



Nairobi Centre
for International
Arbitration

where disputes meet resolution

Mediator Panel Status Standard 2023

www.ncia.or.ke



Co-operative Bank House,
8th Floor, Haile Selassie Ave
P.O Box 548-00200, Nairobi, Kenya
Tel: +254 020-222 4029
Mob: +254 771 293 055
Email: info@ncia.co.ke
www.ncia.or.ke

We are social.

    @NCIAKenya



MEDIATOR PANEL STATUS STANDARD

April 2023

1. In this Standard;

“Alternative Justice System” means the traditional, informal and other mechanisms used in access to justice in Kenya

“Experience qualified” means an applicant who may not possess some of the requirements set out in clause 15 of this Standard, but whose qualification is assessed by the Centre as demonstrating a level of competence by reference to the competencies expressed in the NCIA Code of Conduct for Mediators.

2. This NCIA Mediator Panel Status Standard (this “Standard”) applies in its entirety to every mediator who is accredited to the NCIA Mediator Panel.
3. Every Mediator accredited to the NCIA Mediator Panel shall adhere to this Standard.
4. The NCIA Mediator Panel is categorized into two panels; ‘Domestic Mediator Panel’ and ‘International Mediator Panel’.
 - a. The Domestic Mediator panel is a list consisting of mediators who may be nominated or appointed to act as mediator in domestic mediation which term is defined in the Nairobi Centre for International Arbitration (Mediation) Rules, 2015 and its amendments from time to time.
 - b. The International Mediator panel is a list consisting of mediators who may be nominated or appointed to act as mediator in international mediation which term is defined in the Nairobi Centre for International Arbitration (Mediation) Rules 2015, and its amendments from time to time.
5. Any person seeking NCIA Mediator Panel Status shall specify in the application the panel category they seek to be listed. Where a person seeks listing in both categories, they

may apply separately for each category or in a single application.

6. NCIA will retain the candidate's personal information to the extent one or more of the purposes described in the Application Form 1B for which it was collected remains valid and for other legal or business purposes for which NCIA is required to retain such information.
7. Applicants will be required to sign the consent for use of personal information contained in Form 1B.
8. The fees chargeable for 'Domestic Mediator panel' and 'International Mediator panel' categories are specified in Part 1 and Part 2 of the First Schedule to this Standard respectively.
9. NCIA reserves the right, in its absolute discretion, to admit or to reject the admission of any person to the Panel. In exercising its discretion, NCIA will have regard to, inter alia, the qualifications, experience and standing of an applicant.
10. Any person seeking NCIA Mediator Panel Status shall apply to the Centre. The application shall be sent to the Registrar in the prescribed Form 1B as set out in the Second Schedule to this Standard and shall be accompanied by the following:
 - a. Passport sized photo;
 - b. Identity document/passport ;
 - c. Proof of academic qualification and training;
 - d. Proof of mediation training;
 - e. Proof of membership of a professional body – Certificate of good standing; or a Certificate from a recognized Mediation Training institution.

- f. Curriculum Vitae/ Profile/ Brief Resume;
 - g. Recommendation letters by two references who can attest to an applicant's mediation experience; and
 - h. Proof of payment of the application fee prescribed by the Centre as set out in the First Schedule.
11. If "experience qualified" under clause 15, of this Standard, an applicant shall provide references from two credible members of their community, religious body, institution or, association who can attest to their standing having known them for at least five years prior to the application.
 12. Applicants shall be required to sign the Declaration, Undertaking and Consent to use of personal information set out in Form 1B for the application to be considered.
 13. Unless "experience qualified" under clause 15 an applicant to the NCIA Mediator Panel must possess the following qualifications;
 - a. A degree from a University;
 - Accredited by the Commission for University Education in Kenya, or
 - Accredited by a similar competent authority in a country or state other than Kenya an English translation (if not in English) of the Degree certificate.
 - b. Be Accredited or Certified as a Mediator by a registered and recognized NCIA recognized mediation training institution.
 - c. Attended and successfully completed an NCIA recognized mediator training course of not less than 40 hours duration.
 - d. Proof of experience as a Mediator in at least five disputes.
 14. A mediator accredited under this Standard shall be eligible for appointment as mediator in the specific category in which they are

accredited.

