COMMUNICATION AND PERCEPTION IMPACT ENDLINE STUDY ON ARBITRATION AND OTHER ALTERNATIVE DISPUTE RESOLUTION (ADR) SERVICES IN RWANDA

FINAL REPORT

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ACKNOWLEDGEMENTS

A Senior Researcher and Consultant who carried this survey would like to express thankful gratitude to all the respondents who agreed to be interviewed by phone for this survey. Without their cooperation and trust this research would not have been possible. I also wish to acknowledge the support received from the Kigali International Arbitration Centre (KIAC) for providing the consultant with respondents’ lists. The research assistants who were involved in data collection and entry played an essential part in the study and the consultant is thankful for their constructive participation.
**LISTS OF ABBREVIATIONS AND ACRONYMS**

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
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<tbody>
<tr>
<td>ADR</td>
<td>Alternative Dispute Resolution</td>
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<tr>
<td>ANOVA</td>
<td>Analysis of Variance</td>
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<td>GoR</td>
<td>Government of Rwanda</td>
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<td>PSF</td>
<td>Private Sector Federation</td>
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<td>ICF</td>
<td>Investment Climate Facility for Africa</td>
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<td>KIAC</td>
<td>Kigali International Arbitration Centre</td>
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<tr>
<td>NGOs</td>
<td>Non-governmental Organizations</td>
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<td>SPSS</td>
<td>Statistical Package for Social Sciences (software)</td>
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EXECUTIVE SUMMARY

Background and Context of the Study

The study was conducted by an independent senior researcher and consultant on behalf of Kigali International Arbitration Centre (KIAC) and funded by Investment Climate Facility for Africa (ICF) under the Alternative Dispute Resolution Project (ADRP) supporting the operationalization of the Centre since October 2012. The survey was conducted by the same consultant who successfully completed the baseline survey in June 2013.

Consequently, some of the communication campaign and outreach activities conducted by KIAC in 2014 were to address some of the findings in the baseline survey. However, as planned, towards the end of the Alternative Dispute Resolution Project mid 2015, an independent consultant was hired to conduct a communication and perception, impact assessment endline survey.

The general objective of the endline survey was to conduct a communication, perception, and impact assessment and find out if KIAC has provided the right communication means and activities to the right people through the right channels. The endline survey assessed the effectiveness KIAC’s communication activities and whether the perception of the stakeholders had changed over the past year. The findings will provide valuable lessons for future projects.

Specific objectives of the Endline Survey were: 1) Review the content of the communication tools produced and find out what messages target groups retained from the communication, and were these accurate and contributed to increasing the level of awareness on KIAC services, and arbitration services in general; and 2) Evaluate if the target group receiving the messages and tools understands the message and find out if their perceptions on ADR are changing, 3) Assess whether the intended target group is being reached and if the communication channels are working as perceived, 4) In terms of outcomes, do you observe any behavioural change in the target group? Did KIAC contribute to this behavioural shift? How did KIAC contribute to this behavioural shift? Which of KIAC’s messages and tools had an impact upon the target group, and which did not? 5) If the project is still ongoing, how can the
communications activities be altered to better integrate the views and experiences of the target group into KIAC’s communication? And 6) Determine the level of satisfaction from clients who have used arbitration.

**Methodology, Sampling, Tools, Data Collection and Analysis**

The methods used in the endline survey involved collecting information from a purposive sample of 500 respondents (as these give sufficient cases for statistical analysis) who were sampled among those interviewed during the baseline in 2013. The respondents were of three types: 1. Users of arbitration such as: construction industry (contractors/architectures/engineers), energy developers, mining, manufacturing, others businesses, government institutions, non-governmental organizations; 2) Financial institutions (users and advisers, 3) Legal professionals’ bodies (lawyers and judges), (see table 1). This method enabled information collected from a sample of 500 respondents during the baseline in 2013 and a sample of 500 respondents during the endline in 2015 to be analysed and compared for change. The consultant who successfully carried out the baseline survey was contracted to complete the projects endline survey, in order to minimize any methodological and sampling errors that could have developed if the survey was conducted by a different consultant.

A survey questionnaire (see Appendix 1) was developed in English and translated in Kinyarwanda, reviewed, and validated by the senior researcher together with the Kigali International Arbitration Centre (KIAC) senior management. The questionnaire was pilot tested before data collection and changes made. The survey questionnaire contained three parts of questions designed in relation to the survey objectives: 1) perceptions, effectiveness of communication, behaviour and attitude changes, 2) perceptions of stakeholders who have not heard about arbitration, and 3) satisfaction level with arbitration.

The main data collection method used was a quantitative structured survey questionnaire over the telephone. The senior researcher and consultant recruited the enumerators and provided them with a three day special training session to ensure that they had a basic understanding of the purpose of the survey, the terminology used, the matters being discussed in the survey, and telephone interview procedures. The interviewers were prepared to respond to anticipated questions and given standardised responses for requests for clarification. The telephone interviews were conducted from March 22nd to April
4th, 2015 by seven trained research assistant/enumerators. When conducting the interviews, the interviewers recorded the responses directly on a questionnaire sheet, which allowed the responses to be easily monitored by the senior researcher. Data collected from respondents were entered directly into the Statistical Package for Social Sciences (SPSS). Descriptive and inferential statistics were used to analyze data.

**Key Findings and Conclusions, and Recommendations**

The main and general conclusion from the impact evaluation is that the intensive communication campaigns conducted and messages delivered by KIAC have probably had a positive impact on perceptions of arbitration and other ADR services.

Perception and awareness of KIAC increased from baseline 72.2% to 96.4% for the endline survey. Also, the number of respondents who indicated they did not know KIAC reduced from 27.8% in the baseline to 3.4% in the endline.

A large number of respondents (98%) in the endline survey indicated that KIAC provides arbitration compared to 55 per cent in the baseline; 83.8 per cent in endline indicated that KIAC provides mediation services compared to 30.8 per cent in the baseline; and for training services (83.6%) in endline compared to 38.8 per cent in the baseline survey.

About 96.4 per cent of endline respondent indicated they had heard about arbitration compared to 88 per cent in the baseline. For the endline more than 80 per cent were able to define arbitration as private justice mechanism (87%), conducted by arbitrator (81.4%) compared to 78.4 per cent and 65.6 per cent respectively in the baseline. It is important to note that both in the baseline and endline respondents were split in halves or undecided on understanding whether arbitration is conducted by mediators.

A large number of respondents of more than 60 per cent were able to differentiate between institutional arbitration carried out by KIAC and Ad hoc arbitration. More than 70 per cent of respondent were able to understand arbitration messages delivered by KIAC through different communication channels. Note that
respondents in the endline survey are almost split on understanding whether KIAC delivers mediation proceedings (57.8%), and contract management (41.6%).

A large number of respondents (84%) indicated that the arbitration message delivered by Kigali International Arbitration Center (KIAC) is accurate, and 91.1 per cent indicated that the message has helped them become aware of KIAC and arbitration services in general. However, more than 60 per cent indicated that they would like to have KIAC deliver to them more arbitration messages such as: Procedures of appointing arbitrators (71.0%), Advantages of using KIAC than other institutional arbitration in other countries (64.1%), more trainings on mediation (82%), and publications and updates of resolved disputes or cases and procedures used to settle disputes (50.6%).

Also, 57.8 per cent indicated they would use institutional arbitration, just 14.4 per cent would use Ad Hoc, and interestingly 27.8 would prefer to use both institutional and Ad Hoc arbitration. Main reason given as to why some respondents prefer to use both is that unlike institutional arbitration, in Ad Hoc arbitration there are no fixed charges and the fee is negotiable on both sides; and mainly this explanation was provided by lawyers compared to other respondents. However, respondents indicated that if they were to use institutional arbitration KIAC would be their number one choice with just 58 per cent responses, and 82 per cent indicated they would use arbitration clause in their contracts.

Recommendation: Despite the fact that the endline survey findings indicated increase and change in respondents’ perceptions’, awareness, understanding of KIAC arbitration and ADR services, KIAC need to put more effort in explaining to its stakeholders why it would the best institution to use for arbitration than other arbitration institutions in other countries, and also why institutional arbitration is the best compared to Ad Hoc.

Even though KIAC stakeholders know and understand the difference between the two forms of arbitration and indicated that they would use institutional arbitration in future, quite a large number of respondents still prefer to use Ad Hoc arbitration (14%) or both (28%).

When data was further disaggregated by institution of work to better know respondents’ preferably form of arbitration for use now and in future, a large number of respondents working in Rwanda Bar Association/lawyers (91%) indicated that they would prefer to use institutional arbitration, also 21 per cent
indicated a preference of Ad Hoc arbitration, but also a large number (59%) prefer to use both forms of arbitration. Construction industry such as contractors, engineers, and architectures’ (57%) would use institutional arbitration but also 27 per cent indicated a preference of using both forms of arbitration.

**Recommendation:** KIAC management need to focus into designing strategies it can use to attract a big number of its stakeholders who still want to use ad hoc arbitration to change and use KIAC/institutional arbitration in future. One strategy is to come up with quality data from the cases that have already been resolved through KIAC and advertise them.

The first most effective communication channel through which communicated its message were events (64.2%), second most effective was KIAC website (63.8%), third channel was emails (60.6%).

The use of email (71.6%) was indicated as the first most preferable communication channel which KIAC communicated to individual stakeholders, followed by events (49.2), Tel SMS (40%), and website (39.4%). Majority of respondents (84%) indicated that the above communication methods were very helpful to understand KIAC services and the use of Arbitration. Most importantly they were able to understand the difference between using arbitration from litigation in dispute resolution.

Generally, there is change of respondents’ perceptions, awareness and attitude towards arbitration and that is evident enough to show that there was a shift in behaviour change due to the intensive communication campaigns conducted and messages delivered by KIAC. However, it is still early at this point to observe fully if there was behaviour change; which would be measured by the number of people using KIAC services and or using arbitration as means of dispute resolution.

**Recommendation:** Another survey needs to be conducted after 3-5 year to observe full behaviour change, given that the current survey was conducted just after one year which is short period to observe change.

**Recommendation:** If KIAC was to was to alter its communication channels, the use of KIAC website (71.6%) was recommended mostly and respondents recommended that information on website be put into three different languages (English, French, Kinyarwanda). The second recommended method was use of professional bodies or association (60.8%) such as associations for engineers, architectures, bar
associations in other countries, etc. Third recommended method was Newspapers and magazines (57.1%). On this point respondents suggested that KIAC can use existing airlines in Rwanda to put newspapers and magazine for travellers to read and spread KIAC arbitration services to other countries. Use of Emails (54.4%) was the fourth recommended method, fifth as social networks (53.7%), six as events (50.4%).

For domestic institutions or organizations or companies other suggestions from respondents included: KIAC delivering magazines and pamphlets or small booklet that have arbitration information to specific institution offices.

**Objective 6**

There is a major difference in respondents’ level of satisfaction with the arbitration between baseline and endline irrespective of the form of arbitration used (table 5) There is a skew to mostly satisfied responses in the endline survey and mean average rating ranged from 5.09 to 6.14. While in the baseline satisfaction level was heavily concentrated to responses of “somewhat satisfied” with means average rating ranged from 5.40 to 5.74. **Recommendations:** There is need to carry out another survey after 3-5 years to determine satisfaction level with a large number of stakeholders who only will have used KIAC/institutional arbitration.

Additional clients’ satisfaction and Investors Confidence after use of KIAC arbitration services was determined through a mini survey questionnaire administered to a small targeted number of people who had used only KIAC (see Appendix 4).

Generally, clients had a positive satisfaction with KIAC arbitration services. Majority (12 people) indicated that the overall quality of the services during KIAC arbitration was very good, and a larger number (19 people) indicated that they would put KIAC arbitration clause in their future contracts.

For contract enforcement as showed in the results above, eight (8) people said ‘no’ and seven (7) said ‘yes’ to the question whether the losing party enforced the award voluntary. A follow question asking how long it took to enforce their award shows that majority indicated three to six months.
1. INTRODUCTION AND BACKGROUND

1.1. Introduction

The general objective of the survey was to conduct a communication, perceptions, and impact assessment to find out if KIAC provided the right communication means and activities to the right people through the right channels. The survey assessed the effectiveness and impact of KIAC’s communication activities and whether the perception of the stakeholders had changed over the past year. The study
focused on the same stakeholders from different institutions as in the baseline study (government institutions, Kigali bar association, Judiciary, Financial institution/Banking/Insurance, Construction Industry (Contractor, Engineer, Architecture), Mining, Energy developers, Manufacturing industry, and others that mainly have used or heard arbitration services and a few that have not heard of arbitration. Kigali International Arbitration Centre (KIAC) who commissioned this study is interested in knowing how people perception on arbitration services has changed in the past year after a communication campaign on arbitration use was done. The report provides detailed information of changes of stakeholders’ perceptions of arbitration and effectiveness of communication methods used to deliver arbitration message.

