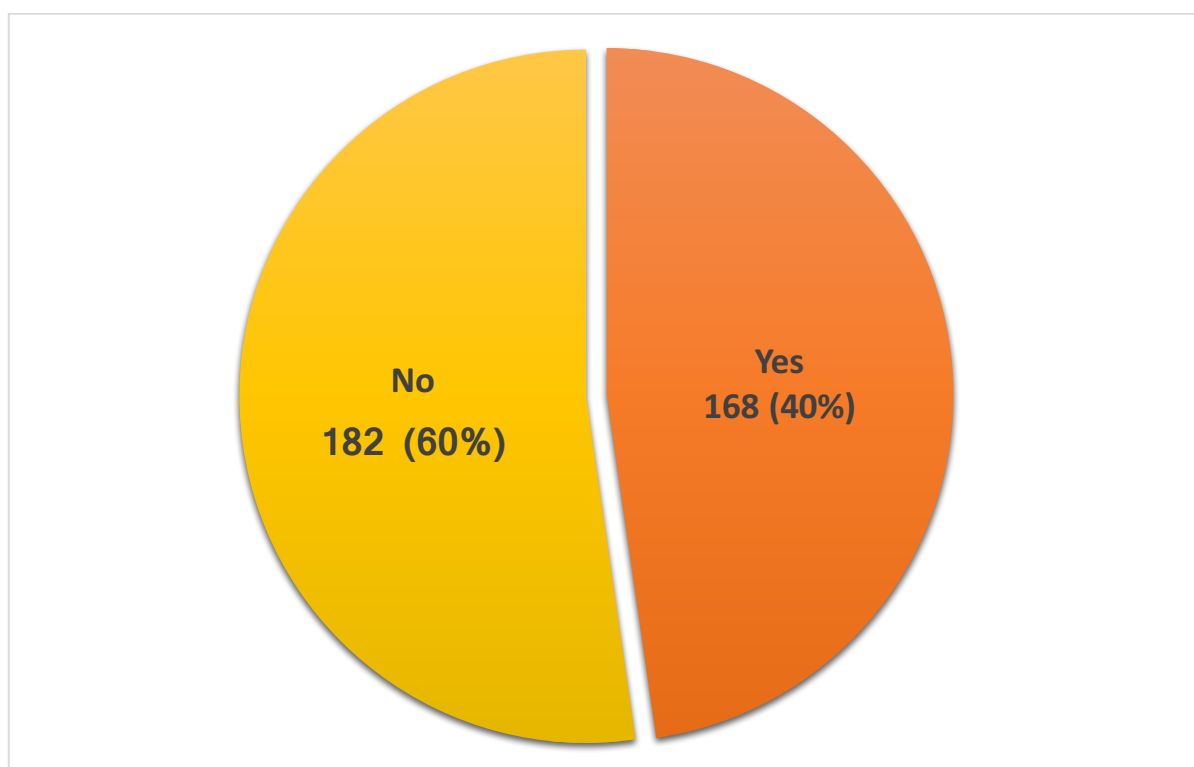


Figure 14: Pie chart shows the number of respondents who participated in ad hoc arbitration in Africa.

<sup>23</sup> This makes the Africa Arbitration Academy Protocol on Virtual Hearings in Africa 2020 very welcome. The text of the Protocol is available at: <https://researcharbitrationafrica.com/the-african-promise/>

Cities	Number of respondents
Johannesburg	38
Lagos	30
Cairo	25
Cape Town	20
Durban	12
Abuja	11
Pretoria	10
Nairobi	9
Cotonou	6
Gaborone	6
Douala	5
Sandton	5
Yaoundé	5
Enugu	4
N'Djamena	4
Paris	4
Abakaliki	3
Accra	3
Khartoum	3
Kigali	3
Lusaka	3
Port Elizabeth	3
Tunis	3
Windhoek	3
Dar es Salaam	2
Dubai	2
Grahamstown	2
Maputo	2

Cities	Number of respondents
Maseru	2
Polokwane	2
Abidjan	1
Alexandria	1
Asaba	1
Bamako	1
Bloemfontein	1
East London	1
Emalahleni	1
Gauteng	1
Harare	1
Ife-Ife	1
Juba	1
Kaduna	1
Kampala	1
Kinshasa	1
Kuala Lumpur	1
Libreville	1
Mbombela	1
Middelburg	1
Mossel Bay	1
Port Harcourt	1
Rabat	1
Richards Bay	1
Sanaa	1
Secunda	1
Tripoli	1
Warri	1

Figure 15: Table shows the cities the respondents have held the ad hoc arbitration.

