



*The Ministry of Foreign Affairs and International Cooperation
Republic of Sierra Leone
OAU Drive, Tower Hill, Freetown*

Ref: MFA/Admin/101

12 October 2018

From:

The Director-General and Ambassador-at-Large
Ministry of Foreign Affairs and International Cooperation
Tower Hill
Freetown

To:

The Clerk of Parliament
Parliament Building
Tower Hill
Freetown

Dear Sir

**Ratification and Accession to the United Nations Convention on the
Recognition and Enforcement of Foreign Arbitral Awards
(the New York Convention) 1958**

I am directed to refer to the above subject-matter and to submit the abovementioned Convention and respectfully request dates for the Honourable Minister of Foreign Affairs and International Cooperation to lay the said New York Convention before this Honourable House for ratification.

Please accept the assurance of my highest consideration as I await to hear from you.

Patrick Hassan Morlai Koroma
FOR: DIRECTOR-GENERAL & AMBASSADOR-AT-LARGE

CC: The Honourable Minister of Foreign Affairs and International Cooperation



EXPLANATORY MEMORANDUM

to the United Nations Convention on the Recognition and Enforcement of Foreign Arbitral Awards (the New York Convention) 1958

The New York Convention was adopted on 10 June 1958 and entered into force on 7 June 1959. This was a remarkably very short period from adoption to entry into force and therefore shows how crucial the Convention is regarded in promoting international trade and commerce. Since the Convention is already in force, Sierra Leone can only accede to it as a matter of international law.

The Convention has 159 Parties including 36 African countries. The Mano River Union African countries within the ECOWAS region that have signed the New York Convention include Cape Verde, Gabon, Ghana, Nigeria, Senegal, Mali, etc.

Arbitration is a fast-growing form of dispute resolution. It is the preferred mode in commercial disputes. Sierra Leone's Arbitration Act (Cap 25) enacted in 1960 is in need of updating. By acceding to the New York Convention and updating our Arbitration Act, Sierra Leone will create the enabling business environment and attract international commercial investors to Sierra Leone, confident in the knowledge that disputes arising from their commercial activities will be resolved and given effect by arbitration.

The main objective of the New York Convention is to facilitate the international recognition and enforcement of arbitration agreements and arbitral awards. The Convention will provide certainty for foreign investors that their decisions to submit disputes to arbitration rather than national courts will be respected and that these awards will be enforced. Accession to the New York Convention can therefore help to attract foreign investment by removing risk for investors.

On 26 July 2017, Cabinet approved the Honourable Minister of Foreign Affairs and International Cooperation's request for Sierra Leone to accede to the New York Convention.

The focal person for this Agreement, on behalf of the Director-General and Ambassador-at-Large, to liaise with Parliament is:
Patrick Hassan Morlai Koroma
Director, Human Rights and Compliance
Legal Affairs and International Conventions Division
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Telephone: 076335579

Done: Ministry of Foreign Affairs and International Cooperation

Dated: 12 October 2018