1.2. Background

In several countries across the globe, institutions and businesses are selecting alternative dispute resolution (ADR) procedures instead of using the court system or traditional litigation to resolving legal disputes. One well-known method is arbitration, a form of dispute resolution frequently used in commercial contracts in which parties agree to present their dispute to a neutral arbitrator or panel of arbitrators that renders a binding judgment. The process usually involves pre-hearing discovery, opening and closing arguments, witness testimony, and evidence presentation, just as in a court trial. However, arbitrators are not bound by legal rules of procedure, evidence, or precedent, and the proceedings and awards are confidential. An arbitrator’s ruling is generally not appealable, and can be enforced like any other judicial decision. Parties can agree to arbitration after a dispute arises. Usually, however, they include an arbitration clause in a contract to handle any future disputes. The use of arbitration as a means of dispute resolution has received increased attention in recent years in light of perceived advantages relative to other forms of dispute resolution, particularly court systems.¹ Among these advantages are the following:

- Arbitration is voluntary and provides parties with the ability to select mutually agreeable rules and processes.

¹ See, for example, PricewaterhouseCoopers, International Arbitration: Corporate Attitudes and Practices 2008, p. 5. This study found that international arbitration had significant support, with 88 per cent of participating corporations having used it. Additionally, the study found that certain industries, such as insurance, energy, oil and gas, and shipping, use international arbitration as a default dispute resolution mechanism (as opposed to relying on local legal systems).
Arbitration potentially provides more control over the timetable, cost, and confidentiality of the dispute resolution process. From a societal perspective, arbitrations (as well as other alternative dispute resolution mechanisms) may help to alleviate the burden on domestic legal institutions.

Arbitration’s advocates agree that the arbitral process will never replace or displace traditional litigation. Instead, they argue that the arbitral process can work to supplement the traditional system, serving as a cost-effective alternative to lengthy delays and high-priced litigation. Arbitration is a more flexible and adaptable process, capable of accommodating the particularized needs of disputants, the business community, and society at large. Primarily the flexibility of arbitration flows from the innovation and ingenuity of the parties in fashioning their arbitration agreements. Because arbitration is a species of contract law, parties can craft the terms or parameters by which an arising dispute will be handled in arbitration. Such flexibility is not possible in litigation.

1.3. KIAC and Arbitration in Rwanda Context

Rwanda continues to make considerable improvements to its business environment and investment climate. The business reforms are part of the government’s extensive efforts to promote Rwanda as an attractive business and investment destination in order to drive the growth of the private sector and generate wealth.

With regard to commercial justice, Rwanda established commercial courts in 2008 and these have produced tangible results. The backlog and time taken to process a commercial dispute by the judiciary has been reduced significantly and confidence in the contract enforcement system has improved. Despite significant success, there are still some key challenges: 1) The commercial dispute backlog potentially increased; 2) court processes are long (filing & service – 20 days; trial and judgment – 120 days; days taken to enforce judgment – 90 days); 3) quality of judgments are at risk because of the increased pressure on judges as filings outpace dispositions because of increased economic activities (more contract disputes) and the judiciary becomes a victim of its own success. More and more businesses go to court to settle disputes as it is easier today than before and cases that have limited legal value are

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2 International Chamber of Commerce (ICC), Publication 843: Techniques for Controlling Time and Costs in Arbitration, 2007. The publication highlights how parties can design arbitration clauses to streamline the potential length and cost of future disputes. Among other recommendations, the report highlights the need for both parties to agree on clear arbitral provisions that allow for a faster arbitration process.

3 See www.rdb.rw website
brought before the court; 4) the costs of litigation remains high; and 5) there has thus far been no formal alternative mechanism for alternative dispute resolution (ADR) in Rwanda to complement services by the judiciary as is standard industry practice elsewhere.

Therefore, the main objective of the establishment of Kigali International Arbitration Centre (KIAC) was to address these challenges supplementing efforts undertaken by the judiciary and to provide arbitration services to the business community, public institutions and people from the region. Until the establishment of the Centre there was no alternative formal mechanism for dispute resolution to the expensive and time consuming process of the formal legal process and seeking redress through the commercial courts.

Kigali International Arbitration Centre (KIAC) was established by law as an independent body as an Initiative of the Private Sector Federation (PSF) in partnership with the Government of Rwanda (GoR). It was officially launched in 2012 with the aim to strengthen the capacity of economic operators in Rwanda to resolve their disputes themselves without the need to go to civil courts.

The mission of KIAC is to promote arbitration as an efficient, friendly and private justice mechanism acknowledged by the business community. The strategic objectives of the Centre are:

- Awareness campaigns including an outreach program for the promotion of the Centre for the use of KIAC at the national, regional and international level
- Securing a suitable location for arbitration infrastructure and promotion of ADR in Rwanda and making Kigali and KIAC as a seat of arbitration beyond Rwanda
- Capacity building and knowledge sharing through training and certification of domestic arbitrators and mediators as well as conference/seminars and study visits
- Involve key stakeholders, particularly, the Rwanda Justice Sector Institutions which play a key role in commercial justice to develop a pro arbitration practice
- Review of existing arbitration legal framework.

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4 See [www.kiac.org.rw](http://www.kiac.org.rw) website
The Centre was, however, facing a number of challenges including some resistance to institutional arbitration, lack of professionals with a good understanding of the concept of arbitration, existing practices not backed by a good understanding of arbitration and a business community that is not aware of and/or has not used arbitration services.

Following KIAC’s mandate to promote the country regionally and internationally as a centre for international commercial arbitration; and to advise the government on matters related to arbitration, KIAC hired Institute of Policy Analysis and Research (IPAR) to carry out a baseline survey on perception, communication, and economic impact on arbitration and other alternative dispute resolution (ADR) services in Rwanda. This is one of the major activities outlined under the Alternative Dispute Resolution Project supporting the operationalization of KIAC. KIAC and arbitration services are new in Rwanda; thus the need to understand the level of awareness of the centre and its services and also find out how they are perceived among the stakeholders. The objectives of the baseline survey conducted in 2013 were to: 1) Assess the level of awareness on arbitration services and the KIAC centre in general, 2) Assess the attitude of stakeholders on arbitration services, 3) Assess the preferred or commonly used channels of communication through which KIAC can communicate with its stakeholders, 4) Determine the economic impact of arbitration for stakeholders who have used the services in comparison to litigation.

The survey was conducted by the same consultant and successfully completed in June 2013. Consequently, some of the communication campaign and outreach activities conducted by KIAC in 2014 were to address some of the findings in the baseline survey. However, as planned, towards the end of the Alternative Dispute Resolution Project early 2015, an independent consultant was hired to conduct a communication and perception, impact assessment endline survey.

The general objective of the endline survey was to conduct a communication, perception, and impact assessment and find out if KIAC has provided the right communication means and activities to the right people through the right channels. The endline survey assessed the effectiveness KIAC’s communication activities and whether the perception of the stakeholders had changed over the past year. The findings provided valuable lessons for future projects.
1.4. Specific objectives of the Endline Survey

1) Review the content of the communication tools produced and find out what messages target groups retained from the communication, and were these accurate and contributed to increasing the level of awareness on KIAC services, and arbitration services in general; and 2) Evaluate if the target group receiving the messages and tools understands the message and find out if their perceptions on ADR are changing; 3) Assess whether the intended target group is being reached and if the communication channels are working as perceived; 4) In terms of outcomes, do you observe any behavioural change in the target group? Did KIAC contribute to this behavioural shift? How did KIAC contribute to this behavioural shift? Which of KIAC’s messages and tools had an impact upon the target group, and which did not? 5) If the project is still ongoing, how can the communications activities be altered to better integrate the views and experiences of the target group into KIAC’s communication? 6) To determine the level of satisfaction from clients who have used arbitration

1.5. Organization of the Endline Report

The report presents the endline survey findings, and it is structured in four sections. This introduction section provides a background and rationale of why the survey was undertaken and the context in which it was carried out. The second section is on methodology which is the detailing the sampling method, data collection and analysis procedures. The third section presents the analysis of the respondents’ profile, and the fourth section presents endline findings, which includes perception and awareness of arbitration services and KIAC; attitudes and behaviour change, effective and preferred communication channel. Also included in the fourth section is information on the use and satisfaction with arbitration.

2. METHODOLOGY

2.1. Methodological and Sampling Approach

The method used in the endline survey involved collecting information from purposive sample of 500 respondents (as these give sufficient cases for statistical analysis) who were among those interviewed
during the baseline in 2013. The respondents were of three types: 1. Users of arbitration such as: construction industry (contractors/architectures/engineers), energy developers, mining, manufacturing, others businesses, government institutions, non-governmental organizations; 2) Financial institutions (users and advisers), 3) Legal professionals’ bodies (lawyers and judges) (see table 1). This method enabled information collected from a sample of 500 respondents during the baseline in 2013 and a sample of 500 respondents during the endline in 2015 to be analysed and compared for change. The consultant who successfully carried out the baseline survey was contracted to complete the projects endline survey, in order to minimize any methodological and sampling errors that could have developed if the survey was conducted by a different consultant.

Table 1: Purposely selected Sample of 500 Respondents

<table>
<thead>
<tr>
<th>Type of Respondents</th>
<th>Baseline (2013)</th>
<th>End line (2015)</th>
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<tbody>
<tr>
<td>Users (construction industry (contractors/architectures/engineers), energy developers, mining, manufacturing, others businesses, government institutions, non-governmental organizations)</td>
<td>275</td>
<td>275 (55%)</td>
</tr>
<tr>
<td>Financial institutions (users and advisers)</td>
<td>30</td>
<td>30 (6%)</td>
</tr>
<tr>
<td>Legal professional bodies((only lawyers, and judges))</td>
<td>195</td>
<td>195 (39%)</td>
</tr>
<tr>
<td>Total</td>
<td>500</td>
<td>(100)</td>
</tr>
</tbody>
</table>

2.2. Tools/Instruments

2.2.1. Validity

A survey questionnaire (see Appendix 3) was developed in English and translated in Kinyarwanda, reviewed, and validated by the senior researcher together with the Kigali International Arbitration Centre (KIAC) staff. The survey tool contained three parts of questions designed in relation to the survey objectives: 1) perceptions, effectiveness of communication, behaviour and attitude changes, 2) perceptions of stakeholders who have not heard about arbitration, and 3) satisfaction with arbitration.

2.2.2. Pilot Testing

Before data collection, a pilot test of the questionnaire was carried with a sample of 8 respondents/participants who were not part of the 500 sample but had similar characteristics as the
sampled participants. The piloted questionnaires were revised and changes incorporated in the final questionnaire.

**2.2.3. Ethical Considerations**
Participants in the study were asked to give their consent to participation in the study. They were informed that their names would not be mentioned in the report for confidentiality purposes. The names and contact telephone numbers of respondents to the survey would be stored in a secure location and separate from the storage of completed questionnaires to prevent data leakage.

**2.3. Data Collection**
The main data collection method used was a quantitative structured survey questionnaire over the telephone. The survey was conducted by enumerators or research assistants, each interview taking about 30-40 minutes.

Telephone interviews provided the opportunity to monitor the calls, quickly make follow ups with respondents if necessary, and conduct the survey in a short period of time.

Survey interviews using telephone have been used across the world to great advantage in recent years. Using telephone interviews reduced travel costs required to conduct the interviews in person and generally have a higher response rate. It helps the interviewer and the interviewee to provide clarification, probe for additional information or more complete answers, and to encourage answers to sensitive questions.

Telephone interviews are also faster to conduct than in person interviews. It is usually not necessary to first call the targeted respondents to set up an appointment for interview. If it were necessary to pre-arrange a time for the telephone interview with a particular respondent, an interview time could easily be set up or changed to suit the needs of the respondent. The interviewer could then proceed to the next call, thus making effective use of the interviewers' time. It may also easier to obtain the cooperation of busy executive respondents who are reluctant to arrange a personal interview in their offices.

With any survey, it is necessary to ensure that the recorded interviews actually took place as recorded by the interviewer. The standard practice is the supervisor or the senior researcher to follow-up a survey with
random calls to respondents to confirm the interview, with a typical follow-up rate of 20% to 25% of the total number of interviews. With a telephone survey, this follow-up check can occur simultaneously with the actual interviews as a supervisor can monitor on-going calls on a random basis.

2.4. Survey Period and Preparations

The senior researcher and consultant recruited the enumerators and provided them with a three day special training session to ensure that they had a basic understanding of the purpose of the survey, the terminology used, the matters being discussed in the survey, and telephone interview procedures. The interviewers were prepared to respond to anticipated questions and given standardised responses for requests for clarification. The telephone interviews were conducted from March 22nd to April 4th, 2015 by seven trained research assistant/enumerators. When conducting the interviews, the interviewers recorded the responses directly on a questionnaire sheet, which allowed the responses to be easily monitored by the senior researcher.

2.5. Data Entry and Cleaning

Data collected from respondents were entered directly into the Statistical Package for Social Sciences (SPSS) software by the enumerators after the interviews. The data was continuously monitored by the senior researcher and consultant during the entire period of data collection and entry. Upon review, the senior research and consultant sent comprehensive feedback to the teams regarding missing data, erroneous survey administration and any other problems regarding data collection. This enabled the data collection teams to correct any mistakes before hand and the data in ‘real time’. While entering data, inaccuracies and inconsistencies were checked for question by question, and the data were cleaned by the senior researcher and consultant.

