

EUNICE LUMALLAS, FCIArb

International Arbitration, Mediation and Litigation

BIODATA



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PROFESSIONAL PROFILE & KEY COMPETENCES

Trial Advocate, Practicing arbitrator and mediator accredited by the Mediation Accreditation Centre (MAC), and an International Arbitrator (fellow) and Mediator with the Kigali International Arbitration Panel (KIAC) , the Nairobi Centre for International Arbitration (NCIA), the Lagos Court of Arbitration (LCA) the Lagos Chamber of Commerce and International Arbitration Centre (LACIARC), London Centre for International Arbitration (LCIA) and the Mauritius Arbitration and Mediation Center (MARC), Advocate of the High Court, a qualified Patent Agent, Commissioner for Oaths and a Notary Public

CAREER OBJECTIVES

- Enhance the development and growth of the legal practice in general and inspire those younger than me to make their contribution through research, writing and training
- Contribute to the leveling of ground for access to justice particularly to the most vulnerable.
- Ensure that there is enhanced participation of all in governance

EDUCATIONAL & PROFESSIONAL BACKGROUND

Candidate, Chartered Arbitrator Peer Interview, 2020

Fellow, Chartered Institute of Arbitrators (**FCIArb**) -2014

Masters degree in Law: LLM in Public International Law – December 2013

Diploma in Law, Kenya School of Law. October 2005

Bachelor of Laws (LL.B Hons) Second Class, Upper Division, Moi University

PROFESSIONAL COURSES

ARBITRATION

- Dispute Management in Africa Infrastructure Projects (DiMAP) 2020, Association for Construction Engineering in Nigeria and the Lagos Chamber of Commerce International Arbitration Centre.
- Investment Treaty Arbitration Training, September 2018, Africa International Legal Awareness, London
- Introduction to International Centre for Settlement of Investment Disputes (ICSID) Arbitral practice, 22nd July 2016
- Investor State Arbitrations (Bilateral Investment Treaties and Multilateral Investment Treaties)
- Introduction to Arbitration
- Contract law, tort and Evidence
- Arbitration law and Practice & requisite tutorials
- Practice and Procedure in drafting & requisite drafting practice tutorials
- Award Writing
- Arbitration tutoring

MEDIATION

- Introduction to mediation
- 40 hour mediation training and practice
- Mediation Training of Trainers

BANKING & BUSINESS ADMINISTRATION

- Analysis of Financial Risk, Business Application, Credit Collections, Credit Assessment
- Debt & Contract Management

PROFESSIONAL ORGANISATIONS-& ENGAGEMENTS

- Council Member, Association of Professional Societies of East Africa (APSEA)
- Honorary Vice Chairperson, Chartered Institute of Arbitrators, Kenya Branch, A Fellow of the Institute as well as a faculty member and member of Education Sub-Committee.
- Member of the Law Society of Kenya's Gender and Alternative Dispute Resolution Committees,
- A member of the Pan African Lawyers Association (PALU).
- Member of the Federation of Women Lawyers (FIDA),
- Board Member Skipperseil Group Company (India)

RELEVANT EXPERIENCE

Advocate, High Court of Kenya

LUMALLAS ACHIENG AND KAVERE ADVOCATES – SENIOR PARTNER IN CHARGE OF DISPUTE RESOLUTION AND STRATEGY

Practicing law in Kenya and East Africa – In Charge of Dispute avoidance management and resolution; passionate about Alternative Dispute Resolution, and Trial Advocacy; practice areas include commercial and corporate, Property, trade and Investment, Sports and

Entertainment, building and construction, Information, Communication and Technology, and Intellectual Property.

Brief Arbitration & Mediation Experience

- Construction Arbitration involving a Government Housing Development based on Breach of Contract, 2020
- Arbitration involving a Foreign Company and A Kenyan private entity over interpretation of a contract, 2019-2020
- Arbitrator in International dispute with parties from Rwanda and Uganda 2018
- Sole Arbitrator in an Arbitration between a County Government and a Corporate 2017
- Counsel for a party in a commercial Arbitration regarding a breach of contract 2011-2012
- Advocate for a party in a construction adjudications touching on liability of sub-contractors, May 2012 and in 2016
- Advocate for a party in an arbitration relating to a breach of contract and the contractual remedy of specific performance, 2013,2014
- Sole Arbitrator in an arbitrations involving sale of land, Nairobi, 2012, 2013, 2017
- Sole Arbitrator in a commercial dispute relating to a lease, December 2014
- Sole arbitrator in a dispute a Kshs. 200M worth dispute relating to the interpretation of a contract , 2015/2016
- Sole Arbitrator in a construction dispute worth Kshs. 360M, January 2016.
- Mediator in numerous family disputes, involving succession and inheritance, children's custody, property division
- Court Annexed mediator –Kenya Judiciary

OTHER RESPONSIBILITIES AND ASSIGNMENTS

Chartered Institute of Arbitrators

Appointed in September 2014 by the Chairperson of the Chartered Institute of Arbitrators (Kenya Branch) to a task force on property development, CIArb(K)'s representative in APSEA, since September 2015, a member of the Education Committee, convener of the Business development and Marketing committee, a member of the Faculty and Trainer for the Introduction to Arbitration course, UNCITRAL Model law, Contract Law, Tort and Evidence

