

*Enhanced Access to Justice through ADR: Revamping Arbitration in Africa via Harmonised Legal Frameworks, Technology and Collaboration*

**Enhanced Access to Justice through ADR:  
Revamping Arbitration in Africa via  
Harmonised Legal Frameworks, Technology  
and Collaboration**

---

**Kariuki Muigua**

*Enhanced Access to Justice through ADR: Revamping Arbitration in Africa via Harmonised Legal Frameworks, Technology and Collaboration*

**Table of Contents**

Abstract..... 3

1.0 Introduction ..... 3

2.0 The State of Access to Justice in Africa ..... 6

3.0 Revamping Arbitration in Africa for Enhanced Access to Justice ..... 8

4.0 Conclusion ..... 13

References ..... 14

**Enhanced Access to Justice through ADR: Revamping Arbitration in Africa via  
Harmonised Legal Frameworks, Technology and Collaboration**

**Kariuki Muigua\***

**Abstract**

*This paper critically examines the status of access to justice in Africa. The paper posits that strengthening access to justice in Africa is important towards achieving the Sustainable Development agenda and the goals and aspirations of African Union's Agenda 2063. The paper notes that there has been some progress towards fostering access to justice. Despite this progress, the paper argues that Africa still faces numerous legal, technical, financial, governance and capacity challenges undermining access to justice and development. In light of these concerns, the paper asserts that strengthening access to justice in Africa is an urgent and important priority towards Sustainable Development. In particular, the paper notes that Alternative Dispute Resolution (ADR) processes including arbitration provide an appropriate forum towards strengthening access to justice in Africa for development. Consequently, the paper discusses how arbitration can be revamped in Africa through harmonised legal frameworks, technology and collaboration towards enhanced access to justice for Sustainable Development.*

**1.0 Introduction**

Access to justice refers to the ability of every citizen to seek and obtain a remedy through formal or informal institutions of justice<sup>1</sup>. Access to justice has also been defined as a process wherein people in need of help, find effective solutions available from justice systems which are accessible, affordable, comprehensible to ordinary people, and which dispense justice fairly, speedily and without discrimination, fear or favour<sup>2</sup>. It has been

---

\* PhD in Law (Nrb), FCI Arb (Chartered Arbitrator), OGW, LL. B (Hons) Nrb, LL.M (Environmental Law) Nrb; Dip. In Law (KSL); FCPS (K); Dip. in Arbitration (UK); MKIM; Mediator; Consultant: Lead expert EIA/EA NEMA; BSI ISO/IEC 27001:2005 ISMS Lead Auditor/ Implementer; ESG Consultant; Advocate of the High Court of Kenya; Professor of Environmental Law and Conflict Management at the University of Nairobi, Faculty of Law; Member of the Permanent Court of Arbitration (PCA) [November, 2025].

<sup>1</sup> United States Institute of Peace., 'Necessary Condition: Access to Justice' Available at <https://www.usip.org/guiding-principles-stabilization-and-reconstruction-the-web-version/rule-law/access-justice> (Accessed on 21/11/2025)

<sup>2</sup> Ladan M.T, 'Access To Justice As A Human Right Under The Ecowas Community Law,' available at <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=16&cad=rja&uact=8&ved=0CFc>

argued that accessing justice is a matter of supply and demand since it involves empowering people to seek it while also securing the mechanisms to deliver it which can be both formal and informal<sup>3</sup>. According to the United Nations, access to justice is a basic principle of the rule of law which enables people to have their voice heard, exercise their fundamental rights and freedoms, challenge discrimination and hold decision-makers accountable<sup>4</sup>.