2.6. Data Analysis

The Statistical package for social scientist (SPSS) software was used to analyze data. Descriptive statistics (percentages, means, standard deviations, etc) and graphical representations (pie charts and bar graphs) were used in the analysis of perception and awareness, effectiveness of communication methods.
Inferential statistics were used to assess attitudes and satisfaction. Attitudes was measured on a five-point, Likert-type scale that ranged from 1=strongly disagree to 5=strongly agree, and for Satisfaction measured a seven point scale that ranged from 1=completely dissatisfied, 2=mostly dissatisfied, 3=somewhat dissatisfied, 4= neither dissatisfied nor satisfied, 5=somewhat satisfied, 6=mostly satisfied, 7= completely satisfied. Where tests of significance are used, a minimum of a 95 per cent confidence level is used. This means that we can be 95 per cent certain that the differences between groups are not due to chance. Dependent t-test were carried out to determine the significance of differences between the baseline and endline data.

Latent variables measure underlying phenomena that are not directly measurable and even out random variation in response to a number of questions aimed at measuring the underlying phenomena. For example, deprivation is multi-dimensional so we ask a number of questions and combine the answers to create a deprivation scale. We construct scales by first testing that our variables are measuring the same thing. To do this we use factor analysis with varimax rotation.

Scales are then constructed from variables designed to measure the same underlying construct, for example attitude about arbitration and satisfaction with arbitration. We use scales because they even out variability and are more reliable than using single items to measure phenomena. The scales are constructed using Factor Analysis with varimax rotation and the reliability tested using Cronbach Alpha (CA). The normal acceptance for CA is a score of 0.75 and above. Factor Analysis enables us to identify the variables that are measuring the same thing and how much of the variance they explain. CA enables us to make certain that the variables are working together.

**3. PROFILE OF THE ENDLINE SURVEY RESPONDENTS**

This section presents the characteristics of participants who responded to the endline survey questionnaire. A total of 500 respondents were interviewed for the endline Survey.

The majority of respondents participating in the survey were male, 83 per cent, with 17 per cent being female.

*Figure 1: Gender of Respondents (n=500)*
Respondents’ ages ranged from 25 to 79 years with a mean of 42.6 and a median of 41 (Figure 2). The majority of respondents were heavily concentrated in midlife with a long tail to the oldest respondents.

Figure 2: Distribution for Age of Respondents (n=500)

The respondents are highly educated group and this suggests that they are also relatively wealthy. Figure 3 shows the highest level of education achieved by the respondents with over 50 per cent (91.2%) have degrees of whom, 57.4 percent have completed a first degree and 33.8 per cent have a postgraduate degree. Just 7.2 percent completed secondary school and only 1.6 per cent having no education or completed primary school.

Figure 3: Education level of Respondents (n=500)
Respondents working in legal professional bodies were 45.4% while respondents who were considered used were 54.6%. The greatest proportion of respondents who participated in the endline survey are members of Rwanda Bar Association (35.2%) followed by the construction industry (18.2%), government institutions (18.0%), finance institutions/banking/insurance (6.2%), manufacturing industry (6.0%), judiciary (4.4%), energy developers (3.4%), and mining (3.2%) (Figure 4).

Figure 4: Respondents Place of Work (n=500)
A large number of respondents (38%) hold senior management level positions in the institutions they work in such as permanent secretary, executive secretary, director general, mayor, managing partner, CEO, judge, etc, just 31 percent were lawyers/advocate, and legal advisors (13%). Others identified themselves under different positions as showed in Figure 5.
Figure 5: Respondents Work Position

4. ENDLINE SURVEY FINDINGS AND DISCUSSION

4.1. Introduction

This section presents respondents’ perceptions\(^5\) (awareness\(^6\), attitude\(^7\), behaviour\(^8\), and effectiveness of communication channels\(^9\), satisfaction\(^10\) with arbitration). As noted in some tables and figures, for some

\(^5\) A perception is an opinion or view about something. It is the way individuals, view, organise, interpret and makes sense of things.
variables percentages exceed 100 due to multiple responses to a particular question. For the purpose of analysis and in order to better understand respondents’ perceptions and awareness level of arbitration services, data as a whole was further compared by respondents’ institution of work, and or comparisons between baseline and endline.

4.2. Perceptions, Awareness, Understanding of KIAC Services and Arbitration Message

The first objectives or research question of the endline survey was to find out messages the target groups retained from the communication activities carried out by KIAC, and also find out whether the messages were accurate and contributing to increasing the level of awareness on KIAC services, and arbitration services in general; and

The second objective was to find out if the target group receiving the messages and tools understands the message and find out if their perceptions on ADR are changing.

Findings presented in Table 2 below shows change of respondents’ perceptions of arbitration both for the baseline and endline for the sample (500) as a whole. In 2013 during the baseline survey only 72.2 per cent of respondents indicated they were aware of KIAC, but that number increased highly to 96.6% for the endline survey. The number of respondents who indicated they did not know KIAC reduced sharply from 27.8% from the baseline to 3.4% in the endline.

More than 50 percent of respondents during the endline survey indicated that they heard KIAC through emails (58.2%), events (57.6%), and website (49.8%).

A large number of respondents (98%) in the endline survey indicated that KIAC provides arbitration compared to 55 per cent in the baseline; 83.8 per cent in endline indicated that KIAC provides mediation
services compared to 30.8 per cent in the baseline; and for training services (83.6%) in endline compared to 38.8 per cent in the baseline survey.

The survey sought further to assess respondents' awareness of arbitration and knowledge of the definition of arbitration. About 96.4 per cent of endline respondent indicated they had heard about arbitration compared to 88 per cent in the baseline. For the endline more than 80 per cent were able to define arbitration as private justice mechanism (87%), conducted by arbitrator (81.4%) compared to 78.4 per cent and 65.6 per cent respectively in the baseline. It is important to note that both in the baseline and endline respondents were split in halves or undecided on understanding whether arbitration is conducted by mediators.

Table 2: Changes in Respondents Perceptions, Awareness, Understanding of KIAC Services and Arbitration Messages

<table>
<thead>
<tr>
<th>Questions / Variables</th>
<th>Baseline, 2013</th>
<th>Endline, 2015</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Yes (%)</td>
<td>No (%)</td>
</tr>
<tr>
<td>Heard of KIAC</td>
<td>72.2</td>
<td>27.8</td>
</tr>
<tr>
<td>Last time heard of KIAC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-2013-2015</td>
<td>26.5 (2013-2014)</td>
<td>-</td>
</tr>
<tr>
<td>-2011-2012</td>
<td>46.7</td>
<td>-</td>
</tr>
<tr>
<td>-Do not Know</td>
<td>26.8</td>
<td>-</td>
</tr>
<tr>
<td>Source of awareness of KIAC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-KIAC Website</td>
<td>10.4</td>
<td>89.6</td>
</tr>
<tr>
<td>-Emails</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>-Social Networks</td>
<td>-</td>
<td>21.8</td>
</tr>
<tr>
<td>-Newspaper and Magazines</td>
<td>22.1</td>
<td>83.9</td>
</tr>
<tr>
<td>-Events</td>
<td>16.1</td>
<td>72.0</td>
</tr>
<tr>
<td>-Radio talk shows</td>
<td>11.0</td>
<td>89.0</td>
</tr>
<tr>
<td>-TV documentaries and live talk shows</td>
<td>3.8</td>
<td>97.0</td>
</tr>
<tr>
<td>-Road talk shows</td>
<td>3.1</td>
<td>96.9</td>
</tr>
<tr>
<td>-Telephone SMS</td>
<td>0</td>
<td>100</td>
</tr>
<tr>
<td>Services provided by KIAC</td>
<td></td>
<td></td>
</tr>
<tr>
<td>-Provides Arbitration services</td>
<td>55.0</td>
<td>45.0</td>
</tr>
<tr>
<td>-Provides Mediation services</td>
<td>30.8</td>
<td>69.2</td>
</tr>
<tr>
<td>-Provides Training services</td>
<td>38.8</td>
<td>61.2</td>
</tr>
<tr>
<td>-Provides Litigation services</td>
<td>3.8</td>
<td>96.2</td>
</tr>
<tr>
<td>Heard about Arbitration</td>
<td>88.0</td>
<td>12.0</td>
</tr>
<tr>
<td>If yes, arbitration definition</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

---

11 Multiple responses question
12 Ibid

End line Survey on Arbitration Services in Rwanda
The endline survey sought further to find out messages the target groups retained from the communication activities carried out by KIAC, whether the messages were accurate and contributing to increasing the level of awareness on KIAC services and arbitration services in general; and find out if the target group a understood the messages.

Findings presented in Table 3 below indicate that a large number of more than 60 per cent were able to differentiate between institutional arbitration carried out by KIAC and Ad hoc arbitration as follows: Institutional arbitration has a pre-established set of rules and procedure (89.6%), Arbitral institutions offer Administrative assistance to arbitral proceedings unlike in ad hoc (76.2%), In institutional arbitration, one may choose from qualified arbitrators to preside over their case, unlike in Ad Hoc (76.4%), Institutional arbitration (KIAC) scrutinizes the award unlike in Ad Hoc (64.8%), and KIAC provides advisory arbitration services than Ad Hoc arbitration (66.8%).

Furthermore, findings indicated that more than 70 per cent of respondent were able to understand arbitration messages delivered by KIAC through different communication channels. 70.4 per cent knew that KIAC delivers messages such as difference between institutional (KIAC) and Ad Hoc arbitration, Arbitration law and rules (82.6%), Arbitration proceedings (Commencement of arbitration, Arbitrators and arbitral tribunal, Award and its Reinforcement, Arbitration costs, Arbitration time, Arbitration clause) (77.2%). Note that respondents in the endline survey are almost split on understanding whether KIAC delivers mediation proceedings (57.8%), and contract management (41.6%).

A large number of respondents (84%) indicated that the arbitration message delivered by Kigali International Arbitration Center (KIAC) is accurate, and 91.1 per cent indicated that the message has helped them become aware of KIAC and arbitration services in general.

---

Table 3: Perception of Arbitration Services in Rwanda Baseline 2013, and Endline Survey, 2015

<table>
<thead>
<tr>
<th>Private justice mechanism</th>
<th>Conducted by arbitrator</th>
<th>Conducted by mediators</th>
<th>None of the above</th>
</tr>
</thead>
<tbody>
<tr>
<td>78.4</td>
<td>21.6</td>
<td>87.0</td>
<td>13.0</td>
</tr>
<tr>
<td>65.6</td>
<td>34.4</td>
<td>81.4</td>
<td>18.6</td>
</tr>
<tr>
<td>50.6</td>
<td>49.4</td>
<td>49.7</td>
<td>50.3</td>
</tr>
<tr>
<td>-</td>
<td>-</td>
<td>7.6</td>
<td>92.4</td>
</tr>
</tbody>
</table>

Source: Perception of Arbitration Services in Rwanda Baseline 2013, and Endline Survey, 2015

13 Ibid

End line Survey on Arbitration Services in Rwanda
However, more than 60 per cent indicated that there would like to have KIAC deliver to them more arbitration messages such as: Procedures of appointing arbitrators (71.0%), Advantages of using KIAC than other institutional arbitration in other countries (64.1%), More trainings on mediation (82%), and publications and updates of resolved disputes or cases and procedures used to settle disputes (50.6%).

