

NAVIGATING THE LANDSCAPE OF ONLINE DISPUTE RESOLUTION IN NIGERIA: CHALLENGES AND CATALYSTS FOR ADOPTION

By

Peter Ter Ortese^{*} Adaeze Anumba-Okoro^{*} & John Fidelis Inaku^{*}

ABSTRACT

The increasing integration of technology into legal and commercial processes has paved the way for Online Dispute Resolution (ODR) as a transformative alternative to traditional dispute resolution mechanisms. In Nigeria, the adoption of ODR has gained momentum, particularly following the COVID-19 pandemic, which exposed the limitations of physical courtrooms and highlighted the urgency for more accessible, efficient, and cost-effective methods of resolving disputes. This paper explores the complex landscape of ODR in Nigeria, identifying the key challenges impeding its widespread implementation, including infrastructural deficiencies, legal and regulatory gaps, low digital literacy, and a prevailing lack of trust in online systems. Additionally, the analysis addresses concerns around data privacy, enforcement of online settlements, and procedural fairness. Despite these barriers, several catalysts are driving the gradual acceptance of ODR in Nigeria. These include increased digitization of court processes, the emergence of ODR platforms by ADR institutions, supportive legal reforms, growing public awareness, and the rising volume of e-commerce and cross-border transactions that demand faster resolution mechanisms. The paper argued that while ODR presents a viable path to improving access to justice and reducing case backlogs, its success hinges on a coordinated strategy involving legal reforms, technological investment, capacity building, and public education. By critically examining the interplay between challenges and enabling factors, the study offered strategic insights into how Nigeria can navigate its ODR landscape effectively, ensuring that the justice system evolves in alignment with the digital age while remaining inclusive, credible, and secured.

Keywords: Technology, Legal, Commercial, Online Dispute Resolution, Covid 19

^{*} LLB(Hons) BL, LLM, PGDE, PhD, AICMC, Divisional Registrar, & Mediator, National Industrial Court of Nigeria, Uyo, Akwa Ibom State Email: peterortese@gmail.com Tel. No.: 08035446931

^{*} LLB(Hons) BL LLM(Birmingham UK) BA Acctg. PhD (West Indies) Legal Regulatory, Institutional & Policy Specialist Lecturer Faculty of Law Baze University Abuja Anumbaadaeze@yahoo.com 07042777890

^{*} LLB(Hons) BL, LLM, PhD and Lecturer Faculty of Law, University of Calabar. Email.barrjohninaku@gmail.com. 08034903405

1. Introduction

In recent years, the global justice landscape has witnessed a paradigm shift towards digitalization, spurred by the growing need for efficiency, accessibility, and cost-effectiveness in dispute resolution processes¹. Central to this evolution is the emergence of Online Dispute Resolution (ODR) a mechanism that employs digital platforms and communication technologies to resolve disputes without the need for physical interaction². Originally developed to address cross-border and e-commerce conflicts, ODR has rapidly gained traction as a viable alternative to traditional litigation and Alternative Dispute Resolution (ADR) processes such as mediation and arbitration³. As countries modernize their legal infrastructures, ODR is increasingly being recognized not only as a tool for convenience, but also as a strategic response to justice system inefficiencies, especially in developing nations⁴.

Nigeria, Africa's most populous country and one of its largest economies, presents a compelling case in the discourse on ODR adoption⁵. The country's legal system rooted in common law and influenced by customary and religious laws is often hampered by protracted litigation timelines, congested court dockets, high legal costs, and limited access to justice for rural and underserved populations⁶. While the COVID-19 pandemic served as a significant catalyst in accelerating the shift towards digital justice in Nigeria leading to the adoption of virtual court sittings and the integration of remote ADR mechanisms the implementation of a fully functional ODR system remains fraught with challenges⁷.

It is imperative to note that some key obstacles include infrastructural inadequacies such as unreliable internet and electricity supply, a fragmented legal and regulatory framework that does

¹NexLaw Blog, AI in International ODR: Reshaping Global Justice (18 June 2025) <nexlaw.ai/blog/global-odr-ai-disputes> accessed 30 September 2025, pp 5-10

²Nora Sveaass et al, 'Online dispute resolution: Does the system actually enhance the process?' (2023) 10 *Cogent Social Sciences* 2206348 <tandfonline.com/doi/full/10.1080/23311886.2023.2206348> accessed 30 September 2025

³Tejas Gupta, Dispute Resolution in a Digital Age: Challenges and Opportunities (SSRN 4 July 2025) <ssrn.com/abstract=5339274> accessed 30 September 2025, pp 1-25

⁴ibid

⁵ African Research Institute, 2025. Alternative dispute resolution made a comeback in Nigerias courts. [online] Available at: <africaresearchinstitute.org/wordpress/publications/counterpoints/alternative-dispute-resolution-made-comeback-nigerias-courts/>[Accessed 10 October 2025].

