

ANNUAL CASEWORK REPORT 2024/2025

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ncia | Nairobi Centre
for International
Arbitration
Where disputes meet resolution.



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We are social.

    @NCIAKenya

ABOUT NCIA

Nairobi Centre for International Arbitration (NCIA) is Kenya's premier International Arbitration Centre located in the capital city, Nairobi. The Centre was established in 2013 and has gained a reputation as a neutral venue for the conduct of International Arbitration and other Alternative Dispute Resolution (ADR) services.

NCIA is ***“where disputes meet resolution”*** through access to eminent and experienced arbitrators, and mediators with diverse skills, from different nationalities and jurisdictions, and a best practice set of rules with administrative support.

In addition to its dispute administration services, NCIA hosts networking conferences, workshops, and events of interest to the arbitration and ADR Community. As a training institution, NCIA continued to offer training in Mediation and Arbitration with listed trainers from across the globe.

NCIA has the distinct privilege of an appointing authority under several statutory provisions in Kenya.

OUR SERVICES

Arbitration

NCIA Arbitration Rules are adaptable for use in a diverse range of contractual agreements. The Rules offer flexible, predictable, and reliable institute administered procedures. The Centre also provides institutional support to the arbitration process including hearing facilities at the request of parties.

Mediation

NCIA provides institutional support to the mediation process including facilities for mediation sessions at the request of parties at competitive terms. The NCIA Mediation Rules give participants in a dispute case an expeditious process where the Centre is designated for purposes of mediation.

Negotiation

NCIA provides institutional support to the negotiation process including physical facilities at the request of the parties at competitive terms.

Conciliation

NCIA provides institutional support to the conciliation process including physical facilities at the request of the parties at competitive terms.

Adjudication

NCIA provides institutional support to the adjudication process including physical facilities at the request of the parties at competitive terms.

Arbitration And Mediation Training

NCIA provides training for continuous professional development in international commercial arbitration and mediation.

Hiring of Hearing Room Facilities

NCIA is equipped with customized hearing room facilities for arbitration, mediation and all other closed-door discussions that may be required at the request of parties to the Centre.

EXECUTIVE SUMMARY

The Nairobi Centre for International Arbitration (NCIA) Annual Casework report gives highlights of case administration services rendered by the Centre, nature of arbitration agreements handled, number of arbitration and mediation cases facilitated in the year 2024/2025, and composition of the panel of arbitrators and mediators amongst other important key aspects in the year.

The report focuses on case management including the number of disputes referred to the Centre for arbitration, requests referred to the Centre for mediation, representation in arbitration and mediation panels, challenges by parties to arbitrator appointment, caseload and other factors as regards facilitation of arbitration and ADR services by the Centre.

The top industry sectors reigning over the NCIA Caseload in the FY 2024/2025 emanate from the Supply of goods & services, construction and service contracts.

NCIA not only deals with Alternative Dispute Resolution (ADR) services but also participates in webinar series as well as conferences and events.

A key highlight was the 2nd Nairobi Arbitration Week held between 17th to 21st **March 2025** with the theme being ***Gearing up for changing times: Exploring perspectives for Arbitration*** with 112 speakers. The five-day event attracted 400 participants from both the local and international arbitration space ranging from practitioners, academics and businesspeople. The event served to highlight the significance of Nairobi as a seat of arbitration and as a business hub in East Africa.

Further, the Centre signed the **Green Arbitration Pledge**, a global standard for sustainable dispute resolution. This reflects the Centre's commitment to reducing its environmental footprint through paperless filings, virtual hearings, and minimized travel emissions. The initiative aligns with international sustainability goals, enhances institutional credibility, and appeals to environmentally conscious stakeholders, reinforcing NCIA's reputation as an innovative and globally competitive arbitral institution.

CASELOAD VALUE

In the financial year 2024/2025, thirteen (13) new case filings were referred to the NCIA, of which 46.15% were administered under the NCIA Arbitration Rules, 2015 (Revised 2019) and 38.46% were administered under the NCIA Mediation Rules, 2015 (Revised 2022), while 15.38% required only the appointment of Adjudicators and Arbitrators.

