















## Course Guide Book for the Course Alternative Dispute Resolution: Ethiopian Focus

Module Code	Program	Peace and Development Studies					
PDS-M	Course Title	Alternative Dispute Resolution: Ethiopian Focus					
	Degree Program	BA in Peace and Development Studies					
	Module Name	Conflict and Conflict Management Module					
	Course Credit	03					
	Module Number	07					
	Course Code	PDS3073					
	Instructor	Ayalew Y					
	(CP)	5/151					
	Course Information	Lecture	Tutorial	Lab/Practical	Home study	CP	Total Hours
	48	16	0	87	05	151	
Course Description	This course is designed to introduce students to basic concepts, theories and perspectives of Alternative Dispute Resolution mechanisms. It explores the process and dimensions of ADR, namely, Negotiation, Mediation and Arbitration. It also discusses comparative advantage ADR and finally constitutionality of ADR and customary dispute resolution methods in Ethiopia.						
Course Objectives	After a successful completion of the course, learners should be able to Understand: <ul style="list-style-type: none"><li>✓ theories and principles in ADR</li><li>✓ Role and responsibilities of ADR professionals.</li><li>✓ Comparative advantage of ADR and litigation process</li><li>✓ Legal and ethical issues in ADR</li><li>✓ Constitutionality of ADR as integral part of Ethiopian legal system.</li><li>✓ Interpersonal conflict theory and the principles of non-adversarial dispute resolution.</li><li>✓ And acquire practical skills in negotiation, mediation and arbitration</li></ul>						
Pre-requisite							
Status	Compulsory						
Course Schedule							
Time	Content			Student Activity			
	Chapter One: Introduction to Alternative Dispute Resolution 1.1. Introduction 1.2. What is ADR 1.3. Historical Development of ADR 1.4. Types of ADR 1.5. Principles of ADR 1.6. Legal and Ethical Issues in ADR 1.7. Roles and Responsibilities of Professionals in ADR. 1.8. Comparative Advantage of ADR and Litigation			 Taking lecture notes.  Raising questions and unclear points.  Doing and submitting assignments on time.  Actively participate and reflect during class room and group discussions			

	<b>Chapter Two: Negotiation</b> 2.1. Meaning 2.2. Negotiation Theory and Practice 2.3. When is negotiation appropriate Dispute resolution? 2.4. Bargaining Power in Negotiation 2.5. Factors affecting Bargaining Power 2.6. (Practical negotiation exercise) 2.7. Merits and Demerits of Negotiation	 Taking lecture notes.  Raising questions and unclear points.  Doing and submitting assignments on time.  Actively participate and reflect during class room and group discussions
	<b>Chapter Three: Mediation</b> 3.1. Meaning 3.2. Mediation Theory and Practice 3.3. Features of Mediation 3.4. When is Mediation appropriate Dispute Resolution? 3.5. Role and Responsibility of Mediator 3.6. (Practical mediation exercise) 3.7. Merits and Demerits of Mediation	 Taking lecture notes.  Raising questions and unclear points.  Doing and submitting assignments on time.  Actively participate and reflect during class room and group discussions
	<b>Chapter Four: Arbitration</b> a. Meaning b. Arbitration Theory and Practice c. Features of Arbitration d. When is Arbitration appropriate Dispute resolution? e. Role and Responsibility of Arbitrator f. (Practical arbitration exercise) g. Arbitration and litigation h. Merits and Demerits of Arbitration	 Taking lecture notes.  Raising questions and unclear points.  Doing and submitting assignments on time.  Actively participate and reflect during class room and group discussions  Referring and reading recommended reference materials
	<b>Chapter Five: ADR in Ethiopia</b> 5.1. Introduction 5.2. Constitutionality of ADR 5.3. Institutionalized Practice of ADR 5.3.1. Ethiopian Arbitration and Conciliation Centre (EACC) 5.3.2. Addis Ababa Chamber Commerce and Sectorial Association Arbitration Centre	 Taking lecture notes.  Raising questions and unclear points.  Doing and submitting assignments on time.  Referring and reading recommended reference materials