Enhancing access to justice is important for Sustainable Development. For instance, it has been argued that efficient, effective and responsive justice systems can empower citizens to exercise their rights and freedoms while also ensuring thriving and equitable economic, social, environmental and governance systems that can foster Sustainable Development<sup>5</sup>. Access to justice is key in ensuring that no one is left behind in the quest for Sustainable Development by placing equity, fairness, justice and human rights at the core of all decision-making processes<sup>6</sup>. Further, it has been argued that access to justice ensures that legal systems are equitable, responsive, efficient and accessible to all without discrimination, therefore playing a critical role in achieving various aspects of Sustainable Development<sup>7</sup>. This could be in the context of gender equality, reducing inequalities, promoting peace, labour rights, fostering access to economic opportunities and strengthening environmental protection among other targets envisaged under the Sustainable Development Goals (SDGs)<sup>8</sup>. In particular, enhanced access to justice enables traditionally marginalized and vulnerable groups and populations including the youth,

---

[QFjAFOAo &url=http%3A%2F%2Fwww.abu.edu.ng%2Fpublications%2F2009-07-](http://www.abu.edu.ng/publications/2009-07-) (Accessed on 21/11/2025)

<sup>3</sup> International Development Law Organization., 'Access to Justice' Available at <https://www.idlo.int/what-we-do/access-justice> (Accessed on 21/11/2025)

<sup>4</sup> United Nations., 'Access to Justice' Available at <https://www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/> (Accessed on 21/11/2025)

<sup>5</sup> Organisation for Economic Co-operation and Development., 'Access to Justice' Available at <https://www.oecd.org/en/topics/sub-issues/access-to-justice.html> (Accessed on 21/11/2025)

<sup>6</sup> Ibid

<sup>7</sup> 'Access to Justice.' Available at <https://sdgresources.relx.com/tags/access-justice> (Accessed on 21/11/2025)

<sup>8</sup> Ibid

the elderly, persons with disabilities, women, indigenous peoples and migrants to participate in legal processes that promote inclusive growth in sectors such as health, employment, education, housing, and entrepreneurship towards Sustainable Development<sup>9</sup>.

Strengthening access to justice is therefore a key priority in the pursuit of Sustainable Development. SDG 16 under the United Nations *2030 Agenda for Sustainable Development*<sup>10</sup>, seeks to promote peaceful and inclusive societies for Sustainable Development, *provide access to justice for all* and build effective, accountable and inclusive institutions at all levels<sup>11</sup>(Emphasis added). Achieving the targets of SDG 16 is key towards enhancing access to justice by ensuring fairness and legal protection for all persons, and especially the most vulnerable through the establishment and strengthening of institutions at all levels to deliver justice effectively, transparently, and without undue delay<sup>12</sup>.

This paper critically examines the status of access to justice in Africa. The paper posits that strengthening access to justice in Africa is important towards achieving the Sustainable Development agenda and the goals and aspirations of African Union's Agenda 2063. The paper notes that there has been some progress towards fostering access to justice. Despite this progress, the paper argues that Africa still faces numerous legal, technical, financial, governance and capacity challenges undermining access to justice and development. In light of these concerns, the paper asserts that strengthening access to justice in Africa is an urgent and important priority towards Sustainable Development.

---

<sup>9</sup> Organisation for Economic Co-operation and Development., 'Leveraging the SDGs for Inclusive Growth: Delivering Access to Justice for All.' Available at <https://www.oecd.org/gov/delivering-access-to-justice-for-all.pdf> (Accessed on 21/11/2025)

<sup>10</sup> United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf> (Accessed on 21/11/2025)

<sup>11</sup> Ibid

<sup>12</sup> Access to Justice., Op Cit

In particular, the paper notes that Alternative Dispute Resolution (ADR) processes including arbitration provide an appropriate forum towards strengthening access to justice in Africa for development. Consequently, the paper discusses how arbitration can be revamped in Africa through harmonised legal frameworks, technology and collaboration towards enhanced access to justice for Sustainable Development.