Table 3: Respondents Perceptions, Awareness, Understanding of KIAC Services and Arbitration Message

<table>
<thead>
<tr>
<th>Questions’ Variable</th>
<th>Endline Responses Only</th>
</tr>
</thead>
<tbody>
<tr>
<td>Differentiation between institutional arbitration carried out by institution as KIAC from Ad Hoc arbitration</td>
<td></td>
</tr>
<tr>
<td>-Institutional arbitration has a pre-established set of rules and procedure</td>
<td>Yes (%) 10.4 No (%) 89.6</td>
</tr>
<tr>
<td>-Arbitral institutions offer Administrative assistance to arbitral proceedings unlike in ad hoc.</td>
<td>Yes (%) 23.8 No (%) 76.2</td>
</tr>
<tr>
<td>-In institutional arbitration, one may choose from qualified arbitrators to preside over their case, unlike in ad hoc</td>
<td>Yes (%) 23.6 No (%) 76.4</td>
</tr>
<tr>
<td>-Institutional arbitration (KIAC) scrutinizes the award unlike in Ad Hoc</td>
<td>Yes (%) 35.2 No (%) 64.8</td>
</tr>
<tr>
<td>-KIAC provides advisory arbitration services than Ad Hoc arbitration</td>
<td>Yes (%) 33.2 No (%) 66.8</td>
</tr>
<tr>
<td>-None of the above</td>
<td>Yes (%) 95.0 No (%) 5.0</td>
</tr>
<tr>
<td>Arbitration messages delivered by KIAC 15</td>
<td></td>
</tr>
<tr>
<td>-Difference between institutional (KIAC) and Ad Hoc arbitration</td>
<td>Yes (%) 29.6 No (%) 70.4</td>
</tr>
<tr>
<td>-Arbitration law and rules</td>
<td>Yes (%) 17.4 No (%) 82.6</td>
</tr>
<tr>
<td>-Arbitration proceedings (Commencement of arbitration, Arbitrators and arbitral tribunal, Award and its Reinforcement, Arbitration costs, Arbitration time, Arbitration clause)</td>
<td>Yes (%) 22.8 No (%) 77.2</td>
</tr>
<tr>
<td>-Mediation services and proceedings</td>
<td>Yes (%) 42.2 No (%) 57.8</td>
</tr>
<tr>
<td>-Contract management</td>
<td>Yes (%) 58.4 No (%) 41.6</td>
</tr>
<tr>
<td>-None of the above</td>
<td>Yes (%) 92.4 No (%) 7.6</td>
</tr>
<tr>
<td>Accuracy of arbitration message</td>
<td>Yes (%) 14.0 No (%) 84.0</td>
</tr>
<tr>
<td>Arbitration message helpful in awareness of KIAC, and arbitration services in general</td>
<td>Yes (%) 8.9 No (%) 91.1</td>
</tr>
<tr>
<td>Other arbitration messages respondents would like to know or have KIAC delivered to them 16</td>
<td></td>
</tr>
<tr>
<td>-Procedures of appointing arbitrators</td>
<td>Yes (%) 29.0 No (%) 71.0</td>
</tr>
<tr>
<td>-Advantages of using KIAC than other institutional arbitration</td>
<td>Yes (%) 35.9 No (%) 64.1</td>
</tr>
<tr>
<td>-More trainings on Mediation</td>
<td>Yes (%) 28.0 No (%) 82.0</td>
</tr>
<tr>
<td>-Publications/Updates of resolved disputes or cases and procedures used to settle disputes</td>
<td>Yes (%) 40.4 No (%) 50.6</td>
</tr>
</tbody>
</table>

Source: Perception of Arbitration Services in Rwanda Endline Survey, 2015

Even though KIAC stakeholders know the difference between the two forms of arbitration and indicated that they would use institutional arbitration in future, quite a large number of lawyers still prefer to use Ad Hoc arbitration or both.
Respondents when asked about preferred form of arbitration to use now or in future, 57.8 per cent indicated they would use institutional arbitration, just 14.4 per cent would use Ad Hoc, and interestingly 28% would prefer to use both institutional and Ad Hoc arbitration. *Main reason given is that unlike institutional arbitration, in Ad Hoc arbitration there are no fixed charges and the fee is negotiable on both sides; and mainly this explanation was provided by lawyers compared to other respondents* (Figure 7).

**Figure 7: Preferred Form of Arbitration to use Now and in Future (n=500)**

![Preferred Form of Arbitration](image)

Respondents indicated that if they were to use institutional arbitration KIAC would be their number one choice with just 58 per cent responses, other institutions (20%), and do not know responses (22.0%). (Figure 8).

**Figure 8: Preferred Institutions of Arbitration to use Now and in Future (n=500)**

![Preferred Institutions of Arbitration](image)
For the respondents who had heard or were trained or used KIAC services, a further question asked if they would use arbitration clause in their contract. 82 per cent indicated they would use arbitration clause in their contracts, and just 18 per cent responded to ‘No’ or did not know at the time the survey was carried out (Figure 9).

**Figure 9: Use of Arbitration Clause in Contracts Now or in Future (n=500)**

Despite the fact that the endline survey findings indicated increase and change in respondents’ perceptions’, awareness, understanding of KIAC and other ADR services, *KIAC need to put more effort in explaining to its stakeholders why it would the best institution to use than other arbitration institutions in other countries, and also why KIAC institutional arbitration is the best compared to Ad Hoc.*

In order to better know respondents’ *preferably* form of arbitration *for use now and in future*, data was further disaggregated by institution of work (Figure 10). A large number of respondents working in Rwanda Bar Association/lawyers (91%) indicated that they would prefer to use institutional arbitration, also 21 per cent indicated a preference of Ad Hoc arbitration, but also a large number (59%) prefer to use both forms of arbitration. Construction industry such as contractors, engineers, and architectures’ (57%) would use institutional arbitration but also 27 per cent indicated a preference of using both forms of arbitration. *This is a very important issue KIAC need to focus into if it wants all of its stakeholders to use KIAC in future.*

**Figure 10: Responses on’ Preferred Form of arbitration for use now or in future by Respondents’ Institution of Work**
4.3. Effective Communication Channels used by KIAC to reach out to Stakeholders

The third objective or research question was to assess whether the intended target group is being reached and if the communication channels/methods are working as perceived.

Figure 11 shows ranking of responses provided by respondents of the most effective communication channel KIAC used to advertise its services to its stakeholders in general. Responses are ranked in order
with the first most effective communication channel being events (64.2%), second most effective communication channel was KIAC website (63.8%), third channel was emails (60.6%). Almost 40 per cent indicated radio, TV and newspaper and magazines as the fourth most effective communicative channel. 36.8 per cent indicated social networks were the fifth channel effective, and others included Tel SMS and Road talk shows as least effective channels.

**Figure 11: Ranking of most effective communication channels KIAC used to advertise its services generally to stakeholders**

![Bar chart showing the ranking of most effective communication channels KIAC used to advertise its services generally to stakeholders.](chart-image)

*Source: Perception of Arbitration Services in Rwanda Endline Survey, 2015*

Also presented in Figure 12 below is the ranking of the most preferred method of communication through which KIAC communicated in person to individual stakeholders about the use of arbitration. The use of email (71.6%) was indicated as the first most preferable communication channel by which KIAC communicated to individual stakeholders, followed by events (49.2), Tel SMS (40%), and website (39.4%).
Figure 12: Ranking of most preferred channels of communication through which KIAC communicated to stakeholders in person/individually about the use of arbitration

![Bar chart showing the percentage of respondents for each communication channel.]

Source: Perception of Arbitration Services in Rwanda Endline Survey, 2015

Figure 13 shows that majority of respondents (84%) indicated that the above communication methods were very helpful to understand KIAC services and the use of Arbitration. Most importantly they were able to understand the difference between using arbitration from litigation in dispute resolution.

Figure 13: Helpfulness of the above communication channels
4.4. Attitudes and Behaviour change of Stakeholders on Arbitration Services

Source: Perception of Arbitration Services in Rwanda Endline Survey, 2015
The fourth objective or research question was to determine if there is behaviour change in the target group, find out if KIAC contribute to this behavioural shift and how, and determine which of KIAC’s messages and tools had an impact upon the target group, and which did not.

According to theories of behavior change, the theory of planned behavior suggests that behavior is dependent on one’s intention to perform the behavior. Intention is determined by an individual’s attitude (perceptions, beliefs and values about the outcome of the behavior) (Armitage, C., & Conner, M. (2001). Therefore behavior change may not always be the goal because it takes time to see, but it becomes a priority to change attitudes or public opinion about something. Normally, attitudes change before behaviors, but whatever the goal is, it is important to understand that attitudes change first. Also, Rogers 1995 diffusion of innovation theory suggests that knowledge precedes attitude, which in turn may influences behaviour. This approach urges that individuals first learn/gain knowledge (awareness, understanding) then develop a positive attitude (feelings) towards something, and after passing through these stages, engage in the behaviour change (practice the action). These approaches give a clear picture of understanding behaviour change, but first we analyse attitudes of respondents.

Figure 14 below presents respondents’ attitude of arbitration for the endline data. For the endline sample as a whole (n=500), attitudes on arbitration services was high. As described in the methods section we constructed a Composite Attitude Scale from the six variables that measure the respondents’ attitude on arbitration services (friendliness of arbitration, independence of arbitrators, and understanding of subject matter, time, cost, and satisfaction with arbitration compared to litigation). The scale goes from 0 to 30 and has a mean of 25.79 which converts to a mean of 4.26 on a 5 point scale. Figure 14 shows the normalized distribution for the Composite Attitude Scale, the variation around the sample mean, which is set at 0. The scale ranges from -5 to +5, indicating low variation with crowding around the sample mean with a skew to the middle-end to more of strong agreement with the statements. The normalized distributions of attitude scale per item are presented in Appendix 1.

Figure 14: Normalised Distribution of Composite Attitude Scale
Also, Table 4 below shows respondents’ change of attitudes when baseline data was compared to endline data with means on a five-point likert scale of attitude statements on arbitration services. A dependent T-test/paired t-test carried out to compare means of the baseline data (before) and endline (after) shows that there was change in respondents’ attitude to all statements with moderate evidence (P<0.05) following KIAC communication campaign.

On whether arbitrators are more likely to be independent than a judge when deciding on a case, there was a change of respondents attitudes between baseline (M=3.60 SD=0.985) and endline (M=4.03, SD=0.889). Also, change of attitude is noted on responding to whether arbitrators are more likely to understand the subject matters of the dispute than judges between baseline (M=3.65, SD=0.981) and endline (M=4.03, SD=0.858) survey.

Also, there was a slight change of attitude between respondents in baseline (M=4.10, SD=0.862) and endline (M=4.24, SD=0.871) who indicated agreement (agree) that arbitration is a friendly way resolving
commercial disputes and would be a preferred choice to litigation in courts, for local and foreign investors in Rwanda. Also, a slight change of attitudes of respondents on agreement that arbitration would take less time to reach a decision than litigation in baseline (M=4.22, SD=0.770) and endline (M=4.30, SD=0.786).

However, respondents were still undecided (weak evidence p<0.10) on arbitration being less costly than litigation between baseline (M=3.52, SD=0.084), and endline (M=3.46, SD=0.765); and arbitration generally being more satisfactory than litigation (M=3.92, SD=0.084) (M=3.93, SD=0.883) respectively.

*Given that there was change of respondents’ perceptions, awareness and understanding of KIAC and arbitration services and slight change of attitude between the baseline and endline (see table 2,3,4), and that is evident enough to show that there was a shift in behaviour change due to the intensive communication campaign and messages delivered by KIAC. However, it is still early at this point to observe fully if there was behaviour change which would be measured by the number of people using KIAC services and or using institutional arbitration as means of dispute resolution*

<table>
<thead>
<tr>
<th>Attitude Statements</th>
<th>Baseline (n=500)</th>
<th>Endline (n=500)</th>
<th>Sig, of Change–matched pairs t-test</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arbitration is a friendly way of commercial disputes resolution and would be a preferred choice to litigation in courts, for local and foreign investors in Rwanda</td>
<td>1 5 4.10 4.24</td>
<td>P&lt;0.05</td>
<td></td>
</tr>
<tr>
<td>Arbitrators are more likely independent than a judge when deciding on a case</td>
<td>1 5 3.60 4.03</td>
<td>P&lt;0.05</td>
<td></td>
</tr>
<tr>
<td>Arbitrators are more likely to understand the subject matters of the dispute than judges</td>
<td>1 5 3.65 4.06</td>
<td>P&lt;0.05</td>
<td></td>
</tr>
<tr>
<td>Arbitration would take less time to conclude to a decision than litigation</td>
<td>1 5 4.22 4.30</td>
<td>P&lt;0.05</td>
<td></td>
</tr>
<tr>
<td>Arbitration is less costly than litigation</td>
<td>1 5 3.52 3.46</td>
<td>P&lt;0.10</td>
<td></td>
</tr>
<tr>
<td>Arbitration is generally more satisfactory than litigation</td>
<td>1 5 3.92 3.93</td>
<td>P&lt;0.05</td>
<td></td>
</tr>
</tbody>
</table>

*means rated on a scale 1-5, with 1=Strongly disagree, 2=Disagree, 3=Not sure, 4=Agree, 5=Strongly agree

Source: Perception of Arbitration Services in Rwanda Baseline 2013 and Endline 2015

Mainly the arbitration messages that respondents retained and had much more impact on them were: the difference between institutional (KIAC) and Ad Hoc arbitration (70.4%), Arbitration law and rules (82.6%), Arbitration proceedings (Commencement of arbitration, Arbitrators and arbitral tribunal, Award and its
Reinforcement, Arbitration costs, Arbitration time, Arbitration clause) (77.2%). Mediation and contract management were not retained by respondents fully (see table 2).

4.5. Recommended Communication Channels/activity for Use if the Project was still Ongoing now or in Future

The fifth objective was to find out how the communications activities and channels be altered to better integrate the views and experiences of the target group into KIAC’s communication if the project is still ongoing.

General observation and analysis show that Events, KIAC website, Emails, Radio, TV documentaries, newspaper and magazines are the best communication channels KIAC can continue using to advertize its services generally to stakeholders. However, for KIAC to target individual people the use of emails, events, and Tel SMS were the most preferred communication channels to use.

In addition, presented in Figure 15 below are the ranking of the recommend communication channels through which KIAC can advertise itself and arbitration services to stakeholders in the East Africa region and Internationally. The use of KIAC website (71.6%) was recommended mostly, followed by use of professional bodies or association (60.8%) such as associations for engineers, architectures, bar associations in other countries, etc. Third recommended method was Newspapers and magazines (57.1%). Respondents suggested that KIAC can use existing airlines in Rwanda to put newspapers and magazine for travellers to read and spread KIAC arbitration services to other countries. Use of Emails (54.4%) was the fourth recommended method, fifth as social networks (53.7%), six as events (50.4%).

