

Odhiambo Obonyo

Senior Associate | ALN Kenya | Anjarwalla & Khanna

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Background

Obonyo is a Senior Associate with the firm's Litigation and Dispute Resolution department. He advises and represents clients on a wide array of issues, including criminal/civil litigation, white collar, international arbitration, Employment law, Anti-Corruption, Anti-Money Laundering, construction disputes, product liability and complex commercial disputes.

Obonyo is an Advocate of the High Court of Kenya, Commissioner for Oaths and a Notary Public.

Professional Membership

- Member, Law Society of Kenya.
- Member, East Africa Law Society.
- Member, Insolvency Law Committee of the East Africa Law Society.
- Member, Anti-Corruption and Economic Crimes Committee of the Law Society of Kenya.

Professional Qualifications

2022: Strathmore University- Data Protection Course-Centre for Intellectual Property & Information Technology Law.

2019: ICCA Advocacy Training-The Inns of Court College of Advocacy

2017: Admitted as an Advocate of the High Court of Kenya

2015: Postgraduate Diploma in Law, Kenya School of Law

2014: LL.B, (Hons) (Second Class Upper Division), The Catholic University of Eastern Africa

Career Summary

April 2024 – Date: Senior Associate, Anjarwalla & Khanna

Jan 2021 – March 2024: Principal Associate, Anjarwalla & Khanna

Aug 2017 – Dec 2020: Associate, Anjarwalla & Khanna

Jan 2016 – Jul 2017: Trainee Lawyer, Anjarwalla & Khanna

Top Matters

Dispute Resolution

- Successfully representing Kenya Airways (**KQ**), the national airline of Kenya and one of the largest airlines in Africa, a constitutional petition seeking to challenge KQ's Ab Initio Pilots Training Programme, a scheme through which KQ trains its future pilots with no prior experience, and KQ's foreign-based pilot training programmes. The petition was based, among other grounds, on the alleged use and misuse of public monies to fund the Programme and discriminating against locally trained pilots by local institutions licensed by the Kenya Civil Aviation Authority and that the same ought to be
- Successfully acting for an international tours and travel company in connection with a constitutional petition against Kenya Revenue Authority, the Directorate of Criminal Investigations (**DCI**) and the Office of the Attorney General in connection with a KES 500 milion tax demand, in which the court held that the DCI's demanding of production of documents from the Petitioner by use of threats infringed on the Petitioner's constitutional right to silence and right to refuse to give self-incriminating evidence.
- Acting for a multinational confectionery company in connection with a land dispute in Kenya involving one of its local subsidiaries.
- Defending a Japanese multinational electronics and electrical equipment manufacturing company, in connection with contesting a suit filed in the High Court of Kenya at Nairobi by MITS Electrical Company (**MITS**) on account of alleged breach of various distributorship agreements. In the suit, MITS sought damages of about KES 1.3 billion.
- Successfully defending a client in connection with a class action suit instituted by residents of Busia County in connection with a negligence claim arising from the consumption of alleged contaminated sodas.
- Successfully acting for and defending **Embakasi Industrial Projects** in connection with a case of double allocation of land at the Environment and Land Court in Machakos.
- Acting for **Cancer Care Kenya** in connection with the acquisition of their shares by Healthcare GlobalKenya, a private comprehensive cancer centre, the first one in the East African region.

Tax Disputes

- Successfully acting for the **Kenya Association of Manufacturers** at the High Court in connection with a constitutional petition against the Kenya Revenue Authority, the Attorney General and the National Assembly, challenging the constitutionality of Section 12D of the Income Tax Act that introduced minimum tax in Kenya, which was eventually declared unconstitutional.
- Acting for a top oil marketer and distributor in Uganda against the Ugandan Revenue Authority (**URA**) concerning a UGX 2,488,646,440 tax demand by URA before the East African Court of Justice-Appellate Division.

