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50 years of Arbitration related cases at Nigeria's Appellate Courts (2)

➤ DURATION OF PROCEEDINGS AND BACKGROUND OF ARBITRATORS

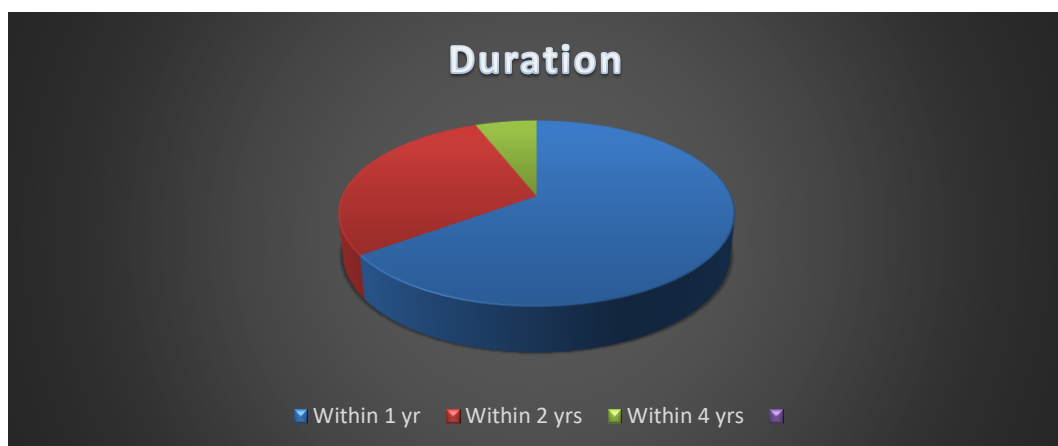
In this second publication in the series, '50 years of Arbitration related cases at Nigeria's Appellate courts', G.O. Sodipo & Co's dispute resolution team presents a short analysis of two interesting issues in arbitration related litigation that have been handled in 145 Nigerian appellate judgments in the last fifty years:

- Duration of the Arbitration\ duration of the arbitration related litigation.
- Professional background and diversity of the arbitrators who sat on the panels.

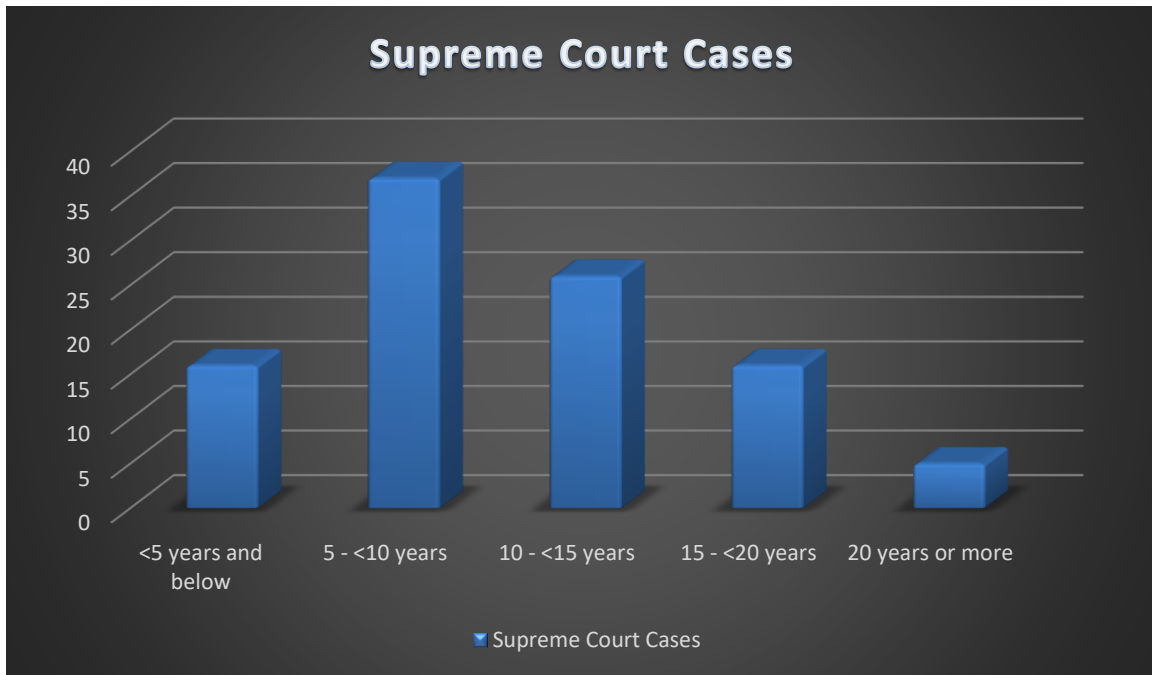
This exercise has a couple of limitations. The judgments of some appellate courts did not give details of the duration of the arbitration proceedings. The judgments of some appellate courts did not reflect the names of the arbitrators. In some cases where the names of the arbitrators were reflected, it has proven difficult to ascertain their background or whether they are male or female. Finally, in some cases, the arbitrators had not been appointed. Nonetheless, the exercise is revealing.