For domestic institutions or organizations or companies other suggestions from respondents included: KIAC delivering magazines and pamphlets or small booklet that have arbitration information to specific institution offices.

Figure 15: Recommend Communication method through which KIAC can advertise itself and arbitration services to stakeholders in the East Africa region and internationally
4.6. Satisfaction with Arbitration Services irrespective of whether it is KIAC or Other form

4.6.1. Use and form of Arbitration

Source: Perception of Arbitration Services in Rwanda Endline Survey, 2015
The six objective or research question was determine the level of satisfaction from clients who have used arbitration. Figure 16 shows that for the endline survey (n=500) only 41.4% (n=207) had used arbitration and 58.6% (n=293) did not use arbitration.

**Figure 16: Percentage of Respondents who have Used Arbitration for the baseline and endline survey**

![Bar chart showing percentage of respondents who used arbitration](image)

Source: Perception of Arbitration Services in Rwanda Endline Survey, 2015

For the endline survey only 73.9 per cent used Ad Hoc arbitration, 1.8 per cent used institutional arbitration and just 24. 4 per cent used both Ad Hoc and Institutional arbitration (Figure 17). Institutional arbitration centres used by respondents were mainly Kigali International Arbitration Centre (KIAC) and other in United States, Belgium, and the Netherlands.

**Figure 17: Form of Arbitration Used**
4.6.2. Level of Satisfaction of Arbitration irrespective of which form of arbitration used

For the endline for the sample as a whole (n=500), we also wanted to know the level of satisfaction of respondents who indicated they had used arbitration irrespective of which form of arbitration used. As described in the methods section we constructed a composite satisfaction scale from the seven variables that measure the respondents’ satisfaction with arbitration (competency of arbitrators, independence of arbitrators, effectiveness of the enforcement of the award, cost of arbitration, time taken to settle a dispute, impartiality of arbitrators, overall performance of arbitration services). The scale goes from 0 to 50 and has a mean of 46.19 which converts to a mean of 6.50 on a 7 point scale. Figure 19 shows the normalized distribution for the composite satisfaction scale, the variation around the sample mean which is set at zero. The scale ranges from -7 to +6, indicating low variation with crowding around the sample mean with a skew to the mid-end of a mostly satisfaction with arbitration services (Figure 18). The normalized distributions of satisfaction scale per item are presented in Appendix 2.

Figure 18: Normalised Distribution of Composite Satisfaction level Scale (n=207)
Further comparison of baseline and endline data, a dependent T-test/paired t-test carried out to compare means of the baseline data (before) and endline (after) shows that there was change in respondents’ level of satisfaction (p<.01) with arbitration services (table 5). For the endline most respondents who used arbitration were somewhat satisfied and mostly satisfied with arbitration with mean score for: competency of arbitrators (M=6.01, SD=0.997), independency of arbitrators (M=6.09, SD=1.011), effectiveness of the enforcement of the award (M=5.83, SD=1.189), cost of Arbitration (M=5.09, SD=1.588), time taken to settle a dispute (M=6.02, SD=1.249), impartiality of Arbitrators (M=5.79, SD=1.195), and overall performance of arbitration services (M=6.14, SD=1.018).

Table 5: Means showing baseline and endline comparison of Satisfaction level with Arbitration (n=207)
<table>
<thead>
<tr>
<th>Satisfaction Statement</th>
<th>n</th>
<th>Min</th>
<th>Max</th>
<th>Mean (Baseline 2013)</th>
<th>Mean (Endline 2015)</th>
<th>Sig, of Change—matched pairs t-test</th>
</tr>
</thead>
<tbody>
<tr>
<td>Competency of arbitrators</td>
<td>207</td>
<td>1</td>
<td>7</td>
<td>5.40</td>
<td>6.01</td>
<td>P&lt;0.01</td>
</tr>
<tr>
<td>Independency of arbitrators</td>
<td>207</td>
<td>1</td>
<td>7</td>
<td>5.53</td>
<td>6.09</td>
<td>P&lt;0.01</td>
</tr>
<tr>
<td>Effectiveness of the enforcement of the award</td>
<td>207</td>
<td>1</td>
<td>7</td>
<td>5.45</td>
<td>5.83</td>
<td>P&lt;0.01</td>
</tr>
<tr>
<td>Cost of Arbitration</td>
<td>207</td>
<td>1</td>
<td>7</td>
<td>5.49</td>
<td>5.09</td>
<td>P&lt;0.10</td>
</tr>
<tr>
<td>Time taken to settle a dispute</td>
<td>207</td>
<td>1</td>
<td>7</td>
<td>5.86</td>
<td>6.02</td>
<td>P&lt;0.01</td>
</tr>
<tr>
<td>Impartiality of Arbitrators</td>
<td>207</td>
<td>1</td>
<td>7</td>
<td>5.73</td>
<td>5.79</td>
<td>P&lt;0.01</td>
</tr>
<tr>
<td>Overall performance of Arbitration services</td>
<td>207</td>
<td>1</td>
<td>7</td>
<td>5.74</td>
<td>6.14</td>
<td>P&lt;0.01</td>
</tr>
</tbody>
</table>

*Means rated on a scale of 1 to 7, with 1=Completely dissatisfied, 2=Mostly dissatisfied, 3=Somewhat dissatisfied, 4= Neither dissatisfied or satisfied, 5=Somewhat satisfied, 6=Mostly satisfied, 7= completely satisfied

Source: Perception of Arbitration Services in Rwanda Baseline 2013 and Endline survey 2015

5. Conclusions, Implications and Recommendations
The main and general conclusion from the impact evaluation is that the intensive communication campaigns conducted and messages delivered by KIAC have probably had a positive impact on perceptions of arbitration and other ADR services.

**Objective 1&2**

Perception and awareness of KIAC increased from baseline 72.2% to 96.4% for the endline survey. Also, the number of respondents who indicated they did not know KIAC reduced from 27.8% in the baseline to 3.4% in the endline.

A large number of respondents (98%) in the endline survey indicated that KIAC provides arbitration compared to 55 per cent in the baseline; 83.8 per cent in endline indicated that KIAC provides mediation services compared to 30.8 per cent in the baseline; and for training services (83.6%) in endline compared to 38.8 per cent in the baseline survey.

About 96.4 per cent of endline respondent indicated they had heard about arbitration compared to 88 per cent in the baseline. For the endline more than 80 per cent were able to define arbitration as private justice mechanism (87%), conducted by arbitrator (81.4%) compared to 78.4 per cent and 65.6 per cent respectively in the baseline. *It is important to note that both in the baseline and endline respondents were split in halves or undecided on understanding whether arbitration is conducted by mediators.*

A large number of respondents of more than 60 per cent were able to differentiate between institutional arbitration carried out by KIAC and Ad hoc arbitration. More than 70 per cent of respondent were able to understand arbitration messages delivered by KIAC through different communication channels. *Note that respondents in the endline survey are almost split on understanding whether KIAC delivers mediation proceedings (57.8%), and contract management (41.6%).*

A large number of respondents (84%) indicated that the arbitration message delivered by Kigali International Arbitration Center (KIAC) is accurate, and 91.1 per cent indicated that the message has helped them become aware of KIAC and arbitration services in general.
However, more than 60 per cent indicated that they would like to have KIAC deliver to them more arbitration messages such as: Procedures of appointing arbitrators (71.0%), Advantages of using KIAC than other institutional arbitration in other countries (64.1%), more trainings on mediation (82%), and publications and updates of resolved disputes or cases and procedures used to settle disputes (50.6%).

Also, 57.8 per cent indicated they would use institutional arbitration, just 14.4 per cent would use Ad Hoc, and interestingly 27.8 would prefer to use both institutional and Ad Hoc arbitration. Main reason given as to why some respondents prefer to use both is that unlike institutional arbitration, in Ad Hoc arbitration there are no fixed charges and the fee is negotiable on both sides; and mainly this explanation was provided by lawyers compared to other respondents. However, respondents indicated that if they were to use institutional arbitration KIAC would be their number one choice with just 58 per cent responses, and 82 per cent indicated they would use arbitration clause in their contracts.

**Recommendation:** Despite the fact that the endline survey findings indicated increase and change in respondents' perceptions', awareness, understanding of KIAC arbitration and ADR services, *KIAC need to put more effort in explaining to its stakeholders why it would the best institution to use for arbitration than other arbitration institutions in other countries, and also why institutional arbitration is the best compared to Ad Hoc.*

Even though KIAC stakeholders know and understand the difference between the two forms of arbitration and indicated that they would use institutional arbitration in future, *quite a large number of respondents still prefer to use Ad Hoc arbitration (14%) or both(28%).*

When data was further disaggregated by institution of work to better know respondents' preferably form of arbitration for use now and in future, a large number of respondents working in Rwanda Bar Association/lawyers (91%) indicated that they would prefer to use institutional arbitration, also 21 per cent indicated a preference of Ad Hoc arbitration, but also a large number (59%) prefer to use both forms of arbitration. Construction industry such as contractors, engineers, and architectures' (57%) would use institutional arbitration but also 27 per cent indicated a preference of using both forms of arbitration.

**Recommendation:** *KIAC management need to focus into designing strategies it can use to attract a big number of stakeholders who still want to use Ad Hoc arbitration to change and use KIAC/institutional*
arbitration in future. One strategy is to come up with quality data from the cases that have already been resolved through KIAC and put them out there for awareness.

**Objective 3**

The first *most effective communication channel through which communicated its message* were events (64.2%), second most effective was KIAC website (63.8%), third channel was emails (60.6%).

The use of email (71.6%) was indicated as the first most *preferable communication channel which KIAC communicated to individual stakeholders*, followed by events (49.2), Tel SMS (40%), and website (39.4%). Majority of respondents (84%) indicated that *the above communication methods were very helpful to understand KIAC services and the use of Arbitration*. Most importantly they were able to understand the difference between using arbitration from litigation in dispute resolution.

**Objective 4**

Generally, there is *change of respondents’ perceptions, awareness and attitude towards arbitration* and that is evident enough to show that there was a *shift in behaviour change due to the intensive communication campaigns conducted and messages delivered by KIAC*. However, it is still early at this point to observe fully if there was behaviour change; which would be measured by the number of people using KIAC services and or using arbitration as means of dispute resolution.

**Recommendation:** Another survey needs to be conducted after 3-5 year to observe full behaviour change, given that the current survey was conducted just after one year which is short period to observe change.

**Objective 5**

**Recommendation:**

If KIAC was to alter its communication channels, the use of KIAC website (71.6%) was recommended mostly and respondents recommended that information on website be put into three different languages (English, French, Kinyarwanda). The second recommended method was use of
professional bodies or association (60.8%) such as associations for engineers, architectures, bar associations in other countries, etc. Third recommended method was Newspapers and magazines (57.1%). On this point respondents suggested that KIAC can use existing airlines in Rwanda to put newspapers and magazine for travellers to read and spread KIAC arbitration services to other countries. Use of Emails (54.4%) was the fourth recommended method, fifth as social networks (53.7%), six as events (50.4%).

For domestic institutions or organizations or companies other suggestions from respondents included: KIAC delivering magazines and pamphlets or small booklet that have arbitration information to specific institution offices.

**Objective 6**

There is a major *difference in respondents’ level of satisfaction* with the arbitration between baseline and endline irrespective of the form of arbitration used. *There is a skew to mostly satisfied responses in the endline survey* and mean average rating ranged from 5.09 to 6.14. While in the *baseline satisfaction level was heavily concentrated to responses of “somewhat satisfied”* with means average rating ranged from 5.40 to 5.74. *(Table 5)*

**Recommendations:** There is need to carry out another survey after 3-5 years to determine satisfaction level of stakeholders who have only used KIAC/institutional arbitration.

6. Clients’ Satisfaction and Investors Confidence after use of KIAC Arbitration Services

Additional clients’ satisfaction and Investors Confidence after use of KIAC arbitration services was determined through a mini survey questionnaire administered to a small targeted number of people who had used only KIAC (see Appendix 4). The results in appendix 4 responded by 24 people who were sent the survey by email are summarized below.
Role in Arbitration and rendering of award

- Out of 23 people only 11 were Arbitrators, 9 were party representatives, 3 claimants.
- Majority nine (9) people out of 22 indicated the award was rendered by the arbitral tribunal three months, while 6 people indicated award rendered six month ago.

Contact with the Secretariat

- Out of 21 people, majority 12 indicated that the KIAC secretariat handling of their file in terms of being helpful was very good.
- Out of 21 people, majority 10 indicated that the KIAC secretariat handling of their file in terms of availability was excellent.
- Out of 21 people, majority 9 indicated that the KIAC secretariat handling of their file in terms of being well informed of the file was very good.
- Out of 21 people, majority 10 indicated that the KIAC secretariat handling of their file in terms of reliability was excellent.
- Out of 20 people, majority 10 indicated that the KIAC secretariat handling of their file in terms of politeness was very good.

Financial Aspects

- Majority of eight (8) out of 20 people rated cost/ benefit ratio of KIAC arbitration procedure as compared with Court procedures as good.
- Majority of seven (7) people out of 19 rated cost/ benefit ratio of KIAC arbitration procedure as compared with Ad Hoc arbitration as very good.
- A majority of five (5) people out of 13 rated cost/ benefit ratio of KIAC arbitration procedure as compared with arbitration administered by other institutions as very good.

