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Nairobi

EMPLOYMENT

University of Nairobi | Senior Lecturer [2004 – Present]

- Thematic areas of focus: alternative dispute resolution, corporate governance, constitutional & international law, human rights and humanitarian law.
- Input to undergraduate and postgraduate programmes.
- Supervision of post graduate thesis/defence panels.
- Editor: ICS Journal, UON Law Journal, ICRC-UON IHL Journal.
- Research and publications.
- Administrative duties, counselling, and outreach to the industry.

Africa Unite, Cape Town | Director [2013 – Present]

- Development of a comprehensive strategy that will guide YESPeace Africa in its overall goal of providing a network of African practitioners committed to ensuring learners from across the African continent acquire the knowledge and skills needed to promote peace, sustainable development and global citizenship.
- Recruitment of established organisations from the continent as custodians of YESPeace Africa.
- Capacity development of selected organisations in various thematic areas such as human rights training, conflict resolution and ADR, GBV training, leadership and organisational governance etc.

Kihara & Wyne Advocates | Partner [2001 – Present]

- Firm providing a comprehensive range of legal services and solutions to domestic and international clients in the following areas:
 - 1) Corporate Governance/Corporate Secretarial
 - 2) Civil litigation
 - 3) Conveyancing
 - 4) Commercial Transactions
 - 5) ADR Practice
 - 6) Public Procurement and Disposal Law
 - 7) Intellectual property
 - 8) Construction law

Gunston Strandvik Attorney | Associate [2020 – Present]

- Support in providing a comprehensive range of legal services and solutions to domestic and international clients in the following areas:
 - 1) Arbitration & Mediation
 - 2) Family Law
 - 3) Commercial Law

Nelson Mandela Foundation | Project Leader [2008 – 2013]

- Capacity development programme focusing on conflict resolution & peacebuilding.
- Quality assurance systems with regard to the above areas.
- Research including case studies to benchmark successful outcomes.
- Strategic planning and organisational development

International Committee of the Red Cross | Legal Advisor [2004–2007]

- Supporting 17 governments across Eastern and Southern Africa with respect to domestication of international treaties
- Researching and monitoring developments in international law.
- Conducting training and participating in round tables, workshops, etc to promote different aspects of international law.
- Representing the ICRC views during multi-lateral entities, academic institutions, governmental engagements.
- Editor of regional IHL e-newsletter.

UN High Commissioner for Refugees | Legal Officer [2002-2003]

- Implementing UNHCR's policy in respect to refugees in the great lakes and horn of Africa region including providing guidance on legal and protection policy issues as well as monitoring practice by states, international/regional bodies.

Kenneth Wyne Mutuma PhD

PROFILE

Extensive leadership experience with ability to conceptualise, implement and monitor programmes

Expertise in ADR, corporate governance, international law and human/humanitarian law

Effective communicator (oral and written)

capable of working in diverse cultural context

Strong analytical and research skills with ability to transfer knowledge to diverse audience

EDUCATION

PhD Law | University of Cape Town

Exploring intersection of rights and duties of private corporate entities in post conflict zones.

Master of Laws | University of Cape Town

International Trade & Human Rights
(W. Kramer Scholarship for Merit)

Bachelor of Laws | University of Liverpool

Major in Public International Law
(Scholarship to Outstanding Student , Deans Prize)

Bachelor Arch Studies | University of Nairobi

Honours in Architecture Design and Development

Postgraduate Dip. Law | Kenya School of Law

Postgraduate Diploma in Law

High School | Nairobi School

Maths – A | Geography – A | Economics – A

RECENT PUBLICATIONS



The Nexus between self-determination, territorial integrity and uti possidetis juris: The Case of Somaliland (*SAYIL*, 2021)

Limits of the law in the regulation of presidential elections (*EALJ* 2021)

Integrating technology in ADR - Looking into the future (*ADR Journal*, 2021)

Effectiveness of the CMA Code of Corporate governance practices for issuers of securities to the public (*ICS Journal on Corporate Governance*, 2021)