Ecory (International) March to May 2015

Provided research, advisory services in governance and pensions regime (Kenya & Ghana)

East African Legislative Assembly (EALA) (August 2014)

Training of EALA members on proper administration and management of disputes together with Hon. Kenneth Marende, EGH, former Speaker of Parliament (Kenya)

Government Task-force on Climate Change (2012-2013)

Served in the National Government taskforce on Climate Change in Change of policy and legal framework under the auspices of the Ministry of Environment and Natural Resources –Kenya

Parliamentary Service Commission Pensions Board of Trustees

Legal advisor to Pensions Board of Trustees since February 2013.

ALTERNATIVE DISPUTE RESOLUTION CONFERENCES, WORKSHOPS & SEMINARS

- 2nd NCIA International Arbitration Conference, 4th to 6th March 2020, Mombasa
- Speaking a master class on International Alternative Dispute Resolution at the Lagos Centre of International Arbitration ADR Summit week between the 16th and 20th September 2019
- Speaker at the London Court of Arbitration (LCIA) Court user's symposium on 23rd and 24th May 2019
- Speaker at the Mauritius Arbitration Week, 10th -15th June 2019
- The Africa Arbitration Association (AFAA) Inaugural Conference, 3rd and 4th April 2019, Kigali Rwanda
- SOAS University of London Arbitration in Africa Conference 12TH TO 14TH February 2019, International Convention Centre, Arusha Tanzania
- Seminar on reviewing reforms to the investment regime and the investor state dispute resettlement mechanism: perspectives from the Asia –Africa Regions, November 2018, Arusha Tanzania (delegate)
- Hot topics on investment Treaty Arbitration, November 2018, (Africa International Law Awareness)
- The Annual East African Conference 2018, Addis Ababa
- Speaker at the Conference on Arbitration in Africa, June 2018, Abidjan, the conference launched the African Arbitration Association (AFAA)
- Speaker at the National ADR stakeholder's forum April 2018
- Organizer and Speaker at the Women in Arbitration Conference Kenya March 2018
- East Africa Annual Arbitration conference on international Arbitration, Johannesburg South Africa, June 2017
- Annual Chartered institute of Arbitrators Africa Region conference Kigali Rwanda, September 2017
- Chartered Institute of Arbitrators Investment Arbitration seminar 2016, Kampala Uganda
- Conference on dispute resolution and development of a complaints handling guidelines for public institutions in Kenya – 11-12th February, 2016, Great Rift Valley Lodge, Naivasha, Kenya
- International Council for Commercial Arbitration, Conference and road show on commercial arbitration, 16th September, 2015, Norfolk Hotel
- Pan African Lawyers Conference-conception of ADR committee, Abuja Nigeria, Sheraton Hotel, 22-26th September, 2015
- African Centenary Conference, International Arbitration Conference for Africa, 15th and 16th July 2015, Livingstone, Zambia
- East African International Arbitration Conference 2015, 9-10th April 2015, Norfolk Hotel
- The UN Conference on the status of women, special focus on deliberations on conditions of women in conflict areas and role of women in mediating conflicts in Africa, March 2015
- International Arbitration Conference, Chartered Institute of Arbitrators, 7th and 8th August 2014, White sands Hotel, Mombasa
- Chartered Institute of Arbitrators Annual Conference, 25th and 26th July 2013, Southern Sun Mayfair Hotel, Nairobi

RESEARCH/ PUBLICATIONS/AUTHORSHIP

- Shifting of Gears: The role of lawyers in ADR matters: October 2016
- “Commercial mediation in Africa,” Assisting writer/researcher, paper presented by Ms. Njeri Kariuki, African Region Conference in Zambia, 15th July 2015
- “Extra- Judicial constitutionalism and Alternative dispute resolution under the 2010 Kenyan constitution,” 10th November 2015, Kabarak University,
- The design & architecture of an effective modern alternative dispute resolution system: Reflections on Kenya under the 2010, Constitution, unpublished, March 2013
- “Centrality of the East African Legislative Assembly in the Integration of East Africans” , 2013, reference manual, faculty of Law, University of Nairobi
- A Critical Appraisal of the Constituency Development Fund Act, with Elisha Zebedee Ongoya, 2005. www.kenyalaw.org

AWARDS AND HONOURS

- Lawyer of the Year, 2018. Nairobi Kenya, Law Society of Kenya, Nairobi Branch
- University Representative (Moi University) in the Annual International Humanitarian Law Moot Court in Arusha Tanzania and in Egypt 2002-2003
- Deans list, Moi University Faculty of Law, 2004

OTHER SKILLS

Effective listening, Computer literate, patient and decisive

OTHER INTERESTS

Nature, reading (classical, inspirational, biographies) writing, theatre

REFEREES

1. Professor Githu Muigai,
Former Attorney General/ Senior Partner,
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I, Eunice Lumallas, certify that the data above correctly describe me, my qualifications and my experience