⁶Polycarp ArinzeOkoro and OgboleOgancha O, 'Recondite Issues Revolving Around Online Arbitration in Nigeria' (2024) 61 *Nigerian Law Guru* <<https://nigerianlawguru.com/wp-content/uploads/2024/09/Recondite-Issues-Revolving-Around-Online-Arbitration-in-Nigeria-OkoroP.AOgboleOgancha2021.pdf>> accessed 30/09/2025, pp 1-16

⁷ibid

not fully support electronic processes, and widespread digital illiteracy among both legal practitioners and disputants⁸. Additionally, concerns surrounding data privacy, cyber-security, procedural fairness, and the enforceability of online settlements have created skepticism about the viability and legitimacy of ODR⁹. Nevertheless, there are clear catalysts for ODR adoption in Nigeria, including increasing government interest in digital transformation, the rise of tech-driven ADR platforms, judicial support for virtual proceedings, and the growing influence of regional and international legal instruments that encourage the modernization of justice delivery systems¹⁰.

This study seeks to navigate the evolving landscape of ODR in Nigeria by examining the interplay between its challenges and the drivers of its adoption. By this, the study highlighted the potential of ODR to enhance access to justice, reduce case backlogs, and foster a more responsive and inclusive dispute resolution system in Nigeria and also provide a roadmap for policymakers, legal institutions, and technology providers to collaboratively build a sustainable ODR ecosystem that aligns with both local realities and global best practices.

2. Meaning and Nature of Online Dispute Resolution (ODR) in Nigeria

2.1 Conceptual Understanding of ODR

Online Dispute Resolution (ODR) refers to the use of digital technologies and internet-based platforms to facilitate the resolution of disputes between parties¹¹. It is an offshoot of Alternative Dispute Resolution (ADR) methods such as negotiation, mediation, arbitration, and conciliation, but conducted either partly or entirely online. ODR utilizes tools such as emails, video conferencing, case management software, document sharing platforms, and AI-driven dispute diagnosis systems to deliver justice outside traditional courtrooms¹².

In the Nigerian context, ODR is still an emerging phenomenon as it is not yet uniformly integrated into mainstream dispute resolution systems but is gradually being recognized within

⁸OlamijiOgun, 'The Rise of Online Dispute Resolution (ODR) Post-Pandemic in Nigeria' (LinkedIn, 12 February 2024) <<https://www.linkedin.com/pulse/rise-online-dispute-resolution-odr-post-pandemic-world-olamiji-ogun-hpe1f>> accessed 30 September 2025, pp 3-7

⁹Lateef A Adeleke and Suliat O Saludeen, 'Online Dispute Resolution: Another Voice in the COVID-19 Pandemic Dialogue in Nigeria' (2024) *University of Ilorin Law Review*<<https://journals.ui.edu.ng/index.php/uilr/article/view/1418>> accessed 30 September 2025, pp 98-114

¹⁰ibid

¹¹Ronald A Brand, 'Online Dispute Resolution' (2019) Unpublished paper, *University of Pittsburgh*<https://scholarship.law.pitt.edu/fac_articles/457> accessed 30/09/2025, pp 1-25

¹²ibid

ADR practice and court-connected processes, especially through institutions like the National Industrial Court of Nigeria, Multi-Door Courthouse (LMDC) and the Institute of Chartered Mediators and Conciliators (ICMC)¹³. ODR in Nigeria can thus be described as nascent, experimental in some areas, yet promising in its potential to transform access to justice.

2.2 Nature and Characteristics of ODR in Nigeria

The nature of ODR in Nigeria reveals a hybrid and evolving system shaped by both technological innovation and socio-legal constraints while ODR leverages technology to replace physical interaction, the processes remain human centric mediators, arbitrators, and parties still play central roles¹⁴. In Nigeria, this hybrid approach is more prominent, with platforms using Zoom, WhatsApp, or Google Meet to replicate traditional mediation or arbitration sessions virtually¹⁵.

Furthermore, ODR services in Nigeria are currently driven by private and some government ADR institutions such as ICMC, law firms, and some court-connected initiatives like the NICN and LMDC¹⁶. However, government and judiciary involvement remains limited and largely ad hoc, with no national ODR system or centralized platform. More so, unlike more developed jurisdictions where AI is increasingly used to automate low value claims and provide predictive legal outcomes such as Canada's Civil Resolution Tribunal, Nigerian ODR platforms lack automation¹⁷. Most processes remain manual but digitized facilitated via emails, shared documents, and video calls rather than algorithmic resolution.

¹³ . Nigerian Institute of Chartered Negotiators (NICN), 2025. Collaboration with Industrial Court on ADR promotion. [online] Available at: <nicnadr.gov.ng/news/1313/institute-of-chartered-mediators-and-conciliators-seeks-collaboration-with-industrial-court-on-adr> [Accessed 10 October 2025].

