



March 2020 e-periodical **issue 2**



A CELEBRATION OF SA'S GROWING ROLE AS A MAJOR PLAYER IN THE INTERNATIONAL ARBITRATION INDUSTRY

Welcome to ***Arbitrarily Speaking!***

The purpose of our newly revived e-periodical is to unpack the value, power and process of arbitration for our stakeholders, to provide a rich knowledge-share resource, and to invite membership, as well as subscription to our wide range of online courses.

In this edition, we had hoped to encourage your presence at a major event on our doorstep – **Johannesburg Arbitration Week** – that was due to have taken place from 17 to 19 March. But, given the menace of global microbes, and with over 70 expert speakers from around the world set to converge on South Africa's core business district, the decision to postpone the event to March 2021 was probably inevitable.

This event, although postponed, reinforces South Africa's growing role as a major player – and a strategic regional partner – in the ever-growing industry of international business dispute resolution.

And, once you've browsed through our latest issue, we'd be delighted to receive your feedback and contributions. Click [here](#) to reach out to us.

Articles inside:

- From the editor's pen
- Arbitration education station
- Uncle Oswald's Q&A forum
- Tools of the trade
- A case in point
- All about the AOA
- AOA breaking news

FROM THE EDITOR'S PEN:

From the *judicium* to international dispute resolution...

The publication of the inaugural issue of the Association's periodical, ***Arbitrarily Speaking***, on 16 January 2020 was received with much enthusiasm. According to the ***et al Group*** (the Association's publishers), the open and click-through rates of our readers were remarkably high, and outstripped industry standards by far. These initial successes only serve to inspire us all to try even harder.

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A CASE IN POINT: RECENT CASE REPORTS

This regular column will feature interesting and complex case reports and judgments. We invite you to add to our growing collection of case reports but, for now, we're pleased to share with you the Termico case analysis, prepared and supplied by our editor.

Latest report: Termico case analysis – Judgment of the Supreme Court of Appeal

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ARBITRATION EDUCATION STATION

We offer a wide range of correspondence courses to new and existing members. By registering with the Association, you'll become an associate member and join a like-minded group of professionals who consider arbitration a positive alternative procedure for settling disputes.

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UNCLE OSWALD'S Q&A FORUM

He's back for yet another round! Our resolute retired arbitrator is sitting serenely on his veranda, puffing at his pipe, awaiting your questions. Many years ago, as a greenhorn who did his articles with Hugo de Groot, Voet and Partners, he faced the same ADR issues that you face now.

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TOOLS OF THE TRADE

The highly esteemed Prof David Butler, Emeritus Professor in Mercantile Law at Stellenbosch University and Life Fellow of the Association of Arbitrators (Southern Africa) NPC, has very generously shared with us his views on the need to control the disclosure of documents in modern commercial arbitration, with a particularly South African slant. In his article, he will provide a brief history of the development of rules in this regard, the current core principles and processes, the IBA Rules and other soft-law instruments, as well as the challenges of e-disclosure.

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ALL ABOUT THE AOA

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