SUM IN DISPUTE

The Case Load value as at the end of FY 2024/2025 has risen to KES. 37,768,606,895.54 equivalent to USD 292,326,678.76 The case value for FY 2024/2025 alone was KES. 4,768,606,895.54 which is equivalent to approximately USD 36,908,722.10. This represents a considerable increase from the previous year (*The exchange rate used is 129.20 as at 6th August 2025*).

GEOGRAPHICAL ORIGIN OF PARTIES

100% of all new cases filed with the Nairobi Centre for International Arbitration in the financial year 2024/2025 were domestic in nature.



DISPUTES BY INDUSTRY/SECTORS FOR THE FY 2024/2025

The Centre received disputes from various sectors of the economy, particularly the commercial sector. The disputes emanated from contracts of supply of goods and services, construction contracts and projects, and service contracts. Contracts for the supply of goods and services, and construction-related matters collectively represented a substantial and noteworthy proportion of the arbitration caseload handled by the Centre. These categories of disputes not only highlighted the prevalence of commercial disagreements in key economic sectors but also underscored the Centre's critical role in providing effective dispute resolution mechanisms for complex, high-value transactions within these industries.

Specifically, in the financial year 2024/2025, disputes relating to the supply of commodities and services constituted the largest and most dominant segment of matters administered by NCIA, underscoring the prevalence of commercial disagreements within these sectors.



