

Review of Commercial Litigation in Anglophone Africa: The Law Relating to Civil Jurisdiction, Enforcement of Foreign Judgments and Interim Remedies, 2nd edition

The second edition of *Commercial Litigation in Anglophone Africa: The Law Relating to Civil Jurisdiction, Enforcement of Foreign Judgments and Interim Remedies* by Andrew Moran KC and Anthony Kennedy was published in December 2022. The blurb of the book reads as follows:

Commercial Litigation in Anglophone Africa details the broad framework of the private international law rules in operation in each of the sixteen Anglophone jurisdictions considered (Botswana, Gambia, Ghana, Eswatini, Kenya, Lesotho, Liberia, Malawi, Namibia, Nigeria, Sierra Leone, South Africa, Tanzania, Uganda, Zambia and Zimbabwe).

The authors identify and provide a refined explanation of the law to be applied as it relates to: (i) civil jurisdiction over commercial disputes involving a foreign element; (ii) the enforcement of foreign judgments; and (iii) the availability and nature of the interim remedies, in each of the sixteen jurisdictions addressed. The authors have also provided comprehensive coverage of the potential availability of an anti-suit injunction (in common law jurisdictions) or anti-suit interdict (in Roman-Dutch law jurisdictions).

The first edition of the book was reviewed in the *Journal of Private International Law* (Okoli, 2020), *South African Law Journal* (Ordor, 2019) and *Lloyds Maritime and Commercial Law Quarterly* (McParland, 2019). Overall, the reviews of the 1st edition of the book were very positive.

The preface to the second edition of the book notes several recent developments that have been taken into account. One recent development worth noting is the rise in the number of anti-suit and anti-arbitration injunctions in the English-speaking African courts of, for example, Ghana,[1] South Africa,[2] and Nigeria.[3] I also observe that the book incorporates about seventy new decided cases that were not utilised in the previous edition.

Overall, my impression of this book is positive. Practitioners interested in commercial conflict of laws in Africa will find this work very useful.

[1] *The Attorney General v Cassius Mining Limited* (Suit No CM/MISC/0568/2023), decided on 31 July 2023; *Magna International Transport Ltd v Ghana Telecom Communications Co Ltd* (Suit No: H1/227/2018), decided on 17 October 2019; *Quantum Oil Terminals Ltd v International Finance Corporation*, Suit No: Misc/00228/17 (Rulings of 8 January 2018 and 23 February 2018).

[2] *Vedanta Resources Holdings Limited v ZCCM Investment Holdings PLC* [2019] ZAGPJHC 250 (23 June 2019).

[3] *Shell Petroleum Development Company Nigeria Limited v Crestar Integrated Natural Resources Limited* (2016) 9 NWLR 300, 322; *Zenith Global Merchant Limited v Zhongfu International Investment (Nig) FZE* (2017) All FWLR 1837. See also *Ecobank (Nig) Ltd & Ors v Aiteo Eastern E and P Co Ltd & Anor* (2022) LPELR-56994(CA).