

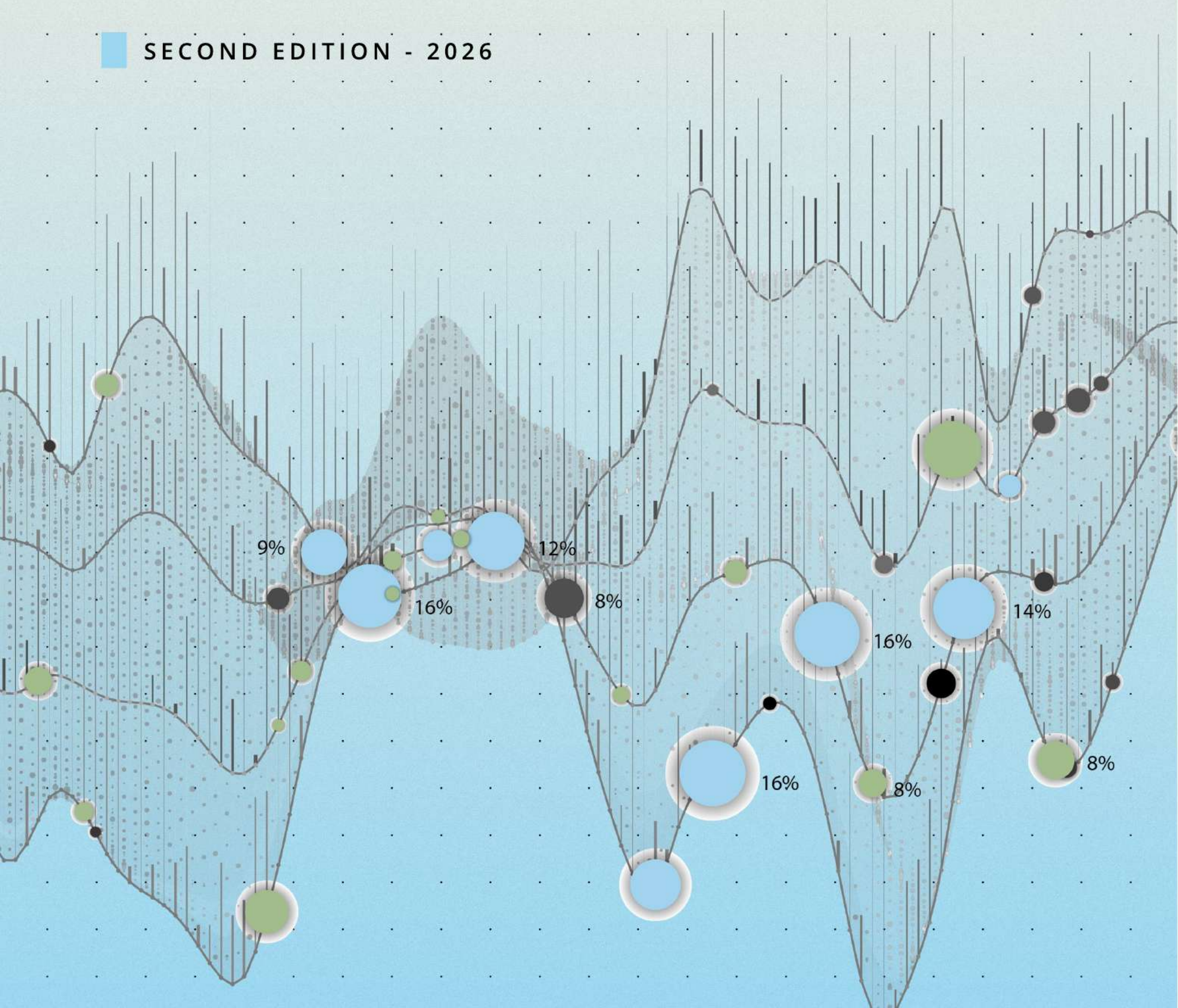


THE ÓRÒRÙN ARBITRATION REPORT BY MIDS ALUMNI (OARM)

in collaborartion with



■ SECOND EDITION - 2026



Contents

Page 1	Research and Editorial Team
Page 2	Introductory Remarks
Page 4	Executive Summary
Page 9	United Kingdom
Page 13	Singapore
Page 17	Kenya
Page 26	South Africa
Page 32	Tanzania
Page 39	Nigeria
Page 41	Endnotes
Page 46	About Ororun
Page 47	Methodology
Page 49	Appendices



Research and Editorial Team



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Founder, Óròrùn, Head,
Research Team OARM

Christopher Awodimila is a Nigerian-qualified lawyer with an extensive post qualification experience, practicing litigation and arbitration. He holds an LL.M. degree in International Disputes Settlement from the Centre for International Dispute Settlement ("MIDS"), Geneva, Switzerland. Christopher has worked with the arbitration teams of international law firms like Three Crowns LLP, Quinn Emanuel Urquhart & Sullivan LLP, A&O Shearman, and Lalive. Prior to these, he served as the Special Assistant to the Attorney-General of Delta State Nigeria. In this role, he advised and assisted the Attorney-General on several high net-worth disputes against and for Delta State. Additionally, Christopher worked at Broderick Bozimo & Company, a law firm which specialises in arbitration and dispute resolution. Christopher is currently set to publish a book titled "Practitioners' Guide to Arbitration in Singapore, South Africa, and Kenya". The book is set to contain a detailed review of several arbitration-related court decisions in these countries.



Faith Bamise Oyewale,
Co-head, Research Team
OARM

Faith Bamise Oyewale is a Nigerian-qualified lawyer with over five years of experience in dispute resolution, spanning both litigation and arbitration. He has experience working with the arbitration team at Quinn Emanuel Urquhart & Sullivan LLP in Paris, France ("QE"). Before his time at QE, Faith practiced at a tier-one dispute resolution firm in Nigeria, where he was part of the team that successfully defended the University of Oxford in a negligence claim. He has appeared as counsel before various superior courts of record in Nigeria. Faith holds an LL.M. in International Dispute Settlement (MIDS) in Geneva, Switzerland, where he graduated as the Commencement Speaker.



Emmanuella Emoshiogue Okonopa,
Chief Operating Officer, Óròrùn

Emmanuella Emoshiogue Okonopa is a legal professional and the Chief Operating Officer (COO) of Óròrùn. Emmanuella holds an LL.B from the University of Benin. At Óròrùn, she drives operational strategy and organizational growth, focusing on modernizing legal practice through accessible technology, structured policy design, and business innovation.



Deborah Doom



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ARBITRATION FOUNDATION OF SOUTHERN AFRICA

AFSA · www.arbitration.co.za · info@arbitration.co.za · Johannesburg, South Africa

Independent and Professional Dispute Resolution

The Arbitration Foundation of Southern Africa (AFSA) is an independent African dispute-resolution institution providing arbitration and mediation for domestic and international commercial disputes. AFSA operates through a single Secretariat, with its Head Office in Sandton and regional branches serving Cape Town, Durban, Pretoria and the Garden Route.

AFSA's regional, international and specialist initiatives include the China-Africa Joint Arbitration Centre (CAJAC), the AFSA-SADC Alliance, AFSA's participation in developing a BRICS dispute-resolution framework, and the AFSA-SARIPA Business Rescue. Through its institutional framework and collaborations, AFSA combines practical knowledge of African commercial conditions with internationally recognised standards of procedural fairness, efficiency and professional case administration.

Our Mission

To provide independent, accessible and professionally administered arbitration and mediation for commercial parties operating in Africa and internationally.

Our Vision

To strengthen Africa's position as a trusted forum for the fair and efficient resolution of domestic and cross-border commercial disputes.

Our Services

International Arbitration

Domestic Arbitration

Mediation

Arbitrator Appointment Services

Institutional Framework

AFSA Secretariat

Provides professional administration of domestic and international arbitrations and mediations in accordance with the applicable AFSA Rules.

AFSA International Court

Performs the appointment, challenge and other institutional decision-making functions assigned to it under the AFSA International Rules.

Domestic and International Rules

AFSA provides comprehensive and expedited procedures for domestic disputes and a modern institutional framework for cross-border commercial arbitration.

Case and Hearing Support

AFSA provides electronic case administration and support for remote, hybrid and in-person proceedings. Parties and tribunals in AFSA-administered matters may use AFSA’s licensed Zoom platform for case-management meetings and remote hearings at no additional cost.

South African Arbitration Framework

South Africa’s arbitration framework comprises of two distinct legislative regimes: domestic arbitrations are governed by the Arbitration Act 42 of 1965, while international arbitrations fall under the International Arbitration Act 15 of 2017, which incorporates the UNCITRAL Model Law and the New York Convention.

This framework is separate from labour and employment-related arbitration, which operates through specialised institutions, courts, rules and procedures. For data-review purposes, only matters arising under the Arbitration Act or the International Arbitration Act are treated as relevant, so that the analysis remains focused on commercial arbitration. The reviewed dataset reflects a strong pattern of judicial restraint by South African courts in matters involving arbitral awards, indicating a pro-arbitration stance that respects party autonomy, arbitral process and the finality of awards.

ARBITRATION RULES

- AFSA International Arbitration Rules, 2021
- AFSA Domestic Commercial Rules
- AFSA Domestic Expedited Rules
- China–Africa Joint Arbitration Centre Rules
- AFSA Rules for Unadministered International and Construction Arbitration
- AFSA–SARIPA Business Rescue Rules
- AFSA Mediation Rules

MODEL CLAUSES

- AFSA International Model Arbitration Clause
- AFSA Domestic Arbitration Model Clauses
- AFSA–SARIPA Business Rescue Model Clause
- AFSA Mediation Model Clause

All AFSA Rules and Model Clauses are available at: www.arbitration.co.za

CASE ENQUIRIES

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TANZANIA INSTITUTE OF ARBITRATORS

TI Arb • www.tiarb.or.tz • info@tiarb.or.tz • Dar es Salaam, Tanzania

Expert Alternative Dispute Resolution Services

Professional mediation, adjudication and arbitration services to help resolve disputes efficiently and effectively.

The Tanzania Institute of Arbitrators (TI Arb) is a professional institution established since 1999 for the promotion and development of Arbitration and other Alternative Dispute Resolution mechanisms in Tanzania. As a leading institution in Tanzania in administration of dispute resolution and capacity building, TI Arb has continued to play a central role in strengthening dispute resolution capacity, promoting professional excellence, and advancing the use of ADR in commercial, construction, investment, and sector-specific disputes.

OUR MISSION

To promote and facilitate expedient resolution of commercial disputes through Mediation, Adjudication and Arbitration.

OUR VISION

To be an institution of choice for commercial alternative dispute resolution.

OUR SERVICES

Mediation

Adjudication

Arbitration

Capacity Building

MEMBERSHIP CATEGORIES

Category	Annual Fee
Associate	TZS 100,000 / year
Member	TZS 150,000 / year
Fellow	TZS 200,000 / year

For membership enquiries and registration, contact us at:

info@tiarb.or.tz

Introductory Remarks



Christopher Awodimila,
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In the maiden edition of the Óròrùn Arbitration Report, we expressed our intention to extend the scope of the Report to include reviews of arbitration-related case law from several countries to give it a truly global outlook. With the Second Edition of the Óròrùn Arbitration Report, we have laid the necessary foundational blocks to achieve this objective.

Firstly, we have secured more collaborations from reputable bodies like the Arbitration Federation of Southern Africa (AFSA), the Tanzania Institute of Arbitrators (TIArb), and the African Arbitration Association (AFAA). Secondly, we changed the name of the report from the “Óròrùn Arbitration Report (OAR)” to “Óròrùn Arbitration Report by MIDS Alumni (OARM)”. Thirdly, we increased the jurisdictional scope of the OARM from 4 jurisdictions in the maiden edition to 6 jurisdictions in the second edition. The additional jurisdictions are the United Kingdom and Nigeria.

The findings of the second edition of the OARM are based on a detailed empirical review of the arbitration-related case law from the United Kingdom, Singapore, Kenya, South Africa, Tanzania, and Nigeria determined by the respective Courts within the 2025 calendar year.

Like the maiden edition, we believe that the findings of OARM 2026 serve as an invaluable material for counsel, Arbitrators, Investors, Policymakers, and Stakeholders within the global arbitration community to acquire a data driven understanding of the stability and predictability of arbitration jurisprudence in the examined countries.

Executive Summary

UNITED KINGDOM

54%

of examined award set-aside applications determined in 2025 were dismissed by the English Courts.

With 13 cases,

an appeal on point of law under Section 69 of the Arbitration Act was the most recurring reason in the examined 2025 cases for challenging the validity of an award. This ground was only successful in **8 cases**.



of the award set-aside cases concerned arbitral awards made under the auspices of the London Court of International Arbitration (LCIA).

Majority of the disputes in the examined arbitration-related United Kingdom cases arose from either a **Sale of Goods Agreement (5 cases)**, a **Charterparty (4 cases)**, or a **Construction Contract (3 cases)**.

SINGAPORE

94%

of examined award set-aside applications were commenced to set aside international awards.

71%

of the examined award set-aside applications determined in 2025 were dismissed by the Court.

An allegation that the tribunal failed to give a party the opportunity to present its case (breach of natural justice) was the recurring reason raised to challenge an arbitral award in 2025 (**10 cases**). This ground was only successful on **one occasion**.

SINGAPORE



of the examined award set-aside cases related to Singapore International Arbitration Centre administered awards.



of the examined award set-aside cases determined in 2025 related to International Chamber of Commerce (ICC) administered awards.

75%

of examined applications for stay of proceedings determined in 2025 were granted by the Court.

KENYA

83%

of examined award set-aside applications determined in 2025 were dismissed by the Kenyan Courts.



of the examined award set-aside cases determined in 2025 concerned challenges to awards made by tribunals constituted by the Chartered Institute of Arbitrators.

Majority of the examined award set-aside applications determined in 2025 (**24 cases**) were premised on the allegation that the award was made contrary to public policy. This ground was only successful on **4 occasions**.

88%

of examined applications to enforce an arbitral award determined in 2025 were wholly or partially granted by the Kenyan Courts.

Executive Summary

KENYA

6
ciarb.

of the examined applications to enforce an arbitral award determined in 2025 concerned arbitral awards made by tribunals constituted by the Chartered Institute of Arbitrators.

13%

of examined applications for interim measures determined in 2025 were granted by the Kenyan Courts.

48%

of examined applications for stay of proceedings determined in 2025 were granted by the Kenyan Courts.

100%

of examined applications to challenge the appointment of an arbitrator determined in 2025 were dismissed by the Kenyan Courts.

3
ciarb.

of the examined applications to challenge the appointment of an arbitrator determined in 2025 concerned challenges to arbitrators appointed by the Chartered Institute of Arbitrators (CI Arb).

Majority of the disputes in the examined arbitration-related Kenyan cases arose from either a **Construction Contract (19 cases)**, a **Sale Agreement (7 cases)**, or a **Lease Agreement (5 cases)**.

SOUTH AFRICA

86%

of examined set-aside applications determined in 2025 were dismissed by the South African Courts.

An allegation that the tribunal committed a gross irregularity was the recurring reason raised to challenge an arbitral award in 2025 (**10 cases**). This ground was only successful on **one occasion**.

3
AFSA

3 of the examined award set-aside cases related to arbitrations administered by AFSA or in which AFSA acted as appointing authority.

92%

of examined applications to enforce an arbitral award determined in 2025 were wholly or partially granted by the South African Courts.

5
AFSA

of the examined award enforcement cases related to arbitrations conducted under AFSA institutional processes, whether through AFSA administration or tribunal appointment functions

55%

of examined applications for stay of proceedings determined in 2025 were granted by the South African Courts.

Majority of the disputes in the examined arbitration-related South African cases arose from a **Construction Contract (6 cases)**.

Executive Summary

TANZANIA

25%

of examined set-aside applications determined in 2025 were dismissed by the Tanzanian Courts.

Majority of the examined award set-aside applications determined in 2025 (**5 cases**) were premised on the allegation that the award was made contrary to public policy. This ground was only successful on **one occasion**.



2 of the examined award set-aside cases related to awards made by tribunals constituted by the Tanzania Institute of Arbitrators.

43%

of examined applications to enforce an arbitral award determined in 2025 were wholly or partially granted by the Tanzanian Courts.

75%

of examined applications for interim measures determined in 2025 were granted by the Tanzanian Courts.

31%

of examined applications for stay of proceedings determined in 2025 were granted by the Tanzanian Courts.

Majority of the disputes in examined arbitration-related Tanzanian cases arose from either a **Construction Contract (8 cases)** or a **Lease Agreement (5 cases)**.

NIGERIA

100%

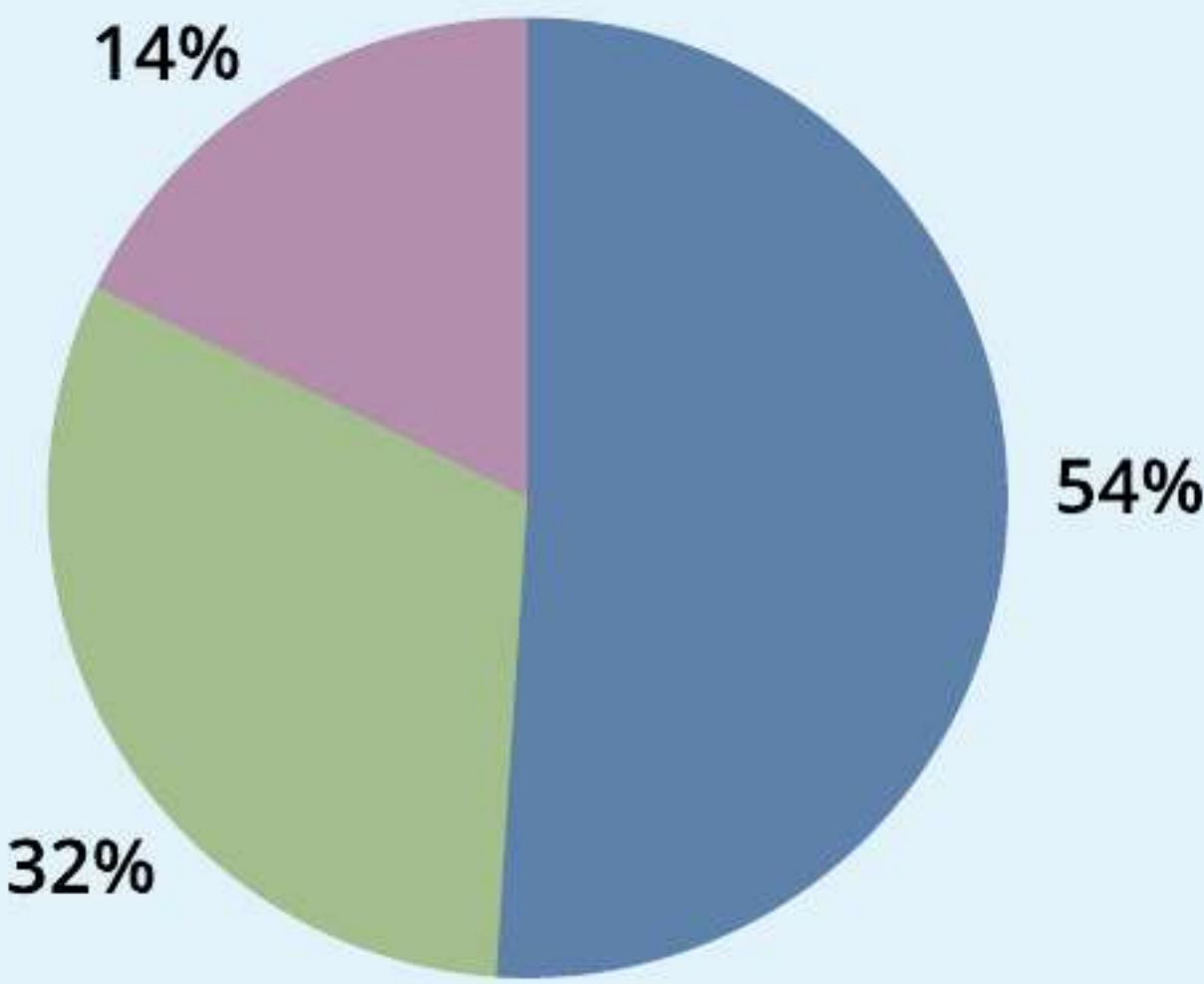
of examined applications to enforce an arbitral award determined in 2025 were granted by the Nigerian Courts.