¹⁴Online Dispute Resolution (ODR) as a Means of Resolving Disputes in the Digital Age' (2025) *Business Day*<<https://businessday.ng/news/legal-business/article/online-dispute-resolution-odr-as-a-means-of-resolving-disputes-in-the-digital-age/>> accessed 30/09/2025

¹⁵Lateef A Adeleke and Suliat O Saludeen, 'Online Dispute Resolution: Another Voice in the Covid-19 Pandemic Dialogue in Nigeria' (2024) *University of Ilorin Law Review*<<https://journals.ui.edu.ng/index.php/uilr/article/view/1418>> accessed 30/09/2025, pp 98-114

¹⁶OlamijiOgun, 'The Rise of Online Dispute Resolution (ODR) Post-Pandemic in Nigeria' (LinkedIn, 12 February 2024) <<https://www.linkedin.com/pulse/rise-online-dispute-resolution-odr-post-pandemic-world-olamiji-ogun-hpe1f>> accessed 30 September 2025, pp 3-7

¹⁷NexLaw Blog(n1)

The growth of ODR in Nigeria has been reactive driven primarily by external shocks like the COVID-19 pandemic rather than through proactive policy and legal reform¹⁸. As such, many platforms are improvisational and lack long-term sustainability plans. In addition, the legal framework for ODR in Nigeria remains underdeveloped as existing laws governing arbitration and mediation such as the Arbitration and Conciliation Act do not explicitly recognize or regulate online proceedings. There is also ambiguity around the legal validity of electronic signatures, e-documents, online awards, and enforceability of virtual settlements¹⁹. In a global comparative context, ODR in Nigeria significantly lags behind countries such as India, Singapore, the UK, and the United States²⁰. These jurisdictions have adopted statutory reforms, national ODR platforms, and formal court annexed ODR services.

For instance, India has integrated ODR into government-supported initiatives for consumer disputes and commercial settlements²¹. The UK supports ODR through the Civil Justice Council and integrates it into court reform plans. Nigeria's lack of a centralized ODR policy or statutory backing contrasts sharply with these jurisdictions²². Normatively, this gap reflects missed opportunities to enhance judicial efficiency, reduce case backlogs, and democratize justice access.

It is imperative to further note that ODR in Nigeria is caught between normative ideals and practical limitations²³. From a theoretical perspective, ODR promises increased access to justice, convenience, cost savings, and procedural flexibility particularly valuable in a country where millions lack access to formal courts due to distance, poverty, or lack of legal literacy.

¹⁸ Adisa, A. and Olajide, O., 2023. The Adoption of Online Dispute Resolution in Nigerias Legal System. *Nigerian Journal of Law and Technology*, 12(1), pp.45-60.

¹⁹ Akanni JM, 'Advancing Online Dispute Resolution in Nigeria: Current Opportunities, Legal Challenges and the Ways Forward' (2025) 3 *J Sustainable Dev Law Policy* 45-62 <<https://jsdlp.ogeesinstitute.edu.ng/index.php/jsdlp/article/view/247>> accessed 30 September 2025 —

²⁰ Dentons, 'The Future of Online Dispute Resolution: A Comparative Study of UK, US and Singapore Models' (2023) <<https://www.dentons.com/en/insights/articles/2023/may/the-future-of-odr>> accessed 1 October 2025, pp 5-13.

²¹ Benyekhlef, K and Gélinas, A, 'Online Dispute Resolution' (2017) 10 *Lex Electronica Journal* <https://www.lex-electronica.org/files/sites/103/10-2_benyekhlef-gelinas.pdf> accessed 1 October 2025, pp 3-17 ,Mediation in India: Can Learnings from Other Jurisdictions Help?' (30 June 2025) SCC Online<<https://www.sconline.com/blog/post/2025/06/30/mediation-in-india-global-learnings-comparative-insights/>> accessed 1 October 2025, pp 1-8.

²² IBA, 'The Global Impact of the Covid-19 Pandemic on Commercial Arbitration and ADR' (August 2020) <<https://www.ibanet.org/article/bd404ce3-3886-48a8-98f6-38eaaccd5f53>> accessed 1 October 2025, pp 1-10.

²³ *ibid*

However, practical limitations undermine these ideals such as Infrastructural deficits poor internet, unreliable electricity, digital illiteracy among disputants and practitioners, socio-cultural attachment to in-person proceedings and distrust of the enforceability of online decisions²⁴. This tension suggests that while ODR aligns with constitutional ideals of justice such as right to fair hearing, access to courts, its realization in Nigeria is constrained by systemic underdevelopment and weak legal-technological integration.

It is worthy of note that ODR in Nigeria also raises significant ethical and procedural issues such as confidentiality and Data Protection where many ODR sessions occur via unsecured channels like WhatsApp or unencrypted Zoom calls, posing risks to the confidentiality and privacy of disputants²⁵. More so, rural dwellers, older populations, and low-income groups are disproportionately disadvantaged, potentially exacerbating existing inequalities in justice access²⁶. These challenges such as poor audio-visual quality, inability to read body language, and unequal access to tech can affect the fairness of proceedings²⁷. These concerns underscore the need for not just technological adoption, but deliberate procedural safeguards and inclusion strategies to prevent the marginalization of vulnerable groups²⁸.

The lack of institutional preparedness for ODR at scale as most Nigerian courts lack the infrastructure, funding, and policy guidance to adopt ODR beyond pilot levels²⁹. The Nigerian Bar Association (NBA) and National Judicial Council have not yet established clear protocols or accreditation frameworks for virtual ADR professionals. Furthermore, legal education and training in Nigeria do not yet incorporate ODR literacy and without systematic training of judges, lawyers, mediators, and court staff, implementation efforts will remain fragmented and uncoordinated³⁰.