## **2.0 The State of Access to Justice in Africa**

Enhancing access to justice is a fundamental priority for Africa if the Sustainable Development agenda is to be achieved. It has been argued that for African countries, access to justice is a prerequisite for poverty reduction, economic empowerment and progress towards Sustainable Development<sup>13</sup>. Enhanced access to justice in Africa is crucial in driving efforts to correct imbalances and inequities in economic growth, strengthening efforts to tackle extreme poverty through equal and equitable access to opportunities in all spheres of life, and ensuring that natural resources and ecosystems are preserved for present and future generations through environmental justice<sup>14</sup>. It has been argued that access to access for all citizens in Africa is a cornerstone of democracy, good governance, and effective and equitable development in the pursuit of Sustainable Development<sup>15</sup>. Enhanced access to justice ensures the availability of strong legal frameworks and effective institutions, coupled with greater levels of legal empowerment for the poor and marginalized, which ensures that the Sustainable Development objectives are achieved<sup>16</sup>.

---

<sup>13</sup> International Development Law Organization., 'Doing Justice to Sustainable Development: Integrating The Rule of Law into the Post-2015 Development Agenda.' Available at <https://www.idlo.int/sites/default/files/pdfs/publications/Doing%20Justice%20to%20Sustainable%20Development.pdf> (Accessed on 21/11/2025)

<sup>14</sup> Ibid

<sup>15</sup> Logan. C., 'Ambitious SDG goal confronts challenging realities: Access to justice is still elusive for many Africans' Available at [https://www.afrobarometer.org/wp-content/uploads/2022/02/ab\\_r6\\_policypaperno39\\_access\\_to\\_justice\\_in\\_africa\\_eng.pdf](https://www.afrobarometer.org/wp-content/uploads/2022/02/ab_r6_policypaperno39_access_to_justice_in_africa_eng.pdf) (Accessed on 21/11/2025)

<sup>16</sup> International Development Law Organization., 'Doing Justice to Sustainable Development: Integrating The Rule of Law into the Post-2015 Development Agenda.' Op Cit

*Enhanced Access to Justice through ADR: Revamping Arbitration in Africa via Harmonised Legal Frameworks, Technology and Collaboration*

African Union's *Agenda 2063*<sup>17</sup> recognises the role of enhanced access to justice in driving development and prosperity in Africa. One of the key aspirations under Agenda 2063 is ensuring good governance, respect for human rights, justice and the rule of law in Africa<sup>18</sup>. According to Agenda 2063, fostering access to justice is necessary towards ensuring that all people of Africa including women, men, youth, the elderly and all races of the continent enjoy fundamental freedoms and rights and participate equally towards the continent's development<sup>19</sup>. In order to achieve this goal, Agenda 2063 urges all African countries to build independent courts and informal justice systems that dispense and deliver justice with neither fear nor favour towards ensuring affordable, efficient and timely access to justice for all<sup>20</sup>.

Enhancing access to justice in Africa is therefore key towards development. There has been some progress towards enhancing access to justice in Africa through both formal and informal mechanisms. For example, initiatives such as construction of more court infrastructure, simplification of court processes, strengthening of pro-bono services, establishment of specialized courts and tribunals, operationalizing mobile courts in remote areas, and enhanced use of technology including online court sessions and electronic filing of documents have strengthened access to justice through court processes in some African countries including Kenya<sup>21</sup>. Informal processes including Alternative Justice Systems (AJSs) are also being increasingly embraced in fostering access to justice in Africa including through being linked to court processes<sup>22</sup>.

