



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A

P.O. Box 62157

00200 Nairobi - KENYA

Telephone: 891601-6

Ext 1022/23/25

MAIN EXAMINATION

SEPTEMBER –DECEMBER 2021

FACULTY OF ARTS AND SOCIAL SCIENCES

DEPARTMENT OF DEVELOPMENT & SOCIAL STUDIES

REGULAR/ODEL PROGRAMME

BIR 303: NEGOTIATION, ARBITRATION AND MEDIATION

Date: DECEMBER 2021

Duration: 2 Hours

INSTRUCTIONS: Answer Question ONE and any TWO Questions

Q1.a). Discuss the following concepts of Alternative Dispute Resolution and their importance to International Relations

i).Arbitration **(8 marks)**

ii). Mediation **(7 marks)**

b). Discuss the procedures and actors involved in negotiation as a model of disputes settlement between states. **(15 marks)**

Q2. (a) Alternative Dispute Resolution is used to refer to methods of dispute resolution alternative to litigation in a court of law. Discuss the principles of ADR vis a vis litigation **(10 marks)**

(b) List and discuss the strength/advantages of ADR as a method of dispute resolving mechanism **(10 marks)**

Q3. Evaluate the Statutory duties of an Arbitrator and the features involved in formal Arbitration Agreement **(20 Marks)**

Q4. Assess the shortcomings of negotiation as a process of addressing conflicts between and among states **(20 marks)**

Q5. 'As chief mediator in the violent aftermath of Kenya's 2007 presidential election, Kofi Annan's authority, background and personality contributed greatly to a successful mediation' Martin Griffiths. Discuss the advantages of mediation and the qualities of a good mediator. **(20 marks)**

DTE DEC 2021

END