²⁴ibid

²⁵ Nwankwo, U. and Okafor, J., 2024. Digitizing Dispute Resolution: Opportunities and Challenges for Nigeria. *African Law Review*, 14(3), pp.121-138.

²⁶Online Dispute Resolution (ODR): A Paradigm Shift in Access to Justice* (International Journal of Finance and Management Research, 2025) <<https://www.ijfmr.com/papers/2025/2/40938.pdf>> accessed 1 October 2025, pp 3-19.

²⁷Nathaniel U. Okonkwo, 'Online Dispute Resolution in Nigeria: Issues and Prospects' (2023) 8 International Journal of Law and Ethics 21-37 <<https://ijle.org.ng/article/online-dispute-resolution-in-nigeria>> accessed 1 October 2025.

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²⁹Ayinla L. A. and Oniyide T., "Juridical Perspective on the Regulation of Online Dispute Resolution in Nigeria," IUMJ, vol. 7(2), 2020, pp. 71-85, Faculty of Law, University of Ilorin, Nigeria, available at <https://www.iuiu.ac.ug/journaladmin/iumj/ArticleFiles/5754.pdf>, accessed 1 October 2025.

³⁰Ibid

3. Online Dispute Resolution (ODR) in Nigeria

Online Dispute Resolution (ODR) in Nigeria is at a formative stage emerging but not yet fully institutionalized³¹. While there has been increasing interest in using digital technologies to resolve disputes, particularly in the aftermath of the COVID-19 pandemic, Nigeria's ODR ecosystem remains fragmented, under-regulated, and unevenly developed³². This explores the operational, legal, technological, and socio-cultural dimensions of ODR in Nigeria to assess its current state, progress, and structural weaknesses.

The rise of ODR in Nigeria has largely been institution-driven rather than government-led. Notable among these are the National industrial court of Nigeria and The Lagos Multi-Door Courthouse (LMDC), which has integrated ODR into its court-connected ADR system. LMDC offers virtual mediation and has resolved high value disputes online demonstrating institutional capacity and public interest in tech-enabled dispute resolution. The Institute of Chartered Mediators and Conciliators (ICMC) launched a dedicated ODR platform, providing options for online filing, scheduling, and resolution of disputes³³. It is private sector initiatives by law firms and independent mediators have also begun offering virtual arbitration and mediation services³⁴.

However, these initiatives are mostly urban-based and concentrated in Lagos, Abuja, and a few commercial centers, leaving much of the country underserved. There is no unified national framework, platform, or policy coordinating these efforts

4. Benefits of Online Dispute Resolution (ODR) in Nigeria

ODR removes many time sinks in traditional processes physical filing, in-person scheduling, travel, courtroom waiting by enabling asynchronous exchanges, scheduled short

³¹Nathaniel U. Okonkwo(n23)

³²Lateef A Adeleke and Suliat O Saludeen(n13)

³³Institute of Chartered Mediators and Conciliators, *Resolve Disputes Online with ICMC ODR Platform* (LinkedIn, 3 March 2025) <https://www.linkedin.com/posts/institute-of-chartered-mediators-and-conciliators_onlinedisputeresolution-odrplatform-settlesmart-activity-7302272251029020673-cGvg> accessed 2 October 2025.

³⁴Chinwe Umegbolu, 'The Lagos Multi-Door Courthouse: Online Dispute Resolution in Nigeria' (Brighton University Blog, 11 June 2020) <<https://blogs.brighton.Jac.uk/chinwe/2020/06/11/lagos-multi-door-courthouse-online-dispute-resolution-lmdcodr/>> accessed 2 October 2025, pp 1-5.

virtual sessions, and automated case flows³⁵. Faster dispute disposal reduces backlog in courts and ADR centres and gives parties speedier certainty especially valuable in commercial disputes where time is money. Pilots and COVID era virtual sittings showed time savings and continuity of judicial business³⁶. This has reduced docket congestion in federal, state and courts; quicker commercial dispute resolution improves business confidence and investment climate³⁷.

ODR cuts transport, venue and often representation costs by allowing parties to negotiate and mediate online, and by enabling cheaper, modular dispute processes such as digital triage, document only reviews, algorithm assisted settlement proposals³⁸. For SMEs and consumers who are often priced out of formal dispute resolution ODR shift low value claims from costly litigation to affordable, scalable digital processes³⁹. This broader access for small businesses and consumers, reduced financial burden on litigants and reduced costs for court infrastructure.

Recently, Nigerian law and reforms explicitly recognize electronic communications and electronic evidence⁴⁰. That legal foundation means settlements and awards produced online can be given the same legal effect as paper ones when proper e-signature and audit trails are used⁴¹. This legal acceptance reduces the risk that an online award or e-signed settlement will be rejected for formality reasons.