	<b>Chapter Six: Survey of Customary Dispute Resolution Methods in Ethiopia</b>	
<b>Week 16</b>	<b>Course Summary, Presentation and Final Exam</b>	
<b>Assessment</b>	<p> <b>1. Quiz 1. ....10%</b>  <b>2. Quiz 2 ....10%</b>  <b>3. Indiv. Assignment.....10%</b>  <b>4. Group assignment.....10%</b>  <b>4. Test.....20%</b>  <b>5. Final.....40%</b>  <b>Total.....100%</b>  <b>Grading is according to the legislation of the university</b> </p>	
<b>Course expectations</b>	<p><b>Preparedness:</b> On time accomplishment of reading assignments and other activities. Exertion of much individual and group effort as the course is a writing course and hence is a demanding one. Coming to classes with extensive reading of each chapter and after class re-reading of respective chapters. In case, missing class is a must, learners should bear the responsibility to catch up by reading and getting notes from other classmates. Of course, they should not also hesitate to ask their instructor for help.</p> <p><b>Participation:</b> Making active participation during class discussions, group work, seminar organization and presentations and for more understanding of the lessons, additional outside class participations/consultations with classmates /others is also strongly recommended.</p>	
<b>Policy</b>	<p><b>On Attendance:</b> Attendance is mandatory because to fully understand the course, exchange of ideas is an essential element both in class and the individual/group-based assignments.</p> <p><b>On Assignments:</b> The course has both individual and group assignments for class and seminar presentations with a view to give learners an opportunity to practice theoretical knowledge they learned in class. So, while working the assignments, materials from lectures, texts, and other supplemental notes can be used. Regarding group works and seminar works, one group should have a maximum of 8-10 members. Finally, marked/ graded assignments will generally be returned the following two days in class after they are submitted.</p> <p><b>On exam:</b> There is final exam which will be delivered at the end of the semester. The content of the exam will cover all topics presented in class and it will be a closed book/class note one in nature.</p> <p><b>On Academic Dishonesty:</b> Academic dishonesty WILL NOT BE TOLERATED. Any student found cheating on an exam will receive a “zero” for that exam and additionally the matter will be turned over to concerned bodies for other decisions. Besides, assignments should be own work and not copied from someone else otherwise plagiarism will result in a similar measure as above. Note also that there will be NO SECOND CHANCE.</p> <p><b>On Students With Disabilities:</b> If learners have any qualified and documented disability which may impair their ability to successfully complete this course, they are advised to contact the department for help in getting academic accommodations.</p>	

### References

- Abera Jemberre, legal History of Ethiopian –1434 –1974 II, AAU, 1994
- Alberta Law Reform Institute. Dispute Resolution: A Directory of Methods of Project and Resources. No. 19. Alberta: ..., 1990
- Carbonneau, Thomas E. Alternative Dispute Resolution: Melting the Lances and dismounting the Steeds. Urbana: University of Illinois Press, 1989.
- Charles Hauss, 2001 International Conflict Resolution: International Relations for the 21<sup>st</sup> Century, New York, Continuum Publishing.
- D. W. Hendon and R. A. Hendon, Negotiating Worldwide –A Practical Approach, A Maya Gower Imprint, 1<sup>st</sup> edn. 2001.
- Goldman, Alvin L, And Jacques Rojot. Negotiation: Theory and practice. Hague: Kluwer Law International, 1991.
- Ho- Won Jeong (ed.), 1999 Conflict Resolution: Dynamics, Process and Structures, Brookfield, VT: Ashgate Pub. Co.
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- John W. Burton and E. Frank Dukes, 1990 Conflict: Practices in Management, Settlement and Resolution, New York, St. Martins Press.
- Morton Deutsch, 1973 The Resolution of Conflict: Constructive and Destructive Processes, New Haven, CT: Yale University Press.
- P. C. Rao, Alternative Dispute Resolutions-what it is and how it works, 2001 U.L. Publishing
- Roger Fisher et. al 1994 Beyond Machiavelli Tools for Coping with Conflict, Cambridge, MA: Harvard University Press.
- The Federal Negarit Gazeta 1st Year No. 1, The Constitution of the Federal Democratic Republic of Ethiopia, Proclamation No 1/1995,