UNITED KINGDOM

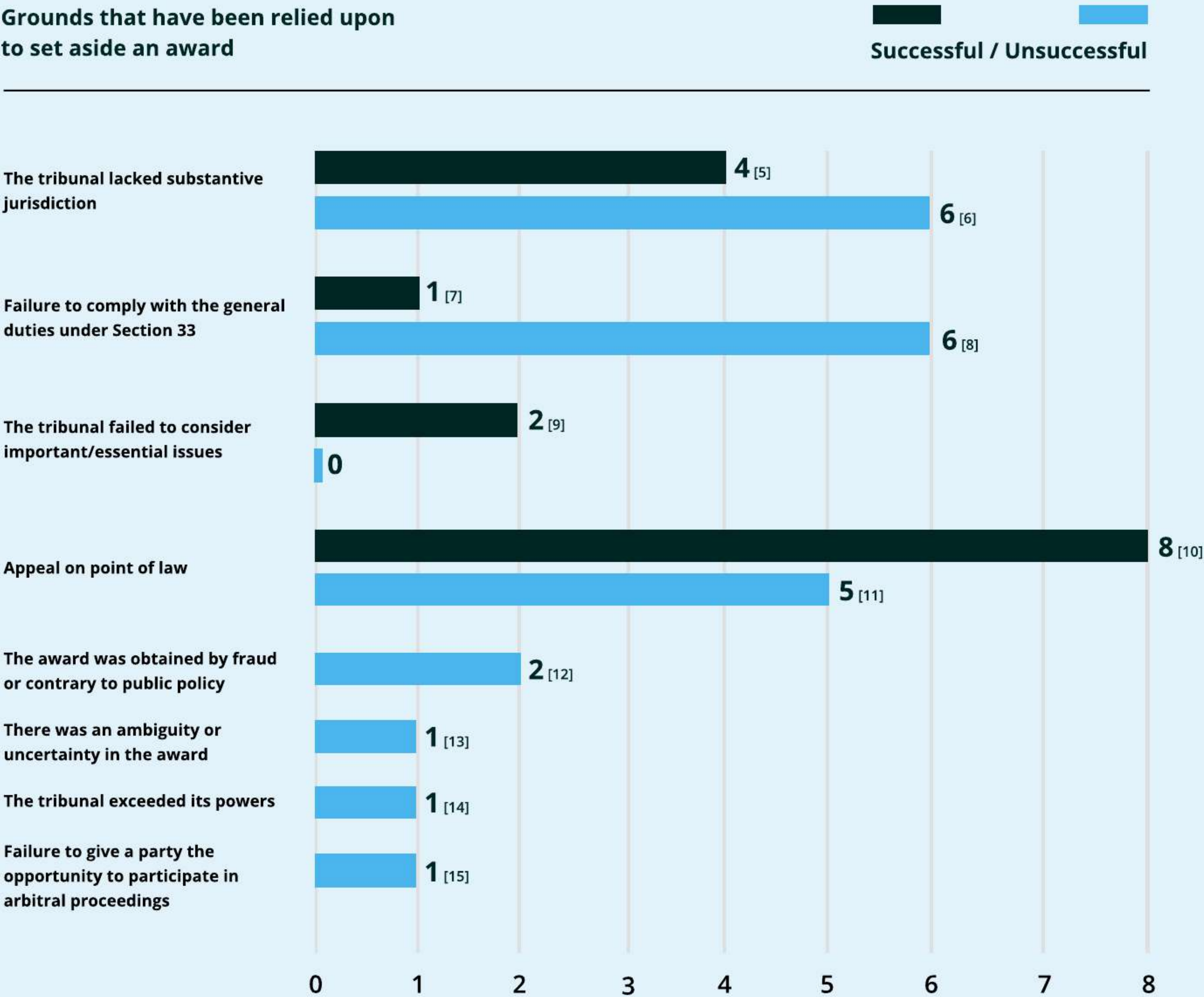
1. Applications to Set Aside an Award

In total, this report considered **28 cases** involving applications to set aside domestic and international arbitral awards.^[1] In **15 cases (54%)**, the set aside applications were dismissed by the court,^[2] in **9 cases (32%)**, the arbitral awards were set aside by the Court.^[3] On the other hand, in the remaining **4 cases (14%)**, the Court decided to remit the award back to the arbitral tribunal for reconsideration.^[4]



‘Successful’ and ‘unsuccessful’ refer to the outcome of the court application, not to the performance of the arbitrator or institution.”

Grounds that have been relied upon to set aside an award



1. Applications to Set Aside an Award

Arbitral institution

14 of the examined cases concerned awards made under the auspices of an arbitral institution. 5 cases related to awards made under the London Maritime Arbitrators Association Rules (LMAA).[16] 4 cases concerned the London Court of International Arbitration (LCIA) administered awards.[17] 3 cases related to awards made under the Grain and Feed Trade Association (GAFTA) Arbitration Rules.[18] Whereas, the remaining 2 cases concerned awards made by International Chamber of Commerce (ICC) tribunals. [19]

Arbitrators

Some of the examined cases also provided information on the identity of the arbitrator(s) whose awards were challenged. To make the data more digestible, this report presents these arbitrators in three categories, namely: (a) arbitrators whose awards were successfully set aside (Successful Applications); (b) arbitrators whose awards were remitted back to them by the court for reconsideration (Remission); and (c) arbitrators whose awards were affirmed, rather than set aside, by the Court (Unsuccessful Applications).

References to arbitrators are included for descriptive and empirical purposes only. The outcome of a court application concerning an award should not be understood as a qualitative assessment of the arbitrator, the institution, or the arbitration process.

Successful Applications:

Lord Hoffmann [20]

Justice Chandramauli [21]

J William Rowley QC [22]

Ms Sarra Kay [23]

Mr Mark Hamsher [24]

Sir Bernard Eder [25]

Sir Franklin Berman [26]

Professor John Crook [27]

Dayan Dovid Dunner [28]

Dayan Dovid Cohn [29]

Dayan Mordechai Eisner [30]

Remission

Mr Ian Gaunt [31]

Sir Bernard Eder [32]

Mr David Steward [33]

Mr Peter Jago [34]

Ms Clare Ambrose [35]

Mr Steven Berry KC [36]

Mr Robert Thomas KC [37]

Unsuccessful Applications:

Mr Kevin Woudman [38]

Mr Mark Thomas [39]

Jonathan Nash KC [40]

Dame Elizabeth Gloster DBE [41]

Andrew Lenon KC [42]

Ms Lucy Greenwood [43]

Christopher Hancock KC [45]

Stephen Hofmeyr KC [46]

Mr Stuart Isaacs KC [47]

Simon Gault [44]

Mr Jasbir Dhillon KC [48]

Prof Benjamin F Hughes [49]

Jonathan Elvey [50]

Mark Hamsher [51]

2. *Types of Disputes*

The examined cases demonstrate that parties continue to consider arbitration as a suitable method for resolving disputes arising from a wide range of commercial relationships or otherwise.

Most of the cases concerned the following subject matters:



Sale of Goods agreement (5 cases) [52]



Charterparty (4 cases) [53]



Construction (3 cases) [54]



Bilateral Treaty (2 cases) [55]



Indemnity contract (5 cases) [56]

Other contracts included:



Lease [57]



Sale Agreement [58]



Supply Agreement [59]



Memorandum of Understanding [60]



Ship repair contract [61]



Sale of ship [62]



Members Agreement [63]



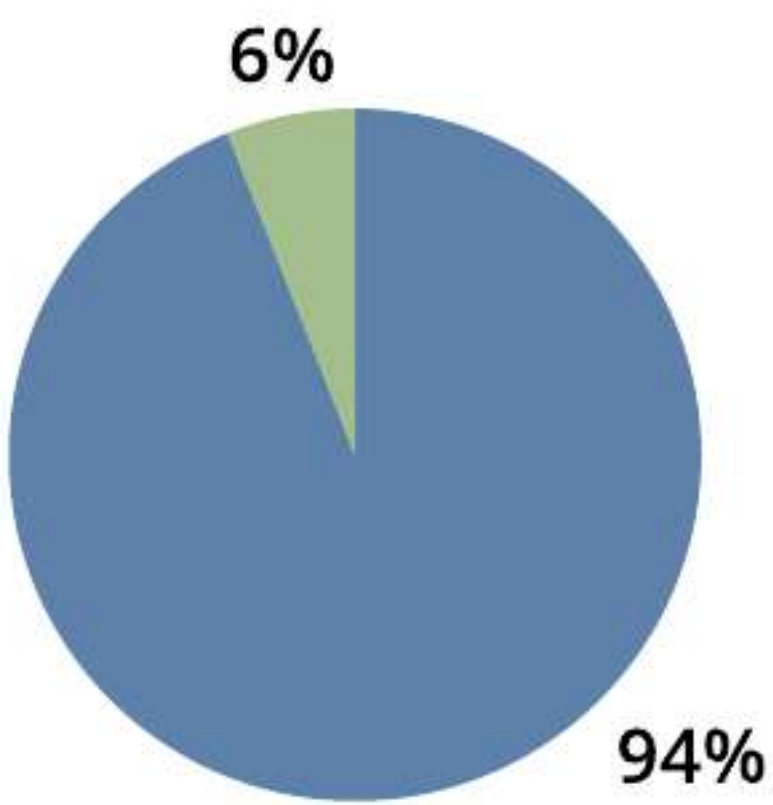
Investment agreement [64]



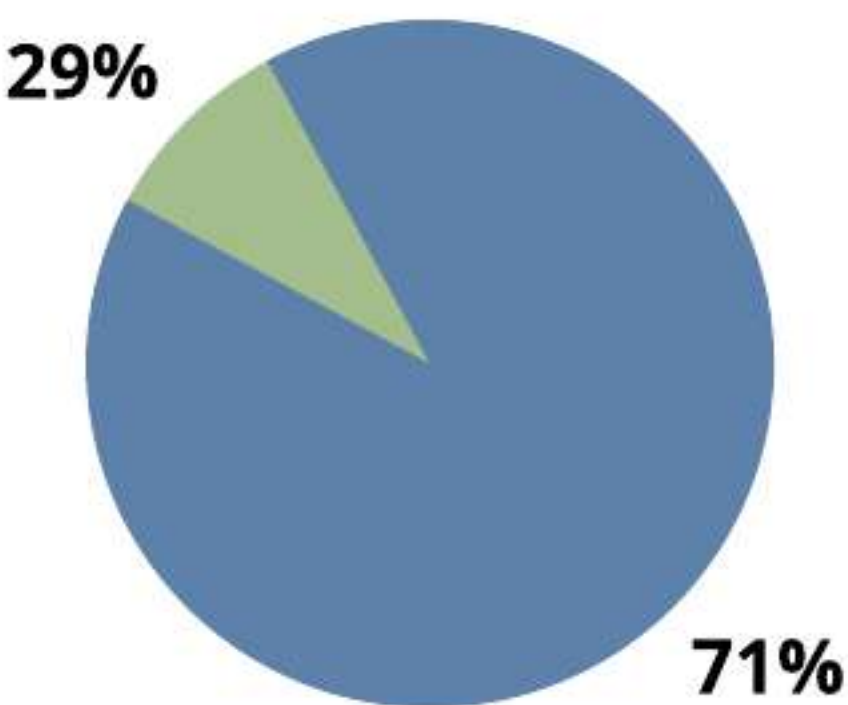
SINGAPORE

1. Applications to Set Aside an Award

This report considered **17 cases** involving applications to set aside domestic and international arbitral awards.^[65] **94% (16 cases)**^[66] of the applications were commenced to set aside international awards, while the remaining **(6%)**^[67] application was commenced to set aside a domestic arbitral award.



Furthermore, in **12 cases (71%)**, the set aside applications were dismissed by the court.^[68] On the other hand, in the remaining **5 cases (29%)**, the arbitral awards were set aside by the Court.^[69]

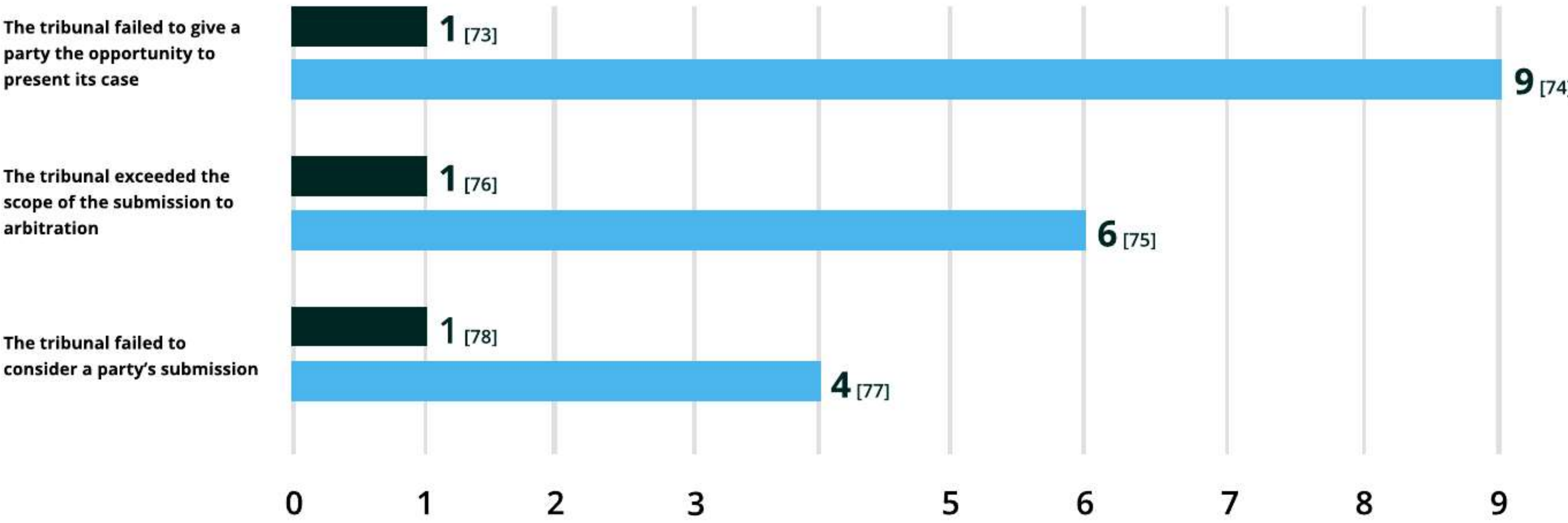


13 cases were identified where the arbitration leading to the set-aside application was conducted under the auspices of an institution or the tribunal was constituted by an appointing authority. **8 cases** concerned Singapore International Arbitration Centre (SIAC) administered awards,^[70] **4 cases** concerned ICC administered awards,^[71] while the last case was a Permanent Court of Arbitration (PCA) administered award.^[72]

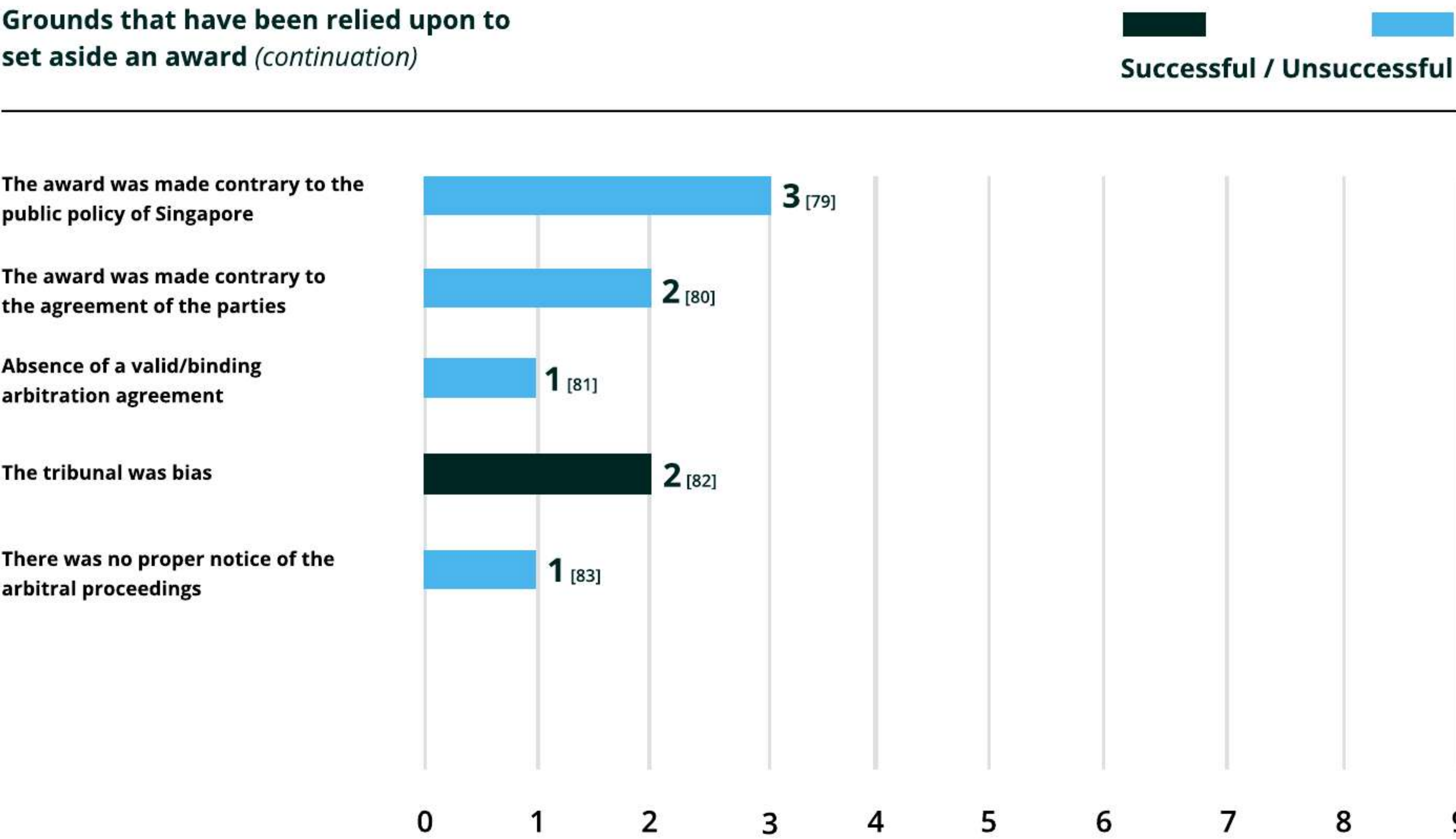
‘Successful’ and ‘unsuccessful’ refer to the outcome of the court application, not to the performance of the arbitrator or institution.”

Grounds that have been relied upon to set aside an award

Successful / Unsuccessful

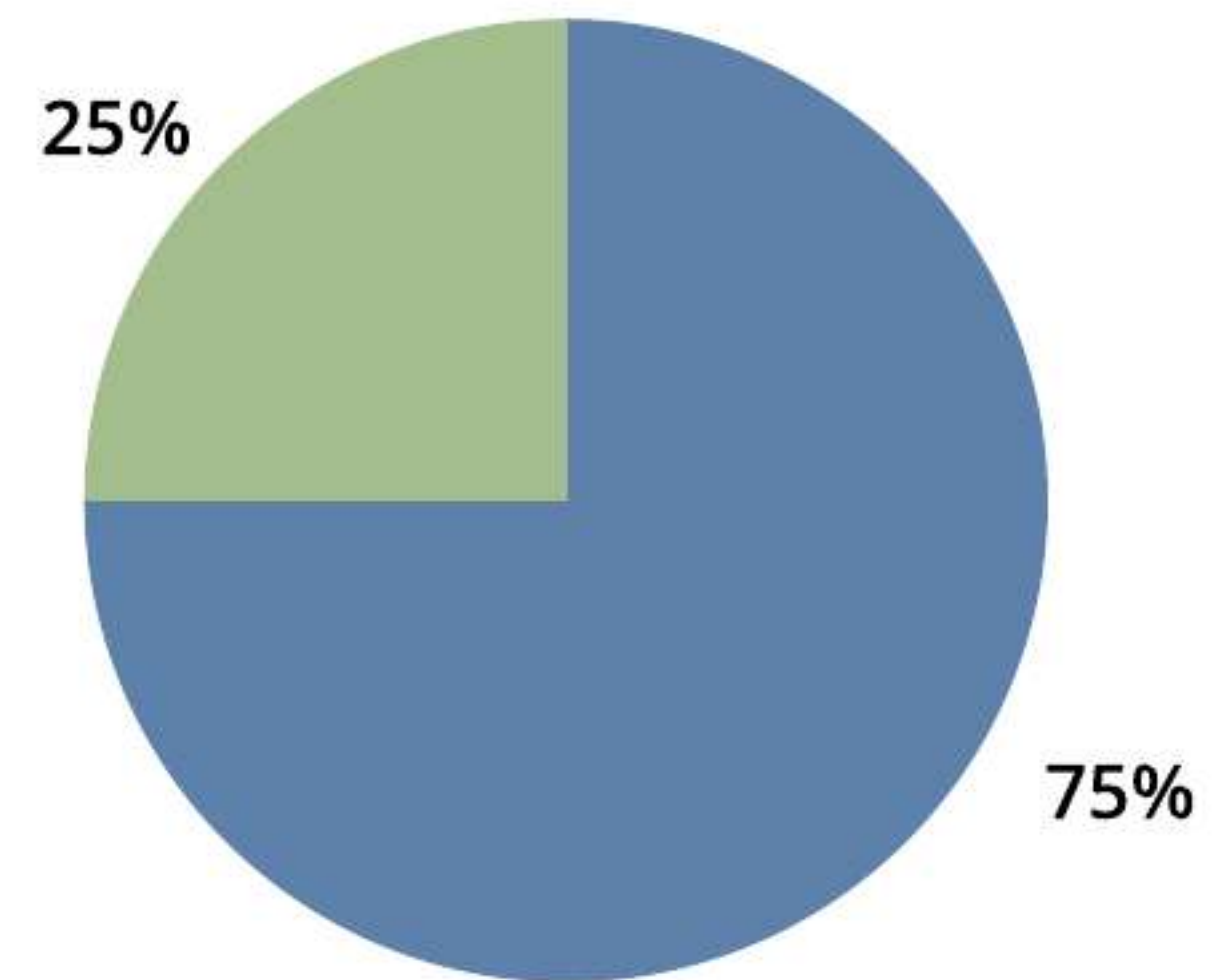


1. Applications to Set Aside an Award



2. *Stay of Proceedings in Favour of Arbitration*

4 cases^[84] involving applications for stay of proceedings (“ASOP”) were considered. Furthermore, from the 4 cases considered, in **3 cases (75%)**, the ASOP was granted by the Court.^[85] On the other hand, in the remaining case (**25%**), the ASOP was dismissed by the Court because the dispute did not fall within the scope of the arbitration agreement.^[86]

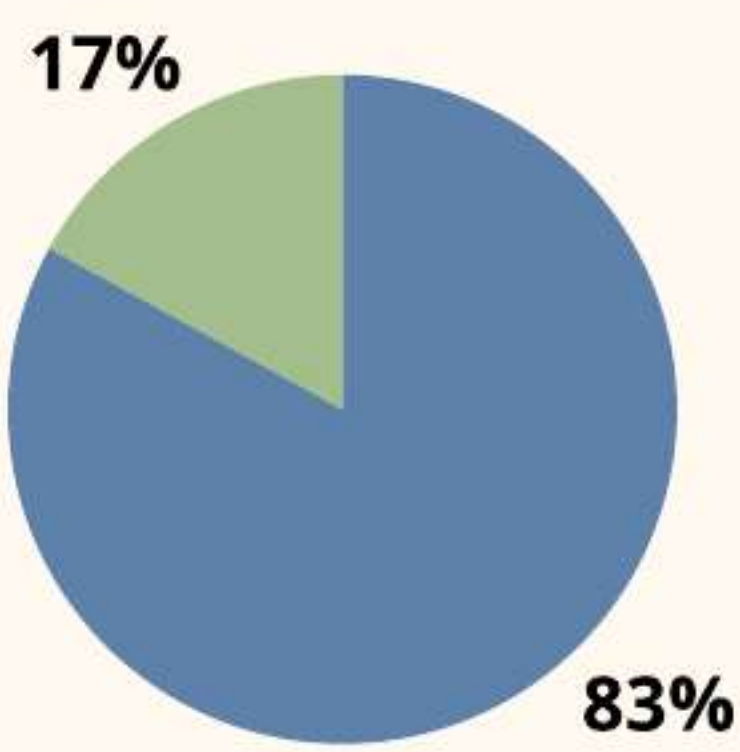




KENYA

1. Applications to Set Aside an Award

Our findings on award set-aside applications are based on an analysis of **36 cases**. Of these **36 cases**, in **30 cases (83%)** the applications to set aside the award were not successful.^[87] In contrast, the remaining **6 cases (17%)** account for cases where the applications to set aside an award successfully resulted in the whole or partial annulment of the award by the court.^[88]