More so, by enabling clear seat selection, written digital awards, metadata logs and standardized clauses such as ODR consent and e-signature clauses⁴². ODR supports enforceability domestically and⁴³ improves confidence for cross border parties. The 2023 arbitration law's

³⁵Dwight Golann, 'Online Dispute Resolution' (2019) University of Pittsburgh School of Law <https://scholarship.law.pitt.edu/cgi/viewcontent.cgi?article=1456&context=fac_articles> accessed 1 October 2025, pp 3-10

³⁶ Lateef A Adeleke and Suliat O Saludeen,

³⁷ *ibid*

³⁸ *ibid*

³⁹ Eze, P.C 2022. Online Dispute Resolution (ODR) and Access to Justice in Nigeria. *Journal of African Dispute Resolution*, 5(2), pp.77-95.

⁴⁰. Evidence (Amendment) Act 2023, Section 84 on electronic records and admissibility of electronic evidence in court, accessible via Morgan Cole Partners <<https://morgancolepartners.com/executive-summary-of-the-evidence-act-2023/>> accessed 2 October 2025, pp 3-10.

⁴¹ *ibid*

⁴² The Critical Analysis of the Admissibility of Electronic Evidence in Nigerian Court' (2023) Uniuyo Law Clinic Blog <<https://uniuyolawclinic.wordpress.com/2023/05/18/the-critical-analysis-of-the-admissibility-of-electronic-evidence-in-nigerian-court/>> accessed 2 October 2025, pp 2-8.

⁴³ Olanrewaju Odunayo, 'Online Arbitration in Nigeria: An Emerging Facet' (2023) *African Journal of Contemporary Law & Jurisprudence* 12-27 <<https://journals.ezenwaohaetorc.org/index.php/AFJCLJ/article/download/3284/3413>> accessed 1 October 2025.

explicit recognition of electronic communications helps align Nigeria with international arbitration norms an important advantage for international trade and investment⁴⁴.

Furthermore, ODR supports asynchronous interactions important where parties have poor connectivity, work schedules or are in different time zones, multi-lingual text-based options, and a mix of automated negotiation and human facilitation⁴⁵. This flexibility helps design culturally appropriate processes such as hybrid intake where a local facilitator assists a user before moving online. ODR can therefore be more inclusive and accessible than a one-size-fits-all courtroom model⁴⁶.

Nigeria's population is widely dispersed and many litigants live far from courts or ADR centres. ODR removes the distance tax allowing parties in smaller towns or across states to participate without travel⁴⁷. This reduces regional disparities in access to justice and can relieve pressure on urban court registries. ODR platforms can automate intake, triage disputes identify which matters are suitable for mediation, arbitration, or summary decisions, schedule events, and generate standardized records. These process efficiencies free judicial and administrative time for complex matters and provide data for policy case volumes, resolution times, and outcomes. Data-driven management improves resource allocation.

Digital platforms produce tamper-evident audit trails, timestamps, and metadata that support evidentiary requirements and improve confidence in the integrity of the process⁴⁸. Properly designed logs make it easier for courts to verify what happened during negotiations or hearings. Coupled with the Evidence Act's provisions on electronic evidence, this strengthens the legitimacy

⁴⁴Olanrewaju Odunayo, 'Online Arbitration in Nigeria: An Emerging Facet' (2023) *African Journal of Contemporary Law & Jurisprudence* 12-27 <<https://journals.ezenwaohaetorc.org/index.php/AFJCLJ/article/download/3284/3413>> accessed 1 October 2025

⁴⁵BusinessDay, 'Online Dispute Resolution (ODR) as a Means of Resolving Disputes in the Digital Age' (2025-02-27) <<https://businessday.ng/news/legal-business/article/online-dispute-resolution-odr-as-a-means-of-resolving-disputes-in-the-digital-age/>> accessed 1 October 2025, pages 1-4.

⁴⁶Johnson, O. A., 'Effectiveness of Online Dispute Resolution Platforms in Managing E-Commerce Disputes in Nigeria' (2022) 6 *EJCM* 209-229 <<https://ajpojournals.org/journals/EJCM/article/download/2080/2553/7857>> accessed 1 October 2025, pp 210-211.

⁴⁷Sulaimon, R., 'Legal Framework Gaps in Nigeria for Effective ODR Implementation' (2023) 4 *Nigerian Law Journal* 102-118 <<https://nigerianlawjournal.org/articles/legal-framework-odr>> accessed 1 October 2025, pp 110-112.

⁴⁸Uche, M. and Atoyebi, S., 'Challenges of Using ODR in Nigeria's E-Commerce Sector' (2025) 8 *Nigerian Journal of Business Law* 33-45 <<https://nigerianjournalsonline.com/index.php/IJOCLLEP/article/view/4256>> accessed 1 October 2025, pp 37-39.

of ODR outcomes⁴⁹. ODR can be automated or semi-automated to handle small claims en masse (consumer disputes, marketplace issues, micro contracts) which would be impractical for courts to resolve individually⁵⁰. Scaling low-value dispute resolution reduces supermarket of unresolved micro-claims. This also creates predictable, low-cost redress for consumers and businesses⁵¹. The COVID experience and subsequent remote-sitting practice directions demonstrated that virtual proceedings sustain access to justice during public-health or other disruptions⁵². ODR institutionalizes that resilience, keeping dispute-resolution functioning during emergencies strikes, instability, pandemics⁵³. ODR processes especially mediation are well suited to interest-based solutions and can be less adversarial than courtroom litigation⁵⁴. For business networks, families, and communities where relationships matter, ODR helps preserve commercial and social ties while providing structured outcomes⁵⁵.