Party Involvement in the Arbitration proceedings

- A majority of ten (10) people out of 22 who responded indicated that their involvement in the arbitration proceedings from the filing to the closing of the hearing was very good.

Confidentiality

- Out of 24 people a majority of 13 indicated that confidentiality during the arbitration proceedings was excellent.
Twenty one (21) people responded ‘yes’ meaning that their consider confidentiality important for their arbitration case.

**Speed**

- Ten (10) people believe that the speed of the entire arbitration proceedings of their case is just good.

**Challenge of the award**

- Half of the people (10) who responded indicated that one of the party challenged the award in court.

**Overall satisfaction with KIAC services**

- Twelve (12) people out of 24 who answered rated the overall quality of services during KIAC arbitration as very good.
- Nineteen (19) people out of 23 who responded indicated that they would use KIAC arbitration clause in their future contracts.

**Enforcement**

- Eight (8) people said ‘no’ to the question whether the losing party enforced the award voluntary.
- Six (6) people indicated that it took them three to six month to enforce their award.

**Conclusions**

Generally, clients had a positive satisfaction with KIAC arbitration services. Majority (12 people) indicated that the overall quality of the services during KIAC arbitration was very good, and a larger number (19 people) indicated that they would put KIAC arbitration clause in their contract as of the time they survey was carried out.

For contract enforcement as showed in the results above, eight (8) people said ‘no’ and seven (7) said ‘yes’ to the question whether the losing party enforced the award voluntary. A follow question asking how long it took to enforce their award shows that majority indicated three to six months.
Appendix 1: Normalized Distribution of Attitude Scale per Item of Arbitration
Zscore: Arbitration is a friendly way of commercial disputes resolution and would be a preferred choice to litigation in Courts for local and foreign investors in Rwanda

Zscore: Arbitrators are more likely independent than a judge when deciding on a case
**Zscore:** Arbitrators are more likely to understand the subject matters of the dispute than judges

![Graph showing frequency distribution with mean, standard deviation, and sample size.]

**Zscore:** Arbitration would take less time to conclude to a decision than litigation

![Graph showing frequency distribution with mean, standard deviation, and sample size.]

End line Survey on Arbitration Services in Rwanda
End line Survey on Arbitration Services in Rwanda
Appendix 2: Normalized Distribution of Satisfaction level Scale per Item of Arbitration
End line Survey on Arbitration Services in Rwanda

**Zscore: Effectiveness of the enforcement of the award**

- Mean = 2.00E-15
- Std. Dev. = 1.00000
- N = 207

**Zscore: Cost of Arbitration**

- Mean = -2.78E-16
- Std. Dev. = 1.00000
- N = 207
**Z-score: Time taken to settle a dispute**

Mean = 5.55E-16
Std. Dev. = 1.000000
N = 207

**Z-score: Impartiality of Arbitrators**

Mean = -5.00E-16
Std. Dev. = 1.000000
N = 207

End line Survey on Arbitration Services in Rwanda
Zscore: Overall performance of Arbitration services

Mean = -7.77E-16
Std. Dev. = 1.80000
N = 207
Appendix 3: Survey Questionnaire

PERCEPTIONS, COMMUNICATION AND IMPACT ASSESSMENT ENDLINE SURVEY ON ARBITRATION AND OTHER ALTERNATIVE DISPUTE RESOLUTION (ADR) SERVICES IN RWANDA

STRUCTURED QUESTIONNAIRE

Respondent Identification name and telephone: ___________________________________________

Person Interviewing (Research Assistant Name): ___________________________________________

Good morning/afternoon/evening. My name is _______. I am working on a project with the Kigali International Arbitration Centre (KIAC) entitled: “Perceptions, Communication and Impact Assessment Endline Survey on Arbitration and other Alternative Dispute Resolution (ADR) Services in Rwanda”. KIAC has communicated its arbitration services to stakeholders and thus KIAC would like to know the effectiveness and impact of the communication methods and whether the perception of the stakeholders has changed and are satisfied with the KIAC arbitrations services over the past one year.

We are interviewing a large number of people, and when we have completed all the interviews we will analyze the data and write a report for KIAC. I will ask you some questions and coding your answers. No one will be named in the report and I will not record your name on the questionnaire I am completing. Your telephone number was selected randomly without any criteria.

Can you spare a few minutes to answer a few questions for us?

If No – thank you! Nibayanze, Mushimire urekeraho!

If Yes --- Thank you for agreeing to answer our questions. Niba ari yego, Mushimire ukomeze kubibazo!

DEMENOMIC PROFILE QUESTIONS

(Assk all respondents/baza ibi bibazo buri muntu kuri liste)
Qn. 1. Gender/Igitsina
   1. Male/Gabo
   2. Female/Gore

Qn. 2. Age at last birthday/Imyaka yawe ningahe

Qn. 3. Can you tell me your highest level of education? Ushobora kumbwira ikiciro cyanyuma
cy’amashuri warangije?
   1. None, never attended school/Ntamashuri nize
   2. Incomplete primary/Ntabwo narangije amashuri abanza
   3. Completed Primary/Narangije amashuri abanza
   4. Completed Junior Secondary/Narangije ikiciro rusanije cyamashuri yisumbuye
   5. Completed Senior Secondary/Narangije amashuri yisumbuye
   6. Completed University/Narangije Kaminuza
   7. Graduate or Post graduate (Masters & above)/Ikiciro cya gatatu cya kaminuza
cyagwa dogitora

Qn. 4. Which of the following institution do you belong or work for? Mbwira muri ibibigo bikurikira aho
ubarizwa cyangwa ukorera
   1. Government Institution/ikigo cya leta
   2. Rwanda Bar Association (Lawyers in private independent practice)/Urugaga rwab’abavoka
   3. Judiciary/Inzego z’ubucyamanza
   4. Financial institution/Banking/Insurance/Ikigocy’imari/Banki/Ubwishingizi
   5. Construction Industry (Contractor, Engineer, Architecture)/Urugaga rw’ubwubatsi
   6. Mining/uruganda dw’ubucukuzi bwamabayu y’agaciro
   7. Energy developers/uruganda ruteza imbere amashanyarazi
   8. Manufacturing Industry/uruganda rukora ibintu bitandukanye
   9. Others (please specify)/ibindi________________________

Qn. 5. What position do you occupy in your organization/Institution? Ni uwuhe murimo ushinzwe
mukigo ukoreramo?
   1. Senior management level/Urwege rukuru rw’ubuyobozi(Permanent secretary, Executive secretary, Director General, Mayor, Managing partner, CEO, Judge, State Attorney, etc)
   2. Legal Advisor/umujyanama muby’amategeko
   3. Procurement Advisor/umujyanama ushizwe itagwa ry’amasoko y’ikigo
   4. Avocuray/Lawyer/Umunyamatageko
   5. Others (please specify)/ibindi________________________

PART 1: PERCEPTIONS, EFFECTIVENESS OF COMMUNICATION, BEHAVIOR and ATTITUDE
CHANGES

A. Perceptions/Awareness/Understanding of KIAC Services, &Arbitration Messages
Qn. 6. Have you heard about Kigali International Arbitration Centre (KIAC)?

1. No/Oya
   If No, Ask Qn 9 and Continue
2. Yes/Yego
   If Yes/Yego, when is the last time you heard of Kigali International Arbitration Centre (KIAC)?
   1) 2013-2015
   2) 2011-2012
   3) Other _________

Qn. 7. Where did you hear about Kigali International Arbitration Centre (KIAC)?

Please (the interviewer) should tick all that apply from the respondent/

1. KIAC Website (Site ya interineti ya KIAC)
2. Emails/ubutumwa bwanditse hakoreshewe interineti)
3. Social networks (YouTube, Twitter, FaceBook, LinkedIn, etc)/imbuga nkoranya mbaga
4. Newspapers, Magazines/ibinyamakuru byanditse
5. Events(seminars, workshops, conferences, seminars, meetings/symposium, trainings)/Inama, amahugurwa, ibiganiro nyungurana bitekerezo
6. Radio/Radiyo
7. Live Talk show and Documentaries on TV/Televiziyo
8. Road talk shows/ gusanga abantu aho bakorera
9. Telephone SMS/ubutumwa bwanditse hakoreshwiwe telephoni
10. Others (Please specify)/ibindi_________________

Qn. 8. What services does Kigali International Arbitration Centre (KIAC) provide?

Please (the interviewer) should tick all that apply from the respondent/

1. Provides Arbitration services/serivise y'ubukemurampaka
2. Provides Mediation services/Serivise y’ubuhuza
3. Provides Training services/serivise z’amahugurwa
4. Provides Litigation services/serivise z’ubucamanza
5. Others (please specify)/ibindi_________________

Qn. 9. Have you heard about Arbitration?

1. No/Oya If No Please read the definition of arbitration below to the respondent and Ask only Qns 27-31 and stop/ Niba ari Oya, sobanura ubukemurampaka , hanyuma ubaze Qn 27-31 kandi urekere aho

Arbitration is a form of alternative dispute resolution (ADR), a legal technique for the resolution of disputes outside the courts. Using this approach, the disputing parties willingly approach one or more persons (the “arbitrators”, or “arbitral tribunal”), by whose decision (the “award”) is binding. It is a resolution technique in which a third party reviews the evidence in the case and imposes a decision that is legally binding for both sides and enforceable like a court judgment.
2. Yes/Yego, Ask Qns from 10-26 only / Niba ari yego, sobanura ubukemurampaka , hanyuma ubaze Qn 10-26

If Yes, Which of the following definitions best describes arbitration?/ Niba ari Yego, mu busobanuro bukurikira ni ubuhe bujiyanse nabyo?
1) Arbitration is a private justice mechanism/ Ubukemurampaka ni uburyobwo gukemera impakabidakozwe n’inkiko
2) Arbitration is conducted by arbitrators/ Ubukemurampaka bukorwa n’abacyemurampaka
3) Arbitration is conducted by mediators/ Ubukemurampaka bukorwa n’abahuza
4) All the above/ ibivuze haruguru byose ni ukuri
5) None of the above/ Ntanakimwe cy’ukuri mubyavuzwe haruguru

Qn. 10. Have you used Arbitration?/ Waba warakoresheje Ubucemurampaka?
1. No/ Oya
2. Yes/ Yego, Yes, Ask Qns 11-26, and 32)
   If Yes, which form of arbitration did you use?/ Niba yego, nubuhe bukemurampaka wakoresheje? Please (the interviewer) should tick all that apply from the respondent/ wowe ubaza shyira akamenyetso ku bisubizo byose ubahwa
   1. Ad hoc arbitration/informal/ ubucemurampaka butakorewe mukigo cyabugenewe
   2. Institutional Arbitration/ ubukemurampaka bwakorewe mukigo kemewe namategeko
   3. Both/ Bwombi

If institutional arbitration which one?/ Niba ari ubukemurampakabwakorewe mukigobwemewe kandi bushingiye kumategeko, nikihe kigo?
1) KIAC (Kigali International Arbitration Centre)/ ikigo mpuzamahanga cy’ubukemurampaka cya kigali
2) ICC (International Commercial Court) in Paris/ urukiko mpuzamahanga rwubucuruzi rwi Paris
3) LCIA (London Court of International Arbitration)/ urukiko mpuzamahanga rwubukemurampaka rw’i London
4) Other (please specify)/ Ibindi __________

Qn. 11. If you decide to use arbitration now or in future, which form of arbitration would you prefer to use?/ Uramutse uhisemo gukoresha cyangwa kuzakoresha ubukemurampaka mugihe kir’imbere, nubuhe wahitamo gukoresha?
1. Institutional arbitration/ Ubukemurampaka bukorwerwa mukigo bwemewe kandi bushingiye kumategeko.
   (If institutional which one)/ Ubukemurampaka bwikihe kigo? ______________
2. Ad Hoc arbitration/ ubucemurampaka butakorerwa mukigo cyemewe namategeko.
3. Both/ Bwombi

Qn. 12. Which of the following best differentiates institutional arbitration carried out by institution such as KIAC from Ad Hoc arbitration? / Muri ibi bikurikira, nubuhe busobanuro wunwa bunoze busobanura neza ubukemurampaka butangwa na KIAC ugereranyije nubukemurampaka butakorerwa mukigo cyabugenewe
Please (the interviewer) should tick all that apply from the respondent/ wowe ubaza shyira akamenyetso ku bisubizo byose ubahwa
1. Institutional arbitration has a pre-established set of rules and procedure:
   Institutional arbitration services in Rwanda have a pre-established set of rules and procedures, as set by the Kigali International Arbitration Centre (KIAC).

2. Arbitral institutions offer Administrative assistance to arbitral proceedings unlike in ad hoc.:
   Unlike ad hoc arbitration, institutional arbitration provides administrative assistance to the arbitrators.

3. In institutional arbitration, one may choose from qualified arbitrators to preside over their case, unlike in ad hoc:
   Institutional arbitration allows parties to choose qualified arbitrators, unlike in ad hoc arbitration.