Court Annexed Mediation in Kenya and its efficacy (*ADR Journal*, 2021)

Corporate governance and distressed commercial banks in Ghana - Dangers of excessive regulation (*ICS Journal on Corporate Governance*, 2021)

Protection of the environment during conflict
(*Journal of Conflict Management and Sustainable Development*, 2021)

Boards during Covid – When the dust settles (*APSEA – the Professional Magazine* 2021)

The COVID-19 crisis: An opportunity to promote social cohesion amongst local and migrant communities (*Democratic Development Programme*, 2020)

Kenya's annulled presidential election: A step in the right direction?
(*Speculum Juris: 'African Courts and Contemporary Constitutional Developments'* 2020)

Ensuring respect for IHL in South Sudan: Common Article 1 and IHL
(2020 edited by Prof. Annabel McConnachie and Dr Eve Massingham, Routledge Publication)

Critique of Kenya's implementation of the Rome Statute
(*Journal of Conflict Management and Sustainable Development*, 2020)

Crisis of Ethics – Role of the private sector (*APSEA - the Professional Magazine* 2020)

Construction projects and COVID-19: Contracts and disputes
(*Architectural Association of Kenya Buildpress*, 2020 in *Challenges, interventions and the road to recovery*)

ADR as a means of accessing justice: Case study of Baringo County (*ADR Journal*, 2020)

Addressing a national crisis of ethics in the corporate governance sector
(*ICS Journal on Corporate Governance*, 2020)

Prospect of Kenya as a regional centre for the resolution of sports disputes through arbitration (*ADR Journal*, 2020)

ADR and the Big 4: Addressing hindrances to industrialisation
(*Architectural Association of Kenya Buildpress*, 2019)

Adjudicating international law in national courts: A case for the Kenya courts (*ANULJ*, 2019)

Responding to terrorism: The right of the victim State to use force
(*Dodoma University Law Journal*, 2018)

Qualifying contemporary conflicts under IHL
(*ICRC Academic Faculty Roundtable*, Addis Ababa, 2018)

Kenya's incursion into Somalia: A role for domestic courts in Comparative Criminology Across Western and African Perspectives
(*United States International University – Africa* 2018)

Alternative Dispute Resolution to address inter-governmental disputes in Kenya
(*ADR Journal*, 2018)

RECENT ADR REFERENCES



High Point Agencies vs.
Principal Secretary, Ministry of Transport, Infrastructure, Public Works)

Villa Care Limited vs. West Park Properties Limited

Villa Care Limited vs. Waiyaki Way Developers Limited

Catholic Diocese of Kisumu vs. Janet Ominde Atika

James Malesi vs. Mill Bakers Limited and Another

Joy Nabwire Wasirimba vs.
Engineer Bhagwanji Bhimji Bhundia T/A Bhundia Associates

Patrick Ndua Mutunga vs. Bob Morgan Services Limited

Charles Ndichu Mwaura vs. John Muchoki Kagwe

Paul Kimimuri Kirimi v Freda Kageni Mbae

Football Kenya Federation Sports Committee Appeals
Githima FC & Karatina Home Boys Club vs. FKF Electoral Board

Oserian FC vs. FKF Electoral Board

ASEC Huruma FC (Petitioner) vs. FKF Electoral Board

Homabay County FKF (Petitioner) vs. FKF Electoral Board

RECENT POST-GRADUATE SUPERVISION & EXAMINATION



Michael Rotich Chesikaw (G62/88126/2016)
ADR: A case study of Baringo County 2019

James Ngotho Kariuki (G62/12628/2018)
Reconceptualising investor-state dispute settlement in Africa 2019

Moses Sikuta (G80/51736/2017)
Public policy in enforcement of international arbitral awards in Kenya 2019

Anne Mureithi (G62/75206/2014)
Code of Governance Practice and challenges in listed companies 2019

Mugo Evelyn (G62/12692/2018)
Governance in the data age 2019

June Jumbari (G62/11475/2018)
Intergovernmental conflict between county and national government