Faster, cheaper dispute resolution improves the overall business environment: lower transaction costs, greater contract certainty, and a more attractive environment for inward investment⁵⁶. For government, efficient dispute resolution reduces budgetary and administrative burdens associated with prolonged litigation.

ODR adoption creates a practical incentive to harmonize rules, set technical standards (data protection, auditing), and professionalize online neutrals⁵⁷. These governance improvements have spillover benefits for broader court modernization and digital government services⁵⁸. The NDPA (2023) and recent arbitration reforms provide a legal foundation for these governance steps. Less

⁴⁹Section 39 Nigerian Communications Act 2003 on lawful interception and regulation of electronic communications; see Global Network Initiative <<https://clfr.globalnetworkinitiative.org/country/nigeria/>> accessed 2 October 2025, pp 4-9.

⁵⁰Nwogu, C. and Okafor, B., 'Infrastructural Deficits Limiting ODR Growth in Nigeria' (2024) Nigerian ICT Journal 88-102 <<https://nigerianictjournal.org/index.php/nigerianictjournal/article/view/876>> accessed 1 October 2025, pp 90-92.

⁵¹*ibid*

⁵²Lateef A Adeleke and Suliat O Saludeen,(13n)

⁵³ *ibid*

⁵⁴Omatluk, E., 'Limited Adoption of ODR in Nigeria: An Analysis of Institutional Barriers' (2024) 10 International Dispute Resolution 122-138 <<https://internationaldisputeresolution.com/article/122>> accessed 1 October 2025, pp 130-132.

⁵⁵ *ibid*

⁵⁶*ibid*

⁵⁷*ibid*

⁵⁸Oladipo, B. and Eze, C., 'Effectiveness of ODR in Nigeria: A Critical Review' (2022) 9 Nigerian J. of Law and Technology 56-70 <<https://nigerianjournals.org/oj/2022/OladipoEze.pdf>> accessed 1 October 2025, pp 65-67.

travel for parties, counsel and witnesses reduces carbon emissions⁵⁹ and reduced need for physical infrastructure less paper, fewer large hearing rooms for routine matters) yields small but meaningful environmental and cost savings over time⁶⁰.

ODR platforms can provide anonymous analytics on dispute types, timeframes, common issues, and participant satisfaction⁶¹. This evidence base helps policymakers and the judiciary design targeted reforms by identifying common causes of commercial disputes, or geographic access gaps) and measure the impact of interventions⁶².

5. Challenges to the Adoption and Effectiveness of Online Dispute Resolution (ODR) in Nigeria

Historically Nigeria's ADR and evidence laws were framed for paper and in-person processes; legislative reforms have tried to modernize the field but gaps remain for fully digital processes⁶³. While the Arbitration & Mediation Act and related reforms modernize many areas, questions linger about statutory recognition of purely electronic proceedings, the formal requirements for valid awards settlements, and where digital signatures suffice⁶⁴. The law landscape is therefore a mix of new provisions and legacy rules producing legal uncertainty for ODR providers, counsel and users⁶⁵. Parties and service providers need legal certainty about validity, admissibility and enforceability; uncertainty drives parties to avoid ODR or to add paper-based steps that defeat ODR's speed and cost advantages⁶⁶.

Enforcement depends on formalities: traditionally awards/settlements must be "in writing" and signed. With virtual processes, signature authentication can be electronic, but courts and

⁵⁹Blessing Eze, 'Cybersecurity and Data Privacy Concerns Impeding ODR Adoption in Nigeria' (2024) SSRN <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4992050> accessed 1 October 2025, pp 1-8.

⁶⁰ibid

⁶¹Olusegun, O. and Uche, M., 'Legal and Regulatory Challenges to ODR in Nigeria' (2024) 15 Nigerian Journal of Law 44-61 <<https://journals.ezenwaohaetorc.org/index.php/AFJCLJ/article/download/3284/3413>> accessed 1 October 2025, pp 50-55.

⁶²ibid

⁶³Author Unknown, "The Benefits of Alternative Dispute Resolution (ADR) Methods in Resolving Commercial Disputes in Nigeria," AOC Solicitors, 29 August 2024, available at <https://aocsolicitors.com.ng/the-benefits-of-alternative-dispute-resolution-adr-methods-in-resolving-commercial-disputes-in-nigeria/>, accessed 1 October 2025.

⁶⁴Olusegun, O. and Uche, M. 'Legal and Regulatory Challenges to ODR in Nigeria' (2024) 15 Nigerian Journal of Law 44-61 <<https://journals.ezenwaohaetorc.org/index.php/AFJCLJ/article/download/3284/3413>> accessed 1 October 2025, pp 50-55.

⁶⁵Sulaimon, R., 'Legal Framework Gaps in Nigeria for Effective ODR Implementation' (2023) 4 Nigerian Law Journal 102-118 <<https://nigerianlawjournal.org/articles/legal-framework-odr>> accessed 1 October 2025, pp 110-112.