---

<sup>17</sup> African Union., 'Agenda 2063: The Africa we Want' [https://au.int/sites/default/files/documents/33126-doc-framework\\_document\\_book.pdf](https://au.int/sites/default/files/documents/33126-doc-framework_document_book.pdf) (Accessed on 21/11/2025)

<sup>18</sup> Ibid

<sup>19</sup> Ibid

<sup>20</sup> Ibid

<sup>21</sup> Judiciary of Kenya., 'The State of the Judiciary & the Administration of Justice Annual Report 2024/2025' Available at <https://judiciary.go.ke/downloads-reports/> (Accessed on 21/11/2025)

<sup>22</sup> Ibid

Despite the foregoing efforts, the ideal of enhanced access to justice is yet to be fully attained in Africa. For example, it has been observed that many African countries are still struggling to establish functional, timely, affordable, responsive and credible justice systems<sup>23</sup>. Challenges such as high legal costs, bureaucracy, complex legal procedures, illiteracy, corruption, distance from formal courts, backlog of cases in courts and lack of legal knowhow undermine the quest towards access to justice through court processes in Africa<sup>24</sup>. In light of these concerns, it has been pointed out that many African citizens have lost faith in the ability of their national courts to provide timely and just management of their disputes<sup>25</sup>. In addition, informal justice systems which have been part and parcel of access to justice in Africa for many centuries are yet to be fully embraced due to modernization of justice processes hindering effective access to justice in Africa<sup>26</sup>. Addressing these challenges is key towards enhancing access to justice for development in Africa.

### **3.0 Revamping Arbitration in Africa for Enhanced Access to Justice**

ADR processes including arbitration have a key role to play in enhancing access to justice in Africa. It has been argued that ADR techniques such as negotiation, mediation, arbitration and conciliation provide numerous advantages in the administration of justice including a system with procedural flexibility, a broad range of remedial options, and a focus on individualized justice<sup>27</sup>. In addition, ADR allows for more creative and collaborative solutions than that those available in traditional litigation<sup>28</sup>. Through this, parties are able to design mutually satisfactory outcomes that ensure that the root causes

---

<sup>23</sup> Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability.' *Africa Security Brief*, No. 16 of 2011

<sup>24</sup> Ojwang. J.B , "The Role of the Judiciary in Promoting Environmental Compliance and Sustainable Development," *1 Kenya Law Review Journal* 19 (2007), pp. 19-29: 29

<sup>25</sup> Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability' Op Cit

<sup>26</sup> Ibid

<sup>27</sup> Main. T., 'ADR: The New Equity.' Available at [https://www.researchgate.net/profile/ThomasMain/publication/228182886\\_ADR\\_The\\_new\\_equity/links/53d00e470cf2fd75bc5c57a5/ADR-The-newequity.pdf](https://www.researchgate.net/profile/ThomasMain/publication/228182886_ADR_The_new_equity/links/53d00e470cf2fd75bc5c57a5/ADR-The-newequity.pdf) (Accessed on 24/11/2025)

<sup>28</sup> JAMS ADR., 'What is ADR' Available at <https://www.jamsadr.com/adr-spectrum/> (Accessed on 24/11/2025)

of conflicts are addressed therefore minimising the likelihood of disagreements and disputes reemerging in future<sup>29</sup>. It has been argued that with the exception of binding arbitration, the goal of ADR is to provide a forum for disputing parties to work toward a voluntary, consensual agreement, as opposed to having a judge or other authority impose an outcome upon them thus ensuring long-term and sustainable outcomes<sup>30</sup>.

ADR processes are thus suitable in enhancing access to justice. These mechanisms contain key attributes including informality, privacy, confidentiality, flexibility and the ability to promote expeditious and cost-effective management of disputes making them a viable and indispensable tool in strengthening access to justice<sup>31</sup>. According to the United Nations, ADR provides a wide range of options and possibilities that parties may choose to use, with the intent of removing a potential source of conflict, preventing its escalation and finding the way back to a constructive cooperative and a potentially productive future working relationship<sup>32</sup>. Due to these advantages, there have been calls to embrace arbitration and ADR both globally and at national levels. For example, at the global level, the *Charter of the United Nations*<sup>33</sup> urges parties to a dispute to first of all seek a solution by *negotiation, enquiry, mediation, conciliation, arbitration, judicial settlement, resort to regional agencies or arrangements, or other peaceful means* of their own choice<sup>34</sup> (Emphasis added). Further, at a national level, the *Constitution of Kenya*<sup>35</sup> mandates courts

