

- climate change arbitration;
- “green arbitration” practices;
- challenges to arbitrators, with particular attention to the Supreme Court’s findings in *Halliburton v. Chubb*;
- developing jurisprudence regarding enjoining foreign states in English proceedings;
- recovery of in-house costs in English-seated international arbitrations;
- overlapping sanctions regimes and their application to arbitral disputes in England; and
- the role and future of third-party funding.

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Neil KAPLAN, Chiann BAO, *So, Now You are an Arbitrator: The Arbitrator’s Toolkit*, Kluwer Law International, 2022, ISBN 9789403524207, 290 pp.

*So, Now You Are an Arbitrator* is a practical book elucidating the importance of getting the procedure right in arbitration. It commences with the first-ever request to be an arbitrator and walks the reader through all the stages of an arbitration. It identifies some of the shortcomings and contains useful checklists. It advises on how to deal with conflicts, conduct hearings, deal with document requests, deal with experts, deal with challenges, agree on fees, draft procedural orders and awards, and how to not take on too much.

The book furnishes links to important documents, and nineteen appendices comprise model forms for documents, agendas, orders, declarations, schedules, and protocols.

The authors offer a treasure trove of pragmatic suggestions and hints known only to experienced arbitrators.

As this book will evolve into a ‘living’ book on the Kluwer website, the authors will continue to keep abreast with developments in the field of international arbitration.

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Victoria R. NALULE (ed.), *Mining Law and Governance in Africa: Transformation and Innovation for a Sustainable Mining Sector*, Routledge, 2023, ISBN 9781032256597, 96.00 £, 364 pp.

The mining industry is of crucial importance for Africa’s economic development. Many African countries are rich in natural resources and highly dependent on mineral exports, which are an important source of foreign exchange earnings. The mining of gold, diamonds, copper and other

commodities generates important revenues through taxes, royalties and job creation, contributing to overall economic growth. The global energy transition has further increased the importance of the mining industry, as the demand for critical minerals and metals is essential for the development of renewable energy technologies and infrastructure.

Against this backdrop, a specialised book on mining law and governance in Africa with a focus on transformation and innovation for a sustainable mining sector naturally arouses great interest. The book fully delivers what its editor, lawyer and energy and mining expert Dr Victoria Nalule, promises in the preface, namely that the book “unpacks the key issues associated with the mining sector, explicitly reflecting on the practical solution needed to address the challenges in the African mining sector.”

In fourteen chapters, various practitioners and academics from across the continent address topical issues such as the modernisation of mining laws, the energy transition in sub-Saharan Africa, the governance and regulation of artisanal and small-scale mining in several African states, the potential of digitalisation to improve regulation and reporting on sustainability and climate change, and critical aspects of deep-sea mining.

It will not have escaped the attention of international arbitration practitioners that the mining industry in Africa is prone to investment and commercial disputes arising from, among other things, regulatory changes, license and permit issues, environmental and social concerns, land rights, infrastructure and logistical challenges, ownership and control of mineral resources, and the distribution of revenues generated from mining activities.

Of particular interest to ASA Bulletin readers will therefore be Chapter 10, in which Dr Abubakar Umar and Dr Muhammad Bello analyse the dispute resolution mechanisms in relation to Chinese investments in the African mining sector. They discuss the characteristics of Sino-African BITs, China’s stance on mining arbitration and the challenges African countries face with the various dispute resolution mechanisms available today.

Although this book is not a textbook, it provides a comprehensive and multidisciplinary overview of the mining industry in Africa and current developments and trends. It will be valuable for all professionals seeking to understand the mining sector from an African perspective, serve as a resource for capacity building in the region, and contribute to policy improvements and a growing interest in sustainable development of the mining sector in Africa.

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