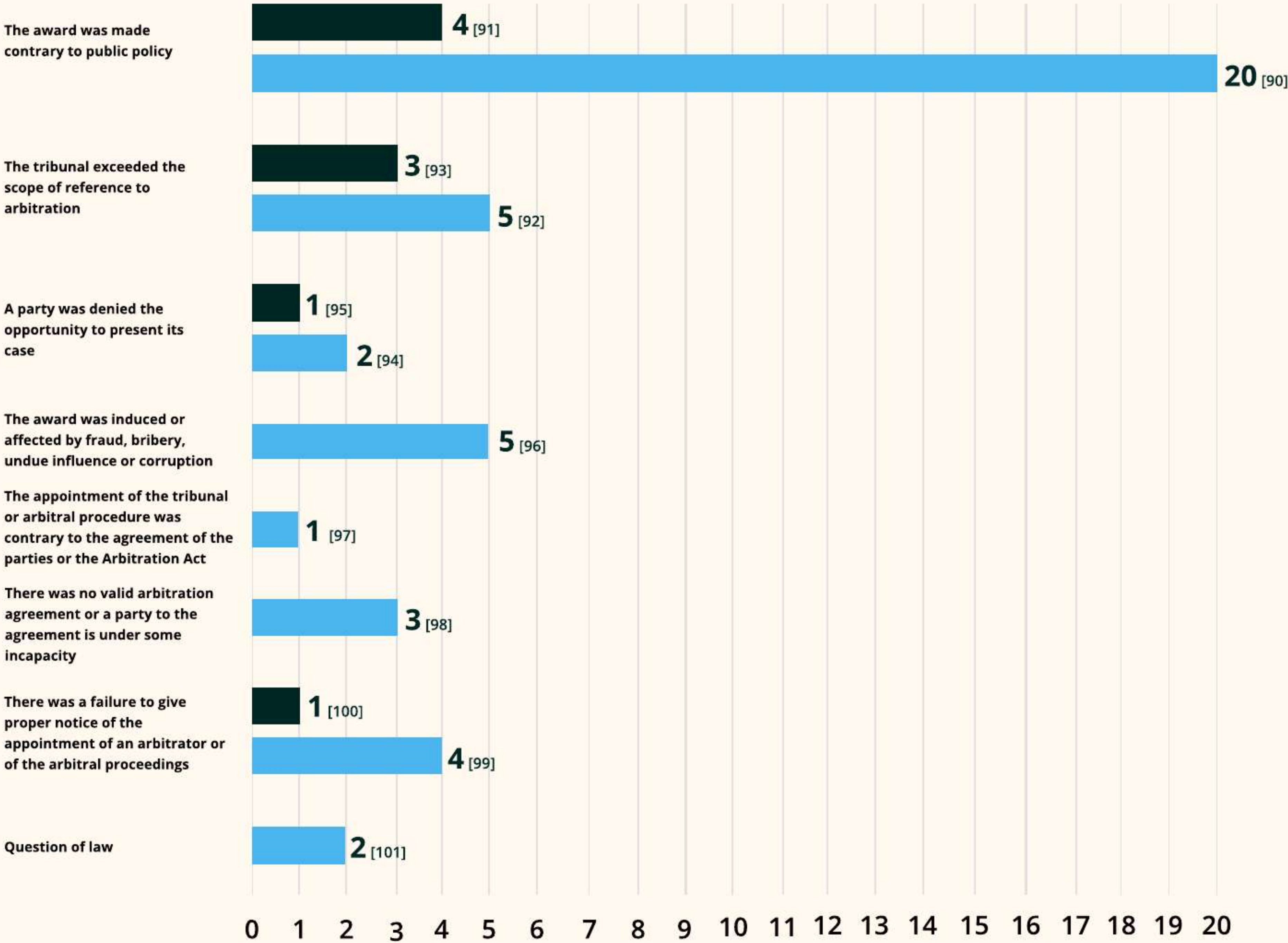


7 of the examined cases concerned challenges to tribunals appointed by the Chartered Institute of Arbitrators (CI Arb).^[89]

‘Successful’ and ‘unsuccessful’ refer to the outcome of the court application, not to the performance of the arbitrator or institution.”

Grounds that have been relied upon to set aside an award

Successful / Unsuccessful



1. Applications to Set Aside an Award

Arbitrators

Some of the examined cases also provided information on the identity of the arbitrator(s) whose awards were challenged. The data in this regard is presented in two categories, namely:

- (a) Arbitrators whose awards were successfully set aside (Successful Applications); and
- (b) Arbitrators whose awards were affirmed, rather than set aside, by the Court (Unsuccessful Applications).

References to arbitrators are included for descriptive and empirical purposes only. The outcome of a court application concerning an award should not be understood as a qualitative assessment of the arbitrator, the institution, or the arbitration process.

Successful Applications:

Paul Ngothi [102]

Eng. Howard AM'mayi [103]

Eng. Basil Ononbhara Odigie [104]

QS. Joseph Kungu [105]

Unsuccessful Applications:

Mr. Arthur K. Igeria [106]

Mr. Kisilah Daniel Gor [107]

Mr. Collins Namachanja [108]

Kyalo Mbobu [109]

Paul Mwaniki Gachoka [110]

Calvin Nyachoti [111]

Hon. Prof. Githu Muigai [112]

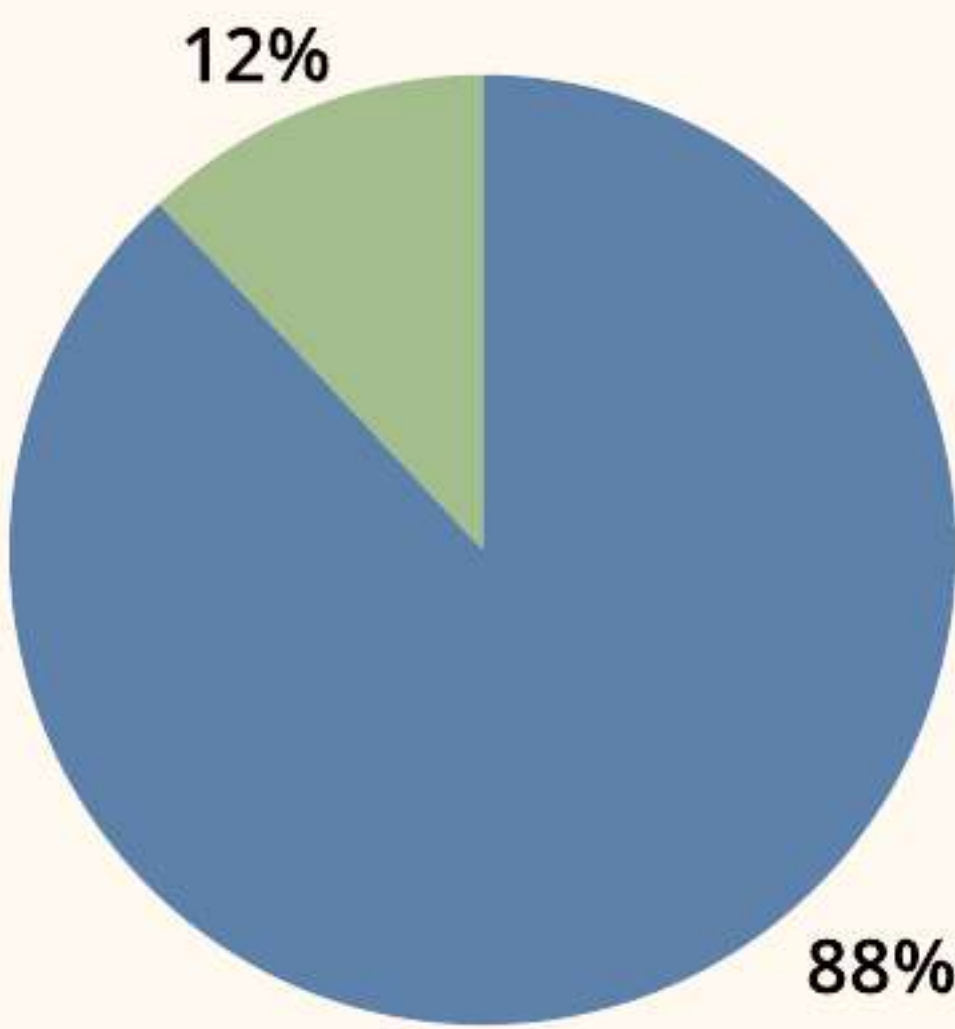
Kairu Mbuthia [113]

Justus Munyithya [114]

Hon. James Ngotho Kariuki FCI Arb [115]

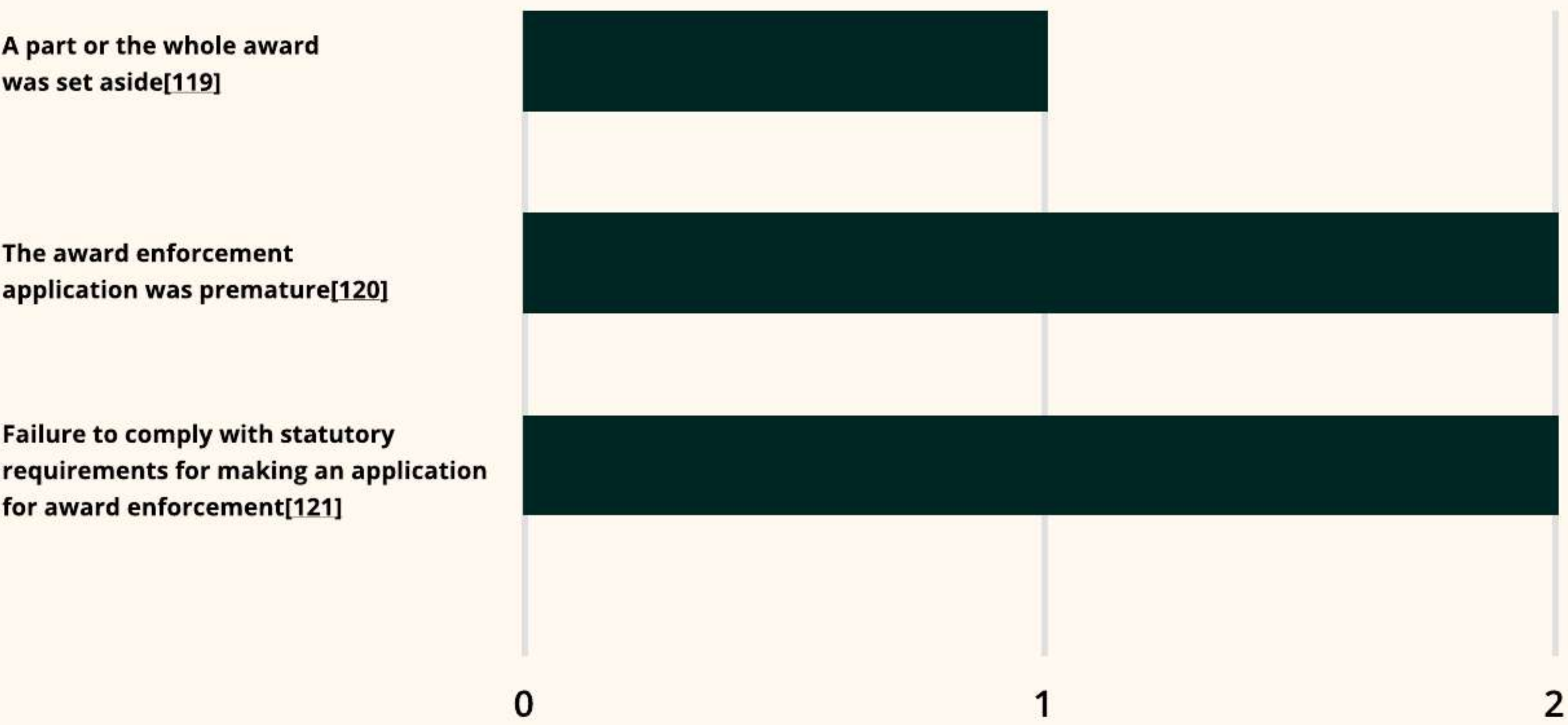
2. Award Enforcement Applications

Our findings on the outcome of award enforcement applications were extracted from a total of **49 cases**. In **43 cases (88%)**, an overwhelming majority, the applications to enforce an arbitral award were wholly^[116] or partially^[117] granted by the Court. However, in the remaining 6 cases (12%) the court either dismissed or struck out the applications to enforce the arbitral award.^[118]



Reasons for refusal of enforcement of arbitral awards

Numbers



Arbitral institution/Appointing authority

Some of the enforcement applications concerned institutional awards or awards made by tribunals constituted by an appointing authority. The relevant institutions or appointing authorities include: CIArb (6 cases);^[122] the Permanent Court of Arbitration (PCA – 1 Case);^[123] the Nairobi Centre for International Arbitration (NCIA – 1 Case);^[124] the Law Society of Kenya (1 Case);^[125] and the ICC (1 Case)^[126]

2. Award Enforcement Applications

Arbitrators

This report also provides the identity of the arbitrators whose awards were successfully enforced by the Court.

These Arbitrators are:

Mercy Okiro [127]

Antony Njogu [128]

Eng. Joseph Ng'ang'a [129]

Engineer Lucas A.N. Ochieng [130]

Dr. Kariuki Muigua MCI Arb [131]

Anthony M. Lubulellah [132]

Tom Onyango Oketch [133]

Hon. Mansur Muathe Issa [134]

DR. Kenneth Wyne Mutuma [135]

Mr Patterson Munene Kamara [136]

Dr. Francis Kariuki [137]

Mr. Kamau Karori SC [138]

James Ngotho Kariuki [139]

Kethi D. Kilonzo [140]

Mr. Arthur K. Igeria [141]

Prof. Paul Musili Wambua [142]

Mr. Dominic N. Mbigi [143]

Mr. Joseph Nyoike Mutonyi [144]

Collins O. Adipo [145]

Mr. Kevin Tom Mogeni [146]

Ms. Ngeresa A. Lily [147]

Mr. George Eshuchi [148]

Mr. Dave Ashok J [149]

Dr. Wilfred Mutubwa [150]

Azim Taibjee [151]

Samuel Mbiriri Nderitu [152]

Hon. Philip K Murgor [153]

Justus Munyithya FCI Arb [154]

Mr. Arch Sylvia M. Kasanga [155]

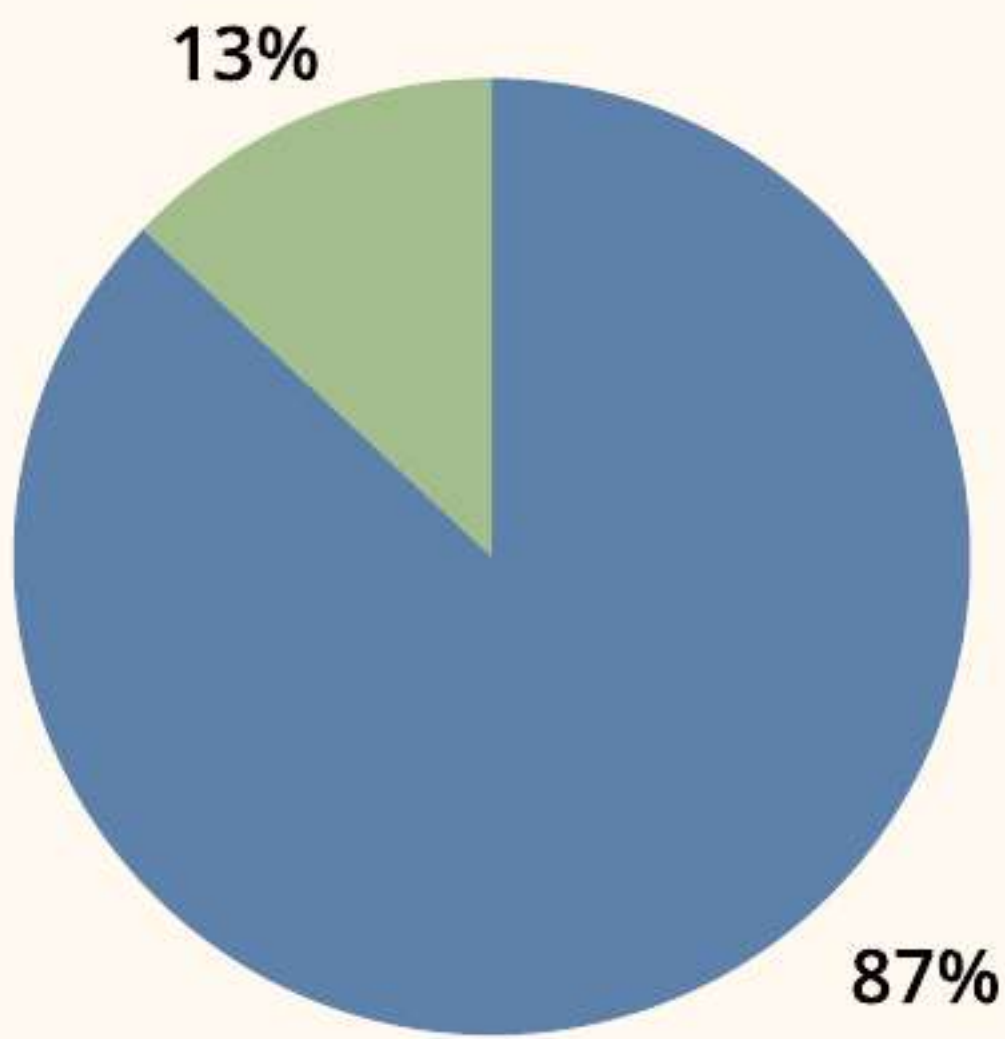
Job Weloba, MCI Arb [156]

D. G. Willians [157]

3. Interim Measures

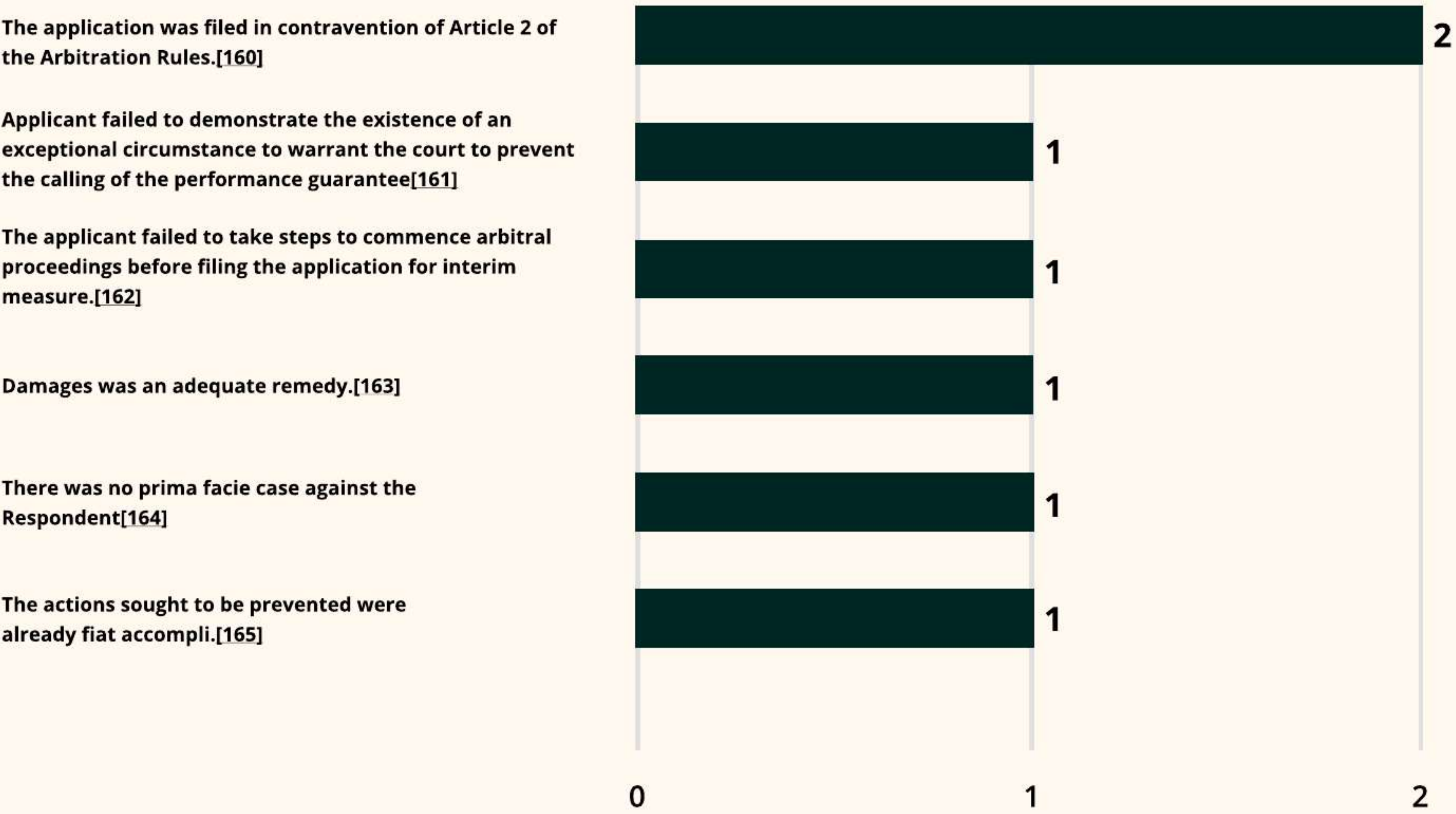
The findings on the outcome of applications made for interim measures to protect the subject matter of the arbitration prior to or after the commencement of arbitral proceedings were extracted from **8 cases**.

