



Aisha Abdallah

Head of Dispute Resolution, ALN Kenya
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Background

Aisha is a Partner at ALN Kenya | Anjarwalla & Khanna where she heads the regional Dispute Resolution department based at the Nairobi Head Office. She is dual qualified as an Advocate of the High Court of Kenya and Solicitor of England and Wales. Aisha has substantial experience in complex, high value cross border disputes.

Aisha was nominated by the Kenya National Chamber of Commerce to the board of the Nairobi Centre for International Arbitration in 2021. In December 2022, Aisha was appointed to join the governing council of the Hong Kong International Arbitration Centre and is a member of its Proceeding Committee. She also sits on a number of other international arbitration bodies, including the LCIA Africa Users Council. Aisha was the lead author of the Kenyan chapter of the 6th, 7th, 8th, 9th and 10th editions of the International Arbitration Review. She was appointed as an arbitrator of the Court of Arbitration for Sport in January 2025.

Aisha also specializes in economic crime. She is the officer for Africa at the IBA Asset Recovery Committee and was part of an expert team that drafted Anti-Money Laundering, Remittances and Mobile Money Bills for Somaliland. She was the lead author of the Kenya chapter of the 2018 Chambers Anti-Corruption Global Practice Guide and the ALN Anti-Corruption Guide 2019.

Aisha is passionate about the rule of law and the impact of quality legal training on raising professional standards. In September 2023, she was appointed as the Law Society of Kenya representative to the Council of Legal Education. She is a director of the ALN Academy, a charity that provides legal training and capacity building to public and private sector lawyers in Africa. Aisha is also the patron of ALN Kenya's Pro Bono Committee and a member of the governing council of the Pro Bono Institute of Kenya.

Aisha is recognised by both Chambers Global and Legal 500 for disputes.

Membership in Professional Societies

Law Society of Kenya

Law Society of England and Wales

Honorary Overseas Member of the Commercial Bar Association

International Association for Defence Counsel

African Arbitration Association

ICC Kenya

Court of Arbitration for Sport

Professional Qualifications

"Aisha Abdallah is a star performer. She is exceptionally talented, sharp, resourceful and inspires trust." – Legal 500, 2023

"Aisha Abdallah is fully conversant with commercial litigation issues in the country, including disputes concerning fraud, employment, land and natural resources." – Chambers Global 2024



- 2004 Admission as a Solicitor of the Supreme Court of England and Wales
- 2000 Admission as an Advocate of the High Court of Kenya
- 1998 Master of Laws (LLM Distinction), King's College London, University of London: Comparative Competition Law, Comparative Law of Trusts, Islamic Law of Succession and International Law of the Sea
- 1997 Bachelor of Laws (LLB Hons Upper Second), University of Bristol

Career Summary

Jan 2016 – To Date	Head of Dispute Resolution, Anjarwalla & Khanna, Nairobi
Jan 2013 – Dec 2015	Partner in Litigation, Anjarwalla & Khanna, Nairobi
Aug 2012 - Dec 2012	Senior Principal Associate, Anjarwalla & Khanna, Nairobi
Jan 2008 - Mar 2012	Associate, Real Estate Litigation, Shoosmiths, Milton Keynes, England
Sep 2002 – Dec 2007	Solicitor Dispute Resolution, Hewitsons, Northampton, England
Sep 1999 – Jul 2000	Advocate, Mohamed Madhani & Co., Advocates, Nairobi, Kenya
Jan 1999 – Aug 1999	Trainee Advocate, Kilonzo & Co., Advocates, Nairobi Kenya
Sep 1998 – Dec 1998	Trainee Advocate, Veljee & Devshi & Bakrania Advocates, Nairobi, Kenya

Awards and Accolades

- Aisha is recognised in the Dispute Resolution category by Chambers Global in 2018 – 2024.
- Aisha has been recognised in the Dispute Resolution and Employment categories by Legal 500 in 2022 - 2024.
- Corporate Social Responsibility Local Champion, Shoosmiths in 2011-2012.
- Recipient of Above & Beyond award for training delivery, Shoosmiths in 2011.
- Volunteer Mentor for the Association of Women Solicitors, England.
- Best Commercial law paper, Kenya School of Law in 2000.
- Best Overseas Law Student, Faculty Award, University of Bristol in 1994-1995.

