

# **ADR Education in Kenya**

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# **Outline of Presentation**

- 1. Introduction**
- 2. Types and Benefits of ADR education in Kenya**
- 3. Progress in ADR education**
- 4. Future of ADR education in Kenya**

# 1. Introduction

- Education is a systematic way of receiving or giving instruction or knowledge.
  - ADR education is a systematic way of imparting knowledge on ADR mechanisms.
- ADR education is a new phenomenon in Kenya.
  - Historically, education system focused on justice system within courts.
  - ADR education & 2010 Constitution;
- No national framework addressing ADR education.

# 2. Types and benefits of ADR education

## 1. University education

- Various universities have units touching on ADR;
- ADR courses in law schools-*compulsory v. optional*;
- Some schools focus on aspects of ADR-mediation, negotiation, peace building, conflict resolution etc
- ADR education introduced at tertiary levels.
  - Post graduate certificate in mediation studies-Pan African Christian University.
  - Kenya School of Law;

## 2. Professional courses

- Training by professional bodies-CI Arb/MTI/SDRC,etc;
- Arbitration course by CI Arb more systematic with clear professional pathways;

# Types and benefits...(2)

- 40hour mediation course;
  - Offered by CIArb/SDRC/MTI/College of Human Resource Management/SEREIN mediation center etc
  - Standardised;
  - Accreditation by different bodies.
- Private firms-Institute of Certified Mediators and Conciliators (ICMC);
- Targeting certain professionals.

# Types and benefits...(3)

## 3. Training by government bodies

- NCIA/JTI//KSL/MAC;
- MAC has a certification system.

## 4. Mode of training

- Face to face/online;
- Written examinations;
- Role plays;
- Experiential-mentorships/apprenticeships;

# 3. Progress in ADR education

1. Most universities offering courses on ADR or aspects of ADR;
  - Undergraduate-ADR;
  - Postgraduate levels-international commercial arbitration;
2. ADR education gaining currency with number of trainings and membership-CI Arb, MTI, SDRC etc;
3. Government institutions also offering ADR training;
4. Embracing technology-Utatuzi Center;
5. Challenges in ADR education:
  - No national accreditation body for ADR experts save for MAC;
  - Harmonisation of curriculum-content? scope? duration? Etc;
  - Low levels of ADR awareness;

## **4. Future of ADR education in Kenya**

1. Numerous opportunities in ADR education.
2. ADR is not taught at all levels of education.
3. Need to professionalize ADR-a professional path.
4. Need for standardization of training/curriculum for ADR.
5. National accreditation body for ADR.
6. Harnessing technology.



END.

THANK YOU