Duration

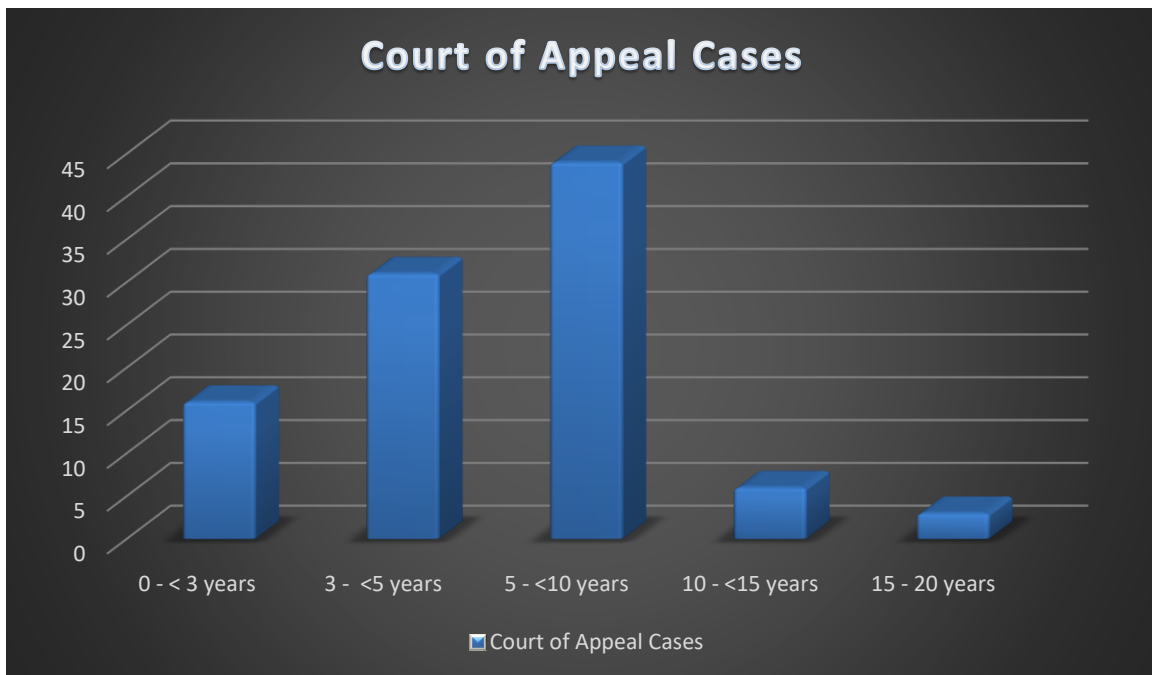
85% of the cases did not reflect when the arbitration proceedings commenced. 84% did not indicate when the arbitral award was published and 53% did not state when the arbitral award was made. Only 12% gave details of duration of the arbitration proceedings. For the judgments that indicated the duration of the arbitration proceedings, 65% of the arbitral proceedings were completed within 1 year, 29% were completed within 2 years, whilst 6% were completed within 4 years.



Of the ensuing arbitration related proceedings at the Supreme Court, 16% were completed in 5 years or less, 37% were completed between 5 and <10 years, 26% were completed between 10 and <15 years, 16% were completed between 15 and <20 years, whilst 5% were completed after 20 years of litigation. (<) Sign for less than.

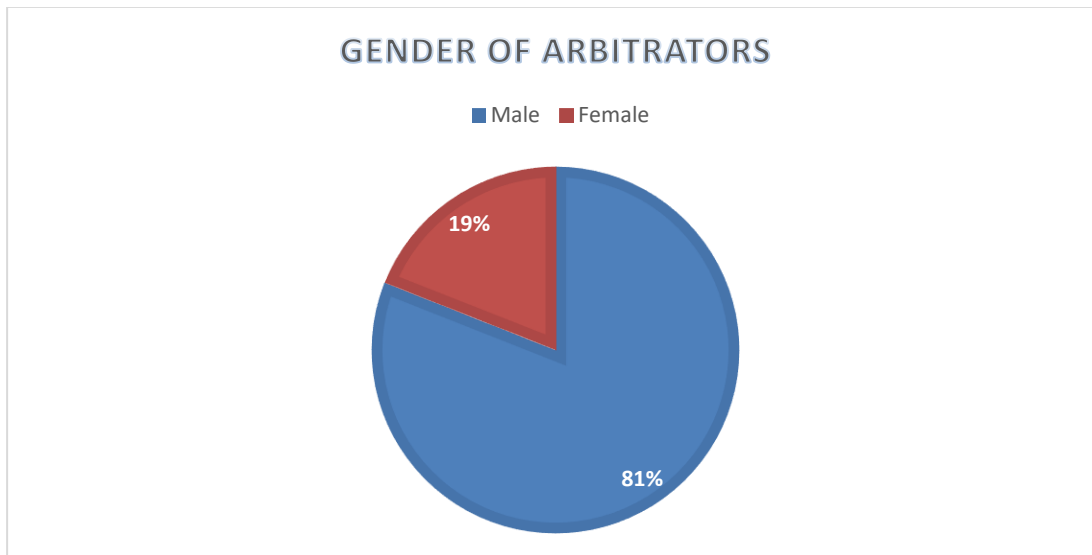


Of the arbitration related proceedings at the Court of Appeal, 16% of the cases were completed 0 to <3 years, 31% were completed within 3 to <5 years, 44% of the cases were completed within 5 to <10 years, 6% of the cases were completed within 10 to <15 years, 2% of the cases were completed within 15 to <20 years, whilst 1% of the cases were completed after 20 years of litigation at the Court of Appeal.



Background and Diversity of Arbitrators

81% of the arbitrators that have sat on arbitrations that have been litigated in Nigerian appellate courts in the last 50 years were male while 19% were female.



64% of the arbitrators were lawyers, 13% were retired judges, 3% were architects, 8% were quantity surveyors, 1% were civil engineers, the background of 11% were not stated and so were treated as "others", in this exercise. 20% of the arbitrators were foreign arbitrators and 30% of the foreign arbitrators had certification as maritime arbitrators.