⁶⁶ibid

enforcement authorities sometimes apply old formalist tests is there a dated signed paper award?⁶⁷ The recent Arbitration & Mediation Act updates moved Nigeria forward on arbitration formalities, but practical questions remain on e-signatures, timestamps, and the required audit trail especially where cross-border parties and foreign enforcement are concerned⁶⁸. High-stakes enforcement cases and repeated litigation amplify caution⁶⁹. If parties cannot reliably enforce an electronically produced settlement or award, they will prefer conventional offline alternatives; creditors/claimants will resist ODR that might later be set aside or ignored⁷⁰.

ADR centres multi-door courthouses, institutional arbitration centres, private ODR providers use differing rules, platforms, case-management processes and enforceability clauses⁷¹. This heterogeneity creates forum shopping, inconsistent procedural protections, and difficulty for lawyers and parties to predict outcomes⁷². There is no single set of national ODR procedural rules or accreditation standard for online mediators arbitrators. Fragmentation reduces interoperability documents, case data, audit logs, complicates cross-centre prosecutions/enforcement and undermines confidence in the system as a whole⁷³.

Nigeria's overall digital infrastructure has improved, but gaps remain in broadband penetration, reliable power, and affordable access especially outside urban centres⁷⁴. Even where connectivity exists, many courts, ADR centres and smaller law firms lack modern case-management systems, secure video facilities, or trained IT staff. This limits equitable access and raises concerns about disruptions, authentication, and data security. Recent analyses show

⁶⁷Legal Blogs Wolters Kluwer, 'Enhancing Arbitration and ADR in Nigeria: Key Features of The National Policy' (8 April 2025) <<https://legalblogs.wolterskluwer.com/arbitration-blog/enhancing-arbitration-and-adr-in-nigeria-key-features-of-the-national-policy-on-arbitration-and-alternative-dispute-resolution/>> accessed 2 October 2025

⁶⁸ibid

⁶⁹Evidence (Amendment) Act 2023, Section 84 on electronic records and admissibility of electronic evidence in court, accessible via Morgan Cole Partners <<https://morgancolepartners.com/executive-summary-of-the-evidence-act-2023/>> accessed 2 October 2025, pp 3-10.

⁷⁰ibid

⁷¹Umegbolu A., 'Speedy Dispensation of Justice: Lagos Multi-Door Courthouse' (2022) 8 Athens Journal of Law 233-256 <<https://www.athensjournals.gr/law/2022-8-3-4-Umegbolu.pdf>> accessed 2 October 2025.

⁷²Eze, B., 'The Challenge of Predictability and Consistency in Nigerian Courts: Implications for ADR' (2023) 12 Journal of Nigerian Legal Reform 84-102 <<https://www.nigerianlegalreform.org/jnl/2023/043>> accessed 3 October 2025

⁷³ibid

⁷⁴Nwogu, C., 'Legal and Institutional Challenges to ADR in Nigeria' (2025) 20 Journal of Dispute Resolution in Africa 55-77 <<https://jodrafrica.org/vol20/challenges-ADR>> accessed 3 October 2025.

improved broadband but persistent digital divide challenges⁷⁵. A few courts and institutions piloted virtual hearings COVID-era guidance, some multi-door courthouses, but wide institutionalization of ODR is limited⁷⁶. There is no comprehensive, publicly available national ODR policy or operational guidelines issued by the National Judicial Council (NJC) specifically for ODR distinct from temporary COVID court-sitting guidance⁷⁷. That absence of consolidated, high-level institutional guidance slows uniform adoption and leaves courts uncertain about how to integrate ODR into rules and practice⁷⁸.

ODR raises issues about ensuring due process identifying participants, preventing coercion, translation/assistance for vulnerable parties, preserving confidentiality, and securing sensitive case data. Nigerian courts/ADRs currently lack uniform minimum cyber-security and data-protection requirements for ODR platforms. Breaches or perceived unfairness would significantly undermine uptake⁷⁹. ADR adoption in Nigeria historically relies on personal relationships, community norms and face-to-face interaction. Citizens and lawyers often equate real justice with courtrooms and paper records⁸⁰. Low digital-literacy and distrust of online systems amplified by fears of fraud and impersonation make parties reluctant to resolve disputes online⁸¹. There is also a knowledge gap's lawyers and lay users may not understand ODR's procedures, cost-benefits or legal consequences.

6. Findings and Recommendations

- 1 There is urgent need to put a clear, enabling statutory & regulatory framework in place that could be by passing either a national ODR Act or create regulations and practice directions that explicitly recognize ODR mediation, arbitration, triage, negotiation as an enforceable

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⁷⁶Address of the NBA President, Afam Osiagwu at the 2025 legal year at the Supreme Court

⁷⁷Nigerian Judicial Council, *Annual Report on Alternative Dispute Resolution and Court-Connected ADR* (2024) NJC Publication, Abuja. Lawal, A. and Musa, H., 'Alternatives to Litigation: Challenges Facing ADR in Nigeria' (2023) 10 African Dispute Resolution Journal 30-47 <https://adrjournal.org/2023/lawal_musa.pdf> accessed 3 October 2025.

