

Our International Arbitration experience in Africa





Further information

If you would like further information relating to our international arbitration capabilities in Africa, please contact one of the following:



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Top 5 Global Arbitration Practice, "GAR30",

Global Arbitration Review, 2014



Global Dispute Resolution Firm of the Year

Chambers Global Awards, 2014



Introduction

We are very pleased to have the opportunity to present our African arbitration experience and capabilities.

Hogan Lovells has been present in Africa for more than 30 years. Our Africa Practice brings together members of Hogan Lovells from across the world who have experience in and regularly advise clients located in or who have an interest in Africa. The team, with leaders in the Middle East, Asia, Americas and Europe, works together regularly, sharing Africa know-how and news relating to Africa, ensuring that we provide the highest quality service to our clients.

The Africa-related arbitrations we have handled cover a broad spectrum of industry sectors, including telecommunications, energy (oil and gas), banking, construction, retail and manufacturing.

Ranked fourth overall in the world in the 2014 Global Arbitration Review “GAR30”, our international arbitration practice covers all of the major industry sectors. We have extensive experience of complex, high-value arbitrations of all kinds, both in commercial and investment treaty disputes.

We are frequently recognised as being at the forefront of developments in the field of international arbitration. We were the first firm to act in an investment protection arbitration involving parallel claims under the Energy Charter Treaty, a bilateral investment treaty, and an international contract. Our practice is consistently ranked in the top tiers of the legal directories for both international arbitration and public international law. We are known for our innovative initiatives such as the ARBlog, our international arbitration blog containing topical commentary on international news, trends and cases. We have developed an on-line training course that allows lawyers joining the practice across the globe to gain skills so they can arbitrate the “Hogan Lovells way.”

Our unparalleled global footprint and the depth of our practice in the world’s key arbitration and commercial centres makes Hogan Lovells genuinely unique among the leading international arbitration practices.



Key
■ Experience in International Arbitration

Northern Africa experience



Advising a major network operator in relation to an arbitration under the rules of the Cairo Regional Centre for International Commercial Arbitration concerning interconnection rates



Represented a North African telecommunications company in an ICC arbitration against a French company for breach of a supply and distribution agreement



Representing a Japanese company in an ICC arbitration against an Egyptian company relating to an engineering contract subject to French law, involving the construction of provisions dealing with letters of credit



Representing an international oilfield services provider, defending claims brought in two parallel ICC arbitrations by its agent in Libya (and associated companies) arising under a suite of agreements for the provision of well testing services



Acting for an oilfield services provider and its subsidiaries in three parallel ICC and LCIA arbitrations under a series of agreements for services connected to exploration and production in Algeria



Acting for a European oil and gas major in ICC arbitration in Geneva against an Algerian petroleum company in relation to the supply of Liquefied Natural Gas



Representing a North African State entity in ICC arbitration proceedings and in court proceedings in relation to several of its investments



Acting for a major energy company in an UNCITRAL arbitration relating to the utilization of a North African oil field



Advising the main contractor for the design and construction of a major new desalination and associated power plant in Algeria in a dispute with its turbine supplier

Eastern Africa experience



We assisted in setting up the Kigali International Arbitration Centre (launched in 2012): <http://kiac.org.rw>. Our involvement included assisting in the drafting of KIAC's arbitration rules



Acting for a multinational engineering company in an ICC arbitration in Zurich arising out of a dispute over a pipeline in Sudan



Acting for an independent power producer in Kenya in relation to a PPA with Kenya Lighting and Power Company Limited for the 56 MW diesel generating plant in Nairobi South



Advising a European company on successfully resolving disputes regarding a power station in the Sudan



Acting for companies in the SABMiller plc group against companies in the Diageo plc group in three ICC arbitrations seated in London, in relation to joint venture disputes regarding the Tanzanian and Kenyan beer markets including obtaining interim injunction in the English Courts in aid of an ICC arbitration, successful resisting an appeal of the injunction and conducting related arbitration proceedings



Advising an international contractor in respect of its bid for an independent power plant in Mozambique including advising on a construction contract based on FIDIC Silver



Acting for two international banks in three parallel arbitrations against a multinational Swiss company, one under the LCIA Rules and two under the ICC Rules. The dispute arose out of the fraudulent misappropriation of coffee which was being held in warehouses in Uganda as security for trade finance facilities extended by the banks

Western Africa experience



Acting for the Gabonese subsidiary of an International oil company in ICC arbitration proceedings brought by an exploration and production company relating to the transportation of oil through a pipeline. The case gave rise to complex issues of force majeure, frustration, illegality, sale of goods law, set-off and restitution, as well as issues of Gabonese law



Acting for a Ghanaian food manufacturer against a Hong Kong multi-national in an arbitration under the ICC Rules in London concerning an exclusive distribution agreement for West Africa. This included acting for a related company and individuals in relation to a successful challenge under Article 6(2) of the ICC Rules



