



THE CATHOLIC UNIVERSITY OF EASTERN AFRICA

A. M. E. C. E. A

MAIN EXAMINATION

JANUARY-APRIL 2024

P.O. Box 62157
00200 Nairobi - KENYA
Telephone: 891601-6
Ext 1022/23/25
Fax: 254-20-891084
email: exams@cuea.edu
directorofexams@cuea.edu

FACULTY OF ARTS AND SOCIAL SCIENCES

DEPARTMENT OF SOCIAL SCIENCES AND DEVELOPMENT STUDIES

REGULAR PROGRAMME

BIR 303: NEGOTIATION, MEDIATION & ARBITRATION

DATE: APRIL 2024	Duration: 2 Hours
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INSTRUCTIONS: Answer Question ONE and any other TWO Questions
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Q1.

- a) Discuss the three core techniques that may be employed in the resolution of disputes, which according to Green and Mackie¹ are the “three pillars of dispute resolution” **(15 Marks)**
- b) Discuss the distinct characteristics of negotiation and critique its functions and dysfunctions. **(10 Marks)**
- c) Outline the five different approaches to mediation. **(5 Marks)**

Q2.

Discuss mediation as a dispute/conflict resolution technique and how multiparty mediation can be used considering pros and cons. **(20 Marks)**

Q3.

Discuss the different types of arbitration and how they can be distinctively useful. Cite relevant examples to elaborate your discussions. **(20 Marks)**

Q4.

Describe the entire process of negotiation and when and how the different types of negotiations may be of use. **(20 Marks)**

Q5.

In model standards of conduct for mediators, discuss by outlining the Model Standards of Conduct for Mediators as revised and approved in 2005 by the American Bar Association’s Section of Dispute Resolution, the Association for Conflict Resolution and the American Arbitration Association. **(20 Marks)**

END