Davies Owiti (G62/7500/2017)
A review of the law affecting marginalised persons

Faith Wanjiku (G62/7783/2017)
Right to adequate standards of living in Kenya prisons

Evans Ogada (G62/90067/2016)
*The Sustainability of the Death Penalty in the Age of Human Rights
A Re-examination of the Court of Appeal
Decision in Republic v Joseph Njuguna & 2 Others* 2018

Hillary Kiboro (G62/82576/2015)
Rethinking the Internment in Non-International Armed Conflicts 2018

Anastanzio Sitolo (G62/7656/2017)
Balancing Freedom of Expression and the Right to Reputation 2018

CONSULTANCY PROJECTS



IOM (2021): *United Nations Pilot Project for Strengthening Migrant Integration and Social Cohesion through Stakeholders' Engagement, Socio-Economic Activities and Countering Anti-Migrant Narratives in South Africa*

ICS (2021): *Enhancing corporate governance in county boards*

ICS (2021): *Capacity development in relation to public sector governance*

AG/ICRC: *Stakeholder engagement pertaining to the ratification of the Arms Trade Treaty by Kenya*

Council for Legal Education (2020):

Development of the 2019-2023 Strategic Plan.

Department of Arts & Culture (South Africa) (2020):
Mediation in the context of 'fees must fall' movement

State Corporations Advisory Committee (2015-20):
Governance training for boards of state corporations.

Institute of Certified Secretaries (2019):
Governance training for public listed corporations.

Institute of Certified Secretaries (2019):
Expert consultant for the Champions of Governance Awards

Kakuzi (2019):

Board training with respect to development of strategy, culture and codes of conduct

KDF (2019): *Legal compliance and audit training*

International Committee of the Red Cross (2018):
Review of Kenya practice re: customary international law

Independent Policing Oversight Authority (2018):
Board induction around arrest and detention

National Intelligence Service (2018):
Sensitization on human rights during interrogation of suspects

Kenya School of Law/Kenya Defence Forces (2018):
Capacity development relating to legal compliance

State Department for Devolution (2017):
ADR policy development re: intergovernmental relations disputes

Kenya School of Government (2017):
Training on the interface between national and county spheres

Kenya Medical Supplies Authority (2018):
Anti-Corruption Sensitization Training

PROFESSIONAL RESPONSIBILITIES



Board Member/Committee Member

Chartered Institute of Arbitrators (*Board and Chair, Education Committee*)

Institute of Certified Secretary (*Council Member*)

Committee (*Risk & Audit, Research & Publication, Professional Development Committee*)

Federation of Kenya Football (*member of appeals committee*)

Association of Professional Societies for East Africa
(*Professional Development Committee*)

National Committee on Implementation of IHL (*Committee member*)

South African College of Schools (1829) (*Board member*)

Rustenburg Junior Girls School (1875) (*Board Member*)

Africa Unite; YESPeace Africa (*Board Member*)

Jeremiah Nyagah Technical Institute (*Board member*)

Starford International University (Juba, South Sudan) (*Chancellor*)

Christian Professional Mediation Association of Kenya (*Vice Chair*)

Professional Standing

Law Society of Kenya (*Advocate in good standing*)

Chartered Institute of Arbitrators (*Chartered Arbitrator and Fellow*)

Architectural Association of Kenya (*MAAK-L*)

Institute of Certified Public Secretaries (*Certified Public Secretary*)

Chartered Institute of Mediators (*Accredited Mediator*)

Accredited Governance Auditor (*ICS*)

Corporate Governance Trainer (*State Corporations Advisory Committee*)

Accredited Mediator of the High Court

UNDP CCE (*Accredited Dialogue and Conflict Resolution Practitioner*)

International Commission of Jurist (*member*)

National Social Cohesion Advocate (*Appointed by South African Government*)

Editorial Responsibility

ICS Journal on Corporate Governance

Journal on IHL (*ICRC/UON Collaboration*)

UON Journal

REFERENCES



ACADEMIC

Prof Danwood Chirwa
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PROFESSIONAL

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