Acting in on international arbitration involving a contractual dispute within the telecommunications industry between two Nigerian companies



Acting for a leading manufacturer of oil and gas equipment in proceedings in the commercial court brought by the owner of a deep sea drill ship. It was alleged that defective equipment supplied by the client and others caused a major incident off the coast of West Africa. The owner of the ship claimed over US\$100m



Advising the Government of Liberia in opposing the enforcement of an arbitration award against the National Port Authority of Liberia



Acting for IPCO (Nigeria) Limited in the enforcement in London (under New York Convention) of an arbitral award made against NNPC in an ad hoc arbitration seated in Nigeria



Advising 13 Nigerian financial institutions on the staying of claims brought against them in England, in favour of arbitration proceedings in Lagos. The dispute was successfully settled



Represented a major global bank in an ad hoc arbitration brought by an African state relating to the privatisation of a telecoms company (UNCITRAL, the Hague). The dispute related to advice given to a West African state (a member of OHADA) regarding a relationship and success fee, following the sale and privatisation of the national telecommunications company

Central and Southern Africa experience



Representing the South African branch of a major UK bank in an ad hoc UNCITRAL Rules based investment arbitration against an African Government after the privatisation of the state-owned telecommunications company



Acting for an English engineering company in an ICC arbitration in Paris on a claim against a central African potentate in relation to an open-cast tin mine



Acting for a major engineering company in an ICC arbitration in Paris worth N\$42 million between an African government and a major engineering company on damages for alleged defects in a water canal in Namibia



Acting for a contractor in an ICC arbitration. The employer was an Australian company and the project was in Mozambique



Acting on construction and engineering disputes before the Namibian courts



Acting for a contractor in an ICC arbitration worth approximately ZAR250 million



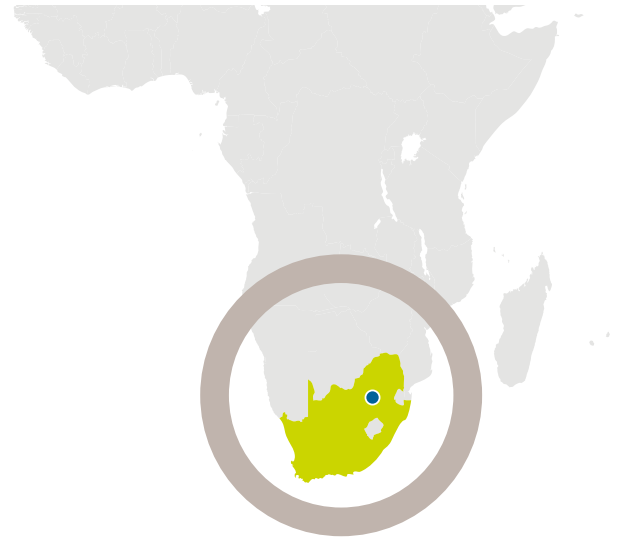
Representing a global oil company in ICC mediation proceedings against an African state regarding tax issues linked to the application of its concessions. Hogan Lovells represented the oil company in bringing urgent ICC proceedings to avoid a seizure of assets linked to the application of concession contracts in this Central African State member of OHADA. After pleadings were exchanged regarding the application of the tax provisions of the contracts, two sets of hearings were held in Paris, enabling the parties to discuss and settle their dispute, successfully setting out the basis for their continued relationship going forward

Hogan Lovells in South Africa

South Africa is an important jurisdiction with many companies basing their regional headquarters there, particularly in Johannesburg, the financial centre.

Hogan Lovells has continued to strengthen its track record acting as counsel on arbitrations relating to Anglophone, Francophone and Lusophone countries of Africa and grow its dedicated team focused on this market.

On 1 December 2013, Hogan Lovells and leading South African law firm Routledge Modise announced the approval of their respective partnerships to combine their firms. The combination took effect from early 2014 with Routledge Modise rebranding and relaunching as Hogan Lovells. The Johannesburg office comprises of a large team of lawyers specialising in international arbitration with a client base ranging from domestic listed and unlisted corporates and subsidiaries of international corporates, to South African state-owned enterprises and government departments.