Construction Contracts

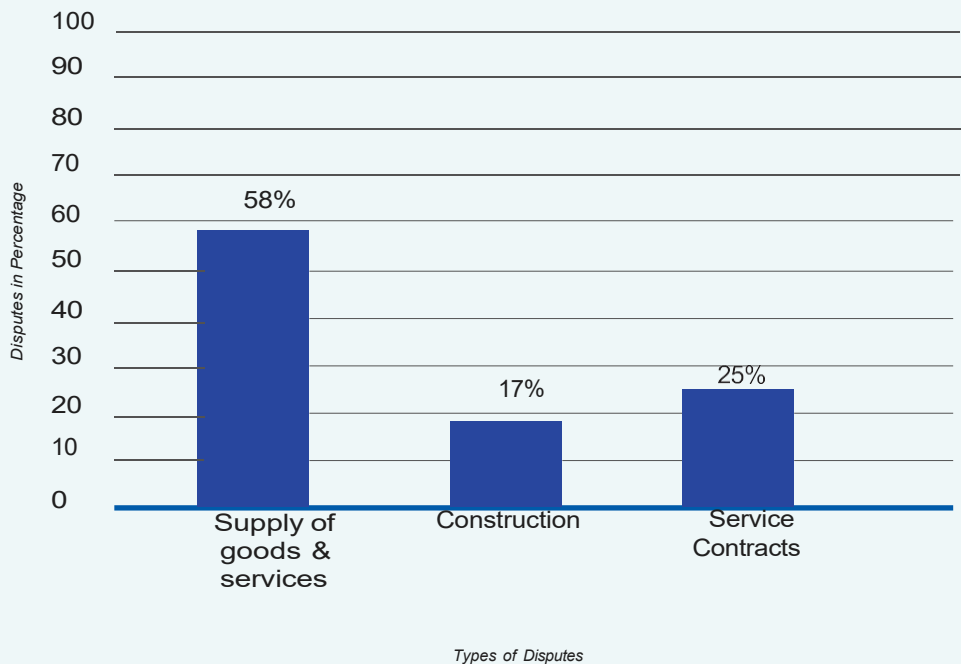


Supply of Goods & services



Service contracts

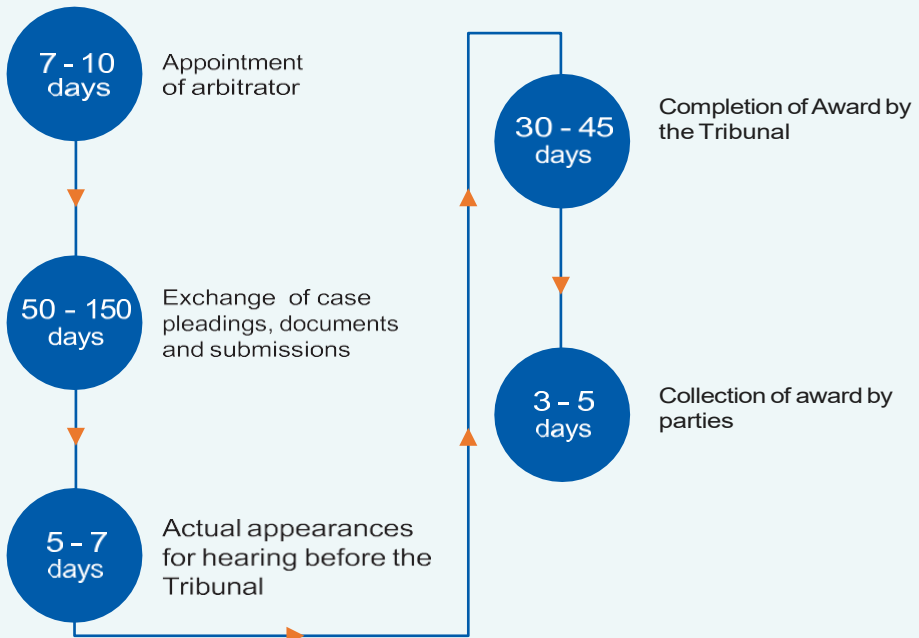
During the financial year 2024/2025, the Centre recorded a notable increase in disputes arising from the supply of goods and services. These disputes constituted the largest category, accounting for 58% of all cases referred to the Centre during the financial year. The surge can be attributed to heightened commercial activity, contractual breaches and challenges in the fulfillment of supply agreements, particularly in the sectors such as manufacturing and trade. This trend underscores the growing reliance on arbitration as a preferred mechanism for resolving commercial disputes efficiently and highlights the Centre’s pivotal role in addressing complex commercial disputes.



TIME TAKEN IN ARBITRATION

The case tracker allows the case management counsel to collect and collate time management information. Trends observed over the years indicate an average case completion time scale of:

- seven (7) to ten (10) days for appointment of arbitrator and completion of composition of the tribunal;
- 50-150 days for parties to file and exchange their case pleadings, documents and submissions including requests for time scheduling, adjustment in timelines and resolution of applications;
- five (5) to seven (7) days of actual appearances for hearing before the arbitral tribunal;
- one (1) month to one and half (1-1/2) months completion of award by the tribunal; and
- Three (3) to five (5) days average time for collection of arbitration awards by parties.
- 95-217 Days for completion of a matter from Start to End.



¹ NCIA is not in control of the preliminaries i.e when a party complies with any directions issued

PARTIES

Over the years, arbitrations and mediations at NCIA have involved parties from different sectors and nationalities with cases referred from South Africa, Rwanda, China, and Poland, and as far apart as agreements applying the laws of Hong Kong, China and the United Kingdom.

The Centre endeavors to be a world-class Arbitration Centre and promotes equality and inclusivity in all arbitrations commenced at the Centre. Further, dispute resolution services are available to all people indiscriminately and irrespective of nationality as long as the Centre has the jurisdiction to admit the disputes brought before it.

Additionally, the Centre promotes neutrality through its adoption of a multinational panel of arbitrators and mediators.

ARBITRAL AWARDS

There were only five (5) Arbitral awards issued in the year 2024/2025. However, most of the arbitrations were still ongoing in the year under review. An Arbitrator is responsible for delivering the award to the Centre.

Challenging Arbitral Award

During the FY 2024/2025, only one (1) arbitral award rendered under the auspices of the Centre was challenged before the High Court pursuant to Section 35 of the Arbitration Act, 1995. The matter remains pending for determination. The low number of challenges reflects sustained confidence in the Centre's arbitration processes and underscores its commitment to maintaining the highest standards of quality, impartiality, and procedural fairness in dispute resolution.