In 7 of these cases (**87%**), the Kenyan Courts dismissed the applications for interim measures.[158] Only one of the examined cases on interim measure applications was granted by the court.[159]



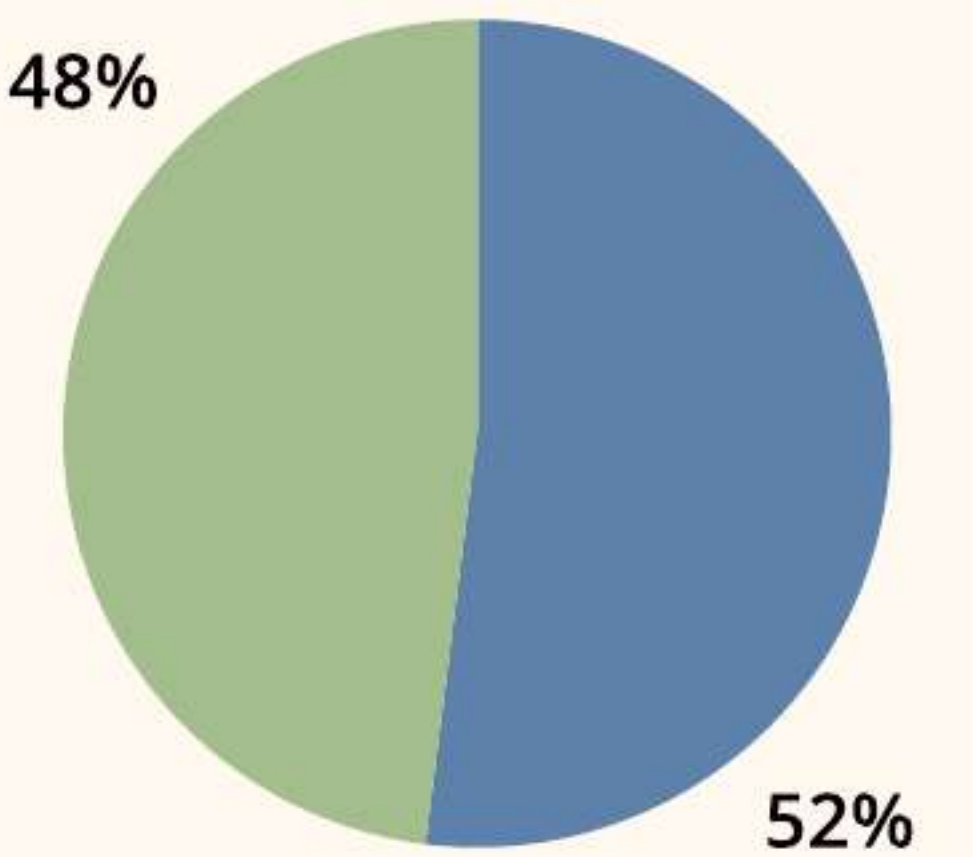
Reasons for refusal of enforcement of Interim measures

Numbers



4. Stay of Proceedings in Favour of Arbitration

Our findings are based on a keen examination of the **25 cases** where there were requests for stay of proceedings in favour of arbitration. **52% (13 cases)**^[166] of the requests for stay of court proceedings in favour of arbitration were unsuccessful. Applications for stay of proceedings were only successful in a total of **12 cases (48%)**.^[167]



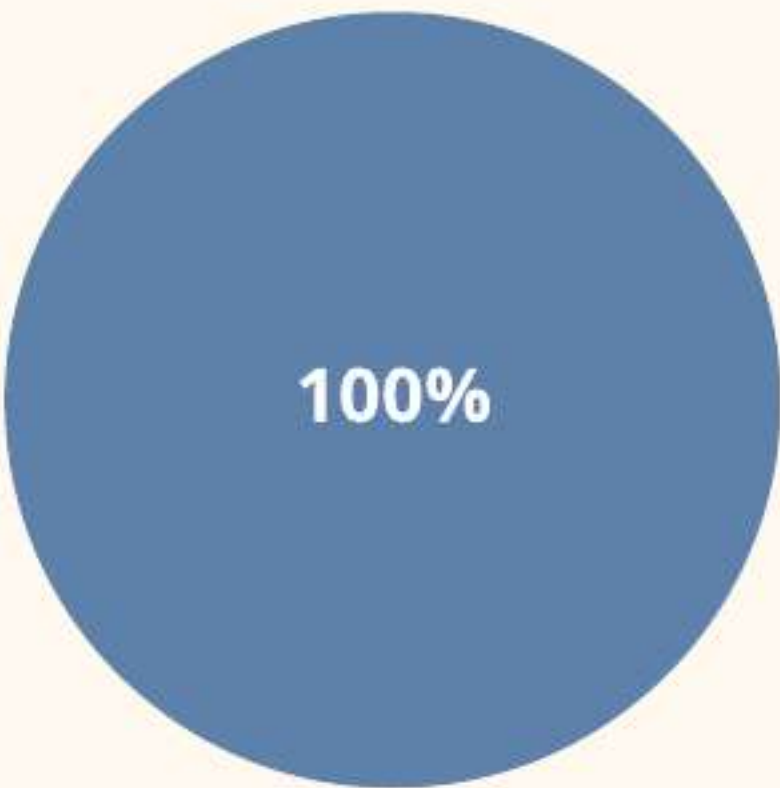
Reasons for dismissal of stay of proceedings applications

Numbers



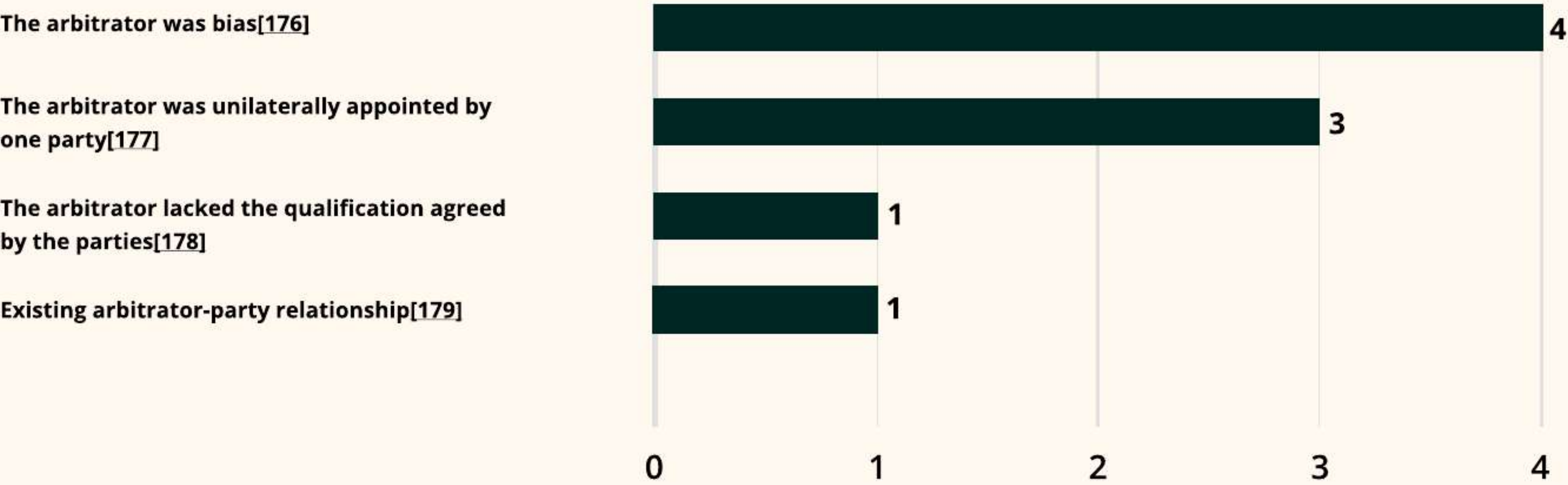
5. Challenge to Appointment of an Arbitrator

Another vital data point is the outcome of challenges against the appointment of an arbitrator. In this respect, **7 cases** were examined. The outcomes of these challenges suggest that the Kenyan Courts are more inclined to dismiss challenges brought against the appointment of arbitrators **(100%)**.^[175]



Grounds for challenges to an arbitrator’s appointment

Numbers



Arbitral institution/appointing authority

Of the 7 examined cases, **4 cases** concerned challenges to arbitrator appointment made by the CIArb (**3 cases**),^[180] and the NCIA (1 case),^[181]

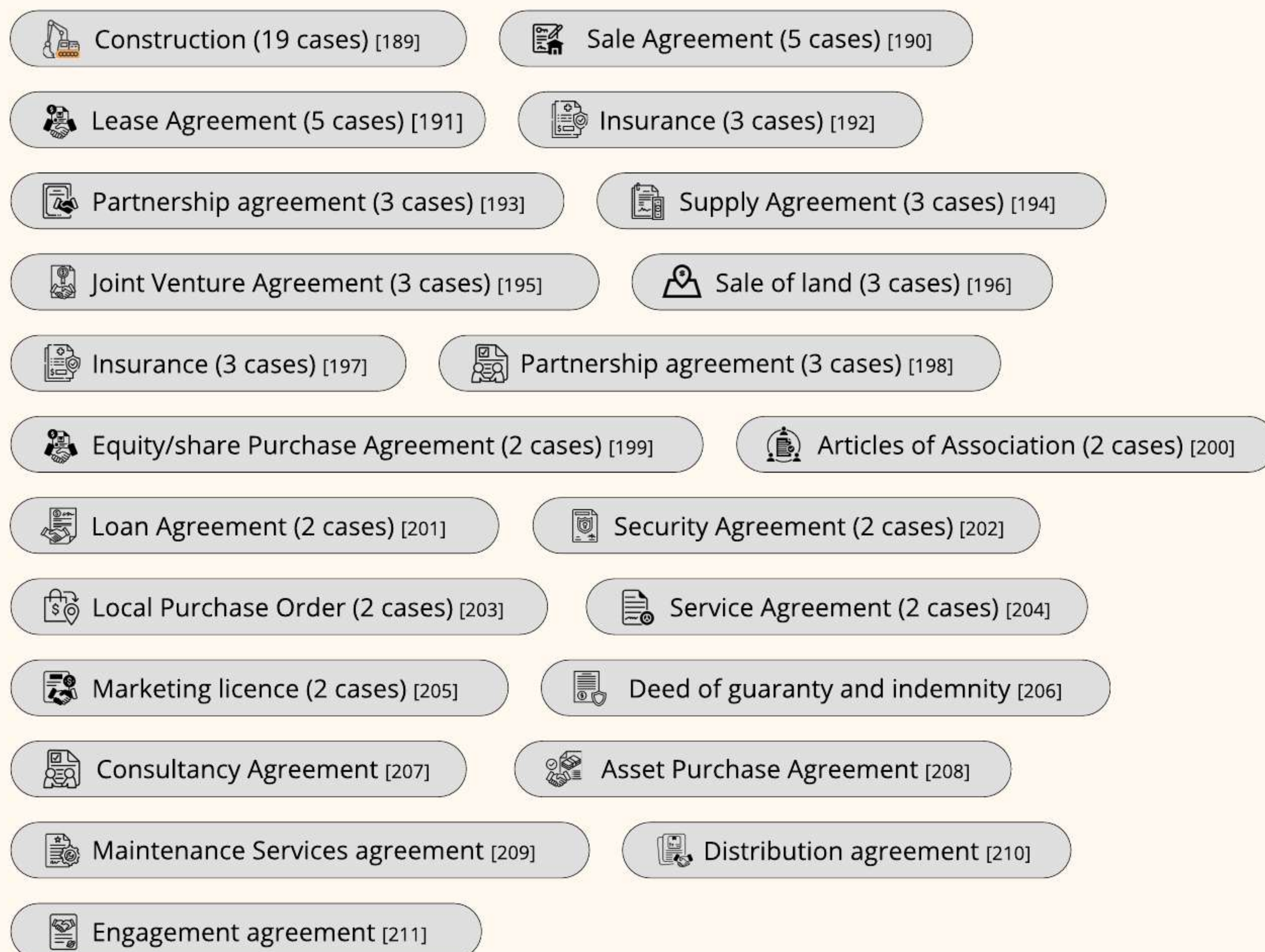
Arbitrators

The examined challenge applications concerned the appointment of the following arbitrators:

- Ms. Njeri Kariuki ^[182]
- QS. Kithinji Nyaga B, FCIArb ^[183]
- Mr. Kamau Karori ^[184]
- Martin Mbugua ^[185]
- Lady Justice (Rtd)
- Mary Ang’awa ^[186]
- Hon. Mr. Bwalya Lumbwe ^[187]
- Doreen Kilbia ^[188]

6. *Types of Disputes*

The examined cases from Kenya demonstrate that arbitration is currently utilised in Kenya for resolving disputes arising from a variety of contractual relationship.





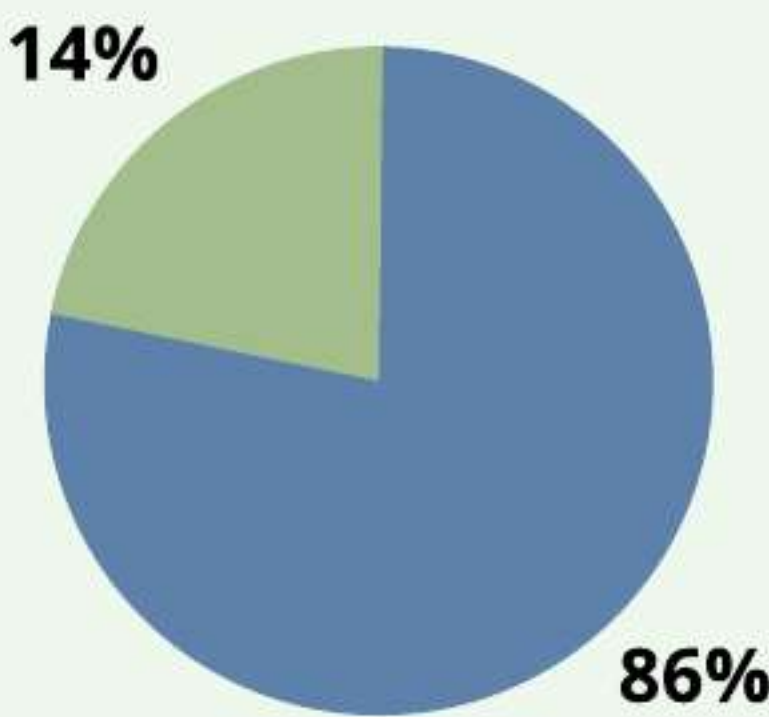
SOUTH AFRICA

IN COLLABORATION
WITH ARBITRATION
FOUNDATION OF
SOUTHERN AFRICA (AFSA)

1. Applications to Set Aside an Award



To reach our findings on the set aside applications, we examined **14 cases**. Starting with the outcomes, **86% (12 cases)** of the examined applications to set aside South African-seated awards were dismissed by the South African Courts.^[212] By contrast, **14% (2 cases)** of the examined cases resulted in the partial or whole annulment of the arbitral award.^[213]

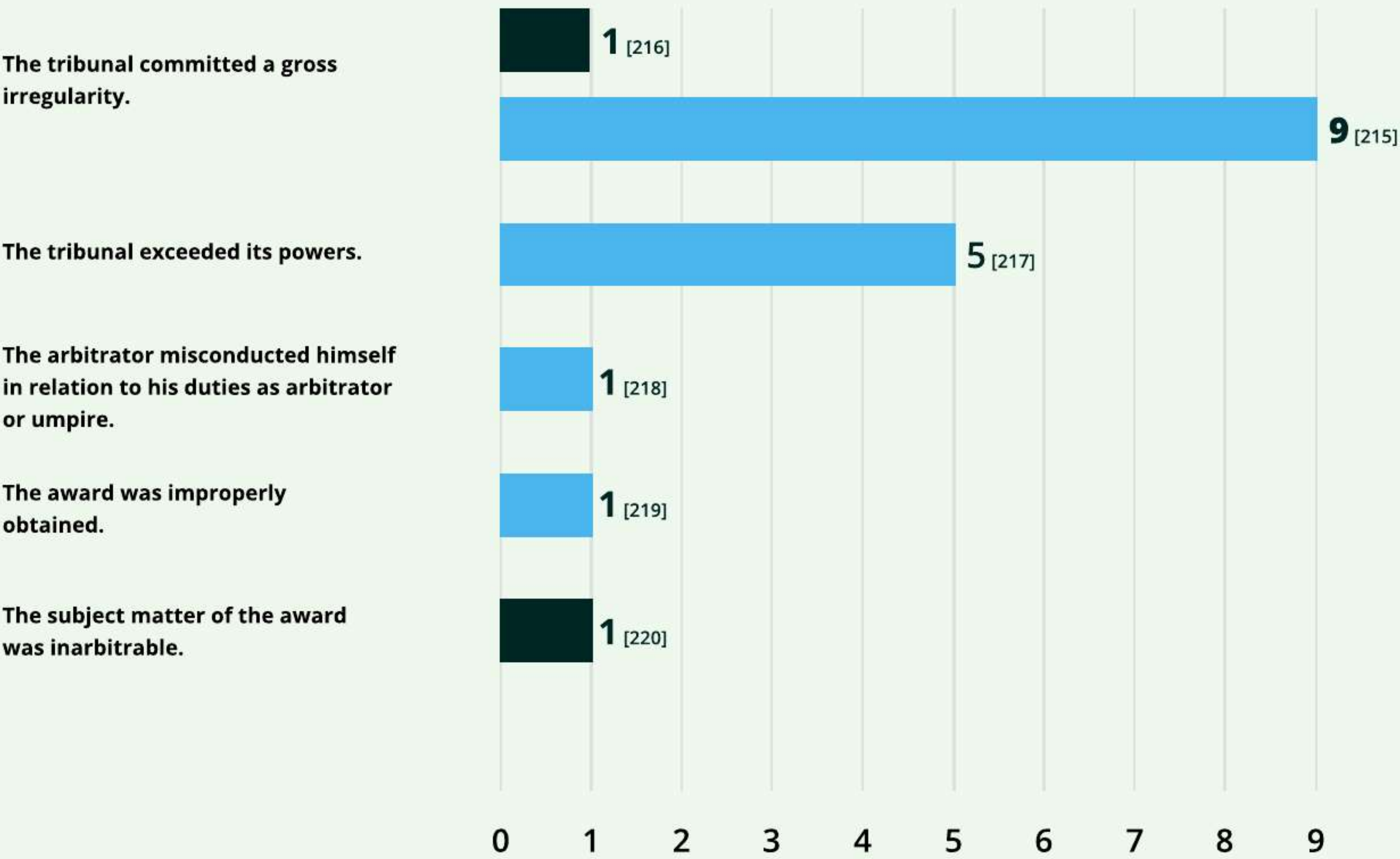


3 of the examined award set-aside cases related to arbitrations administered by AFSA or in which AFSA acted as appointing authority.^[214]

‘Successful’ and ‘unsuccessful’ refer to the outcome of the court application, not to the performance of the arbitrator or institution.”

Grounds that have been relied upon to set aside an award

Successful / Unsuccessful



1. Applications to Set Aside an Award

The data is presented in two categories, namely:

- (a) Arbitrators whose awards were successfully set aside (Successful Applications); and
- (b) Arbitrators whose awards were affirmed, rather than set aside, by the Court (Unsuccessful Applications).

References to arbitrators are included for descriptive and empirical purposes only. The outcome of a court application concerning an award should not be understood as a qualitative assessment of the arbitrator, the institution, or the arbitration process.

Successful Applications:

Mark Thys [221]

Bernard Makgabo Ngoepe [222]

Unsuccessful Applications:

Tom Mcdonald N.O [223]

Stuart Riddle N.O [224]

D J Van Heerden N.O [225]

L. T. Sebeko SC [226]

P F Rossouw SC [227]

Bernard Makgabo Ngoepe [228]

Justice Fdj Brand [229]

Justice Graham Lopes [230]

Maurice Pillemer SC [231]

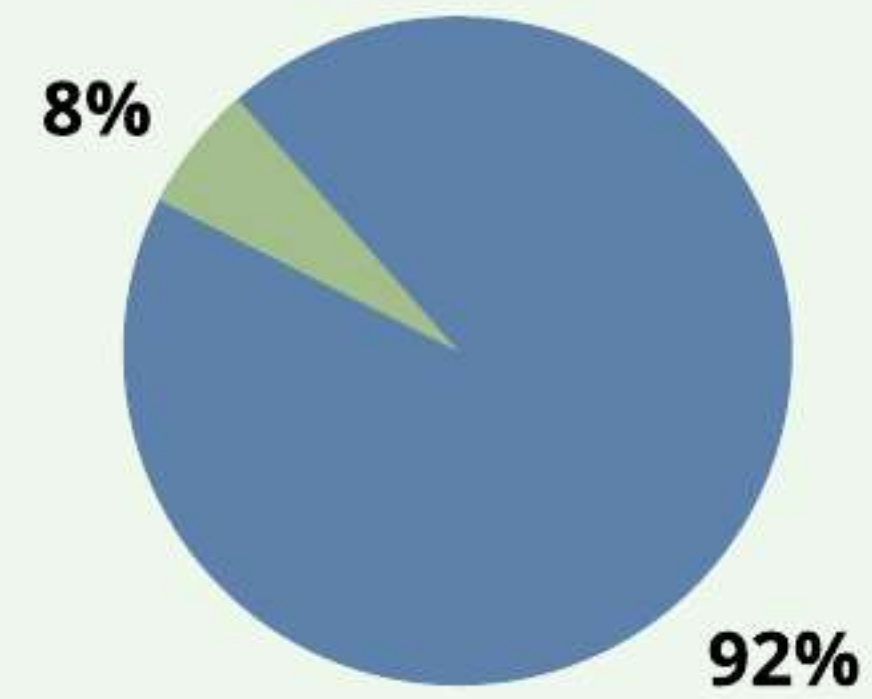
Mr André Robert Gautschi N.O [232]

Anita Lapan N.O. [233]

Schalk Aucamp [234]

2. Award Enforcement Applications

The findings on the outcome of award enforcement applications were extracted from a total of **12 cases**. **92%** (11 cases) of the applications to enforce an arbitral award were wholly or partially granted by the Court.^[235] In the single case wherein the award was not enforced, the court's reasoning was premised on the fact that the arbitration hearing and award was made outside its territorial jurisdiction.^[236]



5 of the examined award enforcement cases related to arbitrations conducted under AFSA institutional processes, whether through AFSA administration or tribunal appointment functions.^[237]

Arbitrators

It is also important to disclose, where available, the identity of the arbitrators whose awards were successfully enforced by the Court.