“As head of the regional practice based in Nairobi, Aisha Abdallah demonstrates her impressive acumen in sensitive bribery and corruption-related defence...” – Legal 500 2024

“Aisha Abdallah is fully conversant with commercial litigation issues in the country, including disputes concerning fraud, employment, land and natural resources.” – Chambers Global 2024

‘Aisha Abdallah is fully conversant with commercial litigation issues in the country, including disputes concerning fraud, employment, land and natural resources.’ – Chambers Global 2023

‘Aisha Abdallah is a star performer. She is exceptionally talented, sharp, resourceful and inspires trust.’ – Legal 500, 2023

‘Aisha Abdallah is a real class act. A pleasure to work with.’ – Legal 500 2022

"The single biggest strength I observed was her maturity and ability to amicably resolve disputes with minimal effort and cost for all parties involved." "She knows how to effectively advise clients on resolving disputes." – Chambers Global 2022

"I always think that I would far prefer to have her on my side than against." – Chambers Global 2021

"The single biggest strength I observed was her maturity and ability to amicably resolve disputes with minimal effort and cost for all parties involved." "She knows how to effectively advise clients on resolving disputes." – Chambers Global 2022

'Aisha Abdallah is user-friendly and commercial and pragmatic in her approach and advice. – Legal 500 2021

'I had the chance to work with Aisha Abdallah and the team and was always impressed by their business savvy, efficiency, deep knowledge and excellent advocacy skills. Aisha is a highly talented lawyer, excelling in both personal qualities and professional skills. She is a fearsome opponent that delivers the fatal blow with a lot of class, confidence and lethal calm.' – Legal 500 2021

"Excellent judgement." – Chambers Global 2020

'Everything you'd want in a cross-border partner'. – Chambers Global 2019

Aisha has been recognised in the Dispute Resolution and Employment categories by - Legal 500 2020

"[Aisha was] outstanding and compassionate'; 'professional, detailed and a great coordinator and leader'; 'she has a good conceptual sense of where we need to go'; 'she's also mindful of strategies involved in US law'; and 'she's very good to work with'." – Chambers Global 2018

'[Aisha is] very knowledgeable' – Legal 500 2017

Languages

- English
- Swahili

Top Matters

Kenya

- Acting for a UK-based multinational in the technology and agricultural industry, with operations in several African countries, in connection with various civil suits before the Labour & Employment Court and the High Court concerning several claims, including unfair termination, fraud, conflict of interest, breach of fiduciary duties, breach of contract, economic loss, defamation, payment of service fees and taxation of a Bill of Costs over a disputed advocate-client relationship.
- Acting for a global pharmaceutical company operating in more than 150 countries, at the Court of Appeal in connection with a judgment issued by the High court on 17 December 2021 in favour of the client for approx. USD 91,176 and Lords Healthcare for approx. USD 1.5 million. Cipla, represented by Bowmans Coulson Harney at the High Court, was aggrieved by the part of the judgment of the High Court to pay approximately USD 1.5million to Lords Healthcare and engaged us to represent them at the Court of Appeal.
- Successfully defending for **Lufthansa Cargo**, a worldwide airfreight and logistics company, in connection with a suit before the Employment & Labour Relations Court where employees of an independent contractor have filed a Petition seeking among other Orders for a declaration that they remain and continue to serve their alleged employment at Lufthansa Cargo, including preparing and drafting Court documents in support of the client's position, advising the client on the employment laws in Kenya as well as developing and discussing strategies on how best to achieve a win for the client in the matter.
- Acting for **Farouk Ravate**, a Mauritius real estate investor, in connection with a suit before the Commercial and Tax Division of the High Court against Spire Bank (the Bank) and individual fraudsters, including filing an application seeking police assistance in taking control of the Company's property, defending our client in a joiner

application by a third party who took over ownership of the company while the High Court matter was pending and seeking to dismiss the suit filed before the Chief Magistrates Court.