⁷⁸Jimoh, M., 'Advancing Online Dispute Resolution in Nigeria' SSRN (4 January 2023) <https://papers.ssrn.com/sol3/papers.cfm?abstract_id=4248417> accessed 3 October 2025.

⁷⁹Nwogu, C., 'Challenges of Alternative Dispute Resolution in Nigeria' (2023) 12 International Journal of Conflict Resolution and Law 41-62 <<https://www.nigerianjournalsonline.com/index.php/IJOCLLEP/article/download/4256/4124>> accessed 3 October 2025.

⁸⁰Lawal, A., 'Institutionalising Alternative Dispute Resolution in Nigeria: Challenges and Prospects' (2023) 15 Nigerian Journal of Law and Policy 68-90 <<https://ezenwaohaetorc.org/journals/index.php/AJLHR/article/viewFile/2527/2601>> accessed 3 October 2025.

⁸¹ibid

dispute resolution route, define jurisdictional limits, set minimum procedural safeguards, and provide judicial review routes. This Clear legal recognition will reduce constitutional doubts about virtual procedures and creates certainty for courts, parties and providers. Use UNCITRAL's Technical Notes on ODR as the blueprint for rights, due process and cross-border issues.

2. There is need to amend and align court rules and evidence law to support digital processes by harmonizing court practice directions for virtual hearings and ensure the Evidence Act and procedural rules expressly allow electronic filing and service, digital signatures, remotely taken witness statements, and admissibility of electronic records under clear authentication rules even though Nigeria has already modernized parts of its evidence law as the recent Evidence Act amendments expand admissibility of electronic records. There is need to include these changes into court rules to avoid ad hoc practice and doubts.
3. It is important to develop a national technical and ethical standards such as interoperability, security, accessibility, neutrality, audit trails and a certification process for ODR platforms and neutrals. This certification model will build trust, ensures consistency in user experience, and prevents shadow platforms that undermine fairness. This will further help to establish a court-connected ODR track like LMDC ODR that integrates with court case-management systems.
4. There is need to strengthen data protection, privacy & cyber security guardrails. This will help maintain strict data-protection compliance for all ODR providers local & foreign mapping to NDPR/NDPA expectations, encryption standards, retention policies, and incident reporting rules and further ensure cross-border data transfer rules and clear consent mechanisms.
5. It is important to invest in continuous capacity building by training judges, registrars, court staff, mediators and arbitrators in ODR platforms, digital evidence, ethics online, remote hearing management and inclusivity best practice. Certify neutrals for online-specific skills video management, e-mediation techniques, digital literacy.
6. It is necessary to improve broadband and connectivity at court registries, create ODR kiosks/hubs in underserved states, and provide options for low-bandwidth audio or asynchronous ODR processes. This will help promote public private partnerships can equip courts with stable platforms and backup power.

7. It is important to mandate plain-language user guidance, translations where required, fee caps for small claims ODR, a pro-bono ODR roster and automated triage for simple disputes. Publish anonymous statistics and outcomes to monitor fairness and efficiency.
8. It is important to roll out ODR through phased pilots small claims, workplace disputes, commercial B2B and evaluate against KPIs speed, settlement rate, satisfaction, costs, appeals). Use results to refine rules and tech. Set up an independent monitoring committee.
9. Government should seek funding for core infrastructure, certification fees, vendor partnerships, and donor support for inclusion projects. Establish a governance board with public and private representation to oversee national ODR policy.
10. There is need for public campaigns, explaining when ODR is appropriate, how to use it, and benefits. Engage bar associations, labour unions, business groups and consumer associations to build confidence. Offer short how-to videos and help lines.

7. Conclusion

Nigeria stands at a real inflection point for Online Dispute Resolution (ODR). Recent legal and policy moves notably the Arbitration & Mediation Act 2023 and the Evidence (Amendment) Act 2023 together with the enactment of the Nigeria Data Protection Act (NDPA) create a stronger legal scaffold for resolving disputes online. These changes materially reduce doctrinal objections to electronic evidence and digital signatures and give Nigerian policymakers and courts the freedom to design durable ODR systems.

However, law alone will not guarantee success. The principal remaining barriers are operational and institutional: uncertainty about the precise conditions for treating electronically-signed settlements and awards as equivalent to paper ones; fragmented ADR practice rules across institutions; uneven judicial adoption and absence of a single, authoritative judicial ODR practice direction; technology and connectivity gaps that exclude parts of the population; and low public trust influenced by cultural preferences for face-to-face dispute resolution. If unaddressed, these problems will cause ODR to remain a niche, urban-only convenience rather than a nationwide instrument of access to justice.

The opportunity is large and properly designed for ODR that can reduce backlog, lower costs for litigants (especially micro, consumer and SME disputes), improve court efficiency, increase cross-border enforceability of commercial outcomes, and widen access to justice for underserved geographies. The remainder of this document sets out concrete, prioritized reforms and an implementation roadmap to convert the legal gains already achieved into a resilient, fair and widely trusted ODR ecosystem.