These Arbitrators are:

J. R. Gautschi SC ^[238]

D J Van Heerden N.O ^[239]

Mr Christopher Loxton SC ^[240]

Bernard Makgabo Ngoepe ^[241]

Mr André Robert Gautschi N.O ^[242]

Dirk Van Zyl ^[243]

Adv C Eloff SC ^[244]

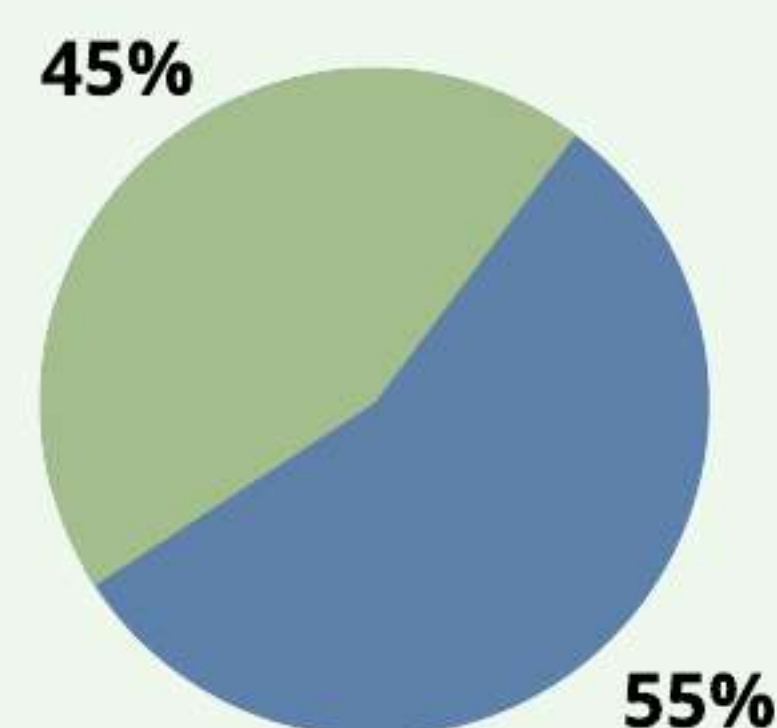
LM Montsho SC ^[245]

Adv. Andre' Oosthuizen SC ^[246]

Lance Friedman ^[247]

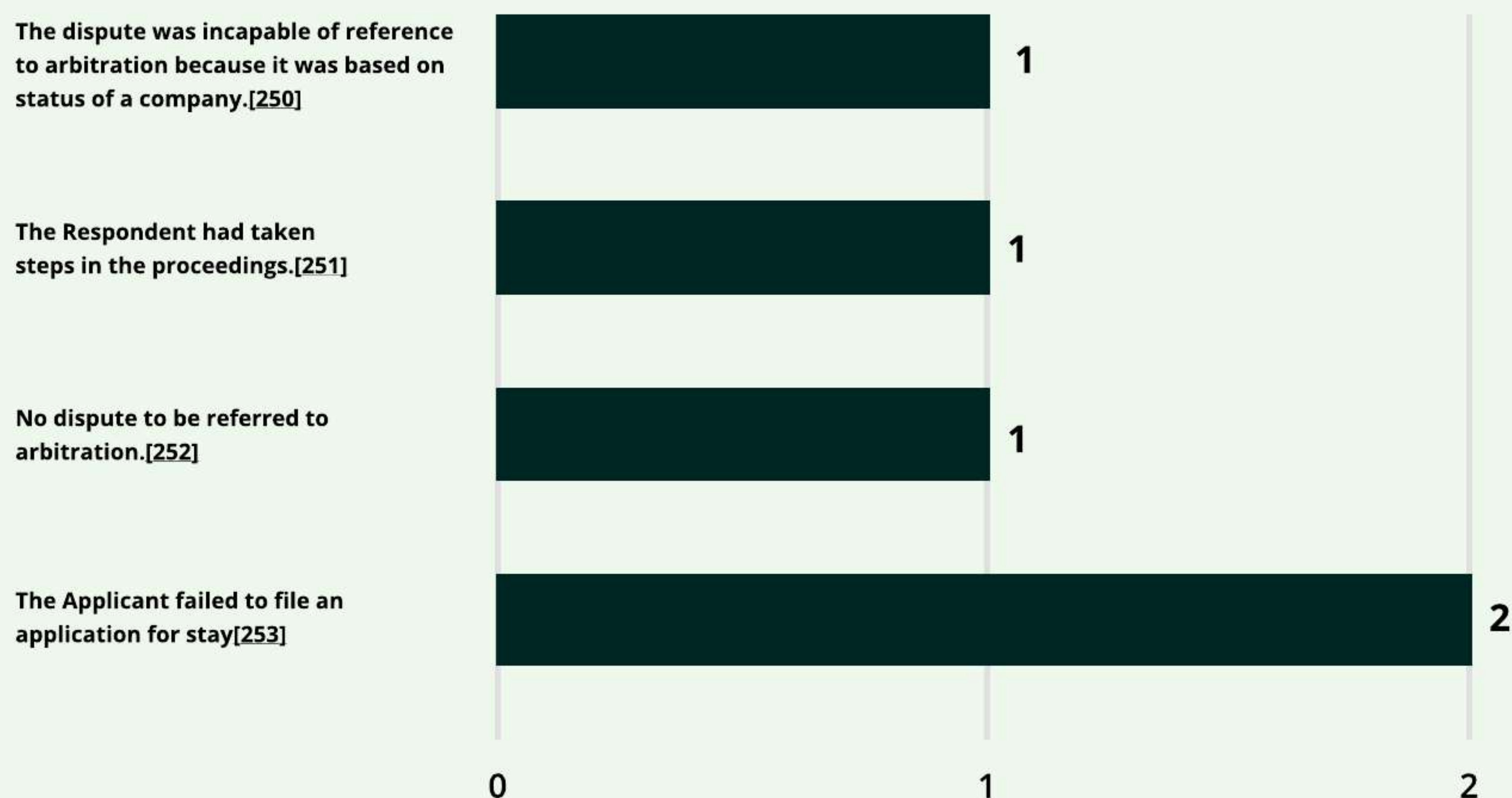
3. Stay of Proceedings in Favour of Arbitration

Another interesting data set relates to our findings on the attitude of the South African Courts towards stay of proceedings applications. We examined **9 cases**, and our findings revealed that there is an almost split between successful and unsuccessful stay of proceedings applications. In particular, **55% (5 cases)** of the requests for stay of court proceedings in favour of arbitration were successful.^[248] Similarly, there were **4 cases (45%)** of the applications for stay of proceedings which were unsuccessful.^[249]



Reasons for unsuccessful applications for stay of proceedings

Numbers



4. *Types of Disputes*

The examined cases from South Africa concerned disputes arising from subject matters like:



Construction (6 cases) [254]



Lease Agreement [255]



Settlement Agreement [256]



Joint Venture Agreement [257]



Share Purchase/Transfer Agreement [258]



Service Level Agreement (2 cases) [259]



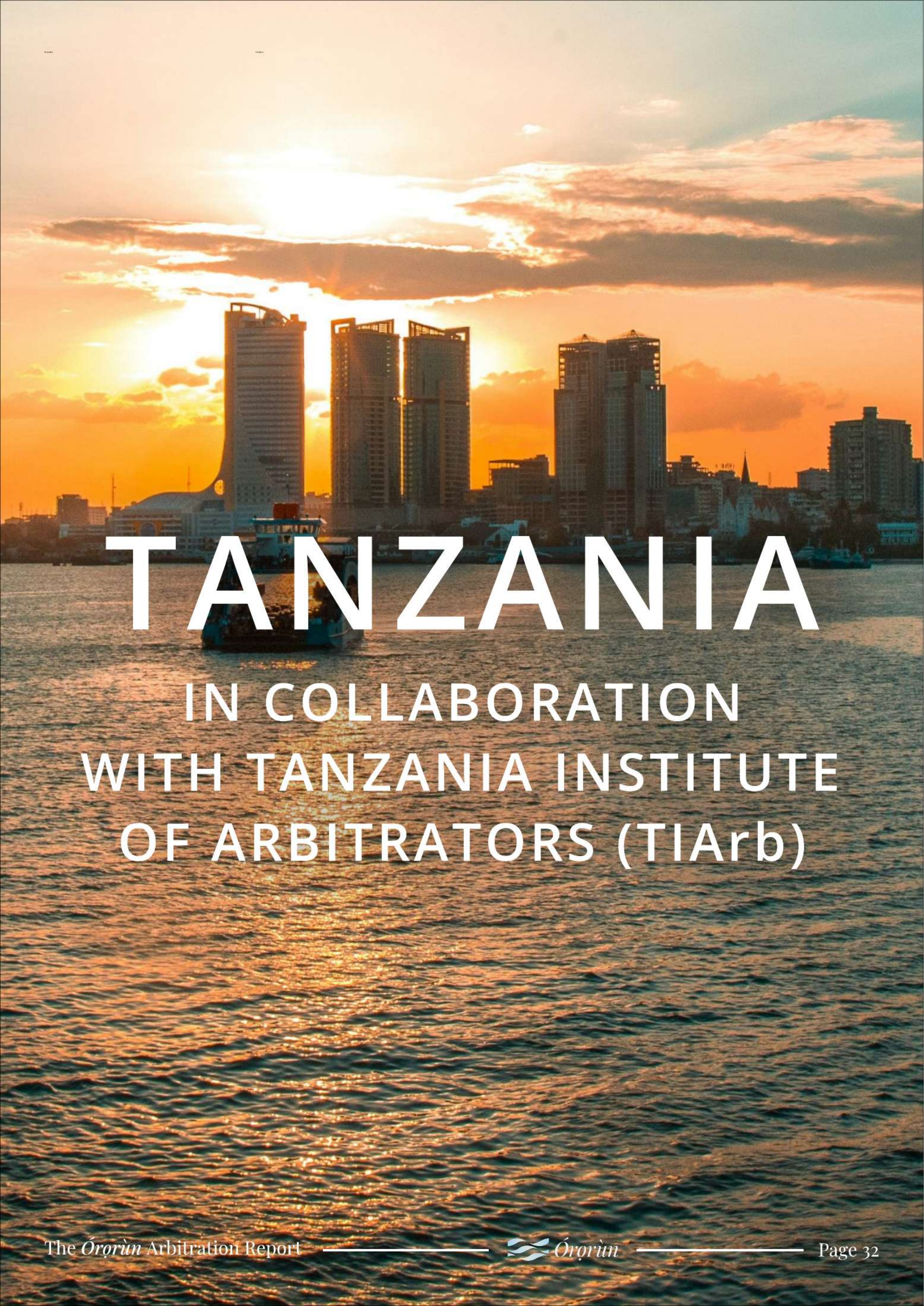
Sale Agreement [260]



Insurance [261]



Management Agreement [262]

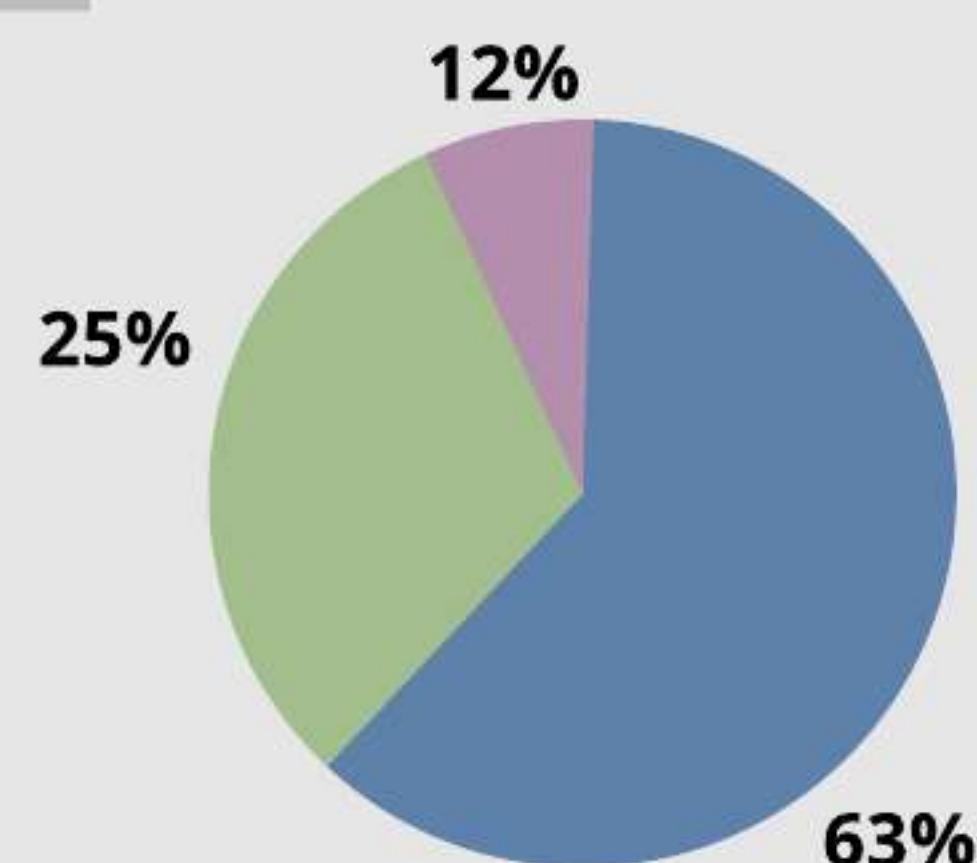


TANZANIA

IN COLLABORATION
WITH TANZANIA INSTITUTE
OF ARBITRATORS (TIArb)

1. Applications to Set Aside an Award

Our findings are based on an evaluation of **8 cases**. Of these cases, in **5 cases (63%)** the application to set aside the award was successful.^[263] In **2 cases (25%)** the applications to set aside an award were dismissed by the court.^[264] While in the last case **(12%)**, rather than setting aside the award, the court chose to remit the award back to the tribunal for reconsideration.^[265]



Of the 8 cases considered, 3 cases related to arbitrations where there the tribunal was constituted by an appointing authority. In 2 cases, the Tanzania Institute of Arbitrators acted as the appointing authority.^[266] while the last case concerned an arbitration where the National Construction Council (NCC) acted as appointing authority.^[267]

Arbitrators

We also extracted the identity of the arbitrators. References to arbitrators are included for descriptive and empirical purposes only. The outcome of a court application concerning an award should not be understood as a qualitative assessment of the arbitrator, the institution, or the arbitration process.

Eng. Immanuel N. Kimambo [268]

Prof. Zakayo Lukumay [269]

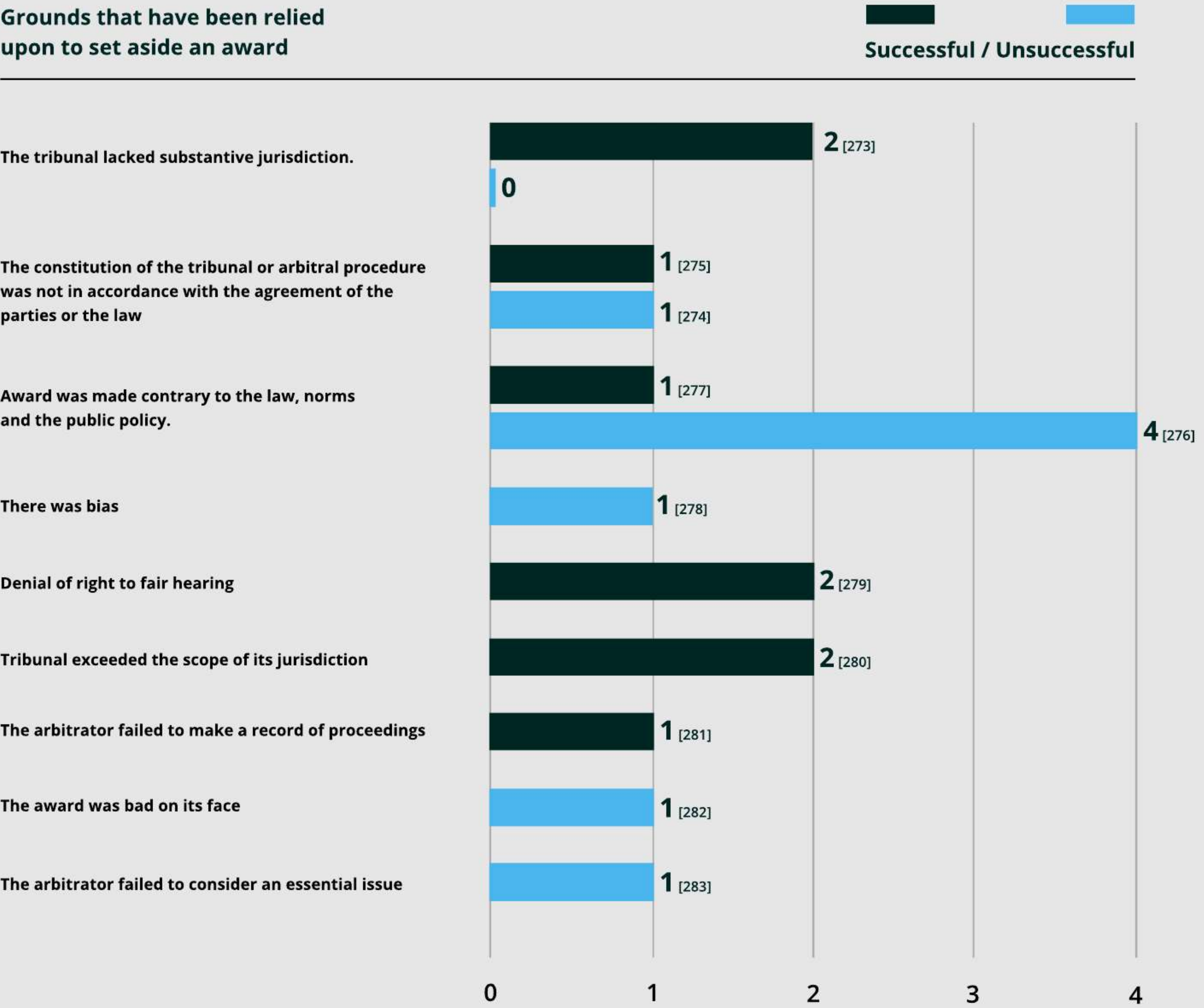
Dr. Wilbert Kapinga [270]

Eng. Immanuel N. Kimambo [271]

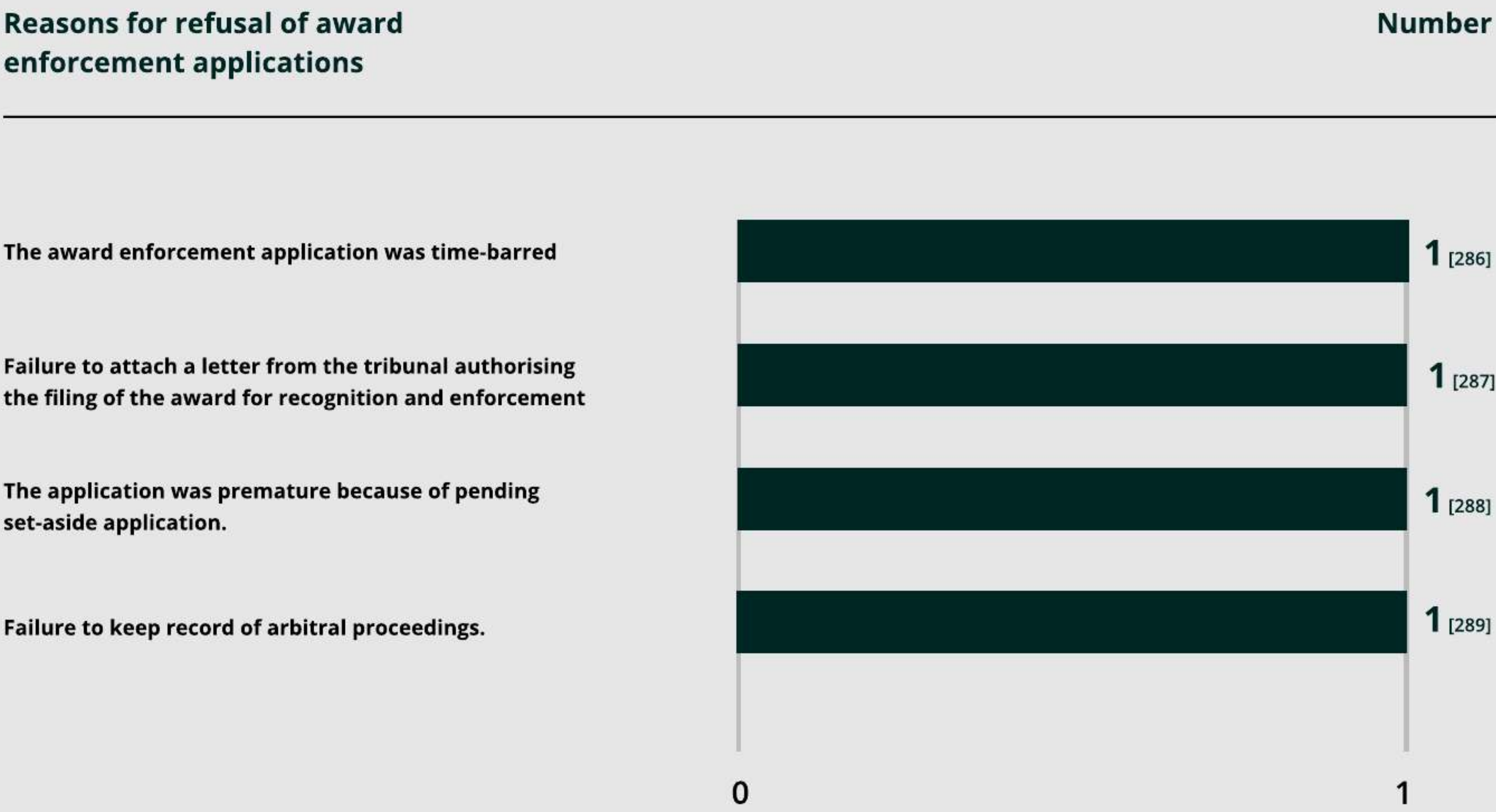
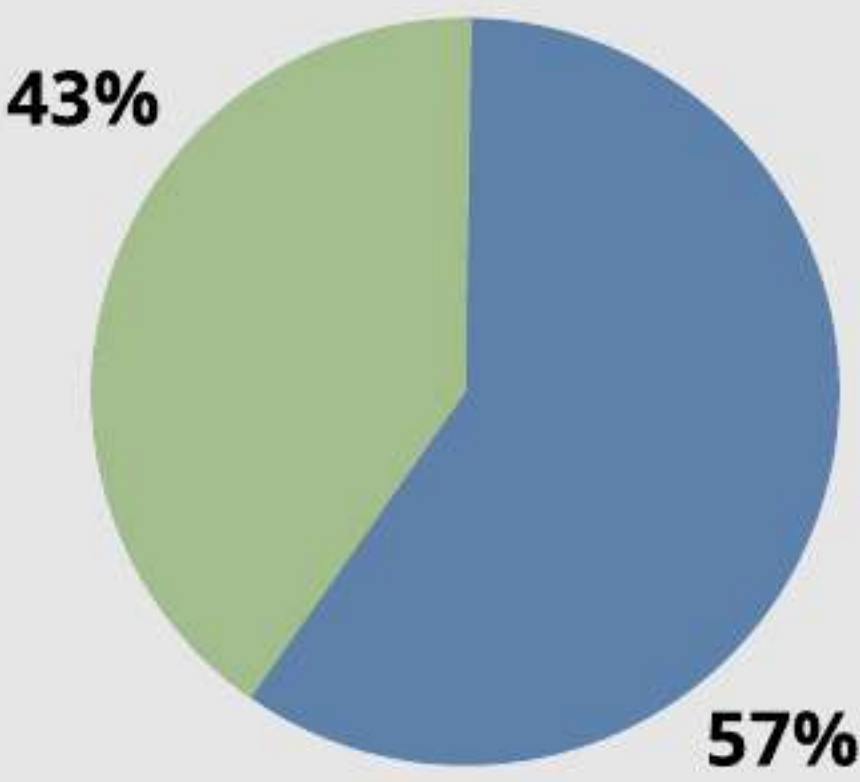
Mtango Jotham Andrea Lukwaro (Deceased) [272]

1. Applications to Set Aside an Award

‘Successful’ and ‘unsuccessful’ refer to the outcome of the court application, not to the performance of the arbitrator or institution.”