4. Institutional arbitration (KIAC) scrutinizes the award unlike in Ad Hoc:
   KIAC examines and scrutinizes the final award, unlike ad hoc arbitration.

5. KIAC provides advisory arbitration services than Ad Hoc arbitration:
   KIAC offers advisory arbitration services, whereas ad hoc arbitration does not.

6. All the above:
   All the above points are true for institutional arbitration.

7. None of the above:
   None of the above points is applicable to the current situation.

B. Effectiveness of Current Communication Methods Used by KIAC

Qn. 13. What do you think was the most effective communication method Kigali International Arbitration Centre (KIAC) used to advertise its services to its stakeholders?

Please (the interviewer) should tick all that apply from the respondent:

1. KIAC Website (Site ya interineti ya KIAC)
2. Emails (ubutumwa bwanditse hakoreshe interineti)
3. Social networks (YouTube, Twitter, FaceBook, LinkedIn, etc)/imbuga nkoranya mbaga
4. Newspapers, Magazines (ibinyamakuru byanditse)
5. Events (seminars, workshops, conferences, seminars, meetings/symposium, trainings)/Inama, amahugurwa, ibiganiro nyungurana bitekerezo
6. Radio (Radiyo)
7. Live Talk show and Documentaries on TV (Televiziyo)
8. Road talk shows (gusanga abantu aho bakorera)
9. Telephone SMS (ubutumwa bwanditse hakoreshwjwe telephoni)
10. Others (Please specify)/ibindi ____________

Qn. 14. Which of the following, was the most preferred method of communication through which KIAC communicate to you about the use of arbitration?

Please (the interviewer) should tick all that apply from the respondent:

1. KIAC Website (Site ya interineti ya KIAC)
2. Emails (ubutumwa bwanditse hakoreshe interineti)
3. Social networks (YouTube, Twitter, FaceBook, LinkedIn, etc)/imbuga nkoranya mbaga
4. Newspapers, Magazines (ibinyamakuru byanditse)
5. Events (seminars, workshops, conferences, seminars, meetings/symposium, trainings)/Inama, amahugurwa, ibiganiro nyungurana bitekerezo
6. Radio (Radiyo)
7. Live Talk show and Documentaries on TV (Televiziyo)
8. Road talk shows (gusanga abantu aho bakorera)
9. Telephone SMS (ubutumwa bwanditse hakoreshwjwe telephoni)
10. Others (Please specify)/ibindi ____________
Qn. 15. Did those communication methods help you understand KIAC services and the use of Arbitration?

Ese ubwo buryo bwa communication bwakoreshejwe bwaba bwaragufashize kunva no kumenya serivisi za KIAC nuko ubukemurampaka bukorwa?

1. No/Oya
   If No, explain how it should have been done differently? Niba ari Oya byari gukorwa gute?__________________

2. Yes/Yego /
   If yes, explain how the method was helpful?/ Niba ari Yego, sobanura neza uko byagufashize? __________________

Qn. 16. What arbitration messages did KIAC deliver through the communication method you just mentioned before?

Nizihe message zubukemurampaka KIAC yatanze cyangwa yabagejejeho bakoresheje uburyo bwa communication umaze kuvuga?

Please (the interviewer) should tick all that apply from the respondent/ wowe ubaza shyira akamenyetso ku bisubizo byose uhabwa

1. Difference between institutional (KIAC) and Ad Hoc arbitration/ Itandukaniro hagati yubukemurampaka bukorewe mukigo bwemewe namategeko nubukemurampaka budakorewe mukigo.
2. Arbitration law and rules/ Amabwiriza namategeko yubukemurampaka
3. Arbitration proceeding (Commencement of arbitration/ gutangiza ubukemurampaka, Arbitrators and arbitral tribunal/ akanama kagize abakemurampaka, Award and its Reinforcement/ Gufata Umwanzuro no kuwushira mubikorwa, Arbitration costs/ ikiguzi kubukemurampaka, Arbitration time/ igihe gifata ubukemurampaka, Arbitration clause)/ ingingo y’ubukemurampaka
4. Mediation services and proceedings/ Serivisi zubuhuza
6. All the above/ ibivuzwe haruguru byose ni ukuri
7. None of the above/ Ntanakimwe cy’ukuri mubyavuzwe haruguru

Qn. 17. Was that arbitration message accurate and did it help you become aware of KIAC, and arbitration services in general?

Iyo message yubucemurampaka yari ukuri nyako? Ese iyo message yaba yaragufashije gusobanukirwa nibijanye nubukemurampaka muri rusange?

1. No/Oya
   If No, Explain why it was not accurate and helpful?/ Niba ari Oya sobanura impamvu utasobanukiwe__________________
2. Yes/ Yego
   If Yes, explain how it was accurate and helpful?/ Niba ari Yego, sobanura neza uko ubwo butumwa bwagufashije mukumenya KIAC nubukemurampaka?

Qn. 18. What other arbitration messages would you like to know or have KIAC deliver to you?/ Niyihe message yindi yubukemurampaka wunva ukeneye kumenya ushaka ko KIAC yagufashamo?
   Please explain / sobanura neza___________________________

Qn. 19. Which communication method would you recommend KIAC to advertise itself and arbitration services to outside stakeholders in the East Africa region and internationally? Ni ubuhe buryo bwa communication bunzo KIAC yamenyekanisha serivise itanga kubafatanya bikorwa baba muri East Africa, no mumahanga kure?
   Please (the interviewer) should tick all that apply from the respondent/ wowe ubaza shyira akamenyetso ku bisubizo byose uhubwa
   1. KIAC Website(Site ya interineti ya KIAC)
   2. Emails/ubutumwa bwanditse hakoreshehe interineti)
   3. Social networks (YouTube, Twitter, FaceBook, LinkedIn, etc)/imbuga nkoranya mbaga
   4. Newspapers, Magazines/ibinyamakuru byanditse
   5. Events(seminars, workshops, conferences, seminars, meetings/symposium, trainings)/inama, amahugurwa, ibiganiro nyungurana bitekerezo
   6. Radio talk shows/Radiyo
   7. Live talk shows and Documentaries on TV/Televiziyo
   8. Professional bodies/associations/forum/ amashirahamwe yaba nyamyuga
   9. Others (Please speb city)/ibindi___________

Qn. 20. Would you use KIAC arbitration clause in your contract today?/ Ubu wakoresha ubukemurampaka bwa KIAC mumasezerano yakazi?
   (This question is for those who have heard/ or were trained or used KIAC)
   1. Yes/Yego
   2. No/Oya
   3. Do not Know/ Ntabyo nzi

C. Attitude towards Arbitration
I am going to ask you a series of questions for each on a scale of 1-5, can you say if you Strongly disagree, Disagree, Not sure, Agree, Strongly agree with the following statements/Ngiye kukubaza urutonde rwibibazo. Subiza ukoreshehe urwego ruva kuri 1-5, ushobora kumbwira niba, 1=utemerenya nagato, 2=utemerenya, 3=ushidikanya, 4=wemeranya, 5=wemeranya cyane,

Qn. 21. You think Arbitration is a friendly way of commercial disputes resolution and would be a preferred choice to litigation in Courts, for local and foreign investors in Rwanda/ utekereza ko ubucemurampaka ari uburyo bwakivandimwe bwo gucemura amakimbirane mubucuruzi, ndetse nibwo buryo abashoramari bo murwanda n’abanyamahanga bahitamo kuruta inkiko zisazwe z’urwanda

End line Survey on Arbitration Services in Rwanda
Qn. 22. You think Arbitrators are more likely independent than a judge when deciding on a case (do not ask this question to judges)/Utekereza ko abakemurampaka bafite ubwigenge kurusha abacamanza iyo bafata imwanzuro kurubanza/ iki kibazo kitabazwa aba abacamanza

Qn. 23. Arbitrators are more likely to understand the subject matters of the dispute than judges /Utekereza ko abacemurampaka basobanukirwa cyane/ neza n’imiterere y’urubanza kuruta inkiko zisazwe

Qn. 24. You think Arbitration would take less time to conclude to a decision than litigation/ Utekereza ko abacemurampaka bukoresha igihe kigufi/gito kugera kumwanzuro kuruta inkiko zisanzwe

Qn. 25. You think Arbitration is less costly than litigation/ Utekereza ko ubacyemurampaka buhendutse kurusha inkiko zisazwe

PART II: PERCEPTIONS OF STAKEHOLDERS WHO HAVE NOT HEARD ABOUT ARBITRATION
(This section should be asked only to people who respondent “NO” to Qn 9--have not heard about arbitration).

Qn. 27. Would your organization or business company be interested in learning about Kigali International Arbitration Centre (KIAC) and arbitration services? Ikigo cyagwa societe ukoramo cyaba cyifuza kumenya ibijanye n’ikigo mpuzamahanga cy’ubukemurampaka cya Kigali (KIAC) na service zacyo?
   1. No/Oya
   2. Yes /Yego
   3. Do not know /Simbizi

Qn. 28. If your organization or business company gets involved in dispute would you consider using arbitration in resolving disputes?/Niba ikigo cyagwa societe yubucuruzi ukoramo igize ibibazo bishingiye kumasezerano, wumva wakoresha ubukemurampaka mukubikemura?
1. No /Oya (If No, ask Only Qn. 29, and Stop)/Niba ari Oya baza Qn 29, hanyuma urekere aho
2. Yes/ Yego (If yes, ask Qns. 30, 31 and stop)/ Niba ari Yego, baza Qn. 30, 31, hanyuma urekere aho
3. Do not Know (If do not know, Ask Qns 30, 31, and Stop)

Qn.29. Why would you not use Arbitration as a method of solving dispute? /Kuki mutakoresha ubucemurampaka mugukemera impaka?

Please (the interviewer) should tick all that apply from the respondent/ wowe ubaza shyira akamenyetso ku bisubizo byose uhabwa
1. Do not know about arbitration and KIAC/ Ntabwo nsobanukiwe ubucemurampaka na KIAC
2. Lack of trust of arbitrators/ Ntabwo nizera abacomurampaka
3. Arbitration is expensive/costly/ Ubukemurampaka burahenze
4. Arbitration takes much time/ Ubukemurampaka bufata umwanya muremure
5. Others (please specify)/ Ibindi __________________

Qn.30. Which communication method would you recommend to Kigali International Arbitration Centre (KIAC) to advertise its services? Ni ubuhe buryo mwumva murubu bukurikira bunoze bwatuma KIAC imenyekanisha serivise itanga muri rusange?

Please (the interviewer) should tick all that apply from the respondent/ wowe ubaza shyira akamenyetso ku bisubizo byose uhabwa
1. KIAC Website(Urubuga rwa KIAC)
2. Emails/ ubutumwa bwanditse hakoreshwe interineti)
3. Social networks (YouTube, Twitter, FaceBook, LinkedIn, etc)/imbuga nkoranya mbaga
4. Newspapers, Magazines/ ibinyamakuru byanditse
5. Events(seminars, workshops, conferences, seminars, meetings/symposium, trainings)/Inama, amahugurwa, ibiganiro nyungurana bitekerezo
6. Radio/Radiyo
7. Live Talk show and Documentaries on TV/Televiziyo
8. Road talk shows/ gusanga abantu aho bakorera
9. Telephone SMS/ ubutumwa bwanditse hakoreshjwe telephoni
10. Others (Please specify)/ Ibindi __________________

Qn.31. Which of the following is the preferred method of communication to you through which KIAC can communicate in person about the use of arbitration? /Ni ubuhe muri ubu buryo bukurikira wifuzu ko KIAC yakumenyeshamo ibijanye n'ubukemurampaka.

Please (the interviewer) should tick all that apply from the respondent/ wowe ubaza shyira akamenyetso ku bisubizo byose uhabwa
1. KIAC Website(Urubuga/Site ya interineti ya KIAC)
2. Emails/ ubutumwa bwanditse hakoreshwe interineti)
3. Social networks (YouTube, Twitter, FaceBook, LinkedIn, etc)/imbuga nkoranya mbaga
4. Newspapers, Magazines/ ibinyamakuru byanditse
5. Events(seminars, workshops, conferences, seminars, meetings/symposium, trainings)/Inama, amahugurwa, ibiganiro nyungurana bitekerezo
6. Radio/Radiyo
7. Live Talk show and Documentaries on TV/Televiziyo
8. Road talk shows/ gusanga abantu aho bakorera
9. Telephone SMS/ ubutumwa bwanditse hakoreshjwe telephoni
10. Others (Please specify)/ Ibindi __________________

PART III: SATISFACTION with ARBITRATION Irrespective of form of arbitration used
Questions MUST BE ASKED only respondents who have only used Arbitration /Ibibazo bikurikira bigomba kubazwa abantu bakoresheje ubukemurampaka gusa

Qn. 32. Imagine a steep ladder with seven steps. Where would you place yourself in terms of satisfaction with the following Arbitration services----with: Tekereza ukoresheje urwego rwa 1-7, wunva wakwishira he mukunyurwa kwawe nibi bikurikira bijyanye n’ubukemurampaka---aho

1=Completely dissatisfied, 2=Mostly dissatisfied, 3=Somewhat dissatisfied, 4= Neither dissatisfied or satisfied, 5=Somewhat satisfied, 6=Mostly satisfied, 7= completely satisfied
1=Sinanyuzwe nagato, 2=Sinanyuzwe, 3=Sinanyuzwe neza, 4=Sinavuga ko ntanyuzwe cyagwa nanyuzwe, 5=Nanyuzwe gato, 6=Naranyuzwe, 7=naranyuzwe cyane

a. Competency of arbitrators
Ubumenyi bw’abakemurampaka

b. Independence of arbitrators
Ubwigenge bw’abakemurampaka mukazi kabo

c. Effectiveness of the enforcement of the award
Gushira mubikorwa icyemezo cy’ubukemurampaka

d. Cost of Arbitration
Ikiguzi cy’ubukemurampaka

e. Time taken to settle a dispute
Igihe gikoreshwa gukemura impaka

f. Impartiality of Arbitrators
Kutabogama kw’ abakemurampaka

g. Overall performance of Arbitration services
Imikorere y’ubucemurampaka muri rusange

We have now finished the questionnaire. I thank you for your time for answering our questions. One of my supervisors may ‘phone you back to check that I interviewed you.