Arbitration

- Successfully acted for a client, a 5,000-acre mixed-use development, in a construction dispute against a contractor involving a claim for approximately KES 600,000,0000 before the International Chamber of Commerce International Court of Arbitration.
- Successfully represented **Mitsubishi Electric Corporation**, a Japanese multinational electronics and

- electrical equipment manufacturer, in proceedings for the recognition and enforcement of an arbitral award issued by the
- ICC International Court of Arbitration. The matter involved distributorship agreements valued at approximately KES 1.3 billion.
- Currently acting for a multinational company concerning an investor-state dispute against the Government of the Republic of Mozambique.
- Acting for a minority shareholder in an arbitration before the Chartered Institute of Arbitrators-Kenya, against unfair, prejudicial, and oppressive actions undertaken by majority shareholders.

Employment

- Successfully defending the **Forum for African Women Educationists**, a pan-African non-governmental organisation that promotes girls' and women's education in sub-Saharan Africa, against an employment claim brought by a former consultant.
- Successfully acting for **Altron Bytes Kenya** in connection with an employment matter filed by one of its former employees before the Employment and Labour Relations Courts.
- Acting for and advising a large multinational company in the agricultural and manufacturing industry in connection with various employment disputes filed in Nyeri, Migori and Kisumu.
- Successfully acted for **Schneider Electric Kenya**, a subsidiary of Schneider Electric, in connection with several employment disputes filed by their former employees before the Employment and Labour Relations Court.
- Successfully acting for, on a pro bono matter in connection with an employment suit filed by a former employee whose termination of employment was occasioned by the illegal eviction of the Kurji family from their home by unscrupulous land grabbers who demolished the Kurji family's residence.
- Successfully acting for **Altron Bytes Kenya** in connection with an employment matter filed by one of its former employees before the Employment and Labour Relations Courts.
- Acting for BIC East Africa (**BIC**), in an employment suit against the BIC at the Employment and Labour Relations Court.
- Successfully acting for a Kenyan betting company, licensed by Softpawa UK, in several employment matters filed by some of its former employees and advising them on conducting disciplinary procedures.

Fraud and Anti-Corruption

- Advising a large multinational in connection with the Kenyan anti-bribery law, liability of companies and their officers, extra-territoriality issues, and the scope and extent of regulators' powers of investigation.
- Acting for a large multinational independent power producer on Kenyan anti-bribery law, the liability of companies and their officers, extra-territoriality issues, and the scope and extent of regulators' powers of investigation.
- Acting for a multinational financial corporation in connection with its proposed use of Automatic Billing Updater in relation to updating its customers' information in Kenya, including providing regulatory advice.

Capital Markets

- Advising the **Capital Markets Authority of Kenya** in connection with its proposed guidelines on Global Depository Receipts and Global Depository Notes.
- Advising a non-deposit-taking microfinance institution in connection with its listing on the Growth Enterprise Market Segment of the Nairobi Securities Exchange.

Insolvency

- Acting for **African Cotton Industries** and **Gold Crown Beverages Kenya**, in connection with an insolvency petition involving Nakumatt Holdings (which was one of Kenya's biggest retail chains valued at USD 407 million), in connection with its failure to pay its outstanding debts.

Probate and Succession

- Successfully acting for a private client in connection with the acquisition of a grant of probate in a succession matter filed in the Isle of Man Courts of Justice.

Awards & Recognitions

- Shortlisted in the category of the Young Arbitration Practitioner of the Year at the Africa Arbitration Awards 2025.
- Shortlisted among the Top 60 Litigation Practitioners at the Nairobi Legal Awards.

Publications

Some of the notable publications/contributions by Obonyo include:

- Addressing Corruption Allegations in Arbitration Disputes, Kenyan Chapter (link).
- Contributed to the publication by Thomson Reuters Foundation article/report on pre-trial detentions in Kenya (link).
- Contributed to the publication by Afriwise on commercial crime (link).