

28 July 2017

Mr V Ramaano  
The Portfolio Committee on Justice  
and Correctional Services  
email: [vramaano@parliament.gov.za](mailto:vramaano@parliament.gov.za)

Dear Mr Ramaano,

1. I am responding to the invitation to submit written submissions to the Portfolio Committee on Justice and Correctional Services in regard to the International Arbitration Bill.
2. I am a director of the China-Africa Joint Arbitration Centre Johannesburg ("CAJAC"), and I make these submissions on the authority of the CAJAC Board.
3. The CAJAC project has been initiated and developed under the aegis of the Forum for China-Africa Cooperation (FOCAC), the FOCAC Legal Forum, the China Law Society, the Arbitration Foundation of Southern Africa (AFSA) and the Shanghai International Arbitration Centre (SHIAC). Its establishment has been endorsed by the 51 participating States attending the 6<sup>TH</sup> FOCAC Meeting at Johannesburg as will appear from paragraph 6.2.6 of the Johannesburg Action Plan.
4. The objective of CAJAC is the creation of a multi-institutional partnership between leading Chinese and African arbitral institutions to provide a comprehensive dispute resolution mechanism acceptable to Chinese and African business, investment and legal communities.
5. Since its establishment, the CAJAC Centres now operate out of South Africa, Kenya, Shanghai, Beijing and Shenzhen. They offer a shared dispute resolution mechanism and are building a China-Africa jurisprudence which will facilitate trade and investment between the continents.
6. With the present exception of South Africa, each of the CAJAC Centres is able to operate within a legislative framework which incorporates Model Law legislation, or like enactments in support of international arbitration. Such legislative support is essential to foster mutual confidence in the standard and credibility of the dispute resolution process. There is a pressing need for legislation to be passed in order to bring South Africa into line with other Model Law jurisdictions thereby greatly enhancing South Africa as an international arbitration destination.

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# CAJAC

CHINA-AFRICA JOINT ARBITRATION CENTRE  
JOHANNESBURG

7. The International Arbitration Bill submitted to the Portfolio Committee is of a high standard. We strongly support its passage into law. It will be of importance in making South Africa an acknowledged international arbitration centre. It will also provide the necessary legislative support for the CAJAC project which has wide acceptance in Africa and China.
  
8. If it will be of assistance to the Committee, I, or a senior CAJAC delegate, will be available to attend any public hearing to speak in support of the Bill.

Kind regards,



L G NKOSI-THOMAS SC

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