

1 Introduction / Background

1.1 The African Legal Support Facility

The African Legal Support Facility (“ALSF” or “Facility”) is an international public organization dedicated to providing legal advice and technical assistance to African countries in matters pertaining to creditor litigation and complex commercial transactions. The goal of the Facility is to remove asymmetric technical capacities and level the field of legal expertise among parties during litigation and negotiations. The Facility strives to further development in Africa by removing obstacles to realizing the benefits of debt relief through its work in vulture fund litigation. It also provides advisory services to improve the negotiating capabilities of its member countries. Through all of its activities the Facility aims to build additional legal capacity on the continent. The ALSF is hosted by the African Development Bank (AfDB).

1.2 Presentation of ALSF’s Capacity Building Strategy

Since its inception in 2010, the ALSF has funded several capacity building programs in (i) Mining, (ii) Oil & Gas, (iii) Power, (iv) Infrastructure and PPPs (transport, other non-power infrastructure, and services), (v) Sovereign Debt (bond issuances, currency risk hedging, and creditor litigation) (the “Key Sectors”).

Based on its experience, the ALSF intends to implement coherent capacity building initiatives in the Key Sectors at national and regional levels, which will reduce duplication and increase the participation of Africa’s government officials, academics, Key Sector professionals and civil society organizations in better tailored training programs. This approach will also enable the ALSF to develop knowledge management tools which will facilitate the dissemination of capacity building content.

Under its 2018 – 2022 Medium Term Strategy (MTS) - Key Results Area (KRA) 2, the ALSF has adopted a specific approach to enhance legal capacity in Africa, through knowledge generation, and sharing as well as capacity building. In all such capacity building activities, the ALSF shall develop standards as well as model agreements from data leveraged from the operations of the ALSF, in order to improve decision making and reduce cost and delay in project development. Through training partnerships and the development of training accreditation programs, the Facility will improve the negotiation skills of government officials and the quality of legal advice offered by African lawyers to both the public and private sectors.

Within this framework, international commercial arbitration, as is the case for other fields relating to commercial law, will be the object of special attention from the ALSF.

In all such capacity building activities, the ALSF shall take gender into account.

1.3 ALSF's Partners

The ALSF intends to design and implement this capacity building initiatives through partnerships with other development institutions and organizations involved in Key Sectors capacity building activities in Africa, as well as national and regional bar associations, including the Southern African Development Community Lawyers Association (SADCLA), the East African Law Society (EALS) and the International Training Centre in Africa for Francophone Lawyers (CIFAF). African academic institutions will also be approached. These institutions and organizations (the "Partners") will assist in funding, preparing and implementing capacity building programs.