- Acting for **Brookhouse Schools**, a leading independent British curriculum co-educational school and member of the Inspired group of schools, in connection with a Constitutional Petition filed by an anonymous group of parents challenging the validity of the virtual learning program, the level of discounted fees charged for the same and a directive requiring the school to establish a formal Parent Teachers Association during the COVID19 pandemic shut down of schools in Kenya, including the establishment of a legal framework for online learning in Kenya and the drafting of a Bill to cap fees.
- Acting for **Kipeto Energy**, a special purpose vehicle incorporated in Kenya for the development of the Kipeto Wind Power Project, in connection with a construction dispute with its contractor, HAIDCO, including successfully representing Kipeto in defending HAIDCO's action to stop payment on a Bond.
- *Vanoil Energy v Government of Kenya* - Acting as local counsel for **Vanoil** in an international arbitration challenging the validity of the termination by the Kenya Government of Production Sharing Contracts for blocks 3A and 3B in Garissa County valued at USD 150 million.
- Acting for **Lake Turkana Wind Power** in defending a class action claim on behalf of the residents of Laisamis constituency to prevent the construction of a EUR 594 million, 300MW wind power farm in Marsabit County, Kenya, which is a flagship project of the national government designed to increase electricity capacity by 17 percent. Also opposing an injunction application and obtaining a status quo order allowing the client to proceed with its project subject to an agreed footprint.
- Acting for **Africa Oil Corp** and group companies in high profile litigation involving Production Sharing Contracts for oil exploration in Turkana. The grant of the PSC's is being challenged via judicial review proceedings by a local company, Interstate Petroleum, and one of its shareholders, Edwards Onyancha. The first judicial review proceedings filed in 2010 by Interstate was dismissed with costs by the High Court and an appeal struck out by the Court of Appeal on our application. Interstate has sought and was denied leave to appeal to the Supreme Court. There is also a second set of judicial review proceedings filed by the individual shareholders of Interstate on the same subject matter. There are numerous interim applications and pending appeals in relation to this dispute, which is ongoing.
- Acting for large multinational in connection with anti-bribery allegations, including advising on Kenyan anti-bribery law, liability of companies and their officers, extra-territoriality issues, and the scope and extent of regulators' powers of investigation.
- Advising a Kenyan company implicated in bribery allegations in connection with a forensic external audit conducted by an international supplier in relation to the allegations.
- Successfully defending **GC Retail**, the developer of Garden City Retail Mall, a Vision 2030 Project, in connection with an interim relief application by Sinohydro Corporation under the Arbitration Act, 1995, to prevent payment of almost USD 6 million under a performance bond issued by Equity Bank. Opposing the appeal against the High Court ruling and negotiating and concluding an out of Court settlement.
- Defending **Kipeto Energy** against an application for interim injunction against the development of a windfarm project in Kajiado brought by landowners and assisting with negotiations. Applying for stay pending arbitration of the dispute under the lease agreements.
- Successfully defending **Giro Commercial Bank** in connection with a class action unfair redundancy claim and interim injunction aimed at preventing a proposed sale to I&M Bank.
- Acting for **Geyser International**, a member of the Global Tea Group, in a 2015 claim against Kenya Railways Corporation, the National Land Commission and China Road & Bridge Corporation Kenya for trespass to land and obtaining an ex parte interim injunction against encroachment in relation to the Standard Gauge Railway, a Vision 2030 Project. We have also filed contempt proceedings and the matter is ongoing.