---

<sup>29</sup> Ibid

<sup>30</sup> Alternative Dispute Resolution., Available at <https://www.dol.gov/general/topic/labor-relations/adr#:~:text=Types%20of%20ADR%20include%20arbitration,%2C%20neutral%20factfinding%2C%20and%20minitrals.> (Accessed on 24/11/2025)

<sup>31</sup> Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Glenwood Publishers Limited, 2015

<sup>32</sup> United Nations., 'Alternative Dispute Resolution Approaches and their Application in Water Management: A Focus on Negotiation, Mediation and Consensus Building' Available at [https://www.un.org/waterforlifedecade/water\\_cooperation\\_2013/pdf/adr\\_background\\_paper.pdf](https://www.un.org/waterforlifedecade/water_cooperation_2013/pdf/adr_background_paper.pdf) (Accessed on 24/11/2025)

<sup>33</sup> United Nations, Charter of the United Nations, 24 October 1945, 1 UNTS XVI

<sup>34</sup> Ibid, article 33 (1)

<sup>35</sup> Constitution of Kenya., 2010., Government Printer, Nairobi

and tribunals to promote ADR mechanisms including *reconciliation, mediation, arbitration and Traditional Dispute Resolution Mechanisms (TDRMs)*<sup>36</sup>.

ADR is especially vital in enhancing access to justice in Africa. It has been argued that ADR in Africa fits comfortably within traditional concepts of African justice, particularly its core values of reconciliation, harmony, peace, truth and forgiveness<sup>37</sup>. Conflicts among African societies are viewed as a negative occurrence which can undermine social cohesion. African societies uphold values including respect and honor for elders, unity, cooperation, forgiveness, harmony, truth, honesty, *Ubuntu/Utu*, and peaceful co-existence which have ensured that these communities have thrived for many centuries<sup>38</sup>. Conflicts were therefore seen as a threat to the social fabric that holds the community together<sup>39</sup>. Consequently, African communities have developed appropriate conflict management strategies in order to effectively address conflicts and limit their impact on peaceful coexistence. It has been observed that conflict management in African societies has since time immemorial taken the form of informal negotiation, mediation, reconciliation and arbitration among other techniques which are administered by institutions such as the council of elders<sup>40</sup>. These techniques are anchored in the culture and customs of the people of Africa and are considered appropriate in managing disputes by creating consensus, facilitating reconciliation, fostering peace, harmony and cohesion and giving prominence to communal needs over individual needs in line with the African philosophy of *Ubuntu/Utu*<sup>41</sup>.

---

<sup>36</sup> Ibid, article 159 (2) (c)

<sup>37</sup> Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability' Op Cit

<sup>38</sup> Awoniyi. S., 'African Cultural Values: The Past, Present and Future' *Journal of Sustainable Development in Africa*, Volume 17, No.1, 2015

<sup>39</sup> Ibid

<sup>40</sup> Kariuki. F., 'Conflict Resolution by Elders in Africa: Successes, Challenges and Opportunities.' Available at <http://kmco.co.ke/wp-content/uploads/2018/08/Conflict-Resolution-by-Elders-successes-challenges-and-opportunities-1.pdf> (Accessed on 24/11/2025)

<sup>41</sup> Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Op Cit

*Enhanced Access to Justice through ADR: Revamping Arbitration in Africa via Harmonised Legal Frameworks, Technology and Collaboration*

Arbitration and other ADR processes are therefore appropriate in enhancing access to justice in Africa since they are rooted in the culture and customs of the people of Africa. It has been observed that ADR mechanisms in Africa trace back to the very origin of mankind<sup>42</sup>. ADR has therefore been part and parcel of conflict management in Africa since time immemorial. Despite their advantages in enhancing access to justice in Africa, ADR processes including arbitration face several challenges. In particular, it has been argued that the use of the term ‘*alternative*’ denotes that ADR processes are second best to litigation which is not the case<sup>43</sup>. The introduction of formal justice systems in Africa during the colonial era led to the subjugation of indigenous and customary justice systems thus undermining the growth of ADR in the continent<sup>44</sup>. Due to this history, it has been pointed out that ADR processes and programs in Africa face several challenges, including inadequate political support, human resources, legal foundations, and sustainable financing undermining the ability of citizens to access justice<sup>45</sup>.