The findings on the outcome of award enforcement applications were extracted from a total of **7 cases**. In **3 cases (43%)** the applications to enforce an arbitral award were granted by the Court.^[284] On the other hand, in the remaining **4 cases (57%)** the court either dismissed or struck out the application to enforce the arbitral award.^[285]



We have identified 3 cases where the arbitration leading to the award enforcement application was either administered by an institution or the tribunal was constituted by an appointing authority, namely: the London Court of International Arbitration (LCIA),^[290] the Zambian branch of CIArb,^[291] and the Netherlands Arbitration Institute.^[292]

Arbitrators

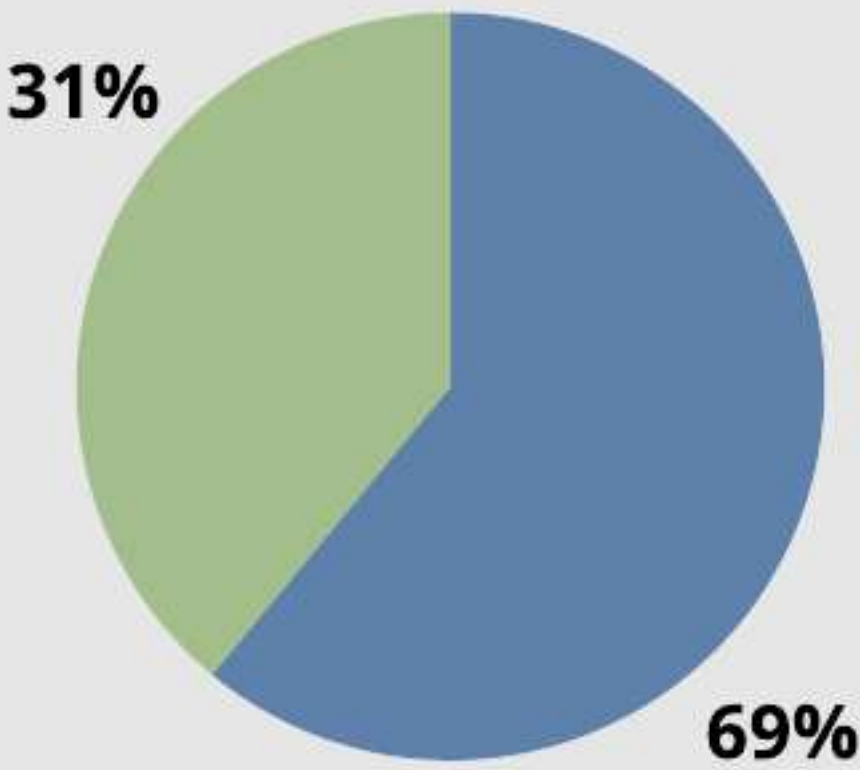
The 3 enforced awards by the court were made by the following arbitrators:

- Ms. Sophie Lamb KC ^[293]
- Prof. Zakayo Lukumay ^[294]
- Alex Mgongolwa ^[295]

3. Stay of Proceedings in Favour of Arbitration



Of the 13 cases examined, **69% (9 cases)** of the requests for stay of court proceedings in favour of arbitration were unsuccessful.[296] Applications for stay of proceedings were only successful in a total of **4 cases (31%)**.[297]



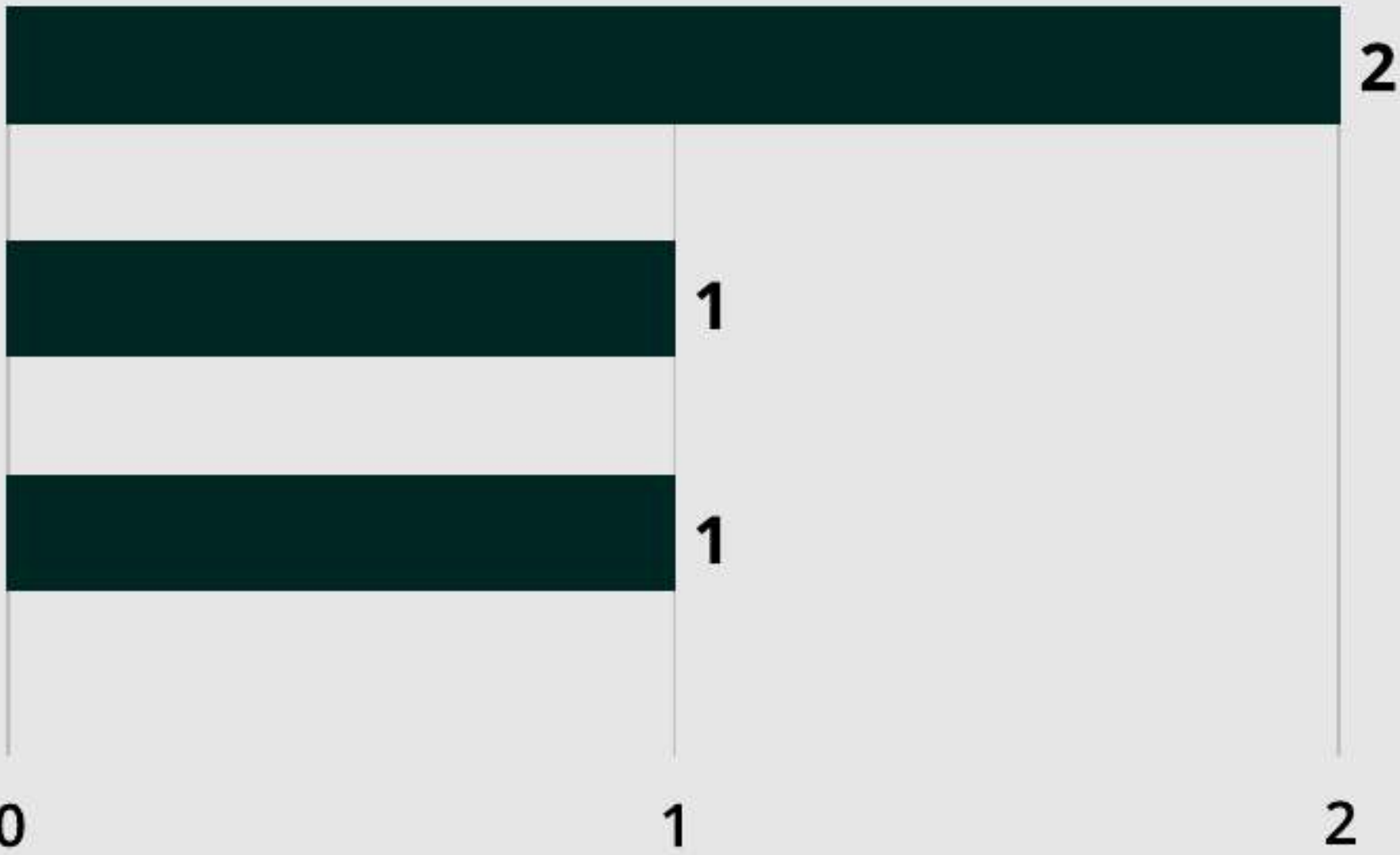
Reasons for unsuccessful applications for stay of proceedings

Number

A preliminary objection was not the correct mode for requesting a stay of proceedings.[298]

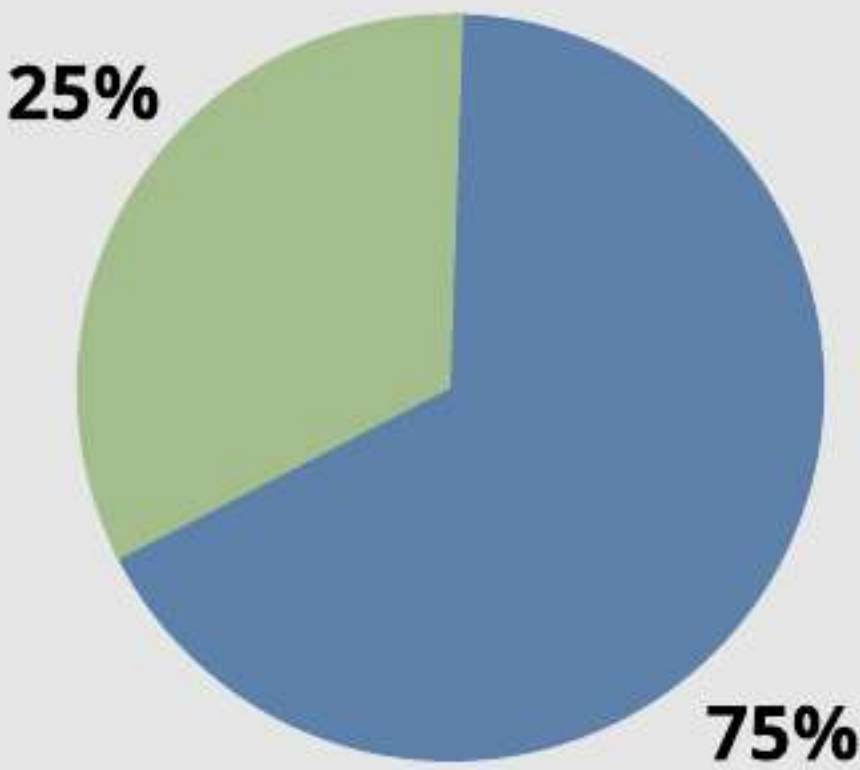
The Defendant waived his right to refer the dispute to arbitration by filing a defence.[299]

The dispute did not fall within the scope of the arbitration agreement.[300]



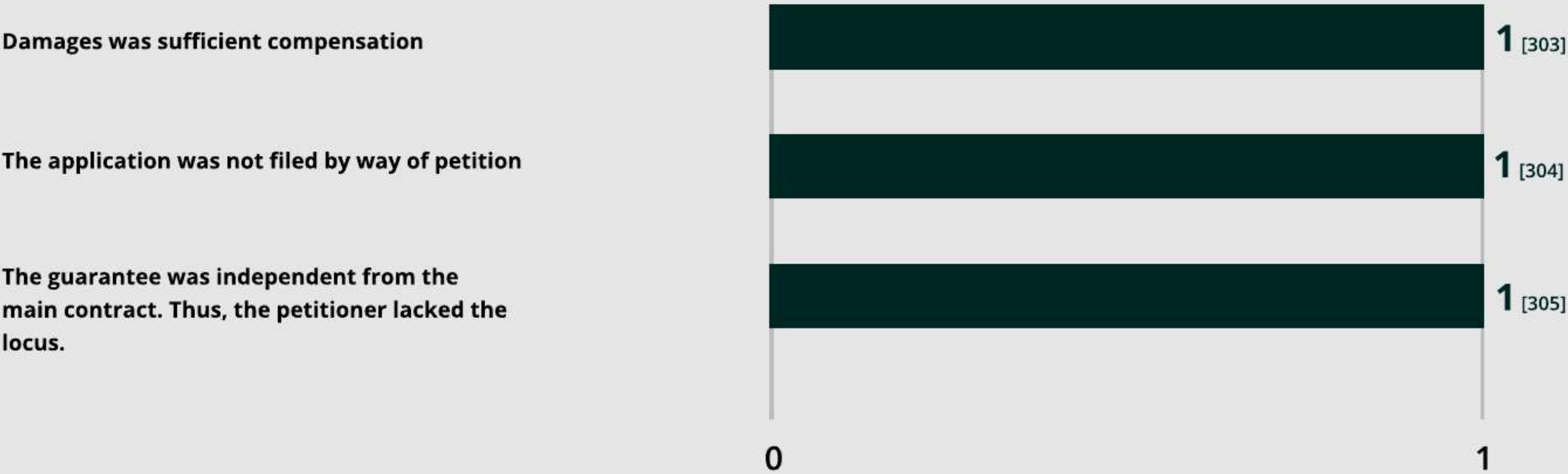
4. Interim Measures

The findings on the outcome of applications made for interim measures to protect the subject matter of the arbitration prior to or after the commencement of arbitral proceedings were extracted from **4 cases**.^[301] In 3 of these cases (**75%**), the Tanzanian Courts rejected the applications for interim measures.^[302]



Reasons for unsuccessful applications for interim measures

Number



5. *Types of Disputes*

We identified **23 cases** where the nature of the contractual relationship between the parties was disclosed.[306]



Construction Contract (8 cases) [307]



Lease Agreement [308]



Super dealer Agreement [309]



Employment contract [310]



Distribution agreement [311]



Cooperative Agreement [312]



Supply contract [313]



Sale Agreement [314]



Purchase Agreement [315]



MoU [316]



Contract for Mining Operations and Equipment [317]

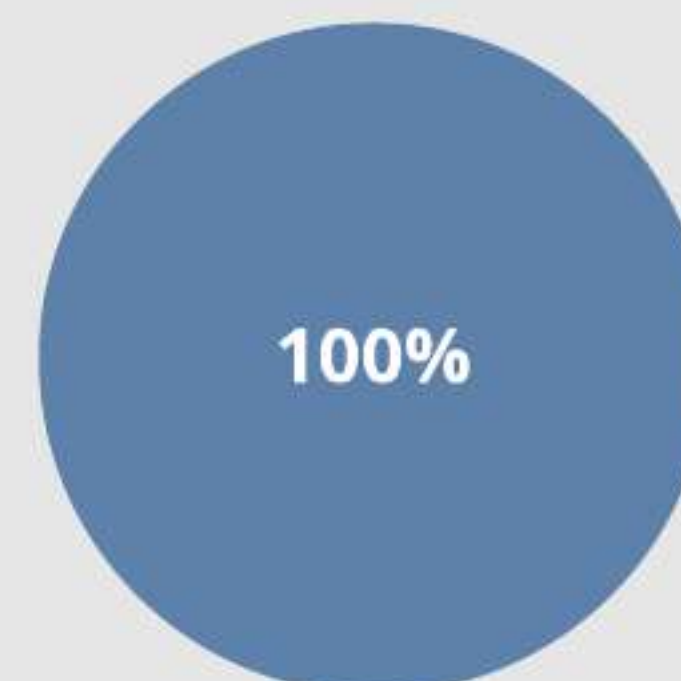


Partners Agreement [318]

NIGERIA

1. Award Enforcement Applications

Our findings on the outcome of award enforcement applications were extracted from a total of **4 cases**. All the examined applications to enforce an arbitral award (**100%**), were granted by the Court.^[319] One of the enforced arbitral awards was made by Professor Paul Idornigie.^[320]



3 of the enforcement applications concerned institutional awards or awards made by tribunals constituted by an appointing authority. The relevant institutions or appointing authorities include: the London Court of International Arbitration;^[321] the ICC,^[322] and the Court. ^[323]

Endnotes

- [1] See Appendix 1 for the 28 cases reviewed.
- [2] All cases in 1, 3-4, 6-7, 10, 13-14, 19-20, 22-24, 27-28 of Appendix 1.
- [3] Case No. 2, 5, 8-9, 12, 15, 17-18, 21 of Appendix 1.
- [4] Case No. 11, 16, 25-26 of Appendix 1.
- [5] Case No. 1, 3, 6, 12, 14, 23 of Appendix 1.
- [6] Case No. 2, 5, 15, 18 of Appendix 1.
- [7] Case No. 1, 7, 13-14, 19, 27 of Appendix 1.
- [8] Case No. 16 of Appendix 1
- [9] Case No. 9, 12 of Appendix 1.
- [10] Case No. 4, 20, 22, 24, 28 of Appendix 1.
- [11] Case No. 8, 11, 15-17, 21, 25-26 of Appendix 1.
- [12] Case No. 3, 10 of Appendix 1.
- [13] Case No. 15 of Appendix 1.
- [14] Case No. 27 of Appendix 1.
- [15] Case No. 14 of Appendix 1.
- [16] Case No. 1, 25-26, 28 of Appendix 1.
- [17] Case No. 4, 10, 13, 18, of Appendix 1.
- [18] Case No. 15, 21-22 of Appendix 1.
- [19] Case No. 3, 5 of Appendix 1.
- [20] Case No. 2 of Appendix 1.
- [21] Ibid.
- [22] Ibid.
- [23] Case No. 8 of Appendix 1.
- [24] Ibid.
- [25] Ibid.
- [26] Case No. 9 of Appendix 1.
- [27] Ibid.
- [28] Case No. 12 of Appendix 1.
- [29] Ibid.
- [30] Ibid.
- [31] Case No. 16 of Appendix 1.
- [32] Case No. 25 of Appendix 1.
- [33] Ibid.
- [34] Ibid.
- [35] Case No. 26 of Appendix 1.
- [36] Ibid.
- [37] Ibid.
- [38] Case No. 6 of Appendix 1.
- [39] Case No. 7 of Appendix 1.
- [40] Case No. 10 of Appendix 1.
- [41] Ibid.
- [42] Ibid.
- [43] Case No. 13 of Appendix 1.
- [44] Case No. 24 of Appendix 1.
- [45] Ibid.
- [46] Ibid.
- [47] Case No. 27 of Appendix 1.
- [48] Ibid.
- [49] Ibid.
- [50] Case No. 28 of Appendix 1.
- [51] Ibid.
- [52] Case No. 11, 15, 21-23 of Appendix 1.
- [53] Case No. 24-26, 28 of Appendix 1.
- [54] Case No. 5,7, 17 of Appendix 1.
- [55] Case No. 2,9 of Appendix 1.
- [56] Case No. 4, 13 of Appendix 1.
- [57] Case No. 6 of Appendix 1.
- [58] Case No. 8 of Appendix 1.
- [59] Case No. 3 of Appendix 1.
- [60] Case No. 1 of Appendix 1.
- [61] Case No. 16 of Appendix 1.
- [62] Case No. 20 of Appendix 1.
- [63] Case No. 19 of Appendix 1.
- [64] Case No. 27 of Appendix 1.
- [65] See Appendix 2 for the 17 cases reviewed.
- [66] Case No. 2-17 of Appendix 2.
- [67] Case No. 1 of Appendix 2.
- [68] All cases in 1, 4-11, 13-14, 16 of Appendix 2.
- [69] Case No. 2-3, 12, 15, 17 of Appendix 2.
- [70] Case No. 1-2, 5, 8, 10, 12-14 of Appendix 2.