ARBITRATOR APPOINTMENTS

In the 2024/2025 financial year, the Centre finalized eight arbitrator appointments, ensuring the selection of qualified professionals to handle complex disputes while reaffirming its commitment to neutrality, efficiency and high standards in arbitration administration.

ARBITRATOR ACCREDITATION AND NATIONALITIES

The Centre received a total of four (4) accreditation applications expressing interest in the domestic and international arbitration panels. Two (2) of those applicants were approved to join the Arbitrator panels in the year.

In promoting diversity and neutrality, the Centre has empaneled arbitrators drawn from different nationalities. Arbitrator selection for the panel is undertaken throughout the year according to the panel listing standard criteria that includes qualifications, training, and experience in arbitration.

Kenyan nationals take up 75% arbitrator panel seats stemming from the location of the Centre. However, the Centre aims to create a balance to reflect the character of the Centre by ensuring that the arbitrators are selected to represent a broad range of nationalities from across the globe and with gender and age equity.

Some of the nationalities represented in the NCIA Arbitrator panel are from Kenya, United Kingdom, Nigeria, United States of America, Zambia, Ireland, India, and Pakistan among other countries.



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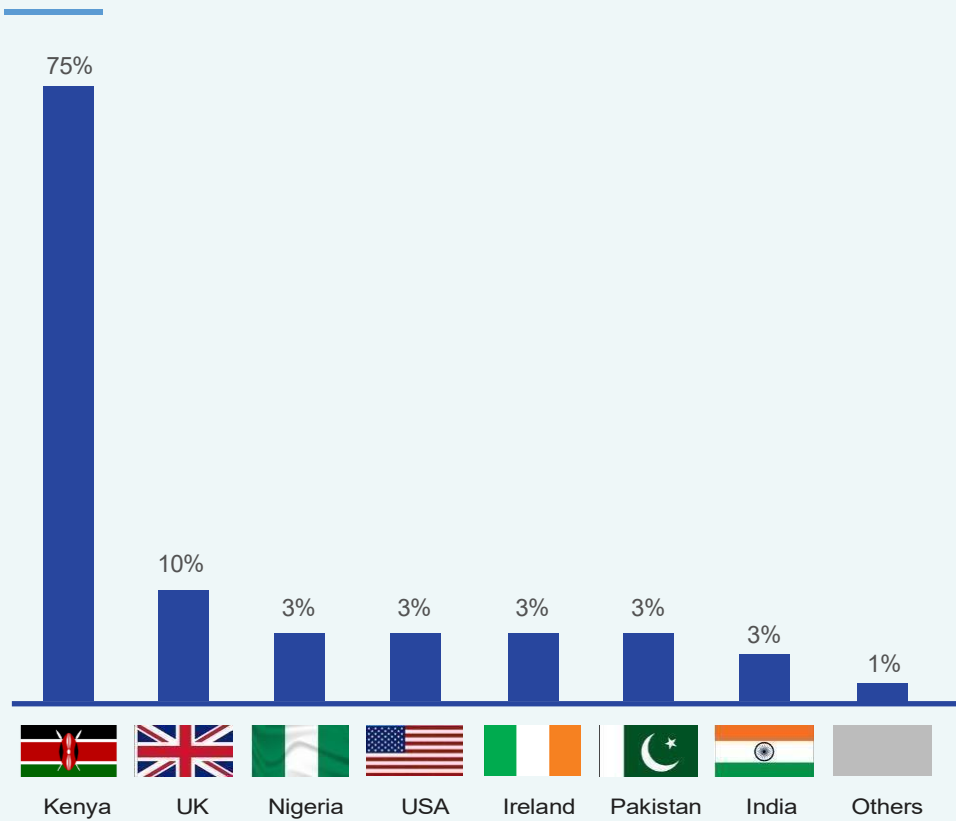
*Accreditation
Applications
Received*



2

*Accreditations
Applications
Approved*

ARBITRATOR NATIONALITIES



75%

Kenyan Nationals



25%

Other Nationalities



22%

Women Arbitrators

SEAT AND APPLICABLE LAW

The FY 2024/2025 has seen most arbitrations maintain Nairobi as the seat of arbitration. All disputes (domestic and international) administered by the Centre during the year have been governed by Kenyan Law.