In light of the foregoing challenges, it is necessary to revamp arbitration and ADR in Africa for enhanced access to justice. In particular, it is important to design effective and harmonised legal frameworks. It has been argued that harmonised legal frameworks are key in fostering the uptake of arbitration and ADR in Africa including through ensuring uniform standards, approaches and practices<sup>46</sup>. African countries should therefore benchmark with each other towards ensuring that the landscape of arbitration and ADR in the continent is harmonised and truly captures the spirit of conflict management that

---

<sup>42</sup> Laibuta. K., ‘Contending with Multiple Legal Orders for Wholesome Dispute Resolution’ Available at <https://lc-adr.net/wp-content/uploads/2017/10/ADR-IN-AFRICA-2.pdf> (Accessed on 24/11/2025)

<sup>43</sup> P. Fenn, “Introduction to Civil and Commercial Mediation”, in Chartered Institute of Arbitrators, *Workbook on Mediation*, (CIArb, London, 2002), pp. 50-52

<sup>44</sup> Adeyinka. A., & Lateef. B., ‘Methods of Conflict Resolution in African Traditional Society’ *An International Multidisciplinary Journal*, Ethiopia Vol. 8 (2).

<sup>45</sup> Uwazie. E., ‘Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability’ Op Cit

<sup>46</sup> Muigua. K., ‘Effective Justice for Kenyans: Is ADR Really Alternative?’ Available at <https://kmco.co.ke/wp-content/uploads/2018/08/Alternative-Dispute-Resolution-or-Appropriate-Dispute-Resolution.pdf> (Accessed on 24/11/2025)

is inherent among all African societies<sup>47</sup>. Embracing technology is also vital towards enhancing access to justice through arbitration and ADR in Africa. The growth of technology holds the promise of an improved dispute resolution landscape that is based on fewer physical, conceptual, psychological and professional boundaries, while enjoying a higher degree of transparency, participation and change<sup>48</sup>. In particular, technology can strengthen the practice of arbitration by streamlining tasks such as document review, sifting through vast amounts of case law, arbitration awards, and negotiation patterns to provide valuable insights into dispute resolution, and providing a platform for online dispute resolution thus addressing physical barriers<sup>49</sup>.

Embracing technology is therefore key in enhancing access to justice through arbitration and ADR in Africa. In addition, collaboration is an effective approach in strengthening the practice of arbitration in Africa for enhanced access to justice. For example, it has been suggested that closer collaboration among regional ADR centres in Africa is essential in harmonising the practice of arbitration and ADR in the continent, raising the continent's capacity in the global ADR arena and increasing appointment opportunities for African arbitrators and mediators in global disputes<sup>50</sup>. It is therefore imperative to enhance collaboration in order to bolster access to justice through arbitration and ADR in Africa.

---

<sup>47</sup> Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability' Op Cit

<sup>48</sup> Rabinovich-Einy..O., & Katsh. E., 'Reshaping Boundaries in an Online Dispute Resolution Environment.' *International Journal of Online Dispute Resolution*, Volume 1, No. 1 (2014)

<sup>49</sup> Integration of Technology in Dispute Resolution., Available at [https://www.schreiberadr.com/integration-of-technology-in-dispute-resolution#:~:text=Advances%20in%20artificial%20intelligence%20\(AI,essence%20of%20alternative%20dispute%20resolution](https://www.schreiberadr.com/integration-of-technology-in-dispute-resolution#:~:text=Advances%20in%20artificial%20intelligence%20(AI,essence%20of%20alternative%20dispute%20resolution) (Accessed on 24/11/2025)