Our South African office experience



Advising on an international arbitration involving a contractual dispute within the telecommunications industry between two Nigerian companies. The matter involves a claim in an amount of US\$450million, and a counter claim of US\$125million



Acting for an international mining company in an arbitration



Acting in several arbitrations and dispute adjudication board matters for an international manufacturing and construction company in the power and petrochemical industry



Acting for a contractor in an ICC arbitration worth approximately ZAR250 million

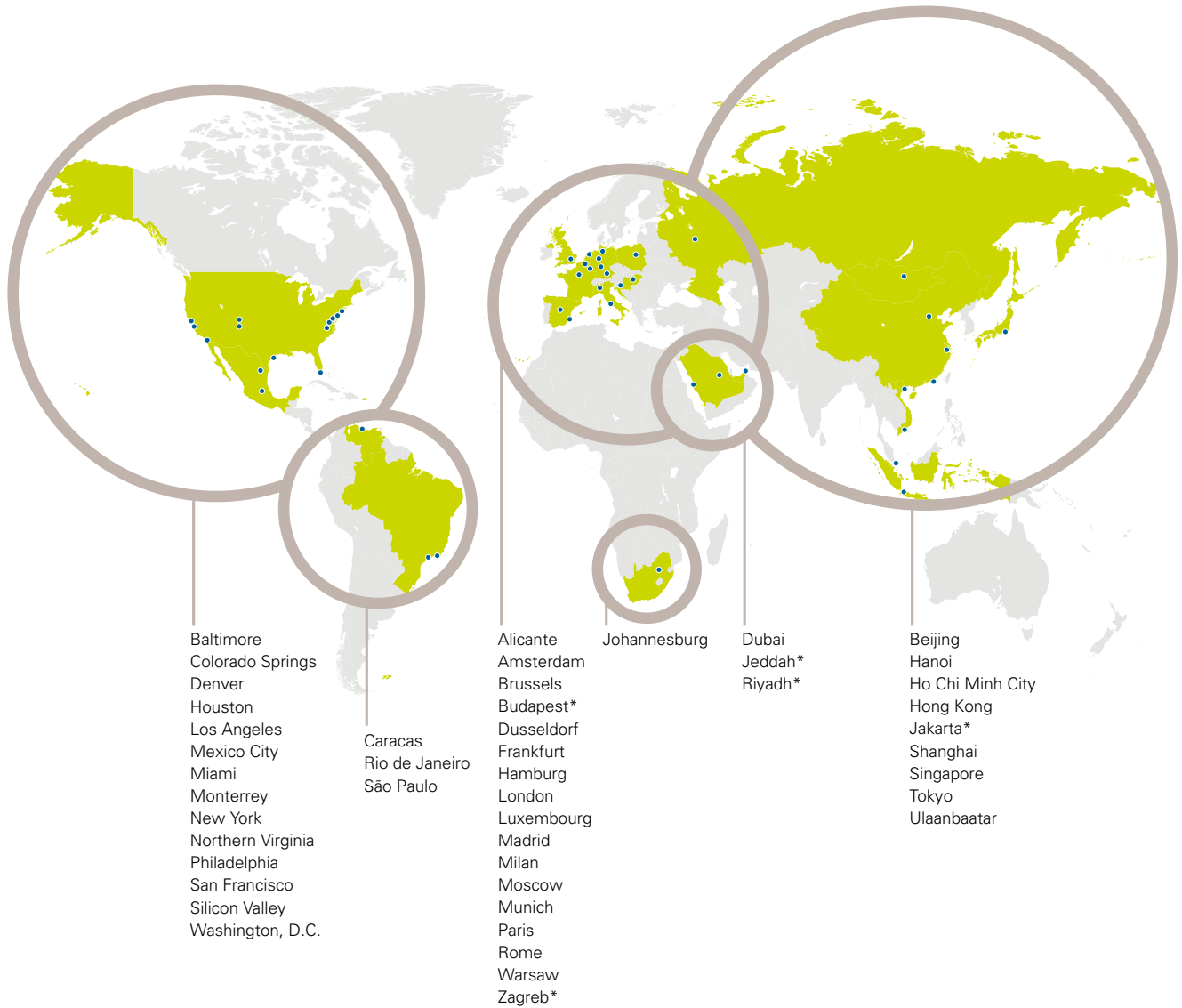
A leading global legal practice for a changing world

Hogan Lovells is one of the world's top 10 law firms by revenue, with around 2,500 lawyers worldwide, and more than 45 offices, including associated offices. Ours is a truly global practice, with real strength in every major market, comprising a cross-border capability of more than 150 fee-earners worldwide. Our multilingual and multicultural team operates from offices around the globe, including Abu Dhabi, Caracas, Dubai, Frankfurt, Hong Kong, Johannesburg, London, Madrid, Miami, Milan, Moscow, Munich, New York, Paris, Singapore, Ho Chi Minh City and Washington D.C.

We believe that an important aspect of being able to provide a comprehensive legal service is to have established contacts in those jurisdictions where we do not have a local office. Hogan Lovells has developed a strong network of correspondent law firms in all the African jurisdictions, with whom we enjoy excellent relationships. We work regularly with the local lawyers and know them well, and are therefore confident in recommending them to our clients. This close collaboration guarantees a delivery of quick, efficient and excellent quality of work.



Hogan Lovells' worldwide offices



* Associated offices

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For more information about Hogan Lovells, the partners and their qualifications, see www.hoganlovells.com.

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