

## LEGAL ALERT

### ANGOLA ACCEDES TO THE NEW YORK CONVENTION ON THE RECOGNITION AND ENFORCEMENT OF FOREIGN ARBITRAL AWARDS

On August 12, 2016, via Resolution no. 38/16, Angola acceded to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards, done at New York, on 10 June 1958 (the «New York Convention»).

It is a fundamental step for the development of arbitration as a secure and reliable method for the resolution of disputes with connections to Angola.

The New York Convention is a widely divulged international treaty that has been adopted, to this date, by 156 States, including Angola's main commercial partners, namely the European Union, the United States of America, China, South Africa, India or South Korea.

The New York Convention has two fundamental components:

- (i) on the one hand, it imposes the recognition, by the contracting States, of any arbitration agreement, provided that the agreement refers to a subject matter capable of adjudication by arbitration, this meaning that the courts of the contracting States shall not decide on the merits of any dispute that falls under the scope of a valid and effective arbitration agreement.
- (ii) on the other hand, it determines the recognition and enforceability of arbitral awards made in the territory of another state, excluding the review of the merits of arbitral awards and establishing that the recognition and enforcement of these awards is subject only to the compliance with certain requirements provided by the New York Convention.

Angola adopted the “reciprocity reservation”, meaning that it will only apply the New York Convention to the recognition and enforcement of arbitral awards issued in another contracting State.

Angola's accession to the New York Convention represents another significant step towards the creation of a legal framework that attracts foreign investment, by allowing international disputes to be solved via arbitration under an international and harmonized legal system.