15. An experience qualified mediator shall either:
 - a. have acted as a mediator in a religious, community or alternative justice system process; or
 - b. has acted as a mediator and has experience, training, and education that satisfies the Centre that the mediator is equipped with the skills, knowledge and understanding set out in the core competencies referred to in the NCIA Code of Conduct for Mediators.

Apprentice Panel Category

16. A person who does not meet the requirement of clause 13(d), may apply and be considered for accreditation to the NCIA Mediator Panel. The applicant accredited to the NCIA arbitrator panel under this category shall be listed in this category upon payment of the requisite fees.
17. A member listed under this category may upon meeting the requirements of clause 13(d) submit proof of the same to the NCIA. Where NCIA is satisfied that the proof meets clause 13(d), the panel member may be re-categorized to both or either of the Domestic or International Mediator Panel, respectively, subject to compliance with the other requirements of the Standard and payment of the requisite fees.
18. The validity of registration to the NCIA Mediator Panel is subject to payment of an annual subscription fee prescribed by the Centre as set out in the First Schedule.
19. NCIA reserves the right, in its absolute discretion, to admit or reject the admission of any person to the Panel. NCIA also reserves the right in its absolute discretion to remove any person from the panel at any time.
20. The Centre may remove or suspend a

Mediator from the NCIA Mediator Panel where there has been;

- a. Non-compliance with this Standard,
 - b. Breach of the NCIA Code of Conduct for Mediators or the Nairobi Centre for International Arbitration (Mediation) Rules, 2015 and its amendments from time to time,
 - c. A disciplinary cause and the Mediator has been struck off or suspended from their respective professional body,
 - d. has become bankrupt, of unsound mind or deemed medically unfit to serve in that capacity through any existing written laws of Kenya or their country of origin,
 - e. there has been non-adherence to ethical guidelines, professional or legal requirements, or
 - f. non-payment of the prescribed fees.
21. The Centre does not provide employment for any Mediator. The decision to nominate or appoint a mediator or mediators to any mediation referred to the Centre is within the exclusive discretion of the Centre.

SCHEDULES

FIRST SCHEDULE

Part 1: Domestic Mediator Panel

- 1. Application fee;** (payable once)
Kenyan or East Africa Community States'
National: KES. 5,000
Other Nationality: USD 100
- 2. Registration fee;** (payable once)
Kenyan or East Africa Community States'
National: KES. 20,000
Other Nationality: USD 300
- 3. Annual fee;** (payable annually)
Kenyan or East Africa Community States'
National: KES. 10,000
Other Nationality: USD 200

Part 2: International Mediator Panel

- 1. Application fee;** (payable once)
USD 100
- 2. Registration fee;** (payable once)
USD 500
- 3. Annual fee;** (payable annually)
USD 300

Part 3: Apprentice Panel

- 1. Application fee;** (payable once)
Kenyan or East Africa Community States'
National: KES. 5,000
Other Nationality: USD 50

SECOND SCHEDULE

MEDIATOR PANEL STATUS APPLICATION FORM

FORM 1B

NAIROBI CENTRE FOR INTERNATIONAL
ARBITRATION

Co-operative Bank House,
8th Floor, Haile Selassie Ave

P.O Box 548-00200, Nairobi, Kenya

Tel: +254 020-222 4029 | Mob: +254 771 293 055

Email: counsel@ncia.or.ke | www.ncia.or.ke

Affix
Photo

APPLICATION FOR NCIA MEDIATOR PANEL STATUS

I agree, if accredited to the NCIA Mediator Panel, to be bound by the terms and conditions applicable to NCIA Mediator Panel Status and to any subsequent amendments and/or alterations thereto which may be made at the discretion of the NCIA. I understand that the NCIA is not obliged to approve this application or give reasons for non-approval.

(Please fill in all the particulars required below in block letters. If the space provided is not sufficient particulars may be given in an additional paper. Any incomplete application will not be considered)

(Tick (√) the appropriate box for selection of category: Note Clause 3: NCIA Mediator Panel Status Standard)

Domestic Mediator Panel

☐

International Mediator Panel

☐

Apprentice Panel

☐

1. PARTICULARS OF APPLICANT

Name: Surname:

.....