- Pursuing a Constitutional challenge at the High Court on behalf of **Cycads Properties** against the proposed demolition by Ministry of Roads of part of a Runda residential development worth in excess of KES 600 million for alleged encroachment on road reserve for the Northern Bypass. Following dismissal of the petition, advising on the merits of a proposed appeal to the Court of Appeal. Obtaining a stay of judgment at the Court of Appeal, following a contested application.
- Advising the **Capital Markets Authority** in an out of Court settlement as between shareholders at listed company, CMC Holdings, in relation to high profile litigation involving fraud and breach of directors' duties at the High Court and Court of Appeal. Attending a settlement meeting and finalising a consent order in the various cases.
- Acting for **California** based AeroCentury Corporation in a disputed oral agreement for lease renewal of an aircraft against DAC Aviation. Opposed an ex parte interim injunction preventing the return of the aircraft. Negotiating and finalizing a settlement agreement to sell the aircraft for USD 4 million.
- Acting for foreign investors in civil fraud proceedings involving disputed transfers of shares and change of directors at the Companies registry. Filing High Court proceedings and obtaining an ex parte interim injunction to secure the company's main asset being an office block valued at KES 1.1 billion. Appealing against the refusal to uphold the injunction at an inter partes hearing. Appealing and obtaining an interim injunction at the Court of Appeal following a contested hearing. Negotiating a global settlement and pursuing the cooperation of interested third parties to dispose of the proceedings. Filing fresh proceedings challenging the appointment of a receiver manager by the bank.
- Advising and defending British citizen, Wendy Martin, against an appeal to the Court of Appeal by Lewa Conservancy and others against a record award of damages for personal injury by the High Court as a result of an elephant trampling incident reported widely in the British press. The case concerns occupier's liability and was settled out of Court.

England & Wales

- *Wilkinson v Kerdene* (2013) EWCA Civ 44 – Appeal on a point of law. Whether the principle of benefit/burden in *Halsall v Brizellcan* be applied to allow recovery by against a non-contracting party of a fixed sum service charge covering a variety of rights and services where the recipient has elected to exercise some but not all of the rights. It was common ground that the sum could not be apportioned. The exercise of the rights did not have to be expressly conditional on payment. The sum was recoverable as the payment covenant was intended to secure the subsistence of those rights by, in a substantial part, providing for maintenance of common roads and services. The covenant by the original developer to maintain also did not prevent recovery.
- *Giles v Rhind* (2008) EWCA Civ 118 – Appeal on a point of law. The appeal concerned the meaning of the phrase “breach of duty” under section 32 of the Limitation Act 1980 as it relates to section 423 Insolvency Act 1986. We acted for the appellants under a conditional fee agreement and I drafted a bespoke agreement.
- *Re Skupinski* (2005) RVR 269 (Lands Tr) – Acting for an objector at the Lands Tribunal. The successor in title to the covenantor applied under s 84 LPA 1925 to vary or discharge a restrictive covenant and to assess the compensation payable. This was a decision by the President of the Tribunal modifying the covenant to allow the development and refusing to award any compensation.
- Obtained injunctive and declaratory orders for a waterways authority to remove a trespassing boat and successfully defending a counterclaim for breach of human rights.
- Pursued claim by a commercial tenant for rectification of a lease on the basis of common mistake in relation to disputed rent review provisions where the sum involved was over \$1.5m.
- Advised a local authority on its potential liability in negligence, contract and under health and safety regulations when asbestos was discovered at a public swimming pool under commercial lease.
- Pursued claims under directors' personal guarantees securing a debt of £160,000; obtained summary judgment and negotiated settlement.

- Defended a claim for compensation of £200,000 under the Commercial Agency Regulations and negotiated settlement.
- Acted for a computer software manufacture in its dispute against a customer for breach of software licences and recovery of licence fees. Pursued winding-up in relation to a disputed debt of £117,500 with a cross-claim valued at £500,000; conducted the advocacy at the contested trial and obtained a winding-up order.
- Advised a liquidator on a claim by the EC to monies purportedly comprising a special purpose trust, obtained counsel's opinion on the merits and negotiated settlement.
- Obtained a section 313 charge against an uncooperative bankrupt pursuant to transitional provisions in the Enterprise Act 2002.