- [71] Case No. 6, 9, 15, 17 of Appendix 2.
- [72] Case No. 16 of Appendix 2.
- [73] Case No. 1, 3, 6-9, 11, 13-15 of Appendix 2.
- [74] Case No. 12 of Appendix 2.
- [75] Case No. 2, 6, 11-12, 14, 16 of Appendix 2.
- [76] Case No. 3 of Appendix 2.
- [77] Case No. 1, 4-5, 10 of Appendix 2.
- [78] Case No. 2 of Appendix 2.
- [79] Case No. 10, 15 of Appendix 2.
- [80] Case No. 2, 15, 17 of Appendix 2.
- [81] Case No. 16 of Appendix 2.
- [82] Case No. 15, 17 of Appendix 2.
- [83] Case No. 1 of Appendix 2.
- [84] Case No. 18-21 of Appendix 2.
- [85] Case No. 19-21 of Appendix 2.
- [86] Case No. 18 of Appendix 2.
- [87] Case No. 3, 5, 10, 12-14, 18, 21-22, 24, 28-29, 31, 33, 35, 37, 40, 42, 44, 46, 47, 49, 52, 54, 57, 61-63 of Appendix 3.
- [88] Case No. 1, 9, 11, 23, 45, 50 of Appendix 3.
- [89] Case No. 6, 11-12, 23, 54, 62-63 of Appendix 3.
- [90] Case No. 1, 3, 5, 10, 12-14, 22, 24, 28-29, 31, 35, 40, 42, 47, 49, 54, 62-63 of Appendix 3.
- [91] Case No. 9, 23, 45, 50 of Appendix 3.
- [92] Case No. 5, 10, 14, 21, 24 of Appendix 3.
- [93] Case No. 11, 23, 50 of Appendix 3.
- [94] Case No. 14, 57 of Appendix 3.
- [95] Case No. 1 of Appendix 3.
- [96] Case No. 10, 12-13, 54, 57 of Appendix 3.
- [97] Case No. 63 of Appendix 3.
- [98] Case No. 6, 9, 13 of Appendix 3.
- [99] Case No. 6, 14, 23, 28 of Appendix 3.
- [100] Case No. 11 of Appendix 3.
- [101] Case No. 46 52, of Appendix 3.
- [102] Case No. 50 of Appendix 3.
- [103] Case No. 9 of Appendix 3.
- [104] Case No. 11 of Appendix 3.
- [105] Case No. 23 of Appendix 3.
- [106] Case No. 40 of Appendix 3.
- [107] Ibid.
- [108] Ibid.
- [109] Case No. 24 of Appendix 3.
- [110] Case No. 52 of Appendix 3.
- [111] Case No. 63 of Appendix 3.
- [112] Case No. 3 of Appendix 3.
- [113] Case No. 42 of Appendix 3.
- [114] Case No. 62 of Appendix 3.
- [115] Case No. 46 of Appendix 3.
- [116] Case No. 4, 6-8, 10, 12-17, 19, 20-21, 25-27, 29-30, 32-38, 41, 43-44, 47-49, 51, 54-57, 59-61, of Appendix 3.
- [117] Case No. 1, 45 of Appendix 3.
- [118] Case No. 2, 28, 39, 50, 53, 58, of Appendix 3.
- [119] Case No. 50 of Appendix 3.
- [120] Case No. 39, 53 of Appendix 3.
- [121] Case No. 2, 28, 58 of Appendix 3.
- [122] Case No. 6, 12, 30, 36, 38, 54, of Appendix 3.
- [123] Case No. 53, 59 of Appendix 3.
- [124] Case No. 16 of Appendix 3.
- [125] Case No. 41 of Appendix 3.
- [126] Case No. 45 of Appendix 3.
- [127] Case No. 8 of Appendix 3.
- [128] Case No. 38, 54 of Appendix 3.
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- [130] Case No. 15 of Appendix 3.
- [131] Case No. 33 of Appendix 3.
- [132] Case No. 26, 37 of Appendix 3.
- [133] Case No. 4 of Appendix 3.
- [134] Case No. 7 of Appendix 3.
- [135] Case No. 29 of Appendix 3.
- [136] Case No. 55 of Appendix 3.
- [137] Case No. 17, 49 of Appendix 3.
- [138] Case No. 6 of Appendix 3.
- [139] Case No. 19 of Appendix 3.
- [140] Case No. 56 of Appendix 3.
- [141] Case No. 51 of Appendix 3.
- [142] Case No. 25 of Appendix 3.
- [143] Case No. 36, 48 of Appendix 3.
- [144] Case No. 20 of Appendix 3.
- [145] Case No. 20 of Appendix 3.
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- [147] Case No. 44 of Appendix 3.

[148] Case No. 41 of Appendix 3.
[149] Case No. 57 of Appendix 3.
[150] Case No. 35 of Appendix 3.
[151] Case No. 27 of Appendix 3.
[152] Case No. 2 of Appendix 3.
[153] Case No. 30 of Appendix 3.
[154] Case No. 34 of Appendix 3.
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[156] Case No. 32 of Appendix 3.
[157] Case No. 45 of Appendix 3.
[158] Case No. 64-67, 69-72 of Appendix 3.
[159] Case No. 68 of Appendix 3.
[160] Case No. 71-72 of Appendix 3.
[161] Case No. 65 of Appendix 3.
[162] Case No. 70 of Appendix 3.
[163] Case No. 67 of Appendix 3.
[164] Case No. 69 of Appendix 3.
[165] Case No. 66 of Appendix 3.
[166] Case No. 74-78, 80, 87-92, 97 of Appendix 3.
[167] Case No. 73, 79, 81-86, 93-96 of Appendix 3.
[168] Case No. 87 of Appendix 3.
[169] Case No. 76, 97 of Appendix 3.
[170] Case No. 77, 88, 92 of Appendix 3.
[171] Case No. 74 of Appendix 3.
[172] Case No. 77, 88 of Appendix 3.
[173] Case No. 78, 80 of Appendix 3.
[174] Case No. 75, 80 of Appendix 3.
[175] Case No. 98-104 of Appendix 3.
[176] Case No. 98, 101, 103-104 of Appendix 3.
[177] Case No. 100, 102, 104 of Appendix 3.
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[188] Case No. 104 of Appendix 3.
[189] Case No. 1, 15, 21-23, 29, 31, 45, 47, 53, 56, 62, 66, 77, 80, 82, 91, 101, 104 of Appendix 3.
[190] Case No. 6, 7, 36, 38, 41, 58, 102 of Appendix 3.
[191] Case No. 8, 32, 76, 90, 99 of Appendix 3.
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[196] Case No. 14, 42, 51 of Appendix 3.
[197] Case No. 40, 85, 97 of Appendix 3.
[198] Case No. 13, 50, 79 of Appendix 3.
[199] Case No. 34, 84 of Appendix 3.
[200] Case No. 74, 86 of Appendix 3.
[201] Case No. 25, 70 of Appendix 3.
[202] Case No. 5, 55 of Appendix 3.
[203] Case No. 57, 95 of Appendix 3.
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[211] Case No. 96 of Appendix 3.
[212] Case No. 1-4, 6-7, 9-14 of Appendix 4.
[213] Case No. 5, 8 of Appendix 4.
[214] Case No. 12-14 of Appendix 4.
[215] Case No. 1-4, 7, 10, 12-14 of Appendix 4.
[216] Case No. 5 of Appendix 4.
[217] Case No. 1, 8-9, 12-13 of Appendix 4.
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[220] Case No. 8 of Appendix 4.
[221] Case No. 1 of Appendix 4.
[222] Case No. 2 of Appendix 4.
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[224] Case No. 4 of Appendix 4.
[225] Case No. 6 of Appendix 4.
[226] Case No. 7 of Appendix 4.
[227] Case No. 9 of Appendix 4.

- [228] Ibid.
- [229] Ibid.
- [230] Case No. 11 of Appendix 4.
- [231] Case No. 13 of Appendix 4.
- [232] Case No. 14 of Appendix 4.
- [233] Case No. 5 of Appendix 4.
- [234] Case No. 8 of Appendix 4.
- [235] Case No. 15-23, 25-26 of Appendix 4.
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- [237] Case No. 15, 17, 24-26 of Appendix 4.
- [238] Case No. 15 of Appendix 4.
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- [242] Case No. 19 of Appendix 4.
- [243] Case No. 21 of Appendix 4.
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- [247] Case No. 24 of Appendix 4.
- [248] Case No. 27-29, 33-34 of Appendix 4.
- [249] Case No. 30-32, 35 of Appendix 4.
- [250] Case No. 32 of Appendix 4.
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- [253] Case No. 30-31 of Appendix 4.
- [254] Case No. 1,6,8, 10, 22-23 of Appendix 4.
- [255] Case No. 3 of Appendix 4.
- [256] Case No. 9 of Appendix 4.
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- [259] Case No. 2, 24 of Appendix 4.
- [260] Case No. 26 of Appendix 4.
- [261] Case No. 28 of Appendix 4.
- [262] Case No. 35 of Appendix 4.
- [263] Case No. 1, 3-4, 7-8 of Appendix 5.
- [264] Case No. 2, 5 of Appendix 5.
- [265] Case No. 6 of Appendix 5.
- [266] Case No. 1, 3 of Appendix 5.
- [267] Case No. 2 of Appendix 5.
- [268] Case No. 3 of Appendix 5.
- [269] Case No. 4 of Appendix 5.
- [270] Case No. 4 of Appendix 5.
- [271] Case No. 5 of Appendix 5.
- [272] Case No. 8 of Appendix 5.
- [273] Case No. 1,8 of Appendix 5.
- [274] Case No. 4 of Appendix 5.
- [275] Case No. 3, of Appendix 5.
- [276] Case No. 3,4,5, 7 of Appendix 5.
- [277] Case No. 6 of Appendix 5.
- [278] Case No. 6 of Appendix 5.
- [279] Case No. 4,7 of Appendix 5.
- [280] Case No. 3,4 of Appendix 5.
- [281] Case No. 3 of Appendix 5.
- [282] Case No. 7 of Appendix 5.
- [283] Case No. 7 of Appendix 5.
- [284] Case No. 10, 14-15 of Appendix 5.
- [285] Case No. 9, 11-13 of Appendix 5.
- [286] Case No. 13 of Appendix 5.
- [287] Case No. 9 of Appendix 5.
- [288] Case No. 11 of Appendix 5.
- [289] Case No. 12 of Appendix 5.
- [290] Case No. 10 of Appendix 5.
- [291] Case No. 12 of Appendix 5.
- [292] Case No. 12 of Appendix 5.
- [293] Case No. 10 of Appendix 5.
- [294] Case No. 14 of Appendix 5.
- [295] Case No. 15 of Appendix 5.
- [296] Case No. 17-18, 20-25, 27 of Appendix 5.
- [297] Case No. 16, 19, 26, 28 of Appendix 5.
- [298] Case No. 16, 19 of Appendix 5.
- [299] Case No. 26 of Appendix 5.
- [300] Case No. 28 of Appendix 5.
- [301] Case No. 29-32 of Appendix 5.
- [302] Case No. 29, 31-32 of Appendix 5.
- [303] Case No. 29 of Appendix 5.
- [304] Case No. 32 of Appendix 5.
- [305] Case No. 31 of Appendix 5.
- [306] Case No. 3-4, 6-7, 9, 11-19, 21-22, 24-27, 29-32 of Appendix 5.
- [307] Case No. 3, 6-7, 9, 11, 17, 30-32 of Appendix 5.
- [308] Case No. 14, 19, 26-27, 29 of Appendix 5.

- [309]** Case No. 4 of Appendix 5.
- [310]** Case No. 12 of Appendix 5.
- [311]** Case No. 13 of Appendix 5.
- [312]** Case No. 15 of Appendix 5.
- [313]** Case No. 22 of Appendix 5.
- [314]** Case No. 21 of Appendix 5.
- [315]** Case No. 25 of Appendix 5.
- [316]** Case No. 24 of Appendix 5.
- [317]** Case No. 18 of Appendix 5.
- [318]** Case No. 16 of Appendix 5.
- [319]** Case No. 1-4, of Appendix 6.
- [320]** Case No. 2 of Appendix 6.
- [321]** Case No. 4 of Appendix 6.
- [322]** Case No. 1 of Appendix 6.
- [323]** Case No. 2 of Appendix 6.

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Methodology

This study adopts a quantitative and qualitative desktop-based research approach to examine arbitral awards and judicial behaviour in challenges raised against such awards. The research relies exclusively on secondary data collected from publicly available legal sources.

Data Collection

Data was gathered through a systematic review of:

- Reported judicial decisions concerning challenges to arbitral awards
- Legal databases, court repositories, and arbitration institution reports
- Relevant statutes and procedural rules governing arbitration and judicial review

Cases were selected based on relevance to pre-award court proceedings (i.e., challenge to jurisdictions and arbitrator appointment, stay of proceedings, applications for interim measures) and post-award challenge proceedings, including applications to set aside, enforce, or refuse recognition of arbitral awards.

Limitations

- Potential publication bias, as not all decisions are reported.
- Insufficient available cases to extract data on some of the above identified categories. As a threshold, there must be a minimum of 3 cases on each category.

Despite these limitations, the methodology provides a structured and replicable basis for analysing trends in arbitral award challenges and judicial conduct.

UNITED KINGDOM

The arbitration-related United Kingdom court decisions analysed in this report were accessed from <https://www.bailii.org/>.

The findings in the United Kingdom chapter of this report were extracted from a total of 28 arbitration-related cases determined in 2025. The applicable law in the United Kingdom is the Arbitration Act 1996.

SINGAPORE

The Singaporean arbitration-related decisions analysed in this report were accessed from <https://www.judiciary.gov.sg>.

The findings in the Singaporean chapter of this report were extracted from a total of 21 arbitration-related cases determined in 2025. In this report, an arbitration or award is considered international if it was conducted pursuant to the International Arbitration Act 1994 (IAA). On the other hand, an arbitration is considered domestic where the applicable law is the Arbitration Act 2001(AA).

Methodology

KENYA

The Kenyan arbitration-related decisions analysed in this report were accessed from <https://new.kenyalaw.org/>.

The findings in the Kenyan chapter of this report were extracted from a total of 104 arbitration-related cases determined in 2025. The applicable law in Kenya is the Arbitration Act 1995.

SOUTH AFRICA

The South African arbitration-related decisions analysed in this report were accessed from <https://www.saflii.org/>. The findings in the South African chapter of this report were extracted from 35 arbitration-related cases determined in 2025.

At this juncture, it is important to note that the South African arbitration framework is relatively complex. There are two distinct legislative regimes, each operating independently. Domestic arbitrations are governed by the Arbitration Act 42 of 1965, while international arbitrations fall under the International Arbitration Act 15 of 2017, which incorporates both the UNCITRAL Model Law and the New York Convention. These regimes are separate from labour/employment-related arbitrations, which constitute a unique framework with specialised courts, institutions, rules, and procedures.

For the purposes of assessing judicial attitudes toward arbitration, the inclusion of employment arbitration matters would be inappropriate and could potentially distort the data set. Accordingly, only arbitrations deriving from either the Arbitration Act or the International Arbitration Act are considered relevant for the purposes of this data review

TANZANIA

The Tanzanian arbitration-related decisions analysed in this report were accessed from <https://tanzlii.org/en/>.

The findings in the Tanzanian chapter of this report were extracted from 35 arbitration-related cases determined in 2025. The extant Arbitration Act was enacted in 2020.

NIGERIA

The Nigerian arbitration-related court decisions analysed in this report were obtained from the reported cases in the Nigerian Weekly Law Report (NWLR) and Law Pavilion Electronic Law Report.

The applicable law in Nigeria is the Arbitration and Mediation Act enacted in 2023.



APPENDICES

Appendix 1 United Kingdom Case law

Appendix 2 Singapore Case law

Appendix 3 Kenya Case law

Appendix 4 South Africa Case law

Appendix 5 Tanzania Case law

Appendix 6 Tanzania Case law

Appendix 1 (United Kingdom Case Law)

S/N	CASE TITLE
AWARD SET ASIDE PROCEEDINGS	
1.	V & Anor v K (Re Arbitration Act 1996) [2025] EWHC 1523
2.	Ras Al Khaimah Investment Authority v Republic of India (Re Arbitration Act 1996 - An Arbitration under the UNCITRAL Arbitration Rules) [2025] EWHC 1553
3.	Energys Corporation v HD Hyundai Heavy Industries Co Ltd & Anor (Re Arbitration Act 1969) [2025] EWHC 1586
4.	Eronat v CNPC International (Chad) Ltd & Anor [2025] EWCA Civ 1054
5.	Tecnicas Reunidas Saudia for Services & Contracting Co Ltd v Petroleum Chemicals And Mining Company Ltd [2025] EWHC 1785
6.	Ravfox Ltd v Bexmoor Ltd [2025] EWHC 1313 (Ch)
7.	Northfield Property Solutions Ltd v Dykes & Anor [2025] EWHC 2926 (TCC)
8.	Pleon Ltd v Leonis Yachting Ltd (Re "The Maltese Falcon") [2025] EWHC 3144
9.	Republic of Kazakhstan v World Wide Minerals Ltd & Ors [2025] EWHC 452
10.	RTI Ltd & Anor v OWH SE iL [2025] EWHC 1945
11.	Allseeds Switzerland SA v Intergrain SA [2025] EWHC 2788
12.	Djanogly v Djanogly & Ors [2025] EWHC 61 (Ch)
13.	Collins & Ors v Wind Energy Holding Company Ltd [2025] EWHC 40
14.	African Distribution Company SARL v AASTAR Trading Pte Ltd [2025] EWHC 2428
15.	CAFI - Commodity & Freight Integrators DMCC v GTCS Trading DMCC [2025] EWHC 1350
16.	Mare Nova Incorporated v Zhangjiagang Jiushun Ship Engineering Co Ltd [2025] EWHC 223
17.	Batavia Eximp & Contracting (S) Pte Ltd v Pedregal Maritime SA (Re The Taikoo Brilliance) [2025] EWHC 1878
18.	A1 & Ors v P [2025] EWHC 3372
19.	MHA Advisory Ltd v Wynter [2025] EWHC 2497
20.	Orion Shipping and Trading LLC v Great Asia Maritime Ltd [2025] EWCA Civ 1210
21.	Trans Trade RK SA v State Food and Grain Corporation of Ukraine [2025] EWHC 1803
22.	Olam Global Agri Pte Ltd v Holbud Ltd [2025] EWHC 3187
23.	MSH Ltd v HCS Ltd [2025] EWHC 815
24.	Sino East Transportation Ltd v Grand Amazon Shipping Ltd [2025] EWHC 1990
25.	Skyros Maritime Corporation & Anor v Hapag-Lloyd AG (Re 'SKYROS' & 'AGIOS MINAS') [2025] EWCA Civ 1529
26.	Songa Product and Chemical Tankers III AS v Kairos Shipping II LLC [2025] EWCA Civ 1227
27.	Seacrest Group Ltd v BCPR Pte Ltd Bangchak Corporation Public Company Ltd (Rev1) [2025] EWHC 3266
28.	Bunge Sa Pan Ocean Co. Ltd (Sagar Ratan) [2025] EWHC 193

Appendix 2 (Singapore Case Law)

S/N	CASE TITLE
AWARD SET ASIDE PROCEEDINGS	
1.	DEM v DEL [2025] SGCA 1 DEM v DEL [2024] SGHC 80
2.	Wan Sern Metal Industries Pte Ltd v Hua Tian Engineering Pte Ltd [2025] SGCA 5 Wan Sern Metal Industries Pte Ltd v Hua Tian Engineering Pte Ltd [2024] SGHC 112
3.	India Glycols Ltd and others v Texan Minerals and Chemicals LLC [2025] SGHC 28
4.	DLV and another v DLX and others [2025] SGHC 29
5.	Palm Grove Beach Hotels Pvt Ltd v Hilton Worldwide Manage Ltd and another [2025] SGCA 14 Palm Grove Beach Hotels Pvt Ltd v Hilton Worldwide Manage Ltd [2024] SGHC 125
6.	DLS v DLT and another matter [2025] SGHC 61
7.	DKT v DKU [2025] SGCA 23 DKT v DKU [2024] SGHC 300
8.	Ebixcash Ltd and others v Ashok Kumar Goel and another [2025] SGHC(I) 23
9.	Prayudh Mahagitsiri v Nestle SA and another matter [2025] SGHC 181
10.	DNO v DNP [2025] SGHC(I) 24
11.	WRP Asia Pacific Sdn Bhd v Grant Thornton Singapore Pte Ltd [2025] SGHC 198
12.	Vietnam Oil and Gas Group v Joint Stock Company (Power Machines – ZTL, LMZ, Electrosila Energoma chexport) and another appeal [2025] SGCA 50 Vietnam Oil and Gas Group v Joint Stock Company (Power Machines – ZTL, LMZ, Electrosila Energoma chexport) [2024] SGHC 244
13.	DPT and another v DPV and others [2025] SGHC(I) 29
14.	Q&M Dental Group (Malaysia) Sdn Bhd v Lee Chin Sze [2025] SGHC 248
15.	DOI v DOJ and others and another matter [2025] SGHC(I) 15
16.	Republic of Korea v Mason Capital LP and another and another matter [2025] SGHC(I) 9
17.	DJP and others v DJO [2025] SGCA(I) 2 DJO v DJP [2024] SGHC(I) 24
STAY OF PROCEEDINGS	
18.	Lun Yaodong Clarence v Dentons Rodyk & Davidson LLP [2025] SGCA 25
19.	Aryan (SEA) Pte Ltd v Pure Group (Singapore) Pte Ltd [2025] SGHC 99
20.	The “Swift Winchester” [2025] SGHCR 7
21.	DKB v DKC [2025] SGHC(I) 11

Appendix 3 (Kenya Case Law)

S/N	CASE TITLE
AWARD SET ASIDE AND AWARD ENFORCEMENT APPLICATIONS	
1.	AA Bayusuf & Sons Ltd & another v Northern Waterworks Development Agency (Formerly Known as Northern Water Services Board) & another [2025] KEHC 8727 (KLR)
2.	Abondo Properties Limited v BLN Projects Limited [2025] KEHC 1227 (KLR)
3.	Afraha Flour Mills Limited & 24 others v Ministry of Agriculture, Livestock and Fisheries & another [2025] KEHC 14758 (KLR)
4.	Agro-Chemical and Food Company Limited v Edon Consultants International Limited [2025] KEHC 1956 (KLR)
5.	Akoth v Harvit Credit Limited [2025] KEHC 13673 (KLR)
6.	Anunda v Hepa General Agengies Ltd [2025] KEHC 13015 (KLR)
7.	Bella Casa Limited & 2 others v Sunset Boulevard Limited [2025] KEHC 2979 (KLR)
8.	Bible Society of Kenya Registered Trustees v Tre-Tech Solutions Limited [2025] KEHC 5107 (KLR)
9.	Cale Infrastructure Construction Co Ltd v Synoniem Company Ltd [2025] KEHC 1485 (KLR)
10.	Cape Suppliers Limited & another v Villa Care Limited & another [2025] KEHC 4497 (KLR)
11.	Collaoration Engineering Solutions and Products Limited v China Zhongxing Construction Company Limited & another [2025] KECA 1328 (KLR) Solutions & Products Limited v China Zhongxing Construction Co Ltd & another [2023] KEHC 22543 (KLR)
12.	County Government of Baringo v Rotunda Contractors Limited [2025] KEHC 3752 (KLR)
13.	Cytonn Investments Management Plc v Njuguna [2025] KECA 1317 (KLR) Cytonn Investments Management PLC v Njunguna [2024] KEHC 7242 (KLR)
14.	Elite Westlands Limited & another v Kiama [2025] KECA 1026 (KLR)
15.	Emerson Kenya Limited v Athi Water Works Development Agency (formerly known as Athi Water Services Board) [2025] KEHC 7627 (KLR)
16.	Enserve Limited v Belvin Traders Limited [2025] KEHC 1126 (KLR)
17.	Equity Investment Bank Limited v Muchina & 7 others [2025] KEHC 15461 (KLR)
18.	Erad Supplies & General Contractors Limited v National Cereals and Produce Board & another [2025] KECA 346 (KLR)
19.	Ethihad Cap Africa Limited v Placid View Properties; Kariuki (Interested Party) [2025] KEHC 18502 (KLR)
20.	Galana Oil Kenya Limited v Geogaline Limited & another [2025] KEHC 3642 (KLR)
21.	Galana Oil Kenya Limited v Nanchang Municipal Engineering Development Group Company Kenya Limited & another [2025] KEHC 3154 (KLR)
22.	Geke Building Masters Limited v Muritu & 4 others [2025] KEHC 7259 (KLR)
23.	Gelian Investment Limited v NK Brothers Limited [2025] KEHC 8378 (KLR)
24.	Geothermal Development Company Limited v Lantech (Africa) Limited [2025] KECA 2045 (KLR) Lantech (Africa) Limited v Geothermal Development Company [2020] KEHC 10419 (KLR)
25.	Haba Compounding Capital Limited v Aifluence Limited [2025] KEHC 3517 (KLR)
26.	Harold F Fenwick & Associates v Kwale International Sugar Company Limited [2025] KEHC 17767 (KLR)
27.	Isat Africa Kenya Limited v Smart Media Colleges Limited [2025] KEHC 2666 (KLR)
28.	Karlson v Were (As the legal representative and administrator of the Estate of Peter Ouma Onyango - Deceased) [2025] KEHC 1410 (KLR)
29.	Kenya National Highways Authority v Interways Works Limited [2025] KEHC 15093 (KLR)

