



WELLA DIGEST



NAIROBI, KENYA

AUGUST 2025



INTERNATIONAL COMMERCIAL AND INVESTMENT
ARBITRATION: LEADING IN AN AGE OF WELLNESS.

Contributions by Paula Kilusi

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MESSAGE FROM EXECUTIVE DIRECTOR



The roll-out of our first in-person Women's Excellence in Law and Leadership Academy (WELLA) training marked a significant milestone in IAWL's ten-year journey of advancing women's leadership in the legal profession.

This inaugural training brought to life WELLA's vision of intentional leadership development for women in the legal field, creating a space for learning, mentorship, and meaningful exchange. The strong engagement and thoughtful discussions affirmed the relevance of the Academy and the importance of investing in women's leadership.

As we build on this milestone, IAWL remains committed to strengthening WELLA as a platform that equips women lawyers with the skills, confidence, and networks for strategic leadership.

J. Jarpa Darwini, PhD
IAWL Executive Director

EVENT OVERVIEW

On 7 August 2025, the Institute for African Women in Law (IAWL) convened the inaugural in-person training of its Women's Excellence in Law and Leadership Academy (WELLA) in Nairobi, Kenya.

WELLA is the professional development and training hub of IAWL, designed to equip women lawyers with advanced skills in leadership and legal practice, while also creating space for dialogue on global challenges that intersect with the law.



Pillars

Leadership



Achievement



Excellence



Devotion



This Nairobi debut brought together more than 130 lawyers, judges, magistrates, and students for a full day of sessions under the theme: **“International Commercial and Investment Arbitration: Leading in an Age of Wellness.”**

EVENT STATISTICS



130+

Participants



12

Speakers



7+

Countries
represented

KEYNOTE ADDRESS

THE AFRICAN INVESTMENT ARBITRATION MARKET:101

By Prof Won Kidane



Prof. Won Kidane opened with an examination of the African investment market and its intersection with international arbitration.

He highlighted the “culture of international arbitration” as it has historically developed: a system of rules and practices largely shaped outside the continent, and only recently beginning to reckon with Africa’s growing presence as both a host of investment and a source of practitioners.



Prof. Kidane traced international investment arbitration to weak domestic systems and external standards enforced through forums like ICSID and UNCITRAL. While African states initially fared poorly—often losing cases by default—they began engaging more effectively in the 2000s, with improved outcomes.

SESSION ONE

INTERNATIONAL ARBITRATION: FUNDAMENTALS, TRENDS AND STRATEGIES

By Alexis Foucard and Anna Kirkpatrick

Foucard and Kirkpatrick opened by reaffirming arbitration's enduring strengths — party autonomy, choice of seat and law, and the near-universal enforceability that institutions and treaties (notably the New York Convention and the UNCITRAL framework) continue to provide — while stressing that those strengths now sit within a rapidly changing practice environment.



They revisited the fundamentals only to show how finely consequential they remain: drafting the arbitration clause (seat, rules, emergency relief, scope), choosing institutional rules that match case complexity, and managing the awkward interface with national courts

The speakers closed with a practical and critical message: arbitration must balance efficiency and procedural integrity. Rapid adoption of technology or procedural shortcuts without safeguards risks procedural unfairness and reputational damage.



SESSION TWO

ENVIRONMENTAL, SOCIAL AND GOVERNANCE (ESG) IN ARBITRATION

By Prof Kariuki Muigua

Prof. Kariuki Muigua linked ESG in arbitration to the UN Sustainable Development Goals and the Paris Agreement, noting that dispute resolution is increasingly expected to consider environmental, social, and governance impacts, not just legal liability. Sustainability is thus becoming central to international arbitration practice.



He emphasized that recent cases such as Wild Coast and Okpabi show that ESG concerns are moving to the core of dispute resolution, with courts and tribunals enforcing duties of consultation, environmental protection, and corporate accountability.

Prof. Muigua concluded that ESG is now a defining feature of arbitration in Africa, shaping legitimacy, treaty obligations, and arbitral outcomes.



SESSION THREE

ARBITRATION IN A DIGITAL AGE

By Sam Brown and Tosin Murana

The third session addressed Artificial Intelligence (AI) in arbitration, underscoring its potential to reshape practice while raising profound questions about accuracy, ethics, and professional standards.



In legal research, AI-driven platforms can search across vast repositories of arbitral awards, academic commentaries, and procedural rules, surfacing arguments that human researchers might miss. Importantly, these tools can also compare arguments across different cases, allowing counsel to anticipate opposing strategies or identify overlooked precedents.

Yet, as the speakers stressed, these opportunities come with risks. AI is prone to “hallucinating the confident presentation of fabricated case law or non-existent facts.



CONCLUSION

The training made one thing clear: international arbitration is changing, and so are the expectations placed on those who practice it. Throughout the day, speakers highlighted how African states, communities, and practitioners are navigating a system that is becoming more complex, more visible, and more demanding, shaped by technology, sustainability concerns, and questions of fairness and representation.

The discussions showed that being a strong arbitration practitioner today goes beyond mastering rules and procedure. It now requires judgment, adaptability, ethical awareness, and the confidence to engage with issues such as ESG and digital tools.

Above all, WELLA reflected IAWL's belief in the power of women lawyers to lead this change. By creating space for learning, honest dialogue, and connection, the Academy reinforced that African women are not just participants in international arbitration — they are essential to shaping its future in a way that is fairer, more inclusive, and more sustainable.

FOR MORE DETAILS...

Read the [OGEMID summary](#)

WELLA 2026

In the coming year, IAWL seeks to expand the Women's Excellence in Law and Leadership Academy (WELLA) training, further advancing women in the legal profession.

POST EVENT TESTIMONIALS & REFLECTIONS

“The program was a rare balance of depth and humanity, moving into the fundamentals of commercial and investment arbitration while also reminding us of the importance of resilience and wellness in sustaining a meaningful legal career. It was intellectually rigorous, yet personally grounding.

Joy Ngetich
Law Student, Strathmore University

I had a wonderful opportunity to appreciate the key concepts in arbitration, including the fundamentals, trends and strategies in international arbitration, ESG in arbitration, arbitration in the digital age, and wellness for lawyers. Now with this training, I can confidently face the future of International Commercial and Investment Arbitration.

Abuya John
Certified Professional Mediator

POST EVENT TESTIMONIALS & REFLECTIONS

The day was both insightful and inspiring, bringing together distinguished practitioners, thought leaders, and students in the field of law to reflect on the evolving role of leadership and wellness in international dispute resolution. The discussions highlighted not only the technical dimensions of arbitration but also the importance of leadership and well-being in legal practice.

Alicia Asimba
Law Student, Strathmore University

I look forward to participating in more of your training programs in the future!

Nana Adjoa Hagan
International commercial and investment arbitration

PARTNERS



ISLP

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