<sup>50</sup> Africa's Growing Dispute Resolution Landscape', Available at <https://aln.africa/wpcontent/uploads/2023/06/Africas-Growing-Dispute-Resolution-Landscape.pdf> (Accessed on 24/11/2025)

#### **4.0 Conclusion**

Strengthening access to justice is vital in the pursuit of Sustainable Development in Africa. Arbitration and other ADR processes provide a viable and appropriate platform towards enhancing access to justice for Sustainable Development in Africa<sup>51</sup>. However, these processes are deemed '*alternative*' and are yet to be fully embraced in the continent<sup>52</sup>. Consequently, it is imperative to strengthen arbitration and ADR for enhanced access to justice in Africa. Revamping arbitration in Africa via harmonised legal frameworks, technology and collaboration is therefore a key agenda that should be fast-tracked towards enhanced access to justice through ADR for sustainability.

---

<sup>51</sup> Uwazie. E., '*Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability*' Op Cit

<sup>52</sup> Muigua. K., '*Effective Justice for Kenyans: Is ADR Really Alternative?*' Op Cit

## References

Access to Justice.’ Available at <https://sdgresources.relx.com/tags/access-justice>

Adeyinka. A., & Lateef. B., ‘Methods of Conflict Resolution in African Traditional Society’ *An International Multidisciplinary Journal*, Ethiopia Vol. 8 (2).

Africa’s Growing Dispute Resolution Landscape’, Available at <https://aln.africa/wpcontent/uploads/2023/06/Africas-Growing-Dispute-Resolution-Landscape.pdf>

African Union., ‘Agenda 2063: The Africa we Want’ [https://au.int/sites/default/files/documents/33126-doc-framework\\_document\\_book.pdf](https://au.int/sites/default/files/documents/33126-doc-framework_document_book.pdf)

Alternative Dispute Resolution., Available at <https://www.dol.gov/general/topic/labor-relations/adr#:~:text=Types%20of%20ADR%20include%20arbitration,%2C%20neutral%20factfinding%2C%20and%20minitrials>

Awoniyi. S., ‘African Cultural Values: The Past, Present and Future’ *Journal of Sustainable Development in Africa* , Volume 17, No.1, 2015

Constitution of Kenya., 2010., Government Printer, Nairobi

Fenn, “Introduction to Civil and Commercial Mediation”, in Chartered Institute of Arbitrators, *Workbook on Mediation*, (CIArb, London, 2002), pp. 50-52

Integration of Technology in Dispute Resolution., Available at [https://www.schreiberadr.com/integration-of-technology-in-dispute-resolution#:~:text=Advances%20in%20artificial%20intelligence%20\(AI,essence%20of%20alternative%20dispute%20resolution](https://www.schreiberadr.com/integration-of-technology-in-dispute-resolution#:~:text=Advances%20in%20artificial%20intelligence%20(AI,essence%20of%20alternative%20dispute%20resolution)

International Development Law Organization., ‘Access to Justice’ Available at <https://www.idlo.int/what-we-do/access-justice>

International Development Law Organization., ‘Doing Justice to Sustainable Development: Integrating The Rule of Law into the Post-2015 Development Agenda.’ Available at <https://www.idlo.int/sites/default/files/pdfs/publications/Doing%20Justice%20to%20Sustainable%20Development.pdf>

JAMS ADR., ‘What is ADR’ Available at <https://www.jamsadr.com/adr-spectrum/>

Judiciary of Kenya., ‘The State of the Judiciary & the Administration of Justice Annual Report 2024/2025’ Available at <https://judiciary.go.ke/downloads-reports/>

Kariuki. F., 'Conflict Resolution by Elders in Africa: Successes, Challenges and Opportunities.' Available at <http://kmco.co.ke/wp-content/uploads/2018/08/Conflict-Resolution-by-Elders-successes-challenges-and-opportunities-1.pdf>