## Seat of Arbitration

This section of the survey seeks to identify the major cities in Africa that host arbitration references, whether ad hoc or institutional arbitration.

### Major Cities for Arbitration

Respondents have participated in ad hoc arbitration in various capacities as: arbitrator, counsel, tribunal secretary, expert and disputant in several African cities from 37 different African countries:

City	Country
Johannesburg	South Africa
Cape Town	South Africa
Durban	South Africa
Pretoria	South Africa
Sandton	South Africa
Cairo	Egypt
Lagos	Nigeria
Abuja	Nigeria
Enugu	Nigeria
Abidjan	Cote d'Ivoire
N'Djamena	Chad
Cotonou	Benin
Douala	Cameroon
Yaoundé	Cameroon
Nairobi	Kenya
Kigali	Rwanda
Dar es Salaam	Tanzania
Tunis	Tunisia
Accra	Ghana
Gaborone	Botswana
Addis Ababa	Ethiopia
Casablanca	Morocco
Marrakech	Morocco
Rabat	Morocco
Khartoum	Sudan
Lusaka	Zambia
Ouagadougou	Burkina Faso
Windhoek	Namibia
Harare	Zimbabwe
Kampala	Uganda
Kinshasa	Democratic Republic of Congo
Maputo	Mozambique
Maseru	Lesotho
Lome	Togo
Mbabane	Eswatini
Tripoli	Libya

Figure 16: Table listing major African cities for Arbitration.

### Top African Cities for Arbitration

The top five cities for arbitration in Africa are: Johannesburg (38); Lagos (30); Cairo (25); Cape Town (20); and Durban (12) responses.

Grouped according to countries: **South Africa** [with Johannesburg, Cape Town, Durban, Pretoria, Sandton and Guateng commanding 86 responses); **Nigeria** (Lagos, Abuja, Enugu, Abakaliki, Asaba, Ile-Ife, Kaduna, Port Harcourt and Warri with 53 responses); **Egypt** (Cairo with 25 responses).

The top 10 African cities for arbitration according to respondents are:

Cities	Number of votes
Cairo	112
Johannesburg	82
Kigali	64
Lagos	59
Cape Town	45
Abidjan	29
Abuja	25
Pretoria	22
Durban	16
Tunis	16

Figure 17: Table shows the top 10 cities for arbitration.

Top 20 are:

Cities	Number of votes
Cairo	112
Johannesburg	82
Kigali	64
Lagos	59
Cape Town	45
Abidjan	29
Abuja	25
Pretoria	22
Durban	16
Tunis	16
Port Louis	14
Douala	12
Dakar	12
Nairobi	11
Cotonou	10
Addis Ababa	10
Casablanca	10
Ougadougou	9
Accra	9
Sandton	8

Figure 18: Table shows the top 20 cities for arbitration.

Reasons for these choices according to respondents:

- Availability of expertise in arbitration;
- Accessibility [transportation];
- Access to modern technology and facilities;
- Arbitration friendly laws and jurisdictions;
- Economic hubs in Africa;
- Reputation of the arbitral centre in the city;
- Multilingual cities;
- Geographical location of the cities;
- Politically stable
- Security

In participating in arbitration in Africa, respondents found the following most rewarding:

- Disposal of the dispute expeditiously;
- Acceptance of the arbitral award by the parties;
- Conducting ICC arbitration in Africa as well as if it had been conducted in Paris and saving the parties travel costs;
- Efficient conduct of the arbitral proceedings;
- Localisation of the arbitration;
- Devoid of unnecessary formality and technicality;
- Ease of communication (both logistical and linguistically);
- Efficiency and expediency;
- Use of modern technology;
- Procedural flexibility;
- Confidentiality of the process.

Respondents found the following most troubling:

- Attempts to delay the proceedings by respondent counsel;
- Appointment of arbitrators that are unfamiliar with the substantive subject matter of the dispute;
- Costs of the arbitration;
- Dealing with dilatory parties and lawyers who import litigation rules into arbitration;
- Enforcement of the award;
- Unclear text of local laws on arbitration;
- Length of proceedings;
- Too frequent recourse to the courts during the arbitration proceedings;
- Repeated appointments of some arbitrators.

Figure 19: Map showing major cities for Arbitration in Africa