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Appendix 4: Clients’ Satisfaction and Investors Confidence after use of KIAC Arbitration Services

Qn.1. What is your role in the arbitration?

<p>| Frequency | Percent |</p>
<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arbitrator</td>
<td>11</td>
<td>45.8</td>
</tr>
<tr>
<td>Party</td>
<td>9</td>
<td>37.5</td>
</tr>
<tr>
<td>Representative</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Claimant</td>
<td>3</td>
<td>12.5</td>
</tr>
<tr>
<td>Total</td>
<td>23</td>
<td>95.8</td>
</tr>
<tr>
<td>Missing</td>
<td>1</td>
<td>4.2</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Out of 23 people who answered this question, only 11 were Arbitrators, 9 were Party representatives, 3 claimants.

**Qn. 2. How long your award has been rendered by the Arbitral Tribunal?**

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>One month ago</td>
<td>3</td>
<td>12.5</td>
</tr>
<tr>
<td>Three month ago</td>
<td>9</td>
<td>37.5</td>
</tr>
<tr>
<td>Six Months ago</td>
<td>6</td>
<td>25.0</td>
</tr>
<tr>
<td>12 months ago</td>
<td>3</td>
<td>12.5</td>
</tr>
<tr>
<td>More than a 18 months</td>
<td>1</td>
<td>4.2</td>
</tr>
<tr>
<td>Total</td>
<td>22</td>
<td>91.7</td>
</tr>
<tr>
<td>Missing</td>
<td>2</td>
<td>8.3</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Nine (9) people out of 22 who answered this question indicated the award was rendered by the arbitral tribunal three months, 6 people indicated award rendered six month ago.

**Qn. 3. In your contact with the secretariat, how would you rate the person handling your file in terms of:**

**a. Helpful**

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>fair</td>
<td>1</td>
<td>4.2</td>
</tr>
<tr>
<td>good</td>
<td>2</td>
<td>8.3</td>
</tr>
<tr>
<td>very good</td>
<td>12</td>
<td>50.0</td>
</tr>
<tr>
<td>excellent</td>
<td>6</td>
<td>25.0</td>
</tr>
<tr>
<td>Total</td>
<td>21</td>
<td>87.5</td>
</tr>
<tr>
<td>Missing</td>
<td>3</td>
<td>12.5</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Out of 21 people who responded to this question, 12 indicated that the KIAC secretariat handling of their file in terms of being helpful was very good.

**Qn. 3. In your contact with the secretariat, how would you rate the person handling your file in terms of:**

**b. Availability**

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>fair</td>
<td>1</td>
<td>4.2</td>
</tr>
<tr>
<td>good</td>
<td>2</td>
<td>8.3</td>
</tr>
</tbody>
</table>
Out of 21 people who responded to this question, 10 indicated that the KIAC secretariat handling of their file in terms of availability was excellent.

Qn.3. *In your contact with the secretariat, how would you rate the person handling your file in terms of:*

<table>
<thead>
<tr>
<th>c. Well informed of the file</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>good</td>
<td>3</td>
<td>12.5</td>
</tr>
<tr>
<td>very good</td>
<td>9</td>
<td>37.5</td>
</tr>
<tr>
<td>excellent</td>
<td>9</td>
<td>37.5</td>
</tr>
<tr>
<td>Total</td>
<td>21</td>
<td>87.5</td>
</tr>
<tr>
<td>Missing</td>
<td>3</td>
<td>12.5</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Out of 21 people who responded to this question, 9 indicated that the KIAC secretariat handling of their file in terms of being well informed of the file was very good.

In your contact with the secretariat, how would you rate the person handling your file in terms of:

<table>
<thead>
<tr>
<th>d. Reliable</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>good</td>
<td>2</td>
<td>8.3</td>
</tr>
<tr>
<td>very good</td>
<td>9</td>
<td>37.5</td>
</tr>
<tr>
<td>excellent</td>
<td>10</td>
<td>41.7</td>
</tr>
<tr>
<td>Total</td>
<td>21</td>
<td>87.5</td>
</tr>
<tr>
<td>Missing</td>
<td>3</td>
<td>12.5</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Out of 21 people who responded to this question, 10 indicated that the KIAC secretariat handling of their file in terms of reliability was excellent.

In your contact with the secretariat, how would you rate the person handling your file in terms of:

<table>
<thead>
<tr>
<th>e. Polite</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>good</td>
<td>1</td>
<td>4.2</td>
</tr>
<tr>
<td>very good</td>
<td>10</td>
<td>41.7</td>
</tr>
<tr>
<td>excellent</td>
<td>9</td>
<td>37.5</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
<td>83.3</td>
</tr>
<tr>
<td>Missing</td>
<td>4</td>
<td>16.7</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Out of 20 people who responded to this question, 10 indicated that the KIAC secretariat handling of their file in terms of politeness was very good.

Qn. 4. *Taking account of the amount in dispute, the complexity of your case and the number of arbitrators, how would you rate the cost/ benefit ratio of KIAC arbitration procedure as compared with:*

<table>
<thead>
<tr>
<th>a. Court procedures</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
</table>
Eight (8) people out of 20 who respondent to this question rated cost/ benefit ratio of KIAC arbitration procedure as compared with Court procedures as good.

Taking account of the amount in dispute, the complexity of your case and the number of arbitrators, how would you rate the cost/ benefit ratio of KIAC arbitration procedure as compared with:

b. Ad hoc arbitration

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>poor</td>
<td>3</td>
</tr>
<tr>
<td>fair</td>
<td>1</td>
</tr>
<tr>
<td>good</td>
<td>8</td>
</tr>
<tr>
<td>very good</td>
<td>3</td>
</tr>
<tr>
<td>excellent</td>
<td>5</td>
</tr>
<tr>
<td>Total</td>
<td>20</td>
</tr>
<tr>
<td>Missing</td>
<td>4</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
</tr>
</tbody>
</table>

Seven (7) people out of 19 who respondent to this question rated cost/ benefit ratio of KIAC arbitration procedure as compared with Ad Hoc arbitration as very good.

Taking account of the amount in dispute, the complexity of your case and the number of arbitrators, how would you rate the cost/ benefit ratio of KIAC arbitration procedure as compared with:

c. Arbitration administered by other institutions

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>fair</td>
<td>2</td>
</tr>
<tr>
<td>good</td>
<td>4</td>
</tr>
<tr>
<td>very good</td>
<td>5</td>
</tr>
<tr>
<td>excellent</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>13</td>
</tr>
<tr>
<td>Missing</td>
<td>11</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
</tr>
</tbody>
</table>

Five (5) people out of 13 who respondent to this question rated cost/ benefit ratio of KIAC arbitration procedure as compared with arbitration administered by other institutions as very good.

Qn. 5. How did you find your involvement in the arbitration proceedings from the filing to the closing of the hearing?

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>good</td>
<td>6</td>
</tr>
<tr>
<td>very good</td>
<td>10</td>
</tr>
</tbody>
</table>
Ten (10) people out of 22 who answered this question indicated that their involvement in the arbitration proceedings from the filing to the closing of the hearing was very good.

**Qn.6. How do you assess the confidentiality during the arbitration proceedings?**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>good</td>
<td>6</td>
</tr>
<tr>
<td>very good</td>
<td>5</td>
</tr>
<tr>
<td>excellent</td>
<td>13</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
</tr>
</tbody>
</table>

Out of 24 people 13 indicated that confidentiality during the arbitration proceedings was excellent.

**Qn.7. Have you considered confidentiality important for your arbitration case?**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>yes</td>
<td>21</td>
</tr>
<tr>
<td>no</td>
<td>2</td>
</tr>
<tr>
<td>Total</td>
<td>23</td>
</tr>
<tr>
<td>Missing</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
</tr>
</tbody>
</table>

Twenty one (21) people responded “yes” meaning that their consider confidentiality important for your arbitration case.

**Qn.8. How do you assess the speed of the entire arbitration proceedings of your case?**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>poor</td>
<td>3</td>
</tr>
<tr>
<td>fair</td>
<td>3</td>
</tr>
<tr>
<td>good</td>
<td>10</td>
</tr>
<tr>
<td>very good</td>
<td>8</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
</tr>
</tbody>
</table>

Ten (10) people believe that the speed of the entire arbitration proceedings of their case is just good.

**Qn.9. Did one of the party challenge the award in court (within the 30 days provide by the 2008 arbitration act)?**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>yes</td>
<td>10</td>
</tr>
<tr>
<td>no</td>
<td>10</td>
</tr>
</tbody>
</table>
End line Survey on Arbitration Services in Rwanda

<table>
<thead>
<tr>
<th></th>
<th>Total</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Missing</td>
<td>4</td>
<td>16.7</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Half of the people (10) who responded to this question indicated that one of the party challenged the award in court.

Qn.10. How would you rate the overall quality of the services during KIAC arbitration?

<table>
<thead>
<tr>
<th>Rating</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>fair</td>
<td>3</td>
<td>12.5</td>
</tr>
<tr>
<td>good</td>
<td>6</td>
<td>25.0</td>
</tr>
<tr>
<td>very good</td>
<td>12</td>
<td>50.0</td>
</tr>
<tr>
<td>excellent</td>
<td>3</td>
<td>12.5</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Twelve (12) people out of 24 who answered this question rated the overall quality of services during KIAC arbitration as very good.

Qn.11. Would you put a KIAC arbitration clause in your contract today?

<table>
<thead>
<tr>
<th>Response</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>yes</td>
<td>19</td>
<td>79.2</td>
</tr>
<tr>
<td>no</td>
<td>4</td>
<td>16.7</td>
</tr>
<tr>
<td>Missing</td>
<td>1</td>
<td>4.2</td>
</tr>
<tr>
<td>Total</td>
<td>23</td>
<td>95.8</td>
</tr>
</tbody>
</table>

Nineteen (19) people out of 23 who responded to this question indicated that they would use KIAC arbitration clause in their contracts as of today.

Qn.12. Did the losing party enforce the award voluntary?

<table>
<thead>
<tr>
<th>Response</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>yes</td>
<td>7</td>
<td>29.2</td>
</tr>
<tr>
<td>no</td>
<td>8</td>
<td>33.3</td>
</tr>
<tr>
<td>Missing</td>
<td>9</td>
<td>37.5</td>
</tr>
<tr>
<td>Total</td>
<td>24</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Eight people said ‘no’ to the question whether the losing party enforced the award voluntary.

Qn. 13. After 30 days of rendering the award, you might start enforcing your award; how long did it take to enforce your award (this includes voluntary enforcement time, court enforcement time and execution)?

<table>
<thead>
<tr>
<th>Time Period</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than a month</td>
<td>1</td>
<td>4.2</td>
</tr>
<tr>
<td>One to three Months</td>
<td>2</td>
<td>8.3</td>
</tr>
<tr>
<td>Three –Six month</td>
<td>6</td>
<td>25.0</td>
</tr>
</tbody>
</table>
Six (6) people indicated that it took them three to six month to enforce their award.

Qn. 14. Comments, observations and suggestions are welcome on any aspect of the KIAC arbitration proceedings

- Encourage award writing to be in English
- Focus more on awareness of KIAC to reach more people
- For the one case I was involved in the defendant has challenged the award. Today the procedure is going on in court
- I cannot wish to have a case in arbitration because there is no option for appeal when not satisfied with arbitral court award. In addition, arbitration is extremely expensive compared to ordinary courts
- I prefer arbitration by KIAC in my future contract if it was possible because the Rwandan justice does not agree.
- I think the questionnaire is more designed for claimants and party representative
- I think this questionnaire is more designed for claimants and respondents than arbitrators and party representatives
- Improved awareness about KIAC activities is necessary
- The issue is that arbitration procedures is too long
- It takes time between the hearing closing and enforcement
- KIAC is doing a great job. It is very impressive especially the trainings KIAC has organized so far. Please keep on the work
- The arbitration of KIAC is more expensive than courts. It seems to delay than commercial courts. The secretariat officer was helpful in drafting the claim, but seem to impose his will in formulation
References


See [www.rdb.rw](http://www.rdb.rw) website

See [www.kiac.org.rw](http://www.kiac.org.rw) website