Ladan M.T, 'Access To Justice As A Human Right Under The Ecowas Community Law,' available at <http://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=16&cad=rja&uact=8&ved=0CFcQFjAFOAo&url=http%3A%2F%2Fwww.abu.edu.ng%2Fpublications%2F2009-07->

Laibuta. K., 'Contending with Multiple Legal Orders for Wholesome Dispute Resolution' Available at <https://lc-adr.net/wp-content/uploads/2017/10/ADR-IN-AFRICA-2.pdf>

Logan. C., 'Ambitious SDG goal confronts challenging realities: Access to justice is still elusive for many Africans' Available at [https://www.afrobarometer.org/wp-content/uploads/2022/02/ab\\_r6\\_policypaperno39\\_access\\_to\\_justice\\_in\\_africa\\_eng.pdf](https://www.afrobarometer.org/wp-content/uploads/2022/02/ab_r6_policypaperno39_access_to_justice_in_africa_eng.pdf)

Main. T., 'ADR: The New Equity.' Available at [https://www.researchgate.net/profile/ThomasMain/publication/228182886\\_ADR\\_The\\_new\\_equity/links/53d00e470cf2fd75bc5c57a5/ADR-The-newequity.pdf](https://www.researchgate.net/profile/ThomasMain/publication/228182886_ADR_The_new_equity/links/53d00e470cf2fd75bc5c57a5/ADR-The-newequity.pdf)

Muigua. K., 'Alternative Dispute Resolution and Access to Justice in Kenya.' Glenwood Publishers Limited, 2015

Muigua. K., 'Effective Justice for Kenyans: Is ADR Really Alternative?' Available at <https://kmco.co.ke/wp-content/uploads/2018/08/Alternative-Dispute-Resolution-or-Appropriate-Dispute-Resolution.pdf>

Ojwang. J.B , "The Role of the Judiciary in Promoting Environmental Compliance and Sustainable Development," 1 *Kenya Law Review Journal* 19 (2007), pp. 19-29: 29

Organisation for Economic Co-operation and Development., 'Access to Justice' Available at <https://www.oecd.org/en/topics/sub-issues/access-to-justice.html>

Organisation for Economic Co-operation and Development., 'Leveraging the SDGs for Inclusive Growth: Delivering Access to Justice for All.' Available at <https://www.oecd.org/gov/delivering-access-to-justice-for-all.pdf>

Rabinovich-Einy..O., & Katsh. E., 'Reshaping Boundaries in an Online Dispute Resolution Environment.' *International Journal of Online Dispute Resolution*, Volume 1, No. 1 (2014)

United Nations General Assembly., 'Transforming Our World: the 2030 Agenda for Sustainable Development.' 21 October 2015, A/RES/70/1., Available at

*Enhanced Access to Justice through ADR: Revamping Arbitration in Africa via Harmonised Legal Frameworks, Technology and Collaboration*

<https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>

United Nations, Charter of the United Nations, 24 October 1945, 1 UNTS XVI

United Nations., 'Access to Justice' Available at <https://www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/>

United Nations., 'Alternative Dispute Resolution Approaches and their Application in Water Management: A Focus on Negotiation, Mediation and Consensus Building' Available at [https://www.un.org/waterforlifedecade/water\\_cooperation\\_2013/pdf/adr\\_background\\_paper.pdf](https://www.un.org/waterforlifedecade/water_cooperation_2013/pdf/adr_background_paper.pdf)

United States Institute of Peace., 'Necessary Condition: Access to Justice' Available at <https://www.usip.org/guiding-principles-stabilization-and-reconstruction-the-web-version/rule-law/access-justice>

Uwazie. E., 'Alternative Dispute Resolution in Africa: Preventing Conflict and Enhancing Stability.' *Africa Security Brief*, No. 16 of 2011