GENDER DIVERSITY

NCIA, in promoting gender diversity, deliberately ensures equal access to both male and female arbitrators, regardless of their gender and age, in matters where it is required to exercise the power of appointment. In the FY 2024/2025, there were eight (8) arbitrator appointments of which six (6) were male while two (2) were female.

Further, NCIA endeavors to contribute to promoting inclusivity and gender diversity in arbitration through its outreach scheme to young as well as experienced practitioners through hosting International Arbitration and ADR Conferences.

FIRST TIME APPOINTEES

In the FY 2024/2025, eight (8) appointments were made of which six (6) were candidates not previously appointed. All the appointments were made by the Centre.

F/Year	Number of Arbitrators	Appointed as Sole Arbitrators	Appointed by NCIA	Appointed by the Parties	Appointed by any other Appointing Authority
16/17	3	Nil	3	Nil	Nil
17/18	2	1	1	1	Nil
18/19	3	1	3	2	Nil
19/20	12	1	7	5	Nil
20/21	3	2	2	1	Nil
21/22	4	4	3	1	Nil
22/23	6	6	4	2	Nil
23/24	7	7	4	3	Nil
24/25	8	8	8	Nil	Nil

MEDIATION

Mediation cases at NCIA started to actualize in year 2020 with the first mediation case having a case value of Kshs. 5,893,646, 849.67 equivalent to USD 50 Million. This is the largest single claim recorded by the Centre.

Mediation is gaining popularity among corporate entities.

NCIA has recently developed Simplified User Guidelines for Mediation that provide a clear roadmap on how the parties and the mediator should conduct the mediation.

During the year 2024/2025, the Centre received four (4) mediation cases and the total Case value for the cases was Kshs. 81,597,972.97. Two (2) Mediation cases resulted in a Mediation Settlement Agreement being signed by the parties.

MEDIATOR ACCREDITATION AND APPOINTMENTS

Since the Centre commenced its operations, NCIA has certified a total of 26 Mediators both on the Domestic and International Mediator panels. Out of the 26, three (3) are on both the Domestic and International Mediator Panel and twenty (22) are on the Domestic Mediator Panel. The Centre received a total of 2 accreditation applications expressing interest in the domestic and international mediator panels. None of the applicants were approved to join the Mediator panel.

Twenty-five (25%) of the Mediators are women. The Alternative Dispute Resolution (ADR) sphere has seen a demand for more women in the mediation process.

In the 2024/2025 financial year, three (3) mediator appointments were made of which two(2) were female and one (1) was male.

MEDIATOR NATIONALITIES

Kenyan nationals take up 100% of the panel seats stemming from the location of the Centre. However, the Centre aims to create a balance to reflect the character of the Centre by ensuring that the mediators are selected to represent a broad range of nationalities from across the globe and with gender and age equity. NCIA actively seeks and encourages applications from candidates from diverse backgrounds and nationalities.

KES. 5.8bn

(USD 50 million)

Mediation Case Value



8

Accreditation
Applications
Received



2

Accreditation
Applications
Approved



25%

Women Mediators

ADJUDICATION

In the FY 2024/2025, the Centre received one (1) request relating to adjudication. This request was occasioned by a court ruling directing the Centre to appoint an Adjudicator to handle the dispute. It is important to note that the mandate of the Centre in this matter was expressly limited to the appointment function only, as stipulated by the court order. Accordingly, the Centre duly fulfilled its statutory obligation by effecting the appointment, after which its role was concluded. The Centre did not assume, nor was it required, to assume, any further administrative responsibilities in relation to the adjudication proceedings.



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