Middle Name:

.....

Other:

.....

Nationality (ID*/Passport No*):

.....

(*Attach copies)

Multiple Nationalities (if applicable specify):

.....

Nationality (ID*/Passport No*) (*Attach
copies)

Name of Firm (if applicable):

.....

Mailing address

.....

Country:

.....

City:

.....

Postal Code:

.....

Telephone:

.....

Email address:

.....

Primary Occupation:

.....

2. EDUCATION

(i) Level of Academic Qualification*

Degree or Certificate(s)	Year Awarded	Name of Institution

(ii) Mediation Training*

Course	Year Awarded	Name of Institution

(iii) Other training in dispute resolution*

Course	Year Awarded	Name of Institution

** Attach proof of qualification and training.
(If you have been involved in such training as a facilitator, trainer or instructor, give a description of your role.)*

2. MEDIATION EXPERIENCE

a. Indicate the number of mediations, if any you have acted and the role in the areas specified in the table below;

	Commercial	Construction	Family	Others (Specify)
Sole Mediator				
Co-Mediator				
Counsel/ Agent				

b. Provide a brief outline/profile of disputes you have handled as a Mediator:

No.	Type of Dispute (e.g Breach of Contract)	Issues	Value of Dispute	Nature of Evidence*	Duration of Dispute

* e.g., documentary, oral, witnesses.

(Please attach at least five (5) copies of redacted letters of appointment to act as a Mediator)

c. Number of years you have acted as a Mediator?

(Please attach a brief resume/curriculum vitae/ profile).

d. Are you a certified/accredited Mediator or listed in the panel of any other institution?
YES/NO

If yes, provide particulars

e. Whether currently mediation is your primary (full-time practice?)

(Please attach to the application recommendation letters by two references who attest to your mediation experience).

3. OTHER INFORMATION

Outline any other relevant experience or provide any other information which supports your application (including where your mediation experience involves disputes of an international character).

What is your preferred field(s)* of practice as a Mediator? _____

**(Commercial, Construction, Family, or others)*

4. DECLARATION

I understand the Nairobi Centre for International Arbitration does not provide employment for any Mediator. I also understand the decision to nominate or appoint a mediator or mediators to any mediation referred to Nairobi Centre for International Arbitration is within the exclusive discretion of the Nairobi Centre for International Arbitration.

I _____

hereby declare that the information provided herein is complete and accurate. I understand that a false statement may disqualify my application from consideration and I hereby give my consent to a personal investigation in connection with this application for NCIA Mediator Panel Status.

Signed: _____

Date: _____

5. UNDERTAKING

I _____

agree, if accredited to NCIA Mediator Panel Status, to be bound by the terms and conditions applicable to NCIA Mediator Panel Status and to comply with the Mediator Panel Status Standard, the NCIA Code of Conduct for Mediators, Nairobi Centre for International Arbitration (Mediation) Rules, 2015 and its amendments from time to time and any other professional or legal requirement to which I am subject.

Signed: _____

Date: _____

6. CONSENT FOR USE OF PERSONAL INFORMATION

I _____

consent to NCIA using my personal information that I have provided in this application for the processing of my application, background and reference checks, for purposes of future appointments (if any) in any mediations handled by NCIA. Should my application be successful, I consent to NCIA's provision of my personal information to third parties when requested to do so in connection with such purposes.

Signed: _____

Date: _____

**The application form is available on the NCIA website at www.ncia.or.ke*



**Nairobi Centre
for International
Arbitration**

Co-operative Bank House,
8th Floor, Haile Selassie Ave
P.O Box 548-00200, Nairobi, Kenya
Tel: +254 020-222 4029
Mob: +254 771 293 055
Email: info@ncia.co.ke
www.ncia.or.ke

We are social.

    @NCIAKenya



Co-operative Bank House,
8th Floor, Haile Selassie Ave
P.O Box 548-00200, Nairobi, Kenya
Tel: +254 020-222 4029
Mob: +254 771 293 055
Email: info@ncia.co.ke
www.ncia.or.ke

We are social.

    @NCIAKenya