Kenya

S/N	CASE TITLE
30.	Kenya Wine Agencies Limited v International Beverages Company (Commercial Arbitration Cause E024 of 2024) [2025] KEHC 9954 (KLR)
31.	Kigio Group Company Ltd v Sichuan Huashi Enterprises Corporation (EA) Ltd [2025] KEHC 6843 (KLR)
32.	Laiser Place Apartments Management Company Ltd v Chelangat [2025] KEHC 8776 (KLR)
33.	Linksoft Intergrated Services (E. A) Limited v Vesl Technologies Limited [2025] KEHC 10409 (KLR)
34.	Magui v Hicken Basket Food Services (Commercial Cause E011 of 2024) [2025] KEHC 13876 (KLR)
35.	Mahindra & Mahindra South Africa (PTY) Ltd (Kenya Branch v Yash Commodities Limited & 2 others [2025] KEHC 16499 (KLR)
36.	Masongo & another v Riruta Gardens [2025] KEHC 10371 (KLR)
37.	Merdin & 3 others v Mbaya & 2 others [2025] KEHC 15664 (KLR)
38.	Mereka v Kiarie [2025] KEHC 4748 (KLR)
39.	Milicons Limited & 2 others v National Commissions for Service Technology & Innovation [2025] KEHC 1535 (KLR)
40.	Monarch Insurance Company Limited v Issak & another [2025] KECA 840 (KLR)
41.	Muchelule v Vaad Limited [2025] KEHC 18462 (KLR)
42.	Mwikali v Sauti Cooperative Savings & Credit Society Limited [2025] KEHC 13194 (KLR)
43.	New International Consultancy Company (Suing by a Power of Attorney No P/A 65175/1) ((Suing by a Power of Attorney No P/A 65175/1)) v Telkom Kenya Limited; Apexvision Limited (Applicant) [2025] KEHC 8472 (KLR)
44.	Njaimwe v Cytonn Investments Management Plc [2025] KEHC 13373 (KLR)
45.	Ongata Works Limited v Tatu City Limited [2025] KEHC 1916 (KLR)
46.	Placid View Properties Limited v Etihad Cap Africa (Miscellaneous Application E027 of 2024) [2025] KEHC 1207 (KLR)
47.	Proctor & Allan EA Limited v EPCO Builders Limited [2025] KEHC 848 (KLR)
48.	Rajula v Castle and Gardens Designers Limited (Miscellaneous Commercial Application E077 of 2023) [2025] KEHC 1085 (KLR)
49.	Riro v Kahonge & 4 others [2025] KEHC 13503 (KLR)
50.	Safaricom Plc v Popote Innovations Limited [2025] KEHC 16225 (KLR)
51.	Shah & another v Greenview Developers Limited [2025] KEHC 1527 (KLR)
52.	SMB Bank (Kenya) Limited v Afrasia Bank Limited [2025] KECA 386 (KLR)
53.	Sogea - Satom SAS & another v Kenya Airports Authority [2025] KEHC 11729 (KLR)
54.	Squishy Drinks Limited & another v Kevian Kenya Limited & another; Njogu (Arbitrator) [2025] KEHC 1079 (KLR)
55.	Straight Security Services Limited v Postal Corporation of Kenya [2025] KEHC 14445 (KLR)
56.	Suhufi Agencies Limited (In JV with Shaanxi Water Resources & Hydropower Engineering Group Co Ltd) v Chief Executive Officer, Tana Water Works Development Agency & 4 others [2025] KEHC 13990 (KLR)
57.	Tumaz and Tumaz Enterprises Limited v Morison Engineering Limited [2025] KEHC 2730 (KLR)
58.	Tutui v Sunlife Properties Limited [2025] KEHC 18526 (KLR)
59.	United Nations v Hashi Energy Limited (In Liquidation) [2025] KEHC 11322 (KLR)
60.	Villacare Limited v CWZ Development Limited (Fantasia Homes) [2025] KEHC 5598 (KLR)
61.	Vittone v Echuka Country Estates Limited [2025] KEHC 11468 (KLR)
62.	Wealthsmith Limited & another v Gichohi & another [2025] KEHC 6747 (KLR)
63.	Wealthsmith Limited & another v Hirji & 45 others; Nyachoti (Interested Party) [2025] KEHC 15094 (KLR)
INTERIM INJUNCTIONS	
64.	Rabe t/a Safari Plaza Limited v Total Kenya Limited [2025] KECA 1739 (KLR)

Kenya

S/N	CASE TITLE
65.	Varomatech Limited v Kenya Electricity Generating Company Limited & another [2025] KEHC 19256 (KLR)
66.	China Camc Engineering Company Limited v Kenya Electricity Transmission Company Limited [2025] KEHC 17782 (KLR)
67.	Rabe t/a Safari Plaza Limited v Total Kenya Limited [2025] KEHC 1528 (KLR)
68.	Mg Holdings Limited & 3 others v cba Bank Kenya Plc (Previously Nic Bank Kenya Plc) & another [2025] KEHC 15567 (KLR)
69.	Eureka Holdings v Nyachae & 5 others; Diamond Trust Bank & 2 others (Interested Parties) [2025] KEHC 8636 (KLR)
70.	Cresta Investments Limited & another v Adiungo Kenya Limited & another [2025] KEHC 509 (KLR)
71.	Primus Africa Limited v Nnebe; Mizizi Homes Limited (Interested Party) [2025] KEHC 264 (KLR)
72.	Wilken Telecommunications (Kenya) Limited v Kenya Railways Corporation [2025] KEHC 129 (KLR)
STAY OF PROCEEDINGS	
73.	Kitonga & another v Total Kenya Limited & another [2025] KECA 1855 (KLR)
74.	Meghji v Gurjar [2025] KEHC 13249 (KLR)
75.	Njatha v Waterfront Gardens Management Ltd [2025] KEHC 15118 (KLR)
76.	Talent Academy Limited v Embu High School Limited [2025] KEHC 8992 (KLR)
77.	Kenya Hospital Association t/a The Nairobi Hospital v Opticom (K) Limited [2025] KEHC 11069 (KLR)
78.	Upperhill Chambers Limited v Amiran Communications Limited; Amiran Communications Limited (Plaintiff to the Counterclaim); Upperhill Chambers Limited & another (Defendant to the Counterclaim) [2025] KEHC 386 (KLR)
79.	Saad v Ahmed [2025] KEHC 13235 (KLR)
80.	Rosslyn Suites Limited v Bowman Associates [2025] KEHC 13436 (KLR)
81.	Fracht AG v Lochab Transport Limited; Southern Shipping Services Limited & 6 others (Interested Parties) [2025] KEHC 11298 (KLR)
82.	China Camc Engineering Company Limited v Kenya Electricity Transmission Company Limited [2025] KEHC 17782 (KLR)
83.	Cape Suppliers Limited v Synohydro Corporation Limited [2025] KEHC 10805 (KLR)
84.	Mwendwa & 2 others v Muvelah & 7 others [2025] KEHC 4199 (KLR)
85.	Blue Nile Rolling Mills Limited v African Trade Insurance Agency [2025] KEHC 7805 (KLR)
86.	Wambua & 2 others v Munyoki [2025] KEHC 13951 (KLR)
87.	Match Electricals Limited v China Railway No 10 Engineering Group Company Limited [2025] KEHC 4473 (KLR)
88.	Magnate Ventures Limited v Interbrand Africa Agencies Limited & 2 others (Commercial Appeal E071 of 2024) [2025] KEHC 9997 (KLR)
89.	Ririani & another v Childs & 7 others [2025] KECA 579 (KLR)
90.	Pumwani Riyadhha Mosque Committee & another v Gikomba Business Centre Limited [2025] KECA 1257 (KLR)
91.	National Irrigation Authority formerly the National Irrigation Board v Satom SA [2025] KECA 1472 (KLR)
92.	Eureka Holdings v Nyachae & 5 others; Diamond Trust Bank & 2 others (Interested Parties) [2025] KEHC 8636 (KLR)
93.	Careitas v Kenya Rugby Union [2025] KEHC 811 (KLR)
94.	Ndirangu & 4 others v Africastalking (K) Limited & 7 others [2025] KEHC 391 (KLR)
95.	Hamptons Hospital Limited v Gilfields Services Limited [2025] KEHC 250 (KLR)
96.	Finasi-ishu Construction SPV v Benchmark Solutions Limited [2025] KEHC 224 (KLR)
97.	Occidental Insurance Company Limited v Niti Distributors Limited [2025] KECA 74 (KLR)

Kenya

S/N	CASE TITLE
CHALLENGE TO JURISDICTION AND APPOINTMENT OF AN ARBITRATOR	
98.	Satia Limited v DIB Bank Limited [2025] KEHC 15319 (KLR)
99.	Arcovedrde (K) Limited v Minju & 2 others [2025] KEHC 17171 (KLR)
100.	Wayne Bells Development & Holdings Holdings Limited v Mace YMR t/a Intergrated YMR Patnership & another [2025] KEHC 15405 (KLR)
101.	Beqa Construction Company Limited v Nolega [2025] KEHC 15529 (KLR)
102.	Riverpoint Development Limited v Baldassari (Miscellaneous Civil Application E689 of 2024) [2025] KEHC 3359 (KLR)
103.	Orient Enterprises Limited v Minghui (Commercial Miscellaneous Application E785 of 2023) [2025] KEHC 19065 (KLR)
104.	Mentor Group Limited v Kilbia (Sole Arbitrator) & another (Miscellaneous Case E412 of 2024) [2025] KEHC 14966 (KLR)

Appendix 3 (South Africa Case Law)

S/N	CASE TITLE
AWARD SET ASIDE	
1.	Clinix Health Group (Pty) Ltd v Peirre Badenhorst Engineers Inc and Another (2023-085773) [2025] ZAGPPHC 280
2.	Magalies Water v Magolola Mokoka and Associates Consulting Engineers CC and Another (2023-099445; 2023-94229) [2025] ZAGPPHC 557
3.	Walker and Others v Faerie Glen Waterpark (Pty) Ltd and Others (2024/041428) [2025] ZAGPPHC 572
4.	Devinity Trading (Pty) Ltd v City Power (Soc) Ltd (035118/2024) [2025] ZAGPJHC 820
5.	Public Servants Association of South Africa obo Members v Thys N.O and Another (J1993/22) [2025] ZALCJHB 406
6.	Seletje Construction and Management CC v City of Ekurhuleni Metropolitan Municipality (2020/44579) [2025] ZAGPJHC 914
7.	Royal Haskoningdhv (Pty) Ltd v Airports Company South Africa Soc Ltd and Another (2023/029979) [2025] ZAGPJHC 1156
8.	NAD Property Income Fund (Pty) Ltd v Bushbuckridge Local Municipality and Another (422/2024) [2025] ZASCA 184; 2026 (2) SA 426 (SCA)
9.	Cunninghame Construction CC t/a Ladysmith Construction v Homestead Hospitality Holdings SA (Pty) Ltd and Others (D13047/2024) [2025] ZAKZDHC 81
10.	IDS Industry Service and Plant Construction South Africa (Pty) Ltd v MHI Power ZAF (Pty) Ltd and Another (2023/059056) [2025] ZAGPJHC 1266
11.	Civil and Power Generation Projects (Pty) Ltd v MHI Power ZAF (Pty) Ltd and Another (2023/079557) [2025] ZAGPJHC 529
12.	Fore St Holding (Pty) Ltd and Another v Meyer NO and Others (2023/01338) [2025] ZAGPJHC 71
13.	V and A Placement Agency (Pty) Ltd v Lapan NO and Another (Reasons) (2023/035959) [2025] ZAGPJHC 4
14.	Mampuru and Others v Bowman and Another (2024/008706) [2025] ZAGPJHC 212
AWARD ENFORCEMENT	
15.	Fore St Holding (Pty) Ltd and Another v Meyer NO and Others (2023/01338) [2025] ZAGPJHC 71
16.	Walker and Others v Faerie Glen Waterpark (Pty) Ltd and Others (2024/041428) [2025] ZAGPPHC 572
17.	Medtronic (Africa) (Pty) Limited v Capital Endovascular (Pty) Limited and Another (2022/046095) [2025] ZAGPJHC 745
18.	Seletje Construction and Management CC v City of Ekurhuleni Metropolitan Municipality (2020/44579) [2025] ZAGPJHC 914
19.	Zizwe United Football Club v South African Football Association Western Cape and Others (85186/25) [2025] ZAWCHC 558
20.	IDS Industry Service and Plant Construction South Africa (Pty) Ltd v MHI Power ZAF (Pty) Ltd and Another (2023/059056) [2025] ZAGPJHC 1266
21.	Civil and Power Generation Projects (Pty) Ltd v MHI Power ZAF (Pty) Ltd and Another (2023/079557) [2025] ZAGPJHC 529
22.	RSC Avelo (Pty) Ltd v Trencon Construction (Pty) Ltd and Another (2022/057553) [2025] ZAGPJHC 7
23.	Befula Investment (Pty) Ltd t/a Rossi Engineering v Transnet Limited (AR333/23; D10584; D5234/2020) [2025] ZAKZPHC 19
24.	Professional Mobile Mapping (Pty) Ltd v Matjhabeng Local Municipality (4250/2024) [2025] ZAFSHC 33

South Africa

S/N	CASE TITLE
25.	Lesira Manufacturing (Pty) Ltd v Schulz and Others (JR409/2021; J2156/19) [2025] ZALCJHB 73
26.	Aveng Afrika (Pty) Limited v Mathupha Capital (Pty) Limited (1649/2022) [2025] ZAGPJHC 284
STAY OF PROCEEDINGS	
27.	CSG Security (Pty) Ltd v Elawini Luxury Residential Estate Homeowners Association NPC (4313/2024) [2025] ZAMPMBHC 19
28.	Lewis Group Limited v Emerald Risk Transfer Proprietary Limited and Others (085183/23) [2025] ZAGPJHC 486
29.	Samsung Sds Global Scl South Africa Proprietary Limited v Rhenus Logistics Proprietary Limited (2023/076450; 2023/079688) [2025] ZAGPJHC 677
30.	Coetzee NO v Solar Africa Energy (Pty) Ltd (053561/2024) [2025] ZAGPPHC 929
31.	Kgatelopelo Lime Northern Cape (Pty) Ltd v Ubuntu Lime Holdings (Pty) Ltd (096849/2023) [2025] ZAGPJHC 1055
32.	Sigma KP Holdings (Pty) Ltd v Alpha Upgrade (Pty) Ltd (2025-011279) [2025] ZAGPJHC 1293
33.	Industrial Development Corporation of South Africa Limited and Another v Kalagadi Manganese (Pty) Ltd (661/2024) [2025] ZASCA 70
34.	Engen Petroleum Limited v Slick Oil CC t/a Chelsea Village Convenience Centre (20350/2023) [2025] ZAWCHC 64
35.	Casablanca Body Corporate v Astrodon (Pty) Ltd and Others (2022/041580) [2025] ZAGPJHC 160

Appendix 3 (Tanzania Case Law)

S/N	CASE TITLE
AWARD SET ASIDE	
1.	Tanzania Petroleum Development Corporation vs Kilimanjaro Oil Company Limited (Civil Appeal No. 392 of 2022) [2025] TZCA 148 Kilimanjaro Oil Company Limited vs Tanzania Petroleum Development (Misc. Application 25 of 2020) [2022] TZHCComD 18
2.	Board of Trustees of Parastatal Pensions Fund vs Electrics International Company Limited (Misc. Commercial Cause No. 32328 of 2025) [2025] TZHCComD 224
3.	Bank of Tanzania vs Galilea Company Limited (Commercial Case No. 000030499 of 2024) [2025] TZHCComD 137
4.	Vodacom Tanzania Public Limited Company (Formerly Known as Vodacom (T) Ltd) vs Planetel Communication Limited (Miscellaneous Commercial Cause No 14372 of 2025) [2025] TZHCComD 338
5.	Tanzania Rural and Urban Road Agency (TARURA) vs Canopies International (T) Ltd (Misc. Commercial Cause No. 1555 of 2025) [2025] TZHCComD 337
6.	Mkombozi Commercial Bank PLC vs Lucas Construction Company Limited (Miscellaneous Commercial Cause No. 13582 of 2025) [2025] TZHCComD 328
7.	Bay View Properties Limited vs Herbert Eliezar Liwali and Another (Miscellaneous Commercial Cause No. 35 of 2021) [2025] TZHCComD 375
8.	M/S Hodi (Hotel Management) Company Limited vs M/S Jandu Plumber Limited (Civil Appeal No. 396 of 2022) [2025] TZCA 138 M/s Jandu Plumbers Limited vs M/s Hodi (hotel Management) Company Limited (Misc. Civil Cause 3 of 2020) [2021] TZHC 5903
AWARD ENFORCEMENT	
9.	Bharya Engineering and Contracting Co. Ltd (BECCO) and The Arab Contractors (Osman Ahmed & Co.) Ltd & Another (Misc. Commercial Cause No. 16700 of 2024) [2025] TZHCComD 31
10.	Softpawa Limited vs Nanovas Tanzania Limited and 2 Others (Misc. Commercial Cause No. 19565 of 2024) [2025] TZHCComD 192
11.	Mindset Techies (T) Limited vs Ministry of Education and Vocational Training-Zanzibar (Misc. Commercial Cause No. 27128 of 2023) [2025] TZHCComD 197
12.	David Chimfwembe vs Zambia Cargo & Logistics Limited (Miscellaneous Labour Application No. 20448 of 2024) [2025] TZHCLD 3
13.	Bavaria N.V vs Jovet Tanzania Limited (Miscellaneous Commercial Cause No. 11 of 2020) [2025] TZHCComD 252
14.	The Embassy of the Islamic Republic of Iran vs Mrs. Janet D. Mmary (Misc. Commercial Cause No. 18525 of 2025) [2025] TZHCComD 275
15.	Mti Investment Limited vs Chobo Investment Company Limited (Misc. Commercial Cause No. 19 of 2018) [2025] TZHCComD 272
STAY OF PROCEEDINGS	
16.	Kibaha Institute of Business vs World Vision Tanzania (Civil Case No 14891 of 2024) [2025] TZHC 1783
17.	Lipton Teas Infusions Tanzania Limited vs C. H. B. S LTD (Commercial Case No. 11123 of 2024) [2025] TZHCComD 79

Tanzania

S/N	CASE TITLE
18.	Taifa Mining and Civils Limited vs Stamigold Company Limited and Another (Civil Case No. 3857 of 2025) [2025] TZHCComD 142
19.	Effco Solutions (T) Limited vs Tancoal Energy Limited (Civil Case No 5973 of 2025) [2025] TZHC 4394
20.	Oryx Energies Tanzania Limited vs Mo Assurance Company Limited & Another (Civil Appeal No. 705 of 2023) [2025] TZCA 945
21.	Hudaa Nassor Salum vs Leonardo Rigoni (Misc. Land Application No. 28306 of 2024) [2025] TZHCLandD 34
22.	Computer Centre Tanzania Limited vs The Permanent Secretary, President's Office, Regional Administration and Local Government (PO-RALG) & Another (Commercial Case No. 18931 of 2025) [2025] TZHCComD 47
23.	Tabora Municipal Council and Another vs Mohahed Enterprises Tanzania Ltd (Misc. Lawd Application No. 29197 of 2025) [2025] TZHC 7444
24.	Allied International Metal and Mineral FZ-LLC vs Target Commodity Limited (Commercial Case No. 000002667 of 2025) [2025] TZHCComD 95
25.	Fam Agro Company Limited vs China Petroleum Pipeline Engineering Company Limited (Civil Case No. 6615 of 2025) [2025] TZHC 7117"
26.	Tanzania Local Government Workers Union (TALGWU) vs GYKASH Establishment (T) Limited (LAND CASE No.14326 OF 2024) [2025] TZHCLandD 265
27.	SB Merali Company Limited vs Camusat Tanzania Limited (Commercial Case No. 019039 of 2024) [2025] TZHCComD 132
28.	Arab Contractors (Osmond Ahmed Osman & Co Limited) and Another vs Tanzania Electric Supply Corporation (TANESCO) and Another (Miscellaneous Commercial Application No. 000009573 of 2025) [2025] TZHCComD 247
INTERIM MEASURES	
29.	Brain Link Group (T) Ltd vs Joseph R. Shumbusho (Misc. Land Application No. 17344 of 2025) [2025] TZHCLandD 650
30.	EPCM Tanzania (Pty) Limited vs TSK Tanzania Company Limited and Another (Commercial Case No. 000009111 of 2025) [2025] TZHCComD 180
31.	Badr East African Enterprises Limited vs The Trustees of Tanzania National Park and Another (Miscellaneous Commercial Application No. 000011831 of 2025) [2025] TZHCComD 330
32.	Lucas Construction Company Limited vs Dar es Salaam City Council and Another (Misc. Commercial Application No. 4755 of 2025) [2025] TZHCComD 244

Appendix 3 (Nigeria Case Law)

S/N	CASE TITLE
AWARD ENFORCEMENT	
1.	Pan Ocean Oil Corporation (Nig) Ltd v. KCA Deutag Drilling GMBH & Anor (2025) 14 NWLR 413
2.	A.-G., Bayelsa State v. Odok (2025) 4 NWLR (Pt. 1982) 385
3.	B.P.E & Anor v. Messrs. U. Maduka Enterprises (Nig.) Ltd & Anor (2025) (2025 LPELR-80698(SC)
4.	Oil & Industrial Services Ltd v. Hempel Paints (South Africa) Pty Ltd (2025) LPELR81602(CA)